

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: September 19, 2022
Name of Owner: Angela Fuda
Location: 44 Lucky Court
File No.(s): A189/22

Proposed Variance(s) (By-law 001-2021):

1. To permit a minimum required rear yard setback of 1.84 m.
2. To permit a minimum rear yard setback for the residential accessory structure of 0.30 m.
3. To permit a minimum required interior side yard setback for the residential accessory structure of 0.30 m.

By-Law Requirement(s) (By-law 001-2021):

1. The minimum required rear yard setback for the roof structure is 7.5 m.
2. The minimum required rear yard setback for the residential accessory structure is 0.60 m.
3. The minimum required interior side yard setback for the residential accessory structure is 1.2 m.

Proposed Variance(s) (By-law 1-88):

4. To permit a minimum required rear yard setback of 1.84 m.
5. To permit a minimum rear yard setback for the accessory structure of 0.30 m.
6. To permit a minimum required interior side yard setback for the accessory structure of 0.30 m.

By-Law Requirement(s) (By-law 1-88):

4. The minimum required rear yard setback for the roof structure is 7.5 m.
5. The minimum required rear yard setback for the accessory structure is 7.5 m.
6. The minimum required interior side yard setback for the accessory structure is 1.2 m.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Comments:

The Owner is requesting relief to permit the existing shed and the construction of an attached roof structure with the above noted variances.

Upon recommendations from the Development Planning Department, the Owner has revised their application by redesigning the attached roof structure to increase the rear yard setback and have the roof step down in height approximately 2 meters from the rear wall of the dwelling. The higher portion of the roof shelters rear yard access provided via the elevated sliding door along with its deck. The roof slopes downward the further the roof structure projects into the rear yard, ending with an approximately 2.7 m height where it comes closest to the rear lot line. The Development Planning Department has no objection to Variances 1 and 4 for the revised structure as the drop in height will minimize the massing impacts the structure will have on the neighbouring properties. The rear yard setback is also measured at a pinch-point, with the setback increasing significantly further west due to the angled rear lot line. As such, no adverse impacts are anticipated to the neighbouring rear yard to the north. The development will not pose a significant visual impact to the abutting residential property to the east as the structure exceeds all side yard setback requirements, and the configuration of the lot to the east provides that property with a large interior side yard.

The Development Planning Department has no objection to Variances 2, 3, 5 and 6. The shed, located in the northwestern corner, is modest in footprint and height. Therefore, the reduction to the rear and interior side yard setbacks for the shed do not have

adverse impacts to the neighbouring properties and an appropriate area for maintenance access is maintained. The Development Engineering Department has also reviewed the proposal and is satisfied that drainage in the rear yard will be maintained.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-laws, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

Comments Prepared by:

Joshua Cipolletta, Planner I
David Harding, Senior Planner