

	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A103/22
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AGENDA ITEM NUMBER: 6.18	Thursday, May 26, 2022
APPLICANT:	Sebastiano & Rosanna DeVellis
AGENT:	Square Design Group
PROPERTY:	23 Card Lumber Cr Kleinburg
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 the Zoning By-law is being requested to permit the installation of a proposed swimming pool and to permit the existing shed located 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.

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"/>	No Comments Recieved to Date
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 type="checkbox"/>	Recommend Approval/No 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 checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions (since cleared)
Ministry of Transportation (MTO)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Bell Canada	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or 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 A103/22

FILE MANAGER: Pravina Attwala, Administrative Coordinator - Committee of Adjustment

AGENDA ITEM NUMBER: 6.18	CITY WARD #: 1
APPLICANT:	Sebastiano & Rosanna DeVellis
AGENT:	Square Design Group
PROPERTY:	23 Card Lumber Cr Kleinburg
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 the Zoning By-law is being requested to permit the installation of a proposed swimming pool and to permit the existing shed located in the rear yard.

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

The subject lands are zoned R3 – Third Density Residential Zone and subject to the provisions of Exception 14.1006 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	An outdoor swimming pool shall only be permitted in the rear yard of a lot. [Section 4.21.2]	To permit the outdoor swimming pool not entirely in the rear yard.

The subject lands are zoned RD3 – Residential Detached Zone Three 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 only in the rear yard. [Section 4.1.1 i)]	To permit the private swimming pool not entirely in the rear yard.
3	The maximum height of the garden or storage shed shall not exceed 2.5 metres from finished grade to the highest point of the structure. [Section 4.1.1.f. iv)]	To permit the maximum building height of 2.71m measured from the finished grade to the highest point of the structure.
4	An uncovered deck and exterior stairs are permitted to encroach a maximum of 1.8 metres into the minimum required rear yard. [Section 3.14]	To permit an uncovered deck and exterior stairs to encroach into the minimum required rear yard a maximum of 3.11 m.

HEARING INFORMATION

DATE & TIME OF HEARING: Thursday, May 26, 2022 at 6:00 p.m.

PUBLIC PARTICIPATION

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

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Request to Speak Form](#) to 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

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

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:	May 11, 2022	
Date Applicant Confirmed Posting of Sign:	May 9, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	Cannot comply with the pool being entirely in the rear yard. 11sqm of pool proposed in the side yard. Pool location not entirely in the rear yard. Garden Shed 2.701m. Cannot comply with the max height of a garden shed from grade. Deck= 2.896m Deck=4.572m Cannot comply with the max. 1.8m encroachment into the min. required rear yard.	
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: *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	
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>There are no outstanding Orders on file</p> <p>Building Permit(s) Issued: A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2</p> <p>The applicant shall provide additional information. The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.</p> <p>The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).</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	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
<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 the variance application A103/22.</p>	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comment at this time.	
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 comment no concerns	
BCLPS Recommended Conditions of Approval:	None

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

FIRE DEPARTMENT COMMENTS	
No comment no concerns	
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

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.		
1	TRCA hamedeh.razavi@trca.ca	That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority. (CONDITION CLEARED)

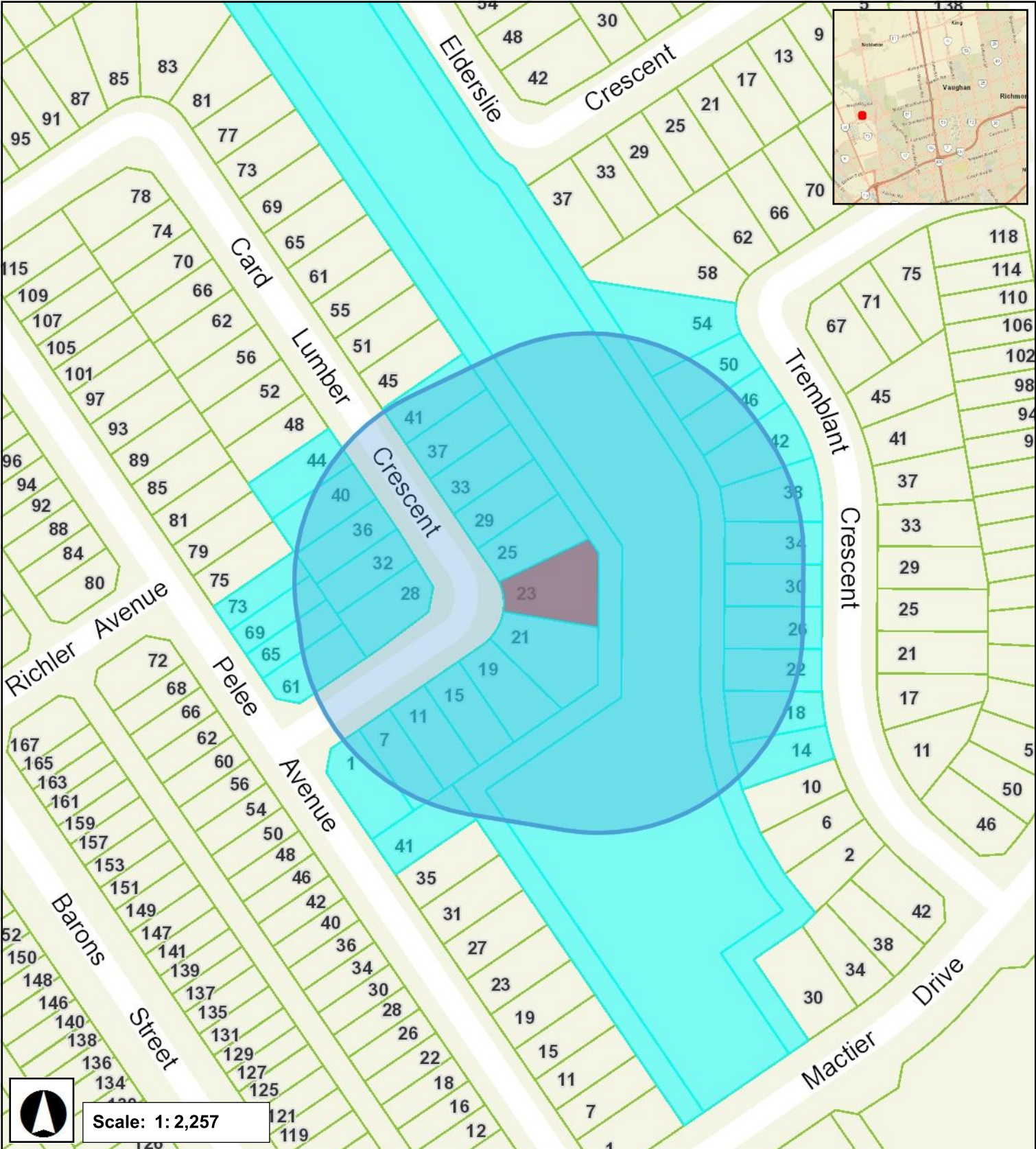
IMPORTANT INFORMATION – PLEASE READ		
CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (see condition chart above for contact). This letter must be provided to the Secretary-Treasurer 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



LOCATION MAP - A103/22

23 CARD LUMBER CRESCENT, KLEINBUR
NASHVILLE ROAD



MAJOR MACKENZIE DRIVE

May 9, 2022 2:26 PM

A103/22

RECEIVED
By RECEIVED at 12:55 pm, May 06, 2022

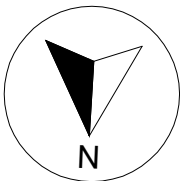
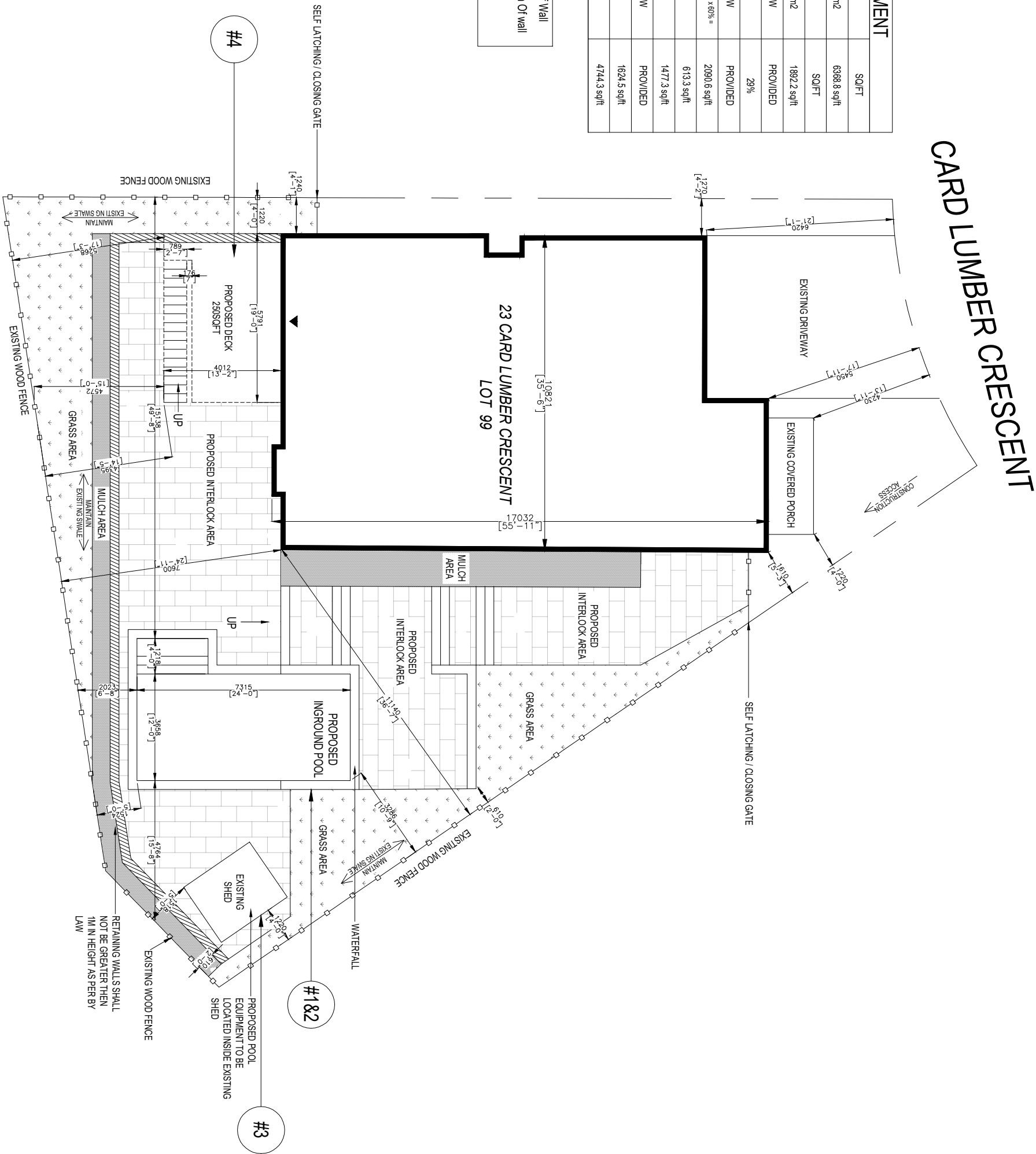
PLANS PREPARED BY APPLICANT

A1.0
1:150
Site Plan

SITE DEVELOPMENT	
LOT AREA	M2
TOTAL LOT AREA	591.6 m2
HOUSE AREA	M2
HOUSE FOOTPRINT	175.7 m2
LOT COVERAGE	BY LAW
EXISTING HOUSE	-
LANDSCAPE AREA (REAR LOT)	BY LAW
TOTAL REAR AREA	194.2 m2 - 135 m2 x 69% = 35.5 m2
SOFT LANDSCAPE AREA	N/A
HARD LANDSCAPE AREA	N/A
TOTAL LANDSCAPE AREA (WHOLE LOT)	BY LAW
TOTAL SOFT LANDSCAPE AREA	N/A
TOTAL HARD LANDSCAPE AREA	N/A

LEGEND

× [1.040] - Proposed Grades
× [1.040] - Existing Grades
▲ - Entrance Door
T.W - Top Of Wall
B.W - Bottom Of Wall



No.	DESCRIPTION
REVISIONS	
ISSUED FOR CONSTRUCTION	
ISSUED FOR BID	
ISSUED FOR BUILDING PERMIT	
ISSUED FOR SITE PLAN APPROVAL	
SUBMITTALS	

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.
THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.
DO NOT SCALE DRAWINGS.

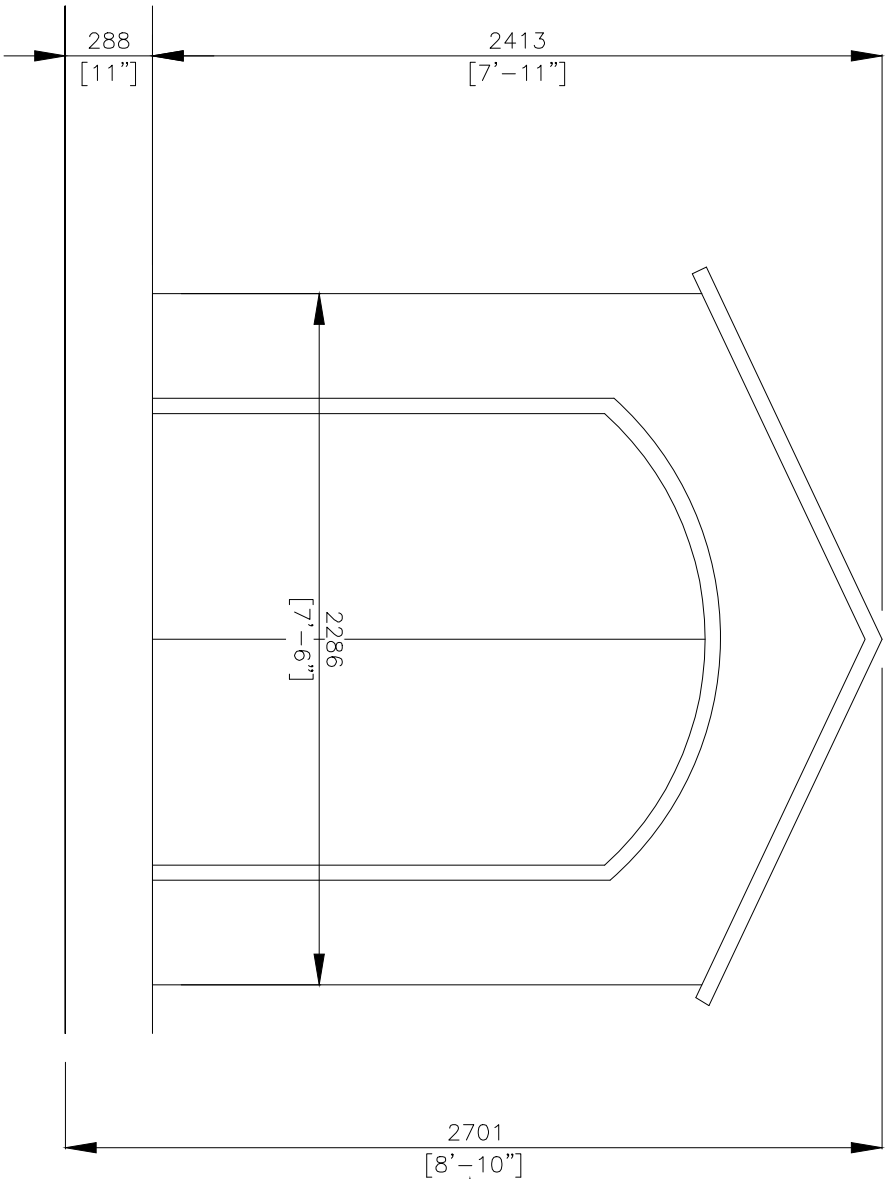


PROJECT: PROPOSED POOL ENCLOSURE ON 23 CARD LUMBER CRESCENT VAUGHAN	
DRAWING:	
SITE PLAN	
PLOTTED:	PROJECT No.
DATE: 2022-02-14	
SCALE: AS NOTED	DRAWING No. A1
DRAWN BY:	REVIEWED BY:

TOP OF ROOF

PROPOSED GRADE

EXISTING GRADE



#3

Shed Elevation

A1.1

1:25



CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.
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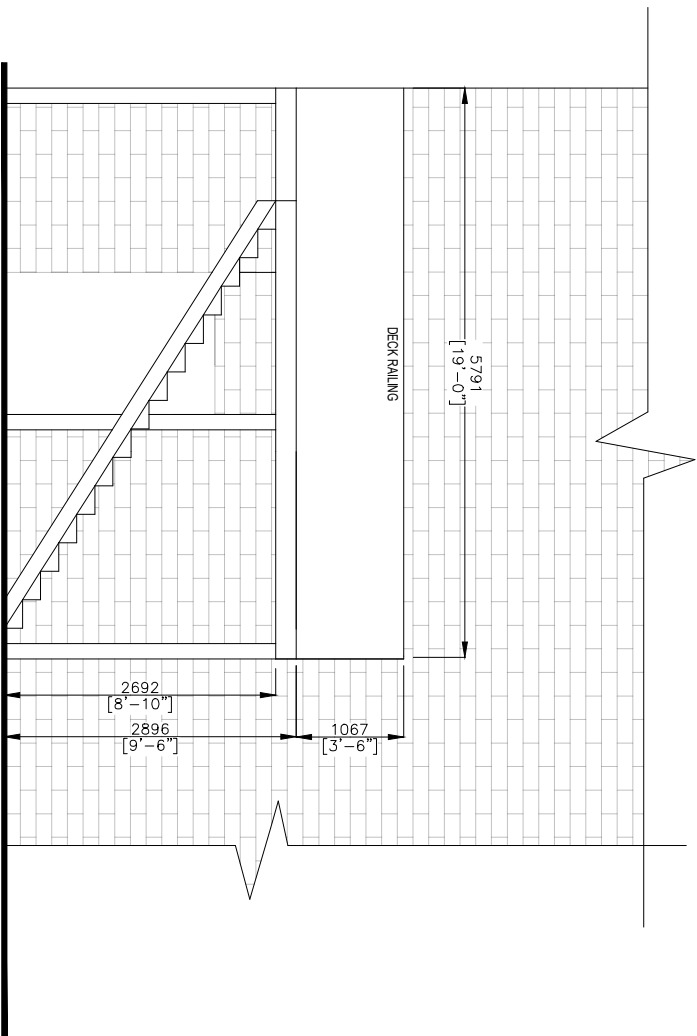
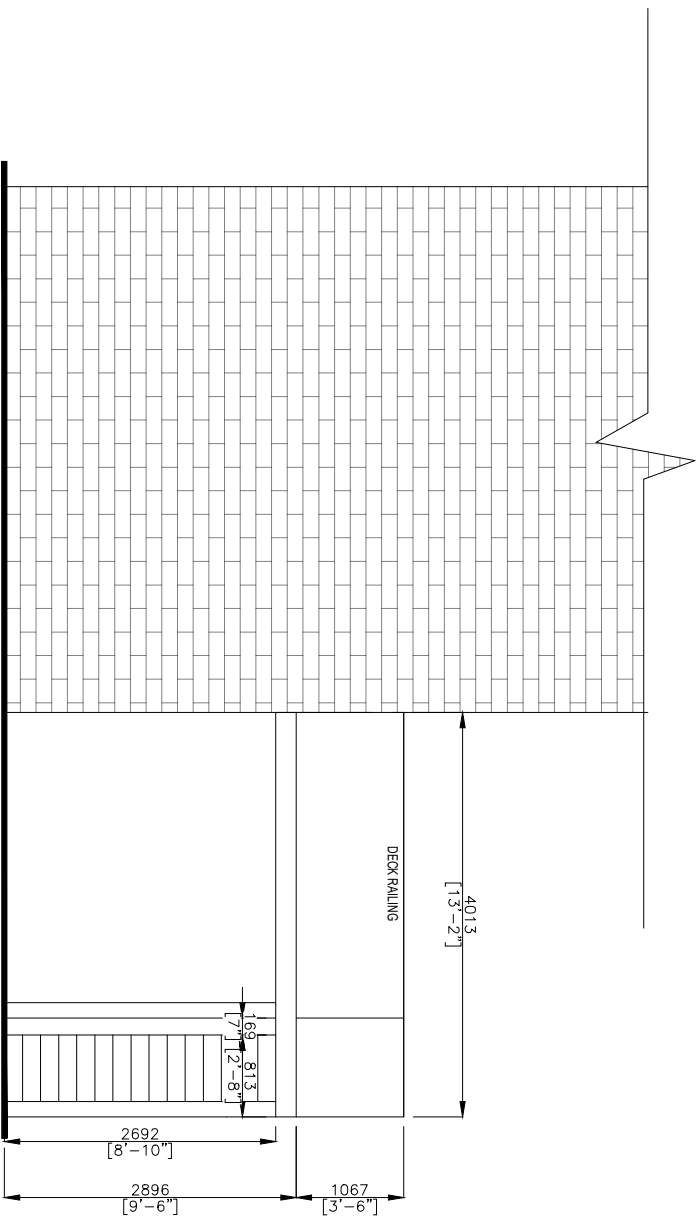
SUBMITTALS

ISSUED FOR CONSTRUCTION	DATE
ISSUED FOR BID	
ISSUED FOR BUILDING PERMIT	
ISSUED FOR SITE PLAN APPROVAL	

REVISIONS	
No.	DESCRIPTION

PROJECT: PROPOSED POOL ENCLOSURE	
ON 23 CARD LUMBER CRESCENT	
VAUGHAN	

DRAWING: Elevation	
PLOTTED:	PROJECT No.
DATE: 2022-02-14	
SCALE: AS NOTED	DRAWING No. A1.1
DRAWN BY: REVIEWED BY:	



Deck Side Elevation

1:75

Deck Front Elevation

1:75

[illegible]

ISSUED FOR CONSTRUCTION

ISSUED FOR BID

ISSUED FOR BUILDING PERMIT

ISSUED FOR SITE PLAN APPROVAL

SUBMITTALS

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.
DO NOT SCALE DRAWINGS.



PROJECT: PROPOSED POOL ENCLOSURE

ON

23 CARD LUMBER CRESCENT

VAUGHAN

DRAWING

Elevation

PLOTTED:

DATE: _____

SCALE

AS NOTED

REVIEWED BY:

A1.2

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions (since cleared)
Ministry of Transportation (MTO)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Bell Canada	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or 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"/>	

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: May 26, 2022

Name of Owner: Sebastiano and Rosanna DeVellis

Location: 23 Card Lumber Crescent

File No.(s): 103/22

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

1. To permit the outdoor swimming pool not entirely in the rear yard.

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

1. An outdoor swimming pool shall only be permitted in the rear yard of a lot.

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

2. To permit the private swimming pool not entirely in the rear yard.
3. To permit the maximum building height of 2.71 m measured from the finished grade to the highest point of the structure.
4. To permit an uncovered deck and exterior stairs to encroach into the minimum required rear yard a maximum of 3.11 m.

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

2. A private swimming pool shall be constructed only in the rear yard.
3. The maximum height of the garden or storage shed shall not exceed 2.5 m from finished grade to the highest point of the structure.
4. An uncovered deck and exterior stairs are permitted to encroach a maximum of 1.8 m into the minimum required rear yard.

Official Plan:

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

Comments:

The Owner is requesting to permit the existing shed and the construction of a pool and uncovered deck with the above noted variances.

The Development Planning Department has no objection to Variance 1 and 2 as the pool is located in what is effectively used as the rear yard. The proposed pool also complies with all rear yard and side yard setback requirements.

The Development Planning Department has no objection to Variance 3 for the height of the shed as it is minor in nature and will not pose a significant visual impact to the neighbouring property. The shed also complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect.

The Development Planning Department has no objection to Variance 4 for the uncovered deck as the encroachment into the rear yard does not adversely impact the requirements for safe access and drainage. The deck also complies with Zoning By-law 001-2021.

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

David Harding, Senior Planner

Date: May 6th , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A103-22**

Related Files:

Applicant ebastiano and Rosanna DeVellis

Location 23 Card Lumber Cr.

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:

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

Pravina Attwala

Subject: FW: [External] RE: A103/22 (23 CARD LUMBER CR.) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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

Sent: May-06-22 1:51 PM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: A103/22 (23 CARD LUMBER CR.) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hello Pravina,

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

May 16, 2022

CFN 6644.10
X-Ref CFN 66858

SENT BY E-MAIL: Christine.Vigneault@vaughan.ca

Christine Vigneault
Secretary Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A103.22
Part of Lot 22, Concession 9
23 Card Lumber Crescent
City of Vaughan, Region of York
Owner: Sebastiano and Rosanna DeVellis
Agent: Anthony Bartolini c/o Square Design Group**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on May 6, 2022. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

Purpose of the Application

It is our understanding that the purpose of the above noted application is to request the following variance under both the By-Law 01-2021 and 1-88:

By-Law 01-2021

- To permit an outdoor swimming pool not entirely in the rear yard, whereas an outdoor swimming pool shall only be permitted in the rear yard of a lot.

By-Law 1-88

- To permit a private swimming pool not entirely in the rear yard, whereas a private swimming pool shall be constructed only in the rear yard.
- To permit a maximum building height of 2.71m measured from the finished grade to the highest point of the structure, whereas the maximum height of a garden or storage shed shall not exceed 2.5 metres from finished grade to the highest point of the structure.
- To permit an uncovered deck and exterior stairs to encroach into the minimum required rear yard a maximum of 3.11 m, whereas an uncovered deck and exterior stairs are permitted to encroach a maximum of 1.8 metres into the minimum required rear yard.

The noted variances are being requested to facilitate the construction of an inground swimming pool and recognition of an existing accessory structure (garden shed).

Ontario Regulation 166/06

The subject lands are partially located within TRCA's Regulated Area due to a stream corridor associated with a tributary of the Humber River that is located on the adjacent lands to the east of the site. In accordance with Ontario Regulation 166/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

Application-Specific Comments

TRCA issued a permit to facilitate the construction of the proposed pool on March 24, 2022 (TRCA Permit No. C-220289).

Based on a review of the plans submitted with this variance application, TRCA is satisfied that the noted works are consistent with the plans that were approved as a part of TRCA Permit C-220289. As such, TRCA has no concerns with the proposed variances.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$610.00 (Variance-Residential-Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A103.22 subject to the following condition:

1. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at Hamedeh.Razavi@trca.ca

Sincerely,



Hamedeh Razavi
Planner I
Development Planning and Permits

HR/sb

Pravina Attwala

Subject: FW: [External] RE: A103/22 (23 CARD LUMBER CR.) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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

Sent: May-09-22 12:09 PM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

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

Subject: [External] RE: A103/22 (23 CARD LUMBER CR.) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Good afternoon Pravina

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 | Planning and Economic Development | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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