

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

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

**Date:** October 1, 2020

**Name of Owner:** Marianna & Joseph Pinto

**Location:** 46 Cedar Glen Court

**File No.(s):** A081/20

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**Proposed Variance(s):**

1. To permit a minimum rear yard setback of 6.5 m for a covered patio.
2. To permit a maximum lot coverage of 27.49%.

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

1. A minimum setback of 15 m is required.
2. A maximum lot coverage of 10% is permitted.

**Official Plan:**

Vaughan Official Plan 2010 ("VOP 2010"): "Low-Rise Residential" and "Natural Areas"

**Comments:**

The Owner is requesting permission to maintain a covered patio addition to the rear of the dwelling with the above-noted variances. On October 21, 2019, Committee of Adjustment approved Minor Variance File A068/19, facilitating relief required for the dwelling that is currently under construction.

Development Planning staff attended the subject property on September 15<sup>th</sup>, 2020 and observed a dwelling under construction with a partially constructed covered patio addition in the rear of the property. The addition features several openings (with no glazing) around the perimeter at the ground level with access to the dwelling via sliding doors from the basement. The top of the covered patio is accessed from the main floor of the dwelling and is open and unenclosed.

Minor Variance File A068/19 authorized a maximum lot coverage of 19.96% (19.51% dwelling and 0.45% shed). The covered patio addition contributes an additional lot coverage of 7.53%, resulting in an overall lot coverage of 27.49%. As the covered patio addition is located entirely in the rear yard and maintains sufficient setbacks from the interior lot lines, the additional coverage does not create undesirable impacts neighbouring properties given the size the lot and location of the covered patio. Development Planning Staff note that a small portion of the covered patio addition is partially visible from the cul-de-sac; however, due to the sloping grade away from the cul-de-sac toward the rear lot line, the covered patio addition complements the character of the dwelling, is suited for the lot and does not adversely impact the streetscape. As such, Variance 2 is considered minor in nature and desirable for the appropriate development of the lands.

The subject lands are partially located within Toronto and Region Conservation Authority's ('TRCA') Regulated Area due to the presence of a valley corridor associated with the Humber River. Development Planning staff note that the existing rear yard setback of the covered patio addition is 3.5 m. As TRCA policies require a minimum 6 metre setback from either the physical or long-term stable Top of Bank ('TOB') of a valley corridor for non-habitable accessory structures, the Owner has agreed to cut back the covered patio addition to maintain a minimum rear yard setback of 6.5m. Based on the proposed revision, the TRCA has no concerns with the proposed variances. As such, Variance 2 is considered minor in nature as the proposed setback will not impact the valley corridor or the neighbouring lots to the north and south.

Accordingly, the Development Planning Department 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:**

Brandon Bell, Planner I  
Margaret Holyday, Senior Planner