

<b>ITEM: 6.34</b>	<b>COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A341/22 26 Cherhill Dr Maple</b>
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**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Development Planning 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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Ministry of Transportation (MTO)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**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

<b>File Number</b>	<b>Date of Decision</b> MM/DD/YYYY	<b>Decision Outcome</b>
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  
A341/22  
26 Cherhill Dr Maple**

<b>ITEM NUMBER: 6.34</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Chris & Aphrodite Mikroyiannakis
<b>AGENT:</b>	Alessia Soppelsa
<b>PROPERTY:</b>	26 Cherhill Dr Maple
<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit an existing cabana.

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

**The subject lands are zoned R3(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.295 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	The minimum required interior side yard setback for the Residential Accessory structure is 2.4m. Section 4.1.2 1b.	To permit a minimum interior side yard setback of 1.37m to the Residential accessory structure.
2	The maximum building height for the Residential Accessory structure is 3.0m. Section 4.1.4 1.	To permit a maximum building height of <b>3.35m</b> for the Residential accessory structure.

**HEARING INFORMATION**

<p><b>DATE OF MEETING:</b> Thursday , March 2, 2023  <b>TIME:</b> 6:00 p.m.  <b>MEETING LOCATION:</b> Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan  <b>LIVE STREAM LINK:</b> <a href="http://Vaughan.ca/LiveCouncil">Vaughan.ca/LiveCouncil</a></p> <p align="center"><b>PUBLIC PARTICIPATION</b></p> <p>If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the <a href="#">Request to Speak Form</a> and submit to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a>          If you would like to submit written comments, please quote file number above and submit by mail or email to:  <b>Email:</b> <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></p> <p><b>Mail:</b> City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1</p> <p align="center"><b>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.</b></p>
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**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.

## INTRODUCTION

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

<b>Date Public Notice Mailed:</b>	February 17, 2023	
<b>Date Applicant Confirmed Posting of Sign:</b>	February 16, 2023	
<b>Applicant Justification for Variances:</b> <small>*As provided by Applicant in Application Form</small>	I built an accessory structure in the rear yard comprised of a covered amenity area that is open on the sides, as well as an enclosed washroom and storage room. Because the enclosed rooms were less than 100SF, I didn't think a building permit was necessary. The cabana was located more than 1.2m away from side property line. I believed 1.2m was the minimum setback. I now understand that the new by-law requires 2.4m. I also believe that I was meeting height requirements, but this is not the case with the new by-law. I'm now asking for variances for the structure that has been built.	
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None	
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b>  <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.  *A revised submission may be required to address staff / agency comments received as part of the application review process.  *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No	
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.		
<b>Committee of Adjustment Comments:</b>	General comments	
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None	

## BUILDING STANDARDS (ZONING) COMMENTS

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

<b>Building Standards Recommended Conditions of Approval:</b>	None
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## DEVELOPMENT PLANNING COMMENTS

**\*\*See Schedule B for Development Planning Comments. Application under review**

<b>Development Planning Recommended Conditions of Approval:</b>	<ol style="list-style-type: none"> <li>1. That prior to the issuance of a building permit, the Owners shall submit a letter of undertaking to carry out the following within 1 year of the issuance of said building permit:             <ol style="list-style-type: none"> <li>a. Plant coniferous trees at least 2 metres in height of a species satisfactory to the Urban Design Division – Development Planning Department in the location depicted in the Site Plan attached to this decision; and</li> <li>b. Submit photographic evidence to the satisfaction of the Urban Design Division of Development Planning Department confirming the completion of the planting works.</li> </ol> </li> </ol>
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## DEVELOPMENT ENGINEERING COMMENTS

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

As the proposed outdoor amenity in the subject property is 41.8m<sup>2</sup>, 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 m<sup>2</sup> requires a Grading Permit. Please contact the Development Engineering Reviewer after receiving the Grading Permit to clear the condition. (Condition attached)

The Owner / Applicant shall apply for a Pool Grading Permit with the Development Engineering (DE) Department. Please visit the grading permits page at City of Vaughan website to learn how to apply for the Pool Permit. If you have any question about Pool Grading Permit, please contact the Development Engineering Department through email at DEPermits@vaughan.ca.

The proposed work by the Owner/ Applicant is increasing the lot coverage on the subject property. The added hardscape may have impacts on the City's Storm Water management system. Development Engineering strongly encourages the Owner / Applicant introduce Low-Impact Development (LID) measures (e.g., bioswales, permeable pavers, rain gardens, rain barrels etc.) to reduce the impacts to the stormwater system. Should further information be required, please contact the Development Engineering COA reviewer.

The Development Engineering Department does not object to the Minor Variance application A341/22, subject to the following condition(s):

<b>Development Engineering Recommended Conditions of Approval:</b>	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 Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca.
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## PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: Forestry has no comment

<b>PFH Recommended Conditions of Approval:</b>	None:
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## DEVELOPMENT FINANCE COMMENTS

No comment no concerns

<b>Development Finance Recommended Conditions of Approval:</b>	None
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## BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date

<b>BCLPS Recommended Conditions of Approval:</b>	None
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## BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date

<b>Building Inspection Recommended Conditions of Approval:</b>	None
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## FIRE DEPARTMENT COMMENTS

No comments received to date

<b>Fire Department Recommended Conditions of Approval:</b>	None
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## SCHEDULES TO STAFF REPORT

\*See Schedule for list of correspondence

<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Staff & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)

## SCHEDULES TO STAFF REPORT

\*See Schedule for list of correspondence

<b>Schedule D</b> (if required)	Previous COA Decisions on the Subject Land
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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 <a href="mailto:roberto.simbana@vaughan.ca">roberto.simbana@vaughan.ca</a>	1. That prior to the issuance of a building permit, the Owners shall submit a letter of undertaking to carry out the following within 1 year of the issuance of said building permit: a. Plant coniferous trees at least 2 metres in height of a species satisfactory to the Urban Design Division – Development Planning Department in the location depicted in the Site Plan attached to this decision; and b. Submit photographic evidence to the satisfaction of the Urban Design Division of Development Planning Department confirming the completion of the planting works.
2	Development Engineering <a href="mailto:Rex.bondad@vaughan.ca">Rex.bondad@vaughan.ca</a>	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 Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> .

### 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.

### IMPORTANT INFORMATION – PLEASE READ

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**

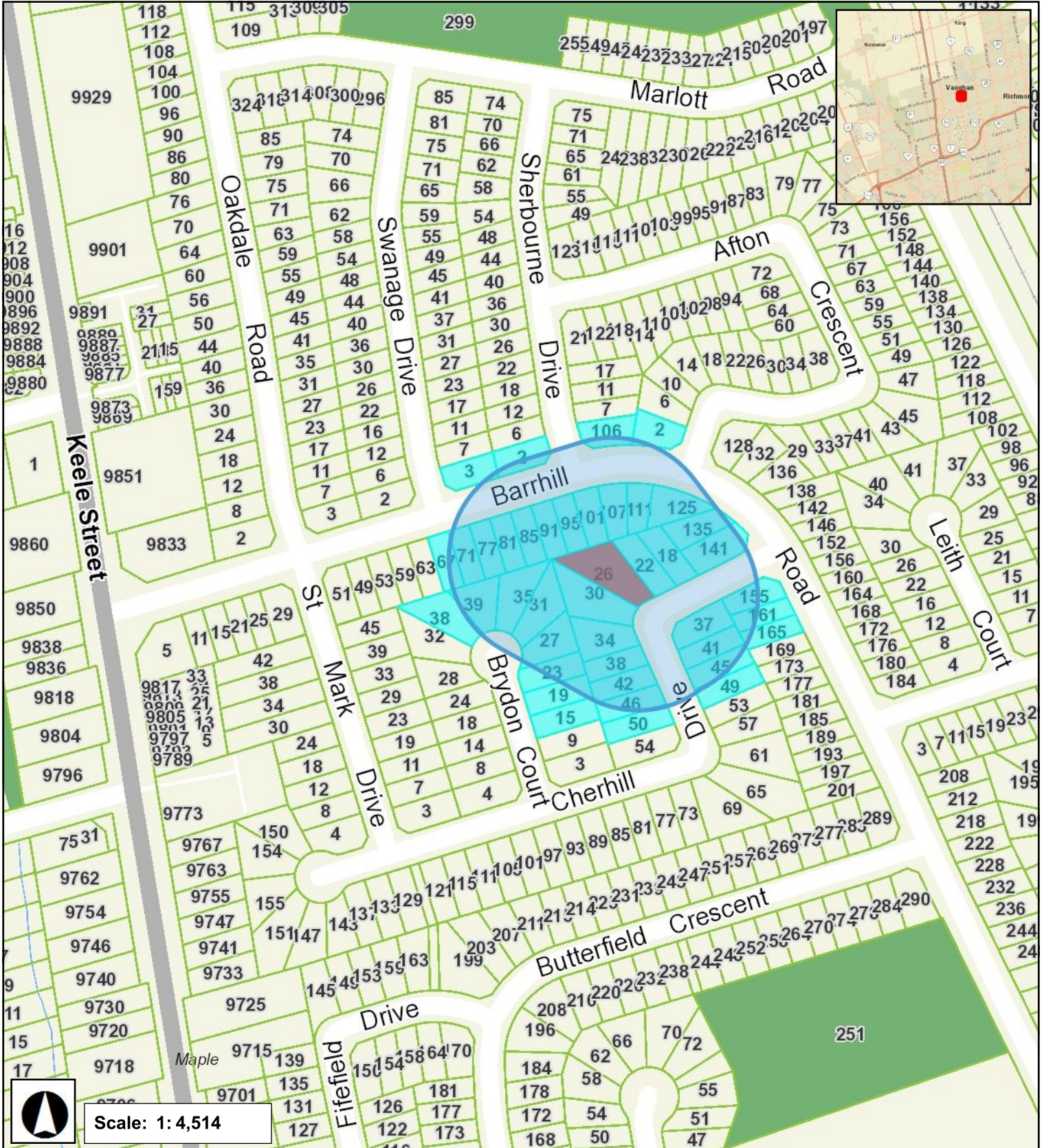




# LOCATION MAP - A341/22

26 CHERHILL DRIVE, MAPLE

## Major Mackenzie Drive



Rutherford Road

January 31, 2023 1:21 PM

# PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT




# A341/22

**Received**  
February 28, 2023

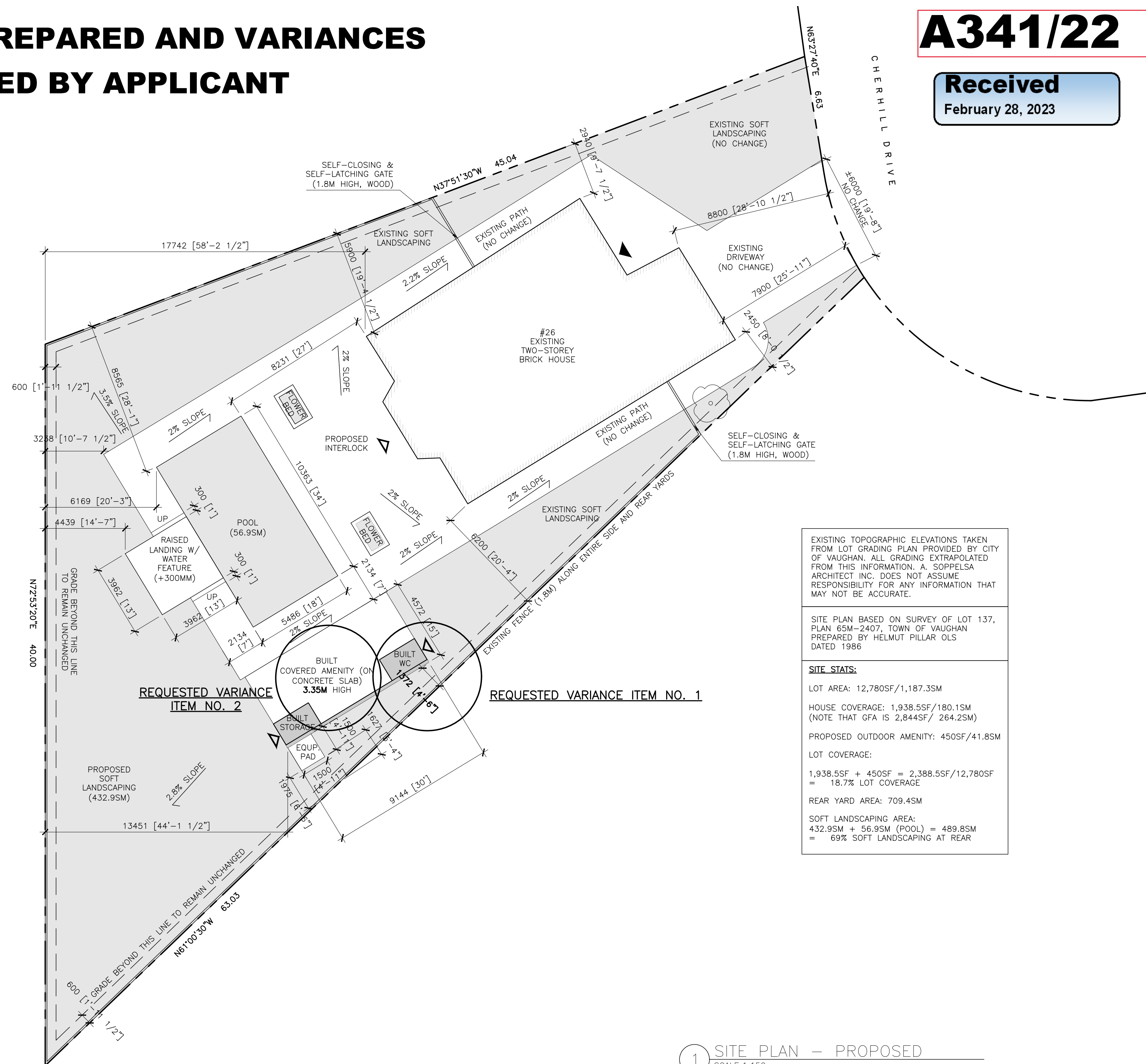
"All drawings, specifications, related documents and design are the copyright property of the architect and must be returned upon request. Reproduction of the drawings, specifications, related documents and design in whole or in part is strictly forbidden without the architect's written permission."

This drawing shall not be used for construction purposes unless countersigned by:

ALESSIA MILENA SOPPELSA

-  EXISTING
-  BASE BUILDING/OUT OF SCOPE
-  DASHED LINE - TO BE REMOVED

6. ISSUED FOR C OF A CLARIFICATION	2023.02.28
5. ISSUED FOR C OF A CLARIFICATION	2023.01.25
4. ISSUED FOR C OF A CLARIFICATION	2023.01.12
3. ISSUED FOR COMMITTEE OF ADJ.	2022.12.19
2. ISSUED FOR PERMIT REVISION	2022.08.11
1. ISSUED FOR POOL PERMIT	2022.08.05
Revision	Date



EXISTING TOPOGRAPHIC ELEVATIONS TAKEN FROM LOT GRADING PLAN PROVIDED BY CITY OF VAUGHAN. ALL GRADING EXTRAPOLATED FROM THIS INFORMATION. A. SOPPELSA ARCHITECT INC. DOES NOT ASSUME RESPONSIBILITY FOR ANY INFORMATION THAT MAY NOT BE ACCURATE.

SITE PLAN BASED ON SURVEY OF LOT 137, PLAN 65M-2407, TOWN OF VAUGHAN PREPARED BY HELMUT PILLAR OLS DATED 1986

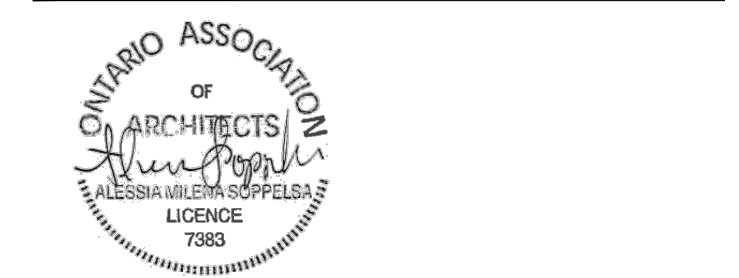
**SITE STATS:**

LOT AREA:	12,780SF/1,187.3SM
HOUSE COVERAGE:	1,938.5SF/180.1SM (NOTE THAT GFA IS 2,844SF/ 264.2SM)
PROPOSED OUTDOOR AMENITY:	450SF/41.8SM
LOT COVERAGE:	1,938.5SF + 450SF = 2,388.5SF/12,780SF = 18.7% LOT COVERAGE
REAR YARD AREA:	709.4SM
SOFT LANDSCAPING AREA:	432.9SM + 56.9SM (POOL) = 489.8SM = 69% SOFT LANDSCAPING AT REAR

1 SITE PLAN - PROPOSED  
SCALE: 1:150



**A. SOPPELSA ARCHITECT INC.**  
12 PAULSON ROAD, TORONTO, ON, M6M 2H3  
T 416.588.7060 E alessia@as-ai.ca



**POOL AND OUTDOOR AMENITY AREA PROP.**  
26 CHERHILL DRIVE, VAUGHAN

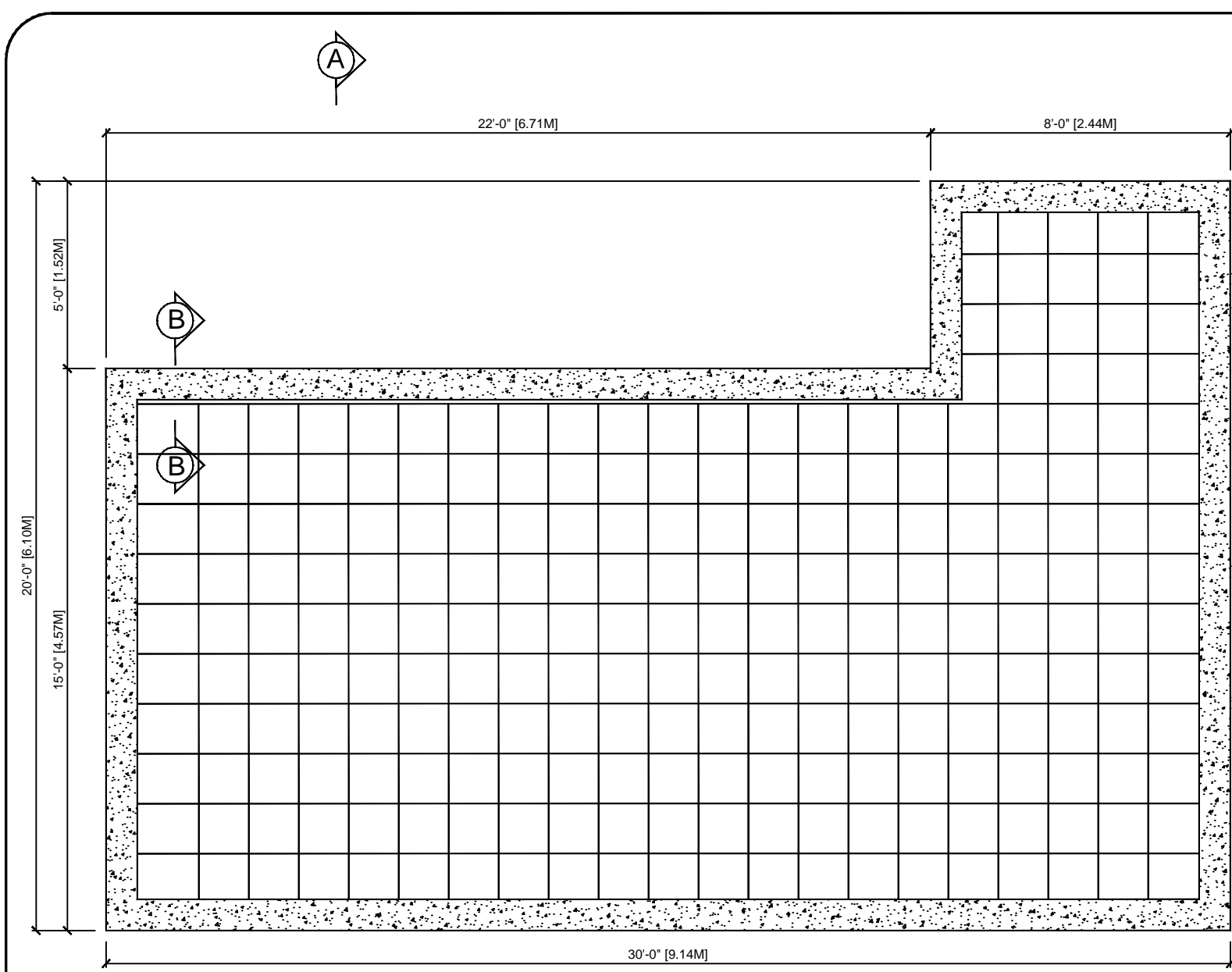
SITE PLAN

SCALE:	AS NOTED
DRAWN BY:	AS
CHECKED BY:	AS
DATE:	22.07.29
PROJECT NO.:	22116
SHEET NUMBER	

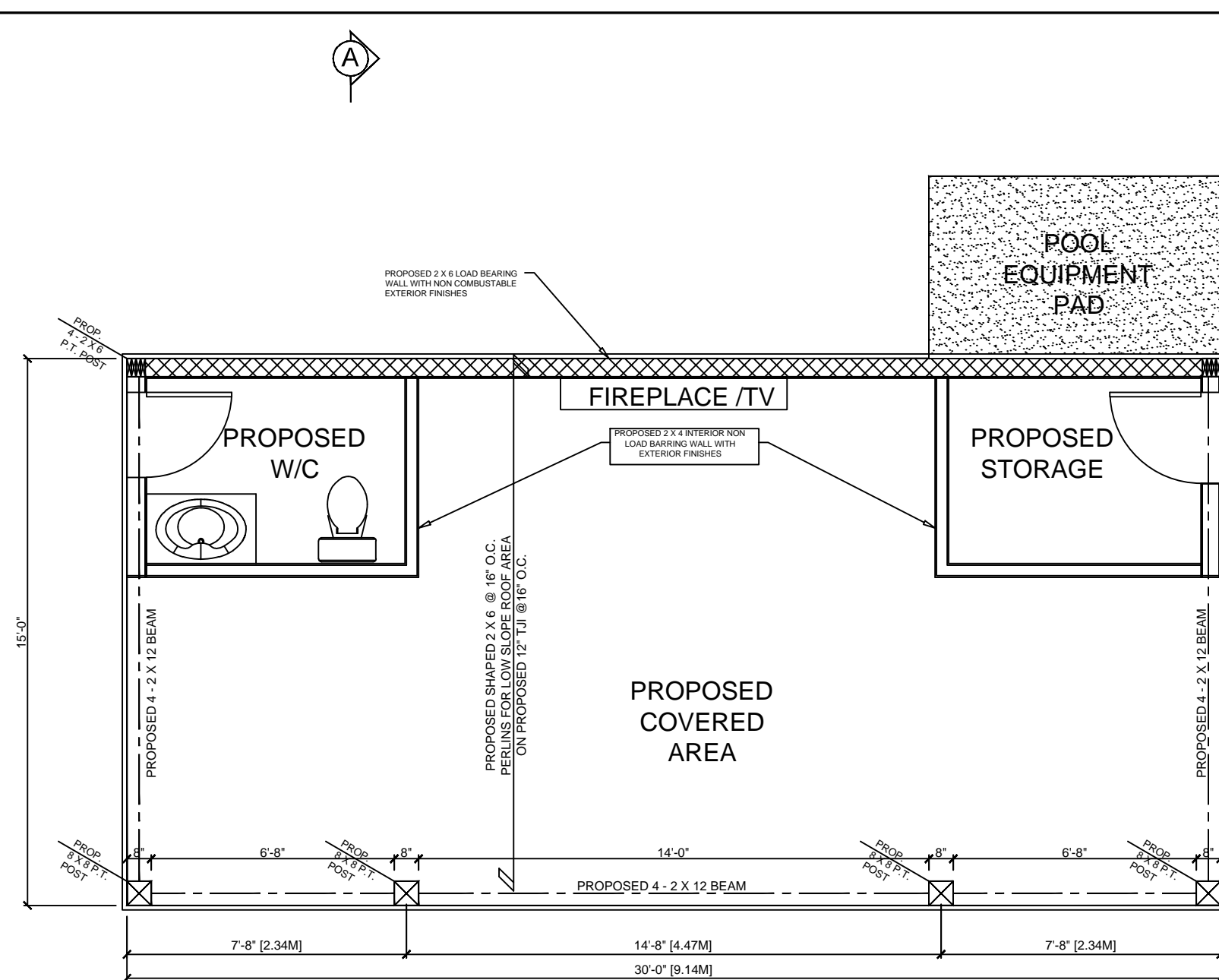
A0.1

# PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT

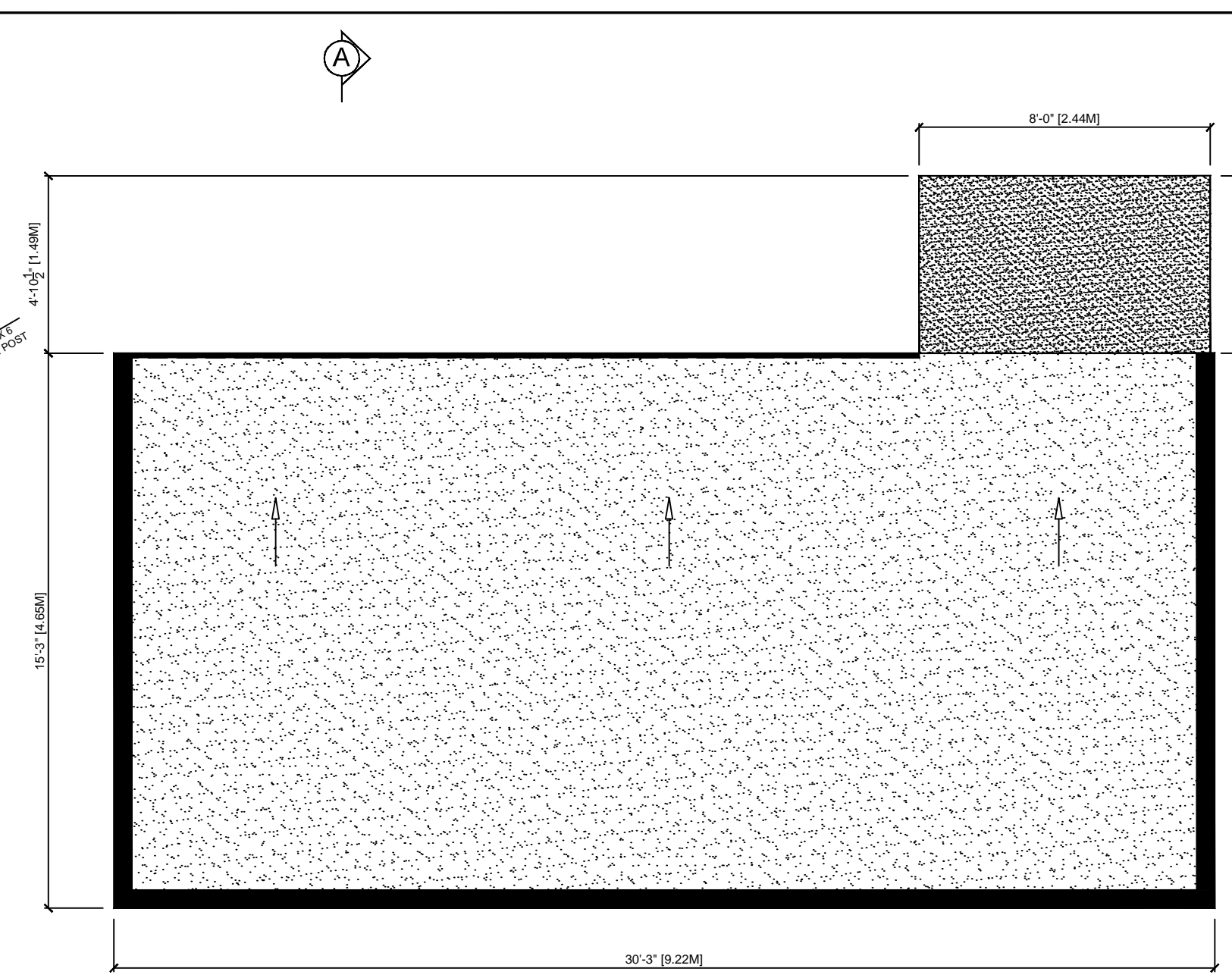
# A341/22



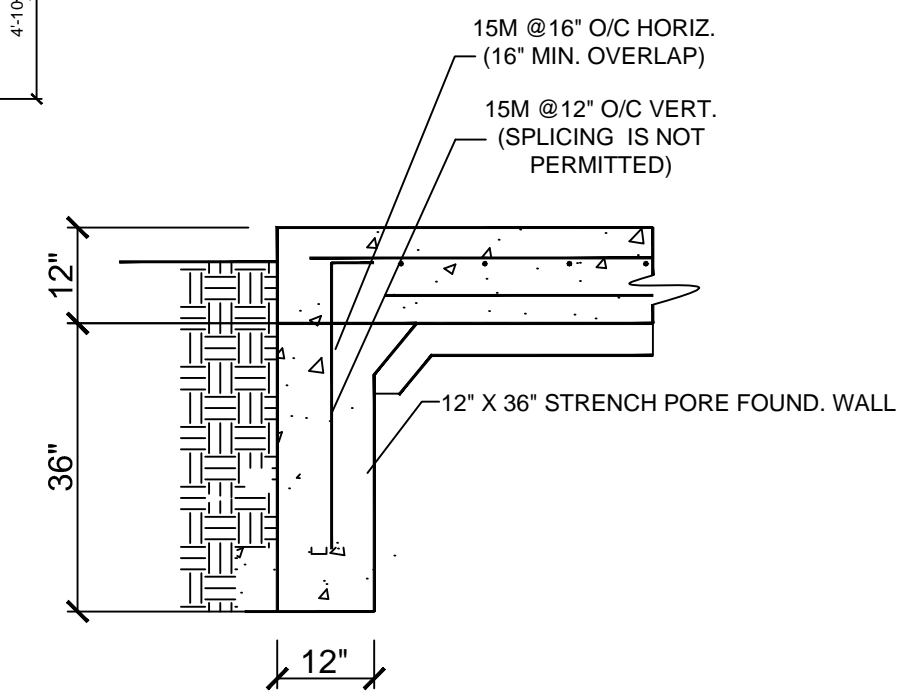
PROPOSED FOUNDATION PLAN



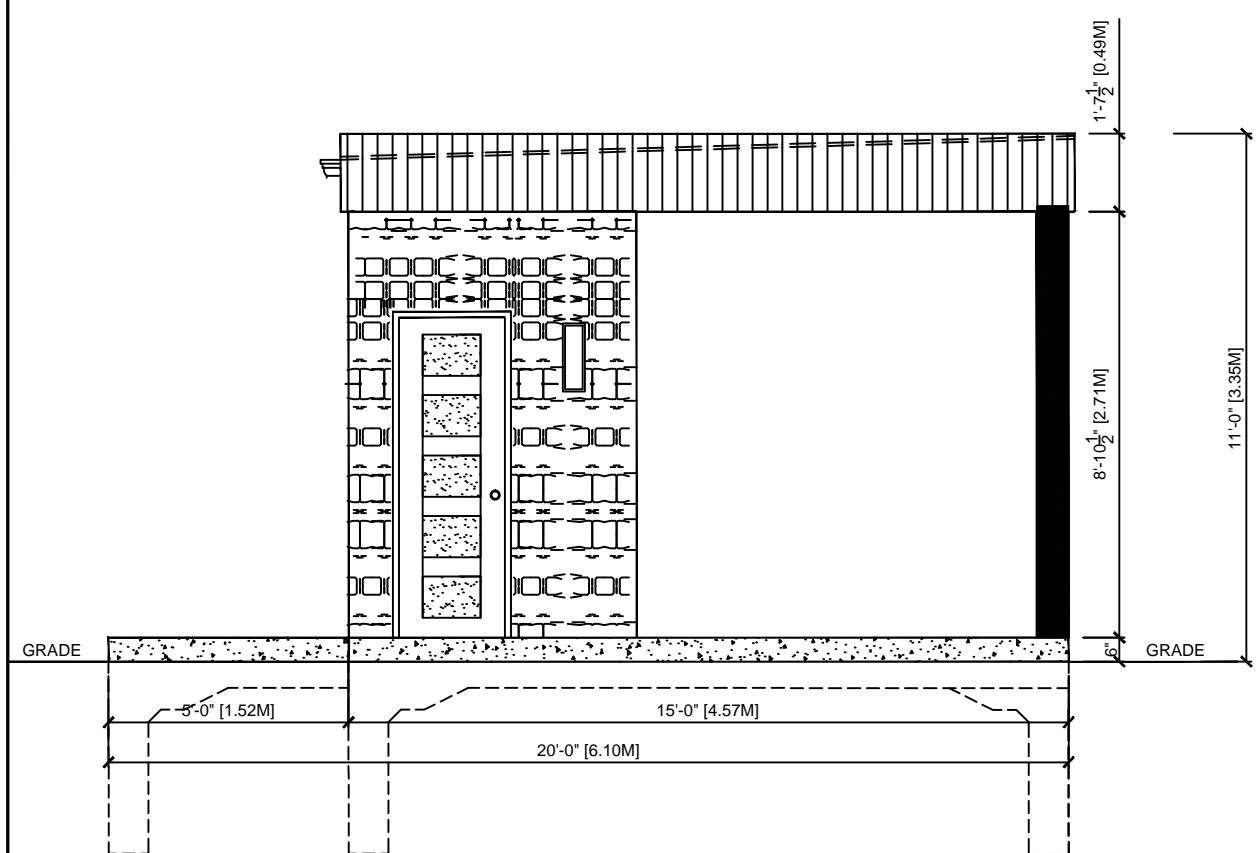
PROPOSED FLOOR PLAN



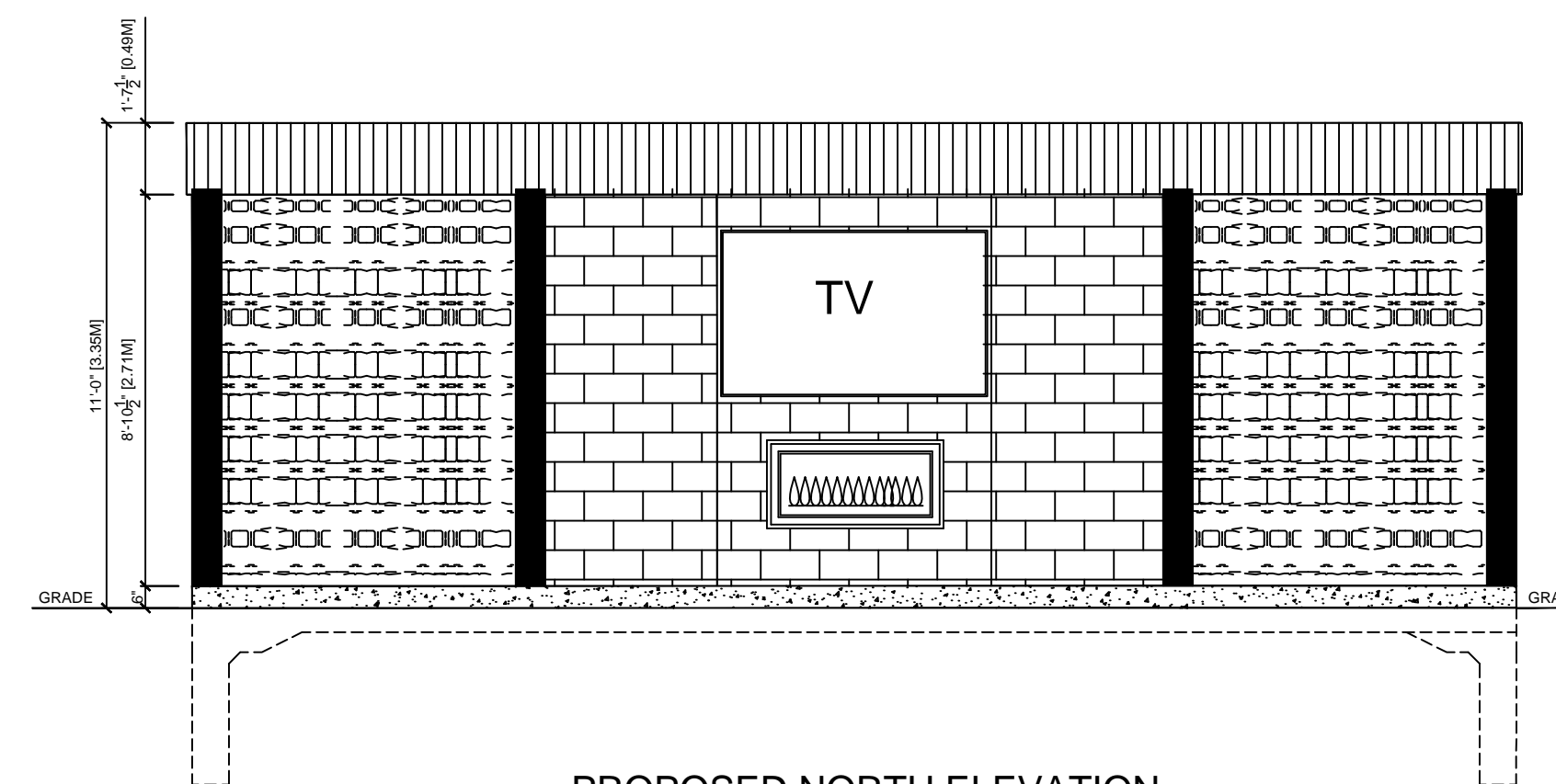
PROPOSED ROOF PLAN



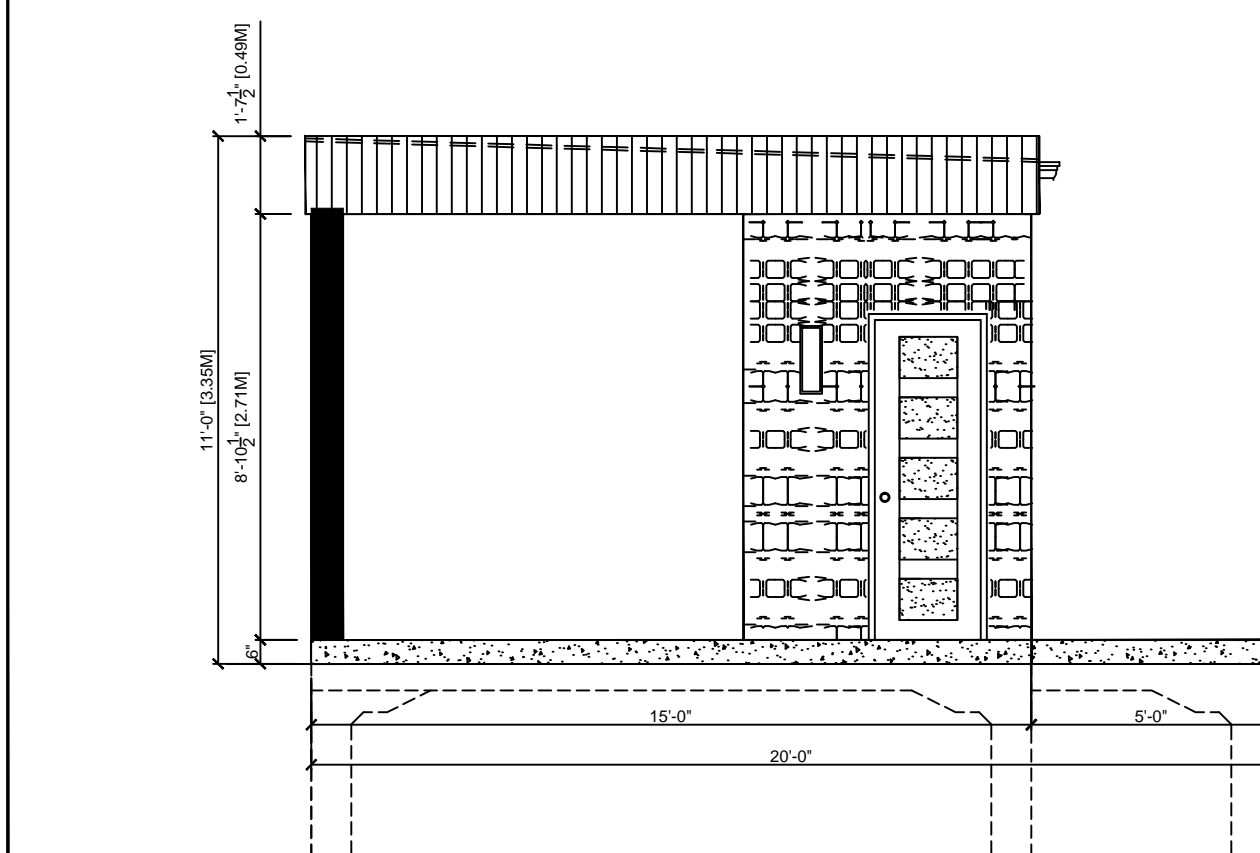
SECTION B-B  
SCALE 1/2" = 1'-0"



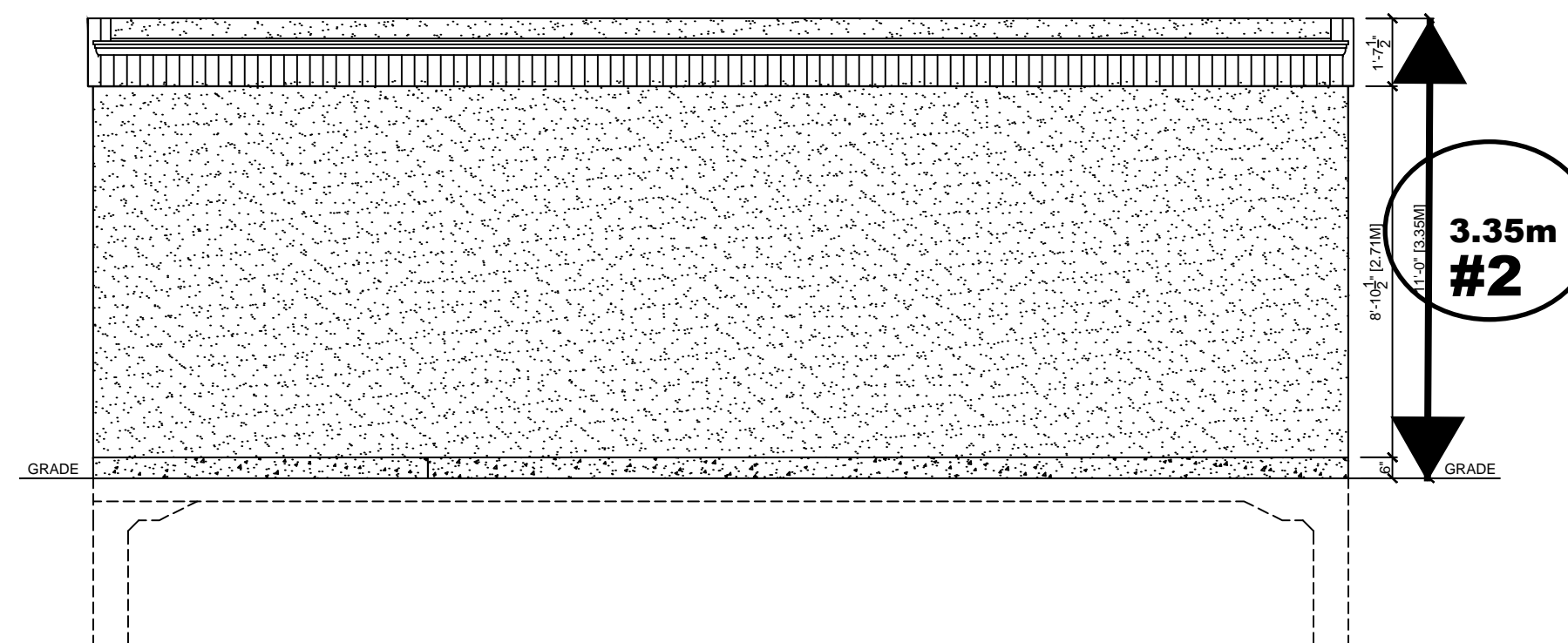
PROPOSED EAST ELEVATION



PROPOSED NORTH ELEVATION

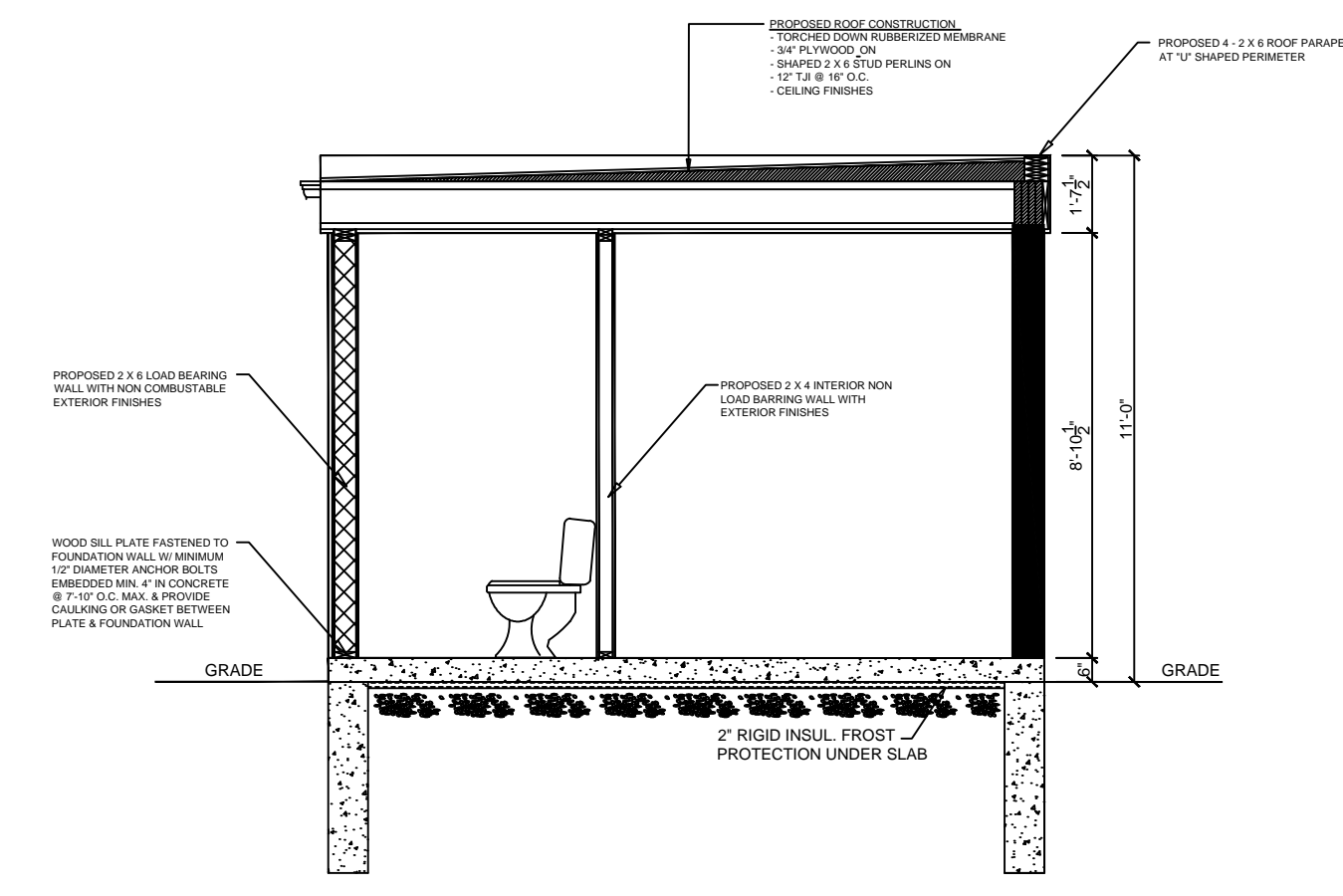


PROPOSED WEST ELEVATION



PROPOSED SOUTH ELEVATION

**Received**  
January 30, 2023



SECTION A-A  
SCALE: 3/8" = 1'-0"



FOR STRUCTURAL ELEMENTS

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and experience to design and prepare the documents. Required unless design is exempted under 2.17.4.1. of the building code.		8 FRIMETTE CRESCENT Toronto, On M6N 4W6 416.846.3082 email <a href="mailto:digitechdesigns@rogers.com">digitechdesigns@rogers.com</a>	
NAME: ANTHONY STAMBUKA SIGNATURE: [Signature] REGISTRATION INFORMATION: 14750 DIGITECH DESIGNS INC. 31997	QUALITY CONTROL CHECKED BY: [Signature] REGISTERED PROFESSIONAL ENGINEER REGISTRATION INFORMATION: 14750 DIGITECH DESIGNS INC. 31997	TITLE: PROPOSED CABANA/POOL AT 26 CHERHILL DRIVE AVE NORTH IN THE CITY OF TORONTO CLIENT: CHRIS TSATSANIS DATE: MARCH 2022 DRAWN BY: A.GRISOLIA SCALE: 1/4" = 1'-0"	DRAWING NUMBER: A-1

<b>SCHEDULE B: STAFF &amp; AGENCY COMMENTS</b>				
<b>DEPT/AGENCY</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Ministry of Transportation (MTO)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	X	X	X	Recommend Approval w/Conditions
Building Standards (Zoning)	X	X		General Comments

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

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

**Date:** February 24, 2023

**Name of Owners:** Chris and Aphrodite Mikroyiannakis

**Location:** 26 Cherhill Drive

**File No.(s):** A341/22

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

- 1) To permit a minimum interior side yard setback of 1.37 m to the residential accessory structure.
- 2) To permit a maximum building height of 3.38 m for the residential accessory structure.

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

- 1) The minimum required interior side yard setback for the residential accessory structure is 2.4 m. [Sect 4.1.2 1. b)]
- 2) The maximum building height for the residential accessory structure is 3 m. [Table 4-1]

**Official Plan:**

Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Residential"

**Comments:**

The Owners are requesting permission to maintain a residential accessory structure (cabana) with the above noted variances.

The Development Planning Department has no objection to the Variances, as only two small areas of the cabana are fully enclosed to accommodate a washroom and storage space. It should be noted that access to the proposed washroom is on the east side which remains internal to the site. The west side of the cabana is walled, which will increase privacy between the cabana on the subject lands and the abutting rear yard to the west. Most of the cabana remains covered but unenclosed and continues to comply with the maximum coverage and rear yard setback provisions for a residential accessory structure under Comprehensive Zoning By-law 001-2021. At the request of Development Planning the Owner has agreed to plant a minimum of 7 evergreen trees (min. 2 m in height) along the interior side lot line (southerly). A condition to this effect is recommended below. In doing so, any massing impacts associated with a reduction in interior (southerly) side yard and increase (38 cm) in maximum building height will be mitigated.

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-law, and are desirable for the appropriate development of the land.

**Recommendation:**

The Development Planning Department recommends approval of the application, subject to a condition.

**Condition of Approval:**

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That prior to the issuance of a building permit, the Owners shall submit a letter of undertaking to carry out the following within 1 year of the issuance of said building permit:
  - a. Plant coniferous trees at least 2 metres in height of a species satisfactory to the Urban Design Division - Development Planning Department in the location depicted in the Site Plan attached to this decision; and
  - b. Submit photographic evidence to the satisfaction of the Urban Design Division of Development Planning Department confirming the completion of the planting works.

**Comments Prepared by:**

Roberto Simbana, Planner I

David Harding, Senior Planner

**To:** Committee of Adjustment  
**From:** Bernd Paessler, Building Standards Department  
**Date:** February 1, 2023  
**Applicant:** Chris & Aphrodite Mikroyiannakis  
**Location:** 26 Cherhill Drive PLAN 65M2407 Lot 137  
**File No.(s):** A341/22

**Zoning Classification:**

The subject lands are zoned R3(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.295 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum required interior side yard setback for the Residential Accessory structure is 2.4m.  Section 4.1.2 1b.	To permit a minimum interior side yard setback of 1.37m to the Residential accessory structure.
2	The maximum building height for the Residential Accessory structure is 3.0m.  Section 4.1.4 1.	To permit a maximum building height of 3.35m for the Residential accessory structure.

**Staff Comments:**

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

Order No. 22-128834, Order to Comply for Construction of Cabana approximately 30' x 15' x 11' (L x W x H) with washroom in the rear yard of the house prior to obtaining the required building permit., Issue Date: Aug 10, 2022

**Building Permit(s) Issued:**

Building Permit No. 22-127975 for Shed/Gazebo - New, 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:** January 25<sup>th</sup> 2023

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **A341-22**

**Related Files:**

**Applicant** Chris Tsatsanis and Aphrodite Mikroyiannakis

**Location** 26 Cherhill Drive



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### 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@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

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

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

## Lenore Providence

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**Subject:** FW: [External] RE: A341/22 (26 Cherhill Drive) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**From:** Development Services <developmentsservices@york.ca>

**Sent:** February-02-23 4:29 PM

**To:** Christine Vigneault <Christine.Vigneault@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A341/22 (26 Cherhill Drive) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hi Christine,

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

Many thanks,

*Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.*

**Niranjan Rajevan, M.Pl.** | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [niranjan.rajevan@york.ca](mailto:niranjan.rajevan@york.ca) | [www.york.ca](http://www.york.ca)

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**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

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