

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** July 25, 2022

**Name of Owners:** Peter Nicoletti and Carla Incer

**Location:** 201 Grandvista Crescent

**File No.(s):** A149/22

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

1. To permit the proposed residential accessory structure (cabana) to be 0.61 m from the east interior side lot line.
2. To permit the height of the proposed residential accessory structure (cabana) to be a maximum of 3.66 m.
3. To permit the maximum lot coverage to be 40.35%.
4. To permit the portion of the yard in excess of 135.0 m<sup>2</sup> to be comprised of a minimum 29% soft landscape.

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

1. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
2. In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m.
3. The maximum permitted lot coverage is 40%.
4. In the R1A Zone, any portion of a yard in excess of 135.0 m<sup>2</sup> shall be comprised of a minimum 60% soft landscape.

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

5. To permit the maximum height to the nearest part of the roof to be 3.05 m (cabana).
6. To permit the minimum rear yard to be 7.19 m to the proposed accessory building (cabana).
7. To permit a maximum encroachment of 3.3 m.

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

5. The maximum height of any accessory building or structure measured from the average finished ground level to the nearest part of the roof shall not be more than 3.0 m above finished grade.
6. On lands zoned RV2 within the shaded area identified on Schedule "E-1120", the minimum rear yard shall be 10 m where such yard abuts an OS1 Zone or an OS4 Zone.
7. Pool equipment is permitted to encroach a maximum of 1.5 m into the required 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 cabana and pool equipment with the above noted variances.

The Development Planning Department has no objection to Variances 1, 2, 5 and 6 for the proposed cabana. The reduction in interior side yard setback maintains an appropriate area for access and drainage. The rear yard of the subject property is at a lower grade than the neighbouring property at 211 Grandvista Crescent, which will mitigate the visual impact of the increased height of the cabana. There are also no eaves proposed on the east side of the cabana, so no part of the built form is encroaching beyond the requested 0.61 m interior side yard setback. Environmental Planning staff has reviewed the reduction to the required rear yard and have no objection to the proposed variance. The 7.19 m rear yard also complies with Zoning By-

law 01-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in effect.

The existing dwelling's footprint has a lot coverage of 34%. The cabana's footprint and all building eaves will have a lot coverage of 2.7% and 3.95% respectively. By-law 001-2021 currently includes eaves as part of the lot coverage calculation whereas By-law 1-88 does not. The 0.35% increase to the permitted lot coverage is minor in nature. The building footprint lot coverage of 36.7% would also comply with Zoning By-law 01-2021 once the eaves are removed from the calculation as part of a general housekeeping amendment to be heard at the June 28th, 2022 Council meeting. As such, the Development Planning Department has no objection to Variance 3 for increased lot coverage.

The Development Planning Department has no objection to Variance 4 for the proposed reduction to rear yard soft landscaping as the subject property maintains an appropriate balance of soft landscaping to facilitate drainage on the property. The Development Engineering Department has reviewed the proposal and is satisfied that drainage in the rear yard will be maintained.

The Development Planning Department has no objection to Variance 7 for the proposed pool equipment as the proposed encroachment is minor in nature and maintains an appropriate area for access and maintenance. The pool equipment also complies with Zoning By-law 01-2021.

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.

**Conditions of Approval:**

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

None

**Comments Prepared by:**

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