

ITEM #: 6.5

**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A175/22
17 Oakbank Rd, Thornhill**

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	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			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 *Schedule B	X	X	X	Recommend Approval w/Conditions
Ministry of Transportation (MTO) *Schedule B				
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				

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

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

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

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

File Number	Date of Decision MM/DD/YYYY	Decision Outcome

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

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

A131/11	07/21/2011	Approved
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ADJOURNMENT HISTORY

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

None	
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**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A175/22
17 Oakbank Road, Thornhill**

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

ITEM NUMBER: 6.5	CITY WARD #: 5
APPLICANT:	Mike Steiner
AGENT:	Zero Degree Studio Inc.
PROPERTY:	17 Oakbank Rd Thornhill ON
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 cabana, changeroom/washroom and installation of pool equipment. Relief is also requested to permit increased maximum driveway width and a retaining wall.

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

The subject lands are zoned R1E (EN) and subject to the provisions of Exception 14.403 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A maximum lot coverage of 20% is permitted. [14.403]	To permit a maximum lot coverage of 24.7%
2	A minimum interior side yard setback of 2.4 metres to the proposed Residential Accessory Structure (Cabana) is required. [Section 4.1.2]	To permit a minimum interior side yard setback of 1.1 metres to the proposed Residential Accessory Structure (Cabana).
3	A maximum accessory structure coverage of 67.0m ² is permitted. [Section 4.1.3]	To permit a maximum accessory structure coverage of 91.2m ² .
4	A minimum interior yard setback of 2.4 metres to the proposed Residential Accessory Structure (changeroom/washroom) is required. [Section 4.1.2]	To permit a minimum interior side yard setback of 1.9 metres to the proposed Residential Accessory Structure (changeroom/washroom).
5	A minimum rear yard setback of 7.5 metres to the proposed pool equipment is required. [Section 4.13]	To permit a minimum rear yard setback of 5.0 metres to the proposed pool equipment.
6	A minimum setback of 2.3 metres to the retaining wall is required. [Section 4.13]	To permit a minimum setback of 1.1 metres to the retaining wall.

The subject lands are zoned R1V and subject to the provisions of Exception 9(662) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
7	A maximum lot coverage of 20% is permitted. [9(662)]	To permit a maximum lot coverage of 24.7%
8	A minimum interior side yard setback of 1.5 metres to the proposed Residential Accessory Structure (Cabana) is required. [Section 4.1.1 and Schedule A]	To permit a minimum interior side yard setback of 1.1 metres to the proposed Residential Accessory Structure (Cabana).

	Zoning By-law 1-88	Variance requested
9	A maximum accessory structure coverage of 67.0m ² is permitted. [Section 4.1.1 and Schedule A]	To permit a maximum accessory structure coverage of 177.5m ² .
10	A minimum rear yard setback of 9.0 metres to the proposed Residential Accessory Structure (changeroom/washroom) is required. [Section 4.1.1 and Schedule A]	To permit a minimum rear yard setback of 3.6 metres to the proposed Residential Accessory Structure (Changeroom/washroom) is required.
11	A minimum rear yard setback of 7.5 metres to the proposed pool equipment is required. [Section 3.14]	To permit a minimum rear yard setback of 5.0 metres to the proposed pool equipment.
12	A minimum setback of 2.3 metres to the retaining wall is required. [Section 4.1]	To permit a minimum setback of 1.1 metres to the retaining wall.

HEARING INFORMATION

<p>DATE OF MEETING: Thursday, November 17, 2022 TIME: 6:00 p.m. MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan LIVE STREAM LINK: Vaughan.ca/LiveCouncil</p> <p style="text-align: center;">PUBLIC PARTICIPATION</p> <p>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</p> <p>Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1</p> <p style="text-align: center;">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.</p>
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INTRODUCTION

<p>Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.</p> <p>Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:</p> <p>That the general intent and purpose of the by-law will be maintained. That the general intent and purpose of the official plan will be maintained. That the requested variance(s) is/are acceptable for the appropriate development of the subject lands. That the requested variance(s) is/are minor in nature.</p> <p>Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.</p>
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COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:	November 3, 2022
Date Applicant Confirmed Posting of Sign:	November 1, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	As built condition on site.
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
<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>	No

COMMITTEE OF ADJUSTMENT COMMENTS

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
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Committee of Adjustment Recommended Conditions of Approval:	None
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BUILDING STANDARDS (ZONING) COMMENTS

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

Building Standards Recommended Conditions of Approval:	None
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DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments.

Development Planning Recommended Conditions of Approval:	None
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DEVELOPMENT ENGINEERING COMMENTS

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

All existing retaining walls were approved during the Committee of Adjustment application A131/11.

As the proposed shed in the subject property 18.5m², 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)

The proposed work by the owner/ applicant is increasing the lot coverage area from 20% to 24.7% 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.

The Development Engineering (DE) Department does not object to the variance application A175/22 subject to the following condition:

Development Engineering Recommended Conditions of Approval:	The Owner/applicant shall submit a revised Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: Forestry has no comment.

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE COMMENTS

No comment no concerns

Development Finance Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date.

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
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
1	Development Engineering ian.reynolds@vaughan.ca	The Owner/applicant shall submit a revised Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval
2	TRCA Kristen.Regier@trca.ca	That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.

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.

IMPORTANT INFORMATION – PLEASE READ

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.

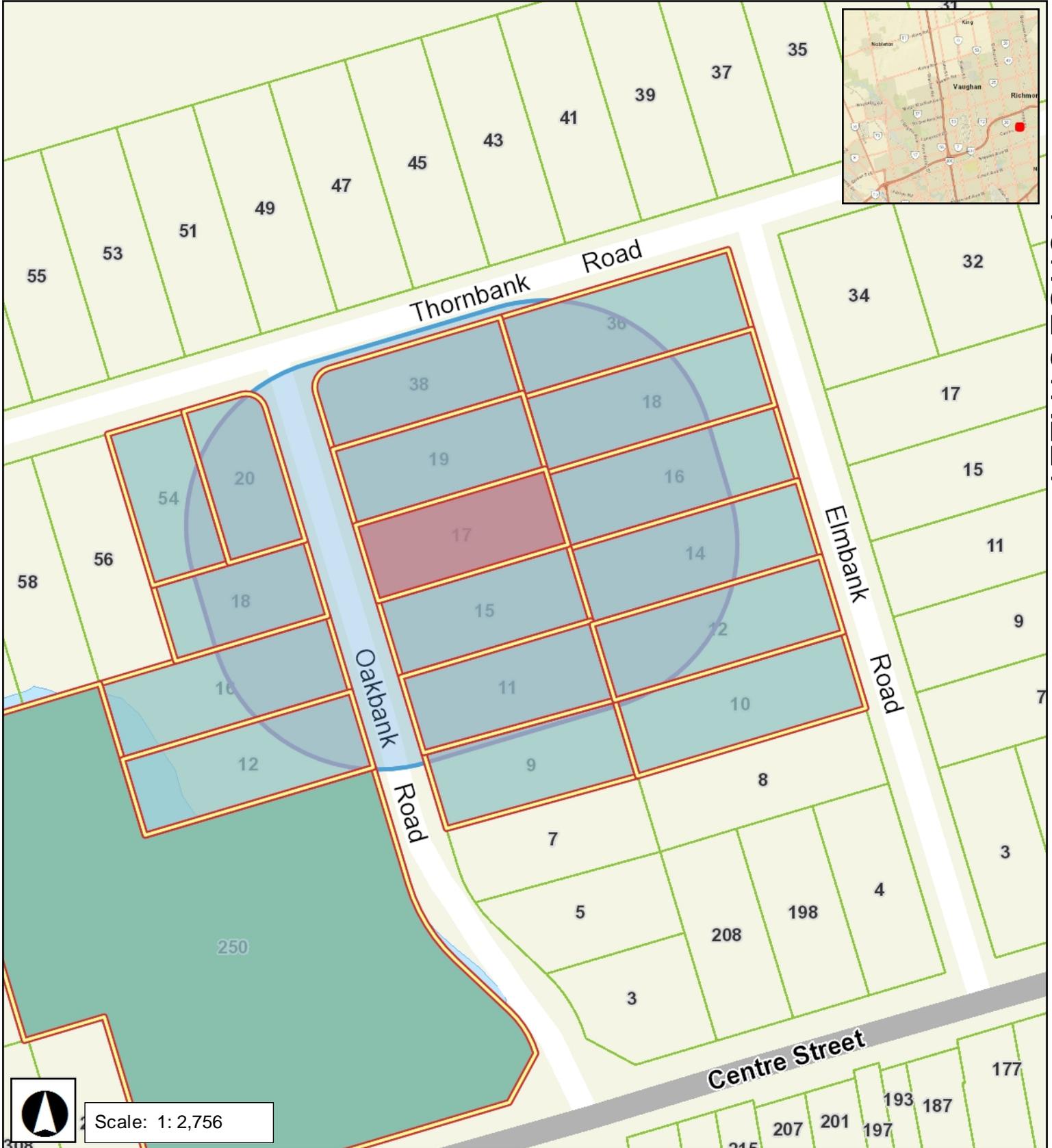
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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



YONGE STREET

91.2m²
#3

177.5m²
#9

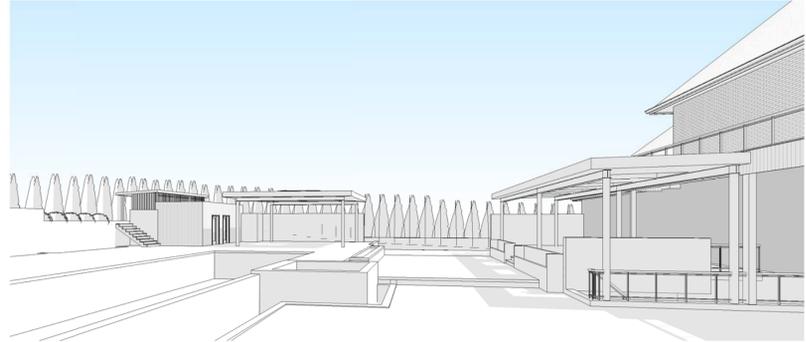
26.3%
#1

LOT AREA	=	0.573 acre	[2,319.70 SQ.M.]
HOUSE FOOTPRINT AREA	(15.88%)	= 3,965.14 SQ.FT.	[368.37 SQ.M.]
BASEMENT GYMNASIUM	(1.16%)	= 290.67 SQ.FT.	[27.00 SQ.M.]
EAVES/SOFFIT	(1.56%)	= 391.02 SQ.FT.	[36.32 SQ.M.]
COVERED DECK	(3.72%)	= 928.60 SQ.FT.	[86.27 SQ.M.]
ACCESSORY STRUCTURES			
- POOL EQUIPMENT COVER	(0.74%)	= 185.28 SQ.FT.	[17.21 SQ.M.]
- CHANGE ROOM / WASHROOM	(0.78%)	= 194.79 SQ.FT.	[18.09 SQ.M.]
- OPEN CABANA	(2.41%)	= 601.45 SQ.FT.	[55.87 SQ.M.]
TOTAL COVERAGE AREA	(26.25%)	= 6556.95 SQ.FT.	[609.13 SQ.M.]
FRONT YARD AREA		= 6,949.47 SQ.FT.	[645.63 SQ.M.]
INTERLOCK PAVED DRIVEWAY	(28.43%)	= 1,945.17 SQ.FT.	[180.71 SQ.M.]
HARD LANDSCAPED AREA	(12.62%)	= 877.43 SQ.FT.	[81.52 SQ.M.]
SOFT LANDSCAPED AREA	(58.94%)	= 4,126.87 SQ.FT.	[383.40 SQ.M.]
REAR YARD AREA		= 13,262.10 SQ.FT.	[1,232.09 SQ.M.]
HARD LANDSCAPED AREA	(45.34%)	= 6,012.86 SQ.FT.	[558.61 SQ.M.]
SOFT LANDSCAPED AREA	(54.66%)	= 7,249.24 SQ.FT.	[673.48 SQ.M.]

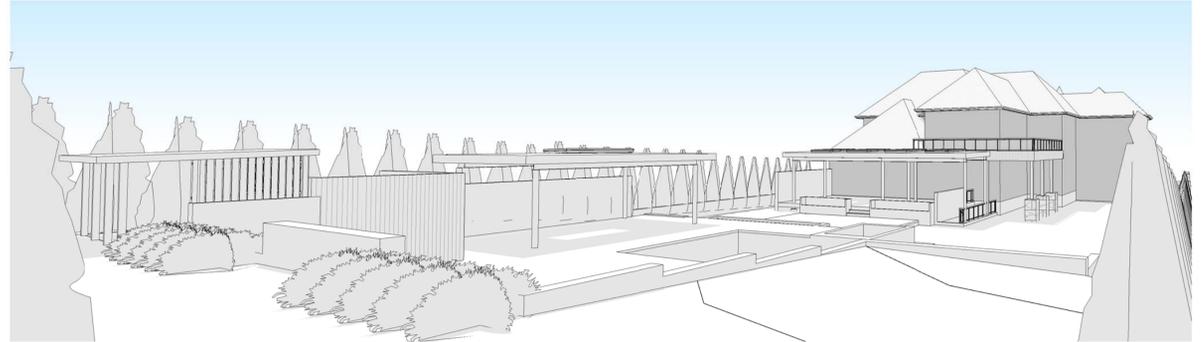
ZONING BY-LAW 001-2021 SECTION 1.19.1 (1). REQUIRES ANY PORTION OF A YARD IN EXCESS OF 135.0 m² TO BE COMPRISED OF A MINIMUM 60% SOFT LANDSCAPE.

EXISTING REAR YARD AREA = 1,232.09 m²
 EXCESS REAR YARD AREA = 1,232.09 m² - 135.0 m² = 1097.09 m²
 SOFT LANDSCAPED AREA = 673.48 m²

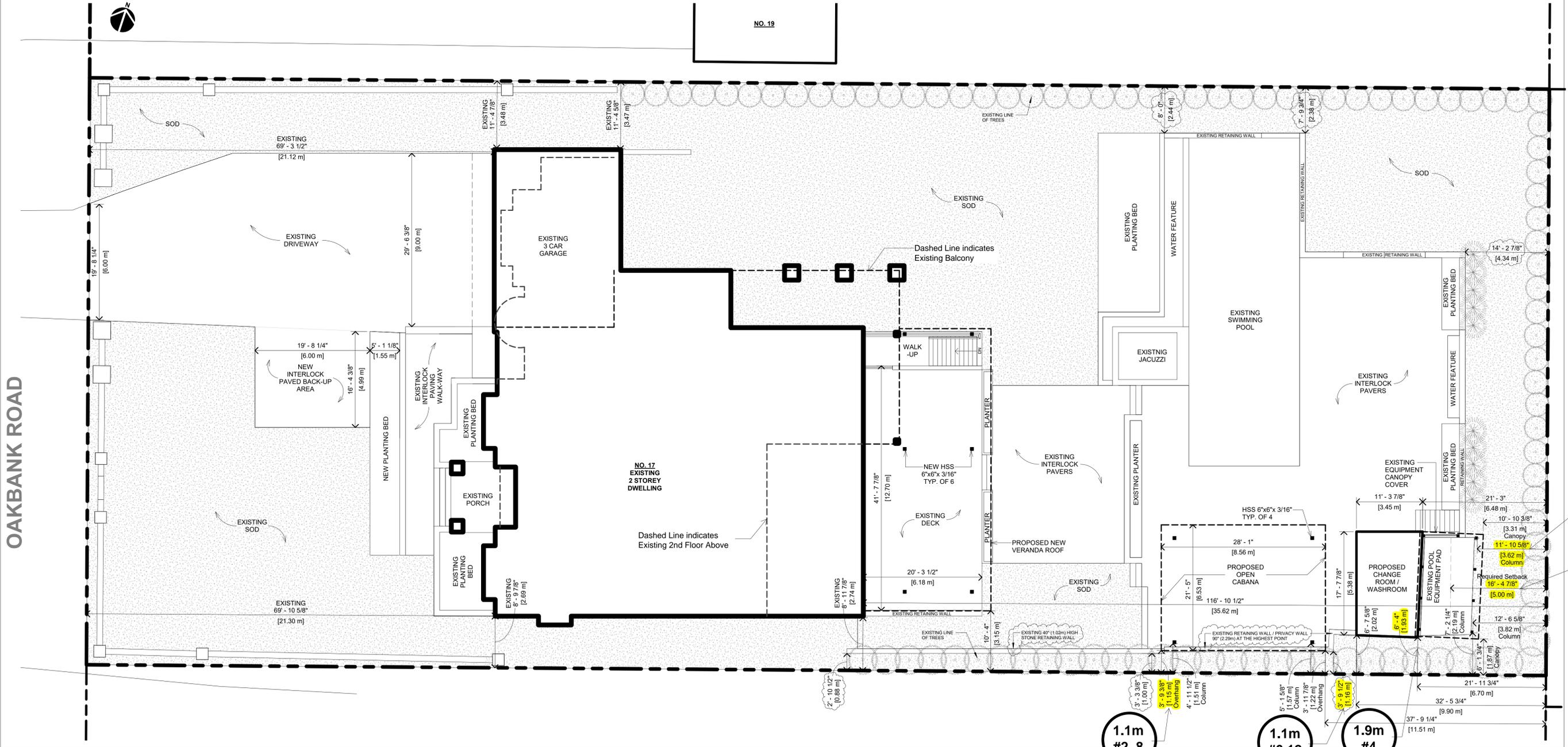
PROPOSED REAR YARD SOFT LANDSCAPED AREA PERCENTAGE = 61.39%



3 PATIO PERSPECTIVE
SD1



2 BACK YARD PERSPECTIVE
SD1



OAKBANK ROAD

No.	Description	Date	By
1	Revision 1	2022-01-08	

SINGLE FAMILY DWELLING ALTERATION
17 OAKBANK ROAD
 VAUGHAN, ON

ZERO DEGREE STUDIO
 80 MICRO COURT, SUITE 106
 WARDEN/PAPE AVENUE
 905-752-3477
 info@zerodegestudio.ca

9/28/2022 10:33:19 AM Z:\Project\2022\22001 - 17 Oakbank Road\00 Revit & AutoCAD\17 Oakbank Road.rvt

3.6m #10

5.0m #5,11

FOR CHECK DIMENSIONS

Drawn by RC

Date 2022-01-08

Scale 1:100

Project Number 21022

DRAWING NAME SITE PLAN

SHEET NUMBER SD1

Copyright Zero Degree Studio Inc. Duplication or reproduction by any means without the express written consent of Zero Degree Studio Inc. is a violation of Federal and International Law. The information contained on this document is the intellectual property of Zero Degree Studio Inc. and all rights therein are reserved.

Setback varies from
2.44m (8ft)
to 2.38m (7.8125ft)

HEIGHT
APPROX. 36"
ON SOUTH
SIDE OF WALL

HEIGHT
VARIES FROM
APPROX. 4"
TO 24"
ON NORTH
SIDE
OF WALL

HEIGHT
APPROX. 24"
ON SOUTH
SIDE OF WALL



HEIGHT
APPROX. 24"
ON SOUTH
SIDE OF WALL

HEIGHT
APPROX. 36"
ON SOUTH
SIDE OF WALL



SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X	X	Recommend Approval w/Conditions
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	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 (Zoning)	X	X		General Comments

July 18, 2022

CFN 66448315

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

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

Dear Christine:

**Re: Minor Variance Application A175.22
Part of Lot 13, Concession 7
17 Oakbank Road
City of Vaughan, Region of York
Owner: Michael K. Steiner and Judith C. Steiner
Agent: Zero Degree Studio Inc. c/o Roy Chan**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on June 30, 2022. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

Purpose of the Application

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

By-law 01-2021

1. To permit a maximum lot coverage of 26.3%, whereas a maximum lot coverage of 20% is permitted.
2. To permit a maximum driveway width of 9.04 metres, whereas a maximum driveway width of 9.0 metres is permitted.
3. To permit a minimum interior side yard setback of 1.1 metres to the proposed Residential Accessory Structure (Cabana), whereas a minimum interior side yard setback of 2.4 metres to the proposed Residential Accessory Structure (Cabana) is required.
4. To permit a maximum accessory structure coverage of 91.2m², whereas a maximum accessory structure coverage of 67.0m² is permitted.
5. To permit a minimum interior side yard setback of 1.8 metres to the proposed Residential Accessory Structure (changeroom/washroom), whereas a minimum interior yard setback of 2.4 metres to the proposed Residential Accessory Structure (changeroom/washroom) is required.
6. To permit a minimum rear yard setback of 5.0 metres to the proposed pool equipment, whereas a minimum rear yard setback of 7.5 metres to the proposed pool equipment is required.

By-law 1-88

1. To permit a maximum lot coverage of 26.3%, whereas a maximum lot coverage of 20% is permitted.
2. To permit a maximum driveway width of 9.04 metres, whereas a maximum driveway width of 9.0 metres is permitted.
3. To permit a maximum driveway width of 6.7 metres between the street line and the street curb, whereas a maximum driveway width of 6.0 metres between the street line and the street curb is permitted.
4. To permit a minimum interior side yard setback of 1.1 metres to the proposed Residential Accessory Structure (Cabana), whereas a minimum interior side yard setback of 1.5 metres to the proposed Residential Accessory Structure (Cabana) is required.
5. To permit a maximum accessory structure coverage of 177.5m², whereas a maximum accessory structure coverage of 67.0m² is permitted.
6. To permit a minimum rear yard setback of 3.3 metres to the proposed Residential Accessory Structure (Changeroom/washroom) is required, whereas a minimum rear yard setback of 9.0 metres to the proposed Residential accessory Structure (changeroom/washroom) is required.
7. To permit a minimum rear yard setback of 5.0 metres to the proposed pool equipment, whereas a minimum rear yard setback of 7.5 metres to the proposed pool equipment is required.

The noted variances are being requested to permit the construction of a cabana and changerroom/washroom at the rear yard.

Ontario Regulation 166/06

A portion of the subject lands are located within TRCA's Regulated Area due to a flood plain associated with the Don River. In accordance with Ontario Regulation 166/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

Application-Specific Comments

Based on a review of the submitted materials, the proposed works are not located within TRCA's Regulated Area. As such, it is the opinion of TRCA staff that the current proposal will not impact any natural features or associated hazards and TRCA's policy interests are not affected. TRCA staff have no concerns with the proposed variances.

Fees

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

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application 175.22 subject to the following condition:

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

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

Sincerely,



Hamedeh Razavi
Planner I
Development Planning and Permits

HR/sb

Adriana Bozzo

Subject: FW: [External] FW: A175/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (17 Oakbank Court, Vaughan)
Attachments: CIRC_A175_22.pdf

From: Development Services <developmentsservices@york.ca>
Sent: July-11-22 12:18 PM
To: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] FW: A175/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (17 Oakbank Court, Vaughan)

Hello,

The Regional Municipality of York has completed its review of the minor variance - A175/22 and has no comment.

Thank you,

Maryam Ahmed, 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 x74528 | maryam.ahmed@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.

To: Committee of Adjustment
From: Sarah Scauzillo, Building Standards Department
Date: October 20, 2022
Applicant: Mike Steiner
Location: PLAN RP3977 Lot 6 municipally known as 17 Oakbank Road
File No.(s): A175/22

Zoning Classification:

The subject lands are zoned R1E (EN) and subject to the provisions of Exception 14.403 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A maximum lot coverage of 20% is permitted. [14.403]	To permit a maximum lot coverage of 26.3%
2	A minimum interior side yard setback of 2.4 metres to the proposed Residential Accessory Structure (Cabana) is required. [Section 4.1.2]	To permit a minimum interior side yard setback of 1.1 metres to the proposed Residential Accessory Structure (Cabana).
3	A maximum accessory structure coverage of 67.0m ² is permitted. [Section 4.1.3]	To permit a maximum accessory structure coverage of 91.2m ² .
4	A minimum interior yard setback of 2.4 metres to the proposed Residential Accessory Structure (changeroom/washroom) is required. [Section 4.1.2]	To permit a minimum interior side yard setback of 1.9 metres to the proposed Residential Accessory Structure (changeroom/washroom).
5	A minimum rear yard setback of 7.5 metres to the proposed pool equipment is required. [Section 4.13]	To permit a minimum rear yard setback of 5.0 metres to the proposed pool equipment.
6	A minimum setback of 2.3 metres to the retaining wall is required. [Section 4.13]	To permit a minimum setback of 1.1 metres to the retaining wall.

The subject lands are zoned R1V and subject to the provisions of Exception 9(662) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
7	A maximum lot coverage of 20% is permitted. [9(662)]	To permit a maximum lot coverage of 24.7%
8	A minimum interior side yard setback of 1.5 metres to the proposed Residential Accessory Structure (Cabana) is required. [Section 4.1.1 and Schedule A]	To permit a minimum interior side yard setback of 1.1 metres to the proposed Residential Accessory Structure (Cabana).
9	A maximum accessory structure coverage of 67.0m ² is permitted. [Section 4.1.1 and Schedule A]	To permit a maximum accessory structure coverage of 177.5m ² .
10	A minimum rear yard setback of 9.0 metres to the proposed Residential Accessory Structure (changeroom/washroom) is required. [Section 4.1.1 and Schedule A]	To permit a minimum rear yard setback of 3.6 metres to the proposed Residential Accessory Structure (Changeroom/washroom) is required.
11	A minimum rear yard setback of 7.5 metres to the proposed pool equipment is required. [Section 3.14]	To permit a minimum rear yard setback of 5.0 metres to the proposed pool equipment.
12	A minimum setback of 2.3 metres to the retaining wall is required. [Section 4.1]	To permit a minimum setback of 1.1 metres to the retaining wall.

Staff Comments:

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

Order No. 21-127804, Order to Comply for Changeroom/Pergola, Issue Date: Oct 13, 2021
Order No. 21-127815, Order to Comply for Cabana, Issue Date: Oct 13, 2021

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.
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, Senior Manager of Development Planning
Date: November 09, 2022
Name of Owner: Mike Steiner
Location: 17 Oakbank Road
File No.(s): A175/22

Proposed Variance(s) (By-law 01-2021):

- 1) To permit a maximum lot coverage of 24.7%.
- 2) To permit a minimum interior side yard setback of 1.1 m to the proposed residential accessory structure (cabana).
- 3) To permit a maximum accessory structure coverage of 91.2 m².
- 4) To permit a minimum interior side yard setback of 1.9 m to the proposed residential accessory structure (changeroom/washroom).
- 5) To permit a minimum rear yard setback of 5 m to the proposed pool equipment.
- 6) To permit a minimum setback of 1.1 m to the retaining wall.

By-Law Requirement(s) (By-law 01-2021):

- 1) A maximum lot coverage of 20% is permitted. [14.403]
- 2) A minimum interior side yard setback of 2.4 m to the proposed residential accessory structure (cabana) is required. [Section 4.1.2].
- 3) A maximum accessory structure coverage of 67.0 m² is permitted. [Section 4.1.3]
- 4) A minimum interior yard setback of 2.4 m to the proposed residential accessory structure (changeroom/washroom) is required. [Section 4.1.2]
- 5) A minimum rear yard setback of 7.5 m to the proposed pool equipment is required. [Section 4.13]
- 6) A minimum setback of 2.3 m to the retaining wall is required. [Section 4.13]

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

- 7) To permit a maximum lot coverage of 24.7%.
- 8) To permit a minimum interior side yard setback of 1.1 m to the proposed residential accessory structure (cabana).
- 9) To permit a maximum accessory structure coverage of 177.5 m².
- 10) To permit a minimum rear yard setback of 3.6 m to the proposed residential accessory structure (changeroom/washroom).
- 11) To permit a minimum rear yard setback of 5 m to the proposed pool equipment.
- 12) To permit a minimum setback of 1.1 m to the retaining wall.

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

- 7) A maximum lot coverage of 20% is permitted. [9(662)]
- 8) A minimum interior side yard setback of 1.5 m to the proposed residential accessory structure (cabana) is required. [Section 4.1.1 and Schedule A]
- 9) A maximum accessory structure coverage of 67.0 m² is permitted. [Section 4.1.1 and Schedule A]
- 10) A minimum rear yard setback of 9.0 m to the proposed residential accessory structure (changeroom/washroom) is required. [Section 4.1.1 and Schedule A]
- 11) A minimum rear yard setback of 7.5 m to the proposed pool equipment is required. [Section 3.14]
- 12) A minimum setback of 2.3 m to the retaining wall is required. [Section 4.1]

Official Plan:

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

Comments:

The Owner is requesting permission to make alterations to a two-storey single detached dwelling and construct accessory structures (cabana and change room/washroom) with the above noted variances.

The Development Planning Department (Development Planning) does not object to Variances 2, 4, 8, and 10, as the accessory structures provide setbacks that do not impact the functionality and accessibility of the rear yard, remain consistent with other

approved structures in the area, and are surrounded by a vegetative buffer that helps reduce any massing impacts to the abutting properties. Variances 5, 6, 11, and 12 recognize setbacks that were approved through A131/11, with the minor change being the pool equipment is now proposed to be covered. Provided the lot has operated with these reduced setbacks for over 10 years with unenclosed pool equipment, the Development Planning considers these requests to be appropriate and an improvement with respect to potential noise impacts.

With respects to Variances 1 and 7, the two-storey dwelling (with garage) occupies 15.9% of the total lot coverage, while the remaining 8.8% is associated with the proposed covered front porch, rear covered deck, cabana, change room and above grade basement gymnasium. Due to the shift in grade on-site, approximately two feet of the basement gymnasium under the rear deck sits above the established grade, which contributes to maximum lot coverage. A proposed total lot coverage of 24.7% facilitates a development that is compatible with and preserves the character of the neighbourhood.

Development Planning acknowledges the maximum coverage area discrepancy between Variances 3 and 9 comes from the fact By-law 001-2021 excludes covered areas that are attached to the main dwelling (rear covered deck). Additionally, the cabana is proposed to be unenclosed and complies with the maximum height provisions minimizing the possibility of impacting the adjacent lots.

The Owner has submitted a Tree Inventory and Preservation Plan Report prepared by Kuntz Forestry Consulting Inc., dated October 20, 2022, which has been reviewed by the Urban Design Division of the Development Planning Department, who are generally satisfied with the findings of the report.

The Development Planning Department is of the opinion that the requested Variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-laws, and are 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 condition of approval is recommended:

None

Comments Prepared by:

Roberto Simbana, Planner I
David Harding, Senior Planner

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A131/11	07/21/2011	Approved

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A131/11

APPLICANT: AMELIE BEAUDIN

PROPERTY: Part of Lot 31, Concession 1, (Lot 6, Registered Plan 3977, municipally known as 17 Oakbank Road, Thornhill).

ZONING: The subject lands are zoned R1V, Old Village Residential, under By-law 1-88 subject to Exception 9(662) as amended.

PURPOSE: The applicant is requesting variances to permit the construction of a cabana as follows:

PROPOSAL:

1. Minimum Rear Yard Setback = 5.0m
2. Maximum height of accessory structure = 3.11m
3. Maximum size of accessory structure = 33.16m
4. Minimum interior sideyard setback to a 2.235m retaining wall = 1.337m
5. Minimum interior sideyard setback to a 1.0159m retaining wall = 0.979m

BY-LAW REQUIREMENTS:

1. Minimum Rear Yard Setback = 9.5m
2. Maximum height of accessory structure = 2.5m
3. Maximum size of accessory structure = 10m²
4. Minimum interior sideyard setback to a 2.235m retaining wall = 2.235m
5. Minimum interior sideyard setback to a 1.0159m retaining wall = 1.0159m

BACKGROUND : The land which is subject to this application was also the subject of another application under the Planning Act:
Minor Variance File A289/07 Omid Sharifi – Approved as Amended August 9, 2007
(Proposed two storey dwelling , building height of 9.66 metres, lot coverage of 21.9%.
Sketches are attached illustrating the request.

MOVED BY: *Mary Maut*

SECONDED BY: *Joe Au*

THAT the Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A131/11 - AMELIE BEAUDIN, be APPROVED**, in accordance with the sketches attached, and subject to the following conditions:

1. That the Owner plant an Emerald Cedar Hedge along the south side of the property, a minimum height of six (6) feet, to the satisfaction of the Urban Design Department;
2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

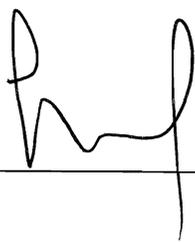
dsb
mm

VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: 

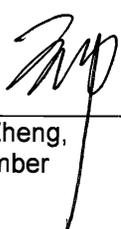
Signed by all members present who concur in this decision:


L. Fluxgold,
Chair


J. Cesario,
Vice-Chair


M. Mauti,
Member


A. Perrella,
Member


H. Zheng,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.


Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing: JULY 21, 2011
Last Date of Appeal: AUGUST 10, 2011

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

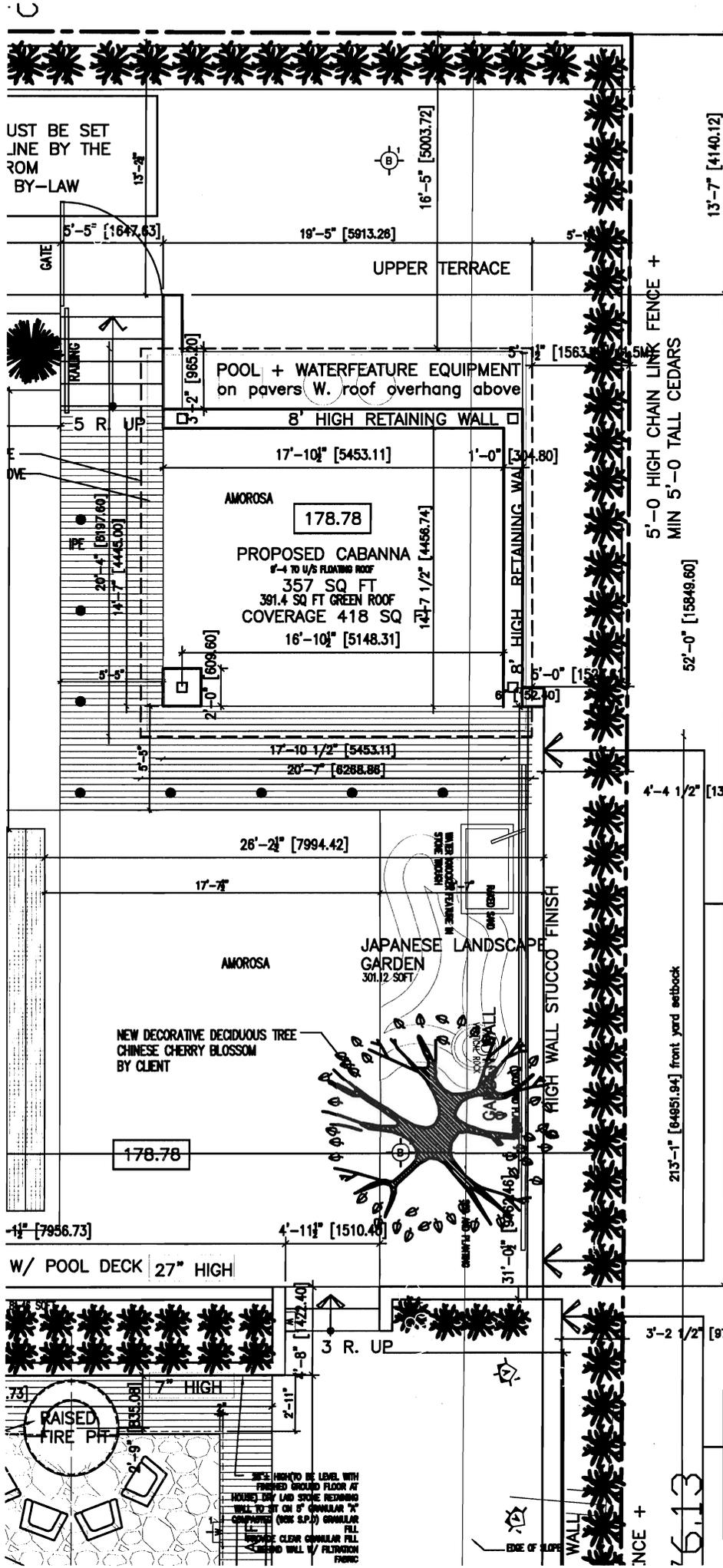
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the **\$650.00** processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of **\$125.00** for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:
AUGUST 10, 2012



Additional sketches need to be submitted Jun 28/11

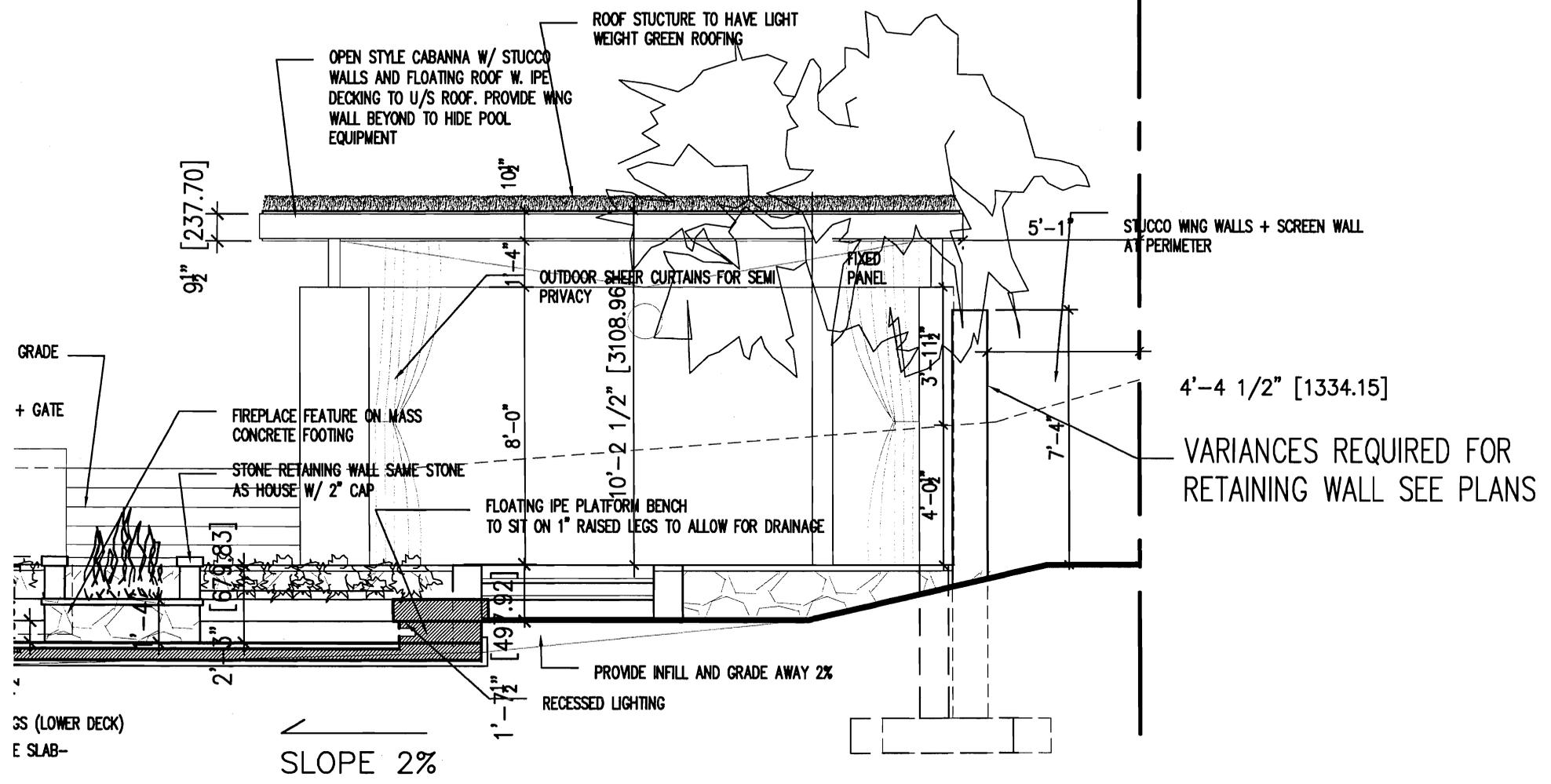
HEIGHT OF WALL IS 2.235M. SETBACK OF SAME AMOUNT IS REQUIRED EXISTING SETBACK IS 1.337M VARIANCE REQUIRED

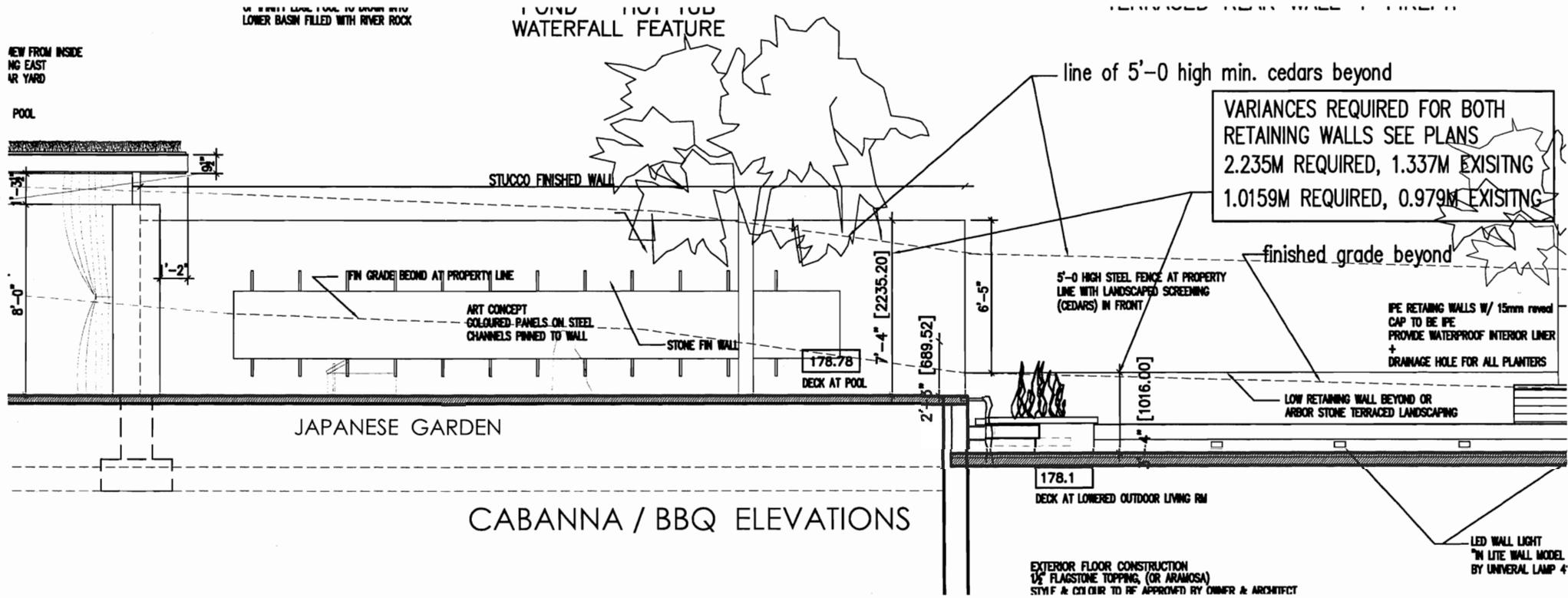
HEIGHT OF WALL IS 1.0159M. SETBACK OF SAME AMOUNT IS REQUIRED EXISTING SETBACK IS 0.979M VARIANCE REQUIRED

WALL HEIGHT TO BE LEVEL WITH FINISHED GROUND FLOOR AT HOUSES. USE LIME STONE REDDISH WALL TO SET ON 5" GRANULAR "A" COMPACTED (SEE S.P.1) GRANULAR FILL. FINISH CLEAR GRANULAR FILL. EXISTING WALL W/ FLINTKING FABRIC

6.13

WEST ELEVATION POOL EQUIPMENT ELEVATION
(REAR ELEVATION)







COMMITTEE OF ADJUSTMENT
 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
 Phone: (905)832-8585 Fax: (905)832-8535

	FILE NUMBER:	A131/11
	APPLICANT:	AMELIE BEAUDIN
		Subject Area Municipally known as 17 Oakbank Road, Thornhill