

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: September 16, 2022

Name of Owner: Larisa Kleiman

Location: 33 Daniel Bram Drive

File No.(s): A231/22

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

1. To permit a maximum encroachment of 2.03 m into the required rear yard for the exterior stairways.
2. To permit a maximum encroachment of 2.49 m into the required rear yard for the deck.

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

1. A maximum encroachment of 1.80 m is permitted into the rear yard for the exterior stairways.
2. A maximum encroachment of 1.8 m is permitted into the rear yard for the deck.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Oak Ridges Moraine Settlement Area" by Schedule 4 – Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas and "Low-Rise Residential" by Schedule 13 – Land Use

Comments:

The Owner is requesting relief to permit the construction of a deck in the rear yard with the above noted variances. The uncovered deck, proposed over a walk-up basement entrance, will facilitate access between the main level of the dwelling and rear yard, provide outdoor amenity space for the main level of the dwelling, and shelter the walk-up basement access.

Upon recommendations from the Development Planning Department, the Owner has revised their application to remove the deck's second level. The Development Planning Department has no objection to the proposed variances for the revised single level unenclosed deck as it is not covered, and the projection into rear yard is limited to the central portion of the dwelling's rear wall containing existing double doors. As such, no adverse impacts are anticipated to the neighbouring rear yards to the south. The development will not pose a significant visual impact to the abutting residential properties to the east and west as the deck exceeds all side yard setback requirements, improving upon the side yard setbacks established by the dwelling. The deck also 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.

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-law, 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