

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: May 08, 2023

Name of Owners: Frank & Livia Belcamino

Location: 23 Jackson Street

File No.(s): A322/22

Proposed Variance(s) (By-law 01-2021):

- 1) To permit a minimum northerly interior side yard of 1.01 m to a residential accessory structure (cabana).
- 2) To permit a minimum rear yard setback of 0.64 m for a residential accessory structure (cabana).
- 3) To permit a maximum lot coverage of 28.73% (main dwelling and residential accessory structure (cabana)).
- 4) To permit a maximum building height of 3.57 m for a residential accessory structure (cabana).
- 5) To permit an outdoor swimming pool (hot tub) not to be located in the rear yard.

By-Law Requirement(s) (By-law 01-2021):

- 1) A minimum northerly interior side yard setback of 2.4 metres is required to a proposed residential accessory structure (cabana). [Section 4.1.2]
- 2) A minimum rear yard setback of 2.4 metres is required to a proposed residential accessory structure (cabana). [Section 4.1.2]
- 3) A maximum lot coverage of 23% is permitted (main dwelling and residential accessory structure (cabana)). [Table 7-3]
- 4) A maximum building height of 3.0 m is permitted. [4.1.4.1 and Building Height, Section 3, Definitions]
- 5) An outdoor swimming pool (hot tub) shall only be permitted in the rear yard of a lot. [4.21.2]

Official Plan:

Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Residential"

Comments:

The Owners are requesting permission to increase the maximum lot coverage, reduce the northerly interior and rear yard setbacks for a residential accessory structure, and maintain a swimming pool (hot tub) accessory to an existing single detached dwelling with the above noted variances.

The Development Planning Department has no objection to Variances 1, 2, and 4, as the accessory structure provides adequate distance to the rear and northerly interior lot lines within this specific context. The neighbouring property (21 Jackson Street) to the north has mature coniferous trees along the shared interior lot line which provides vegetative screening to help mitigate any massing impacts. Similarly, the townhouse development to the east is serviced by a rear laneway with detached garages to the west which acts as a natural buffer area between the subject property and the townhomes. The increased spatial separation between the rear lot line of the subject property and the townhouses along with a brick wall west of the laneway will help minimize the visual and privacy implications of the residential accessory structure. With respect to Variance 3, the increase in maximum lot coverage is directly tied to the cabana (accessory structure), which is reasonable in size and compatible with other structures in the immediate neighbourhood. However, Development Planning staff would like to note the maximum accumulative lot coverage for this lot has been realized and any future lot coverage increases would need to be thoroughly justified. The remaining Variance (#5) is technical in nature since the existing hot tub is located beside the dwelling in a location not defined as part of the rear yard through By-law 001-2021 but does operate and function as part of the rear yard amenity area. Development Engineering and Urban Design staff have reviewed the proposal and are satisfied.

The Development Planning Department is of the opinion that the requested variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are 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:

Roberto Simbana, Planner

David Harding, Senior Planner