

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: March 14, 2023
Name of Owners: Domenic and Sonia Tassone
Location: 205 Old Humber Crescent
File No.(s): A333/22

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

1. To permit a minimum interior side yard setback of 3.84 m on the south side of proposed dwelling.
2. To permit a minimum interior side yard setback of 4.05 m on the north side of proposed dwelling.
3. To permit a minimum rear yard setback of 12.41 m to a covered patio.
4. To permit the encroachment of eaves and gutters of 0.56 m into the required interior side yards.
5. To permit a swimming pool not entirely in the rear yard.

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

1. The minimum interior side yard setback required is 13.61 m on the south side.
2. The minimum interior side yard setback required is 5.05 m on the north side.
3. The minimum rear yard setback required is 15.0 m.
4. The maximum encroachment of an eave and gutter permitted is 0.5 m.
5. An outdoor swimming pool shall only be permitted in the rear yard of a lot.

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

6. To permit the encroachment of eaves and gutters of 0.56 m into the required interior side yards.
7. To permit a maximum building height of 11.28 m.
8. To permit a swimming pool not entirely in the rear yard.

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

6. The maximum encroachment of an eave and gutter permitted is 0.5 m.
7. The maximum building height permitted is 9.5 m.
8. A private swimming pool shall be constructed only in the rear yard.

Official Plan:

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

Comments:

The Owners are requesting relief to permit the construction of a 2-storey single detached dwelling, covered rear yard patio and pool, with the above noted variances.

The subject lands are identified as part of an Established Neighbourhood through the "(EN)" suffix by Zoning By law 001-2021, so the setbacks established by the existing built form applies to the property. The property is also identified as being within a Large Lot Neighbourhood in VOP 2010. The underlying "RE – Estate Residential Zone" permits 4.5 m interior side yard setbacks, indicating that this can be a sufficient distance to maintain attractive landscaping to preserve the streetscape character that more expansive amenity areas create in large lot neighbourhoods. Only the southeast corner of the dwelling would utilize the full extent of the requested relief for the south interior side yard setback. The south interior side yard setback expands to 6.97 m at its greatest extent. Upon recommendations from the Development Planning Department, the Owners have revised their application to increase the north interior side yard setback to 4.05 m. The full extent of this requested relief would only be utilized by the proposed garage. The built form west of the garage would be stepped back to maintain a 4.92 m setback to the north lot line. Given that the proposed north and south side yard setbacks are minor reductions to the minimum requirement of the "RE Zone", and are sufficient in this case to maintain the enhanced sense of space between dwellings common to large

lot neighbourhoods where additional landscaping is commonly placed, the Development Planning Department has no objection to Variances 1 and 2 for the reduced interior side yard setbacks.

The Development Planning Department has no objection to Variance 3 for the proposed rear yard setback to the covered patio. The rear lot line is composed of two angles that slope inwards creating a corner towards the center of the rear yard. The full extent of the relief sought will only be between the corner of the rear lot line and the corner of the covered patio. The majority of the covered patio and dwelling will comply with the rear yard setback requirements. As such, the reduced rear yard setback will not have adverse impacts to the neighbouring properties.

The Development Planning Department has no objection to Variances 4 and 6 for the encroachment of the eaves as the increased encroachment of 0.06 m is minor in nature, is not anticipated to be perceptible, and as such is unlikely to pose adverse massing impacts to the neighbouring properties.

The Development Planning Department has no objection to Variances 5 and 8 for the proposed pool as it is located behind the main part of the dwelling in what is effectively to be used as part of the rear yard. The pool also complies with all rear yard and side yard setback requirements.

The Development Planning Department has no objection to Variance 7 for the proposed dwelling height. A 2-storey dwelling is proposed. The full extent of the height relief would only be utilized in the center section of the dwelling. The height steps down to a single storey on either side as the dwelling approaches the interior lot lines. A hip style roof is proposed, and portions of the second floor are incorporated into the roofline. These design techniques mitigate the massing impacts by reducing the height and surface area of the second floor exterior walls. As such, the height is appropriate for the size of the lot and is not anticipated to have negative massing impact to the neighbourhood or the existing streetscape.

In support of the application, the Owners have submitted an Arborist Report and Tree Inventory and Preservation Plan prepared by Henry Kortekaas & Associates Inc., dated February 9, 2023. The report inventoried 57 trees, 29 of which are proposed to be removed. Urban Design staff have reviewed the report and concur with its recommendations.

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 condition of approval is 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