

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: April 14, 2023
Name of Owners: Nino Montagnese & Peter Salituro
Location: 98 Dorengate Drive
File No.(s): A315/22

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

1. To permit a minimum rear yard setback of 1.37 m to the outdoor swimming pool.
2. To permit a minimum interior side yard setback of 1.27 m to the residential accessory structure.
3. To permit a minimum of 48.64% of the area of the rear yard in excess of 135 m² to be comprised of soft landscaping.

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. A minimum interior side yard setback of 1.5 m to the residential accessory structure is required.
3. In the R1B Zone, any portion of a yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape.

Official Plan:

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

Comments:

The Owners are requesting relief to permit the existing pool, accessory structure and rear yard hard landscaping with the above noted variances.

The Development Planning Department has no objection to Variance 1 for the pool. It complies with all side yard setback requirements. The reduction to the rear yard setback is minor in nature as only the northwestern portion of the pool requires relief due to the angled rear lot line, and the setbacks maintain an appropriate area for safe access and maintenance.

The Development Planning Department has no objection to Variance 2 for the accessory structure as the height complies with the Zoning By-law requirement and reduction to the interior side yard setback is not anticipated to be perceptible. The shed is at an angle to the side lot line and only the southeastern portion needs relief. As such, the accessory structure will not pose adverse use or massing impacts to the neighbouring properties.

The Owners have revised their application to restore additional rear yard soft landscaping upon recommendations from the Development Planning Department. The Development Planning Department has no objection to Variance 3 for the revised rear yard hard landscaping. The reduction in soft landscaping is minor in nature and will maintain an appropriate balance of soft landscaping to facilitate drainage, reduce urban heat island effects, and facilitate the establishment of vegetation. The Development Engineering Department has also 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