

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: March 11, 2024
Name of Owner: Monique Hirshberg
Location: 1 Golfer's Gate
File No.(s): A182/23

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

1. To permit a residential accessory structure with a height greater than 2.8 m to be located a minimum of 1.22 m from the rear lot line.
2. To permit a minimum exterior side yard setback of 1.22 m to the residential accessory structure.
3. To permit a residential accessory structure to be located closer to an exterior lot line than the principal building on the lot.
4. To permit a minimum of 54.36% (100.57 m²) of the area of the rear yard in excess of 135 m² to be comprised of soft landscaping.

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

1. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
2. A minimum exterior side yard setback of 4.5 m is required.
3. A residential accessory structure shall not be located closer to an exterior lot line than the principal building on the lot.
4. In the R1A Zone, any portion of a yard in excess of 135 m² shall be comprised of a minimum of 60% soft landscape.

Official Plan:

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

Comments:

The Owner is requesting relief to permit the construction of the proposed cabana and rear yard hard landscaping, with the above-noted variances.

Upon recommendations from Development Planning Department staff, the Owner has revised their application to reduce the length of the cabana facing the westerly exterior side lot line. Development Planning Department staff has no objection to Variances 1, 2 and 3 for the proposed rear yard and exterior side yard setback of the cabana. The cabana complies with the height requirements of the Zoning By-law. The Subject Lands abut Flamingo Road to the west. The Owner has agreed to install plantings west and north of the cabana to provide screening to mitigate the massing impact of the proposed structure on the existing streetscape. The plantings will be installed directly behind wood fencing which separates the exterior side and rear yards from the street. The plantings will provide an enhanced buffer between the recreational activity generated by the cabana and the streetscape activity. The reduction to the rear yard setback is minor in nature as the shorter wall abutting the rear lot line will present less mass to the neighbouring property. The reduction to the setbacks will also maintain an appropriate area for maintenance access. As such, the cabana is not anticipated to pose adverse use, privacy, or massing impacts to the neighbouring properties or streetscape.

Development Planning Department staff has no objection to Variance 4 as the reduction in soft landscaping is minor in nature and will maintain an appropriate balance of soft landscaping to facilitate drainage, reduce urban heat island effects, and facilitate the establishment of vegetation. The Development Engineering Department has also reviewed the proposal and is satisfied that drainage in the rear yard will be maintained.

In support of the application, the Owner has submitted a Tree Inventory & Protection Plan prepared by The Urban Arborist Inc., dated December 29, 2023. The report inventoried 12 trees, none of which are proposed to be removed. Urban Design staff have reviewed the report and concur with its recommendations.

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:

Development Planning Department staff 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