

<b>ITEM #: 6.9</b>	<b>COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A210/22 111 Parktree Drive TH63, Maple</b>
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**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 <i>*Schedule B</i>	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning <i>*Schedule B</i>	X	X		Recommend Approval/No Conditions
Development Engineering	X	X		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	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
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA <i>*Schedule B</i>	X			No Comments Recieved to Date
Ministry of Transportation (MTO) <i>*Schedule B</i>	X			No Comments Recieved to Date
Region of York <i>*Schedule B</i>	X	X		General Comments
Alectra <i>*Schedule B</i>	X			No Comments Recieved to Date
Bell Canada <i>*Schedule B</i>	X			No Comments Recieved to Date
YRDSB <i>*Schedule B</i>				
YCDSB <i>*Schedule B</i>				
CN Rail <i>*Schedule B</i>				
CP Rail <i>*Schedule B</i>				
TransCanada Pipeline <i>*Schedule B</i>	X			No Comments Recieved to Date
Metrolinx <i>*Schedule B</i>				
Propane Operator <i>*Schedule B</i>				

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see <b>Schedule C</b> of this report for a copy of the public &amp; applicant correspondence listed below.</i>				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
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		
<i>*Please see <b>Schedule D</b> for a copy of the Decisions listed below</i>		
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  
A210/22  
111 Parktree Dr TH63 Maple ON**

**FILE MANAGER:** Adriana Bozzo, Administrative Coordinator - Committee of Adjustment

<b>ITEM NUMBER: 6.9</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Freddy Cordon
<b>AGENT:</b>	Rene Lopez
<b>PROPERTY:</b>	111 Parktree Dr TH63, Maple
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
<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 deck.

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

**The subject lands are zoned RT and subject to the provisions of Exception 14.581 under Zoning By-law 001-2021, as amended.**

#	<b>Zoning By-law 01-2021</b>	<b>Variance requested</b>
1	A minimum rear yard setback of 5.1 metres to the proposed deck is required. [Section 4.13 & 14.581]	To permit a minimum rear yard setback of 3.8 metres to the proposed deck.

**The subject lands are zoned RM2 and subject to the provisions of Exception 9(893) under Zoning By-law 1-88, as amended.**

	<b>Zoning By-law 1-88</b>	<b>Variance requested</b>
2	A minimum rear yard setback of 5.7 metres to the proposed deck is required. [Section 3.14 & T-93]	To permit a minimum rear yard setback of 3.8 metres to the proposed deck.

### 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](https://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.

INTRODUCTION	
<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:	October 13, 2022	
Date Applicant Confirmed Posting of Sign:	October 7, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	Since our family is growing, we would like to have a larger deck for our family.	
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:		No
*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.		
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	
<b>**See Schedule B for Building Standards (Zoning) Comments</b>	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
<b>**See Schedule B for Development Planning Comments.</b>	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The Development Engineering (DE) Department does not object to the variance application A210/22.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comment at this time.	

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
PFH Recommended Conditions of Approval:	None

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

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

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

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

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	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
	None	

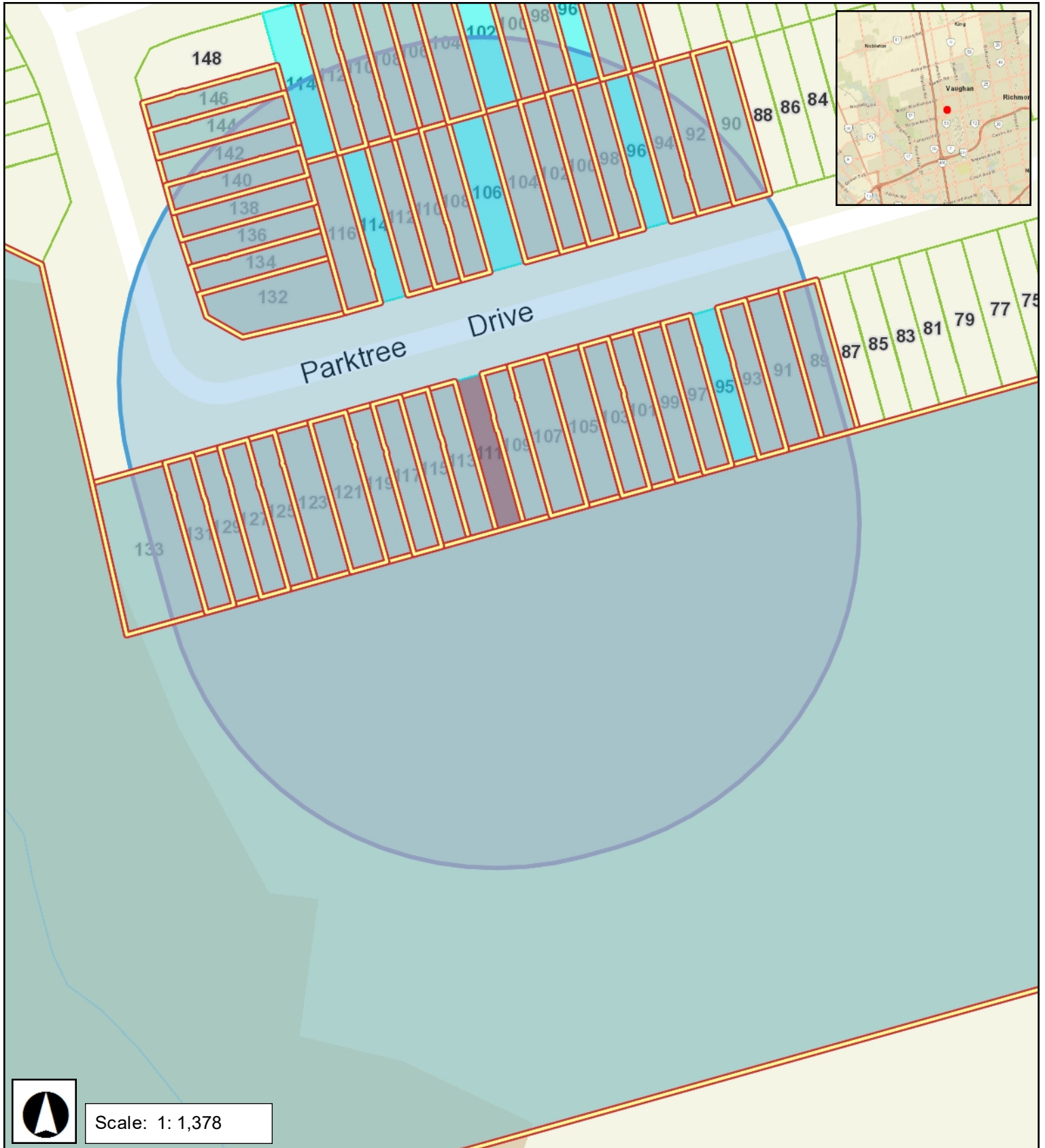
IMPORTANT INFORMATION – PLEASE READ
<b>CONDITIONS:</b> It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency ( <b>see condition chart above for contact</b> ). This letter must be provided to the Secretary-Treasurer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

IMPORTANT INFORMATION – PLEASE READ	
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
<p><b>DEVELOPMENT CHARGES:</b> 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.</p> <p>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.</p> <p>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</p> <p>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.</p>	
<p><b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.</p>	

**SCHEDULE A: DRAWINGS & PLANS**



JANE STREET



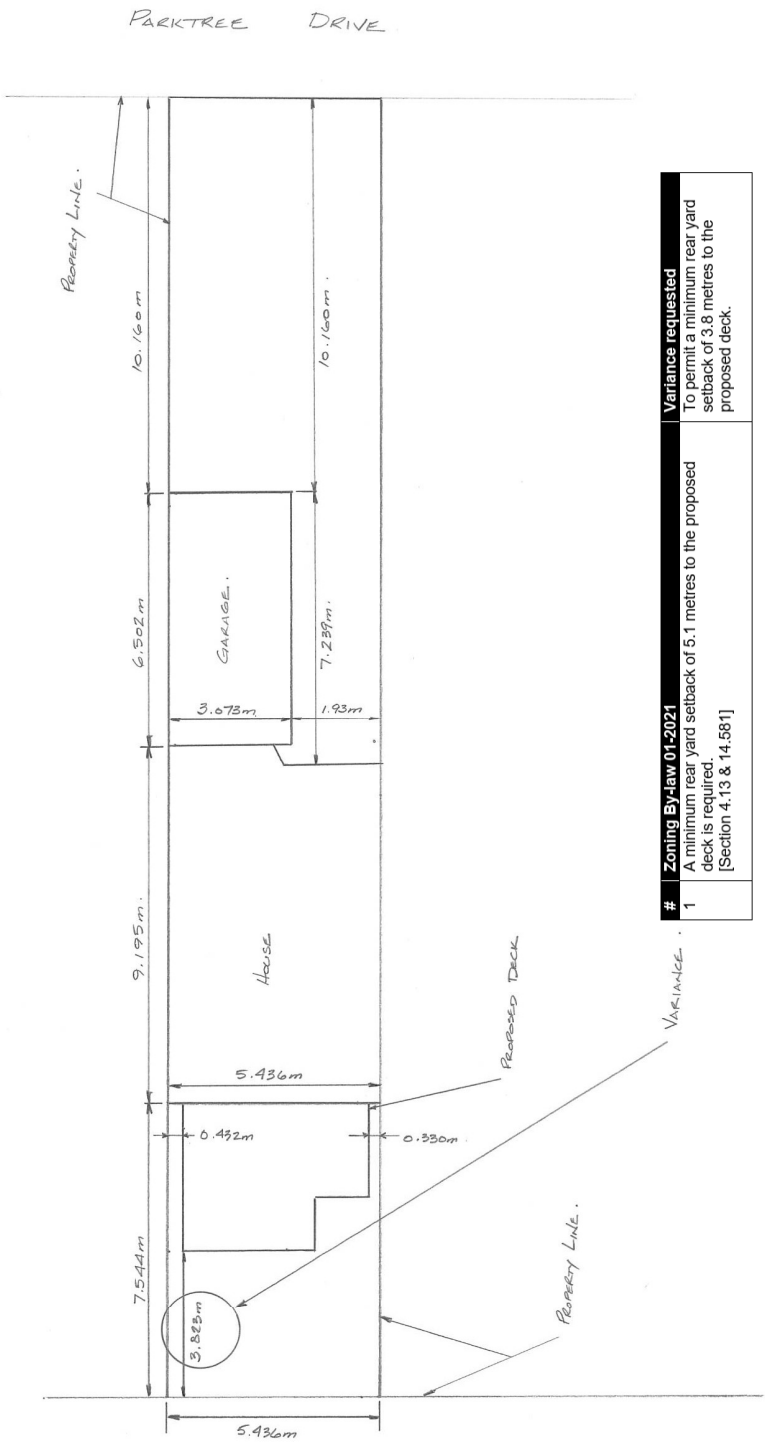


PLANS PREPARED BY APPLICANT

Received 9/25/22

111 PARKTREE DRIVE  
VAUGHAN, ON L6A 2R3  
SITE PLAN

SCALE: 1:125 DATE: 2022 08 25



2	Zoning By-law 1-88	Variance requested
	A minimum rear yard setback of 5.7 metres to the proposed deck is required. [Section 3.14 & T-93]	To permit a minimum rear yard setback of 3.8 metres to the proposed deck.



SCHEDULE B: STAFF & AGENCY COMMENTS				
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			No Comments Recieved to Date
Bell Canada *Schedule B	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		Recommend approval no conditions.
Building Standards	X	X		General comments.

**To:** Committee of Adjustment

**From:** Sarah Scauzillo, Building Standards Department

**Date:** September 22, 2022

**Applicant:** Freddy Cordon

**Location:** PLAN 65M3063 Part of Block 2  
PLAN 65R19447 Part 20  
Part 21 municipally known as 111 Parktree Drive Unit TH63

**File No.(s):** A210/22

**Zoning Classification:**

The subject lands are zoned RT and subject to the provisions of Exception 14.581 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A minimum rear yard setback of 5.1 metres to the proposed deck is required. [Section 4.13 & 14.581]	To permit a minimum rear yard setback of 3.8 metres to the proposed deck.

The subject lands are zoned RM2 and subject to the provisions of Exception 9(893) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
2	A minimum rear yard setback of 5.7 metres to the proposed deck is required. [Section 3.14 & T-93]	To permit a minimum rear yard setback of 3.8 metres to the proposed deck.

**Staff Comments:**

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

Order No. 22-116118, Order to Comply for Construction of a Deck in the rear yard. , Issue Date: May 19, 2022

**Building Permit(s) Issued:**

Building Permit No. 22-116202 for Single Detached Dwelling - Alteration, Issue Date: (Not Yet Issued)

**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.
2	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.

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

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** October 11, 2022

**Name of Owner:** Freddy Cordon

**Location:** 111 Parktree Drive Unit TH63

**File No.(s):** A210/22

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

1. To permit a minimum rear yard setback of 3.8 metres to the proposed deck.

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

1. A minimum rear yard setback of 5.1 metres to the proposed deck is required.

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

2. To permit a minimum rear yard setback of 3.8 metres to the proposed deck.

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

2. A minimum rear yard setback of 5.7 metres to the proposed deck is required.

**Official Plan:**

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

**Comments:**

The Owner is requesting permission to construct a deck with the above noted variances.

The Development Planning Department has no objection to Variances 1 and 2, as the minimum rear yard setback reduction for the uncovered deck will not pose a significant visual impact to nor impact the function of the abutting uses. The rear yard setback of 3.8 m to the proposed deck also maintains an appropriate area for access, drainage, and vegetated amenity space, will not impact the abutting properties, and is consistent with previous approvals in the neighbourhood.

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:**

Michelle Perrone, Planner 1  
David Harding, Senior Planner

**From:** [Development Services](#)  
**To:** [Christine Vigneault](#)  
**Cc:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A210/22(111 Parktree Drive) - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Monday, September 26, 2022 4:21:27 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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Hello Christine,

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

Many thanks,

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

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 x73012 | [christine.meehan@york.ca](mailto:christine.meehan@york.ca) | [www.york.ca](http://www.york.ca)

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



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<b>SCHEDULE C: PUBLIC &amp; APPLICANT CORRESPONDENCE</b>
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None