

**Filing Date:** 03-Mar-2021

**Hearing Date:** 30-Mar-2021

**File:** A-2021-0045

**Owner/  
Applicant:** Scottish Heather Development Inc. – Stephen Safranyos

**Address:** 7 Ixworth Circle

**Ward:** 6

**Contact:** Tejinder Sidhu, Planner 1, Development

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**Recommendations:**

That application A-2021-0045 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 (*7 Ixworth Circle*) 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 subject site is currently vacant and is proposed to be developed with a detached dwelling in coordination with approved plan of subdivision (associated file: C05W04.005).

Existing Zoning:

The property is zoned 'Residential Single Detached E (R1E)', Special Section 2427, according to By-law 270-2004, as amended.

**Requested Variance:**

The applicant is requesting the following variance:

1. To permit a rear yard setback of 7.36m (24.15 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

**Current Situation:**

1. Conforms to the Intent of the Official Plan

The subject property is designated 'Residential' in the Official Plan and 'Low/Medium Density Residential' in Bram West Secondary Plan (Area 40d). The requested variance is not considered to have significant impacts within the context of the Official Plan policies as it relates to the noted designations. The requested variance maintains the general intent and purpose of the Official Plan.

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

The property is zoned 'Residential Single Detached E (R1E) – Special Section 2427', according to By-law 270-2004, as amended. The requested variance is to permit a reduced rear yard setback of 7.36m (24.15 ft.) whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.).

The intent of a minimum rear yard setback is to maintain a sufficient amenity area in the rear yard for the dwelling. The subject site is an odd shaped lot and differs slightly in size and orientation from the other lots proposed in the approved subdivision. A rear yard setback of 7.5m (24.60 ft.) is maintained for most of the site except for the corner portion which is 7.36m (24.15 ft.). Subject to the recommended conditions of approval, the variance is considered to maintain the general intent of the Zoning by-law.

3. Desirable for the Appropriate Development of the Land

This variance is requested to permit a reduced rear yard setback for a proposed detached home. The reduced rear yard setback of 7.36m (24.15 ft.) will still provide sufficient rear yard amenity space for the property. 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 variance for a reduced rear yard setback will still provide sufficient outdoor amenity space for the proposed dwelling. Subject to the recommended conditions of approval, this variance is considered to be minor in nature.

Respectfully Submitted,

*T. Sidhu*

Tejinder Sidhu  
Planner I, Development