

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: April 13, 2023
Name of Owners: Lisa Marchese and Rachid Wehbi
Location: 98 Panorama Crescent
File No.(s): A020/23

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

1. To permit a minimum rear yard setback of 1.31 m to a pool.
2. To permit a minimum interior side yard setback of 1.47 m to a pool (North side).
3. To permit a minimum interior side yard setback of 1.39 m to a pool (South side).
4. To permit a minimum interior side yard setback of 0.5 m to pool equipment.
5. To permit a rear and interior side yard setback of 0.0 m to a retaining wall 1.2 m in height.

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

1. The minimum setback of an outdoor swimming pool to any lot line shall be 1.5 m.
2. The minimum setback of an outdoor swimming pool to any lot line shall be 1.5 m.
3. The minimum setback of an outdoor swimming pool to any lot line shall be 1.5 m.
4. Air Conditioner and/or Heat Pump Units shall be permitted in the interior side yard with a minimum setback of 0.6 m.
5. A retaining wall greater than 1.0 m in height shall be setback an equal distance to the height of the highest portion of the retaining wall.

Official Plan:

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

Comments:

The Owners are requesting relief to permit the existing pool, pool equipment and retaining wall, with the above noted variances.

The Development Planning Department has no objection to Variances 1, 2 and 3 for the pool as the requested reduced rear and interior yard setbacks are minor in nature and maintain an appropriate area for safe access and maintenance. The rear lot line is also at a slight angle to the pool, and as a result only a portion of the pool needs relief. At its greatest extent, the pool proposes a rear yard setback of 2.15 m, which exceeds the setback requirement.

The Development Planning Department has no objection to Variance 4 for the pool equipment as the proposal maintains sufficient area for access and maintenance and is not anticipated to adversely impact the neighbouring properties. The Development Engineering Department has also reviewed the proposal and is satisfied that drainage will be maintained.

The Development Planning Department has no objection to Variance 5 for the retaining wall as the requested increase in height is minor in nature and thus not anticipated to generate adverse massing impacts, and the Development Engineering Department has reviewed the proposal and is satisfied that drainage in the rear yard will be maintained.

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-law, and is 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 conditions of approval are recommended:

None

Comments Prepared by:

Joshua Cipolletta, Planner I
David Harding, Senior Planner