

Filing Date: February 10, 2021

Hearing Date: March 9, 2021

File: A-2021-0024 and A-2021-0025

**Owner/
Applicant:** SCOTTISH HEATHER DEVELOPMENT INC.

Address: 5 & 7 FORDHAM ROAD

Ward: 6

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2021-0024 and A-2021-0025 are supportable, subject to the following conditions being imposed upon both applications:

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;
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:

Existing Zoning:

The properties are zoned "Residential Semi Detached D-7.3 – Special Section 2434 (R2D-7.3-2434) according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a dwelling unit width of 5.56m (18.24 ft.) whereas the by-law requires a minimum dwelling unit width of 6.0m (19.68 ft.).

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated "Residential" in the Official Plan and "Low/Medium Density" in the Bram West Secondary Plan (Area 40d). The requested variance is not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The properties are zoned "Residential Semi Detached D-7.3 – Special Section 2434 (R2D-7.3-2434) according to By-law 270-2004, as amended.

The requested variance is to permit a dwelling unit width of 5.56m (18.24 ft.) whereas the by-law requires a minimum dwelling unit width of 6.0m (19.68 ft.) related to both sides of a semi-detached dwelling. The intent of the by-law in requiring a minimum dwelling unit width is to ensure that the dwelling has sufficient habitable area. The proposed reduction of 0.44m (1.44 ft) in unit width is not anticipated to significantly impact the habitable area within the dwelling. Subject to the recommended conditions of approval, the requested variance is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance to permit a reduced dwelling unit width is requested in order to allow for an increased side yard setback for the semi-detached dwelling. This increased setback is intended to facilitate steps to an above grade door while complying with Ontario Building Code and Zoning requirements.

The proposed reduction in unit width is not anticipated to noticeably impact the habitable space within the dwelling and will allow for an additional means of entrance and exit for the dwelling. A condition of approval is recommended 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 as the units are not yet constructed.

Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

The proposed reduction in dwelling unit width represents a decrease of 0.44m (1.44 ft) which is not considered to have a significant visual or functional impact on the overall dwelling. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I