

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: May 27, 2023
Name of Owners: Noah Tenser and Clara Serruya
Location: 170 Arnold Avenue
File No.(s): A063/23

Proposed Variance(s) (By-law 01-2021):

1. To permit a total of both side yards to be 5.0 m.
2. To permit a maximum building height of 9.72 m.
3. To permit a maximum lot coverage of 26.3%.
4. To permit a maximum of 2 driveways.
5. To permit a maximum lot coverage of 76.72 m² of the proposed accessory building and structure (cabana and permanent canopy).

By-Law Requirement(s) (By-law 01-2021):

1. The total of both side yards shall not be less than 6.0 m. [Section 4.5]
2. The maximum building height shall be 8.66 m. (Section 4.5.1.b.)
3. A maximum permitted lot coverage is 20%. [Table 7-3]
4. A maximum of 1 driveway per lot shall be permitted. [Section 6.7.2]
5. A maximum accessory structure coverage of 67.0 m² is permitted. [Section 4.1.3]

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

6. To permit the building height of 9.72 m measured from the average finished grade at the front of the building to the mid-point of the roof surface.

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

6. The building height shall be measured from the average finished grade at the front of the building to the highest point of the roof surface. [Section 2.0]

Official Plan:

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

Comments:

The Applicant is requesting permission to replace the existing one-storey single-detached dwelling with a two-storey single-detached dwelling, cabana, and canopy with the above noted variances. The Subject Lands are located within an identified Large-Lot Neighbourhood.

Development Planning staff had concerns with the initial design proposed through minor variance application File A252/22, which was adjourned by Committee at the December 08, 2022, meeting. Since then, the Applicant, under a new file number, has worked with planning staff to significantly improve and/or resolve four key factors: (1) the encroachment and massing of the entry canopy (then a porte-cochere) within the front yard, (2) total lot coverage of the dwelling, (3) total lot coverage of the accessory building, and (4) the maximum building height of the dwelling. The Applicant has elected to completely remove the porte-cochere and replace it with a modestly sized cantilevered canopy that complies with the front yard setback. Additionally, the total lot coverage of the dwelling's enclosed areas, including the enclosed/covered rear terrace, is below the 23% historically supported threshold for two-storey dwellings within a large-lot neighbourhood. Lastly, the total lot coverage of the accessory structure and maximum building height are compatible with the developments in the immediate neighbourhood. As a result, the variance for front yard has been eliminated and the concerns Development Planning staff had with Variances 2, 3, 5, 6 have been addressed.

In summary, a maximum lot coverage of 26.3% (Variance 3) is divided between the main dwelling (19.38%), outdoor covered terrace (3.48%), covered canopy (0.64%) and cabana (2.76%). Development Planning staff are of the opinion the proposed two-storey dwelling produces a built form that is compatible with and maintains the existing character of the neighbourhood. There are no massing impacts anticipated for the lot coverage increase to the accessory building (Variance 5). The Subject Lands are the

deepest residential property in the immediate area. The size of the lot may adequately accommodate an accessory building of this footprint. The cabana is also situated some distance away from the dwelling and does not contribute to the dwelling's mass. The structure remains compliant with the height and setback provisions of the Zoning By-laws.

With respect to Variances 1 and 4, Development Planning has no objection given the 1 m reduction only applies to the northeast corner of the dwelling where a secondary entrance through the pantry is proposed. In terms of permitting an additional driveway, Development Planning staff is of the opinion the proposal is similar to other circular driveways on nearby lots of similar frontages. Additionally, the proposed front yard soft landscape is consistent with the adjacent lots and is not anticipated to cause an adverse impact to the existing streetscape.

In support of the application, the Owners submitted an Arborist Report, prepared by Lakeshore Tree Services Inc., dated October 24, 2022. Urban Design has reviewed the submitted material and is generally satisfied.

The Development Planning Department is of the opinion that the proposal is minor in nature, does maintain the general intent and purpose of the Official Plan and Zoning By-laws, 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:

Roberto Simbana, Planner

David Harding, Senior Planner