

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** June 19, 2024  
**Name of Owners:** Naftali Rabinowitz and Ella Segal-Pillemer  
**Location:** 6 Campbell Avenue  
**File No.(s):** A034/24

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

1. To permit a minimum front yard of 6.60 m to a dwelling wall.
2. To permit a maximum encroachment of 3.0 m into the minimum required rear yard for an uncovered platform with a floor height of 0.57 m, measured above grade and including access stairs (a minimum rear setback of 4.5 m is proposed).
3. To permit a minimum exterior side yard of 3.4 m to a dwelling wall.
4. To permit a maximum lot coverage of 36.5%.
5. To permit a maximum height of 9.37 m for a dwelling.

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

1. A minimum front yard of 7.5 m is required to a dwelling wall.
2. A maximum encroachment of 2.4 m into the minimum required rear yard for an uncovered platform with a floor height of 0.57 m a measured above grade and including access stairs, is permitted (a minimum rear setback of 5.1 m is required).
3. A minimum exterior side yard of 4.5 m is required to a dwelling wall.
4. A maximum lot coverage of 35% is permitted.
5. A maximum height of 8.5 m is permitted for a dwelling.

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

6. To permit a minimum front yard setback of 6.60 m to a dwelling wall.
7. To permit a minimum front yard setback of 5.84 m to a covered and excavated porch and stairs.
8. To permit a maximum encroachment of 3.0 m into the minimum required rear yard of 7.5 m for an unexcavated and uncovered porch (a minimum rear setback of 4.5 m is proposed).
9. To permit a minimum exterior side yard setback of 3.4 m to a dwelling wall.
10. To permit a maximum lot coverage of 36.5%.
11. To permit a minimum of 2 (two) parking spaces per dwelling unit with a lot with a lot frontage greater than 11.0 m.

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

6. A minimum front yard setback of 7.5 m is required to a dwelling wall.
7. A minimum front yard setback of 7.5 m is required to a covered and excavated porch and stairs.
8. A maximum encroachment of 1.8 m into the minimum required rear yard of 7.5 m for an unexcavated and uncovered porch is permitted (a minimum rear setback of 5.7 m is required).
9. A minimum exterior side yard setback of 4.5 m is required to a dwelling wall.
10. A maximum lot coverage of 35% is permitted.
11. A minimum of 3 (three) parking spaces per dwelling unit for lots with a lot frontage greater than 11.0 m is required.

**Official Plan:**

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

**Comments:**

The Owners are requesting relief to permit the construction of a new three-storey detached residential dwelling with rear deck at 8 Campbell Avenue (Subject Property) with the above noted variances.

## Background

On May 5, 2022, the Committee of Adjustment (the 'Committee') approved Consent application, File B001/22 to divide the property at 8 Campbell Road into two (2) lots. The severed lot became 6 Campbell Avenue. The severed and retained lands required variances to lot frontage and area to facilitate the division of land. Minor Variance application files A011/22 (8 Campbell Road) and A012/22 (6 Campbell Road) were also approved by the Committee on this date to permit reduced lot areas, lot frontage and an increase in building height for the proposed lots. File A013/22 granted the Subject Property lot frontage of 15 m, minimum lot area of 450 m<sup>2</sup>, and maximum height of 9.5 m.

## Analysis

Development Planning Department Staff have no objection to Variances 1 and 6 to permit a minimum front yard of 6.60 m. The measurement is taken from the front lot line to the dwelling's front entryway, however the remainder of the dwelling's front wall also requires relief. The portion of the dwelling's two-storey wall containing the front entrance proposes a bump out that is 0.49 m closer to the front lot line than the rest of the front wall which proposes a distance of 7.09 m. The reduction in the minimum front yard is negligible from a visual perspective and is generally in-line with dwelling to the north (8 Campbell Avenue).

With regards to Variance 7, the only a portion of the porch extending 1.23 m further than the rest of the dwelling is covered. The covered portion corresponds to the area under the roof overhang of the front bump out. The remainder is not covered. The porch is not anticipated to have adverse massing impacts to the surrounding properties or streetscape as the covered portion is under the bump out eave and the remainder has a very modest height of about 0.3 m from grade. The proposed porch also appears to maintain a similar setback to the porch on the property to the north (8 Campbell Avenue). It is of the opinion of Development Planning Department Staff that the proposed dwelling and the proposed reduction in the required minimum front yard will not pose adverse visual impacts to the adjacent properties or existing streetscape and will add to the existing character of the neighborhood.

Development Planning Department Staff have no objection to Variances 2 and 8 for the encroachment of an uncovered deck and reduced rear yard setback of 4.5 m. The 0.6 m encroachment of the uncovered deck in the minimum rear yard is not anticipated to be perceptible. With a floor height of 0.57 m, the deck is of modest mass. The proposed reduced rear yard does not adversely impact its functionality as the deck only occupies a portion of the rear yard's full depth and sufficient landscaped amenity area is maintained. Additionally, the applicant has provided a Landscape Plan prepared by MSA Ltd that proposes 8 pyramidal cedars along the portion of the rear property line abutting the neighbouring dwelling to the west (518 Spring Gate Boulevard) that will assist in screening and buffering the deck activities from said neighbour.

Development Planning Department Staff have no objection to Variances 3 and 9 for a reduced exterior side yard of 3.4 m. Although the property is defined as a corner lot, the travelled roads of Campbell Avenue and Spring Gate Boulevard do not intersect. Campbell Avenue dead ends just north of the travelled portion of Spring Gate Boulevard. Both road allowances are connected via a short pedestrian walkway designed for emergency vehicle access. The exterior side yard and boulevard along Spring Gate is currently well vegetated and fenced, screening the property from Spring Gate. In this way, it functions more like an interior side yard as it does not address the Spring Gate streetscape. 9 Campbell Avenue, directly opposite the Subject Property, has a wood privacy fence running along its lot line abutting Spring Gate, and does not contain many façade features which address the Spring Gate streetscape, treating the exterior side yard more like a wider interior side yard.

The proposed reduction of 1.1 m to the required exterior side yard will be mitigated by the existing group of trees, identified as 'tree polygon PF' in the submitted arborist report prepared by Kuntz Forestry Consulting, dated November 12, 2021. The group of trees are located within City property on the opposite side of the south property line fence (along Spring Gate Boulevard) and are determined to be retained as per the submitted arborist report. Additionally, the reduced exterior side yard also appears to be similar to the existing conditions of 9 Campbell Avenue. As such, the proposed reduction to the exterior side yard will be in-line with the character of the existing neighborhood.

Development Planning Department Staff have no objection to Variances 4 and 10 for the proposed 1.5% (36.5% total) increase in lot coverage for the three-storey dwelling. The Subject Lands, 8 and 9 Campbell Avenue, and 490 and 518 Spring Gate Boulevard are shallower lots due to the lotting pattern established at the intersection of the Campbell Avenue and Spring Gate Boulevard road allowances. While the lots are shallower, the footprints of their built forms are similar to the footprints of other dwellings on nearby properties. As the proposed built form is in keeping with the scale of built form within the neighbourhood, the lot coverage variance is appropriate.

Development Planning Department Staff have no objection to Variance 5 for a maximum dwelling height of 9.37 m. The Committee previously granted a maximum height of 9.5 m through Minor Variance application A012/22, 0.13 m higher than the current application. The proposed height is similar to the approved height of 9.5 m for the property on the north (8 Campbell Avenue). The height would maintain the character of the neighbourhood and is not anticipated to have any adverse massing effects on the surrounding properties.

Development Planning Department Staff have no objection to Variance 11 (under By-law 1-88) for the reduction of 1 parking space. A total of 2 parking spaces are proposed for the 3-storey dwelling, which is consistent with the parking requirement under Comprehensive Zoning By-law 001-2021. Development Engineering Department has reviewed the proposed parking for the Subject Lands and has no concerns with the requested variance.

Accordingly, Development Planning Department Staff can support the requested variances and are 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:**

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