

**ITEM #: 6.2**

**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A272/21  
225 Balding Blvd Woodbridge ON**

**COA REPORT SUMMARY**

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Staff 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.*

<b>DEPARTMENTS</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
Committee of Adjustment	X	X		General Comments
Building Standards -Zoning Review *Schedule B	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning *Schedule B	X	X	X	Recommend Approval/No Conditions
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X	X	No Comments or Concerns
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X		No Comments or Concerns
Real Estate				
Fire Department	X			No Comments Recieved to Date
<b>AGENCIES</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA *Schedule B	X	X	X	Recommend Approval w/Conditions
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X			General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				

**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.

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

**PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

\*Please see **Schedule D** for a copy of the Decisions listed below

<b>File Number</b>	<b>Date of Decision MM/DD/YYYY</b>	<b>Decision Outcome</b>
None		

**ADJOURNMENT HISTORY**

\* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None
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**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A272/21  
225 Balding Blvd Woodbridge ON**

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

<b>ITEM NUMBER:</b> 6.2	<b>CITY WARD #:</b> 3
<b>APPLICANT:</b>	David D'Angelo
<b>AGENT:</b>	PNP Consulting
<b>PROPERTY:</b>	225 Balding Blvd Woodbridge ON
<b>ZONING DESIGNATION:</b>	The subject lands are zoned RR 9(178) and subject to the provisions of Exception under By-law 1-88 as amended
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit the construction of a proposed single family dwelling and cabana.

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

**The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.82 under Zoning By-law 01-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	The maximum height of an accessory building and residential accessory structure shall be 3.0 m (measured from established grade to the mid-point of the roof). [4.1.4]	To permit an accessory building (cabana) with a maximum height of 4.3 metres (measured from established grade to the mid-point of the roof). to the mid-point of the roof).
2	In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures excluding an accessory detached garage shall be 10% or 67.0 m <sup>2</sup> , whichever is less. [4.1.3 1]	To permit a maximum lot coverage of 90 m <sup>2</sup> for an accessory building (cabana).

**The subject lands are zoned RR – Rural Residential and subject to the provisions of Exception 9(168) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
3	A maximum lot coverage of 10% is permitted. [Schedule A]	To permit a maximum lot coverage of 13.4% (Dwelling 11.8% and Cabana 1.6%).
4	A maximum building height of 4.5 metres measured from average finished ground level is permitted for an accessory structure (cabana). [4.1.1 b]	To permit a maximum building height of 4.9 metres (to the highest point) for an accessory structure (cabana)
5	The nearest part of the roof shall not be more than three (3) metres above finished grade for an accessory structure (cabana). [4.1.1 b]	To permit a maximum building height of 3.25 metres to the nearest part of the roof above finished grade for an accessory structure (cabana).
6	The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 67 square metres. [4.1.1 a]	To permit a maximum lot coverage of 68 m <sup>2</sup> for all accessory buildings and structures not attached to the main building.

## HEARING INFORMATION

**DATE OF MEETING:** Thursday , June 16, 2022

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://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](mailto: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](mailto: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

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.

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:

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.

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.

## COMMITTEE OF ADJUSTMENT COMMENTS

<b>Date Public Notice Mailed:</b>	June 1, 2022	
<b>Date Applicant Confirmed Posting of Sign:</b>	June 1, 2022	
<b>Applicant Justification for Variances:</b> <small>*As provided by Applicant in Application Form</small>	The current zoning provisions limit the development of the urban parcel to a maximum 10% lot coverage. The proposed design, including the pool house, exceeds this limit.	
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None	
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b>  <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.  *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.</small>	No	
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.		
<b>Committee of Adjustment Comments:</b>	None	
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None	

## BUILDING STANDARDS (ZONING) COMMENTS

**\*\*See Schedule B for Building Standards (Zoning) Comments**

## BUILDING STANDARDS (ZONING) COMMENTS

<b>Building Standards Recommended Conditions of Approval:</b>	None
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## DEVELOPMENT PLANNING COMMENTS

\*\*See Schedule B for Development Planning Comments.

<b>Development Planning Recommended Conditions of Approval:</b>	That the final Landscape Plan, including the proposed planting details, be approved to the satisfaction of the Development Planning Department.
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## DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#) [Link to Pool Permit](#) [Link to Curb Curt Permit](#) [Link Culvert Installation](#)

As the proposed dwelling in the subject property is 357.7 m<sup>2</sup>, 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 m<sup>2</sup> requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)

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.

The owner/applicant shall apply and obtain the necessary curb cut/ reinstating permit through the Transportation and Fleet Management Services. Please visit the curb cut permit link provided above to learn how to apply for the curb cut/ reinstating permit.

The proposed work by the owner is increasing the lot coverage in the subject property. The added hardscape may have impact on City's Storm Water management system. Stuff requires the owner/applicant to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts.

The Development Engineering (DE) Department does not object to variance application A272/21subject to the following condition(s):

<b>Development Engineering Recommended Conditions of Approval:</b>	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.
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## PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Parks: No comments received to date  
Forestry: No objections with condition  
Horticulture: No comments received to date

<b>PFH Recommended Conditions of Approval:</b>	Forestry: Applicant to apply for a private tree removal permit.
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## DEVELOPMENT FINANCE COMMENTS

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

### DEVELOPMENT FINANCE COMMENTS

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Demolition development charge credits valid for a period of 48 months from date of demolition permit issuance. After 48 months, full development charges apply as per by-laws.

<b>Development Finance Recommended Conditions of Approval:</b>	None
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### BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

<b>BCLPS Recommended Conditions of Approval:</b>	No comments received to date
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### BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date

<b>Building Inspection Recommended Conditions of Approval:</b>	None
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### FIRE DEPARTMENT COMMENTS

No comments received to date

<b>Fire Department Recommended Conditions of Approval:</b>	None
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### SCHEDULES TO STAFF REPORT

\*See Schedule for list of correspondence

<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Staff & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)
<b>Schedule D</b> (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 Planning <a href="mailto:joshua.cipolletta@vaughan.ca">joshua.cipolletta@vaughan.ca</a>	1. That the final Landscape Plan, including the proposed planting details, be approved to the satisfaction of the Development Planning Department.
5	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	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 <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.
7	Parks, Forestry and Horticulture Operations <a href="mailto:zachary.quizzetti@vaughan.ca">zachary.quizzetti@vaughan.ca</a> <a href="mailto:andrew.swedlo@vaughan.ca">andrew.swedlo@vaughan.ca</a>	Applicant to apply for a private tree removal permit.
8	TRCA <a href="mailto:hamedeh.razavi@trca.ca">hamedeh.razavi@trca.ca</a> <a href="mailto:mark.howard@trca.ca">mark.howard@trca.ca</a>	1. The applicant successfully obtains a permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.

**SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL**

		2. The applicant provides the required fee amount of \$875.00 payable to the Toronto and Region Conservation Authority.
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**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.

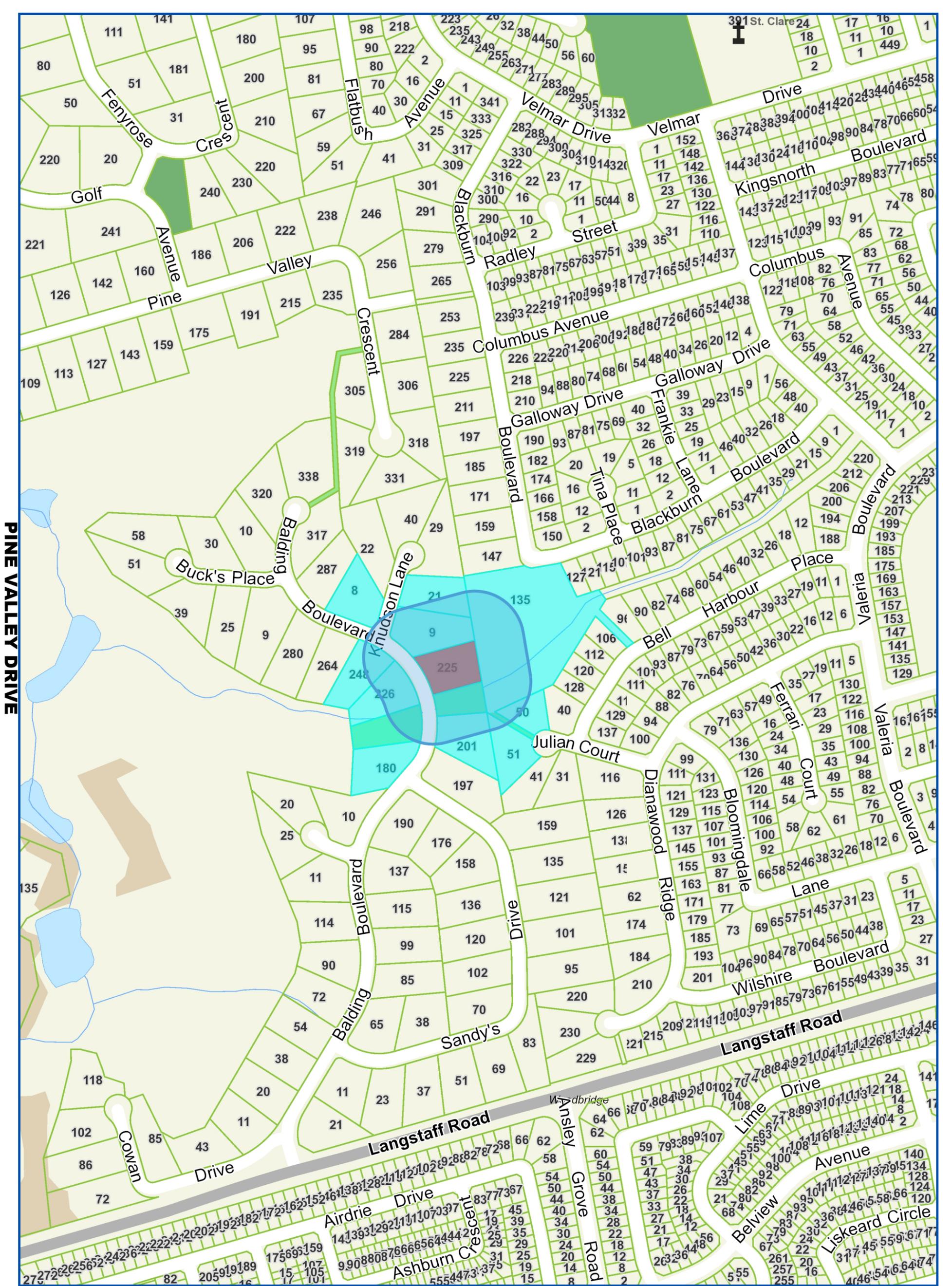
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City’s Development Charges By-law in effect at the time of payment.

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**



PINE VALLEY DRIVE

Map Information:



Title: **225 BALDING BOULEVARD, WOODBRIDGE**

**NOTIFICATION MAP - A272/22**

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: 6,399**  
 0 0.10 km

Created By: Infrastructure Delivery Department  
 May 29, 2022 9:00 PM

Projection: NAD 83  
 UTM Zone 17N



<b>SCHEDULE B: STAFF &amp; AGENCY COMMENTS</b>				
<b>DEPT/AGENCY</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA *Schedule B	X	X	X	Recommend Approval w/Conditions
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X			General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X	X	Recommend Approval w/Conditions
Building Standards (Zoning)	X	X		

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** June 8, 2022  
**Name of Owner:** David D'Angelo  
**Location:** 225 Balding Boulevard  
**File No.(s):** A272/21

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

1. To permit an accessory building (cabana) with a maximum height of 4.3 m (measured from established grade to the mid-point of the roof).
2. To permit a maximum lot coverage of 90 m<sup>2</sup> for an accessory building (cabana).

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

1. The maximum height of an accessory building and residential accessory structure shall be 3.0 m (measured from established grade to the mid-point of the roof).
2. In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures excluding an accessory detached garage shall be 10% or 67.0 m<sup>2</sup>, whichever is less.

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

3. To permit a maximum lot coverage of 13.4%.
4. To permit a maximum building height of 4.9 m (to the highest point) for an accessory structure (cabana).
5. To permit a maximum building height of 3.25 m to the nearest part of the roof above finished grade for an accessory structure (cabana).
6. To permit a maximum lot coverage of 68 m<sup>2</sup> for all accessory buildings and structures not attached to the main building.

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

3. A maximum lot coverage of 10% is permitted.
4. A maximum building height of 4.5 m measured from average finished ground level is permitted for an accessory structure (cabana).
5. The nearest part of the roof shall not be more than 3.0 m above finished grade for an accessory structure (cabana).
6. The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 67 m<sup>2</sup>.

**Official Plan:**

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

**Comments:**

The Owner is requesting to permit the construction of a 2-storey dwelling and cabana with the above noted variances.

The Development Planning Department has no objection to Variances 1, 4 and 5 for the proposed height of the cabana as it is appropriate for the size of the lot, complies with all rear yard and side yard setback requirements, and will not pose a significant visual impact to the abutting properties.

The Development Planning Department has no objection to Variances 2 and 6 for the proposed maximum lot coverage of all accessory buildings as the proposed increase in coverage is minor in nature, of appropriate scale for the size of the lot, and will not have adverse impacts to the neighbouring properties.

The proposed dwelling and cabana will have lot coverages of 11.8% and 1.6% respectively. The total lot coverage is suitable for the context of the existing neighbourhood, will not pose a significant visual impact to the abutting properties, and

complies with Zoning By-law 001-2021. As such, the Development Planning Department has no objection to Variance 3 for the increase in lot coverage.

In support of the application, the Owner has submitted an Arborist Report and Tree Protection/Inventory Plan prepared by Green-WHY Landscape Inc., dated April 9, 2021. The report inventoried 41 trees, 13 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 requested 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-laws, and is desirable for the appropriate development of the land.

**Recommendation:**

The Development Planning Department recommends approval of the application, subject to the following condition:

**Condition of Approval:**

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That the final Landscape Plan, including the proposed planting details, be approved to the satisfaction of the Development Planning Department.

**Comments Prepared by:**

Joshua Cipolletta, Planner I  
David Harding, Senior Planner

**To:** Committee of Adjustment  
**From:** Catherine Saluri, Building Standards Department  
**Date:** May 18, 2022  
**Applicant:** David D'Angelo  
**Location:** 225 Balding Boulevard  
 Plan M1800 Lot 41  
**File No.(s):** A272/21

**Zoning Classification:**

The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.82 under Zoning By-law 01-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The maximum height of an accessory building and residential accessory structure shall be 3.0 m (measured from established grade to the mid-point of the roof). [4.1.4]	To permit an accessory building (cabana) with a maximum height of 4.3 metres (measured from established grade to the mid-point of the roof). to the mid-point of the roof).
2	In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures excluding an accessory detached garage shall be 10% or 67.0 m <sup>2</sup> , whichever is less. [4.1.3 1]	To permit a maximum lot coverage of 90 m <sup>2</sup> for an accessory building (cabana).

The subject lands are zoned RR – Rural Residential and subject to the provisions of Exception 9(168) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
3	A maximum lot coverage of 10% is permitted. [Schedule A]	To permit a maximum lot coverage of 13.4%.
4	A maximum building height of 4.5 metres measured from average finished ground level is permitted for an accessory structure (cabana). [4.1.1 b]	To permit a maximum building height of 4.9 metres (to the highest point) for an accessory structure (cabana)
5	The nearest part of the roof shall not be more than three (3) metres above finished grade for an accessory structure (cabana). [4.1.1 b]	To permit a maximum building height of 3.25 metres to the nearest part of the roof above finished grade for an accessory structure (cabana).
6	The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 67 square metres. [4.1.1 a]	To permit a maximum lot coverage of 68 m <sup>2</sup> for all accessory buildings and structures not attached to the main building.

**Staff Comments:**

**Stop Work Order(s) and Order(s) to Comply:**

There are no outstanding Orders on file.

**Building Permit(s) Issued:**

A demolition permit is required for the demolition of the existing dwelling.

Building permits are required for the construction of the new dwelling and the cabana.

A permit must be obtained from the Engineering Department for the proposed pool.

**Other Comments:**

<b>Zoning By-law 01-2021</b>	
7	Exception 14.82 states: No home occupation shall be permitted on any of the lots shown on Figure E-184. In the Comments Response Matrix dated May 4, 2022, the Applicant has confirmed that the use of a home occupation is not proposed.

<b>Zoning By-law 1-88</b>	
8	Exception 9(178) states: Notwithstanding the provisions of Subsections 4.1.5 and 4.1.7 respecting home occupation use in the RR Rural Residential Zone, no home occupation shall be permitted on any of the lots shown on <u>Schedule E-184</u> . In the Comments Response Matrix dated May 4, 2022, the Applicant has confirmed that the use of a home occupation is not proposed.

<b>General Comments</b>	
9	This application for minor variance has been reviewed for the proposed construction of a <u>Single Family Detached Dwelling</u> and a cabana only.
10	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.
11	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

None

\* Comments are based on the review of documentation supplied with this application.

June 1, 2022

CFN 66448.12

**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 A272.22  
Lot 41, Plan M-1800  
225 Balding Boulevard  
City of Vaughan, Regional Municipality of York  
Owner: David D'Angelo (Agent: PnP Consulting c/o Carlo Pierozzi)**

This letter acknowledges receipt of the above noted application, received by the Toronto and Region Conservation Authority (TRCA) on May 26, 2022. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

**Background**

It is our understanding that the purpose of the Minor Variance Application is to request the following variances under Zoning By-Law 001-2021:

1. To permit an accessory building (cabana) with a maximum height of 4.3 metres (measured from established grade to the midpoint of the roof), whereas the maximum height of an accessory building and residential accessory structure shall be 3.0 m (measured from established grade to the mid-point of the roof).
2. To permit a maximum lot coverage of 90 m<sup>2</sup> for an accessory building (cabana), whereas the maximum lot coverage of all accessory buildings and residential accessory structures excluding an accessory detached garage shall be 10% or 67.0 m<sup>2</sup>, whichever is less.

It is our understanding that the following variances are being requested under Zoning By-Law 1-88:

1. To permit a maximum lot coverage of 13.4%, whereas A maximum lot coverage of 10% is permitted.
2. To permit a maximum building height of 4.9 metres (to the highest point) for an accessory structure (cabana), whereas maximum building height of 4.5 metres measured from average finished ground level is permitted for an accessory structure (cabana).

3. To permit a maximum building height of 3.25 metres to the nearest part of the roof above finished grade for an accessory structure (cabana), whereas the nearest part of the roof shall not be more than three (3) metres above finished grade for an accessory structure (cabana).
4. To permit a maximum lot coverage of 68 m<sup>2</sup> for all accessory buildings and structures not attached to the main building, whereas the percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 67 square metres.

It is the understanding of TRCA staff that the variances are required to permit the construction of a single-family dwelling and a cabana (pool house).

### **Ontario Regulation 166/06**

The subject property is partially located within TRCA's Regulated Area due to the presence of a valley corridor on the adjacent lands to the east of the site and a stream corridor and Regional Storm flood plain associated with a tributary of the Humber River to the south. Under 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. In this regard, TRCA must be contacted prior to any works taking place on the site. Portions of the proposed replacement dwelling and accessory works are located within TRCA's Regulated Area.

### **Application-Specific Comments**

Based on a review of the circulated materials, TRCA is satisfied that the proposed works are appropriately setback from the valley corridor to the east and the stream corridor and Regional Storm flood plain to the south. As such, TRCA have no objection to the proposed variances.

Although TRCA staff do not have any objections to the currently proposed variances, the proposed replacement dwelling and accessory structures will require a permit pursuant to Ontario Regulation 166/06. Please see Appendix 'A' for a list of materials required to initiate TRCA's permit review process.

### **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 \$875.00 (Variance- Residential - standard) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

### **Recommendation**

Based on the above, TRCA staff have no objection to the approval of Minor Variance Application A272.22, subject to the following conditions:

1. The applicant successfully obtains a permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.
2. The applicant provides the required fee amount of \$875.00 payable to the Toronto and Region Conservation Authority.

TRCA's conditional approval does not include any clearance and/or approvals for the outstanding technical issues related to the site development application or a future permit application.

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

Sincerely,



Hamedeh Razavi  
Planner I, Development Planning and Permits

HR/sb

**Appendix A: TRCA Permit Requirements**

In order to initiate TRCA permit application process, the following materials at the minimum would need to be submitted to TRCA's office via [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca):

1. Complete Application for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses [link](#)

2. Finalized plans/drawings:

- Site plan demonstrating all proposed works, flood plain and required setback. The Regional Storm flood plain elevation of 193.04 metres above sea level (masl) should be delineated on plans with applicable 10 metre buffer.
- Grading plan
- Erosion and sediment control plan
- Landscape plans

3. A legal survey of the subject property.

4. Permit review fee of \$920.00. (Works on Private Residential Property– Standard). TRCA's current fee schedule can be found by visiting the following [link](#). An online payment link will be provided upon receiving the complete application.

**Date:** May 26<sup>th</sup> , 2022  
**Attention:** **Christine Vigneault**  
**RE:** Request for Comments  
**File No.:** **A272-21**  
**Related Files:**  
**Applicant** David D'angelo  
**Location** 225 Balding Blvd.

**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

Mitchell Penner

Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

**Lenore Providence**

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**Subject:** FW: [External] RE: A272/21 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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

**Sent:** May-31-22 10:23 AM

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

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

**Subject:** [External] RE: A272/21 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Good morning 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 | Planning and Economic Development | The Regional Municipality of York | 1-877 464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

**Lenore Providence**

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**Subject:** FW: [External] RE: A272/21 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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

**Sent:** May-26-22 8:50 AM

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

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

**Subject:** [External] RE: A272/21 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**

None