

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Bill Kiru, Acting Director of Development Planning
Date: April 8, 2021
Name of Owner: Mariam Burhan and Roain Bayat
Location: 176 Port Royal Avenue
File No.(s): A032/21

Proposed Variance(s):

1. To permit a minimum of 42% of rear yard soft landscaping.
2. To permit a minimum rear yard setback of 1.33 m to a cabana.
3. To permit a minimum interior side yard setback of 1.06 m to a cabana.
4. To permit a maximum height of 3.6 m to the nearest part of the roof of a cabana.

By-Law Requirement(s):

1. A minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 m² shall be composed of soft landscaping.
2. A minimum rear yard setback of 7.5 m is required to a cabana.
3. A minimum interior side yard setback of 1.2 m is required to a cabana.
4. A maximum building height of 3.0 m is permitted to the nearest part of the roof of a cabana.

Official Plan:

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

Comments:

The Owner is requesting to permit the construction of a cabana and a reduction in rear yard soft landscape with the above noted variances.

At the request of the Development Planning Department, the Owner increased the minimum rear yard soft landscape (variance 1) from 38.2 % to 42 % to appropriately balance the hardscape and softscape features, improve permeability and remain compatible with other rear yard landscape reductions in the surrounding neighbourhoods.

Development Planning staff have no objections to the remaining variances, as the rear and interior side yard setback to a cabana of 1.33 m (variance 2) and 1.06 m (variance 3) is measured at the pinch point increasing in distance towards the south-east corner of the property. In addition, the increase in height of 0.60 m (variance 4) to the nearest part of the roof is minor and is a flat roof having a higher roof profile than a pitched roof. Development Planning staff is of the opinion the proposed location of the cabana will not impact the adjacent properties as the accessory structure remains unenclosed and complies with the maximum height and area provisions in Zoning By-law 1-88.

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 condition of approval is recommended:

None

Comments Prepared by:

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