

<p>ITEM #: 6.12</p>	<p>COMMITTEE OF ADJUSTMENT REPORT</p> <p>MINOR VARIANCE APPLICATION</p> <p>A253/22</p> <p>12 Humber Forest Ct. Woodbridge</p>
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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	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X	X		General Comments
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			
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	X		General Comments
Bell Canada <i>*Schedule B</i>	X			
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				
<p><i>*Please see Schedule C of this report for a copy of the public & applicant correspondence listed below.</i></p>				
<p>The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.</p> <p>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.</p> <p>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.</p>				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
SUBMISSIONS PROCESSED FOR THE OCTOBER 27, 2022 HEARING (APPLICATION ADJOURNED)				
Applicant	Romina/Anthony Saieva	12 Humber Forest Court	10/27/2022	Presentation to Committee & Photos from Oct 27 hearing.

PUBLIC & APPLICANT CORRESPONDENCE				
*Please see Schedule C of this report for a copy of the public & applicant correspondence listed below.				
Applicant	Romina/Anthony Saieva	12 Humber Forest Court+	10/27/2022	Aerial photo provided to the Committee at the Oct 27 hearing
Public	Maria Fabris	N/A	10/27/2022	Letter of Objection

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see Schedule D for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
October 27, 2022	Application adjourned to permit time for applicant to meet with neighbours.

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

AGENDA ITEM NUMBER: 6.19	CITY WARD #: 2
APPLICANT:	Romina Saieva and Anthony Saieva
AGENT:	Arca Design Inc. (Frank Bellini)
PROPERTY:	12 Humber Forest Court, Woodbridge 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 a proposed outdoor kitchen/washroom to be located in the exterior side yard and cabana in the rear yard.

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

The subject lands are zoned **R3A(EN) – Third Density Residential Zone (Established Neighbourhood)** and subject to the provisions of **Exception 14.663 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	An accessory building or accessory structure shall not be located closer to an exterior side lot line than the principal building on the lot. (4.1.2, 2.b.)	To permit an accessory building (Outdoor Kitchen and Washroom) to be located closer to an exterior side lot line than the principal building on the lot.
2	The minimum exterior side yard setback required to an accessory building is 4.5 metres. (Table 7-4)	To permit a minimum exterior side yard setback of 2.1 metres to an accessory building (Outdoor Kitchen and Washroom)
3	The minimum rear yard setback required to an accessory building is 2.4 metres. (Section 4.1.2, 1. b)	To permit a minimum rear yard setback of 1.2 metres to an accessory building (Cabana) *Variance confirmed not required by the Building Standards Department

The subject lands are zoned **RV3 – Residential Zone** and subject to the provisions of **Exception 9(988) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
4	An accessory building or structure shall be located in the rear yard. (Section 4.1, c)	To permit an accessory building (Outdoor Kitchen and Washroom) to be located in the exterior side yard.
5	The minimum exterior side yard setback required to an accessory building is 2.4 metres. (Schedule ‘A1’)	To permit a minimum exterior side yard setback of 2.1 metres to an accessory building (Outdoor Kitchen and Washroom)
6	The minimum rear yard setback required to an accessory building is 7.5 metres. (Section 4.1, c) and Schedule ‘A1’)	To permit a minimum rear yard setback of 1.2 metres to an accessory building (Cabana)

HEARING INFORMATION
DATE OF MEETING: 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
PUBLIC PARTICIPATION If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the Request to Speak Form and submit to cofa@vaughan.ca If you would like to submit written comments, please quote file number above and submit by mail or email to: Email: cofa@vaughan.ca Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1 THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

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

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	October 13, 2022, November 3, 2022 and November 7, 2022 (revised notice). **It was confirmed by Building Standards on November 8, 2022 that the revised notice (mailed November 7) was not required as variance #3 under By-law 001-2021 is not required.
Date Applicant Confirmed Posting of Sign:	October 11, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	New and old bylaw requirements for exterior side and rear yard set back
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	Development Planning provided the following to the applicant on October 7, 2022: Development Planning has completed our detailed review of the above noted Minor Variance Application and has some concerns with the proposal. We recommend reducing the length of the proposed cabana to minimize the massing impacts the cabana will have on the neighbouring dwelling. The house, covered canopy, and cabana all create an almost continuous built form when viewed from the west. By reducing the length of the cabana, it would greatly assist in breaking up this effect. We also recommend relocating the door in the kitchen/washroom so that it faces the home as opposed to the exterior side yard. Applicant provided revised submission to address Planning comments.

COMMITTEE OF ADJUSTMENT COMMENTS	
	<p>At the October 27, 2022 hearing, the application was adjourned by the Committee to permit time for the applicant to meet with neighbours.</p> <p>As a result of this meeting, the applicant provided a revised submission increasing the rear yard setback from 0.91m to 1.2 m. The revised submission was reviewed by zoning to confirm the required variances.</p>
<p>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</p> <p>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</p> <p>*A revised submission may be required to address staff / agency comments received as part of the application review process.</p> <p>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</p>	<p>Yes</p> <p>(Zoning completed review confirming variances)</p>
<p>Adjournment Fees:</p> <p>In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.</p> <p>An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.</p>	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

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

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
<p>As the proposed structures in the subject property are over 10m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached).</p> <p>The Development Engineering (DE) Department does not object to variance application A253/22 subject to the following condition(s):</p>	
Development Engineering Recommended Conditions of Approval:	<p>The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the grading permits page at City of Vaughan website to learn how to apply for the grading permit. If you have any question about grading permit, please contact the Development Engineering Department through email at DEPermits@vaughan.ca.</p>

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS
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 comment no concerns		
BCLPS Recommended Conditions of Approval:		None

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

FIRE DEPARTMENT COMMENTS		
No 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	Development Planning & Agency Comments	
Schedule C (if required)	Correspondence (Received from Public & Applicant)	
Schedule D (if required)	Previous COA Decisions on the Subject Land	

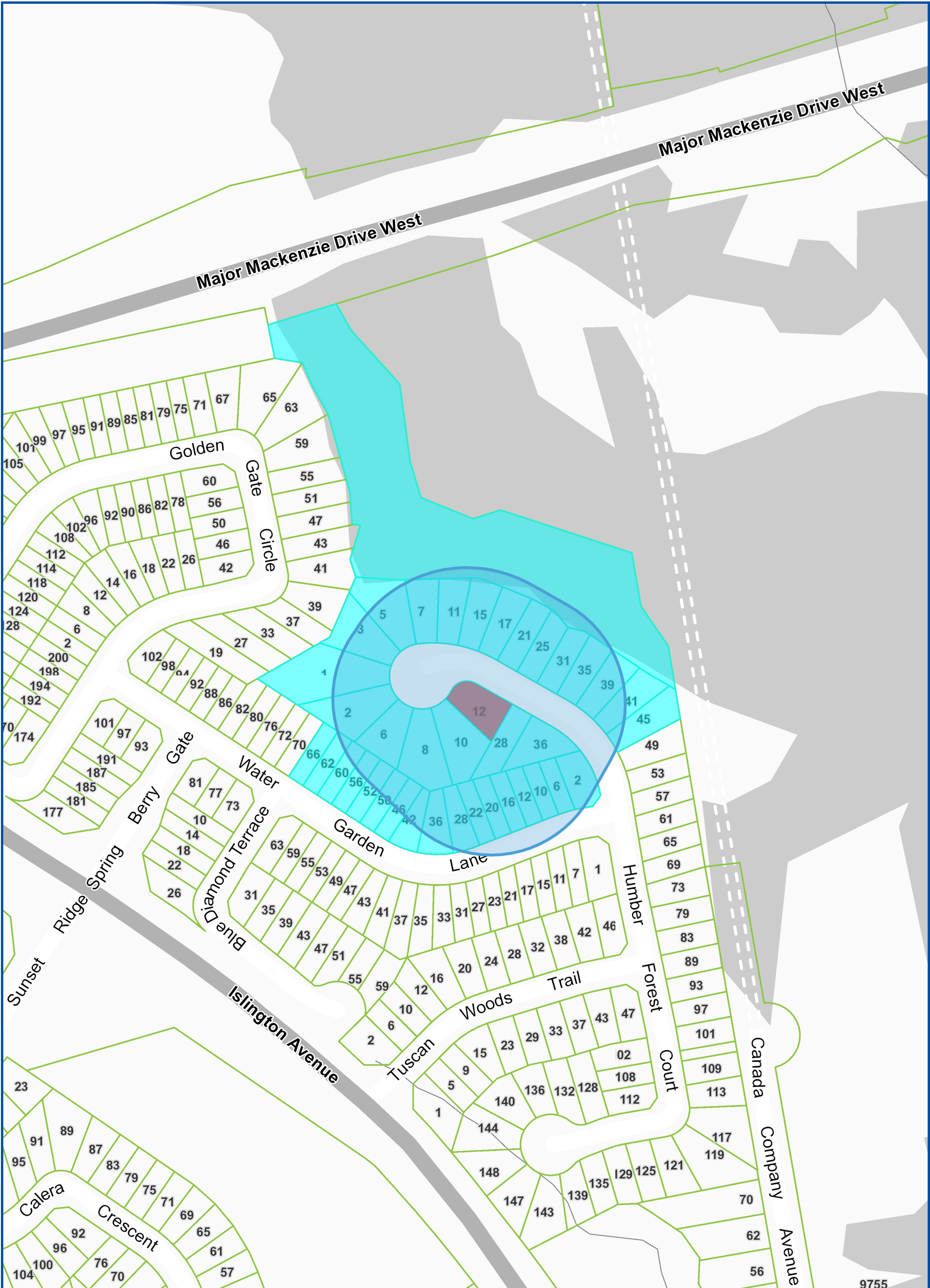
Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Engineering ian.reynolds@vaughan.ca	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the grading permits page at City of Vaughan website to learn how to apply for the grading permit. If you have any question about grading permit, please contact the Development Engineering Department through email at DEPermits@vaughan.ca.

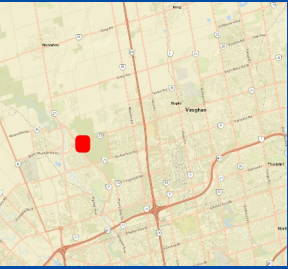
IMPORTANT INFORMATION – PLEASE READ		
CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (see condition chart above for contact). This letter must be provided to the Secretary-Treasurer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

IMPORTANT INFORMATION – PLEASE READ	
<p>APPROVALS: 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>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.</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>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.</p>	

SCHEDULE A: DRAWINGS & PLANS



Map Information:



Title: 12 Humber Forest Court, Woodbridge

NOTIFICATION MAP - A253/22

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1: 2,812
0 0.04 km



Created By:
Infrastructure Delivery
Department
October 4, 2022 4:52 PM

Projection:
NAD 83
UTM Zone
17N

PLANS PREPARED BY APPLICANT

Received 11/03/2022

HUMBER FOREST COURT

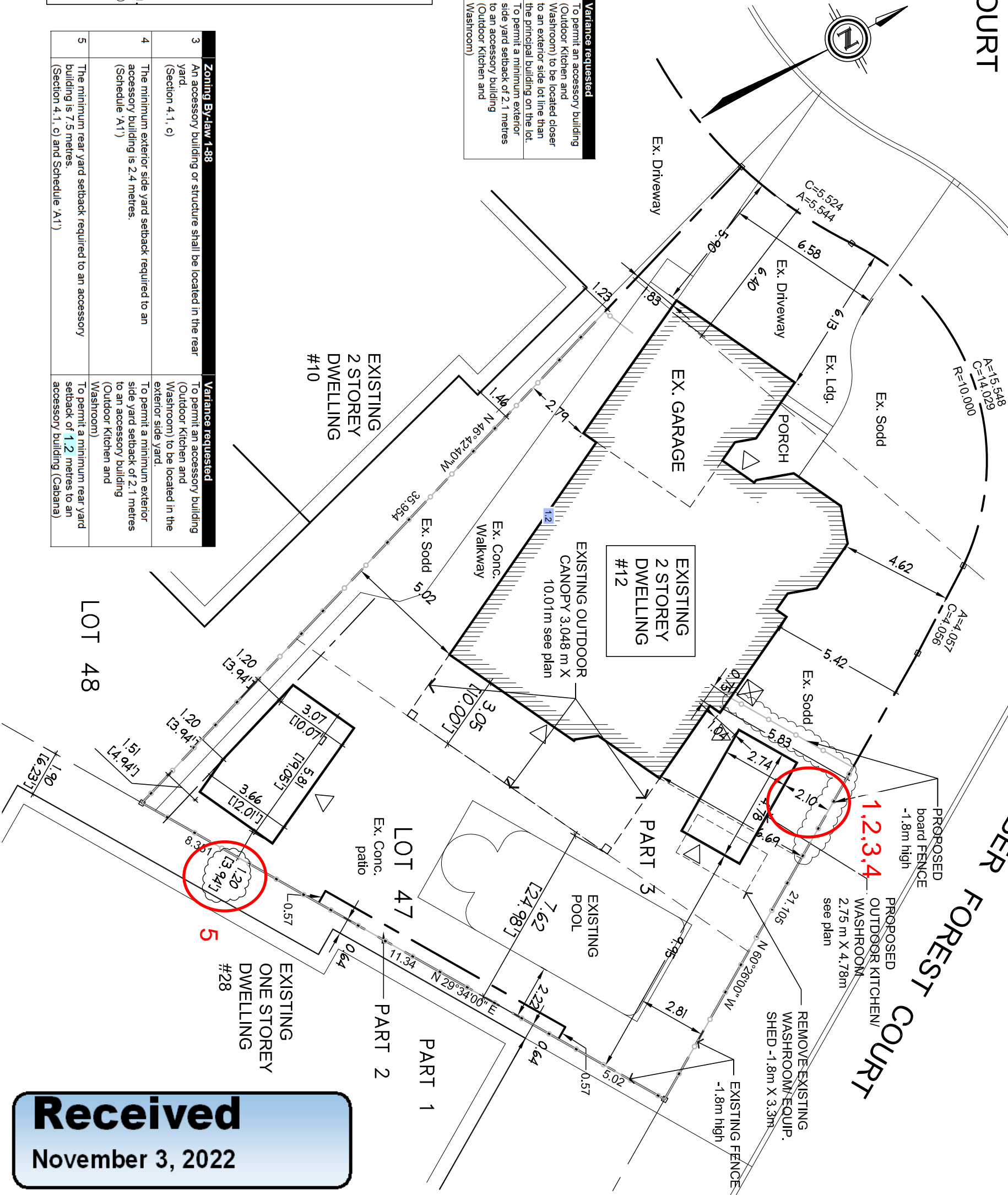
LEGEND

× 100.56	Denotes existing Grades
× 100.56	Denotes proposed Grade
F.F.	Finished First Floor
T.W.	Top Of Foundation Wall
B.S.	Top Of Basement Slab
U/SF	Underside Of Footing
SW	Swale Elevation
←	Direction Of Drainage
▽	Man Door Location
▲	Drive-In Overhead Door
R.	Riser
WDB	Walkout Basement

#	Zoning By-law 001-2021	Variance requested
1	An accessory building or accessory structure shall not be located closer to an exterior side lot line than the principal building on the lot. (4.1.2, 2.b.)	To permit an accessory building (Outdoor Kitchen and Washroom) to be located closer to an exterior side lot line than the principal building on the lot.
2	The minimum exterior side yard setback required to an accessory building is 4.5 metres. (Table 7-4)	To permit a minimum exterior side yard setback of 2.1 metres to an accessory building (Outdoor Kitchen and Washroom)

Zoning By-Law	RV3-ex988
Lot Area	691.783 Sq.m
Existing	
House /Garage area Coverage	162.52 Sq.m
Covered Front porch	7.58 Sq.m
Cabana/shed (to be replaced)	8.91 Sq.m
Washroom/shed (to be replaced)	5.94 Sq.m
Covered Canopy	33.03 Sq.m
Total Existing Coverage	217.98 Sq.m
Proposed	
Washroom/Outdoor Kitchen Area	13.145 Sq.m
Cabana Area	20.01 Sq.m
Total Proposed	33.16 Sq.m
Coverage for all Bldgs.(50% max.)	34.15%
(203.13 sq.m. + Prop. 33.16 sq.m.) 236.29 Sq.m,	
Coverage for accessory Bldgs.(33.16)	4.79%
(10% max.) or 67.0 Max.	
Max. Accessory building hieght 4.5 m (14'-9")	
Max. Accessory building hieght 2.5 m (8.2')	

#	Zoning By-law 1-88	Variance requested
3	An accessory building or structure shall be located in the rear yard. (Section 4.1, c)	To permit an accessory building (Outdoor Kitchen and Washroom) to be located in the exterior side yard.
4	The minimum exterior side yard setback required to an accessory building is 2.4 metres. (Schedule 'A1')	To permit a minimum exterior side yard setback of 2.1 metres to an accessory building (Outdoor Kitchen and Washroom)
5	The minimum rear yard setback required to an accessory building is 7.5 metres. (Section 4.1, c) and Schedule 'A1')	To permit a minimum rear yard setback of 1.2 metres to an accessory building (Cabana)



Received
November 3, 2022



Planning & Design

ARCA

202-A Oakdale Road, Suite 2
North York, Ontario. M3N 2S5
(416) 745-2940

GENERAL NOTES: This drawing, as an instrument of service, is provided by and is the property of the DESIGNER. The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify the DESIGNER of any variations from the supplied information. The Designer is not responsible for the accuracy of survey, structural, mechanical, electrical, etc., engineering information shown on this drawing. Refer to the appropriated engineering drawings before proceeding with the work. Construction must conform to all applicable codes and requirement of authorities having jurisdiction. This drawing is not to be scaled.			
REVISIONS			
No:	DESCRIPTION	DATE	BY
1	DRIVEWAY WIDTH	5/PT.09/22	F.B.
2	AS PER PLANNING COMMENTS	12/10/22	F.B.
3	AS PER DISCUSSION /NEIGHBOURS	02/11/22	F.B.
4	AS PER OWNER DISC/NEIGHBOURS	NOV.3/22	F.B.

PROJECT	PROPOSED REAR CABANA+WASHROOM SHED FOR S.F.D. RESIDENCE
	12 HUMBER FOREST CRT. VAUGHAN, ON
DRAWING TITLE	SITE PLAN

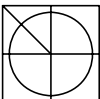
DRAWN BY	F.B.
CHECKED BY	F.B.
SCALE	1:175
DATE	AUG.16/22
PROJECT NUMBER	-

A=1

DRAWING NUMBER

Received

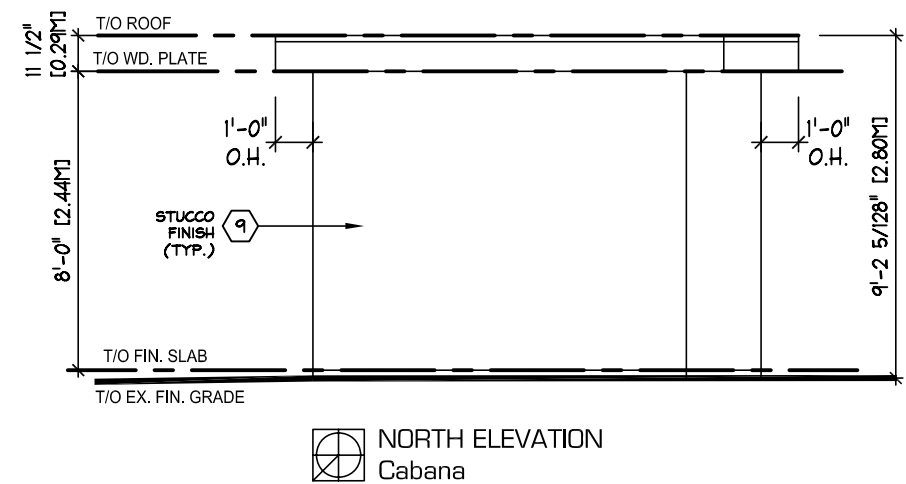
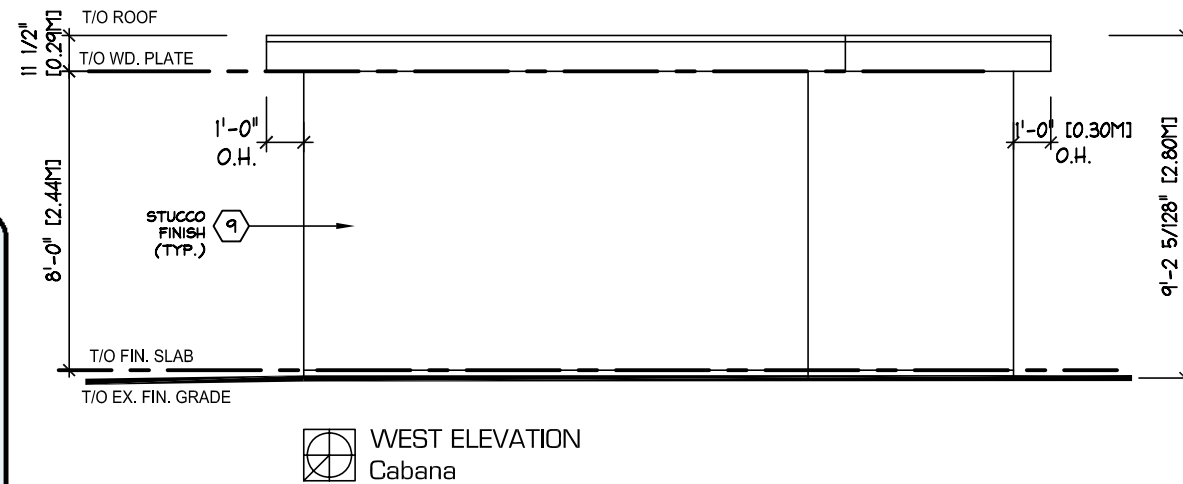
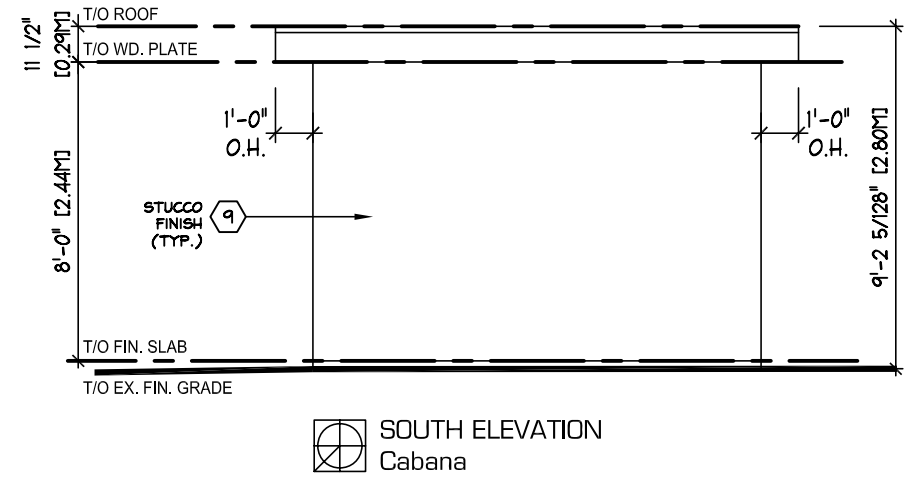
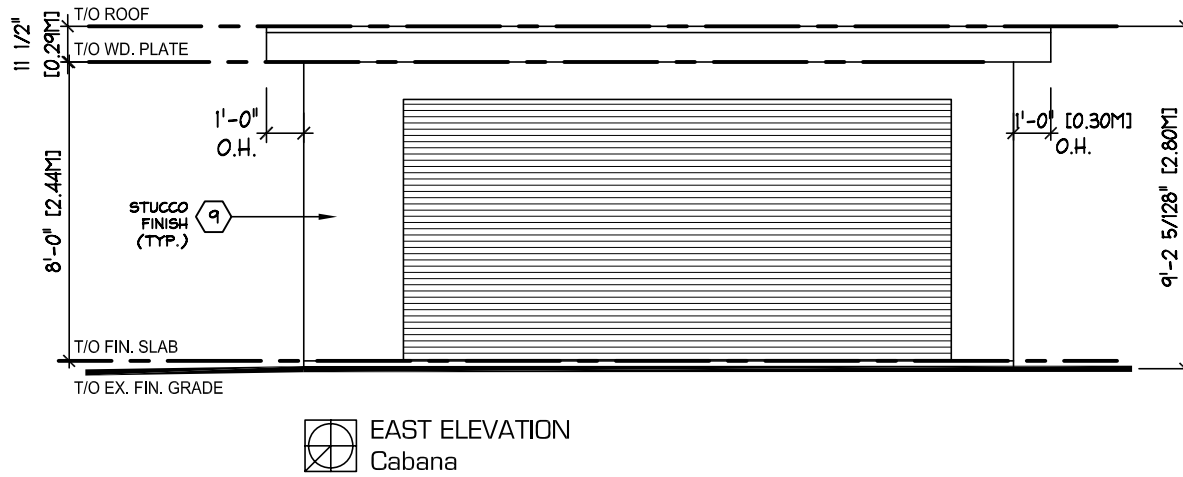
November 3, 2022



Cabana Floor Plan
12 Humber Forest Crt.

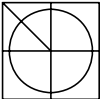
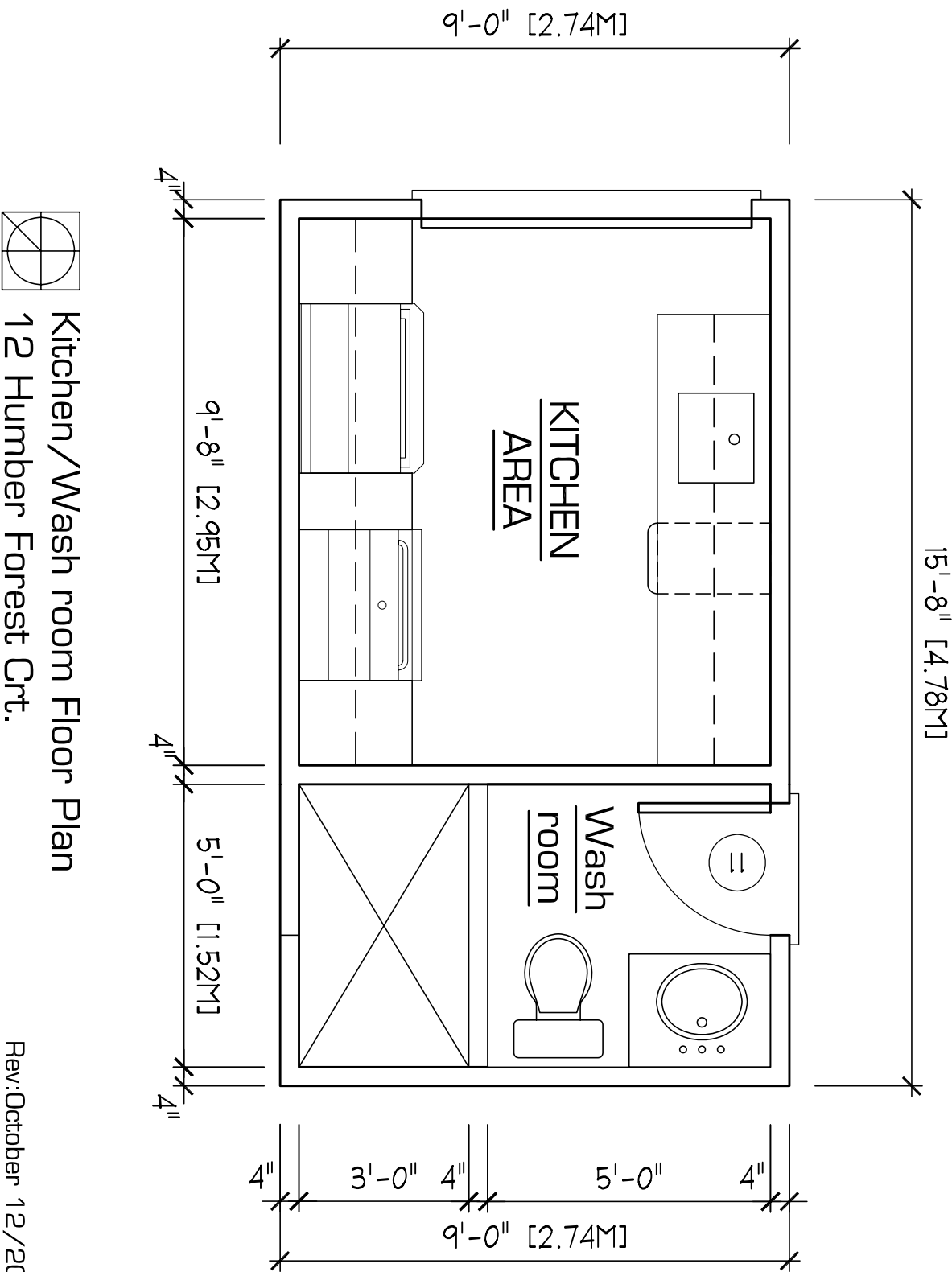
Rev: November 2/2022

Received
November 3, 2022



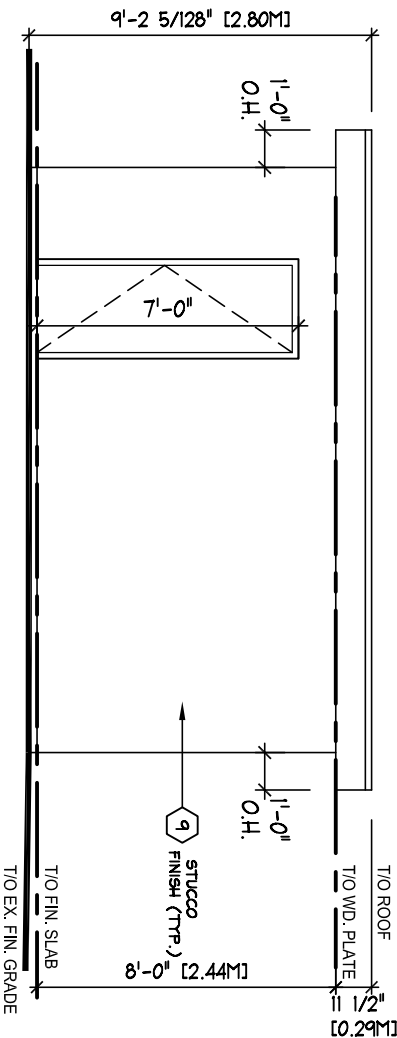
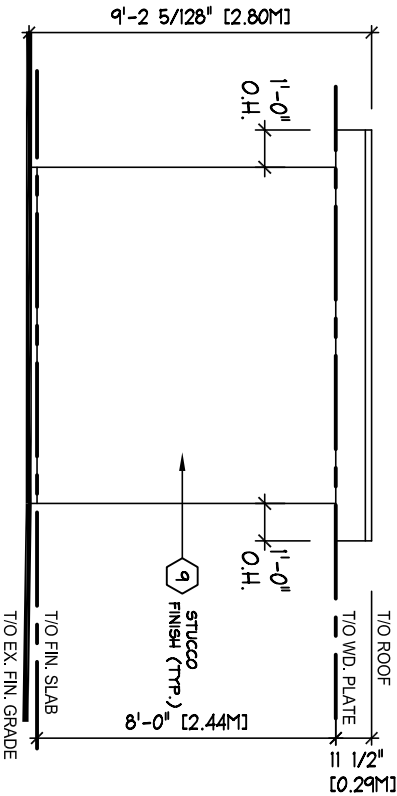
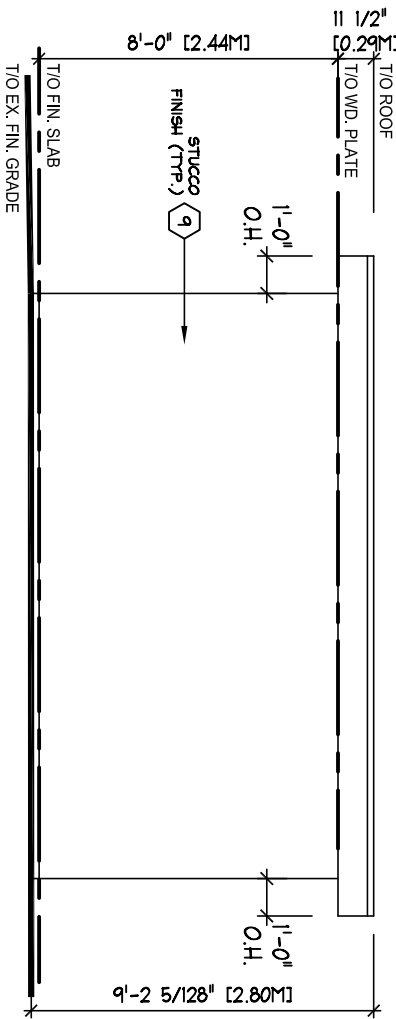
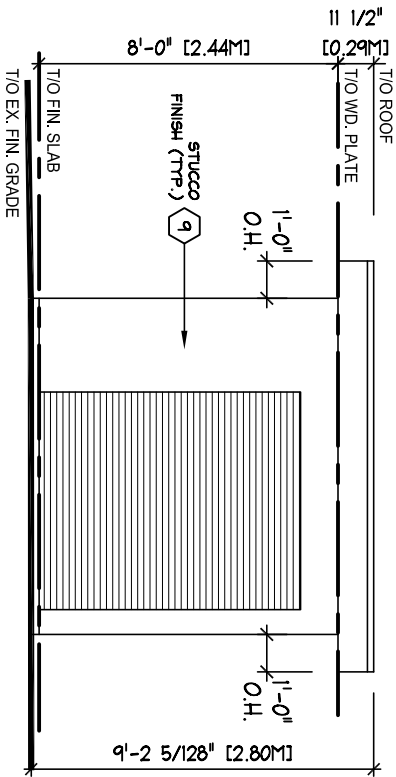
12 Humber Forest crt.
Vaughan, ont.

Revised: November 3/22



Kitchen/Wash room Floor Plan
12 Humber Forest Crt.

Rev: October 12/2022



SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			
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

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: November 9, 2022

Name of Owners: Romina and Anthony Saieva

Location: 12 Humber Forest Court

File No.(s): A253/22

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

1. To permit an accessory building (Outdoor Kitchen and Washroom) to be located closer to an exterior side lot line than the principal building on the lot.
2. To permit a minimum exterior side yard setback of 2.1 m to an accessory building (Outdoor Kitchen and Washroom).

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

1. An accessory building or accessory structure shall not be located closer to an exterior side lot line than the principal building on the lot.
2. The minimum exterior side yard setback required to an accessory building is 4.5 m.

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

3. To permit an accessory building (Outdoor Kitchen and Washroom) to be located in the exterior side yard.
4. To permit a minimum exterior side yard setback of 2.1 m to an accessory building (Outdoor Kitchen and Washroom).
5. To permit a minimum rear yard setback of 1.2 m to an accessory building (Cabana).

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

3. An accessory building or structure shall be located in the rear yard.
4. The minimum exterior side yard setback required to an accessory building is 2.4 m.
5. The minimum rear yard setback required to an accessory building is 7.5 m.

Official Plan:

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

Comments:

The Owners are requesting relief to permit the construction of a cabana and an outdoor kitchen and washroom accessory building with the above noted variances.

The Development Planning Department has no objection to Variances 1, 2, 3 and 4 for the outdoor kitchen and washroom. The subject property is a corner lot. The fence separating Humber Forest Court from what effectively functions as the rear yard is proposed to start at the back third of the dwelling's northeast façade. This allows the majority of the dwelling's northeast wall facing Humber Forest Court to address and contribute to the streetscape. The kitchen and washroom accessory building is proposed just behind the starting location of the fence and offset from the portion of the fence that runs parallel to the northeast lot line. The fence will provide screening and create clear definition between the portions of the property facing and addressing the street, and its more private outdoor amenity space. The doors of the proposed kitchen and washroom accessory building will also face the dwelling, providing additional privacy by orienting the building's activity inward rather than out towards the street.

The Development Planning Department has no objection to Variance 5 for the cabana as the reduction to the rear yard setback will not have adverse impacts to the neighbouring properties and an appropriate area for maintenance access is maintained. The cabana complies with all height requirements under both Zoning By-laws and the rear yard setback also complies Zoning By-law 001-2021, which was enacted by

Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect.

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

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

Comments Prepared by:

Joshua Cipolletta, Planner I

David Harding, Senior Planner

To: Committee of Adjustment
From: Christian Tinney, Building Standards Department
Date: November 8, 2022
Applicant: Romina/Anthony Saieva
Location: 12 Humber Forest Court,
PLAN 65M3278 Lot 47
File No.(s): A253/22

Zoning Classification:

The subject lands are zoned R3A(EN) – Third Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.663 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	An accessory building or accessory structure shall not be located closer to an exterior side lot line than the principal building on the lot. (4.1.2, 2.b.)	To permit an accessory building (Outdoor Kitchen and Washroom) to be located closer to an exterior side lot line than the principal building on the lot.
2	The minimum exterior side yard setback required to an accessory building is 4.5 metres. (Table 7-4)	To permit a minimum exterior side yard setback of 2.1 metres to an accessory building (Outdoor Kitchen and Washroom)

The subject lands are zoned RV3 – Residential Zone and subject to the provisions of Exception 9(988) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
3	An accessory building or structure shall be located in the rear yard. (Section 4.1, c)	To permit an accessory building (Outdoor Kitchen and Washroom) to be located in the exterior side yard.
4	The minimum exterior side yard setback required to an accessory building is 2.4 metres. (Schedule 'A1')	To permit a minimum exterior side yard setback of 2.1 metres to an accessory building (Outdoor Kitchen and Washroom)
5	The minimum rear yard setback required to an accessory building is 7.5 metres. (Section 4.1, c) and Schedule 'A1')	To permit a minimum rear yard setback of 1.2 metres to an accessory building (Cabana)

Staff Comments:

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

There are no outstanding Orders on file

Building Permit(s) Issued:

Building Permit No. 09-001384 for In-Ground Pool (Sfd/Semi) - New, Issue Date: May 01, 2009
Building Permit No. 22-130085 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.

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.

Date: September 27th , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A253-22**

Related Files:

Applicant Romina/Anthony Saieva

Location 12 Humber Forest Court

COMMENTS:

- ☐ We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- ☒ We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- ☐ We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alecrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alecrautilities.com

From: [Development Services](#)
To: [Lenore Providence](#); [Committee of Adjustment](#)
Subject: [External] RE: A253/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Monday, September 26, 2022 3:24:08 PM
Attachments: [image002.png](#)
[image004.png](#)

Hi Lenore,

The Regional Municipality of York has completed its review of the above minor variance (A253/22) and has no comment.

Thank you,
Niranjan

Niranjan Rajevan, M.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 ext. 71521 | niranjan.rajevan@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.

From: Lenore Providence <Lenore.Providence@vaughan.ca>
Sent: Thursday, September 22, 2022 11:55 AM
To: rowcentre@bell.ca; carrie.gordon@bell.ca; Development Services <developmentservices@york.ca>; yorkplan@trca.ca; Hamedeh.Razavi@trca.ca; engineeringadmin@powerstream.ca; TCEnergy@mhbcplan.com
Cc: Christine Vigneault <Christine.Vigneault@vaughan.ca>
Subject: A253/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, forward it to isitsafe@york.ca then delete it from your inbox. If you think you may have clicked on a phishing link, report it to the IT Service Desk, ext. 71111, and notify your supervisor immediately.

MEETING DATE: OCTOBER 27, 2022
ADDRESS: 12 Humber Forest Court, Woodbridge

Hello,

Please email comments and recommendations on the above noted application to cofa@vaughan.ca. If you wish to be notified of the decision, please confirm in writing.

The deadline to submit comments on this application is **October 7, 2022**.

Should you have any questions or require additional information please contact the undersigned.

Regards

Lenore Providence
Administrative Coordinator - Committee of Adjustment
905-832-8585, ext. 8394 Lenore.providence@vaughan.ca

City of Vaughan | Office of the City Clerk
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca

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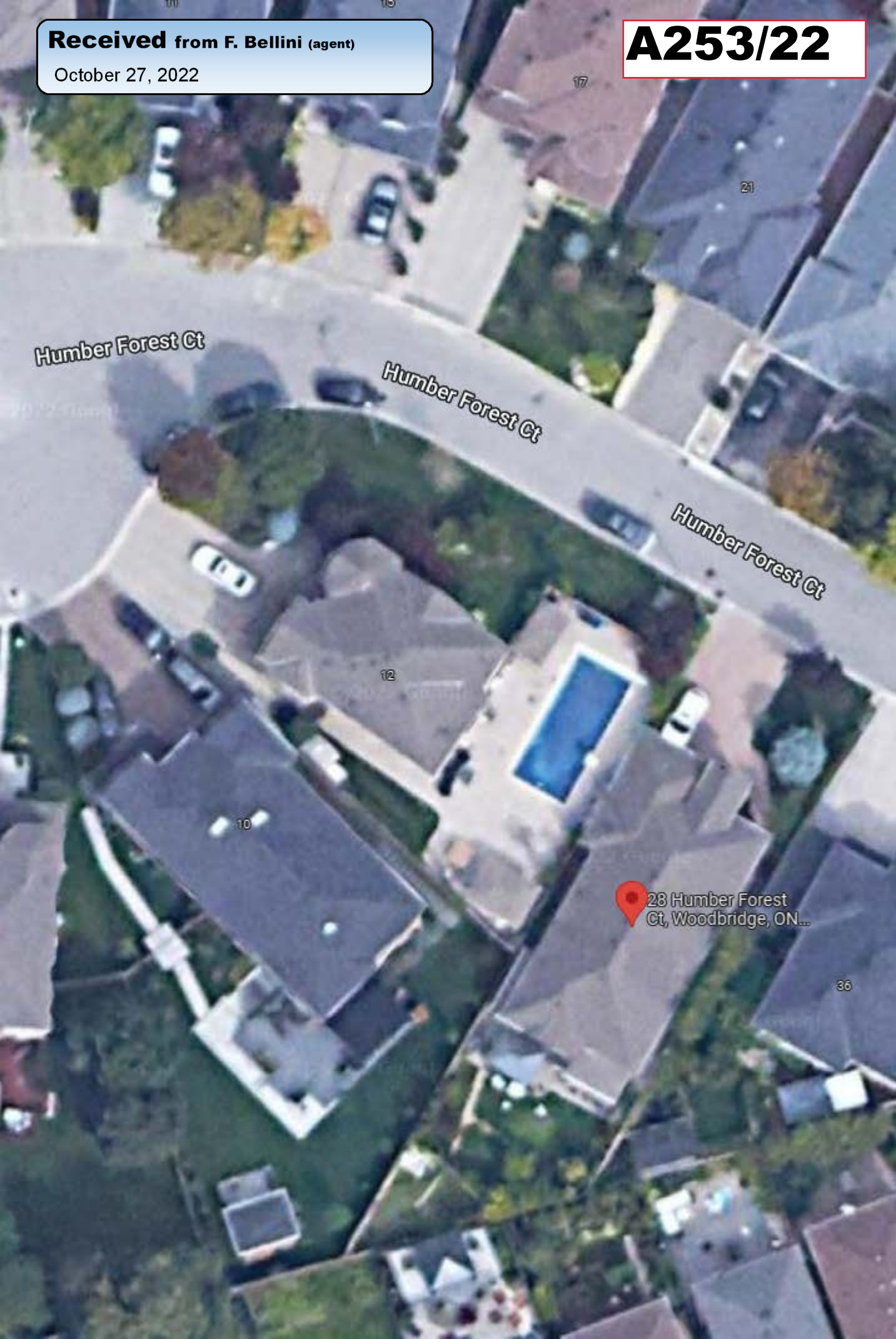
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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
SUBMISSIONS PROCESSED FOR THE OCTOBER 27, 2022 HEARING (APPLICATION ADJOURNED)				
Applicant	Romina/Anthony Saieva	12 Humber Forest Court	10/27/2022	Presentation to Committee & Photos from Oct 27 hearing.
Applicant	Romina/Anthony Saieva	12 Humber Forest Court+	10/27/2022	Aerial photo provided to the Committee at the Oct 27 hearing
Public	Maria Fabris	N/A	10/27/2022	Letter of Objection

Received from F. Bellini (agent)

October 27, 2022

A253/22



Humber Forest Ct

Humber Forest Ct

Humber Forest Ct

28 Humber Forest Ct, Woodbridge, ON...



A253/22

Received

October 27, 2022

1. Existing tree on Blvd. side.
2. Existing cedar hedges
3. Existing emerald cedar.

Note: On opposite city side. Size is less than 100mm dia. caliper and approximately 18ft in height.

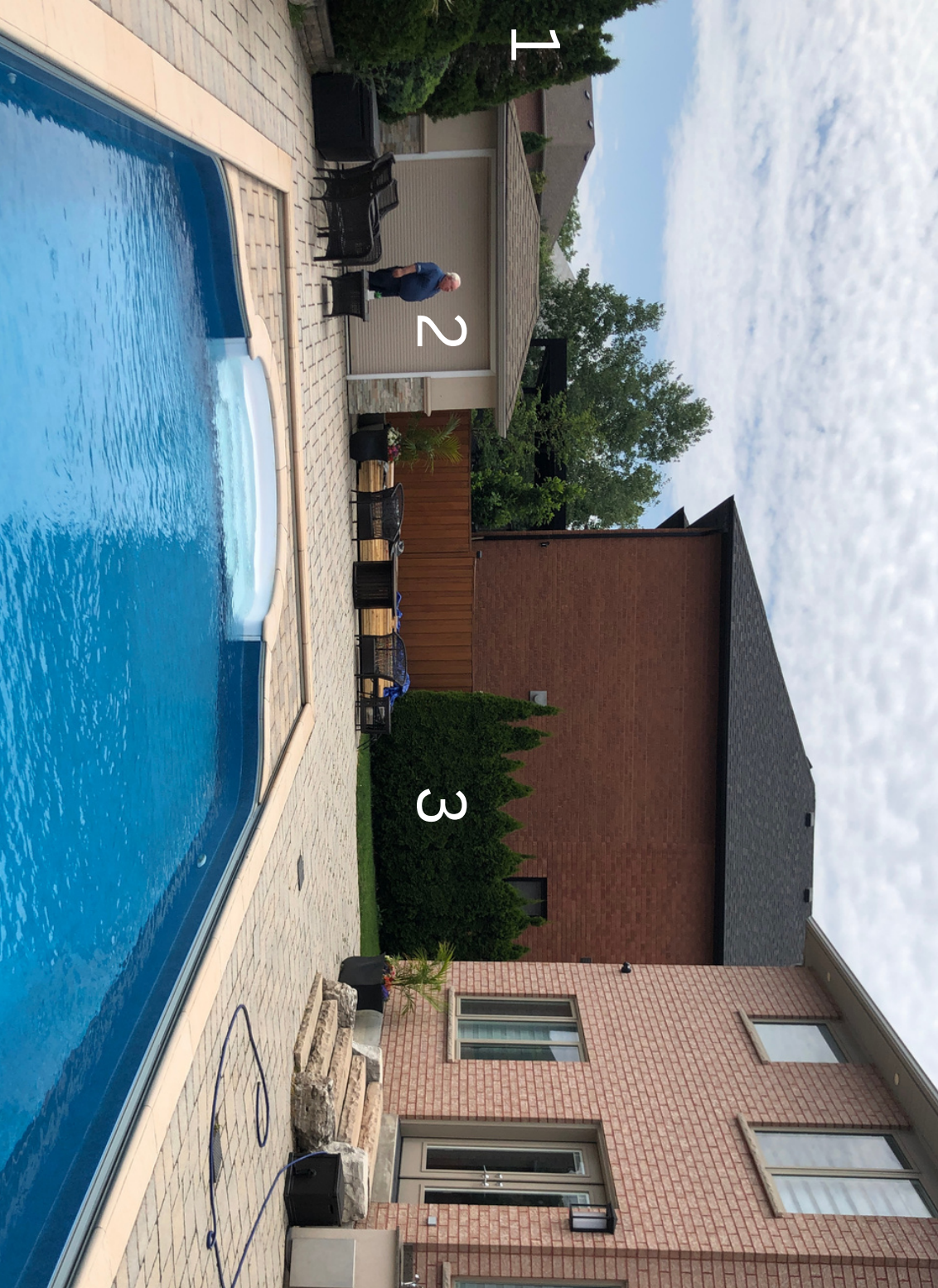
View looking
east.

A253/22

Received

October 27, 2022

1. Existing emerald cedar.
2. Existing cabana.
3. Existing emerald cedar hedge.



View looking
west.

A253/22

Received

October 27, 2022

1. Existing emerald cedar.
2. Existing cabana.
3. Existing emerald cedar hedge.
4. Existing deciduous tree Note: Size is less than 70mm dia. caliper and approximately 14ft in height. 2.4 metres away from the existing/proposed cabana.

View looking
south.



A253/22

1. Existing deciduous tree

Note: Size is less than 120mm dia. caliper and approximately 16ft in height. 6.5 metres away from the

existing/proposed kitchen/washroom.

2. Existing emerald cedar.

Note: On opposite city side. Size is less than 100mm dia. caliper and approximately 18ft in height.

3. Existing tree on Blvd. side. Note: More than 24 feet from existing shed.

Received

October 27, 2022

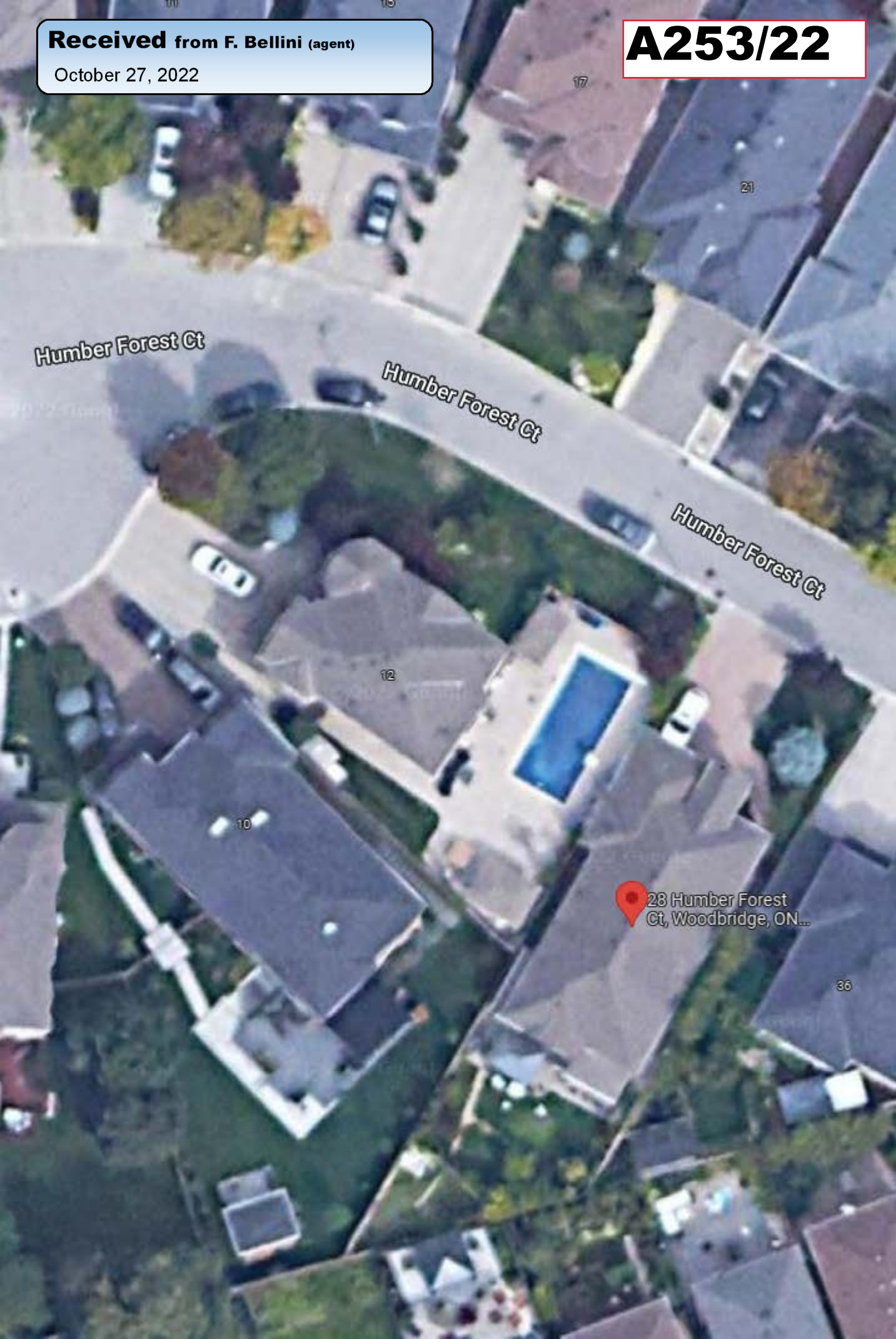
View from street looking west.



Received from F. Bellini (agent)

October 27, 2022

A253/22



Lenore Providence

Subject: FW: [External] File A253/22 12 Humber Forest Court, Woodbridge ON

From: maria fabris

Sent: October-27-22 10:26 AM

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

Subject: [External] File A253/22 12 Humber Forest Court, Woodbridge ON

I live in the area and object to the variant for the following reasons:

- An outdoor kitchen so close to the Boyd Park forest is dangerous
- The smell of cooking will be lingering around all day seven days a week; this not just like the smell of a barbeque at dinner time that we experience now at dinnertime or the weekend.
- It will attract more wild animals, raccoons and skunks are plentiful already.
- An outdoor washroom in a residential area? Most cottages do not have outdoor washrooms anymore!

Maria Fabris



