

ITEM 6.11:

**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A217/22
488 Vaughan Mills Rd Woodbridge**

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.

| DEPARTMENTS | Circulated | Comments Received | Conditions | Nature of Comments |
|---|-------------------|--------------------------|-------------------|----------------------------------|
| 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 | | Recommend Approval/No Conditions |
| Development Engineering | X | X | X | Recommend Approval w/Conditions |
| Parks, Forestry and Horticulture Operations | X | X | | No Comments or Concerns |
| By-law & Compliance, Licensing & Permits | X | X | | No Comments or Concerns |
| Development Finance | X | X | | No Comments or Concerns |
| Real Estate | | | | |
| Fire Department | X | | | No Comments Recieved to Date |
| AGENCIES | Circulated | Comments Received | Conditions | Nature of Comments |
| TRCA *Schedule B | X | | | No Comments Recieved to Date |
| Ministry of Transportation (MTO) *Schedule B | X | | | No Comments Recieved to Date |
| Region of York *Schedule B | X | X | | General Comments |
| Alectra *Schedule B | X | X | | General Comments |
| Bell Canada *Schedule B | X | | | No Comments Recieved to Date |
| YRDSB *Schedule B | | | | |
| YCDSB *Schedule B | | | | |
| CN Rail *Schedule B | | | | |
| CP Rail *Schedule B | X | | | No Comments Recieved to Date |
| 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.

| Correspondence Type | Name | Address | Date Received (mm/dd/yyyy) | Summary |
|----------------------------|------------------|----------------|---------------------------------------|-------------------|
| Public | Anthony Spagnolo | Not provided | 10/19/2022 | Letter of Support |

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
A217/22
488 Vaughan Mills Rd Woodbridge**

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

| | |
|--|---|
| ITEM NUMBER: 6.11 | CITY WARD #: 2 |
| APPLICANT: | Corrado Balducci |
| AGENT: | Square Design Group |
| PROPERTY: | 488 Vaughan Mills Rd Woodbridge |
| ZONING DESIGNATION: | See Below |
| VAUGHAN OFFICIAL PLAN (2010) DESIGNATION: | Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" |
| RELATED DEVELOPMENT APPLICATIONS: | None |
| PURPOSE OF APPLICATION: | Relief from the Zoning By-law is being requested to permit the construction of a proposed cabana and landscaping in the rear yard and to permit an existing shed. |

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

The subject lands are zoned R1B(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.406 under Zoning By-law 001-2021, as amended.

| # | Zoning By-law 01-2021 | Variance requested |
|---|---|--|
| 1 | 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 1.b.] | To permit a residential accessory structure (cabana) to be located 1.22 m from the rear lot line. |
| 2 | 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 1.b.] | To permit a residential accessory structure (cabana) to be located 0.90 m from the south interior side lot line. |
| 3 | In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m. [4.1.4 1] | To permit the maximum height of a residential accessory structure to be 3.68 m. |
| 4 | Any portion of a yard in excess of 135.0 m ² shall be comprised of a minimum 60% soft landscape. [4.19.1 1] | To permit a minimum of 48% of that portion of the rear yard in excess of 135 m ² to be comprised of soft landscaping. |
| 5 | An accessory building and residential accessory structure shall be subject to the minimum interior side yard requirement for the principal building on the lot, as indicated in the applicable zone. In this case, the minimum required interior side yard is 1.8 m. [4.1.2 1.a. and 14.406.1 1.b.] | To permit a residential accessory structure (existing shed) to be located 0.83 m from the north interior side lot line. |

The subject lands are zoned R1 – Residential Zone and subject to the provisions of Exception 9(665) under Zoning By-law 1-88, as amended.

| | Zoning By-law 1-88 | Variance requested |
|---|--|---|
| 6 | The minimum rear yard shall be 7.5 metres. [4.1.9, Schedule A] | To permit a minimum rear yard of 1.22 m to an accessory building (cabana). |
| 7 | The minimum interior side yard shall be 1.8m. [9(665) A i) b)] | To permit a minimum south interior side yard of 0.90 m to an accessory building (cabana). |

| Zoning By-law 1-88 | | Variance requested |
|---------------------------|--|--|
| 8 | The nearest part of the roof shall not be more than three (3) metres above finished grade. [4.1.1 b)] | To permit the nearest part of the roof to be 3.38 m above finished grade. |
| 9 | A minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 sq. m shall be composed of soft landscaping. [4.1.2 b)] | To permit a minimum of 48% of that portion of the rear yard in excess of 135 sq. m to be composed of soft landscaping. |
| 10 | 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. [4.1.1 f) iv)] | To permit the maximum height of a garden or storage shed (existing shed) to be 2.74 m from finished grade to the highest point of the structure. |

HEARING INFORMATION

DATE OF MEETING: Thursday, October 27, 2022

TIME: 6:00 p.m.

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

LIVE STREAM LINK: 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

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

| | |
|--|--|
| Date Public Notice Mailed: | October 14, 2022 |
| Date Applicant Confirmed Posting of Sign: | October 14, 2022 |
| Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small> | Rear Yard Setback, Side Yard Setback, Height of Accessory Structure, Landscape Calculation, Lot Coverage |
| Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small> | <p>Development Planning provided the following to the applicant on September 6, 2022</p> <p>After some additional staff discussion, Urban Design has indicated that the requirement for an Arborist Report as part of this Minor Variance Application will stand. This will need to be reviewed prior to our recommendation to Committee, therefore we recommend adjourning the application to October 27th to allow City staff sufficient time to review.</p> <p>Development Planning has also reviewed the above noted Minor Variance Application and would like to recommend revisions to the proposal, as we are unable to support the proposal as shown. We recommend reducing the extant of</p> |

COMMITTEE OF ADJUSTMENT COMMENTS

| | |
|--|--|
| | <p>hard landscaping on site to maintain a stronger balance of soft and hard landscaping. We also recommend reducing the height of the cabana to minimize the massing impact it will have on the neighbours. Urbane Design have also provided comments to this effect.</p> <p>Applicant provided revised submission, together with Zoning Review Waiver. Building Standards confirmed the requested variances based on the revised proposal on October 18, 2022.</p> |
| <p>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</p> <p>*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.</p> <p>*A revised submission may be required to address staff / agency comments received as part of the application review process.</p> <p>*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.</p> | Yes |
| <p>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.</p> <p>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.</p> | |
| Committee of Adjustment Comments: | General Comments |
| Committee of Adjustment Recommended Conditions of Approval: | None |

BUILDING STANDARDS (ZONING) COMMENTS

| | |
|---|------|
| **See Schedule B for Building Standards (Zoning) Comments | |
| Building Standards Recommended Conditions of Approval: | None |

DEVELOPMENT PLANNING COMMENTS

| | |
|---|------|
| **See Schedule B 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>As the proposed structures in the subject property is 43.4m², 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 proposed work by the owner/ applicant is decreasing the softscape area in the subject property. The added hardscape may have impact on City's Storm Water management system. Staff suggests the owner/applicant to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts.</p> <p>The Development Engineering (DE) Department does not object to variance application A217/22 subject to the following condition(s):</p> | |
| Development Engineering Recommended Conditions of Approval: | <p>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 Permit prior to any work being undertaken on the property. Please visit the grading permits page at City of Vaughan website to learn how to apply for the grading</p> |

DEVELOPMENT ENGINEERING COMMENTS

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

permit. If you have any question about grading permit, please contact the Development Engineering Department through email at DEPermits@vaughan.ca.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: No comments no concerns

| | |
|--|------|
| 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 comments received to date

| | |
|--|------|
| Building Inspection Recommended Conditions of Approval: | None |
|--|------|

FIRE DEPARTMENT COMMENTS

No comment 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 | Staff & 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 ian.reynolds@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 Permit prior to any work being undertaken on the property. Please visit the grading permits page at City of Vaughan website to learn how to apply for the grading permit. If you have any question about grading permit, please contact the Development Engineering Department through email at DEPermits@vaughan.ca . |

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.

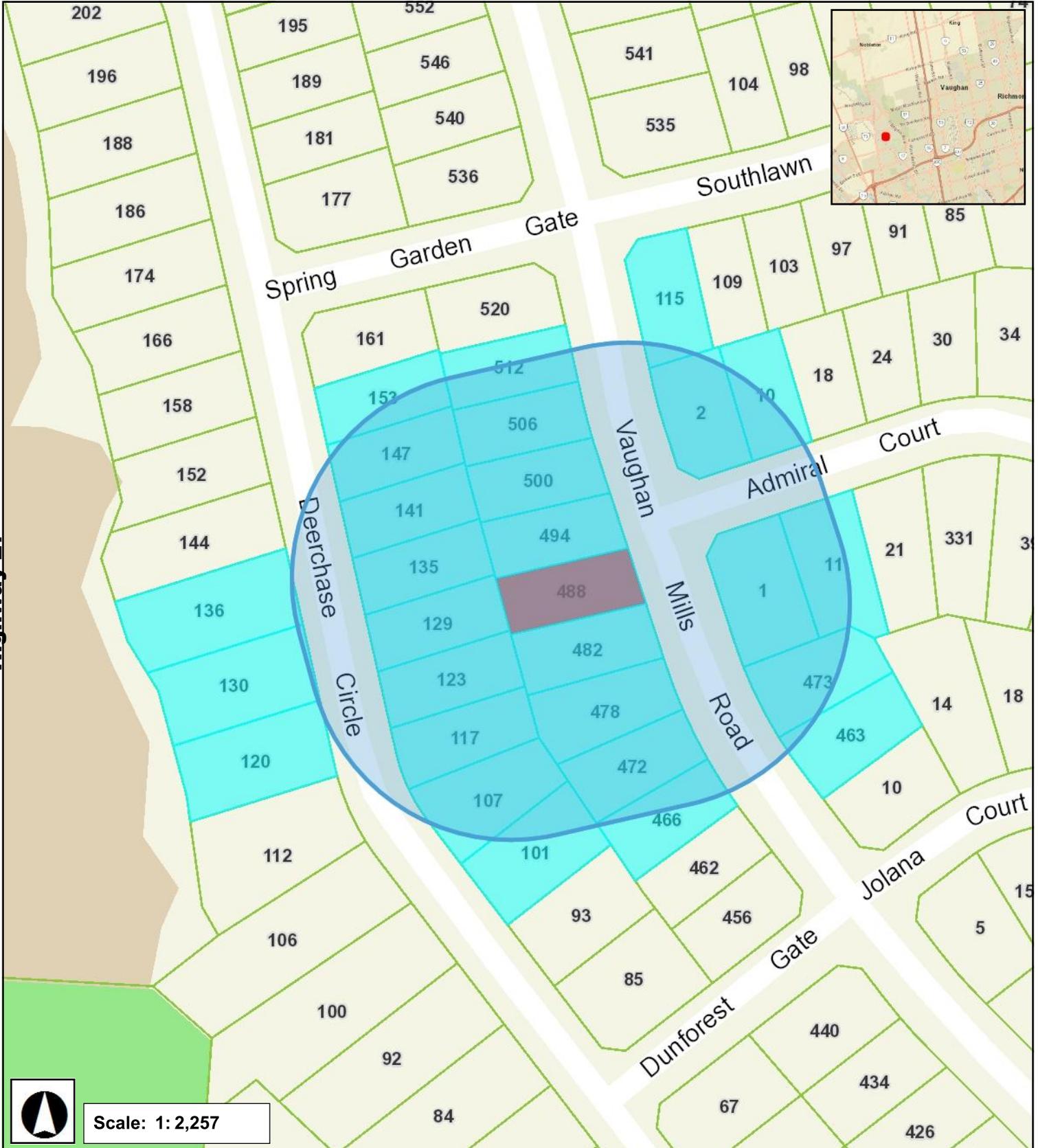
SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP - A217/22

488 VAUGHAN MILLS ROAD, WOODBRIDGE

Rutherford Road



Langstaff Road

August 29, 2022 3:26 PM

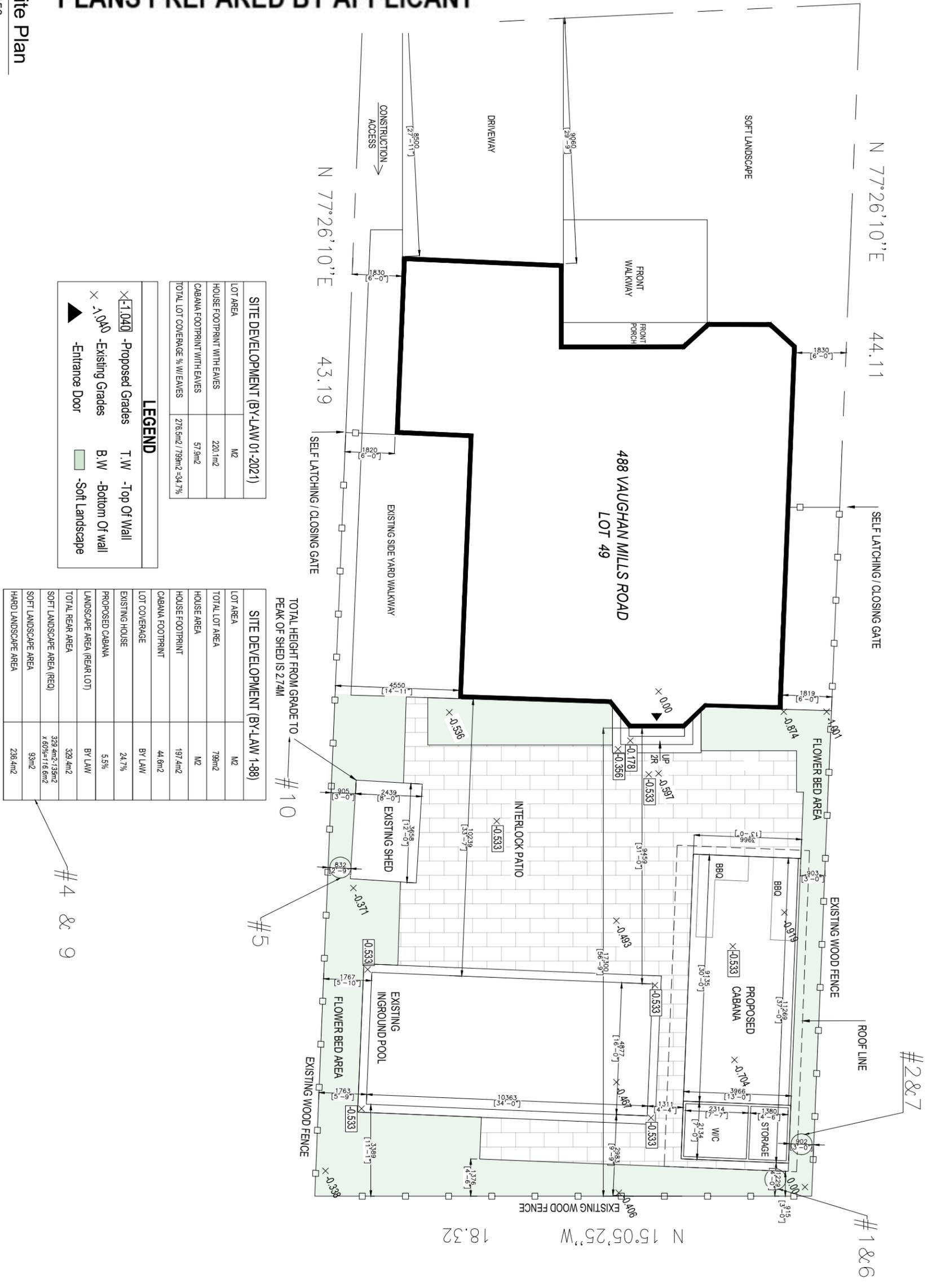
A217/22

VAUGHAN MILLS ROAD
N 17°58'00"W 18.3

RECEIVED
By RECEIVED at 1:18 pm, Oct 14, 2022

PLANS PREPARED BY APPLICANT

A1.0
1:150
Site Plan



SITE DEVELOPMENT (BY-LAW 01-2021)

| | |
|-------------------------------|---|
| LOT AREA | M2 |
| HOUSE FOOTPRINT WITH EAVES | 220.1m ² |
| CABANA FOOTPRINT WITH EAVES | 57.9m ² |
| TOTAL LOT COVERAGE % W/ EAVES | 276.5m ² / 799m ² = 34.7% |

LEGEND

| | | | |
|---------|------------------|-----|-----------------|
| X-1.040 | -Proposed Grades | T.W | -Top Of Wall |
| X-1.040 | -Existing Grades | B.W | -Bottom Of wall |
| ▲ | -Entrance Door | ■ | -Soft Landscape |

SITE DEVELOPMENT (BY-LAW 1-88)

| | |
|---------------------------|---|
| LOT AREA | M2 |
| TOTAL LOT AREA | 799m ² |
| HOUSE AREA | M2 |
| HOUSE FOOTPRINT | 197.4m ² |
| CABANA FOOTPRINT | 44.6m ² |
| LOT COVERAGE | BY LAW |
| EXISTING HOUSE | 24.7% |
| PROPOSED CABANA | 5.5% |
| LANDSCAPE AREA (REAR LOT) | BY LAW |
| TOTAL REAR AREA | 329.4m ² |
| SOFT LANDSCAPE AREA (REQ) | 329.4m ² + 139m ² x 60% = 116.6m ² |
| HARD LANDSCAPE AREA | 93m ² |
| TOTAL LANDSCAPE AREA | 236.4m ² |

TOTAL HEIGHT FROM GRADE TO PEAK OF SHED IS 2.74M

#4 & 9

#2 & 7

#1 & 6

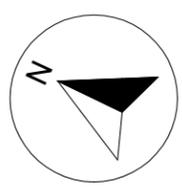
#5



PROJECT: Proposed Cabana
ON Vaughan Mills Road
Woodbridge

Site Plan

| | |
|------------------------|-------------|
| PLOTTED: | PROJECT No. |
| DATE: 2022-10-13 | |
| SCALE: AS NOTED | DRAWING No. |
| DRAWN BY: REVIEWED BY: | A1 |



| No. | DESCRIPTION | DATE |
|-----|-------------------------------|------|
| | 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.

SCHEDULE B: STAFF & AGENCY COMMENTS

| DEPT/AGENCY | Circulated | Comments Received | Conditions | Nature of Comments |
|--|-------------------|--------------------------|-------------------|----------------------------------|
| TRCA *Schedule B | X | | | No Comments Recieved to Date |
| Ministry of Transportation (MTO) *Schedule B | X | | | No Comments Recieved to Date |
| Region of York *Schedule B | X | X | | General Comments |
| Alectra *Schedule B | X | X | | General Comments |
| Bell Canada *Schedule B | X | | | No Comments Recieved to Date |
| YRDSB *Schedule B | | | | |
| YCDSB *Schedule B | | | | |
| CN Rail *Schedule B | | | | |
| CP Rail *Schedule B | X | | | No Comments Recieved to Date |
| TransCanada Pipeline *Schedule B | X | | | No Comments Recieved to Date |
| Metrolinx *Schedule B | | | | |
| Propane Operator *Schedule B | | | | |
| Development Planning | X | | | Recommend Approval/No Conditions |
| Building Standards (Zoning) | X | | | General Comments |

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: October 19, 2022
Name of Owner: Corrado Balducci
Location: 488 Vaughan Mills Road
File No.(s): A217/22

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

1. To permit a residential accessory structure (cabana) to be located 1.22 m from the rear lot line.
2. To permit a residential accessory structure (cabana) to be located 0.90 m from the south interior side lot line.
3. To permit the maximum height of a residential accessory structure to be 3.68 m.
4. To permit a minimum of 48% of that portion of the rear yard in excess of 135 m² to be comprised of soft landscaping.
5. To permit a residential accessory structure (existing shed) to be located 0.83 m from the north interior side lot line.

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

1. 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.
2. 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.
3. In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m.
4. Any portion of a yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape.
5. An accessory building and residential accessory structure shall be subject to the minimum interior side yard requirement for the principal building on the lot, as indicated in the applicable zone. In this case, the minimum required interior side yard is 1.8 m.

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

6. To permit a minimum rear yard of 1.22 m to an accessory building (cabana).
7. To permit a minimum south interior side yard of 0.90 m to an accessory building (cabana).
8. To permit the nearest part of the roof to be 3.38 m above finished grade.
9. To permit a minimum of 48% of that portion of the rear yard in excess of 135 m² to be composed of soft landscaping.
10. To permit the maximum height of a garden or storage shed (existing shed) to be 2.74 m from finished grade to the highest point of the structure.

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

6. The minimum rear yard shall be 7.5 m.
7. The minimum interior side yard shall be 1.8m.
8. The nearest part of the roof shall not be more than 3.0 m above finished grade.
9. A minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 m² shall be composed of soft landscaping.
10. The maximum height of a garden or storage shed shall not exceed 2.5 m from finished grade to the highest point of the structure.

Official Plan:

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

Comments:

The Owner is requesting relief to permit the existing shed and the construction of a cabana and rear yard hard scaping with the above noted variances.

The Development Planning Department has no objection to Variances 1, 2, 3, 6, 7 and 8 for the proposed cabana. The reduction to the rear and interior side yard setbacks for the cabana do not create adverse impacts to the neighbouring properties and an appropriate area for maintenance access is maintained. Upon recommendations from the Development Planning Department, the Owner has revised their application by reducing the height of the cabana. The cabana is located on a slope, with the southwestern corner being its lowest point. The cabana also has a slanted roof that is lowest along the southern side. The proposed 3.68 m height for the cabana is not a true continuous height; it is measured from the average grade of the southwestern corner of the cabana to the cabana's highest point on the northwestern corner. However, once the grade abutting all sides and corners is considered independently, the cabana has a maximum height of 3.0 m when measured from the ground to the bottom of the roof on all sides, which will not pose adverse impacts to the neighbouring properties. Therefore, the cabana will appear lower than the Zoning By-law's height calculation.

Upon recommendations from the Development Planning Department, the Owner has revised their application by reducing the amount of hardscaping in the rear yard. The Development Planning Department has no objection to Variances 4 and 9 for the revised reduction in rear yard soft landscaping as the subject property will maintain an appropriate balance of soft landscaping to facilitate drainage and the establishment of vegetation.

The Development Planning Department has no objection to Variances 5 and 10 for the existing shed. The reduced interior side yard setback for the shed does not create adverse impacts to the neighbouring properties and maintains an appropriate area for access and drainage. The 0.24 m increase in height for the shed is minor in nature and 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.

In support of the application, the Owner has submitted an Arborist Report and Tree Preservation Plan prepared by Rachael & Son Tree Health Experts, dated September 27, 2022. The report inventoried three 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 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.

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

To: Committee of Adjustment
From: Pia Basilone, Building Standards Department
Date: October 18, 2022
Applicant: Corrado Balducci
Location: PLAN 65M2987 Lot 49 municipally known as 488 Vaughan Mills Road
File No.(s): A217/22

Zoning Classification:

The subject lands are zoned R1B(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.406 under Zoning By-law 001-2021, as amended.

| # | Zoning By-law 01-2021 | Variance requested |
|---|--|--|
| 1 | 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 1.b.] | To permit a residential accessory structure (cabana) to be located 1.22 m from the rear lot line. |
| 2 | 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 1.b.] | To permit a residential accessory structure (cabana) to be located 0.90 m from the south interior side lot line. |
| 3 | In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m. [4.1.4 1] | To permit the maximum height of a residential accessory structure to be 3.68 m. |
| 4 | Any portion of a yard in excess of 135.0 m ² shall be comprised of a minimum 60% soft landscape. [4.19.1 1] | To permit a minimum of 48% of that portion of the rear yard in excess of 135 m ² to be comprised of soft landscaping. |
| 5 | An accessory building and residential accessory structure shall be subject to the minimum interior side yard requirement for the principal building on the lot, as indicated in the applicable zone. In this case, the minimum required interior side yard is 1.8 m. [4.1.2 1.a. and 14.406.1 1.b.] | To permit a residential accessory structure (existing shed) to be located 0.83 m from the north interior side lot line. |

The subject lands are zoned R1 – Residential Zone and subject to the provisions of Exception 9(665) under Zoning By-law 1-88, as amended.

| | Zoning By-law 1-88 | Variance requested |
|----|---|--|
| 6 | The minimum rear yard shall be 7.5 metres. [4.1.9, Schedule A] | To permit a minimum rear yard of 1.22 m to an accessory building (cabana). |
| 7 | The minimum interior side yard shall be 1.8m. [9(665) A i) b)] | To permit a minimum south interior side yard of 0.90 m to an accessory building (cabana). |
| 8 | The nearest part of the roof shall not be more than three (3) metres above finished grade. [4.1.1 b)] | To permit the nearest part of the roof to be 3.38 m above finished grade. |
| 9 | A minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 sq. m shall be composed of soft landscaping. [4.1.2 b)] | To permit a minimum of 48% of that portion of the rear yard in excess of 135 sq. m to be composed of soft landscaping. |
| 10 | 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. [4.1.1 f) iv)] | To permit the maximum height of a garden or storage shed (existing shed) to be 2.74 m from finished grade to the highest point of the structure. |

Staff Comments:

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

There are no outstanding Orders on file.

Building Permit(s) Issued:

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².

Other Comments:**General Comments**

| | |
|---|--|
| 1 | The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval. |
|---|--|

Conditions of Approval:

None

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

Date: August 24th , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A217-22**

Related Files:

Applicant Corrado Balducci

Location 488 Vaughan Mills Road



Discover the possibilities

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

Pravina Attwala

Subject: FW: [External] RE: A217/22 (488 VAUGHAN MILLS ROAD) - REQUEST FOR COMMENTS

From: Development Services <developmentsservices@york.ca>

Sent: August-31-22 1:28 PM

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

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

Subject: [External] RE: A217/22 (488 VAUGHAN MILLS ROAD) - REQUEST FOR COMMENTS

Hello Pravina,

The Regional Municipality of York has completed its review of minor variance A217/22 and has no comment.

Many thanks,

Christine Meehan, B.U.R.PL. | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 x73012 | christine.meehan@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

| Correspondence Type | Name | Address | Date Received (mm/dd/yyyy) | Summary |
|----------------------------|------------------|----------------|---------------------------------------|-------------------|
| Public | Anthony Spagnolo | Not provided | 10/19/2022 | Letter of Support |

Pravina Attwala

Subject: FW: [External] Fw: Proposed Pool and Cabana Construction at 488 Vaughan Mills Rd, Vaughan ON

From: Anthony Spagnolo

Sent: October 18, 2022 6:09 PM

To: Corrado Balducci

Cc: Michelle Spagnolo

Subject: Re: Proposed Pool and Cabana Construction at 488 Vaughan Mills Rd, Vaughan ON

Hi Corry,

Thank you for sharing your plans with me. I have shared and discussed with Michelle and we are good with your plans.

Thank you,

Anthony and Michelle Spagnolo

On Tue., Oct. 18, 2022, 3:05 p.m. Corrado Balducci, wrote:

Hi Anthony,

As my neighbour living at 488 Vaughan Mills Rd, Vaughan, Ontario I am writing to you today to advise that on October 27, 2022 I am scheduled to attend a Committee of Adjustment public hearing hosted by the City of Vaughan.

During this meeting we will be seeking approval for a Minor Variance Application to the Zoning by-laws in order to build a Cabana at the rear of the property. I have attached the most current site plan with the proposed variances we are seeking approval on.

This note serves 2 purposes:

1. Advising you of our construction plans
2. Seeking your support that you are ok with what we are proposing

My ask: please reply to this email that you have looked at the site plan and are ok with our proposal.

This will demonstrate to the Committee of Adjustment that we have performed due diligence and proactively engaged our immediate neighbours to support our proposed plans.

Thank you. Please feel free to contact me if you have any questions at

Thanks,

Corrado Balducci