

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** May 3, 2022  
**Name of Owner:** Mohsen Taheri & Fariba Vossoughi  
**Location:** 15 Shasta Drive  
**File No.(s):** A231/21

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

1. To permit a minimum exterior side yard of 6.4 metres.
2. To permit a maximum lot coverage of 35.61%.

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

1. The minimum required exterior side yard is 9.0 metres.
2. The maximum permitted lot coverage is 23%.

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

3. To permit a minimum exterior side yard of 6.4 metres.
4. To permit the portion of the driveway between the street line and the street curb to be a maximum of 9.0 metres in width.
5. To permit a maximum lot coverage of 31.18%.

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

3. The minimum required exterior side yard is 9.0 metres.
4. The portion of the driveway between the street line and the street curb shall not exceed six (6) metres in width.
5. The maximum permitted lot coverage is 20%.

**Official Plan:**

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

**Comments:**

The Owner is requesting permission to construct a second-storey addition to the existing 1-storey detached dwelling on the subject lands.

Development Planning staff conducted a site visit of the subject property on April 27, 2022.

In 2004, Vaughan Council directed the Development Planning Department to review the lot coverage standards of the "R1V Residential Old Village Zone" ('R1V Zone') under Zoning By-law 1-88, which apply to the subject lands. The Development Planning Department prepared a report which compared the lot coverage standards in Vaughan with surrounding municipalities. Council approved an increase only in the maximum lot coverage for 1-storey detached dwellings which do not exceed 7 m in height from 20% to 23% to make the construction of 1-storey dwellings in areas zoned R1V more viable, while the maximum lot coverage for 2-storey dwellings remained the same at 20%.

The Development Planning Department has previously supported other variances for a maximum lot coverage of 23% for the dwelling coverage (excluding covered but unenclosed areas and accessory structures) of 2-storey dwellings in this area, as well as other R1V zoned areas in the city. In this neighbourhood, Committee of Adjustment has approved a dwelling coverage up to a maximum of 25%.

The subject lands are now also zoned "R1E(EN) First Density Residential Zone" ('R1E(EN) Zone') under the City's new Comprehensive Zoning By-law 001-2021. Recognizing the precedence of various Minor Variance Application approvals in the previous R1V Zone areas of the City, the R1E(EN) Zone affords a lot coverage of 23% for 2-storey dwellings as-of-right provided the maximum height does not exceed 9.5 m.

The existing 1-storey dwelling on the subject lands was constructed prior to the implementation of Zoning By-law 1-88 and is currently well above the lot coverage permissions of both the R1V and R1E(EN) Zones. The conversion of the existing dwelling from 1-storey to 2-storey increases the massing of the dwelling and is subject to the in-effect zoning permissions for a 2-storey dwelling.

The Subject Lands are identified in Schedule 1B of Vaughan Official Plan 2010 ('VOP 2010'), as being located within one of Vaughan's Established Large-lot Neighbourhoods and subject to Policy 9.1.2.3 of VOP 2010. Policy 9.1.2.3.h. requires that lot coverages consistent with the other developments in the area are provided for in the zoning by-law to ensure that any addition and/or newly built home establishes a footprint that complements and is compatible with the existing character of the neighbourhood. The proposed lot coverage for a 2-storey dwelling exceeds previous approvals for 2-storey dwellings in the area, does not reinforce the existing physical character of the neighbourhood and therefore does not maintain the general intent and purpose of VOP 2010.

As noted above, the subject lands are zoned R1E(EN) Zone under Zoning By-law 001-2021 and R1V Zone under By-law 1-88, which permits the use of a single family detached dwelling and provides development standards that support the character of the area. The request to permit a maximum lot coverage of 35.61% (By-law 001-2021) and 31.18% (By-law 1-88) for the dwelling exceeds past approvals for a 2-storey dwelling supported by the Development Planning Department in this area, and creates a dwelling massing not contemplated by either applicable zone. Therefore, the proposed lot coverage for a 2-storey dwelling is not considered to be minor in nature, does not maintain the general intent and purpose of either Zoning By-laws, and will set an undesirable precedent in the R1E(EN) Zone and R1V Zone that would alter the existing character of the surrounding area.

The Development Planning Department recognizes that the exterior side yard setback of 6.4 metres is an existing condition, and therefore, there is no objection to Variance 1 and 3 to maintain the setback of the existing 1-storey dwelling.

Accordingly, the Development Planning Department is of the opinion that Variances 2 and 5 do not maintain the general intent and purpose of the Official Plan or Zoning By-laws, are not considered minor in nature or desirable for the appropriate development of the land.

The Development Planning Department has no objection to Variance 4, as the increased portion of the driveway between the street line and street curb poses minimal impact to the existing streetscape and complies with Zoning By-law 001-2021.

**Recommendation:**

The Development Planning Department recommends refusal 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:**

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