

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** July 5, 2023  
**Name of Owner:** 802282 Ontario Ltd.  
**Location:** 10462 Islington Avenue  
**File No.(s):** A109/23

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

1. To permit a portion of the public sidewalk, road allowance or lane to be used for the purpose of an outdoor patio.

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

1. No portion of any public sidewalk, road allowance or lane shall be used for the purpose of an outdoor patio.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use" and "Natural Areas" by Schedule 13 – Land Use, and "Heritage Conservation Districts" (Kleinburg – Nashville Heritage Conservation District Plan) by Schedule 14B – Areas Subject to Area Specific Plans, and "Mainstreet Commercial" and "Natural Areas", Volume 2, Area Specific Policy 12.4 Kleinburg Core

**Comments:**

The Owner is requesting relief to permit the existing patio with the above-noted variance. The Owner submitted Site Development Application File DA.23.029 to facilitate the proposed development. An encroachment permit was issued October 14, 2022, for the 24.4 m<sup>2</sup> portion of the patio that encroaches into the Islington Avenue right-of-way.

The Development Planning Department has no objection to the proposed variance as the location of the patio has been reviewed through the Site Development Application process and is considered appropriate for the development and is not anticipated to have adverse impacts to the surrounding neighbourhood or function of the road allowance.

Accordingly, the Development Planning Department can support the requested variance 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  
David Harding, Senior Planner