



Report Committee of Adjustment

Filing Date: September 29, 2021
Hearing Date: October 26, 2021
File: A-2021-0233
**Owner/
Applicant:** CLINT SEUKERAN AND CHARLENE SEUKERAN
Address: 41 Blaketon Court
Ward: WARD 10
Contact: François Hémon-Morneau, Planner I

Recommendations:

That application A-2021-0233 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the applicant submits \$610.00 (Variance – Residential Minor) review fee to the TRCA as indicated in their letter dated October 13, 2021;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

The applicant is requesting a variance to facilitate the development of a 50.2 sq.m. (648 sq.ft.) inground pool, a pool equipment pad, a rock feature wall, patio, and walkways located to the back of the existing house. The TRCA has issued a permit for the proposed works as it is located within the TRCA's Regulated Area Humber River Watershed.

Existing Zoning:

The property is zoned 'Residential Single Detached A (R1A-1709)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a setback of 6.57m (21.56 ft.) from a proposed in-ground pool to a Floodplain zone whereas the by-law requires a minimum setback of 10.0m (32.80 ft.) to a Floodplain zone.

Current Situation:

1. Maintains the General Intent and Purpose of the Official Plan

The subject property is designated 'Residential' in the Official Plan and 'Low Density 1 Residential' in the Vales of Castlemore Secondary Plan (Area 42). The nature and extent of the proposed variance, subject to the recommended conditions of approval, maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The applicant is requesting a variance to permit a setback of 6.57m (21.56 ft.) from a proposed in-ground pool to a Floodplain zone whereas the by-law requires a minimum setback of 10.0m (32.80 ft.) to a Floodplain zone. The intent of the by-law is to provide adequate distance from the floodplain zone to the pool to ensure the protection of environmental features and safety of the occupants in the event of a flood.

In this case, the inground pool is proposed to be located 3.43m (11.25 ft.) closer to the floodplain zone than what the by-law allows. The TRCA has reviewed an associated application for minor works to construct the pool and have granted conditional approval indicating that the agency is satisfied that appropriate measures have been taken to protect the adjacent valley corridor. Given the TRCA review of the application and the nature of the requested variance, the reduced rear yard setback is not expected to negatively impact the environmental feature. Subject to the recommended conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The variance is requested to facilitate the construction of an inground pool at the rear of the property. The proposed works are located 6m (19.69 ft.) from the Top of Slope and approximately 24m (78.74 ft.) from the Regulatory Flood Plain associated with the valley corridor. The variance is not anticipated to impact the Humber River Watershed which constitutes the Floodplain zone in question. As previously stated, the TRCA has reviewed the application and have granted conditional approval to construct the pool in the location indicated on the plans. A condition of approval is recommended that the applicant submits \$610.00 (Variance – Residential Minor) review fee to the TRCA as indicated in their letter dated October 13, 2021 and that the extent of the variance be limited to that shown on the sketch attached to the notice of decision to ensure that the addition is consistent with what is presented in this application. Subject to the recommended conditions of approval, the requested variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Given the context of the property and the location in which the pool is proposed to be constructed, the reduced setback to a floodplain zone is not expected generate negative environmental impacts. Subject to the recommended conditions of approval, the requested variance is considered to be minor in nature.

Respectfully Submitted,

François Hémon-Morneau

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