



File: A144/19

Applicant: Daniel and Anna Passero

Address: 106 Endless Circle, Kleinburg

Agent: Fausto Cortese Architects

Please note that comments received after the preparation of this Staff Report (up until 4:00 p.m. on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: A028/19



Minor Variance
Application

Agenda Item: 15

A144/19

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date of Hearing:	Thursday, February 27, 2020
Applicant:	Daniel and Anna Passero
Agent:	Fausto Cortese Architects
Property:	106 Endless Circle, Kleinburg
Zoning:	The subject lands are zoned R1, Residential and subject to the provisions of Exception 9(1378) under By-law 1-88 as amended.
OP Designation:	Vaughan Official Plan 2010: "Low-Rise Residential", subject to Site Specific Policy 13.21: North Humber Extension Area 1.
Related Files:	None
Purpose:	Relief from the By-law is being requested to permit the construction of a proposed sports court (basketball) to be located in the rear yard.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum of 254.95 m2 (60% of the portion of the rear yard area in excess of 135 m2) of soft landscaped area is required in the rear yard.	1. To permit a minimum of 170.0 m2 (40% of the portion of the rear yard in excess of 135 m2) of soft landscaped area in the rear yard.
2. A minimum rear yard setback of 6.0 metres is required to pool equipment on a pad, no enclosure.	2. To permit a minimum rear yard setback of 4.06 metres to pool equipment on a pad, no enclosure.

Background (previous applications approved by the Committee on the subject land):

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A028/19	Rear yard setback to Cabana, reduction in soft landscape	APPROVED – May 30/19

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on February 12, 2020

Applicant confirmed posting of signage on February 12, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2017
Cabana	2019

Applicant has advised that they cannot comply with By-law for the following reason(s): Current design does not allow compliance.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

Building Permit No. 16-003071 for Single Detached Dwelling - New, Issue Date: Nov 02, 2016
Building Permit No. 16-003071 for Single Detached Dwelling - Alteration, Issue Date: Nov 28, 2017
Building Permit No. 18-002907 for Shed/Gazebo - New, Issue Date: Nov 19, 2018

For your information, Minor Variance A028/19 approved a minimum rear yard setback of 5.41metres to the cabana, however, a variance has been added to this application due to the addition of the pool equipment on a pad, no enclosure, as shown in the location on the Site Plan.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010: "Low-Rise Residential", subject to Site Specific Policy 13.21: North Humber Extension Area 1.

The Owner is requesting permission to construct a pool, cabana and sports pad on the subject lands with the above-noted variances.

At the request of the Development Planning Department, the Owner increased the amount of soft landscaping in the rear yard. The proposed soft landscaping now achieves a more appropriate balance with hard landscaping and is considered minor in nature. The proposed location of the pool equipment pad is setback sufficiently from the rear lot line and complies with the interior side yard setback.

The Development Engineering Department has no objections to the requested variances provided that the Owner demonstrate appropriate LID (Low-Impact Development) measures in a brief submitted to the satisfaction of Development Engineering to address the decrease of soft landscaping from the required 60% to 40% in order to mitigate potential impacts on the municipal stormwater system.

Accordingly, the Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application

Cultural Heritage (Urban Design):

No Response.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A114/19 subject to the following condition(s):

1. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.
2. The Owner/applicant shall demonstrate appropriate LID (Low-Impact Development) measures in a brief submitted to the satisfaction of DE to address the decrease of soft landscaping from the required 60% to 40% in order to mitigate potential impacts on the municipal stormwater system.

Parks, Forestry and Horticulture Operations:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

No comment, no concerns.

Fire Department:

No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
Application Cover Letter

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
TRCA – comments with conditions

Schedule D - Previous Approvals (Notice of Decision)
Minor Variance Application A028/19

Staff Recommendations:
Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers 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.

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:

	Department/Agency	Condition
1	Development Engineering Jason Pham 905-832-8585 x 8716 Jason.pham@vaughan.ca	1) Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department. 2) The Owner/applicant shall demonstrate appropriate LID (Low-Impact Development) measures in a brief submitted to the satisfaction of DE to address the decrease of soft landscaping from the required 60% to 40% in order to mitigate potential impacts on the municipal stormwater system.
2	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	1) The applicant provides the required fee amount of \$580.00 (the review fee of the Minor Variance application A028/19 which is still outstanding) payable to the Toronto and Region Conservation Authority; and 2) The applicant obtains a permit revision to TRCA Permit C-180963.

Please Note:

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

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. 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.

Notice to the Applicant – 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 to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information 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.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) 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.

For further information please contact the City of Vaughan, Committee of Adjustment

Adriana MacPherson

T 905 832 8585 Extension 8360

E CofA@vaughan.ca

Schedule A: Plans & Sketches

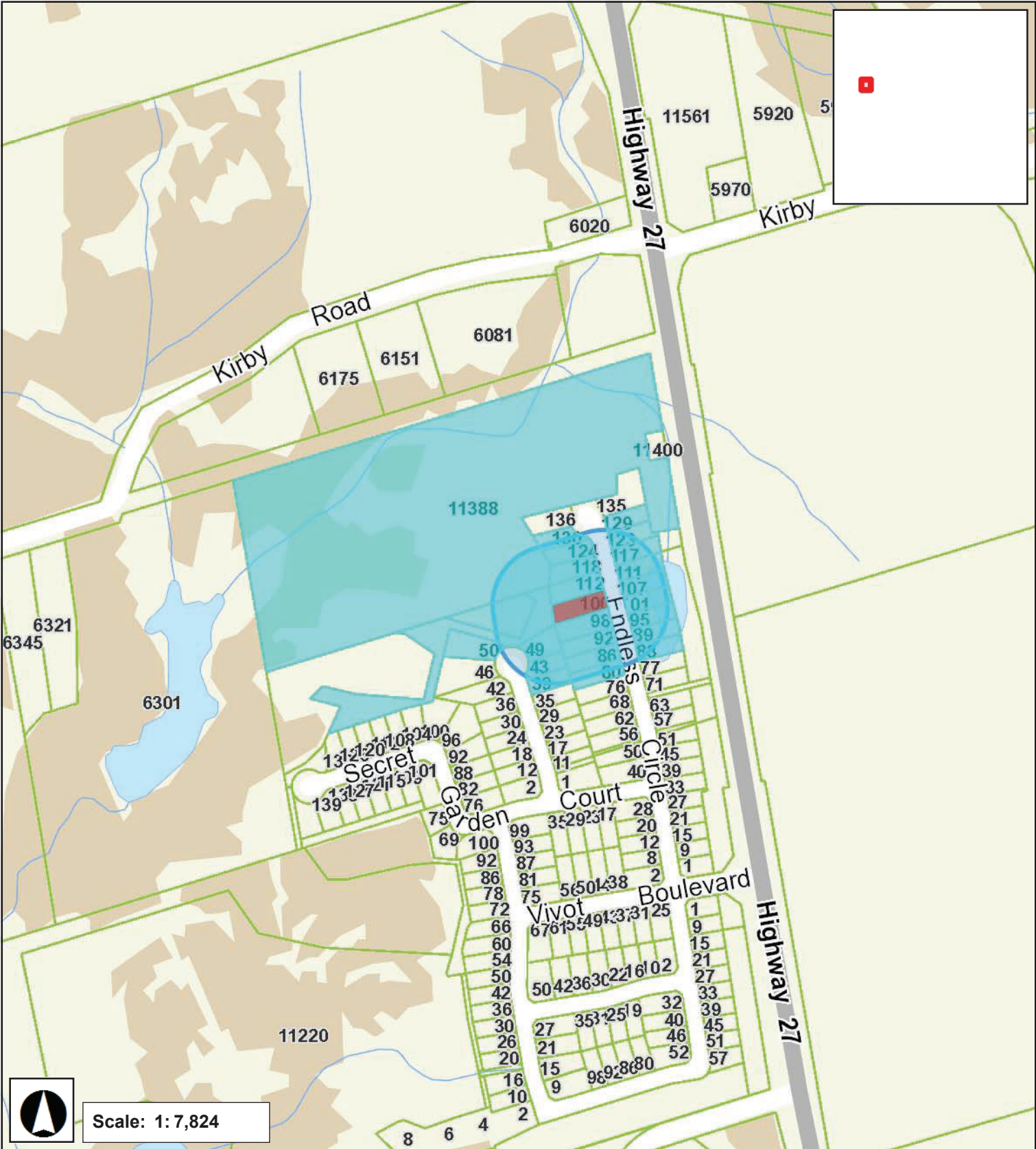
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



Notification Map - A144/19

106 Endless Circle, Kleinburg

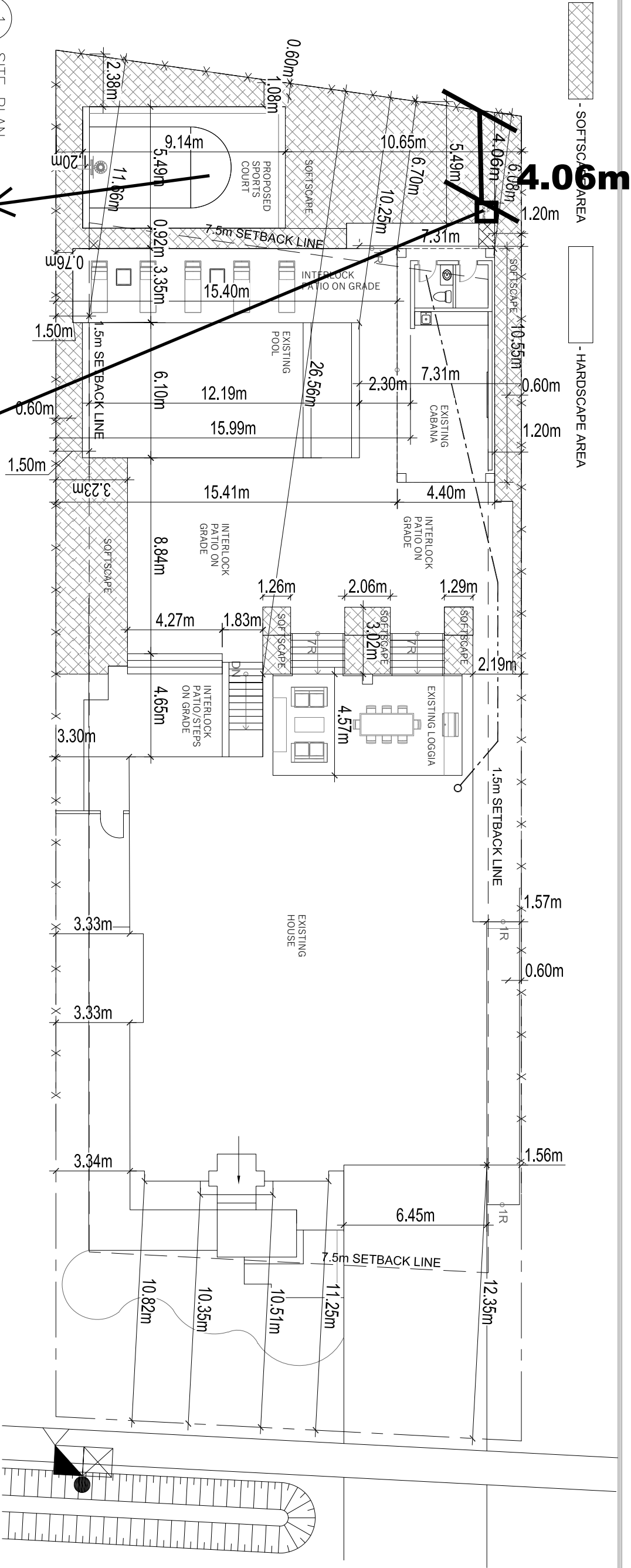


1. To permit a minimum of 170.0 m² (40% of the portion of the rear yard in excess of 135 m²) of soft landscaped area in the rear yard.
2. To permit a minimum rear yard setback of 4.06 metres to pool equipment on a pad, no enclosure.

1 SITE PLAN
A1.0 SCALE: 1:200

Basketball Court

Pool Equipment Pad



SITE DEVELOPMENT			
ZONING R1 (SINGLE FAMILY DETACHED DWELLING)			
LOT AREA			
TOTAL LOT AREA	1274.94 SQ.M.	13,723.34 SQ.FT.	
HOUSE AREA			
HOUSE FOOT PRINT	285.37 SQ.M.	3,071.70 SQ.FT.	
EXISTING PORCH	3.86 SQ.M.	41.55 SQ.FT.	
EXISTING LOGGIA	43.32 SQ.M.	466.29 SQ.FT.	
PROPOSED CABANA	46.31 SQ.M.	498.48 SQ.FT.	
TOTAL FOOT PRINT	378.86 SQ.M.	4,078.02 SQ.FT.	
BUILDING HEIGHT	BY-LAW	PROVIDED	
HEIGHT	9.50 M	N/A	
LOT COVERAGE			
TOTAL COVERAGE	ALLOWED 35%	PROVIDED 29.72%	
SETBACKS			
FRONT YARD	BY-LAW 7.50 M	PROVIDED 10.35 M	
REAR YARD	7.50 M	26.56 M	
SIDE YARD	1.20 M	1.50 M	
SIDE YARD	1.20 M	1.20 M	
LANDSCAPE AREA			
REAR YARD	135 SQ.M. < 60%	559.92 SQ.M.	
TOTAL REAR YARD AREA	135 SQ.M.	424.92 SQ.M.(100%)	
TOTAL REAR YARD AREA - 135 SQ.M.		294.92 SQ.M.	
HARD LANDSCAPE AREA(INCLUDED POOL AREA)		170.0 SQ.M.(40.0%)	
SOFT LANDSCAPE AREA			

DATE: JAN 2020

SCALE: AS NOTED

DRAWN BY: REVIEWED BY:

PROJECT No. 2018-22

DRAWING No. A1.0

PROJECT: PROPOSED SPORTS COURT AT 106 ENDLESS CIRCLE CITY OF VAUGHAN

DRAWING: SITE PLAN

3590 RUTHERFORD RD. UNIT 7 VAUGHAN, ONTARIO, L4H 3H8 416-806-7000 FORTISET@FCARCHITECTS.CA

FAUSTO CORTESE ARCHITECTS

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.

ISSUED FOR REVISION	05/01/2019
ISSUED FOR REVIEW	08/02/2018
REVISIONS	
ISSUED FOR CONSTRUCTION	
ISSUED FOR BID	
ISSUED FOR BUILDING PERMIT	
ISSUED FOR SITE PLAN APPROVAL	
SUBMITTALS	

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

Application Cover Letter

January 27, 2020

RE: 106 ENDLESS CIRCLE

To Whom It May Concern

I am writing this letter to summarize revisions for the variance application
On 106 ENDLESS CIRCLE

Revised items:

Item #1 - To permit a minimum of 170.0 m² (40% of the portion of the rear yard in excess of 135 m²) of soft landscaped area in the rear yard

Refer to Architectural Drawing A1 (170m² of softscape is displayed in the proposed drawing) all provided landscape calculations are based on what is shown in the drawing

Item #2 - To permit a minimum rear yard setback of ??? to pool equipment on a pad, no enclosure.

Refer to Architectural Drawing A1 (permit a minimum rear yard setback of 4.06m to open pool equipment)

Item #3 - It appears that a deck is replacing what was previously shown as a planter area abutting the rear wall of the dwelling. A building permit application may be required for the deck. Furthermore, if a deck is replacing soft landscaping area, the rear yard soft landscaped area would be reduced, not increased, as proposed for this revision. Applicant to please verify the following:

- rear yard soft landscaped calculations in light of this apparent change
- confirm if the deck will be uncovered, unenclosed and unexcavated
- provide interior side yard setback on a revised Site Plan

Refer to Architectural Drawing A1 and attached picture on next page (the area of concern is interlock patio and steps on grade) all provided landscape calculations are based on what is shown in the drawing



FAUSTO CORTESE
ARCHITECTS

Fausto Cortese Architects
3590 Rutherford Rd, Unit 7
Vaughan, ON L4H 3T8
416 806 7000



Should you have any concerns or issues, please do not hesitate to contact me.
Thank you.

Yours truly,

A handwritten signature in black ink, appearing to be 'FC' followed by a stylized flourish.

Fausto Cortese OAA, M.Arch, LEED AP Principal

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- TRCA – comments with conditions



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
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A144/19 - Request for Comments

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: February-06-20 11:56 AM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>
Subject: RE: A144/19 - Request for Comments

Good afternoon Adriana,
The Regional Municipality of York has completed its review of the above minor variance and has no commnet.
Regards,

Gabrielle

Gabrielle Hurst | MCIP, RPP, Planning and Economic Development, Corporate Services

1-877-464-9675 ext. 71538

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

February 12, 2020

CFN 62574.05

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 A144/19
106 Endless Circle
Lot 12, PLAN 65M 4377
City of Vaughan
Daniel and Anna Passero (Agent: Fausto Cortese)**

This letter acknowledges receipt of the above-noted application. Toronto and Region Conservation Authority (TRCA) staff have reviewed the application and offers the following comments.

Background

It is our understanding that the purpose of the above-noted application is to request the following variances:

1. To permit a minimum of 170.0 m² (40% of the portion of the rear yard in excess of 135 m²) of soft landscaped area in the rear yard.
2. To permit a minimum rear yard setback of 4.06 metres to pool equipment on a pad, no enclosure.

It is our understanding that the purpose of Minor Variance Application A144/19 is to facilitate the construction of a basketball court and a pool equipment pad in the rear of the property. The proposed works are part of an overall landscaping proposal, which also includes a cabana and an in-ground swimming pool. TRCA previously provided a recommendation of no objection to Minor Variance Application A028/19 to facilitate the construction of the cabana, and the in-ground swimming pool that had already been constructed.

Applicable Policies and Regulations

Ontario Regulation 166/06:

The subject property is partially within TRCA's Regulated Area of the Humber River Watershed as it is located adjacent to a valley corridor associated with the Main Humber River. Per 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 before any works taking place in the Regulated Area.

Living City Policies (LCP):

The Living Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to

integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents, and guidelines.

Application-Specific Comments

As a part of Draft Plan of Subdivision Application 19T-08V04, the limits of the Natural Heritage System in the area were delineated and appropriate ecological buffers were established. The Natural Heritage System and associated buffer were placed in an Open Space block and ultimately conveyed to TRCA.

Based on a review of the current site plan, it appears that the pool equipment pad is located 4.06 metres from the rear lot line and is within TRCA's Regulated Area. The proposed sports court is not within TRCA's regulated area. TRCA has no concerns with the proposed variances since the pool equipment pad is minor in nature and is sufficiently set back from the erosion hazard associated with the valley corridor. However, an application to amend the previously issued TRCA permit (Permit C-180963) will be required to reflect the updated design. Appendix 'A' includes a list of materials that must be submitted to facilitate the permit revision.

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A144/19 subject to the following conditions:

1. The applicant provides the required fee amount of \$580.00 (the review fee of the Minor Variance application A028/19 which is still outstanding) payable to the Toronto and Region Conservation Authority; and
2. The applicant obtains a permit revision to TRCA Permit C-180963.

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

Sincerely,



Hamedeh Razavi
Planner I
Development Planning and Permits

HR/jb

Copied: Fausto Cortese, Fausto Cortese Architects (fcortese@fcarchitects.ca)

Appendix 'A' TRCA Permit Revision Requirements

TRCA Permit C-180963 was issued on October 23, 2018 and expires on October 22, 2020 for the construction of an in-ground swimming pool and cabana. In order to initiate the permit reissuance/revision process, the following materials must be submitted in hard copy to the TRCA:

1. Completed copy of TRCA revision/re-issuance application form. The application can be downloaded from the following website: https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2018/10/17175054/Permit-Re-Issuance-Application-Form-October-2016_new.pdf
2. Four (4) copies of the following individually folded plans/drawings are required:
 - Site plan showing location and dimension of all proposed works;
3. One Copy of a legal survey of the subject property;
4. Permit review fee of \$105 (50% of original fee of \$210 – Works on Private Residential Property. TRCA's fee schedule can be found by visiting the following site: <https://trca.ca/planning-permits/apply-for-a-permit/>

Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A028/19

NOTICE OF DECISION
Minor Variance Application A028/19
Section 45 of the Planning Act, R.S.O. 1990, c.P.13

Date of Hearing: Thursday, May 30, 2019

Applicant: Daniel and Anna Passero

Agent Fausto Cortese

Property: **106 Endless Circle, Kleinburg**

Zoning: The subject lands are zoned R1, Residential and subject to the provisions of Exception 9(1378) under By-law 1-88 as amended.

OP Designation: VOP 2010: "Low-Rise Residential" subject to Site Specific Policy 13.21 "North Humber Extension Area 1."

Related Files: None

Purpose: Relief from the By-law is being requested to permit the construction of a proposed cabana located in the rear yard.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum rear yard setback of 7.5 metres is required.	1. To permit a minimum rear yard setback of 5.41 metres to an accessory structure (cabana).
2. A minimum of 254.95 m ² (60% of the portion of the rear yard area in excess of 135 m ²) of soft landscaped area is required in the rear yard.	2. To permit a minimum of 207.42 m ² (48.81 % of the portion of the rear yard area in excess of 135 m ²) of soft landscaped area in the rear yard.

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A028/19 on behalf of Daniel and Anna Passero be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	<ol style="list-style-type: none"> Staff have confirmed that the property is located within an unassumed subdivision. The owner/applicant shall provide satisfactory notification to the developer/builder of the minor variance and proposed work to this property. The owner/applicant shall provide a copy of the notification to the City. TRCA approval must be received before the Development Engineering Department can make official comments. The owner/applicant shall apply for a pool permit from the front counter at the Development Engineering Department on the 2nd floor of City Hall. This should have been done prior to installing the pool. The owner/applicant must submit a final grading plan indicating how the original approved grading and site plan will change to accommodate their proposed plan. The owner/applicant shall demonstrate appropriate Low impact Development (LID) measures to the satisfaction of Development Engineering to address the increased lot coverage area in order to mitigate potential impacts on the municipal stormwater system.
2	TRCA Polina Bam Polina.bam@trca.on.ca 416-416.661.6600 ext. 5256	<ol style="list-style-type: none"> That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority; and That the applicant successfully obtains a permit revision to TRCA Permit C-180963.

For the following reasons:

- The general intent and purpose of the by-law will be maintained.
- The general intent and purpose of the official plan will be maintained.
- The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- The requested variance(s) is/are minor in nature.

Please Note:

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.


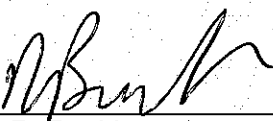
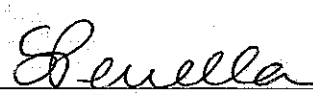
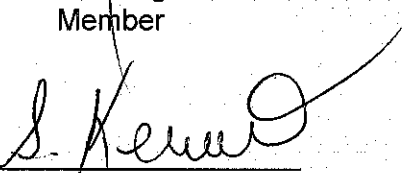
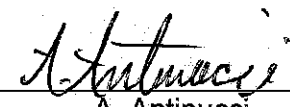
Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

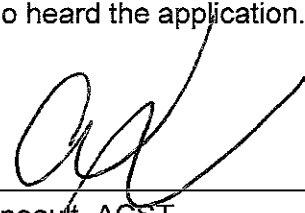
Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday , May 30, 2019 meeting for submission details.
None	None

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

		
H. Zheng Member	R. Buckler Chair	A. Perrella Vice Chair
		
S. Kerwin Member		A. Antinucci Member

DATE OF HEARING:	Thursday, May 30, 2019
DATE OF NOTICE:	June 7, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	June 19, 2019 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  <hr/> Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The Planning Act, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by visiting our office.

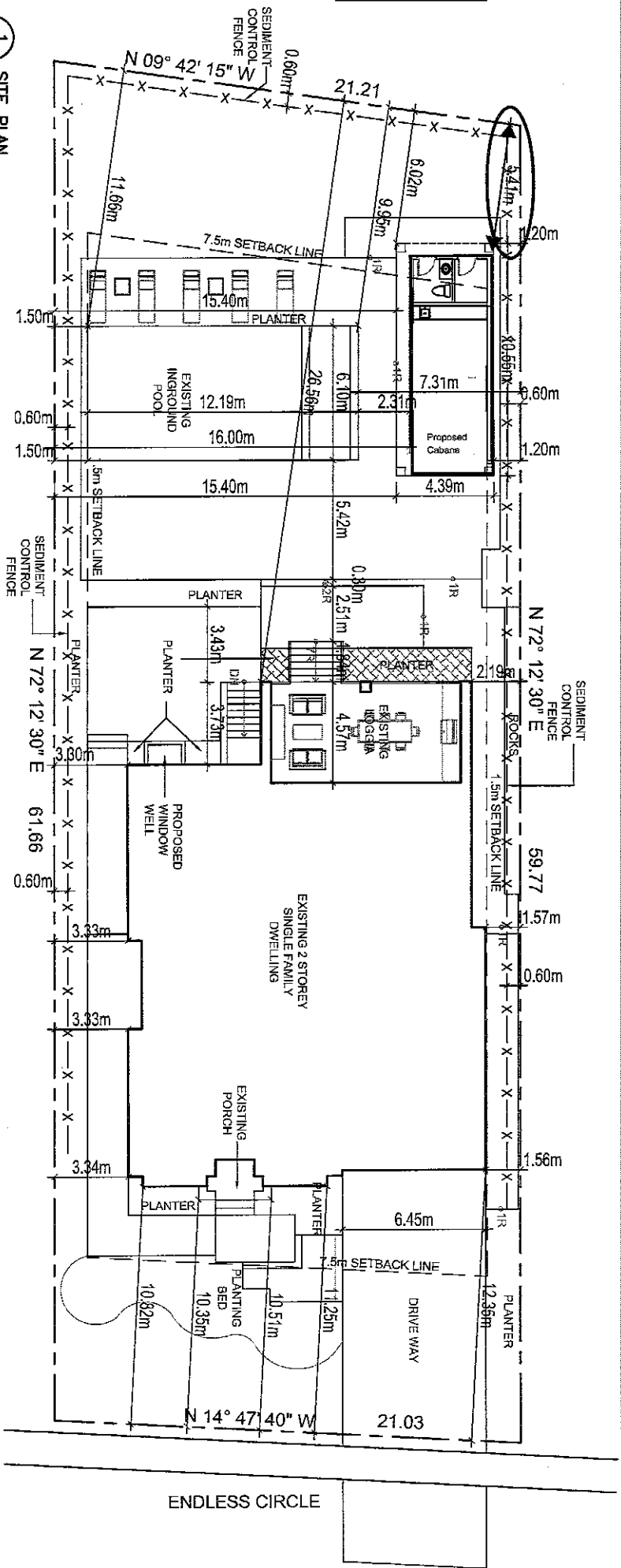
City of Vaughan LPAT Processing Fee: \$817.00 per application

*Please note that all fees are subject to change.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from each respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All applicable conditions must be cleared prior to the issuance of a Building Permit.

1 SITE PLAN
A1.0 SCALE 1:200



SITE DEVELOPMENT

RI (SINGLE FAMILY DETACHED DWELLING)

LOT AREA	1274.94 SQ.M.	13,728.34 SQ.FT.
TOTAL LOT AREA		
HOUSE AREA	286.37 SQ.M.	3,071.70 SQ.FT.
HOUSE FOOT PRINT	3.88 SQ.M.	41.66 SQ.FT.
EXISTING PORCH	43.32 SQ.M.	463.29 SQ.FT.
EXISTING LOGGIA	48.31 SQ.M.	518.48 SQ.FT.
PROPOSED CABANA	378.86 SQ.M.	4,070.02 SQ.FT.
TOTAL FOOT PRINT		
BUILDING HEIGHT	BY-LAW	PROVIDED
HEIGHT	8.50 M	N/A
LOT COVERAGE	ALLOWED	PROVIDED
TOTAL COVERAGE	38%	28.72%
SETBACKS	BY-LAW	PROVIDED
FRONT YARD	7.50 M	10.35 M
REAR YARD	7.50 M	20.56 M
SIDE YARD	1.20 M	1.50 M
LANDSCAPE AREA	BY-LAW	PROVIDED
FRONT YARD	60%	
TOTAL FRONT YARD AREA		242.08 SQ.M.
LANDSCAPE AREA		164.23 SQ.M. (100%)
REAR YARD		37.42 SQ.M. (22.78%)
LANDSCAPE AREA		126.81 SQ.M. (77.21%)
REAR YARD		135 SQ.M. (60%)
TOTAL REAR YARD AREA		450.02 SQ.M. (100%)
LANDSCAPE AREA		424.92 SQ.M. (94.42%)
SOFT LANDSCAPE AREA		217.80 SQ.M. (51.33%)
SOFT LANDSCAPE AREA		207.42 SQ.M. (48.67%)

To permit a minimum of 48.81% Soft Landscape in rear yard



FAUSTO CORTESE
ARCHITECTS

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VAUGHAN, ONTARIO, L4H 3T8
416-306-7000
FCORTESE@FAUSTOCORTESE.COM

PROPOSED
CABANA
AT
106 ENDLESS CIRCLE
CITY OF VAUGHAN

SITE PLAN

2018-22
A1.0