

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: January 9, 2024
Name of Owners: Claudio & Marisa Schioppo
Location: 293 Castlehill Road
File No.(s): A282/22

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

1. To permit a residential accessory structure (gate roof) to be located closer to the exterior lot line than the principal building.
2. To permit a residential accessory building (shed) to be located closer to the exterior lot line than the principal building.
3. To permit a residential accessory structure (canopy roof) to be located closer to the exterior lot line than the principal building.
4. To permit a minimum rear yard setback for the residential accessory building (shed) of 0.43 m.
5. To permit a minimum exterior yard setback for the residential accessory building (shed) of 0.74 m.
6. To permit a minimum exterior yard setback for the residential accessory structure (canopy roof) of 0.16 m.
7. To permit a minimum exterior yard setback for the residential accessory structure (gate roof) of 0.60 m.
8. To permit a minimum interior side yard setback of 0.95 m.
9. To permit a maximum lot coverage of 40.7%.

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

1. An accessory building or residential accessory structure shall not be located closer to a front lot line or an exterior side lot line than the principal building on the lot, except where explicitly permitted by this By-law.
2. An accessory building or residential accessory structure shall not be located closer to a front lot line or an exterior side lot line than the principal building on the lot, except where explicitly permitted by this By-law.
3. An accessory building or residential accessory structure shall not be located closer to a front lot line or an exterior side lot line than the principal building on the lot, except where explicitly permitted by this By-law.
4. The minimum required rear yard setback for the residential accessory building (shed) is 2.4 m.
5. The minimum required exterior yard setback for the residential accessory building (shed) is 4.5 m.
6. The minimum required exterior yard setback for the residential accessory structure (canopy roof) is 4.5 m.
7. The minimum required exterior yard setback for the residential accessory structure (gate roof) is 4.5 m.
8. The minimum required interior side yard setback is 1.2 m for the house addition.
9. The maximum permitted lot coverage is 40%.

Official Plan:

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

Comments:

The Owners are requesting relief to permit two existing residential accessory structures (canopy roof and gate roof), a residential accessory building (shed), and an existing 1-storey southern addition to the dwelling with the above noted variances.

The Development Planning Department has no objection to Variances 1 and 7 for the location and reduced setback to an exterior side lot line for the gate roof. The Subject Lands are defined as a corner lot. A portion of the exterior side yard to the northeast of the dwelling is fenced and functions as part of the rear yard. A double wooden gate, along with its ornamental roof, is located off the northeast side of the dwelling and

provides access to the rear yard. The location and the reduced exterior side yard setback for the ornamental gate roof will not pose significant adverse massing impacts to the existing streetscape nor impact the function of the abutting uses. It will also not detract from the visual prominence of the dwelling.

The Development Planning Department has no objection to Variances 2 and 5. The rear yard area northeast of the dwelling is fenced. The shed is proposed to be maintained behind the fence rather than exposed to the streetscape. Sufficient space is proposed between the fence and shed for maintenance purposes. The shed is of modest footprint and has a hip roof design. The hip roof, which presents a minimal mass, is the most visible portion of the shed from the streetscape. The shed will not pose significant adverse massing impacts to the abutting property to the east nor the existing streetscape, nor does it impact the function of the abutting uses.

The Development Planning Department has no objection to Variance 4. The shed is in the northeast corner of the lot to maximize the amount of open rear yard amenity space. The rear (east) lot line runs at an angle. As a result, only a corner of the shed would utilize the full extent of the requested relief. Sufficient space remains between the shed and rear lot line to carry out maintenance. Given that the shed is located in the northeast corner of the yard, its location will not impact the functionality of the rear yard. In addition, given its modest footprint and style, the shed will not pose significant adverse massing impacts to the abutting property to the east and existing streetscape.

The Development Planning Department is not in a position to support Variances 3 and 6 for the location and reduced setback from the exterior side lot line for the canopy roof. While Development Engineering has reviewed the above noted variances and has no concerns with the reduced exterior side yard setback for the canopy roof from a lot grading and drainage perspective, Development Planning is of the opinion that the setback and placement is not appropriate. When viewed from the street to the north, the dwelling, canopy roof, and shed present a near-continuous line of built form running along the exterior side lot line when viewed from the street. The shed and canopy also span the depth of the rear yard. Due to the footprint of the canopy roof structure and the modest distance between it and the dwelling, structural modification to the canopy's southwest corner (removal of support post) was required to maintain access to the rear yard.

The canopy roof is of a gable design with the gable facing the road. Development Planning is of the opinion that a 0.16 m exterior side yard setback, resulting in a 4.34 m reduction, is not minor in nature and will result in significant massing implications along the exterior lot line and existing streetscape. The structure is so close to the street that the clear corrugated plastic paneling acting as a north wall to the canopy roof structure, is attached to the fence. The Development Planning Department is of the opinion that an appropriate distance is not provided between the lot line and the existing canopy roof to ensure an adequate spatial separation of mass between the canopy roof and exterior property line. The reduced exterior side yard setback provides no space for landscaped amenity space to assist with screening the canopy from the road. The structure's proximity to the exterior lot line causes it to be a visually prominent streetscape feature. A function of the by-law's accessory structure's location requirement is to discourage accessory structures within exterior side yards in order to maintain the visual prominence of the dwelling and ensure accessory structures do not play a role in establishing streetscape character.

The close proximity of built form also has adverse impacts on the access to and function of the rear yard, which is evident in the construction of the canopy roof. The southwest corner of the structure does not have a support post. The only door providing access between the dwelling and rear yard is located on the north facing wall of the rear addition. To access the rear yard from the dwelling, one would have to exit the rear addition from the north doorway, walk around the corner of the addition and travel under a portion of the canopy footprint. If a fourth post were provided at the southwest corner of the canopy, there would be approximately 1.2 m between it and the addition, which is anticipated to impede access and impact functionality by providing restricting access to the rear yard from the dwelling and north gate. The structure is not appropriate for the size of the lot in order to maintain adequate function of and access to the rear yard.

The Development Planning Department has no objection to Variance 8 for the 0.25 m reduced interior side yard setback for the 1-storey south addition to the dwelling as it is minor in nature, will not pose significant adverse massing impacts to the abutting

residential property to the south or the streetscape due to its design, nor does it impact the function of the abutting uses, and provides sufficient space for maintenance access and drainage.

The Development Planning Department objects to Variance 9 for the 0.7% increased lot coverage as it is tied to the canopy roof, and it has previously been identified that said structure along with its location is not appropriate for the size of the lot, and will pose a significant adverse massing impact to the streetscape.

Accordingly, the Development Planning Department cannot support Variances 3, 6, and 9 and is of the opinion that the proposal is not minor in nature, does not maintain the general intent and purpose of the Zoning By-law, and is not desirable for the appropriate development of the land.

The Development Planning Department can support Variances 1, 2, 4, 5, 7, and 8 and is of the opinion that the proposals are 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 **refusal** of Variances 3, 6, and 9, and **approval** of Variances 1, 2, 4, 5, 7, and 8.

Conditions of Approval:

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

None

Comments Prepared by:

Michelle Perrone, Planner 1
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