

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: September 21, 2022

Name of Owners: Robert Pasutto & Anne Teresa Riga

Location: 19 Granary Road

File No.(s): A226/22

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

1. To permit a minimum rear yard of 1.0 m.
2. To permit a minimum interior side yard of 1.52 m.
3. To permit the maximum height of the residential accessory structure to be 3.65 m.
4. To permit the eaves to encroach 0.61 m into the required interior side yard.
5. To permit the portion of the rear yard in excess of 135.0 m² to be comprised of a minimum of 52% soft landscape.

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

1. The minimum rear yard is 2.4 m.
2. The minimum interior side yard is 2.4 m.
3. The maximum height of an accessory building and residential accessory structure shall be 3.0 m.
4. Eaves shall not project more than 0.5 m into a required yard.
5. In the R1B Zone, any portion of a yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape.

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

6. To permit a minimum rear yard of 1.0 m.
7. To permit the eaves to encroach 0.61 m into the required interior side yard.
8. To permit the nearest part of the roof of the accessory building to be a maximum of 3.05 m above finished grade.
9. To permit the portion of the rear yard in excess of 135.0 m² to be comprised of a minimum of 52% soft landscaping.

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

6. The minimum rear yard is 9.0 m.
7. Eaves shall not project more than 0.5 m into a required yard.
8. The nearest part of the roof of any accessory building or structure shall not be more than three 3.0 m above finished grade.
9. In an R1 Zone, where the area of a rear yard of a lot is greater than 135 m², a minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 m² shall be composed of soft landscaping.

Official Plan:

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

Comments:

The Owners are requesting relief to permit the construction of a pavilion with the above noted variances.

The pavilion is rectangular, with the east and west walls being shorter than the north and south walls. The pavilion is a partially open structure with two enclosed rooms on the west side. One room will contain the pool equipment, and the other room will contain a bathroom. The full west side of the pavilion is to be walled to accommodate the rooms. A wall segment on the north side, and a wall segments on the south side are also proposed for the rooms. A second wall segment is proposed on the south side for a mounted television.

The Development Planning Department has no objection to Variances 1, 2, and 6 for the proposed rear yard and interior side yard setbacks for the pavilion as it is not anticipated

to pose a significant massing impact to the adjacent properties. The pavilion, as a partially open structure, presents less mass overall in comparison to a fully enclosed structure. Only part of the requested rear yard setback would be fully utilized by the pavilion. The minimum rear yard setback to the pavilion is measured at a pinch-point and the setback expands to 2.24 m at its greatest extent. The west wall of the pavilion, due to its narrow length and gabled form, presents minimal mass to the abutting property. The requested setbacks also maintain an appropriate area for access and drainage.

The Development Planning Department has no objection to Variances 3 and 8 for the proposed height of the pavilion as it is a partially open structure not anticipated to have adverse massing impacts on the abutting properties. The Owner will also be planting trees to the rear of the structure to further screen the pavilion from the neighbouring properties. A condition to this effect is recommended in the Condition of Approval. The proposed height is also consistent with previous approvals in the neighbourhood.

The Development Planning Department has no objection to Variances 4 and 7 as the proposed eave encroachments are only located on three sides of the structure. The side of the pavilion that faces the rear lot line has 0.3 m eaves, which complies with both Zoning By-laws. The 0.61 m eaves, located along the remaining three sides of the structure, are further set back from any lot line and will not pose a significant visual impact to the adjacent properties.

The Development Planning Department has no objection to Variances 5 and 9 for the proposed reduction in rear yard soft landscaping as the subject property continues to maintain an appropriate balance of soft landscaping to facilitate drainage on the property.

Accordingly, the Development Planning Department can support the requested 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-laws, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application, subject to the following condition:

Condition of Approval:

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

1. That the final Landscape Plan be approved to the satisfaction of the Development Planning Department.

Comments Prepared by:

Joshua Cipolletta, Planner I
David Harding, Senior Planner