

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

**From:** Bill Kiru, Acting Director of Development Planning

**Date:** April 29, 2021

**Name of Owner:** Pine Valley Kleinburg Homes Ltd.

**Location:** 6061 & 6079 Rutherford Road and 134 & 140 Simmons Street

**File No.(s):** A055/21

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**Proposed Variance(s):**

1. To permit a minimum lot area of 144 m<sup>2</sup> for Block 4, Lot 18, Block 6, Lot 28, Block 7, Lot 32, Block 9, Lot 42, Block 10, Lot 45 and Block 15, Lot 74. [Exception 9(1474)]
2. To permit a minimum lot area of 144 m<sup>2</sup> for Block 4, Lots 19, 20 and 21, Block 5, Lots 24 and 25, Block 7 Lots 33 and 34. [Exception 9(1474)]
3. To permit a maximum building height of 11.9 m for Lots 107 to 111 on Block 22.
4. To permit a minimum exterior side yard setback of 3.2 m to a dwelling Block 6, Lots 27 and Block 16, Lot 77.
5. To permit a minimum rear yard setback of 6.8 m to a dwelling for Block 2, Lots 7, 8, 9 and 10.
6. To permit a minimum front yard setback of 4 m to a dwelling for Blocks 1 and 2.
7. To permit a minimum interior side yard setback of 1.25 m to a non-residential use for Block 10, Lot 44. (tot-lot).
8. To permit a maximum interior garage width of 3.85 m for lots with lot frontages less than 11 m for Block 1, Lots 1-6, Block 2, Lots 7-10, Block 4, Lots 19 and 20, Block 9, Lots 41 and 42, Block 11, Lots 49-54, Block 12, Lots 57 and 58, Block 14, Lots 67 and 68, Block 15, Lots 73 and 74, Block 16, Lots 79 and 80, Block 17, Lots 85 and 86, Block 18, Lots 90-94, Block 22, Lots 108 and 109.
9. To permit minimum interior garage dimensions of 3.04 m width x 6.02 m length for lots with lot frontages greater than 12 m for Block 9, Lot 43, Block 13, Lot 64.
10. To permit an unenclosed porch (covered or uncovered) to have (1) one side open.
11. To permit an unenclosed porch (covered or uncovered), to encroach into the minimum required front yard, exterior side yard and rear yard into a maximum of 2.5 m, and eaves, gutters and steps may encroach an additional 0.5 m.

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

1. A minimum lot area of 145 m<sup>2</sup> is required per lot. [Exception 9(1474)]
2. A minimum lot area of 150 m<sup>2</sup> is required per lot. [Exception 9(1474)]
3. A maximum building height of 11 m is permitted. [Schedule A3]
4. A minimum exterior side yard setback of 4.5 m is required. [Schedule A3]
5. A minimum front yard setback of 4.5 m is required. [Schedule A3]
6. A minimum rear yard setback of 7.5 m is required [Schedule A3]
7. A minimum interior side yard setback of 3.5 m is required to a non-residential use. [Schedule A3]

8. A maximum interior garage width of 3.048 m for lots with lot frontages less than 11 m is permitted. [Schedule A3, General Notes]
9. Minimum interior garage dimensions of 5.5 m width x 6 m length are required for lots with lot frontages greater than 12 m. [Schedule A3, General Notes]
10. A porch, unenclosed (covered or uncovered) shall have at least (2) two sides open. [Section 2.0, Definitions]
11. An unenclosed porch (covered or uncovered), is permitted to encroach into the minimum required front yard and exterior yard to a maximum of 2.5 m, and eaves, gutters and steps may encroach an additional 0.5 m [Subsection 4.22.2].

**Official Plan:**

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

**Comments:**

The Owner is requesting permission to construct 111 townhouse units accessed by common element private roads on the subject lands, proposed through Site Development File DA.18.070, with the above noted variances.

Vaughan Council on April 20, 2021, approved Site Development File DA.18.070. The Development Planning Department supports the approval of Site Development File DA.18.070 along with the requested variances, as the proposed changes to the Zoning By-law are required as a result of modifications to the development in order to create a better designed site; to address comments provided during the site plan review process; to address on-site grading conditions; and general market considerations. Some of the changes, such as porch types and garage dimensions, are more consistent with the new, but not approved, City of Vaughan Zoning By-law.

The required changes are considered minor and will facilitate a compact built form consistent with the policies of the PPS and in conformity to the Growth Plan and YROP 2010, while maintaining the intent of the VOP 2010.

Accordingly, the Development Planning Department can support the required 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, subject to the following conditions:

**Conditions of Approval:**

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

None

**Comments Prepared by:**

Margaret Holyday, Senior Planner