

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: July 29, 2024
Name of Owner: Stephanie Busato and Daniel Pegoraro
Location: 16 Cantertrot Court
File No.(s): A059/24

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

1. To permit a minimum setback of 1.2 m from the southerly interior side lot line to an outdoor swimming pool.
2. To permit a minimum setback of 1.2 m from the rear lot line to an outdoor swimming pool.
3. To permit a minimum setback of 1.3 m from the northerly interior side lot line to an outdoor swimming pool.
4. To permit a maximum encroachment of 0.92 m into the minimum required interior side yard for pool equipment (ground-mounted, uncovered and unenclosed).

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

1. A minimum setback of 1.5 m is required from the southerly interior side lot line to an outdoor swimming pool.
2. A minimum setback of 1.5 m is required from the rear lot line to an outdoor swimming pool.
3. A minimum setback of 1.5 m is required from the northerly interior side lot line to an outdoor swimming pool.
4. A maximum encroachment of 0.6 m is permitted into the minimum required interior side yard of 1.2 m (a minimum setback of 0.6 m is required for pool equipment).

Official Plan:

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

Comments:

The Owners are seeking relief to permit the existing outdoor swimming pool and pool equipment with the above noted variances.

The Development Planning Department has no objection to Variances 1, 2 and 3 for the location of the existing swimming pool. The property has a slight reverse pie-shape configuration, where the rear lot line is shorter than the front lot line. The in-ground pool is set back 3.1 m from the dwelling and has an area of 30.57 m², which accounts for 37.3% of the rear yard. Due to the reverse-pie shape of the lot, a rectangular pool configuration within the rear yard is difficult given the interior side lot lines come closer together the closer they come to the rear lot line. Only a portion of the pool requires relief from the setback to the south interior side lot line. The pool is 0.3 m deficient at a pinch-point to its southwest corner, but the southeast corner is set further back at approximately 2.3 m due to the angle of the south lot line. The requested variances for the reduced setbacks to the rear and interior side lot lines are minimal in nature, are not anticipated to be perceptible, and maintain an appropriate area for safe access and maintenance.

The Development Planning Department has no objection to Variance 4 for the encroachment of the ground-mounted pool equipment in the southerly interior side yard. The pool equipment has a setback of 0.28 m from the southerly interior side yard. The pool equipment is unenclosed and is located behind a wooden gate, blocking it from the view of the street to the east. There is also an existing wooden board fence along the southern property line screening it from the neighbouring property (#12 Cantertrot Court). Development Engineering has reviewed this application and requires written confirmation from the neighbouring property Owner of 12 Cantertrot Court stating that there have been no issues with surface runoff to their property. Development Engineering has included a condition to this effect. While there is limited space for

access between the pool equipment and the fence for maintenance purposes, the equipment is still accessible from the rear yard and/or from behind the wooden gate, when required. Primary access to the rear yard from the front yard will continue to be facilitated from the northerly interior side yard.

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:

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