

Filing Date: April 14, 2021

Hearing Date: May 11, 2021

File: A-2021-0091

**Owner/
Applicant:** DOSANJH RANJIT SINGH

Address: 20 MORRIS COURT

Ward: 10

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0091 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 Public Notice;
 2. That the owner finalize site plan approval under City File SPA-2021-0012 and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
 3. The applicant acquires a TRCA permit pursuant to Ontario Regulation 166/06;
 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 'Residential Rural Estate Two (RE2)', *according to By-law 270-2004, as amended.*

Requested Variances:

The applicant is requesting the following variances:

1. To permit a garage door height of 3.66 m (12.00 ft.), whereas the By-law permits a maximum garage door height of 2.4 m (7.87 ft.);
2. To permit a building height of 12.75 m (41.83 ft.), whereas the By-law permits a maximum building height of 10.6 m (34.78 ft.);
3. To permit an interior side yard width of 3.03 m (9.94 ft.), whereas the By-law requires a minimum interior side yard width of 7.5 m (24.60 ft.).

Current Situation:

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

The property is designated 'Residential' in the Official Plan. The property is located within the 'Estate Residential' in the Toronto Gore Rural Estate Secondary Plan (Area 26), for which there is currently no Secondary Plan in place. The requested variances have no impact within the context of the policies of the Official Plan. The general intent and purpose of the Official Plan is maintained.

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

Variance 1 is being requested in regards to an increase in the maximum height of the garage doors of the proposed dwelling. The variance is required to permit a garage door height of 3.66 m (12 ft.), whereas the By-law permits a maximum garage door height of 2.4 m (7.87 ft.).

The intent of the By-law in regulating the maximum garage door height in residential zones is to ensure that garages do not have a commercial appearance. In this case, the height of the garage door is of a scale in keeping with the overall appearance of the proposed dwelling. The requested variance is considered to conform to the general intent and purpose of the Zoning By-law.

Variance 2 is being requested in regards to the height of the proposed dwelling. The variance is required to permit a building height of 12.75 m (41.83 ft.), whereas the By-law permits a maximum building height of 10.6 m (34.77 ft.). This represents a building height increase of approximately 2.15 m (7.05 ft.).

The intent of regulating dwelling height in residential zones is to ensure that there are no negative massing, shadowing and privacy impacts on adjacent properties. The subject lot within this estate residential area is 0.81 hectares (2 acres) in size. Given that the proposed dwelling will be situated on a relatively large lot, the increase in building height will not create any adverse impacts (i.e. shadowing, privacy, massing). The requested variance conforms to the general intent and purpose of the Zoning By-law.

Variance 3 is being requested in regards to the interior side yard width of the proposed dwelling. The variance is required to permit an interior side yard width of 3.03 m (9.94 ft.), whereas the By-law requires a minimum interior side yard width of 7.5 m (24.60 ft.). This represents a decrease of approximately 4.47 m (14.66 ft.) in the width of the southern interior side yard. This variance is attributable to the one storey with terrace portion of the proposed dwelling enclosing an indoor pool.

The intent of the By-law in requiring a minimum interior side yard width is to ensure that sufficient space is maintained for drainage and access to the rear yard. Given the size of the subject lot, and the proximity to the adjacent dwelling on the neighbouring property, the decrease in the interior side yard width will not have adverse impact on drainage and access to the rear of the property. The requested variance conforms to the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The applicant is proposing a dwelling which is compatible with the estate residential character of the adjacent residential lots. The requested variances to allow an increase in building height, reduced interior side yard width, and an increase in garage door height will not create any adverse impacts or alter the character of the estate residential area. The variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variances to allow an increase in building height, a reduced interior side yard width, and an increase in garage door height for the proposed dwelling will not create any adverse impact or alter the character of the area. The variances are considered to be minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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