

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** September 11, 2024  
**Name of Owner:** 300 Atkinson Inc.  
**Location:** 300 Atkinson Avenue  
**File No.(s):** A107/24

---

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

1. To permit a maximum encroachment of 0.8 m into any required yard for a canopy for Blocks 7-15.
2. To permit a minimum Front Yard Setback of 1.46 m for Part 75 of Block 13, and 0.92 m for Part 51 of Block 15.
3. To permit a minimum Rear Yard Setback of 1.42 m for Part 1 of Block 1.

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

1. A maximum encroachment of 0.6 m into any required yard is permitted for a canopy.
2. The minimum required Front Yard Setback shall be 2.0 m for Blocks 13 and 15.
3. The minimum required Rear Yard Setback shall be 2.4 m for Block 1.

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

4. To permit a maximum encroachment of 0.8 m into any required yard for a canopy for Blocks 7-15.
5. To permit a minimum Front Yard of 1.46 m for Part 75 of Block 13, and 0.92 m for Part 51 of Block 15.
6. To permit a minimum Rear Yard of 1.42 m for Part 1 of Block 1.

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

4. A maximum encroachment of 0.5 m into any required yard is permitted for a canopy.
5. The minimum required Front Yard shall be 2.0 m for Blocks 13 and 15.
6. The minimum required Rear Yard shall be 2.4 m for Block 1.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13 – Land Use and Section 13.61 - 300 Atkinson Avenue (OPA #65) by Schedule 14B – Areas Subject to Area Specific Plans

**Comments:**

The Owner is seeking relief to legalize the as-built conditions of 106 common element condominium townhouses in back-to-back and street designs, with the above noted variances. The related Site Development Application, File DA.19.083 was draft approved by Vaughan Council on May 18, 2021.

The Development Planning Department has no objections to Variances 1 and 4 for the canopy encroachment for Blocks 7-15 (Parts 32- 106). The canopies project into the front yards. The Blocks requiring relief have frontage on private roads interior to the development. The additional 0.2 m encroachment is not anticipated to be perceptible as it is to provide a roof covering over the entirety of the front porch. The 0.8 m encroachment is minimal in nature and is not anticipated to have negative massing impacts on the surrounding properties. It is also anticipated to enhance functionality of the porches and add to the character of the private road streetscape. The Development Engineering Department has also reviewed this proposal have no objection or concerns regarding drainage.

The Development Planning Department has no objections to Variances 2 and 5 for the reduced front yard setback. Both Part 75 of Block 13 and Part 51 of Block 15 are corner lots. The reduced front yard setbacks are both measured at pinch points due to the curvature of the adjacent road (Alton Crescent). The remaining portion of the front yards

provides sufficient spatial separation from the road, generally maintains uniformity with abutting properties and provides an adequate area for soft landscaping to help facilitate drainage.

The Development Planning Department has no objections to Variances 3 and 6 for the reduced rear yard setback for street townhouses. Part 1 of Block 1 is a corner lot, and the reduced rear yard setback is measured at a pinch point where there is some curvature to the rear lot line due to the road design where Chesley Street intersects with Alton Crescent. The remaining portions of the rear yard will continue to provide an appropriate area for amenity space, as intended.

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.

**Conditions of Approval:**

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

None.

**Comments Prepared by:**

Alyssa Pangilinan, Planner 1  
David Harding, Senior Planner