



**COMMITTEE OF ADJUSTMENT  
REPORT SUMMARY  
MINOR VARIANCE APPLICATION  
FILE NUMBER A262/21**

<b>AGENDA ITEM NUMBER: 7</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Dino Vono and Francesca Puma
<b>AGENT:</b>	None
<b>PROPERTY:</b>	70 Red Tree Drive, Kleinburg
<b>ZONING DESIGNATION:</b>	The subject lands are zoned RD4 9(1376) and subject to the provisions of Exception under By-law 1-88 as amended
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Area Specific Plan 12.7: Block 61 West - Nashville Heights
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the City's Zoning By-law is being requested to permit the installation of a proposed swimming pool in the rear yard.

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

<b>DEPARTMENTS</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Real Estate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>AGENCIES</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**PUBLIC & APPLICANT CORRESPONDENCE**

\*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				

**PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

\*Please see **Schedule D** for a copy of the Decisions listed below

File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

**ADJOURNMENT HISTORY**

\* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None
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**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A262/21**

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<b>AGENT:</b>	None
<b>PROPERTY:</b>	70 Red Tree Drive, Kleinburg
<b>ZONING DESIGNATION:</b>	The subject lands are zoned RD4 9(1376) and subject to the provisions of Exception under By-law 1-88 as amended
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Area Specific Plan 12.7: Block 61 West - Nashville Heights
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the City's Zoning By-law is being requested to permit the installation of a proposed swimming pool in the rear yard.

The following variances have been requested from the City's Zoning By-law:

The subject lands are zoned R4- Fourth Density Residential Zone and subject to the provisions of Exception 14.1006 under Zoning By-law 01-2021.

#	Zoning By-law 01-2021	Variance requested
1	The minimum setback of an outdoor swimming pool to any lot line shall be 1.5 m (Section 4.21, sentence 3.)	To permit a minimum setback of 1.22 metres to any lot line for a swimming pool.

The subject lands are zoned RD4 – Residential Detached Zone Four and subject to the provisions of Exception 9(1376) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
2	A private swimming pool shall be constructed not nearer to any rear or interior side lot line than 1.5 metres [Section 4.1.1 i)]	To permit a private swimming pool to be constructed a minimum of 1.22 metres from the rear and interior side lot lines.

**HEARING INFORMATION**

**DATE & TIME OF HEARING:** Thursday, February 10, 2022 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

**PUBLIC PARTICIPATION**

You can watch a live stream of the hearing at [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil)

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Public Deputation Form](#) to [cofa@vaughan.ca](mailto:cofa@vaughan.ca) **by noon** on the last business day prior to the hearing.

Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

[For more information, please visit the City of Vaughan website.](#)

**INTRODUCTION**

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

## INTRODUCTION

That the general intent and purpose of the by-law will be maintained.  
 That the general intent and purpose of the official plan will be maintained.  
 That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.  
 That the requested variance(s) is/are minor in nature.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

## COMMITTEE OF ADJUSTMENT COMMENTS

<b>Date Public Notice Mailed:</b>	01/26/2022
<b>Date Applicant Confirmed Posting of Sign:</b>	01/26/2022
<b>Applicant Justification for Variances:</b> <small>*As provided by Applicant in Application Form</small>	To provide reasonable distance between the rear wall of the dwelling and the pool.
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b>  *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.  *A revised submission may be required to address staff / agency comments received as part of the application review process.  *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.	No
<b>Adjournment Fees:</b> In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.  An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff <b>after</b> the issuance of public notice.	
<b>Committee of Adjustment Comments:</b>	None
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None

## BUILDING STANDARDS (ZONING) COMMENTS

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001. Please note as of January 1, 2015 Accessible Parking Spaces are subject to the provisions of Ontario Regulation - O.Reg.413/12, Subsections 80.32 through 80.39, which supersede the current by-law requirements in By-law 1-88 as amended.

Please note Section 4.1.1(b) that states the maximum height of an accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three(3) metres above finished grade.

An A/C unit and/or pool equipment shall be setback a minimum of 1.2 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

<b>Building Standards Recommended Conditions of Approval:</b>	None
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## DEVELOPMENT PLANNING COMMENTS

\*\*See Schedule C for Development Planning Comments.

<b>Development Planning Recommended Conditions of Approval:</b>	None
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### DEVELOPMENT ENGINEERING COMMENTS

As the subdivision is not assumed yet, the owner/applicant needs to provide Development Engineering Department with an acknowledgement/ approval letter/email from the developer/builder saying they are aware of the work taking place in the subject property and have no objection, to clear the condition #1.

The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for the pool permit.

<b>Development Engineering Recommended Conditions of Approval:</b>	Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder about the proposed work to the subject property and provide a copy of the acknowledgement letter/email from the developer/builder to the City's Development Engineering Department.
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### PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

No comment no concerns

<b>PFH Recommended Conditions of Approval:</b>	None
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### DEVELOPMENT FINANCE COMMENTS

No comment no concerns

<b>Development Finance Recommended Conditions of Approval:</b>	None
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### BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No response

<b>BCLPS Recommended Conditions of Approval:</b>	None
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### BUILDING INSPECTION (SEPTIC) COMMENTS

No response

<b>Building Inspection Recommended Conditions of Approval:</b>	None
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### FIRE DEPARTMENT COMMENTS

No response

<b>Fire Department Recommended Conditions of Approval:</b>	None
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### SCHEDULES TO STAFF REPORT

\*See Schedule for list of correspondence

<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Development Planning & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)
<b>Schedule D</b> (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

### SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval "if required". If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder about the proposed work to the subject property and provide a copy of the

## SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “**if required**”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

		acknowledgement letter/email from the developer/builder to the City's Development Engineering Department.
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## IMPORTANT INFORMATION – PLEASE READ

**CONDITIONS:** It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (**see condition chart above for contact**). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

**APPROVALS:** Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

**DEVELOPMENT CHARGES:** That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

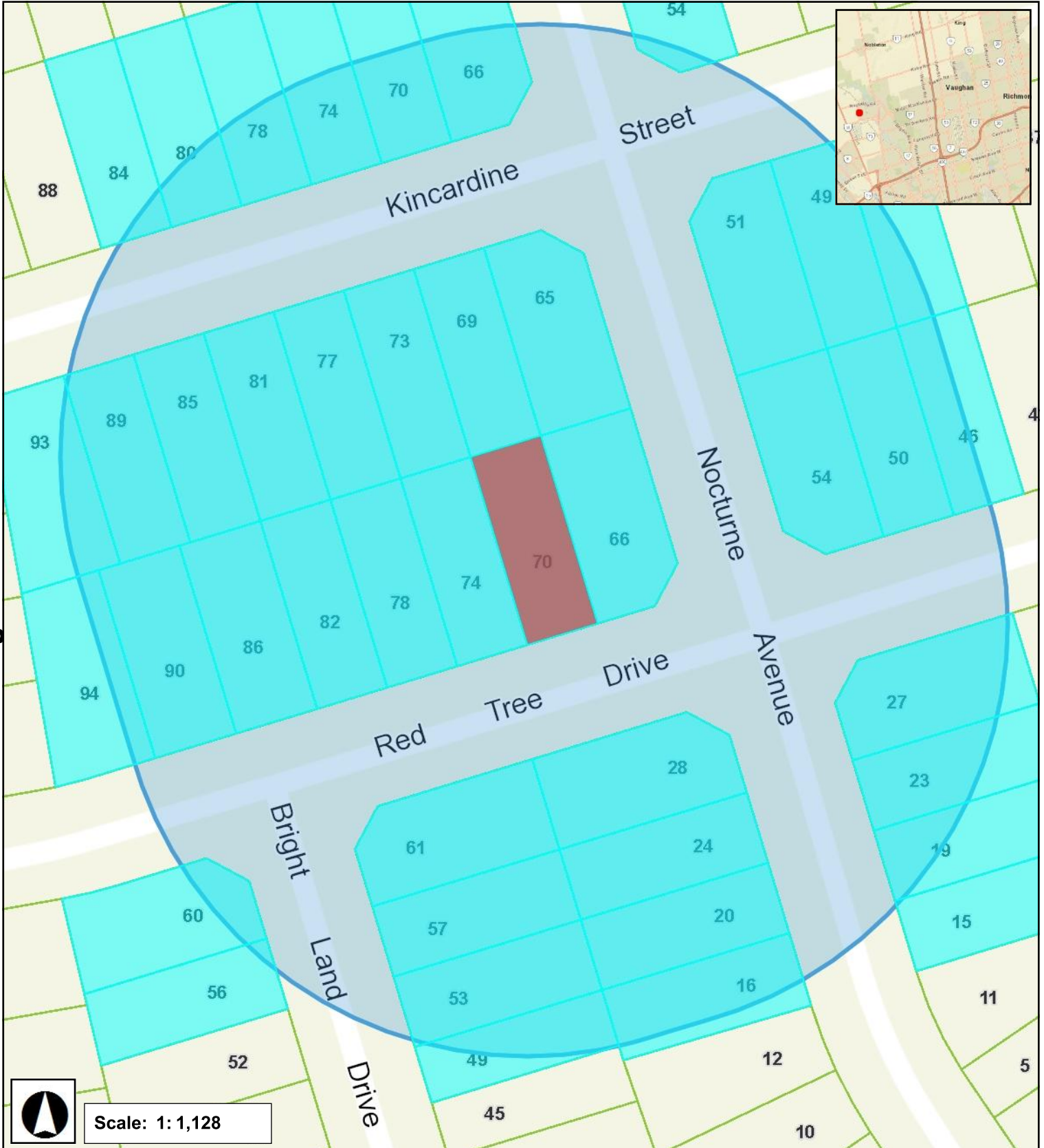
**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

**SCHEDULE A: DRAWINGS & PLANS**



# A262/21- Notification Map

70 Red Tree Drive, Kleinburg



**Major Mackenzie Drive**

January 25, 2022 12:50 PM



**Proposal:**

1. To permit a minimum setback of 1.22 metres to any lot line for a swimming pool.
2. To permit a private swimming pool to be constructed a minimum of 1.22 metres from the rear and interior side lot lines.

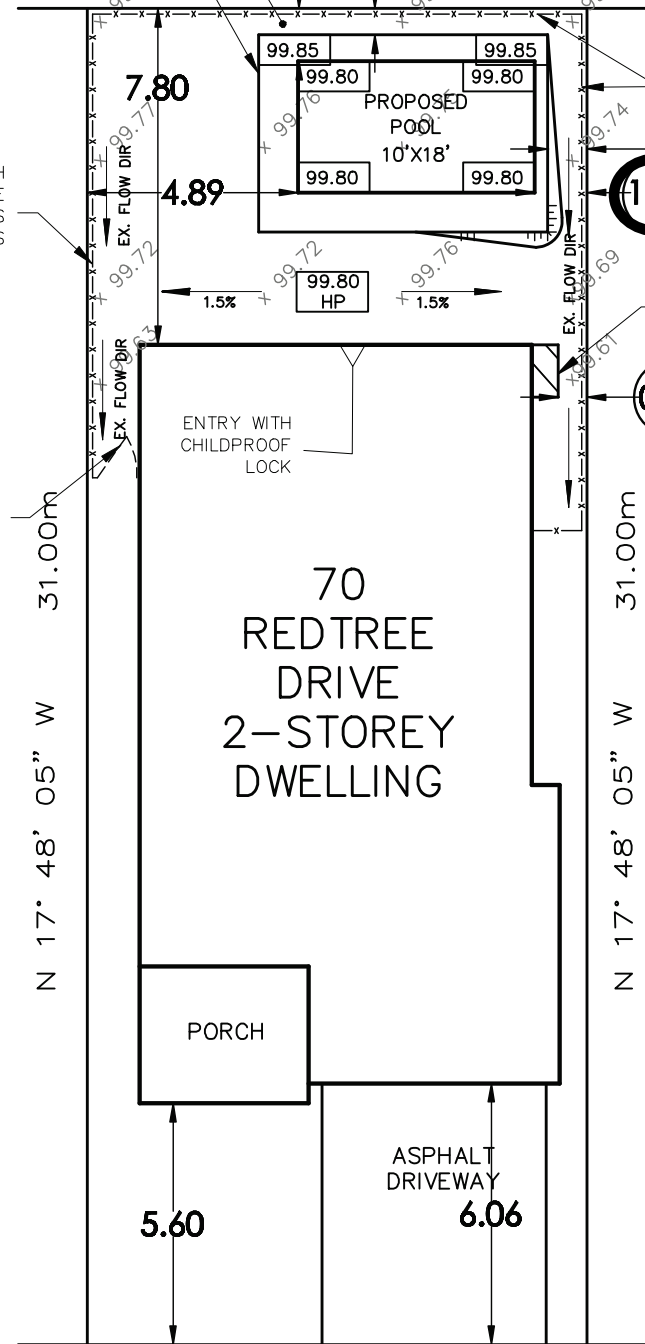
**A262/21**

DO NOT ALTER GRADE  
WITHIN 2' (0.60m)  
OF PROPERTY LINES

PAVING STONE  
DECK

N 72° 11' 55" E 11.60m

1.22 0.61



5' HIGH  
WOOD FENCE  
SEE DETAILS  
AND NOTES

0.91

2'x6' CONCRETE  
POOL EQUIP. PAD

0.67

ENTRY WITH  
CHILDPROOF  
LOCK

70  
REDTREE  
DRIVE  
2-STOREY  
DWELLING

PORCH

ASPHALT  
DRIVEWAY

5.60

6.06

N 72° 11' 55" E 11.60m

RED TREE DRIVE

WOOD GATE C/W  
WITH, SELF CLOSING  
& SELF LATCHING  
DEVICE + PADLOCK

31.00m

N 17° 48' 05" W

31.00m

N 17° 48' 05" W

METRIC

ALL PROPERTY DIMENSIONS  
IN METERS UNLESS  
OTHERWISE NOTED



**SCOPE OF WORK:**

NEW CONSTRUCTION OF REAR YARD  
IN-GROUND POOL.

ALL CONSTRUCTION TO ADHERE TO  
RELEVANT CODES AND AS INDICATED IN  
THIS DRAWING SET.

**BOUNDARY INFORMATION TAKEN FROM SURVEY:**

SURVEYOR'S REAL PROPERTY REPORT  
PART 1  
PLAN OF LOTS 99, 100, 101 AND 102  
PLAN 85M-4420  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK

BY RADY-PENTEK & EDWARDS SURVEYING LTD.  
DATED JUNE 17TH, 2015

3		
2		
No.	Revision/Issue	Date

**LASONNE**

70 RED TREE DRIVE  
REAR YARD POOL  
Vaughan, Ontario

**TITLE:**

**GRADING AND  
POOL PLAN**

Drawing No.	G1	
Project No.	2107E	
Date	MAR '21	
Scale	1:175	
Drawn by:	DF	Checked by: DF

**SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS**

<b>AGENCIES</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions

**COMMENTS:**

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

**References:**

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream(Construction Standard 03-1, 03-4, 03-9), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

Mr. Tony D'Onofrio  
Supervisor, Subdivisions (Alectra East)  
**Phone:** 1-877-963-6900 ext. 24419

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## Adriana MacPherson

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**Subject:** FW: [External] RE: A262/21 - Request for Comments (70 Red Tree Drive, Vaughan)

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

**Sent:** December-23-21 2:32 PM

**To:** Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A262/21 - Request for Comments (70 Red Tree Drive, Vaughan)

Good afternoon Adriana,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

*Gabrielle*

**Gabrielle Hurst mcip rpp** | Community Planning and Development Services | The Regional Municipality of York | 1-877  
464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** February 10, 2022  
**Name of Owner:** Dino Vono and Francesca Puma  
**Location:** 70 Red Tree Drive  
**File No.(s):** A262/21

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

1. To permit a minimum setback of 1.22 m to any lot line for a swimming pool.

**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 (Section 4.21, sentence 3.)

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

2. To permit a private swimming pool to be constructed a minimum of 1.22 m from the rear and interior side lot lines.

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

2. A private swimming pool shall be constructed not nearer to any rear or interior side lot line than 1.5 m [Section 4.1.1 i)]

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Area Specific Plan 12.7: Block 61 West - Nashville Heights.

**Comments:**

The Owner is proposing to construct a pool in the rear yard with the above-noted variances.

The Development Planning Department has no objection to Variances 1 and 2. The proposed pool will be enclosed by a privacy fence and will not negatively impact adjacent properties. The setbacks proposed provide a sufficient distance from the property line to allow for safe access to the pool.

Accordingly, the Development Planning Department 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:**

Michael Torres, Planner 1  
Chris Cosentino, Senior Planner

**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

None