

ITEM #: 6.3

**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A184/22
305 Pine Valley Crescent, Woodbridge**

COA REPORT SUMMARY

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

*Please see **Schedule B** of this report for a copy of Staff and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	X	X		General Comments
Building Standards -Zoning Review *Schedule B	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning *Schedule B	X	X	X	Recommend Approval w/Conditions
Development Engineering	X	X		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	X	X	X	Recommend Approval w/Conditions
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			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X			No Comments Recieved to Date
Bell Canada *Schedule B	X			No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				

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
None		

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
A184/22
305 Pine Valley Cr Woodbridge**

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

ITEM NUMBER: 6.3	CITY WARD #: 3
APPLICANT:	Rosa Pellegrini
AGENT:	Alan Diaz
PROPERTY:	305 Pine Valley Crescent, Woodbridge
ZONING DESIGNATION:	See below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning Bylaw is being requested to permit the construction of a proposed cabana and swimming pool.

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

The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [Section 4.1.2.b]	To permit a 3.63m high residential accessory structure (Cabana) to be located 1.5m closer to the rear lot line.
2	An outdoor swimming pool shall only be permitted in the rear yard of a lot. [Section 4.21.2]	To permit an outdoor swimming pool not entirely in the rear yard.
3	In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures excluding an accessory detached garage shall be 10% or 67.0 m2, whichever is less. [Section 4.1.3.1]	To permit maximum lot coverage of a residential accessory structure (Cabana) of 109.65m2.
4	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m. [Section 4.1.4.1]	To permit the maximum height of the residential accessory structure of 3.63m.

The subject lands are zoned RR – Rural Residential under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
5	Any accessory building shall be located in the rear yard. [Section 4.1.1 c)]	To permit an accessory building (Cabana) not entirely in the rear yard.
6	A private swimming pool shall be constructed only in the rear yard. [Section 4.1.1.i)]	To permit a private swimming pool not entirely in the rear yard.
7	The minimum rear yard setback to an accessory building is 15.0m. [Section 4.1.1.c)]	To permit the rear yard setback of an accessory building (Cabana) of 1.5m.
8	The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed ten percent (10%) or 67 square metres, whichever is the lesser. [Section 4.1.1. a)]	To permit maximum lot coverage of an accessory building (Cabana) of 109.65m2.

Zoning By-law 1-88		Variance requested
9	The maximum permitted lot coverage is 10%. [Schedule A]	To permit maximum lot coverage of 17.57%.
10	The nearest part of the roof of any accessory building or structure shall not be more than three (3) metres above finished grade. [Section 4.1.1.b]	To permit distance between the nearest part of the roof of the accessory building and finished grade be a maximum of 3.12 metres.

HEARING INFORMATION
<p>DATE OF MEETING: Thursday, December 8, 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>

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>

COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	November 24, 2022
Date Applicant Confirmed Posting of Sign:	November 28, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	The irregular nature of the lot and the as-built pool deck dictated the deficiencies in setback and building height.
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><small>*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.</small></p> <p><small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small></p> <p><small>*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.</small></p>	No
<p>Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.</p> <p>An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.</p>	
Committee of Adjustment Comments:	None

COMMITTEE OF ADJUSTMENT COMMENTS

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:	<ol style="list-style-type: none">1. That the final Landscape Plan, which shall depict tree plantings located between the cabana and the driveway, be approved to the satisfaction of the Development Planning Department.2. That the final Elevations, which shall depict architectural treatment on the street facing wall of the cabana, be approved to the satisfaction of the Development Planning Department.
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DEVELOPMENT ENGINEERING COMMENTS

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

The Owner/Applicant has received a grading permit for the proposed accessory structure and existing outdoor pool from The Development Engineering (DE) Department.

The Development Engineering (DE) Department does not object to the variance application A184/22.

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

See recommended condition of approval below.

PFH Recommended Conditions of Approval:	Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property.
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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.

BCLPS Recommended Conditions of Approval:	N/A
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BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

Building Inspection Recommended Conditions of Approval:	N/A
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FIRE DEPARTMENT COMMENTS

No comments received to date.

Fire Department Recommended Conditions of Approval:	N/A
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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 Planning joshua.cipolletta@vaughan.ca	<ol style="list-style-type: none"> That the final Landscape Plan, which shall depict tree plantings located between the cabana and the driveway, be approved to the satisfaction of the Development Planning Department. That the final Elevations, which shall depict architectural treatment on the street facing wall of the cabana, be approved to the satisfaction of the Development Planning Department.
2	Parks, Forestry and Horticulture Operations andrew.swedlo@vaughan.ca	Applicant/owner shall obtain a “Private Property Tree Removal & Protection” permit through the forestry division prior to any construction works on the subject property.

IMPORTANT INFORMATION – PLEASE READ

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

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.

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

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

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

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City’s

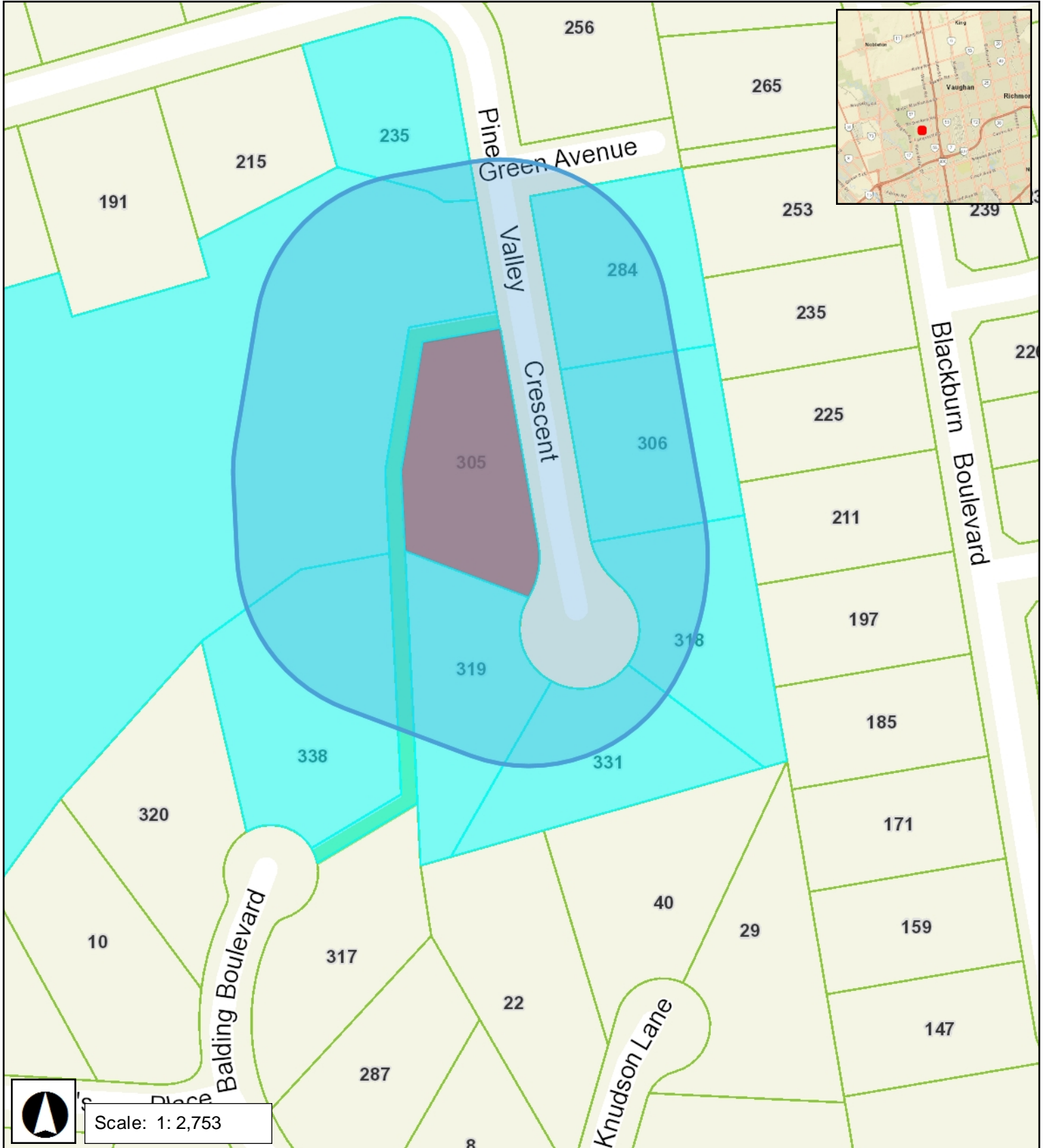
IMPORTANT INFORMATION – PLEASE READ

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

PINE VALLEY DRIVE



Scale: 1: 2,753

SITE STATISTICS

305 PINE VALLEY CRES.
 LOT 19 REGISTERED PLAN 5757
 TOWN OF VAUGHAN
 COUNTY OF YORK

LOT SIZE: IRREGULAR
 LOT AREA: 4051 sq.m (43,606 SF)

BUILDING AREA:
 EXISTING HOUSE GFA 881.55 sq.m (9489 SF)
 PROP. CABANA GFA 70.25 sq.m (756 SF)

BUILDING COVERAGE: **MV#3 & #8 109.65m**

EXISTING DWELLING
 602.17 sq.m (6482 SF)
 PROPOSED CABANA (INCL 1.8m O/H)
 109.65 sq.m (1180 SF)

TOTAL COVERAGE:
 602.17+109.65=711.82 sq.m

PROPOSED LOT COVERAGE:
 711.82/4051 x100 = 17.57%

MV#9 17.57%

PROPOSED BUILDING HT.

TOP OF ROOF = 103.29m
 EST. GRADE = 99.66m

BLDG. HT. = 3.63m

PROPOSED SOFFIT HT.

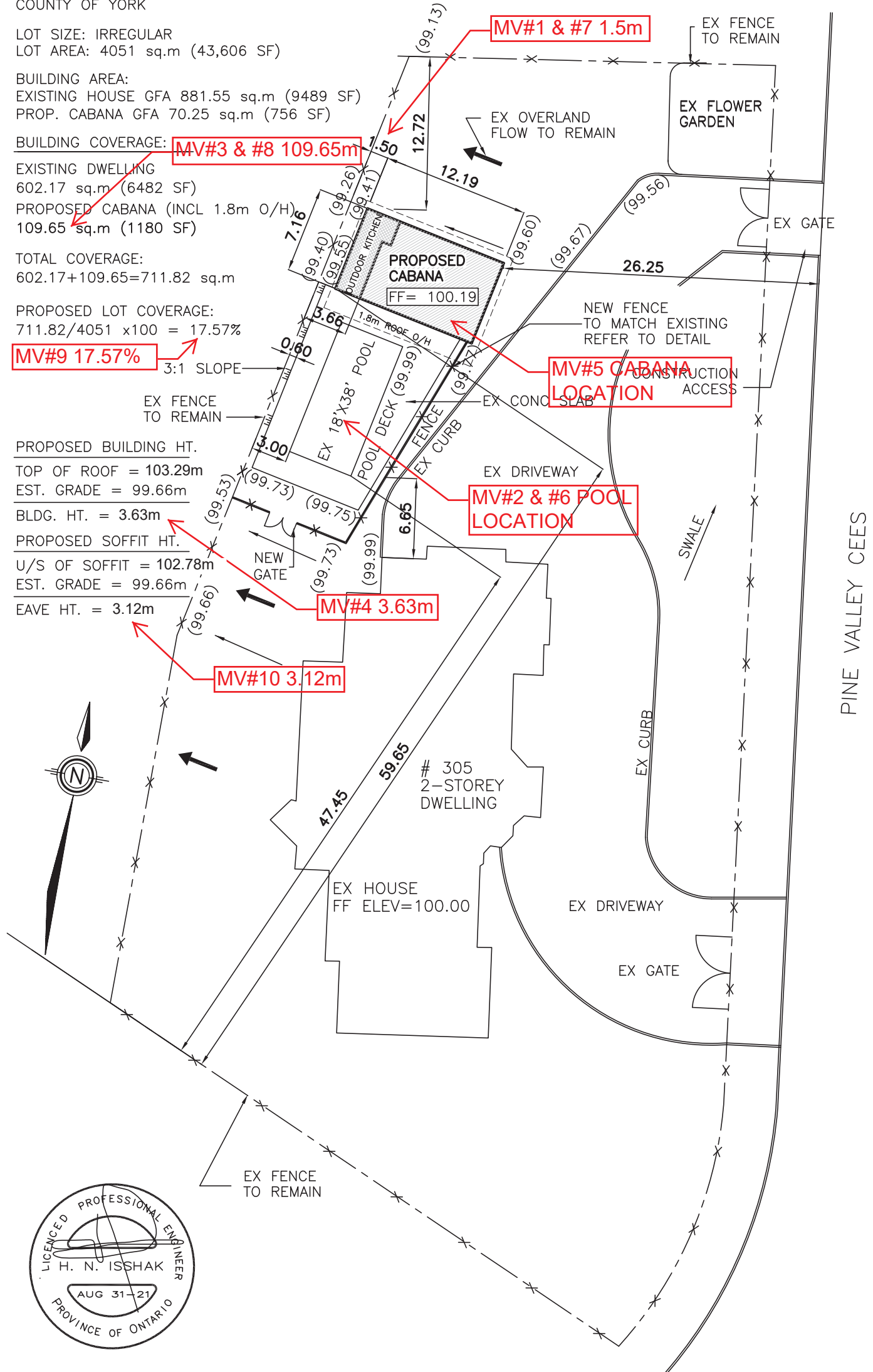
U/S OF SOFFIT = 102.78m
 EST. GRADE = 99.66m

EAVE HT. = 3.12m

ALL GRADING IS EXISTING AND TO REMAIN UNCHANGED

LEGEND

(99.00) (EX GRADE TO REMAIN)

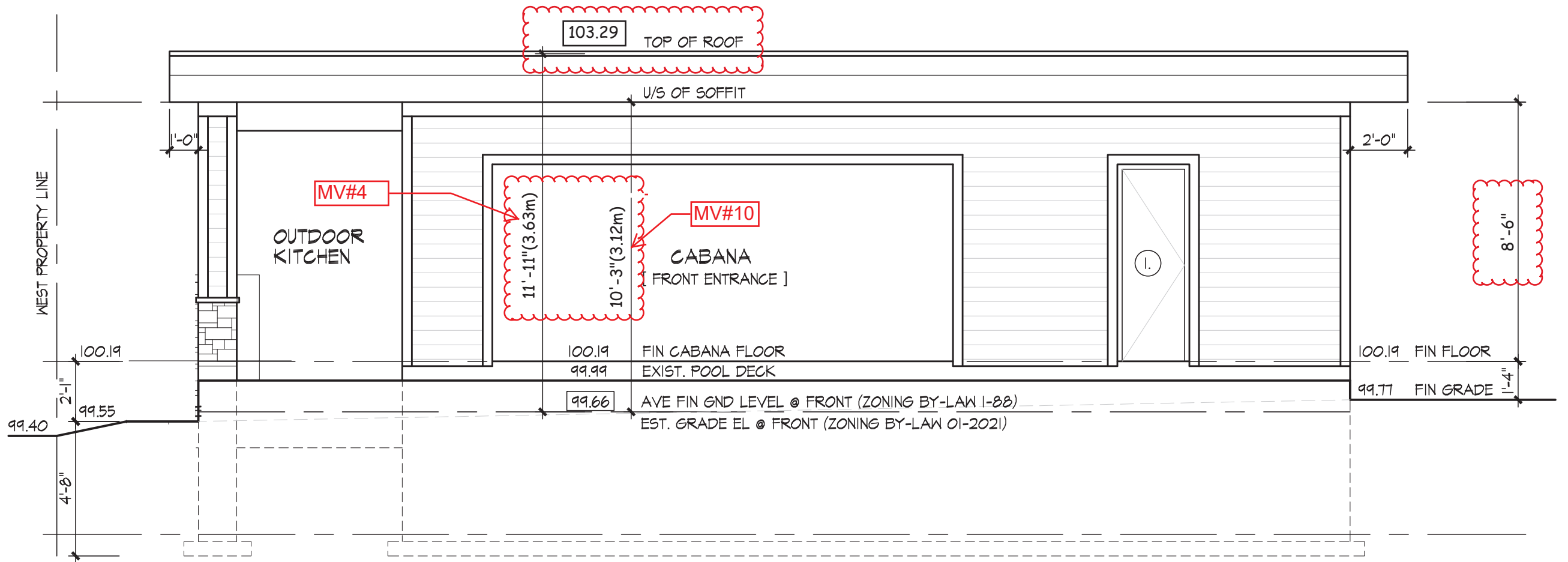


MINA DESIGN GROUP
 Professional Engineers and Project Managers
Municipal Engineers
Structural Engineers
 8901 WOODBINE AVE, SUITE 222
 MARKHAM, ONTARIO L3R 5G1
 email: minadesign@rogers.com
 PH. 416-882-4188 FAX 905-604-8762

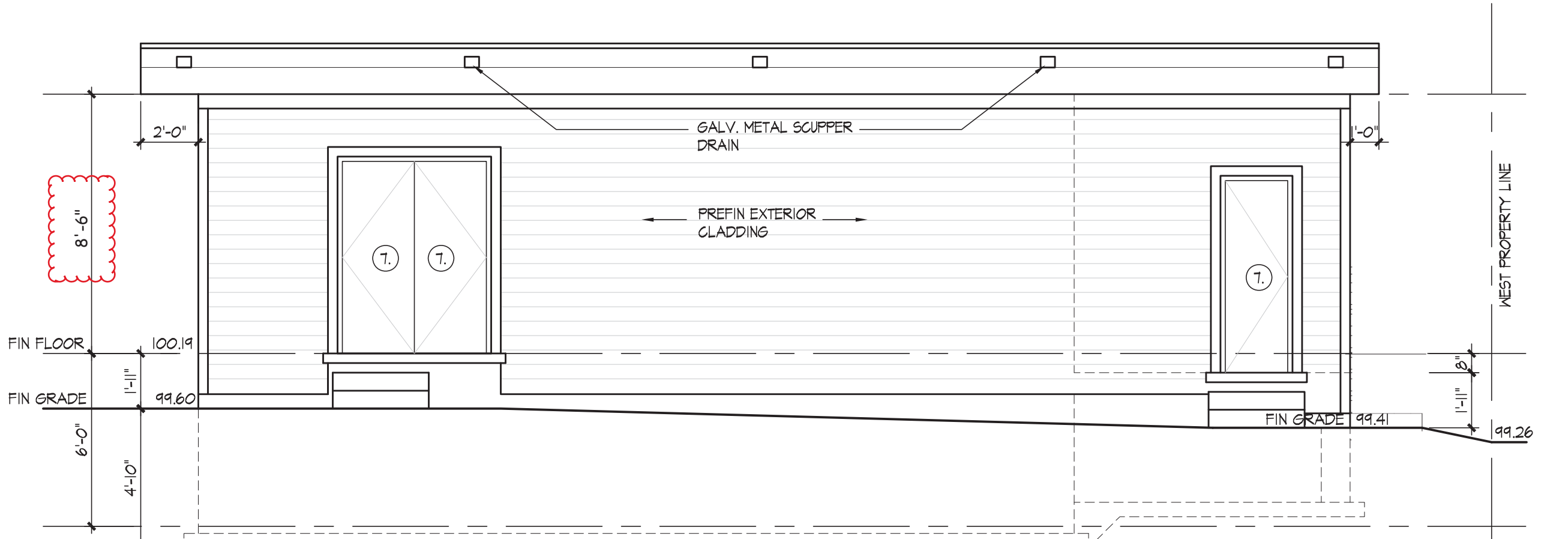
MAY 11/22	ISSUED FOR MINOR VARIANCE	
AUG 31/21	ISSUED FOR GRADING PERMIT	
20 MAY 20	ISSUED FOR REVIEW	
Date	Revisions	

Project	CABANA
	305 PINE VALLEY CRES VAUGHAN, ONTARIO
Sheet Title	SITE PLAN

Date	MAY 20-020
Scale	1=500
Drawn By	H.N.
Project No.	020-116
Drawing No.	SP-1



SOUTH ELEVATION (FRONT)



Ark Design Concepts
 2326 Bur Oak Ave
 Markham, ON L6E 1L7
 TEL. 416. 873. 2218
 FAX. 905. 209. 1077

MINA DESIGN GROUP
 Professional Engineers and Project Managers

8901 WOODBINE AVE SUITE 222
 MARKHAM, ONTARIO L3R 5G1
 PH. 416-882-4188 FAX 905-604-8762

PRIVATE RESIDENCE

305 PINE VALLEY CRES.
 VAUGHAN, ONTARIO

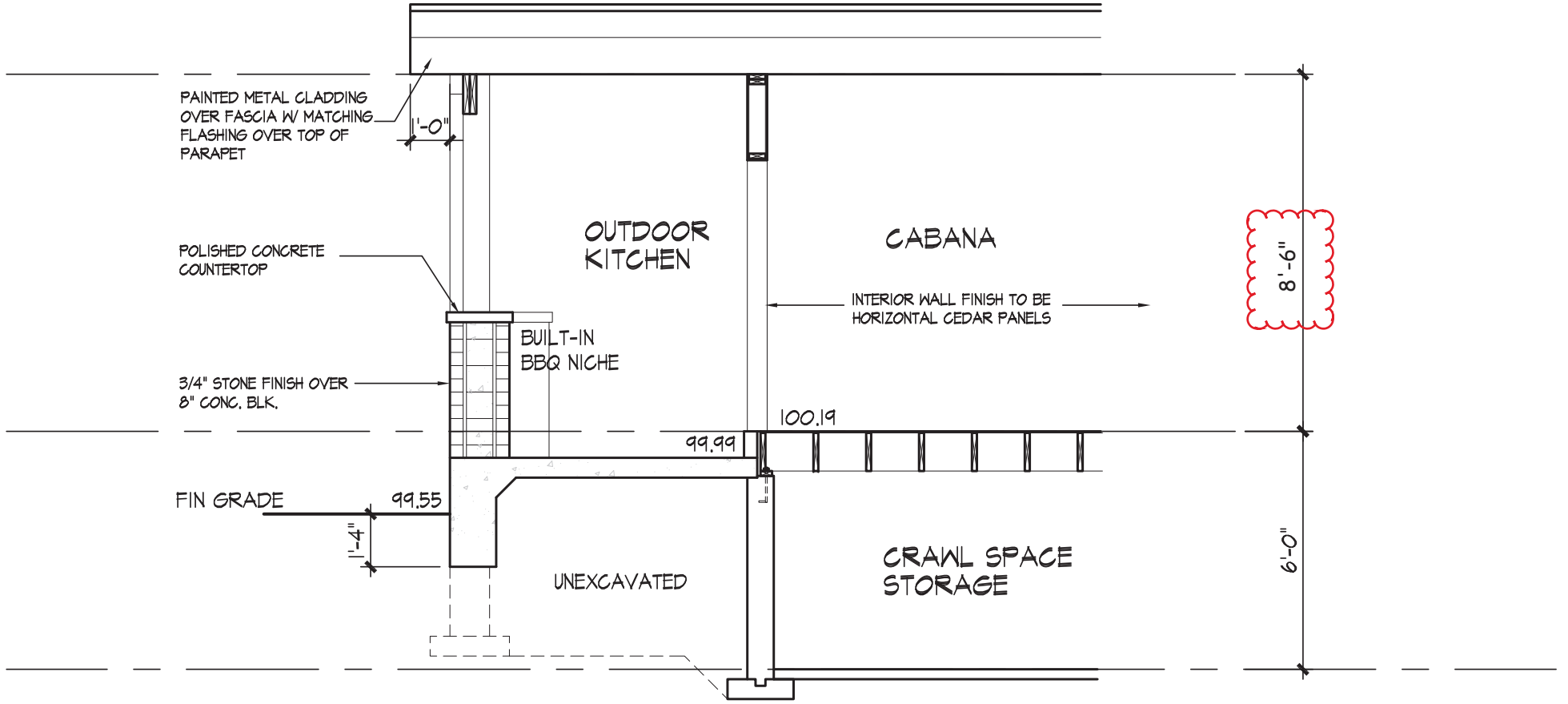
ELEVATIONS

BUILDING PERMIT

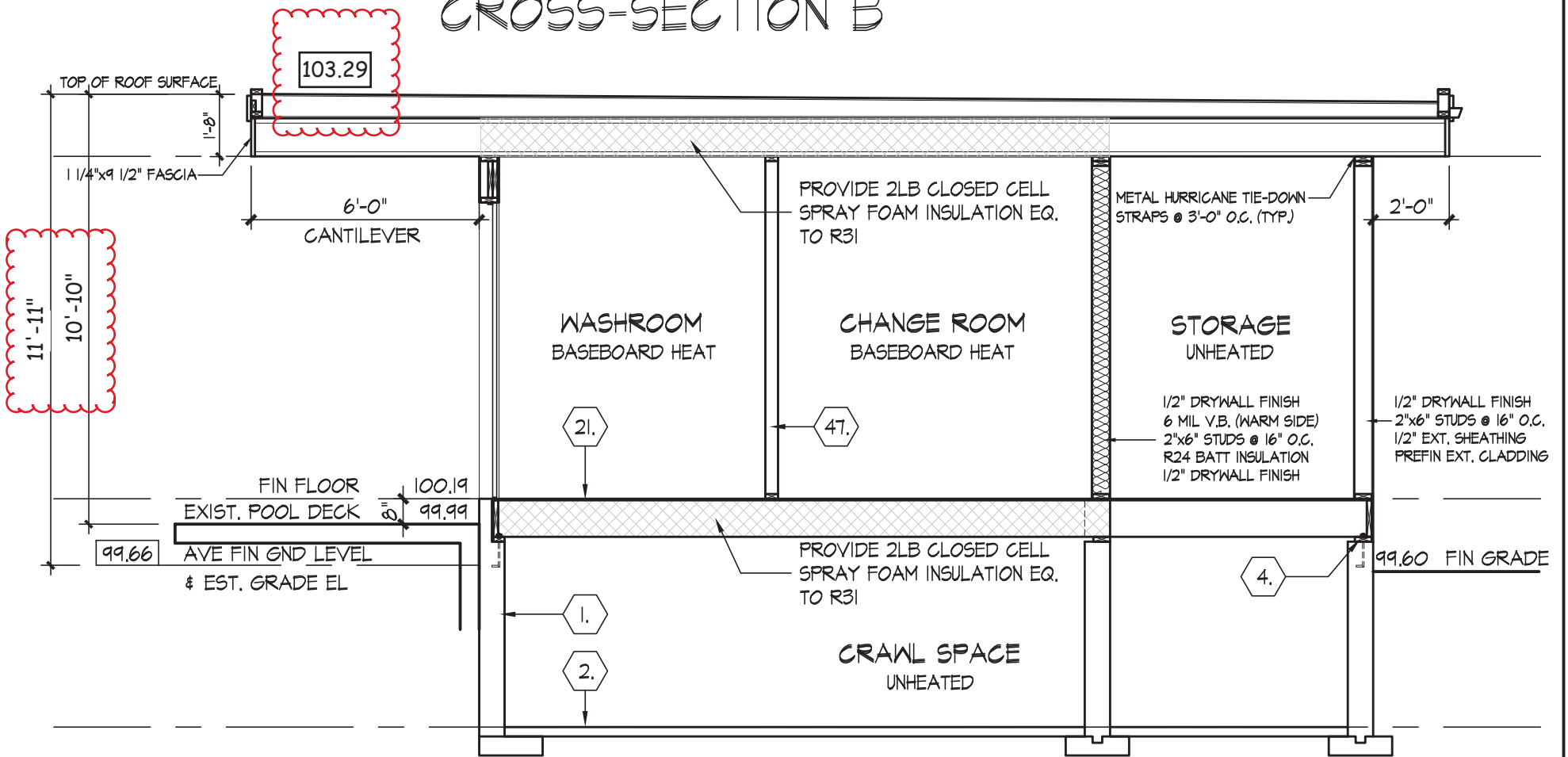
Project Name	305 PINE VALLEY CRES.
Client	PRIVATE RESIDENCE
Sheet Title	ELEVATIONS
ISSUED FOR:	BUILDING PERMIT
Drawn By	AD
Checked By	AD
Date	05.11.2022
Project No.	481-21
Scale	1/4"=1'0"
Drawing No.	A4

LUMBER NOTES

- 1) ALL LUMBER SHALL BE SPRUCE No. 2 GRADE OR BETTER, UNLESS NOTED OTHERWISE.
- 2) STUDS SHALL BE STUD GRADE SPRUCE, UNLESS NOTED OTHERWISE.
- 3) LUMBER EXPOSED TO THE EXTERIOR TO BE SPRUCE No. 2 GRADE PRESSURE TREATED OR CEDAR, UNLESS NOTED OTHERWISE.
- 4) JOIST HANGERS: PROVIDE APPROVED METAL HANGERS FOR ALL JOISTS AND BUILT-UP WOOD MEMBERS INTERSECTING FLUSH BUILT-UP WOOD MEMBERS.
- 5) WOOD FRAMING NOT TREATED WITH A WOOD PRESERVATIVE, IN CONTACT WITH CONCRETE, SHALL BE SEPARATED FROM THE CONC. BY AT LEAST 2 mil POLYETHYLENE FILM, No.50 (45lbs) ROLL ROOFING OR OTHER DAMPPROOFING MATERIAL, EXCEPT WHERE THE WOOD MEMBER IS AT LEAST 6" (150) ABOVE THE GROUND.



CROSS-SECTION B



CROSS-SECTION A-A

Ark Design Concepts

2326 Bur Oak Ave TEL . 416 . 873 . 2218
 Markham, ON L6E 1L7 FAX . 905 . 209 . 1077

MINA DESIGN GROUP
 Professional Engineers and Project Managers



PH. 416-882-4188

8901 WOODBINE AVE SUITE 222
 MARKHAM, ONTARIO L3R 5G1

FAX 905-604-8762

PRIVATE RESIDENCE

Project Name
 305 PINE VALLEY CRES.
 VAUGHAN, ONTARIO

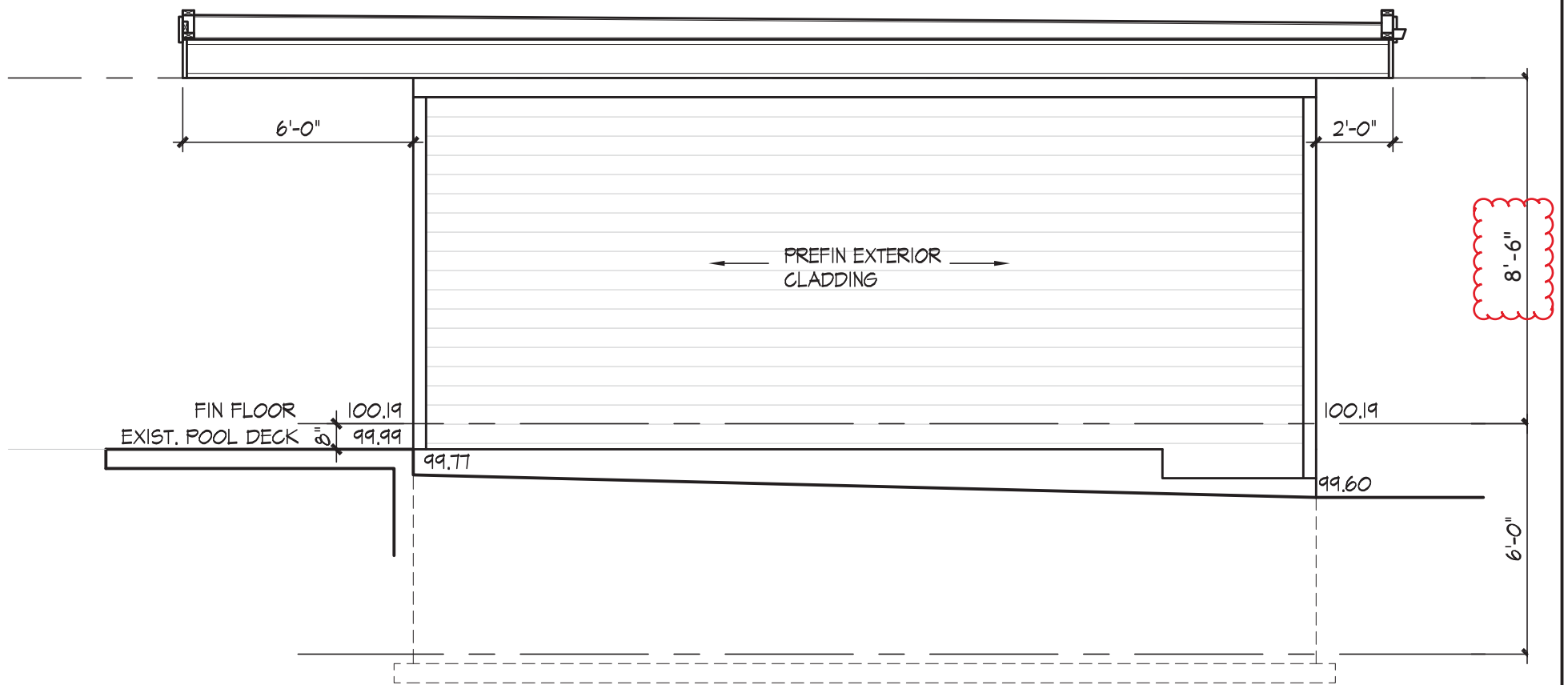
Sheet Title
 CROSS-SECTIONS

ISSUED FOR: BUILDING PERMIT Date: 05.11.2022

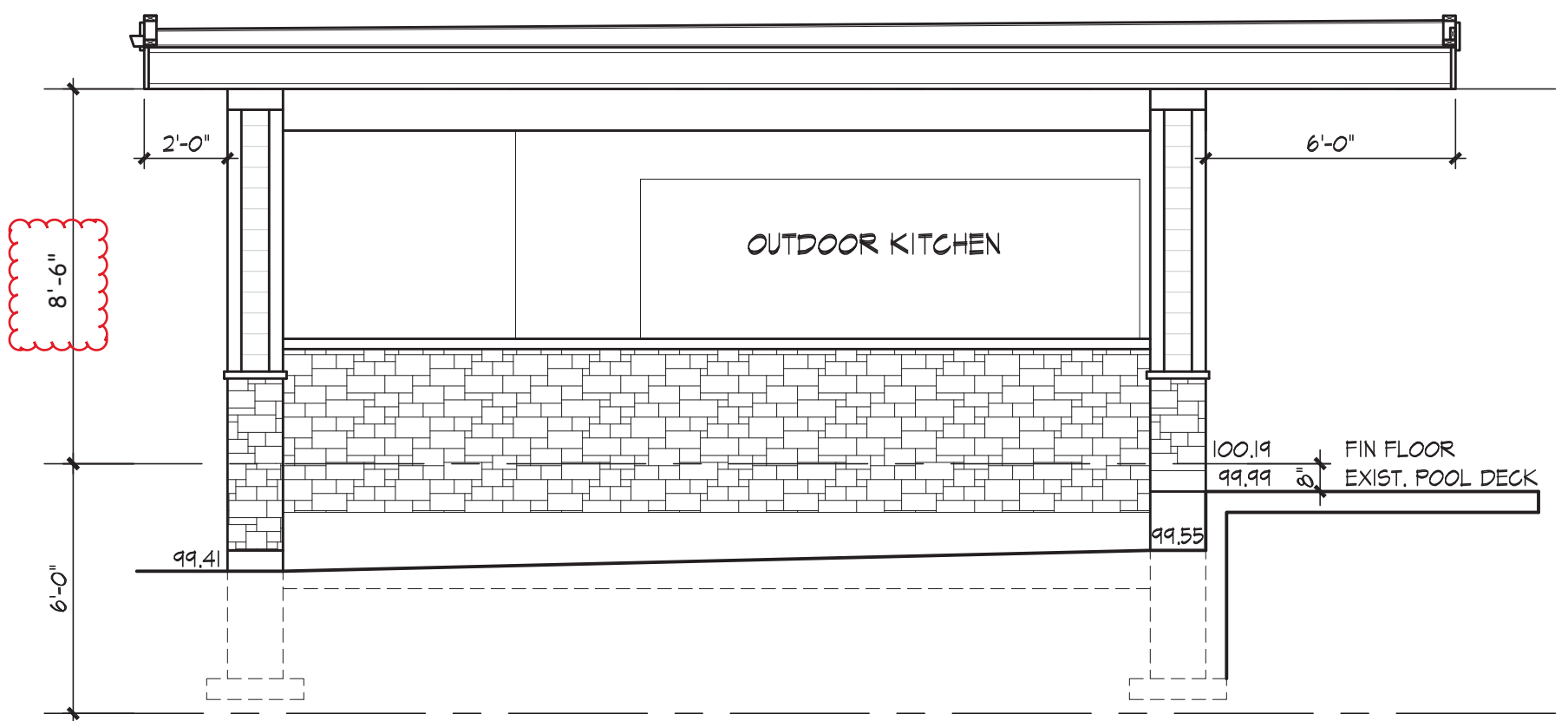
Drawn By: AD Project No.: 481-21

Checked By: Scale: 1/4"=1'0"

Drawing No.
A6



EAST SIDE ELEVATION



WEST SIDE ELEVATION

Ark Design Concepts

2326 Bur Oak Ave
Markham, ON L6E 1L7

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FAX . 905 . 209 . 1077

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8901 WOODBINE AVE SUITE 222
MARKHAM, ONTARIO L3R 5G1

FAX 905-604-8762

Client

PRIVATE RESIDENCE

Project Name

305 PINE VALLEY CRES.
VAUGHAN, ONTARIO

Sheet Title

ELEVATIONS

ISSUED FOR:

BUILDING PERMIT

Date

05.11.2022

Drawing No.

Drawn By

AD

Project No.

481-21

Checked By

Scale

1/4"=1'0"

A5

SCHEDULE B: STAFF & AGENCY COMMENTS

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

To: Committee of Adjustment

From: Punya Marahatta, Building Standards Department

Date: November 07, 2022

Applicant: COA_Applicant_Zoning

Location: 305 Pine Valley Crescent
PLAN RP5757 Lot 19

File No.(s): A184/22

Zoning Classification:

The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [Section 4.1.2.b]	To permit a 3.63m high residential accessory structure (Cabana) to be located 1.5m closer to the rear lot line.
2	An outdoor swimming pool shall only be permitted in the rear yard of a lot. [Section 4.21.2]	To permit an outdoor swimming pool not entirely in the rear yard.
3	In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures excluding an accessory detached garage shall be 10% or 67.0 m ² , whichever is less. [Section 4.1.3.1]	To permit maximum lot coverage of a residential accessory structure (Cabana) of 109.65m ² .
4	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m. [Section 4.1.4.1]	To permit the maximum height of the residential accessory structure of 3.63m.

The subject lands are zoned RR – Rural Residential under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
5	Any accessory building shall be located in the rear yard. [Section 4.1.1 c)]	To permit an accessory building (Cabana) not entirely in the rear yard.
6	A private swimming pool shall be constructed only in the rear yard. [Section 4.1.1.i)]	To permit a private swimming pool not entirely in the rear yard.
7	The minimum rear yard setback to an accessory building is 15.0m. [Section 4.1.1.c)]	To permit the rear yard setback of an accessory building (Cabana) of 1.5m.
8	The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed ten percent (10%) or 67 square metres, whichever is the lesser. [Section 4.1.1. a)]	To permit maximum lot coverage of an accessory building (Cabana) of 109.65m ² .
9	The maximum permitted lot coverage is 10%. [Schedule A]	To permit maximum lot coverage of 17.57%.
10	The nearest part of the roof of any accessory building or structure shall not be more than three (3) metres above finished grade. [Section 4.1.1.b]	To permit distance between the nearest part of the roof of the accessory building and finished grade be a maximum of 3.12 metres.

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. 22-103454 has been submitted for Shed/ Gazebo. Building Permit has not been issued.
The Ontario Building Code requires a building permit for structures that exceed 10m2.

Other Comments:

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

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.- NA

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

4To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: December 1, 2022
Name of Owner: Rosa Pellegrini
Location: 305 Pine Valley Crescent
File No.(s): A184/22

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

1. To permit a 3.63 m high residential accessory structure (Cabana) to be located 1.5 m closer to the rear lot line.
2. To permit an outdoor swimming pool not entirely in the rear yard.
3. To permit maximum lot coverage of a residential accessory structure (Cabana) of 109.65 m².
4. To permit the maximum height of the residential accessory structure of 3.63 m.

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

1. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
2. An outdoor swimming pool shall only be permitted in the rear yard of a lot.
3. In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures excluding an accessory detached garage shall be 10% or 67.0 m², whichever is less.
4. In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m.

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

5. To permit an accessory building (Cabana) not entirely in the rear yard.
6. To permit a private swimming pool not entirely in the rear yard.
7. To permit the rear yard setback of an accessory building (Cabana) of 1.5 m.
8. To permit maximum lot coverage of an accessory building (Cabana) of 109.65 m².
9. To permit maximum lot coverage of 17.57%.
10. To permit distance between the nearest part of the roof of the accessory building and finished grade be a maximum of 3.12 m.

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

5. Any accessory building shall be located in the rear yard.
6. A private swimming pool shall be constructed only in the rear yard.
7. The minimum rear yard setback to an accessory building is 15.0 m.
8. The percentage of the lot area covered by all accessory buildings and structures other than those attached to the main building shall not exceed 10% or 67.0 m², whichever is the lesser.
9. The maximum permitted lot coverage is 10%.
10. The nearest part of the roof of any accessory building or structure shall not be more than 3.0 m above finished grade.

Official Plan:

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

Comments:

The Owner is requesting relief to permit the construction of a pool and cabana with the above noted variances.

Upon recommendations from the Development Planning Department, the Owner has revised their application to decrease the height of the proposed cabana to mitigate anticipated adverse massing impacts on the streetscape. The Development Planning Department also requires architectural treatment to the wall of the cabana facing the street. Urban Design staff have also reviewed the proposal and requires tree planting to enhance privacy and provide screening for the cabana from public view. Conditions to

this effect are included in the Conditions of Approval. The Development Planning Department has no objection to Variances 1, 4, 7, and 10 for the revised cabana in combination with the planting and architectural treatment as it is not anticipated to have significant adverse impacts on the neighbouring properties or streetscape and provides sufficient area for safe access and drainage.

The pool complies with all rear yard and side yard setback requirements which allows for safe access around the pool area. The Development Planning Department has no objection to Variances 2, 5, and 6 for the locations of the pool and cabana provided the recommended Conditions of Approval are implemented. The pool and cabana are located within what is effectively used as the rear yard due to the irregular shape of the lot. However, these features are proposed to the side and away from rather than behind the dwelling. Therefore, while the features are within a yard that may function as a rear yard, additional measures are needed to address its more visible location in relation to the streetscape.

The Development Planning Department has no objection to Variances 3 and 8 for the increase in maximum lot coverage for the cabana. The increase in lot coverage is appropriate for the size of the lot and will not have adverse impacts to the neighbouring properties.

The existing dwelling and proposed cabana have lot coverages of 14.86% and 2.71% respectively. The total lot coverage is appropriate for the size of the lot and will not pose a significant impact to neighbourhood character. The total lot coverage also complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect. As such, the Development Planning Department has no objection to Variance 9 for the increase in lot coverage.

In support of the application, the Owner has submitted an Arborist Report prepared by 7 Oaks Tree Care & Urban Forestry Consultants Inc., dated August 25, 2022. The report inventoried 14 trees, seven of which are proposed to be removed. Urban Design staff have reviewed the report and concur with its recommendations.

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

Recommendation:

The Development Planning Department recommends approval of the application, subject to the following conditions:

Conditions of Approval:

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

1. That the final Landscape Plan, which shall depict tree plantings located between the cabana and the driveway, be approved to the satisfaction of the Development Planning Department.
2. That the final Elevations, which shall depict architectural treatment on the street facing wall of the cabana, be approved to the satisfaction of the Development Planning Department.

Comments Prepared by:

Joshua Cipolletta, Planner I
David Harding, Senior Planner

From: [Development Services](#)
To: [Christine Vigneault](#); [Committee of Adjustment](#)
Subject: [External] RE: A184/22 (305 Pine Valley Crescent) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Wednesday, September 28, 2022 10:31:38 AM
Attachments: [image001.png](#)
[image003.png](#)

Good morning Christine,

The Regional Municipality of York has completed its review of the above minor variance (A184/22) 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
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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None