

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: July 10, 2023
Name of Owners: Nicolas Carchidi & Anna-Marie Colosimo
Location: 148 Via Teodoro
File No.(s): A081/23

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

1. To permit a minimum rear yard setback of 0.5 m to the proposed Residential Accessory Structure (Cabana).
2. To permit a minimum interior side yard setback of 0.5 m to the proposed Residential Accessory Structure (Cabana).
3. To permit a minimum distance of 0.2 from the residential accessory structure eaves to the interior side lot line.
4. To permit a minimum distance of 0.2 from the residential accessory structure eaves to the rear lot line.
5. To permit a minimum rear yard setback of 0.9 m to the proposed pool.
6. To permit a minimum interior side yard setback of 1.0 m to the proposed pool.
7. To permit the maximum height of 3.42 m for a residential accessory structure (Cabana).

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

1. A minimum rear yard setback of 2.4 m to the proposed Residential Accessory Structure (Cabana) is required.
2. A minimum interior side yard setback of 2.4 m to the proposed Residential Accessory Structure (Cabana) is required.
3. A minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest lot line.
4. A minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest lot line.
5. A minimum rear yard setback of 1.5 m to the proposed pool is required.
6. A minimum interior side yard setback of 1.5 m to the proposed pool is required.
7. The maximum height of a residential accessory structure (Cabana) shall be 3.0 m.

Official Plan:

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

Comments:

The Owners are requesting relief to permit the existing cabana and pool, with the above-noted variances.

Upon recommendations from the Development Planning Department, the Owners have revised their application to reduce the height and the encroachment of the eaves and gutter of the cabana. The Development Planning Department has no objection to Variances 1, 2, 3, 4 and 7 for the revised cabana modifications. The cabana currently has eaves around all four walls and a gutter along the west wall near the interior side lot line. Development Planning Department staff had concerns with the height and the proximity of the constructed eaves and gutter to the lot lines as the proximity to the lot lines in combination with the height created adverse massing impacts to the neighbouring properties. Reducing the height, the encroachment of the eaves along the south and west walls, and removing the gutter along the west wall, will provide suitable mitigation to address the adverse impacts associated with the building's proximity to the lot lines. The Development Engineering Department has reviewed the proposed 0.5 m rear and interior side yard setbacks and is satisfied that drainage in the rear side yard will be maintained. As such, the revised cabana is not anticipated to pose adverse use, privacy, or massing impacts to the neighbouring properties.

The Development Planning Department has no objection to Variances 5 and 6 for the pool as the reduction to the rear and interior side yard setbacks are minor in nature, not anticipated to be perceptible, and maintains an appropriate area for safe access and maintenance.

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

David Harding, Senior Planner