

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: September 15, 2022

Name of Owner: Sergey Gedzelman

Location: 141 Stonebriar Drive

File No.(s): A198/22

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

1. To permit a minimum setback of 1.23 m measured perpendicular from the door to the interior side lot line.
2. To permit a portion of hard landscaped area abutting the parking space located in the front yard in calculation of required parking.
3. To permit a minimum rear yard setback of 4.34 m.

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

1. When a Doorway is provided in an interior side yard, the minimum setback measured perpendicular from the door to the interior side lot line should be 1.8 m.
2. A parking space located only in the front or exterior side yard on a hard landscaped area abutting a parking space shall not be used in calculation of required parking for the use on the lot.
3. Minimum required rear yard setback is 7.5 m.

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

4. To permit a minimum setback of 1.23 m measured perpendicular from the door to the interior side lot line.
5. To permit a portion of distinguishable hard landscape area abutting a private driveway in the front yard in calculation of required parking spaces.
6. To permit a parking space measuring 2.7 m by 5.94 m within the private garage.
7. To permit a rear yard setback of 4.34 m.

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

4. When a Doorway is provided in an interior side yard, the minimum setback measured perpendicular from the door to the interior side lot line should be 1.8 m.
5. An area comprised of hard landscape in a manner that distinguishes it from a driveway located on the lot and abutting a private driveway shall not be used in the calculation of required parking spaces where a parking space is located in the front yard or exterior side yard.
6. **PARKING SPACE** - Means a rectangular area measuring at least 2.7 m by 6.0 m exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage or carport and private driveway leading thereto.
7. Minimum required rear yard setback is 7.5 m.

Official Plan:

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

Comments:

The Owner is requesting relief to permit the existing porch, a hard landscaped area abutting the driveway that functions as part of a parking space, and a doorway to a secondary suite, with the above noted variances.

The Development Planning Department has no objection to Variances 1 and 4 for the proposed secondary suite doorway as it is an inward opening door that will not impede access through the side yard or encroach onto the neighbouring property when opened.

The Development Planning Department has no objection to Variances 2 and 5 for the hard landscaped area abutting the asphalt driveway. The hardscape area, comprised of

interlock stone, is visually distinctive from the asphalt driveway. The hardscape area is a walkway beside the driveway that connects the sidewalk to the front door of the dwelling. The hardscape area, due to its location and composition, is able to function as part of a parking space. Most of the parking space will be contained on the asphalt driveway. When part of the walkway is used for parking, there continues to be sufficient soft landscaping within the front yard as the lot is a wider corner lot. The Development Engineering Department has also reviewed the minor variance application and has no objection.

The Development Planning Department has no objection to Variances 3 and 7 for the porch. The projection into the rear yard is limited to the length of the porch, which only extends across the rear of dwelling, and a parking lot use is to the west. The porch also complies with all side yard setback requirements.

The Development Planning Department has no objection to Variance 6 given that the space exists within the existing attached garage. The parking space size complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in effect. The Transportation Engineering Division of the Development Engineering Department also reviewed the minor variance application and has no objection.

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