



Report Committee of Adjustment

Filing Date: May 26, 2021
Hearing Date: June 22, 2021

File: A-2021-0119

**Owner/
Applicant:** Varinder Dhillon

Address: 30 Cynthia Crescent

Ward: WARD 10

Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0119 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 owner finalize site plan approval under City File SPA-2021-0064 and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
-

Background:

Existing Zoning:

The property is zoned 'Residential Rural Estate Two (RE2)', *according to By-law 270-2004, as amended.*

Requested Variance:

The applicant is requesting the following variance:

1. To permit a building height of 11.65m (38.22 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 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 subject to 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

The property is zoned 'Residential Rural Estate Two (RE2)', according to By-law 270-2004, as amended. The requested variance to increase the maximum permitted building height is requested to facilitate the construction of a two storey dwelling.

The requested variance is to permit a building height of 11.65m (38.22 ft.) whereas the by-law permits a maximum building height of 10.6m (34.78 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 0.82 hectares (2.02 acres) in size. Given that the proposed dwelling will be situated on a relatively large lot, the 1.05 metres (3.44 ft.) increase in building height is not anticipated to create any adverse impacts (i.e. shadowing, privacy, massing). The requested variance is considered to conform 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 properties. The requested variance to allow an increase in building height will not create any adverse impacts or alter the character of the estate residential area. A condition of approval is recommended that the owner finalize site plan approval under City File SPA-2021-0064 and post any required financial securities and insurance to the satisfaction of the Director of Development Services. Subject to the recommended conditions of approval, the variance is considered desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to allow an increase in building height will not create any adverse impact or alter the character of the area. The variance is considered minor in nature.

Respectfully Submitted,

François Hémon-Morneau

François Hémon-Morneau, Planner I