

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Bill Kiru, Acting Director of Development Planning  
**Date:** February 4, 2021  
**Name of Owner:** Enio Varano and Lina Genco Varano  
**Location:** 174 Blackburn Boulevard  
**File No.(s):** A141/20

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**Proposed Variance(s):**

1. The nearest part of the roof of the proposed accessory building (cabana) is 3.4 m above finished grade.
2. The proposed side yard is 1.22 m.
3. The proposed rear yard is 1.5 m.
4. The portion of the rear yard in excess of 135 m<sup>2</sup> is 49.9% soft landscaping.

**By-Law Requirement(s):**

1. The nearest part of the roof of an accessory building shall not be more than three (3) m above finished grade. [4.1.1 b)]
2. The minimum side yard is 1.5 m. [9(589) ci), Schedule T-54]
3. The minimum rear yard is 7.5 m. [9(589) ci), Schedule T-54]
4. In an R1 Zone, where the area of a rear yard of a lot is great than 135 m<sup>2</sup>, a minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 m<sup>2</sup> shall be composed of soft landscaping. [4.1.2 b)]

**Official Plan:**

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

**Comments:**

The Owner is requesting permission to construct an in-ground pool and accessory building (cabana) with the above noted variances.

At the request of the Urban Design Division of the Development Planning Department, the Owners have revised their location of the proposed Cabana and increased the side yard from 1.2 m to 1.22m to ensure the neighbouring trees are not injured during construction.

The Development Planning Department does not object to variances 1 and 2 since they maintain the general intent and purpose of the Zoning By-law. The increase of 40cm above the permitted 3m only applies to nearest portion of the roof, while the cabana remains compliant with the maximum building height (4.5 m) permitted under By-law 1-88. The north elevation of the cabana has a height of 3.4m on the west side, reducing to 2.6m on the east side due to the grade changes. A side yard setback of 1.22 m to the proposed cabana is minor providing sufficient distance to the adjacent property and complies with the area provisions of Zoning By-law 1-88.

With respects to variances 3 and 4, the rear yard setback to the cabana is appropriate, as the established grade at the rear lot line sits at a higher vantage point, thereby, reducing the appearance of the cabana and impact to adjacent properties. Development Planning staff in consultation with Urban Design are of the opinion that a reduction in rear yard soft landscape still provides a well-balanced open area and remains compatible with other properties in the neighbourhood. The Development Engineering Department has reviewed the proposal in terms of water runoff and have no concerns. Additionally, in support of the proposal, Urban Design staff have reviewed the submitted Arborist Report, prepared by Green Bird Horticultural Ltd., dated January 22, 2021, and have no further concerns.

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:**

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