

To: Christine Vigneault, Committee of Adjustment Secretary
From: Bill Kiru, Acting Director of Development Planning
Date: March 18, 2021
Name of Owner: Ricardo and Carmelinda Rosella
Location: 189 Via Teodoro
File No.(s): A029/21

Proposed Variance(s):

1. To permit a minimum interior side yard setback of 0.61 m to the accessory building (pergola).
2. To permit a minimum interior rear yard setback of 0.61 m to the accessory building (pergola).
3. To permit a minimum rear yard setback of 1.0 m to the private swimming pool.
4. To permit a minimum interior side yard setback of 1.0 m to the private swimming pool and hot tub.
5. To permit a minimum interior side yard setback of 0.61 m to the accessory building (shed).
6. To permit the accessory building (shed) to be located within the interior side yard.

By-Law Requirement(s):

1. A minimum interior side yard setback of 1.2 m is required to the accessory building (pergola).
2. A minimum rear yard setback of 7.5 m is required to the accessory building (pergola).
3. A minimum rear yard setback of 1.5 m is required to the private swimming pool.
4. A minimum interior side yard setback of 1.5 m is required to the private swimming pool.
5. A minimum interior side yard setback of 1.2 m is required to the accessory building (shed).
6. An accessory building shall be located entirely within the rear yard.

Official Plan:

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

Comments:

The Owner is proposing to construct an accessory pergola, shed, and inground swimming pool with the above noted variances. The rear of the subject lands abut a significant woodlot feature, and in accordance with Section 3 of VOP 2010, development and site alteration is typically not permitted within woodlands or their 10 m minimum Vegetation Protection Zone ('VPZ'), which the proposed works are located within. In support of the application located within the 10 m VPZ, the Owner submitted an Arborist Report prepared by Shady Lane Expert Tree Care, dated February 16, 2021, and revised on March 11, 2021. Urban Design and Policy Planning and Environmental Sustainability staff have reviewed the submitted Arborist Report and are satisfied with the conclusions confirming that the abutting woodland will not be impacted by the proposed works. The Arborist Report has also identified that the existing cedar hedges along the western side of the subject lands will remain, providing appropriate screening between the rear yard and an existing public parkette.

Given that the subject lands are appropriately screened from the public parkette, and the proposed works will not impact the adjacent woodlot feature, the requested variances are considered appropriate. 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 I

Margaret Holyday, Senior Planner