

**Filing Date:** September 27, 2022

**Hearing Date:** October 25, 2022

**File:** B-2022-0013 & A-2022-0319

**Owner/  
Applicant:** 13172589 CANADA INC

**Address:** 9224 Creditview Road

**Ward:** WARD 5

**Contact:** François Hémon-Morneau, Planner III

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**Recommendations:**

That application **B-2022-0013** is supportable, subject to the following conditions being imposed:

1. A Secretary-Treasurer's certificate fee shall be paid, in the amount current at the time of the issuance of the Secretary-Treasurer's Certificate;
2. Approval of the draft reference plan(s), as applicable, shall be obtained at the Committee of Adjustment office, and the required number of prints of the resultant deposited reference plan(s) shall be received;
3. Arrangements satisfactory to the Region of Peel, Public Works shall be made with respect to the location of existing and installation of new services and/or possible required private service easements;
4. That the Draft Plan of Subdivision be approved prior to issuance of a Building Permit.

That application **A-2022-0319** 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; and,
  2. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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**Proposal:**

The purpose of the application is to request consent to sever a parcel of land currently having a total area of approximately 0.70 hectares (1.74 acres). The proposed severed lot has a frontage of approximately 19.62 metres (64.37 feet), a depth of approximately 31.36 metres (102.89 feet) and an

area of approximately 0.07 hectares (0.17 acres). The effect of the application is to create a new residential lot for future development of a single detached dwelling.

**Background:**

- **Official Plan:** The subject property is designated '**Residential**' in the Official Plan;
- **Secondary Plan:** The subject property is designated "**Low Density 1**" within the Credit Valley Secondary Plan (Area 45);
- **Zoning By-law:** The subject property is zoned '**Agricultural (A)**' according to By-Law 270-2004, as amended.

**Requested Severance:****Current Situation:**

The subject property is one of two properties that is subject to Draft Plan of Subdivision and Zoning By-law Amendment (OZS-2022-0013) to facilitate the creation of twenty-three (23) new single detached residential dwellings. The proposed development contemplates the demolition of the two existing dwellings and subsequent construction of new residential dwellings. The severance application is requested to create a new lot (Lot 1) at the corner of Creditview Road and Innismoor Road that will be developed independently from the proposed subdivision on the retained land and lands to the north. The intent of the proposal is to enable the construction of a new single detached dwelling on Lot 1 to accommodate the owners of 9224 Creditview Road while the rest of the subdivision is constructed.

Staff has undertaken a thorough review of the proposals, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized on Schedule "A" attached to this report), and advise that the proposed consent applications are considered to represent proper and orderly planning and can be supported from a land use perspective.

**Minor Variance Application:****A-2022-0319**

The applicant is requesting the following variance(s) for construction of a new single detached dwelling in conjunction with the proposed severed lot under Consent Application B-2022-0013:

1. To permit a minimum lot width of 20.3 metres whereas the by-law requires a minimum lot width of 45.0 metres;
2. To permit a front yard depth of 4.50 metres whereas the by-law requires a minimum front yard depth of 12.0 metres;
3. To permit a side yard depth of 2.0 metres whereas the by-law requires a minimum side yard depth of 7.5 metres;

4. To permit a rear yard depth of 7.50 metres whereas the by-law requires a minimum rear yard depth of 15.0 metres;
5. To permit a minimum lot area of 0.07 hectares whereas the by-law requires a minimum lot area of 0.4 hectares.

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

The subject property is designated 'Residential' in the Official Plan and 'Low Density 1' within the Credit Valley Secondary Plan (Area 45).

Lands designated 'Low Density 1' in the Secondary Plan are intended to be developed for single detached dwellings. The applications and related variances are requested to facilitate the development of single detached dwelling on a severed lot with decreased lot width, depths, and area. The resulting lot dimensions and building setback will be generally consistent with the surrounding neighbourhood built form and character. Subject to the recommended conditions of approval, the requested variances maintains the general intent and purpose of the Official Plan.

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

The subject property is zoned 'Agricultural (A)' according to By-Law 270-2004, as amended. It is noted that the requested variances are required as a result of the development standards prescribed as part of the agricultural zone. While the agricultural designation for this property is not consistent with the prevailing residential zoning in the surrounding area, the proposed lot is generally consistent with the predominant residential zoning and the future dwelling is anticipated to be aligned with existing built form in the area.

The first variance is requested to permit a minimum lot width of 20.3 metres whereas the by-law requires a minimum lot width of 45.0 metres. The fifth variance is requested to permit a minimum lot area of 0.07 hectares whereas the by-law requires a minimum lot area of 0.4 hectares. The intent of the By-law in requiring a minimum lot width and minimum lot area is to ensure that a certain character is maintained for the property. The proposed lot width and lot area is generally consistent with that of adjacent properties and will facilitate the development of a future single detached dwelling on the severed lot. The variance is required as a result of the development standards prescribed as part of the agricultural zone despite being surrounded by established residential properties. The lot width and size will be generally consistent with those surrounding the future development. Variances 1 and 5 are considered to maintain the general intent and purpose of the Zoning By-law.

The second variance is requested to permit a front yard depth of 4.50 metres whereas the by-law requires a minimum front yard depth of 12.0 metres. The third variance is requested to permit a side yard depth of 2.0 metres whereas the by-law requires a minimum side yard depth of 7.5 metres. The fourth variance is requested to permit a rear yard depth of 7.50 metres whereas the by-law requires a minimum rear yard depth of 15.0 metres. The intent of the By-law in establishing a front, side, and rear yard depths is to provide a consistent streetscape and to ensure that structures do not have a negative impact on adjoining properties. In this instance, the property is located in an established neighbourhood where there is not a consistent front yard setback for properties with residential zoning. The subject

property is zoned Agricultural and subject to increased development standards. The proposed front, side, and rear yard depths are similar to that of the other nearby residential lots. The proposed dwelling will not adversely impact the streetscape or sightlines for adjacent lots and will be consistent with those developed as part of the surrounding development. No negative impacts will be created by the proposed variance. The variance is 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 severance and development of a single detached dwelling on the proposed severed lot. Variances 1 and 5 are requested to allow reductions to the minimum lot width and lot area to facilitate the proposed severance application (B-2022-0013). The subject property is zoned Agricultural and the surrounding lands are part of an established subdivision comprised of lots with similar dimensions to that proposed through the severance. A single detached dwelling is also proposed on the severed lot which requires reductions to the front, side and rear yard depths. The reduced lot dimensions and proposed dwelling is not anticipated to negatively impact the surrounding properties and will be generally consistent with the surrounding area. The variances are considered desirable for the appropriate development of the land.

### 4. Minor in Nature

The requested variances are required in order to facilitate the severance of the property and construct a single detached dwelling on the severed lot. The lot is intended to be used for residential purpose accommodating a single detached dwelling with a reduced depths and property dimensions. The lot shape and size of the dwelling will Subject to the recommended conditions of approval, the variances are considered minor in nature.

Respectfully Submitted,

*François Hémon-Morneau*

François Hémon-Morneau, Planner III

**SCHEDULE "A"**
**CRITERIA TO BE CONSIDERED UNDER SECTION 53(12) & 51(24) OF THE PLANNING ACT**

<b>CRITERIA TO BE CONSIDERED</b>	<b>ANALYSIS</b>
a) <i>The effect of development of the proposed subdivision on matters of provincial interest;</i>	The proposed consent to sever has no effect on matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposed consent to sever is premature nor contrary to any matters of public interest.
c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The proposed consent to sever does not present any concern with regard to the Official Plan or adjacent plans of subdivision.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The consent to sever is suitable for the purposes for which it is to be subdivided.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposed consent to sever does not present any concern with regard to the adequacy of the roadwork network.
f) <i>The dimensions and shapes of the proposed lots;</i>	The shape and dimension of the proposed and retained lots are appropriate for the intended uses. Minor Variances are requested to permit lot width and area as well as front, side and rear yard depth reductions.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	No concerns are noted with regards to restrictions on the lands included in the lease area.
h) <i>The conservation of natural resources and flood control;</i>	The proposed severance present no concerns with regard to flood control and the conservation of natural resources.
i) <i>The adequacy of utilities and municipal services;</i>	There are no concerns with regard to the adequacy of utilities and municipal services.

j) <i>The adequacy of school sites;</i>	The proposed consent to sever present no concerns with regard to the adequacy of school sites.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	There are no concerns related to conveyances for public purposes.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed consent to sever have no impact on matters of energy conservation.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	The proposed consent to sever have no impact on matters of Site Plan Control under the Planning Act.