



## Report Committee of Adjustment

**Filing Date:** December 20, 2023  
**Hearing Date:** January 23, 2024  
**File:** A-2023-0415  
**Owner/  
Applicant:** HAIDER SAHI  
**Address:** 8201 CHURCHVILLE ROAD  
**Ward:** WARD 4  
**Contact:** Satwant Hothi, Planner I, Development

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### **Recommendations:**

That application A-2023-0415 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the notice of decision;
  2. That the homeowner contact the City's Forestry Department to review any existing trees effected by the proposed work 'prior to' any commencement of works on the subject property;
  3. That drainage on adjacent properties shall not be adversely impacted; and
  4. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

#### Existing Zoning:

The property is zoned 'Agricultural (A)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a proposed 2-storey building addition with an interior side yard setback of 2.79 metres (9.17 ft), whereas the by-law requires a minimum interior side yard setback of 7.5 metres (24.6 ft).

**Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Agricultural' in the Official Plan and 'Prime Valleyland' in the Credit Valley Secondary Plan (Area 45). The requested variance is related to a proposed addition to be constructed on the existing residential dwelling. The requested variance is not considered to have a significant impact within the context of the policies of the Official Plan. Subject to the recommended conditions of approvals, the requested variance is considered to maintain the general intent of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Agricultural (A)', according to By-law 270-2004, as amended. Variance 1 is requested to permit a proposed 2-storey building addition with an interior side yard setback of 2.79 metres, whereas the by-law requires a minimum interior side yard setback of 7.5 metres. The intent of the by-law in requiring a minimum interior side yard setback to a dwelling is to ensure sufficient building separation is maintained and massing does not negatively impact adjacent properties.

The proposed addition and associated reduction to the interior side yard setback is considered to maintain sufficient separation between the dwellings and the property line. The massing of the addition is not anticipated to negatively impact adjacent properties in terms of privacy or shadowing. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance relates to a proposed two storey addition to be built in the rear yard of the detached dwelling. The intent of the homeowner is to expand upon an existing detached dwelling to construct an open-to-above basketball court and second storey bedrooms. The requested variance is not anticipated to negatively impact the overall character of the streetscape given its location and similar development within the neighbourhood. The reduction in the interior side yard setback to 2.79m is not anticipated to negatively affect the neighbouring properties views nor raise any privacy concerns. Moreover, the expansion of the existing detached dwelling aligns with the character of the neighborhood. Many homes in the area have been redeveloped and are of similar style proposed by the applicant. A condition of approval is recommended that drainage from the detached dwelling shall flow onto the applicant's property. The variance is considered desirable for the appropriate development of the land.

#### 4. Minor in Nature

Variance 1 represents a modest and often nominal relief from the Zoning By-law requirements. The nominal relief is not anticipated to contribute to an overdevelopment of the property and the requested variance, subject to the recommended conditions of approval, is considered minor in nature.

Respectfully Submitted,

*S. Hothi*

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Satwant Hothi  
Planner I, Development