

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: February 10, 2022

Name of Owner: Marco and Marta Berenguer

Location: 18 Leor Court

File No.(s): A260/21

Proposed Variance(s) (By-law 01-2021):

- 1) To permit a residential accessory structure 1.22 m from a lot line (rear lot line).
- 2) To permit a residential accessory structure 1.2 m from a lot line (interior lot line).
- 3) To permit a maximum lot coverage of 13.4 % (89.56 m²) for residential accessory structures.
- 4) To permit a maximum height of 3.21 m for a residential accessory structure.

By-Law Requirement(s) (By-law 01-2021):

- 1) A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [Sect 4.1.2 1. b)]
- 2) A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4m to any lot line. [Sect 4.1.2 1. b)]
- 3) In any residential zone, the maximum lot coverage of all residential accessory structures shall be 10% or 67 m², whichever is less. [Sect 4.1.3, sentence 2.]
- 4) In any residential zone, the maximum height of a residential accessory structure shall be 3 m. [Section 4.1.4, sentence 1.]

Proposed Variance(s) (By-law 1-88):

- 5) To permit a minimum rear yard of 1.22 m for an accessory structure.

By-law Requirement(s) (By-law 1-88):

- 5) The minimum rear yard of 7.5 m is required to the accessory structure. [Schedule A]

Official Plan:

Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Residential"

Comments:

The Owners are requesting permission to construct an accessory structure (cabana) with the above noted variances.

In discussion with the Development Planning Department, the Owner decreased the cabana's maximum building height from 3.23 m to 3.21 m and lot coverage from 14.88% to 13.4% to minimize its visual impact to adjacent properties. Specifically, a central portion of roof remains open and the eave on the northern side was brought in to reduce the lot coverage. The Development Planning Department has no objection to Variance 3 given the enclosed area of the cabana only accounts for 5.43% of the lot coverage while the remaining is divided between the covered patio (4.08%) and eaves (3.89%) which have limited visual impact. With respects to the remaining variances for rear and interior side yard setback, the variances remain consistent and compatible with previous approvals in the area. Additionally, the Urban Design Division of the Development Planning Department and the Development Engineering Department have reviewed the application and have no comments.

The Development Planning Department is of the opinion that the requested variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are 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:

Roberto Simbana, Planner I

Chris Cosentino, Senior Planner