



Report Committee of Adjustment

Filing Date: September 16, 2022
Hearing Date: October 25, 2022

File: A-2022-0298

**Owner/
Applicant:** JARNAIL SINGH & BALPREET KAUR SAINI

Address: 22 Rae Avenue

Ward: WARD 10

Contact: Simran Sandhu, Assistant Development Planner

Recommendations:

That application A-2022-0298 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 the accessory structure shall not be used as a separate dwelling unit;
 3. That no commercial or industrial uses shall operate from the accessory structure;
 4. 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 2 (RE2)', according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit an accessory structure (shed) having a gross floor area of 241.6 sq. m (2,600.56 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.57 sq. ft.);

2. To permit a door height of 3.0m (9.84 ft.) for an accessory structure whereas the by-law permits a maximum height of 2.4m (7.87 ft.) for accessory structure doors.

Current Situation:

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

The property is designated 'Estate Residential' in the Official Plan and is located within the Toronto Gore Rural Estate (Area 26), for which there is currently no Secondary Plan in place. The nature and extent of the proposed variances, subject to the recommended conditions of approval, maintains the general intent and purpose of the Official Plan. The property contains an existing single detached dwelling and the proposed accessory structure is intended for personal storage associated with the residential use. A condition has been recommended to ensure that no commercial or industrial uses be permitted to operate in association with the accessory structure. The requested variances have no impact within the context of the policies of the Official Plan. Subject to the recommended conditions of approval, 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 requested to permit an accessory structure (shed) having a gross floor area of 241.6 sq. m (2,600.56 sq. ft.) whereas the by-law permits a maximum gross floor area of 23 sq. m (247.57 sq. ft.). Variance 2 is requested to permit a door height of 3.0m (9.84 ft.) for an accessory structure whereas the by-law permits a maximum height of 2.4m (7.87 ft.) for accessory structure doors. The intent of the by-law in regulating the maximum permitted floor area of an accessory structure is to ensure that the size of the structure does not negatively impact the provision of outdoor amenity space for the property. The intent of the by-law in regulating the maximum accessory door height in a residential zone is to ensure that the accessory structures do not have a commercial appearance.

The variances are requested in regards to the maximum permitted gross floor area and door height for an accessory structure (shed). The gross floor area of the proposed accessory structure is 241.6 sq. m (2,600.56 sq. ft.) and will accommodate for storage purposes. Given the large size of the property, the increased size for the shed is not anticipated to negatively impact the provision of outdoor amenity space or negatively impact the subject property or adjacent properties. The increased shed door height is intended to be proportional to the size of the shed. In order to ensure that the increased shed door height does not facilitate commercial or industrial uses, a condition is recommended that no commercial or industrial uses be conducted from the shed. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to facilitate the proposed shed in the rear yard on a 0.84 hectare (2.08 acre) estate residential lot. Given the size of the existing shed, which is to be demolished to be replaced with the proposed shed, the size of the shed will be subordinate in size and scale to the principal residence. In addition, the proposed location of the shed does not compromise the livability and quality of amenity space provided on this lot as there remains adequate amenity area in the rear and exterior side yard to serve the residential dwelling.

The scale, massing and design of the accessory structure is in keeping with the character of the existing dwelling and surrounding area. The variances will facilitate the function of the existing residential dwelling. Subject to the recommended conditions of approval, the proposed variances are considered desirable for the appropriate development of the land.

4. Minor in Nature

The variances are proposed to accommodate an increase in size and door height for the accessory structure. These variances are not anticipated to generate negative impacts on-site or off-site. Subject to the recommended conditions of approval, the proposed variances are considered minor in nature.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Simran Sandhu', enclosed within a hand-drawn oval border.

Simran Sandhu, Assistant Development Planner