

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** May 14, 2024  
**Name of Owner:** Farro Ristorante c/o Carmine Biase  
**Location:** 2316 Major Mackenzie Drive  
**File No.(s):** A184/23

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

1. To permit a minimum of 49 parking spaces.
2. To permit an Outdoor Patio to be located outside of the area shown as "Building Envelope on Schedule E-872".
3. To permit an Outdoor Patio to be permitted in the front yard.
4. To permit an Outdoor Patio to be located in a required landscaped area.
5. To permit an Outdoor Patio not to be completely enclosed by a physical barrier with access only from the interior of the eating establishment with the exception of at least one (1) exit to be used only in cases of emergency and which is not from the interior of the main building.

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

1. A minimum of 55 parking spaces are required.
2. The construction of all buildings or structures shall be restricted to the area shown as "Building Envelope" on Schedule E-872, and such buildings shall have a maximum gross floor area of 1037.0 m<sup>2</sup>.
3. The front yard shall be restricted to landscaping, pedestrian circulation and ingress/egress driveway.
4. The minimum landscaping shall be provided in the areas identified a "Landscaped Area" on Schedule E-872.
5. The Outdoor Patio shall be completely enclosed by a physical barrier with access only from the interior of the eating establishment with the exception of at least one (1) exit to be used only in cases of emergency and which is not from the interior of the main building.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed-Use" by Schedule 13 – Land Use, "Heritage Conservation Districts" (Village of Maple Heritage Conservation District Plan) by Schedule 14B – Areas Subject to Area Specific Plans

**Comments:**

The Subject Property contains a single storey commercial plaza. The building is close to Major Mackenzie Drive with the parking located to the rear. The Owner submitted Site Development Application, File DA.23.040 to make the restaurant's (Farro Ristorante) existing outdoor patio permanent. The patio is located at the southeast side of the building between said building and the road, next to the driveway entrance. The Application was deemed incomplete on July 1, 2023, due to insufficient materials provided at the time. Zoning deficiencies regarding the onsite parking and location of the patio were identified through the review of DA.23.040. The Owner is now seeking relief to permit a reduction in parking spaces and to permit the location of the restaurant's outdoor patio, with the above noted variances.

Development Planning has no objection to Variance 1 for the reduction of parking spaces for the restaurant. The proposed reduction of 6 parking spaces is not anticipated to adversely affect the operations of the site. Development Engineering has reviewed this application and has no objection to the proposed reduction of parking spaces.

Development Planning has no objections to Variances 2, 3, 4, and 5 for the location of the restaurant's outdoor patio. The patio is proposed to be separated from the surrounding area by a low fence. The footprint of the outdoor patio is contained within the building's front yard area in-front of the restaurant and does not obstruct pedestrian circulation on the abutting sidewalk. Urban Design Staff has reviewed the application

and have no objection. The proposal was also subject to the review of Cultural Heritage Staff as the property is within the 2007 Maple Heritage Conservation District ('MHCD') and is therefore subject to the MHCD Plan. Cultural Heritage Staff are not opposed to the proposed patio and some elements of the current design. However there are concerns regarding the materiality and design of the proposed fencing. The existing fencing, made of rectangular wood planters, is proposed to be replaced by aluminum picket fencing. The Owners are encouraged to continue working with Cultural Heritage Staff to determine a fence design that complies with the MHCD Plan. A Heritage Permit will be required prior to final installation of the patio.

Accordingly, Development Planning Department Staff 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, subject to the following conditions:

**Conditions of Approval:**

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

1. The Owner shall obtain Heritage Permit prior to the installation the patio.
2. That the Owner provide the applicable Heritage Review fee of \$678.00 as part of a complete Heritage Permit application.

**Comments Prepared by:**

Alyssa Pangilinan, Planner I  
David Harding, Senior Planner