



## Report Committee of Adjustment

**Filing Date:** February 16<sup>th</sup>, 2024

**Hearing Date:** March 19<sup>th</sup>, 2024

**File:** A-2024-0053

**Owner/  
Applicant:** Sundial Homes (Castlemore) Limited  
Glen Schnarr and Associates Inc., c/o Jason Afonso

**Address:** 0 Mosswood Trail

**Ward:** WARD 10

**Contact:** Aferdita Dzaferovska, Planning Technician

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### **Recommendations:**

That application A-2024-0053 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
  2. That a clause be included within the Agreement of Purchase and Sale for the property advising of the variances affecting the property. In the event the property has been sold, the applicant shall provide written confirmation to the Secretary-Treasurer that the purchaser acknowledges and accepts the variances; and
  3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

The applicant seeks five (5) variances to address deficiencies in the lot for properties situated on Block 13, Plan 43M-2093, a residential area within an already registered plan of subdivision. These variances aim to align zoning regulations between the subject portion of the lot (Block 13, Plan 43M-2093) and the adjoining lot to the west (Lot 12 on Draft Approved Plan 21T-16005B), which are currently permitted within the subdivision. The purpose of these variances is to enable the construction of a single detached dwelling on the currently vacant block, following its merger with the neighboring lot to the west, while maintaining consistency with the established streetscape along Mosswood Trail and Burlwood Road. Given the disparate zoning designations between the subject portion of the lot and the lot intended for

merger to the west, these variances are necessary to establish uniform zoning regulations for the entire lot once merged.

Existing Zoning:

The subject property is zoned 'Residential Single Detached A Section 2526 (RIA-2526)' according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To allow a minimum lot area of 625 square metres, whereas the by-law requires a minimum 690 square metres;
2. To allow a minimum rear yard depth of 6 metres provided that the area of the rear yard is at least 25% of the minimum required lot area, whereas the by-law requires a minimum rear yard of 7.5 metres;
3. To allow a minimum lot width of 20 metres, whereas the by-law requires a minimum lot width of 23 metres;
4. To allow a minimum lot depth of 25 metres, whereas the by-law requires a minimum lot depth of 30 metres; and
5. To allow a minimum interior side yard width of 0.6 metres, provided the combined total of the interior side yards on an interior lot is not less than 1.8 metres, whereas the by-law requires a minimum of 1.8 metres.

**Current Situation:**

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

The subject property is designated 'Residential' in the Official Plan and 'Low Density 1' within the Vales of Castlemore Secondary Plan (Area 42). Lands designated 'Low Density 1' in the Secondary Plan are intended to be developed for single detached dwellings. The application and related variances are requested to facilitate the development of single detached dwelling on the subject part lot (Block 13 Plan 43M-2093) and the merging lot to the west (Lot 12 on Draft Approved Plan 21T-16005B) with decreased lot width, depths, and area. The resulting lot dimensions of the lots upon merging will be generally consistent with the surrounding neighbourhood, built form and character. Subject to the recommended conditions of approval, the requested variances maintain the general intent and purpose of the Official Plan.

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

Variance 1 is requested to permit a minimum lot area of 625 square metres, whereas the by-law requires a minimum 690 square metres. The intent of the by-law in regulating the lot area is to ensure that the lot dimensions are capable of accommodating the intended use or development, as well as to

remain consistent with the existing streetscape of the area. The subject property is zoned 'Residential Single Detached A Section 2526 (RIA-2526)' which accommodates low density residential uses. The subject lands and abutting properties consist of single detached dwellings that vary in size and character. The proposed lot area will facilitate the construction of a future single detached dwelling. The block is proposed to have a minimum lot area of 625 square metres which is a 65 square metre reduction from what the by-law permits. Despite this proposed reduction to the lot area, it is generally considered to be consistent with the existing streetscape and lot fabric of the immediate surrounding lots for the complete lot once merged.

Variance 2 is requested to permit a minimum rear yard depth of 6 metres provided that the area of the rear yard is at least 25% of the minimum required lot area, whereas the by-law requires a minimum rear yard of 7.5 metres. The intent of the By-law in requiring a minimum amount of rear yard depth is to ensure that adequate area be provided in the rear yard of the property to accommodate for amenity space and structures while mitigating impacts on adjacent properties. In this instance, the property is located in an established neighbourhood and the proposed rear yard depth is generally similar to that of the other nearby residential lots. The lot backs onto natural heritage lands and therefore, there are no impacts anticipated to adjacent properties.

Variances 3, 4, and 5 are being sought to allow for reduced lot widths, depths, and side yard widths. The purpose of the By-law's stipulation of minimum lot dimensions and side yard widths is to uphold a specific character for the property while regulating the placement of buildings in relation to property lines. Staff believe that the proposed reductions in lot width and depth are minor and generally align with the standards of adjacent properties within the entire lot. Additionally, considering the lot's pie-shaped configuration and narrow front yard, staff consider the proposed interior side yard width of 0.6 meters suitable for facilitating the construction of a single detached dwelling.

The requested variances are required as a result of the lot deficiencies for the lands in which are already registered despite being surrounded by established residential properties. Subject to the recommended conditions of approvals, the requested variances are considered to maintain the general intent of the Zoning By-law.

### 3. Desirable for the Appropriate Development of the Land

The requested variances aim to allow slight reductions in the minimum lot width, depths, and area to enable the establishment of a new residential lot for the eventual construction of a single detached dwelling. The entirety of the lot is deemed harmonious with the surrounding neighborhood, and the proposed reductions are not expected to detract from the neighborhood's character. Furthermore, the proposed lot size is ample to accommodate the planned single detached residential development while maintaining consistency with the neighborhood's overall lot layout. The variances are considered desirable for the appropriate development of the land.

### 4. Minor in Nature

The variances are required to facilitate the construction of a single detached dwelling on the subject part lot (Block 13 Plan 43M-2093) and the merging lot to the west (Lot 12 on Draft Approved Plan 21T-16005B). The complete lot, following the merge, is not considered to be a significant deviation from the minimum requirements of the by-law. Moreover, the reduced lot dimensions are not anticipated to alter the existing character of the neighbourhood. The variances are considered minor in nature.

Respectfully Submitted,

Aferdita Dzaferouska

Aferdita Dzaferovska, Planning Technician