

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Senior Manager of Development Planning
Date: September 9, 2021
Name of Owner: Steven and Alina Mayer
Location: 49 Michael Court
File No.(s): A156/21

Proposed Variance(s):

1. To permit a minimum rear yard setback of 1.23 m to a dwelling (Exception to a dwelling 9(468), Schedule T-9).
2. To permit a maximum lot coverage of 45.8% (Exception 9(468), Schedule T-9).
3. To permit an accessory structure in the interior side yard (Section 4.1.1 c)).
4. To permit a minimum interior side yard setback of 0.25 m to an accessory structure (Section 4.1.1 f) ii)).

By-Law Requirement(s):

1. A minimum rear yard setback of 7.5 m is required (Exception 9(468), Schedule T-9).
2. A maximum lot coverage of 43% is required (Exception 9(468), Schedule T-9).
3. An accessory structure shall be located in the rear yard (Section 4.1.1 c)).
4. A minimum interior side yard setback of 0.6 m is required (Section 4.1.1 f) ii)).

Official Plan:

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

Comments:

The Owner is requesting permission to construct an addition to a single-family dwelling and maintain an accessory structure with the above noted variances.

Development Planning staff expressed concerns with the Owner and Agent regarding rear yard setback to the addition. The upward change in grade from front to rear yard lot line along with an elevated terrace amplifies the overall scale and mass of the addition causing an impact onto the abutting lots. To support this application, the Development Planning Department advised the above-ground terrace should be reduced in depth and width at the north-east corner to diminish the effect of an elongated footprint. Unfortunately, a consensus could not be reached, and the Owner is proceeding with their initial proposal, therefore, Development Planning staff recommends Variance 1 be refused as the proposal is not minor in nature and does not meet the intent of Zoning By-law 1-88.

Additionally, Urban Design staff are of the opinion that additional screening is required to mitigate the proposal's impact onto the surrounding properties. A condition to this effect is included in the conditions of approval. In support of this minor variance application, the Owner has submitted an Arborist Report dated June 25, 2021 and prepared by Bostock Consulting Inc. Urban Design and Parks, Forestry and Horticulture Operations staff are satisfied and have no further concerns.

The remaining variances are minor and appropriate for the development of the lot. The dwelling complies with the by-law having a lot coverage of 35.3%, while the remaining maximum lot coverage is associated to the rear yard deck. An increase of 2.8% over the permitted maximum lot coverage (43%) is contained in the interior and rear yard posing no significant impact on the streetscape. Development Engineering has reviewed the existing accessory structure (frame shed) and confirmed its placement on the westerly interior side yard does not cause any water drainage issues on-site.

The Development Planning Department has reviewed the application and is of the opinion Variances 2, 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 the refusal of Variance 1 and approval of Variances 2, 3, and 4 noted in the application.

Conditions of Approval:

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

1. The Owner submit a Landscape Plan to demonstrate the installation of screening (i.e., plant hedge trees) along the northeastern boundary to mitigate the impact onto the neighbouring properties, to the satisfaction of the Urban Design Division of the Development Planning Department.

Comments Prepared by:

Roberto Simbana, Planner
Margaret Holyday, Senior Planner