

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Mauro Peverini, Director of Development Planning

**Date:** June 11, 2020

**Name of Owner:** Denise Levy and Larry Levine

**Location:** 55 Hallmark Court

**File No.(s):** A031/20

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**Proposed Variance(s):**

1. To permit a minimum garage size of 3.48 metres x 3.36 metres.
2. To permit a minimum of 30.98 m<sup>2</sup> of rear yard soft landscaping.
3. To permit a minimum rear yard setback of 0.53 metres to an accessory structure.
4. To permit a minimum interior side yard of 0.2 metres to an accessory structure.

**By-Law Requirement(s):**

1. A minimum garage size of 3 metres x 6 metres is required.
2. A minimum of 71.78 m<sup>2</sup> of soft landscaping is required.
3. A minimum rear yard setback of 7.5 metres is required.
4. A minimum interior side yard setback of 1.2 metres is required.

**Official Plan:**

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

**Comments:**

The Owner is requesting permission to construct a 2<sup>nd</sup> floor addition and interior alterations to the existing garage and legalize an existing shed and rear yard landscape with the above noted variances.

The Development Planning Department has no objection to Variance 1 as it has been identified by the Owner that the 2<sup>nd</sup> floor addition, internal alterations to the garage and the new basement entrance are for the purposes of servicing a single family home, and not a secondary suite therefore, the reduction in garage size will not impact Zoning By-law 1-88 requirement of providing two (2) parking spaces which the existing driveway can account for.

The Development Planning Department has no objection to Variances 3 and 4 as the water runoff concerns have been addressed in the Low Impact Development Brief prepared by Valencia Enterprises, dated April 2020 which has been reviewed by Development Engineering staff and have no further concerns.

Development Planning staff are of the opinion that Variance 2 requesting a minimum rear yard landscape of 30.98m<sup>2</sup> as depicted on revised site plan (A10) is neither desirable for the appropriate use of the land nor does it meet the intent of the Zoning By-law. A majority of the site is covered in stone paving which does not properly balance the soft and hardscape features. As a result, the existing built form and open space do not harmoniously fit together and remains incompatible with the rear yards of the surroundings properties in the neighborhood. The Owner has proposed minor changes to increase the rear yard landscape from 26.27 m<sup>2</sup> to 30.98m<sup>2</sup> which includes extending the landscape strip along the southerly and westerly side of the shed. The Development Planning Department has determined the areas between the rear and interior lot line to the existing shed are neither suitable nor viable areas to be used for soft landscape plantings. Planning staff are of the opinion that the increase of soft landscape be redirected in places which make a positive contribution to enhancing the open space. As a result, the Development Planning Department recommends that Variance 2 be refused on the basis that it is neither minor nor desirable for the appropriate use of land and does not maintain the general purpose and intent of the Zoning By-law.

The Development Planning Department reviewed the application and is of the opinion that Variances 1, 3 and 4 are 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 Variances 1, 3 and 4 and refusal of Variance 2, as noted on the above.

**Conditions of Approval:**

If the Committee finds merit in the application, the following condition of approval is recommended:

None

**Comments Prepared by:**

Roberto Simbana, Planner  
Margaret Holyday, Senior Planner