

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** July 4, 2024  
**Name of Owners:** Carmine & Anna Macchia and Frank & Marianna Iannacchino  
**Location:** 9683 Highway 27  
**File No.(s):** A187/23

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

1. To permit a minimum interior side yard setback of **2.8 metres** to an accessory building (shed).
2. To permit a minimum interior side yard setback of **0.99 metres** to an accessory building (detached garage).
3. To permit a minimum rear yard setback of **4.57 metres** to an accessory building (detached garage).
4. To permit a maximum lot coverage of **10.5%**.

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

1. The minimum interior side yard setback required is **4.5 metres**.
2. The minimum interior side yard setback required is **4.5 metres**.
3. The minimum rear yard setback required is **15.0 metres**.
4. The maximum lot coverage permitted is **10%**.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Natural Areas"

**Comments:**

The Owners are requesting relief to permit the existing shed and detached garage in the rear yard of the Subject Lands with the above-noted variances.

The Development Planning Department ('Development Planning') has no objection to Variance 1 to permit a 2.8 m interior side yard setback for the existing accessory building - shed, which provides ample space for maintenance access. The Subject Lands abuts a municipally owned lot to the north, rear, and south, which is zoned EP Environmental Protection Zone by By-law 001-2021. The municipally owned lands surrounding the Subject Lands are wooded and there are no public trails in the immediate vicinity. The 1.70 m encroachment into the required interior side yard is anticipated to have minimal use impacts on the existing woodlands to the north and will not adversely impact the functionality of the rear yard as sufficient amenity space remains on the south and west sides of the shed.

Development Planning Department has no objection to Variances 2 and 3 to permit the existing accessory structure (detached garage). Variance 2 is to permit a reduced interior side yard setback of 0.99 m and a reduced rear yard setback of 4.57 m. The proposed minimum setbacks from the interior side and rear lot lines for the structure provide sufficient space for safe access and maintenance and are not anticipated to pose significant adverse impacts to the abutting woodlands to the north and east. The proposal provides ample soft landscaped area in the rear yard and around the accessory structures, which helps contribute to the functionality of the rear yard and the functionality of the abutting EP Zone. Development Engineering Department Staff have also reviewed the proposal and are satisfied that drainage will be maintained. As such, staff are of the opinion that the detached garage will have minor massing and visual impacts on the existing woodlot to the north and east.

The Development Planning Department has no objection to Variance 4 to permit an increased maximum lot coverage of 10.5% (garage is approximately 4.39% and accessory shed is approximately 1.38%). The existing dwelling accounts for

approximately 4.30% of the total lot coverage which is well below the 10% maximum lot coverage requirement of the Zoning By-law, and it remains the most visually prominent building on the Subject Lands when viewed from the street. The proposed 0.5% increase is not perceptible given the size of the lot and the buffering vegetation on the surrounding municipal lands. It is of the opinion of the Development Planning Department that the proposed increase in maximum lot coverage is minor in nature as it does not adversely impact the neighbouring properties, or the functionality of the rear yard. The proposal maintains an appropriate area for landscaped rear yard amenity space, access, and drainage, and is not anticipated to adversely impact the abutting EP Zone.

In support of the application, the Owners submitted an Arborist Report – Tree Assessment and Site Remediation Plan prepared by Davey Resource Group, dated February 15, 2024. The report inventoried a total of forty-five (45) trees on the Subject Property and neighbouring properties, nine (9) of which are proposed to be removed. A total of thirty-six (36) trees were retained and protected through construction. Urban Design staff have reviewed the report and concur with its recommendations but have requested a Landscape Plan to be submitted showing the existing trees to be retained, the necessary restoration plantings, and the vegetation protection zone required by the TRCA (see condition #1).

In support of the application, the Owners also submitted an Arborist Report - Air-spade Remediation Report prepared by Davey Resource Group, dated June 3, 2024. The report documented soil decompaction and amendments with an Air Spade in the Tree Protection Zones of 9 trees injured by construction activities and material storage. Urban Design staff and Forestry staff have reviewed the report and concur with its recommendations. Environmental Planning staff have reviewed the report and concur with its recommendations but require minor revisions (see condition #2).

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:**

The Development Planning Department recommends approval of the application with the following conditions of approval:

**Conditions of Approval:**

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

1. That prior to the issuance of Building Permits, the Owners submit a Landscape Plan to the satisfaction of Development Planning staff and Urban Design staff.
2. That prior to the issuance of Building Permits, the Owners submit a revised Air-Spade Remediation Report (Arborist Report) to the satisfaction of Development Planning staff and Environmental Planning staff.

**Comments Prepared by:**

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