

	<b>COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A092/22</b>
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<b>AGENDA ITEM NUMBER: 6.10</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Fabio and Josie Alvani
<b>AGENT:</b>	Bancheri Bros
<b>PROPERTY:</b>	31 Daleview Court, Kleinburg
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
<b>RELATED DEVELOPMENT APPLICATIONS:</b> <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit a proposed swimming pool and pool equipment.

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City’s Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<div><div><b>PUBLIC &amp; APPLICANT CORRESPONDENCE</b></div><div><div>*Please see <b>Schedule C</b> of this report for a copy of the public &amp; applicant correspondence listed below.</div><div>The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b></div><div>Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City’s Website.</div><div>All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.</div></div></div>				
<b>Correspondence Type</b>	<b>Name</b>	<b>Address</b>	<b>Date Received</b> (mm/dd/yyyy)	<b>Summary</b>
None				

<div><div><b>PREVIOUS COA DECISIONS ON THE SUBJECT LAND</b></div><div><div>*Please see <b>Schedule D</b> for a copy of the Decisions listed below</div></div></div>		
<b>File Number</b>	<b>Date of Decision</b> MM/DD/YYYY	<b>Decision Outcome</b>
None		

<div><div><b>ADJOURNMENT HISTORY</b></div><div><div>* Previous hearing dates where this application was adjourned by the Committee and public notice issued.</div></div></div>	
None	



## COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A092/22

**FILE MANAGER:** Adriana MacPherson, Administrative Coordinator - Committee of Adjustment

<b>AGENDA ITEM NUMBER: 6.10</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Fabio and Josie Alvani
<b>AGENT:</b>	Bancheri Bros
<b>PROPERTY:</b>	31 Daleview Court, Kleinburg
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
<b>RELATED DEVELOPMENT APPLICATIONS:</b> <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit a proposed swimming pool and pool equipment.

The following variances have been requested from the City's Zoning By-law:

**The subject lands are zoned R1B(EN) Residential and subject to the provisions of Exception 14.336 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 01-2021	Variance requested
1	A maximum encroachment of 1.5 metres is permitted into the required rear yard of 12.0 metres for the pool equipment. 4.13, Table 4-1	To permit a maximum encroachment of 5.9 metres into the required rear yard of 12.0 metres for the pool equipment.
2	An outdoor swimming pool shall only be permitted in the rear yard of a lot. S.4.21.2	To permit the outdoor swimming pool to be located in the interior side yard.

**The subject lands are zoned R1V Old Village Residential, under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
3	A private swimming pool shall be only constructed in the rear yard. S.3.14(i)	To permit the private swimming pool to be located in the interior side yard.

### HEARING INFORMATION

**DATE & TIME OF HEARING:** Thursday, May 12, 2022 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

#### PUBLIC PARTICIPATION

You can watch a live stream of the hearing at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Request to Speak Form](#) to [cofa@vaughan.ca](mailto:cofa@vaughan.ca) by **noon** on the last business day prior to the hearing.

Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

[For more information, please visit the City of Vaughan website.](#)

### INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

INTRODUCTION	
Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:  That the general intent and purpose of the by-law will be maintained. That the general intent and purpose of the official plan will be maintained. That the requested variance(s) is/are acceptable for the appropriate development of the subject lands. That the requested variance(s) is/are minor in nature.  Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.	

COMMITTEE OF ADJUSTMENT COMMENTS		
Date Public Notice Mailed:	April 29, 2022	
Date Applicant Confirmed Posting of Sign:	April 28, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	Current lot configuration creates restrictions on the property to position the pool.	
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:	No	
<p>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</p> <p>*A revised submission may be required to address staff / agency comments received as part of the application review process.</p> <p>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</p>		
<b>Adjournment Fees:</b> In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.		
An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff <b>after</b> the issuance of public notice.		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:	None	

BUILDING STANDARDS (ZONING) COMMENTS	
Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.  A Building Permit has been applied for.	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule C for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	The applicant/owner shall supply an Arborist Report, which shall be approved to the satisfaction of the Development Planning Department.

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The Development Engineering (DE) Department does not object to variance application A092/22.  The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the pool permit link provided above to learn how to apply for the pool permit.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Parks: None Forestry: None Horticulture: None	
PFH Recommended Conditions of Approval:	Parks: None  Forestry: Applicant/owner shall supply an Arborist Report and obtain a Private Property Tree Removal & Protection permit through the forestry division.  Horticulture: None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
None	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
None	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
None	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “ <b>if required</b> ”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Planning <a href="mailto:Joshua.Cipolletta@vaughan.ca">Joshua.Cipolletta@vaughan.ca</a>	The applicant/owner shall supply an Arborist Report, which shall be approved to the satisfaction of the Development Planning Department.
2	Parks, Forestry and Horticulture Operations <a href="mailto:zachary.quizzetti@vaughan.ca">zachary.quizzetti@vaughan.ca</a>	Applicant/owner shall supply an Arborist Report and obtain a Private Property Tree Removal & Protection permit through the forestry division. Applicant/owner shall supply an Arborist Report and obtain a Private Property Tree Removal & Protection permit through the forestry division.

IMPORTANT INFORMATION – PLEASE READ
<b>CONDITIONS:</b> It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency ( <b>see condition chart above for contact</b> ). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

IMPORTANT INFORMATION – PLEASE READ	
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.</p> <p>A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law.</p> <p>Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application.</p> <p>Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.</p>	
<p><b>DEVELOPMENT CHARGES:</b> That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.</p> <p>That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.</p> <p>That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment</p> <p>That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.</p>	
<p><b>NOTICE OF DECISION:</b> If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee’s decision you will <b>not</b> receive notice.</p>	

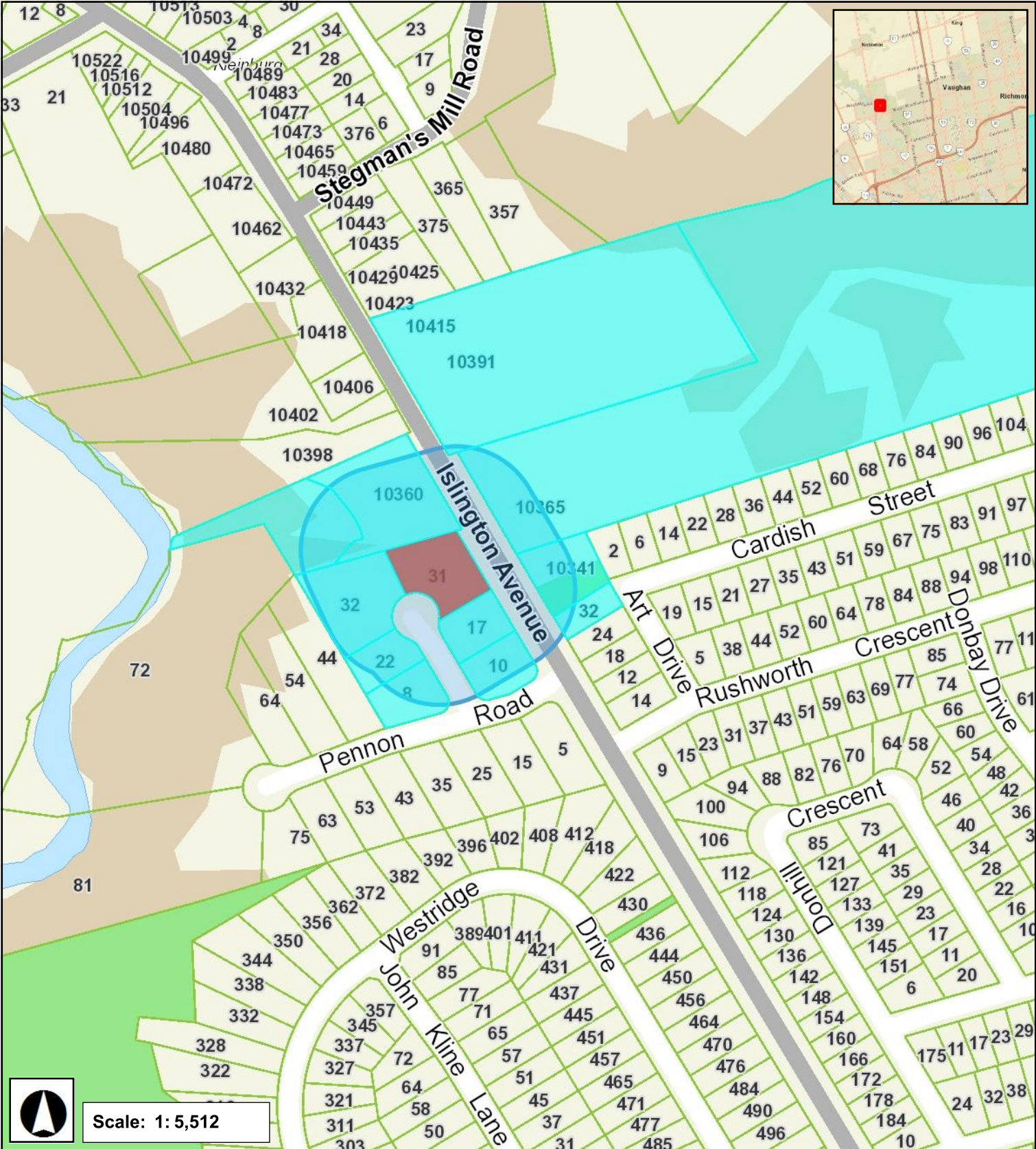
**SCHEDULE A: DRAWINGS & PLANS**





# A092/22 - Notification Map

31 Daleview Court, Kleinburg

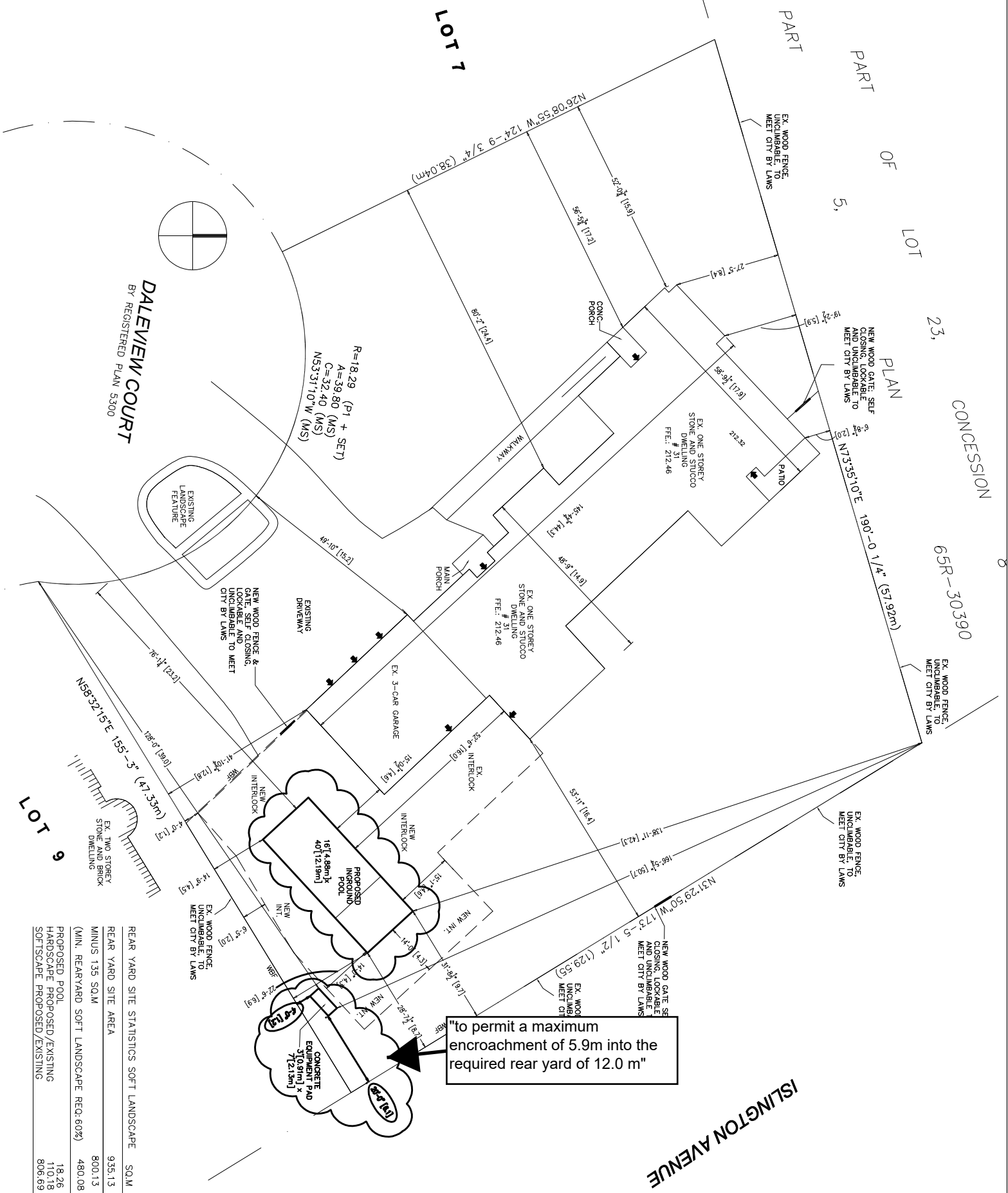


April 28, 2022 2:44 PM

**Major Mackenzie Drive**



**A092/22**



Analysis		
Date	Time	Description
APR 8 2022		POA PLAN - MONS VERNACE - REVERED
APR 21 2022		POA PLAN - MONS VERNACE-REVERED
MAY 16 2022		POA PLAN - MONS VERNACE-REVERED
MAY 2 2022		POA PLAN - MONS VERNACE-REVERED
APR 8 2022		POA PLAN - MONS VERNACE - REVERED
APR 21 2022		POA PLAN - MONS VERNACE-REVERED
MAY 16 2022		POA PLAN - MONS VERNACE-REVERED
MAY 2 2022		POA PLAN - MONS VERNACE-REVERED

Project No.	3080
Order by	1/32" = 1'-0"
AS	
Title	Drawing No.

PROPOSED  
SITE PLAN

A—

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions

**COMMENTS:**

- ☐ We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- ☒ We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- ☐ We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

**References:**

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mitchell Penner  
Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

## Adriana MacPherson

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**Subject:** FW: [External] RE: A092/22 - Request for Comments (31 Daleview Crt, Vaughan)

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

**Sent:** April-14-22 3:35 PM

**To:** Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A092/22 - Request for Comments (31 Daleview Crt, Vaughan)

Good afternoon Adriana,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

*Gabrielle*

**Gabrielle Hurst mcip rpp** | Programs and Process Improvement | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

## Adriana MacPherson

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**Subject:** FW: [External] RE: A092/22 - Request for Comments (31 Daleview Crt, Vaughan)

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**From:** York Plan <yorkplan@trca.ca>

**Sent:** April-08-22 10:41 AM

**To:** Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

**Cc:** Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

**Subject:** [External] RE: A092/22 - Request for Comments (31 Daleview Crt, Vaughan)

TRCA wishes to confirm that it has **no interests or concerns with the above noted application.**

Based on a review of our available mapping, the subject property is not within TRCA's Regulated Area. As such, a permit from TRCA pursuant to Ontario Regulation 166/06 would not be required for any development or site alteration on the property.

Although the site is located within the Well Head Protection Area for Quantity control (WHPA-Q) per the Source Protection Plan, no water balance would be required recognizing this requirement would have been addressed through the subdivision approvals process.

Should further clarification be required, please contact the undersigned at your convenience.

**Mark Howard, BES, MLA, MCIP, RPP**

Senior Manager – Toronto, Durham & York East Review Areas

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: [mark.howard@trca.ca](mailto:mark.howard@trca.ca)

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)





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

**From:** Nancy Tuckett, Director of Development Planning

**Date:** May 12, 2022

**Name of Owner:** Fabio Alviani and Josie Greco-Alviani

**Location:** 31 Daleview Court

**File No.(s):** A092/22

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**Proposed Variance(s) (By-law 001-2021):**

1. To permit a maximum encroachment of 5.9 m into the required rear yard of 12.0 m for the pool equipment.
2. To permit the outdoor swimming pool to be located in the interior side yard.

**By-Law Requirement(s) (By-law 001-2021):**

1. A maximum encroachment of 1.5 m is permitted into the required rear yard of 12.0 m for the pool equipment.
2. An outdoor swimming pool shall only be permitted in the rear yard of a lot.

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

3. To permit the private swimming pool to be located in the interior side yard.

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

3. A private swimming pool shall be only constructed in the rear yard.

**Official Plan:**

City of Vaughan Official Plan 2010 ("VOP 2010"): "Low-Rise Residential" and "Natural Areas"

**Comments:**

The Owner is requesting to permit the construction of a proposed pool and pool equipment with the above noted variances.

The Development Planning Department has no objection to Variance 1 for the proposed pool equipment as the encroachment into the rear yard will not pose a significant visual impact as the property backs onto Islington Avenue, and it maintains an appropriate area for access and drainage. There are also no natural heritage features being impacted as a result of the development.

The Development Planning Department has no objection to Variances 2 and 3 as the proposed pool is located in what is effectively used as the rear yard. The proposed pool also complies with all rear yard and side yard setback requirements.

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:

1. The applicant/owner shall supply an Arborist Report, which shall be approved to the satisfaction of the Development Planning Department.

**Comments Prepared by:**

Joshua Cipolletta, Planner I

Chris Cosentino, Senior Planner

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				

<b>SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND</b>
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None