

To: Committee of Adjustment
From: Christian Tinney, Building Standards Department
Date: March 15, 2023
Applicant: Domenic & Sonia Tassone
Location: 205 Old Humber Crescent,
PLAN 65M2928 Lot 16
File No.(s): A333/22

Zoning Classification:

The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.459 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum interior side yard setback required is 13.61 metres on the south side. [Section 4.5, 2. b.]	To permit a minimum interior side yard setback of 3.84 metres on the south side of proposed dwelling.
2	The minimum interior side yard setback required is 5.05 metres on the north side. [Section 4.5, 2. b.]	To permit a minimum interior side yard setback of 4.05 metres on the north side of proposed dwelling.
3	The minimum rear yard setback required is 15.0 metres. [Table 7-3]	To permit a minimum rear yard setback of 12.41 metres to a covered patio.
4	The maximum encroachment of an eaves and gutter permitted is 0.5 metres. [Table 4-1]	To permit the encroachment of eaves and gutters of 0.56 metres into the required interior side yards.
5	An outdoor swimming pool shall only be permitted in the rear yard of a lot. [Section 4.21, 2.]	To permit a swimming pool not entirely in the rear yard.

The subject lands are zoned RR – Rural Residential and subject to the provisions of Exception 9(741) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
6	The maximum encroachment of an eaves and gutter permitted is 0.5 metres. [Section 3.14 a)]	To permit the encroachment of eaves and gutters of 0.56 metres into the required interior side yards.
7	The maximum building height permitted is 9.5 metres. [Schedule 'A']	To permit a maximum building height of 11.28 metres.
8	A private swimming pool shall be constructed only in the rear yard. [Section 4.1.1, i)]	To permit a swimming pool not entirely in the rear yard.

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file

Building Permit(s) Issued:

Building Permit No. 16-000845 for Single Detached Dwelling - Residential Demolition, Issue Date: Mar 24, 2016

Other Comments:

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
2	Air Conditioner and/or Heat Pump Units shall be permitted in the interior side yard with a minimum setback of 0.6 metres and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.

* Comments are based on the review of documentation supplied with this application.