

	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A045/22
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AGENDA ITEM NUMBER: 6.2	Thursday, May 12, 2022
APPLICANT:	Manny Melo,Manuel Melo and Marianne Sassi-Melo
AGENT:	Rosetti Almeida
PROPERTY:	191 Wardlaw Place,TH1, Woodbridge
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS: <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
PURPOSE OF APPLICATION:	Relief from Zoning By-law is being requested to permit installation of a swimming pool, pool equipment and a cabana.

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.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
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 type="checkbox"/>	<input type="checkbox"/>	
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments no concerns
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"/>	Recommend Approval/No Conditions
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Bell Canada	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments no concerns
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input 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	



COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A045/22

FILE MANAGER: Lenore Providence, Administrative Coordinator - Committee of Adjustment

AGENDA ITEM NUMBER:6.2	Thursday, May 12, 2022
APPLICANT:	Manny Melo,Manuel Melo and Marianne Sassi-Melo
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PROPERTY:	191 Wardlaw Place,TH1, Woodbridge
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ("VOP 2010"): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS: <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
PURPOSE OF APPLICATION:	Relief from Zoning By-law is being requested to permit installation of a swimming pool, pool equipment and a cabana.

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

The subject lands are zoned RT, Townhouse Residential Zone and subject to the provisions of Exception 14.1117 under Zoning By-law 001-2021.

#	Zoning By-law 01-2021	Variance requested
1	To permit an outdoor swimming pool to be located closer to an exterior side lot line than the dwelling, as shown on the submitted Site Plan. [4.21, Note 5]	In no case shall the outdoor swimming pool be located closer to an exterior lot side lot line than the dwelling.
2	A maximum height of 3.0 metres is permitted. [4.1.4, Note 1]	To permit a maximum height of 3.07 metres for a cabana.
3	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [4.1.2, 1b]	To permit a minimum rear yard setback of 1.84 m and a minimum interior side yard setback of 1.28 m for a residential accessory structure (cabana).

The subject lands are zoned RT1, Residential Townhouse Zone and subject to the provisions of Exception 9(1291) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
4	A minimum exterior side yard setback of 4.5 metres is required. [4.1.1 i]	To permit a minimum exterior side yard setback of 1.59 m to an inground swimming pool.
5	A minimum rear yard setback of 7.5 metres is required. [Schedule A3]	To permit a minimum rear yard setback of 1.84 m to an accessory structure (14.88 m ² cabana).
6	A minimum exterior side yard setback of 3.0 metres is required to external ground mounted pool equipment. [3.14 h]	To permit a minimum exterior side yard setback of 1.21 metres to external ground mounted pool equipment.

HEARING INFORMATION

Date & Time of Hearing:	Thursday, May 12, 2022 at 6:00 p.m.
Watch the hearing live at: Vaughan.ca/LiveCouncil	

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION
<p>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.</p> <p>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:</p> <p>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.</p> <p>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.</p>

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	April 25, 2022
Date Applicant Confirmed Posting of Sign:	April 22, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	<div>1) Due to limited backyard space, the client is asking for the pool to be located in the exterior lot side lot line of dwelling</div> <div>2) Also asking to have the pool 1.sm away from lot line as opposed to the required 4.sm setback</div> <div>3) The equipment pad is located 1.21m away from the lot line as opposed to the required 3m setback</div> <div>4) The structure exceeds the 10 sq. Mt due to lot frontage</div> <div>5) The height of the structure exceeds 3m.</div> <div>6) The structure setback to the rear line is 1.84 m as opposed to the 7.5m setback for an accessory structure that exceeds 10 sq. Mt.</div> <div>7) The sideyard setback is 1.28m as opposed to the required 2.4m setback any lot line</div>
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*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.</small> <small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small> <small>*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.</small>	No
Adjournment Fees: 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 after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING) COMMENTS	
<p>Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.</p> <p>Permit Application No. 2021 136076 has been submitted for a pool enclosure.</p> <p>An application for a building permit is required for the proposed cabana.</p> <p>The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.</p> <p>Please provide information about hardscape area and whether there are retaining walls surrounding it.</p> <p>Please provide information on wall at or around property lines and whether they are retaining walls or not.</p> <p>Proposed stairs at rear will require a landing and show whether they go up or down.</p>	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule C for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS	
<p>As the proposed Cabana in the subject property is 14.88 m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City’s Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)</p> <p>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 or visit the pool permit link provided above to learn how to apply for the pool permit.</p> <p>The Development Engineering (DE) Department does not object to variance application A045/22 subject to the following condition(s):</p>	
Development Engineering Recommended Conditions of Approval:	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
<p>Parks:</p> <p>Forestry: Applicant has applied for a private tree permit.</p> <p>Horticulture:</p>	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments received to date.	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No comments received to date.	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (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 farzana.khan@vaughan.ca	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.

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.

IMPORTANT INFORMATION – PLEASE READ

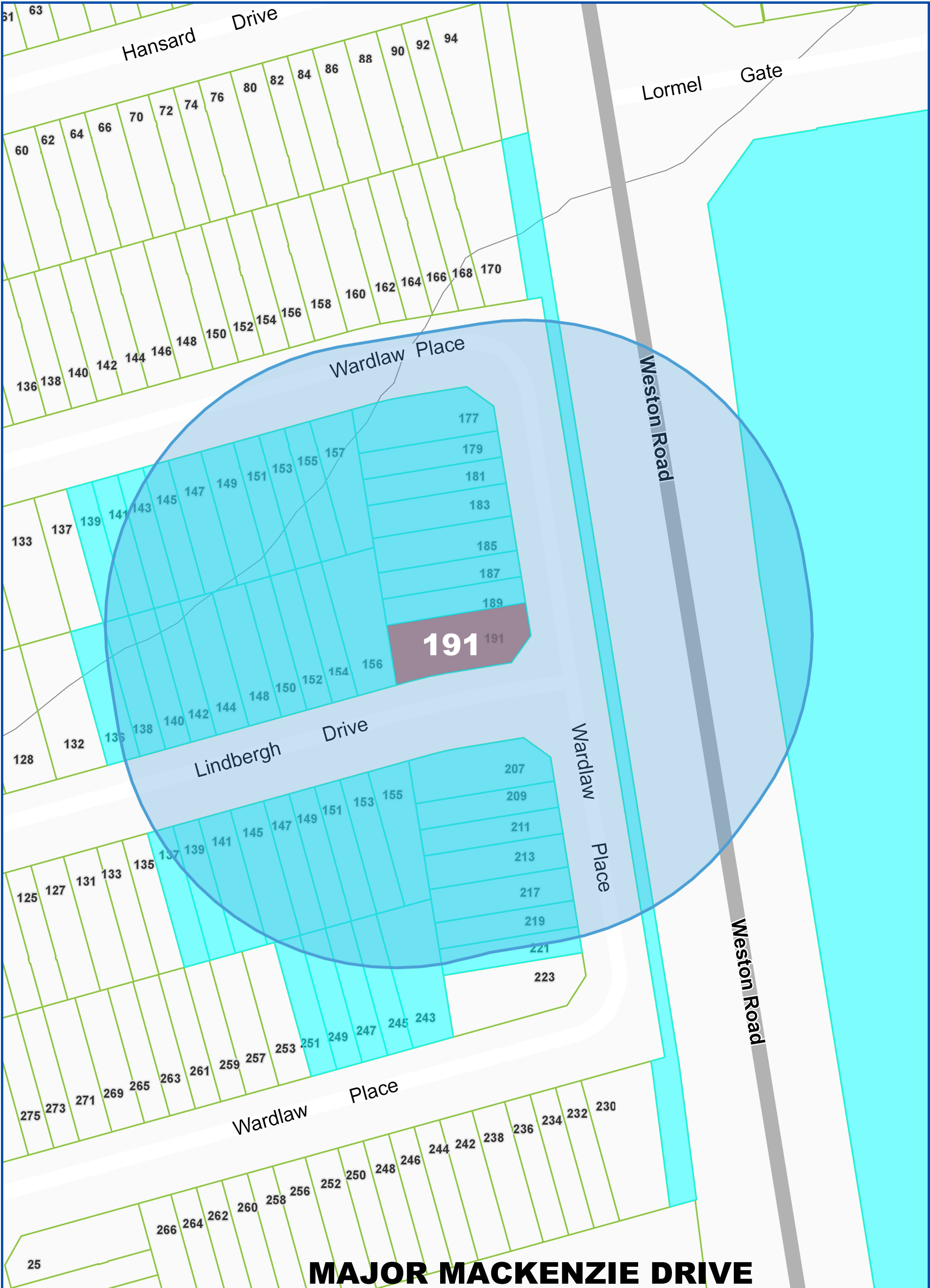
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

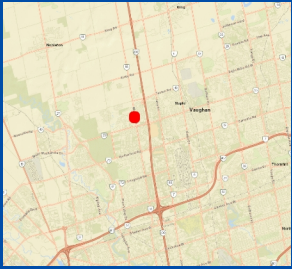
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the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



Map Information:



Title:

191 WARDLAW PLACE, WOODBRIDGE

NOTIFICATION MAP - A045/22

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:1,128

0 0.02 km



Created By:

Infrastructure Delivery

Department

March 18, 2022 10:59 AM

Projection:

NAD 83

UTM Zone

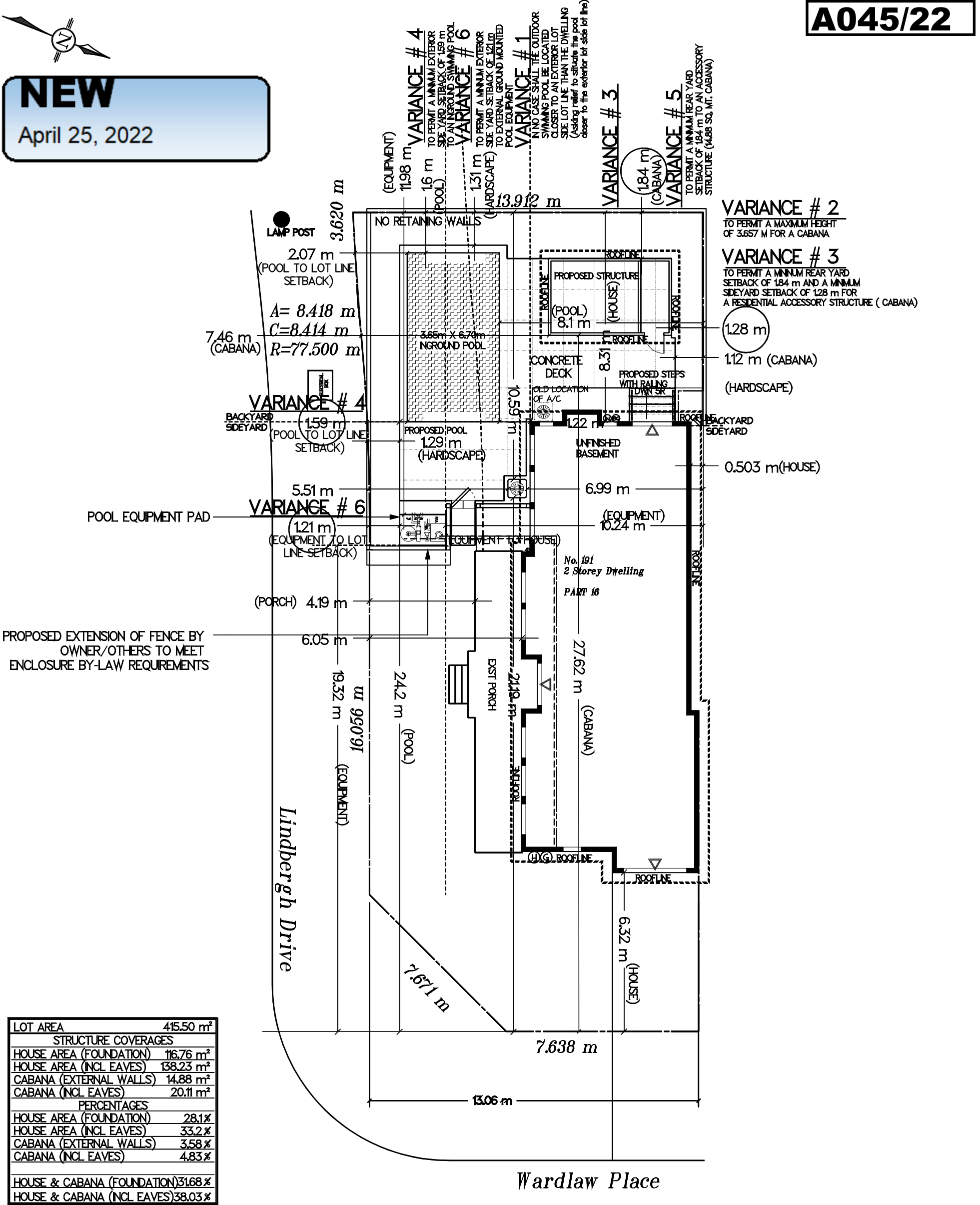
17N



NEW

April 25, 2022

A045/22




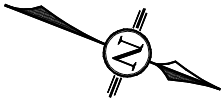
LOT AREA	415.50 m²
STRUCTURE COVERAGES	
HOUSE AREA (FOUNDATION)	116.76 m²
HOUSE AREA (INCL EAVES)	138.23 m²
CABANA (EXTERNAL WALLS)	14.88 m²
CABANA (INCL EAVES)	20.11 m²
PERCENTAGES	
HOUSE AREA (FOUNDATION)	28.1%
HOUSE AREA (INCL EAVES)	33.2%
CABANA (EXTERNAL WALLS)	3.58%
CABANA (INCL EAVES)	4.83%
HOUSE & CABANA (FOUNDATION)31.68%	
HOUSE & CABANA (INCL EAVES)38.03%	

LOT AREA	415.50 m²
COVERAGES	
CONCRETE PAD	N/A
PATIO	40.524 m²
STAIRS	2.43 m²
ACCESSORY STRUCTURE	N/A
RET. WALLS	N/A
RET. WALLS	N/A
TOTAL: 42.954 m²	
REAR YARD AREA	112.65 m²
REAR SOFTSCAPE AREA	69.696 m²
REAR HARDSCAPE AREA	42.954 m²
REAR YARD SOFTSCAPE %	61.8%

LEGEND	
	GARDEN BEDS (SOFTSCAPE)
	RIVERSTONE BED (SOFTSCAPE)
	GRASS/ LAWN (SOFTSCAPE)
	CONCRETE DECK (HARDSCAPE)

	EXISTING ELEVATION
	PROPOSED ELEVATION
	SLOPE
ELEVATIONS IN METERS	

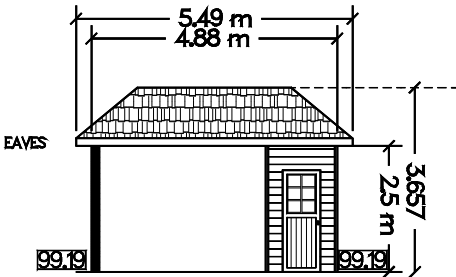
Drawing Permit PlanV2		Date APRIL 25, 2022	Scale 1:150	Notes > All perimeter suales are to be maintained and remain undistrubed, Drainage patterns are not to adversely affect adjacent properties. > All dimensions in metres unless otherwise stated. > Do not scale drawings	 76 Orenda Road, Brampton, ON L6W 1W1 PH: (905) 796 6500 FAX: (905) 796 6551 E: permits@soldapools.com
Address 191 WARDLAW PLACE		Drawn by RA			
Lot Number PART 16	Plan Number 65M-4145	Municipality WOODBRIDGE	Checked by FS		



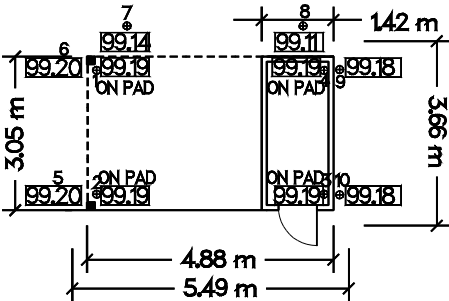
Revised

April 7, 2022

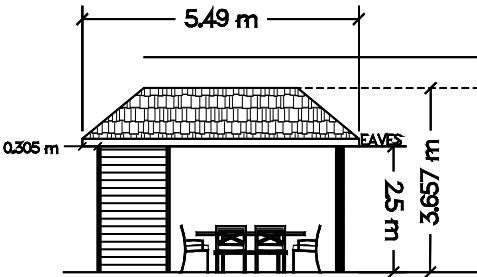
GRADE 1+2+3+4+5+6+7+8+9+10= 991.77
AVERAGE GRADE =TOTAL GRADE/NO OF POINTS
991.77/10 =99.17 AVERAGE GRADE



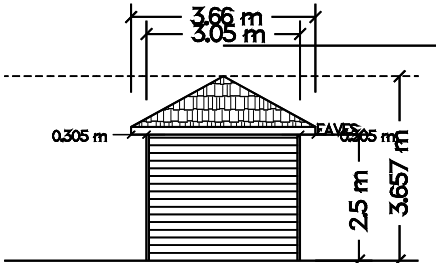
FRONT (WEST) ELEVATION



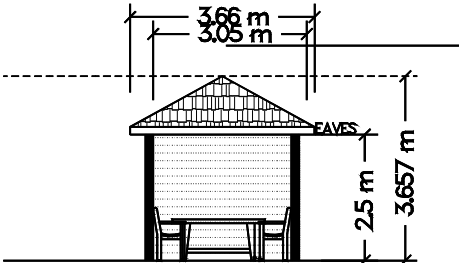
PLAN VIEW



REAR (EAST) ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

Drawing CABANA PLAN V2		Date MARCH 30, 2022	Scale 1:150	Notes ➢ All perimeter suoles are to be maintained and remain undistrubed. Drainage patterns are not to adversley affect adjacent properties. ➢ All dimensions in metres unless otherwise stated. ➢ Do not scale drawings
Address 191 WARDLAW PLACE			Drawn by RA	
Lot Number PART 16	Plan Number 65M-4145	Municipality WOODBIDGE	Checked by FS	

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No comment no concern
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"/>	Recommend Approval/No Conditions
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Bell Canada	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No comment no concern
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: May 12, 2022

Name of Owner: Manuel Melo and Marianne Sassi-Melo

Location: 191 Wardlaw Place

File No.(s): A045/22

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

1. In no case shall the outdoor swimming pool be located closer to an exterior lot side lot line than the dwelling.
2. To permit a maximum height of 3.07 m for a cabana.
3. To permit a minimum rear yard setback of 1.84 m and a minimum interior side yard setback of 1.28 m for a residential accessory structure (cabana).

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

1. To permit an outdoor swimming pool to be located closer to an exterior side lot line than the dwelling, as shown on the submitted Site Plan.
2. A maximum height of 3.0 m is permitted.
3. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.

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

4. To permit a minimum exterior side yard setback of 1.59 m to an inground swimming pool.
5. To permit a minimum rear yard setback of 1.84 m to an accessory structure (14.88 m² cabana).
6. To permit a minimum exterior side yard setback of 1.21 m to external ground mounted pool equipment.

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

4. A minimum exterior side yard setback of 4.5 m is required.
5. A minimum rear yard setback of 7.5 m is required.
6. A minimum exterior side yard setback of 3.0 m is required to external ground mounted pool equipment.

Official Plan:

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

Comments:

The Owner is requesting to permit the construction of a pool, cabana, and pool equipment with the above noted variances.

The Development Planning Department has no objection to Variances 1 and 4 as the area where the pool extends closer to the exterior lot line than the dwelling, is within the area that is effectively used as a rear yard. The exterior side yard setback of 1.59 m to the pool also allows for safe access around the pool area.

The Development Planning Department has no objection to Variances 2, 3, and 5 for the proposed cabana as the variance in height is minor in nature and will not pose a significant visual impact to the adjacent properties. The proposed rear yard setback of 1.84 m and side yard setback of 1.28 m also maintains an appropriate area for access and drainage.

The Development Planning Department has no objection to Variance 6 for the proposed pool equipment as the proposed side yard setback of 1.21 m maintains an appropriate area for access and drainage. The proposed pool equipment also complies with Zoning By-law 01-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect.

In support of the application, the Owners have submitted an Arborist Report and Tree Preservation Plan prepared by Philip Rogic, B.Sc.F., R.P.F., dated March 7, 2022. The report inventoried 3 trees, none of which are proposed to be removed. Urban Design staff have reviewed the report and concur with its recommendations.

Accordingly, the Development Planning Department can support the required 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:

Joshua Cipolletta, Planner I

Chris Cosentino, Senior Planner

Date: April 19th , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A045-22**

Related Files:

Applicant Manuel Melo & Marianne Sassi-Melo

Location 191 Wardlaw Place

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), 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

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

Lenore Providence

Subject: FW: [External] RE: A045/22, REQUEST FOR COMMENTS - Vaughan - 191 Wardlaw Place, Woodbridge

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

Sent: April-20-22 3:40 PM

To: Lenore Providence <Lenore.Providence@vaughan.ca>

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

Subject: [External] RE: A045/22, REQUEST FOR COMMENTS - Vaughan - 191 Wardlaw Place, Woodbridge

Good afternoon Lenore,

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

Gabrielle

Gabrielle Hurst mcip rpp | Programs and Process Improvement | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

Lenore Providence

Subject: FW: [External] RE: A045/22, REQUEST FOR COMMENTS - Vaughan - 191 Wardlaw Place, Woodbridge

From: York Plan <yorkplan@trca.ca>

Sent: April-19-22 12:26 PM

To: Lenore Providence <Lenore.Providence@vaughan.ca>

Cc: Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

Subject: [External] RE: A045/22, REQUEST FOR COMMENTS - Vaughan - 191 Wardlaw Place, Woodbridge

TRCA wishes to confirm that it has **no interests or concerns with the above noted application.**

Based on a review of our available mapping, the subject property is not within TRCA's Regulated Area. As such, a permit from TRCA pursuant to Ontario Regulation 166/06 would not be required for any development or site alteration on the property.

Although the site is located within the Well Head Protection Area for Quantity control (WHPA-Q2) per the Source Protection Plan, no water balance would be required recognizing this requirement would have been addressed through the subdivision approvals process.

Should further clarification be required, please contact the undersigned at your convenience.

Mark Howard, BES, MLA, MCIP, RPP

Senior Manager – Toronto, Durham & York East Review Areas

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: mark.howard@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/locations/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)



Lenore Providence

Subject: FW: [External] RE: A045/22, REQUEST FOR COMMENTS - Vaughan - 191 Wardlaw Place, Woodbridge

From: Gordon, Carrie <carrie.gordon@bell.ca>

Sent: April-19-22 11:11 AM

To: Lenore Providence <Lenore.Providence@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A045/22, REQUEST FOR COMMENTS - Vaughan - 191 Wardlaw Place, Woodbridge

Hello Lenore,

Bell Canada has no comments for this minor variance.

Kind regards,

Carrie Gordon

Carrie Gordon



Associate, External Liaison
Right of Way Control Centre
140 Bayfield St, Fl 2
Barrie ON, L4M 3B1
T: 705-722-2244/844-857-7942
F :705-726-4600

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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