



**ADDENDUM**  
**AGENDA ITEM**  
**21 & 22**  
 COMMITTEE OF ADJUSTMENT

**RECEIVED**  
 May 23, 2013  
 VAUGHAN COMMITTEE  
 OF ADJUSTMENT

**DATE:** May 23, 2013 REVISED

**TO:** Todd Coles, Committee of Adjustment

**FROM:** Grant Uyeyama, Director of Development Planning  
 Development Planning Department

**MEETING DATE:** May 23, 2013

**OWNER:** Monica Murad  
**FILE(S):** B006/13 & A121/13

**Location:** 15 Mill Street, Thornhill  
 Ward 5, Vicinity of Yonge Street and Centre Street

**Proposal:** The Owner is requesting permission to create a new residential lot. The severed and retained lands maintain the required lot frontage and lot area as stipulated by Zoning By-law 1-88. As a result of the proposed severance, the Owner has submitted a Minor Variance application to maintain the existing dwelling located on the proposed retained lot with the following variances:

|   | Variance                                     | Proposed  | Required   |
|---|--|---|--|
| 1 | Minimum front yard setback to dwelling       | 3.92m   | 9.0m   |
| 2 | Minimum rear yard setback to dwelling        | 4.5m  | 9.0m   |
| 3 | Maximum side yard setback                    | Side yard setback sum (both side yards) of 30.5m                                | Sum of side yards calculated from the main building shall not exceed 15m |
| 4 | Maximum lot coverage                         | 24.2% (19.8% for dwelling and garage, 4.4% for carport and porch overhang area) | 20%  |
| 5 | Minimum rear yard setback to detached garage | 0.44m   | 9.0m   |

**Official Plan:** The subject lands are designated "Low Density Residential" by in-effect OPA #210 (Thornhill Community Plan), as amended by OPA #589. The subject lands are also designated "Natural Area" by the new City of Vaughan Official Plan 2010, which is subject to approval from the Ontario Municipal Board. The proposal conforms to the in-effect Official Plan.

**Comments:** The Development Planning Department conducted a site visit with photo documentation on March 20, 2013. The subject lands are developed with a two-storey single detached dwelling located on the south side of Mill Street.

The Development Planning Department has no objections with the above-noted application to create a new residential lot at 15 Mill Street. The retained and severed lands meet the lot area and lot frontage requirements of the R1V Old Village

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Residential Zone. In addition, the new lot meets the overall character of the surrounding residential area, as stipulated by OPA #589, and conforms to the severance policies of OPA #94 (Land Severance Policy).

Variations #1, #2, and #5 were previously approved by the Committee of Adjustment on March 24, 2011 through Minor Variance Application A076/11. Accordingly, the Development Planning Department has no objections to these variations.

The Development Planning Department has no concerns with the increase in the sum of both side yards exceeding 15.0m.

The increase in lot coverage to 24.2% is for the existing dwelling located on the retained lot, and is due to a reduction in lot area as a result of the proposed severance. The subject lands are located in the Thornhill Heritage Conservation District, and are therefore subject to approval by the Heritage Vaughan Committee.

The original proposal requested a total lot coverage of 25.4%. However, as a result of a pending adverse possession for a strip of land with an approximate area of 105 m<sup>2</sup>, the total lot coverage has been reduced to 24.2%. On May 22, 2013, the Heritage Vaughan Committee approved the following recommendation:

“That the lot coverage for the portion containing the existing structure at 15 Mill street not exceed the maximum variance for coverage usually granted within the Heritage Conservation District of 24.2% pending approval of the adverse possession related to the subject lands”

The proposed lot coverage of 24.2% is for an existing two-storey single detached dwelling and detached garage (19.8%), and a covered and unenclosed porch canopy and carport located on the east side of the dwelling (4.4%). Interpretation of the Zoning By-law provisions result in the area of the porch and car port being included in the calculation of overall lot coverage. The unenclosed porch structure and carport are not considered liveable space. It is noted that the main dwelling will account for 19.8% of the requested lot coverage, with the remaining 4.4% being allocated to the porch and carport. The Development Planning Department is satisfied that the proposed lot coverage is consistent with the character and scale of the surrounding low density residential neighbourhood, and concurs with the recommendation of the Heritage Vaughan Committee on May 22, 2013.

Staff advises the Owner that the property is subject to Private Property Tree Protection By-law #185-2007, which prohibits the destruction of trees with a diameter of 20 centimetres or more without a permit. As several mature trees are located on the subject property, the Owner must consult with the Parks and Forestry Department should any trees be removed to accommodate development.

In addition, the subject lands are located within the Toronto and Region Conservation Authority's regulated area and are subject to Ontario Regulation 166/06. Approval from the TRCA is required.

The Development Planning Department is of the opinion that

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the proposal meets the intent of the Official Plan and the consent criteria stipulated in Section 51(24) of the *Planning Act*. In addition, the proposal is minor in nature, meets the intent of the Zoning By-law, and is desirable for the appropriate development and use of the land.

**Recommendation:** The Development Planning Department supports Consent Application B006/13 and associated Minor Variance Application A121/13.

**Condition(s):** None.

**Report Prepared By:** Mark Antoine, Planner 1

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