



File: A020/19

Applicant: Joseph & Patricia Casale

Address: 145 Grandvista Cr Woodbridge

Agent: Elan Design Studio Inc.

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

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

Adjournment History: N/A

Background History: N/A



Minor Variance
Application

Agenda Item: 8

A020/19

Ward: 3

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing:	Thursday, May 2, 2019
Applicant:	Joseph & Patricia Casale
Agent:	Elan Design Studio Inc.
Property:	145 Grandvista Crescent, Woodbridge
Zoning:	The subject lands are zoned RV2 and subject to the provisions of Exception 9(1024) under By-law 1-88 as amended.
OP Designation:	Vaughan Official Plan 2010: "Low-Rise Residential"
Related Files:	None
Purpose:	Relief from the by-law is being requested to permit the existing accessory structure (cabana) and generator located in the rear yard.

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

By-law Requirement	Proposal
1. A minimum rear yard setback of 10.0m to the existing cabana is required.	1. To permit a minimum rear yard setback of 4.59m to the existing cabana.
2. A minimum interior side yard setback of 1.2m to the existing cabana is required.	2. To permit a minimum interior side yard setback of 1.1m to the existing cabana.
3. A minimum rear yard setback of 8.5m to the existing generator is required.	3. To permit a minimum rear yard setback of 0.93m to the existing generator.
4. A maximum building height of 4.50m for the existing cabana is permitted.	4. To permit a maximum building height of 4.53m for the existing cabana.

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

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

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

Adjournment History: N/A

Staff & Agency Comments

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Committee of Adjustment:

Public notice was mailed on April 17, 2019

Applicant confirmed posting of signage on April 17, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	2008
Cabana	2008/2009

Applicant has advised that they cannot comply with By-law for the following reason(s): Accessory (cabana) is an existing structure (approx. 10 years old)

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: None

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2

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

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010: "Low-Rise Residential"

The Owners are requesting permission to maintain an existing cabana and generator located in the rear yard with the above-noted variances. The Owners are proposing two additions and a terrace in the rear yard however they do not form part of the minor variance application. Consequently, the Development Planning Department is not commenting on the additions and terrace at this time.

Development Planning staff conducted a site visit on March 1st, 2019. Staff determined that the existing driveway and soft landscaping requirements for the front yard did not comply with the requirements of Zoning By-law 1-88. The Owners have since submitted a revised site plan addressing these deficiencies by proposing alterations to the driveway and front yard landscaping that comply with the requirements of Zoning by-law 1-88. Development Engineering has no objections to the revised site plan provided that the Owners successfully obtain a curb restoration permit.

The subject property is partially regulated by the Toronto and Region Conservation Authority ('TRCA'), who have determined that the works are outside of the erosion hazard. The Owners have successfully obtained an After-the-Fact permit in support of the existing pool and cabana structure pursuant to Ontario Regulation 166/06. Accordingly, TRCA has no objection to the proposal.

The Development Planning Department has no concerns with the proposal as the requested variances will not have adverse visual impacts on neighbouring properties and the adjacent woodlot will not be impacted. Accordingly, the Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

Urban Design:

There are no cultural heritage concerns for this application.

Development Engineering:

The Development Engineering (DE) Department has reviewed the Minor Variance Application A020/19 for 145 Grandvista Crescent and has no objections to the applied variances but has one condition regarding the driveway:

The owner/applicant shall apply to the City of Vaughan Transportation Services Division of the Transportation Services, Parks and Forestry Operations Department for a curb re-instatement permit.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No Response.

Schedule A – Plans & Sketches**Schedule B – Public Correspondence**

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
MTO – Located outside of MTO permit control area
TRCA – comments with conditions (conditions cleared)

Schedule D - Previous Approvals (Notice of Decision)

None

Staff Recommendations:

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

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

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

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

	Department/Agency	Condition
1	Development Engineering Margaret Olivier 905-832-8585 x 8716 margaret.olivier@vaughan.ca	The owner/applicant shall apply to the City of Vaughan Transportation Services Division of the Transportation Services, Parks and Forestry Operations Department for a curb re-instatement permit.

Please Note:

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

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

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

Conditions

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

Notice to the Applicant – Development Charges

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

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

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

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

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

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

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

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

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

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

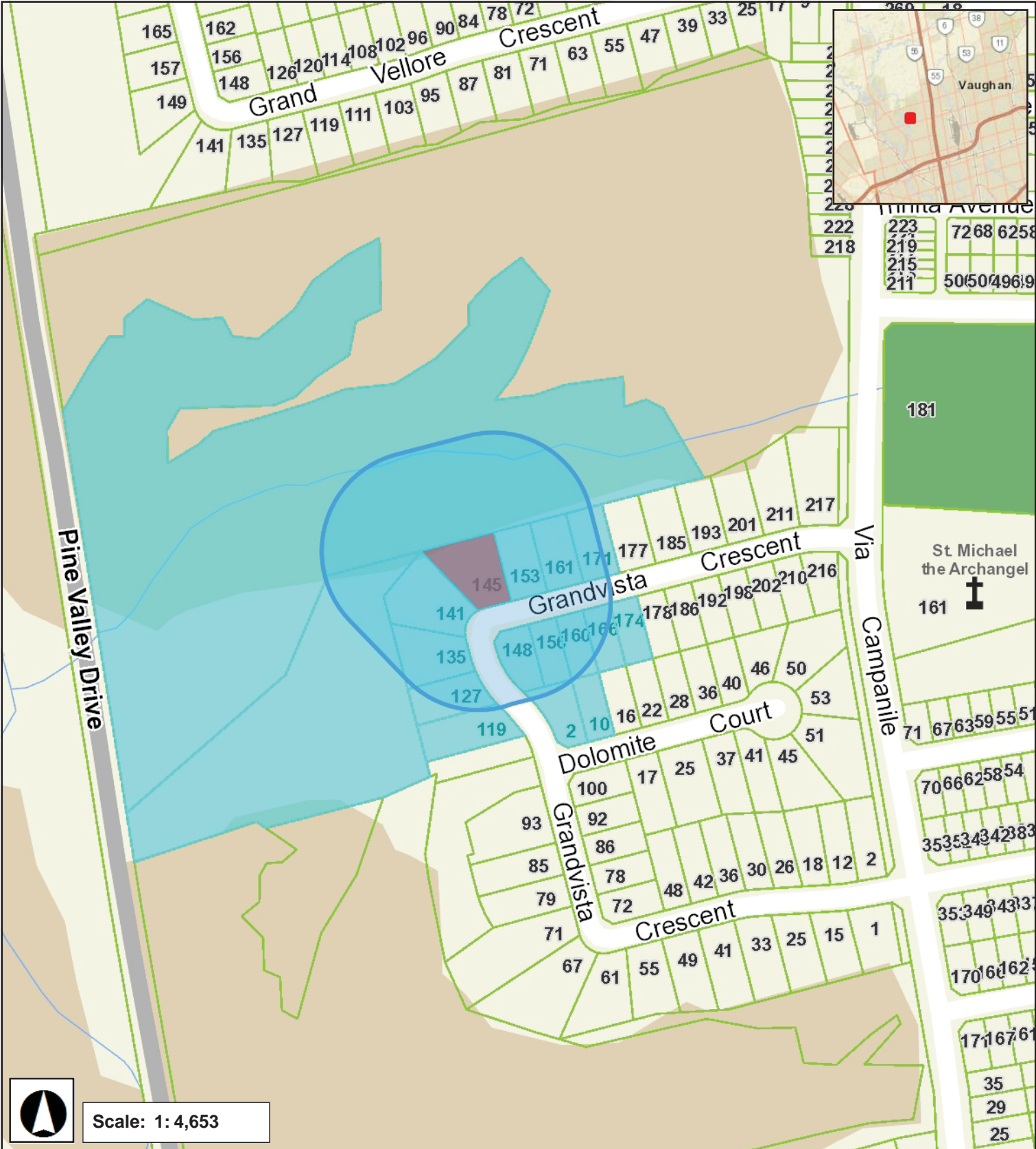
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



LOCATION MAP - A020/19

145 GRANDVISTA CRESCENT, WOODBRIDGE
Major Mackenzie Drive

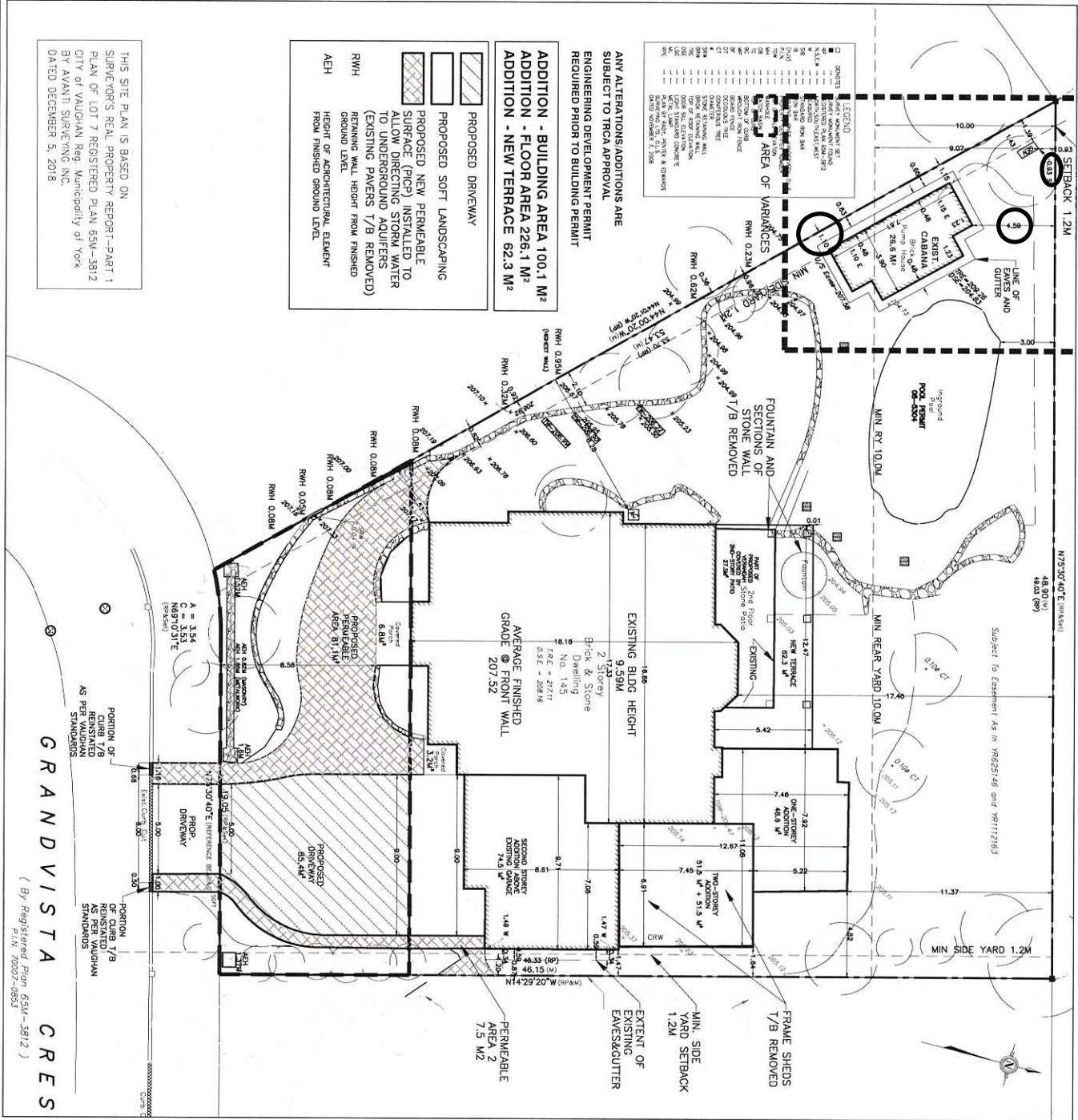


Rutherford Road

February 26, 2019 3:06 PM

4.59m rear yard setback to cabana
1.1m interior side yard setback to cabana
0.93m rear yard setback to generator

ALTERATIONS AND ADDITION TO EXISTING DWELLING
145 GRANDVISTA CRESCENT WOODBRIDGE ON



SITE STATISTICS	
ZONING INFORMATION - RV2	
LOT AREA	1654.39 M ²
LOT FRONTAGE	25.40M
FINISHED GRADE - DWELLING	207.52
HEIGHT OF DWELLING (MAX. 11.0M)	9.59M
GROSS FLOOR AREA	557.4M ²
LOT COVERAGE - DWELLING (INCL. GARAGE+ COVERED PORCHES)	333.5M ² (20.2%)
FRONT YARD SETBACK (MIN. 3.0 M)	8.58 M
SIDE YARD SETBACK (LEFT/RIGHT) (MIN. 1.2M+1.2M)	3.53M/1.47M
REAR YARD SETBACK (MIN. 10.0M)	17.48M

PROPOSED FRONT YARD LANDSCAPING (FYL)	
FRONT YARD AREA (FYL) 271.2M ²	
MIN FY LANDSCAPING (FYL) REQUIRED 50% 135.6 M ²	
TOTAL HARD SURFACES IN FRONT YARD: PROPOSED DRIVEWAY 85.4M ² + EXISTING HARD LANDSC (RET. WALLS) 14.4M ² = 99.8 M ² (36.8% OF FYL)	
PROPOSED SOFT LANDSCAPING 82.0 M ² (30.2% OF FYL)	
PROPOSED PERMEABLE AREA 89.4 M ² (32.9% OF FYL + BAL. INSTEAD OF HARD)	

EXISTING ACCESSORY - CABANA	
LOT AREA	1654.39 M ²
FINISHED GRADE AT ACCESSORY (CABANA)	204.73
HEIGHT OF ACCESSORY BLDG (MAX. 4.5M)	4.53 M ²
HEIGHT ACCESSORY BLDG TO U/S OF EAVES (MAX 3.0M)	2.85 M ²
LOT AREA COVERED BY ACCESSORY BLDG (CABANA)	26.6M ² (1.61%)
EAVES/GUTTER ENCROACHMENT	0.48M
FRONT YARD SETBACK	38.86M
INT. SIDE YARD (LEFT/RIGHT) (MIN 1.2M)	1.10M
REAR YARD (MIN 10.0M)	4.59M

A/C UNIT SETBACK TO SIDE LOT LINE (MIN 0.6M)	8.28M
GENERATOR DISTANCE TO SIDE LOT LINE (MIN 0.6M)	1.39M
GENERATOR ENCROACHMENT (MAX. 1.5M INTO REAR YARD)	9.07M

GENERAL NOTES:	
1. DIMENSIONS NOT TO BE SCALED.	
2. CONSTRUCTION TO CHECK AND VERIFY ALL DIMENSIONS BEFORE PROCEEDING WITH WORK.	
ISSUES:	
NO.	DESCRIPTION
DATE	BY

REVISIONS:	
NO.	DESCRIPTION
DATE	BY
1	ISSUED FOR COA
2	ISSUED FOR CLIENT/OWNER
3	ISSUED FOR TRCA
4	ISSUED FOR COA
5	ISSUED FOR COA

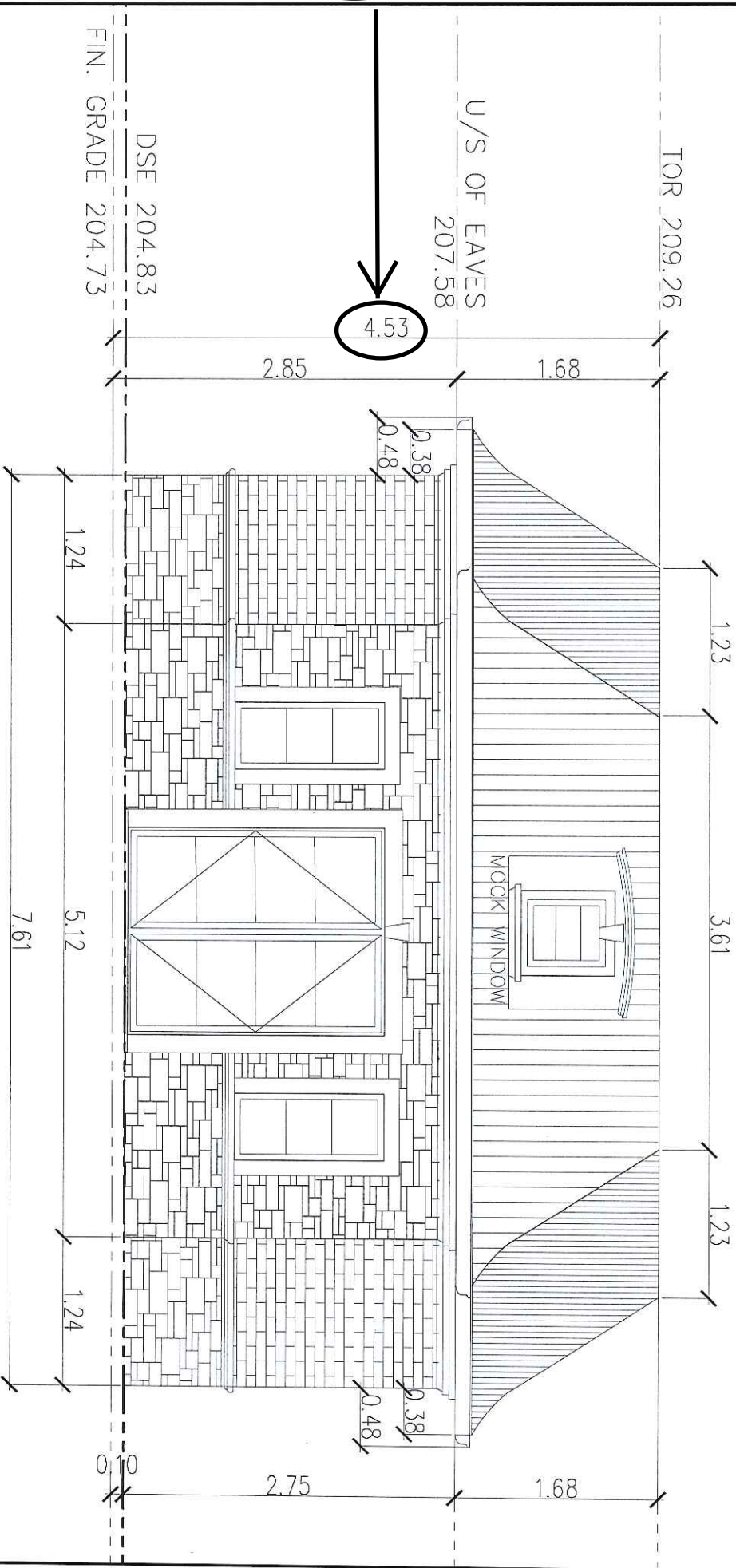
ELAN DESIGN STUDIO INC.
6824 AVILA ROAD
MISSISSAUGA ON L4N 1R8
ANDREW@EDSTUDIO

PROJECT TITLE:
145 GRANDVISTA CRESCENT


DRAWING TITLE:
SITE PLAN

SCALE	PROJECT NO.
1:250	18-17
DRAWN:	DRAWING NO.
AK	SP
DATE:	DATE
JUN 7, 2019	
DATE	DATE

4.53m



CABANA - FRONT ELEVATION



ELAN DESIGN STUDIO INC.
6824 AVILA ROAD
MISSISSAUGA ON L5N 1R8
TEL.: 905-812-7674
ANDREW@EDSI.CA

NO.	REVISIONS	DATE
4.		
3.		
2.	REISSUED FOR COA	MAR 15, 2019
1.	ISSUED FOR COA	MAR 7, 2019

NORTH

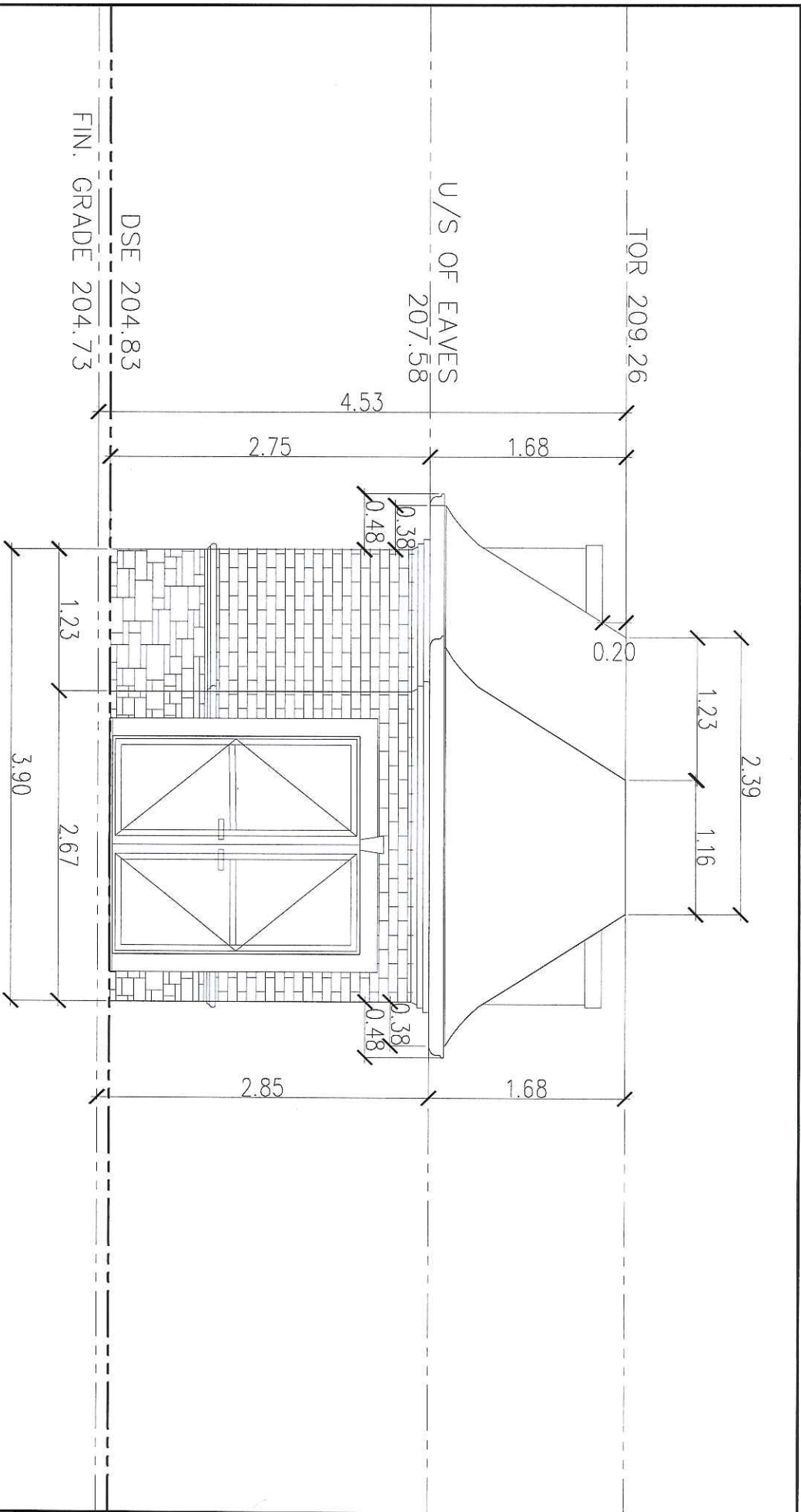
PROJECT: 18 17
DATE: MAR 7, 2019
SCALE: 1:50

145 GRANDVISTA CRES
EXISTING CABANA
FRONT ELEVATION

DWG. NO.

DWN: MK
CHKD: AK

A2-1

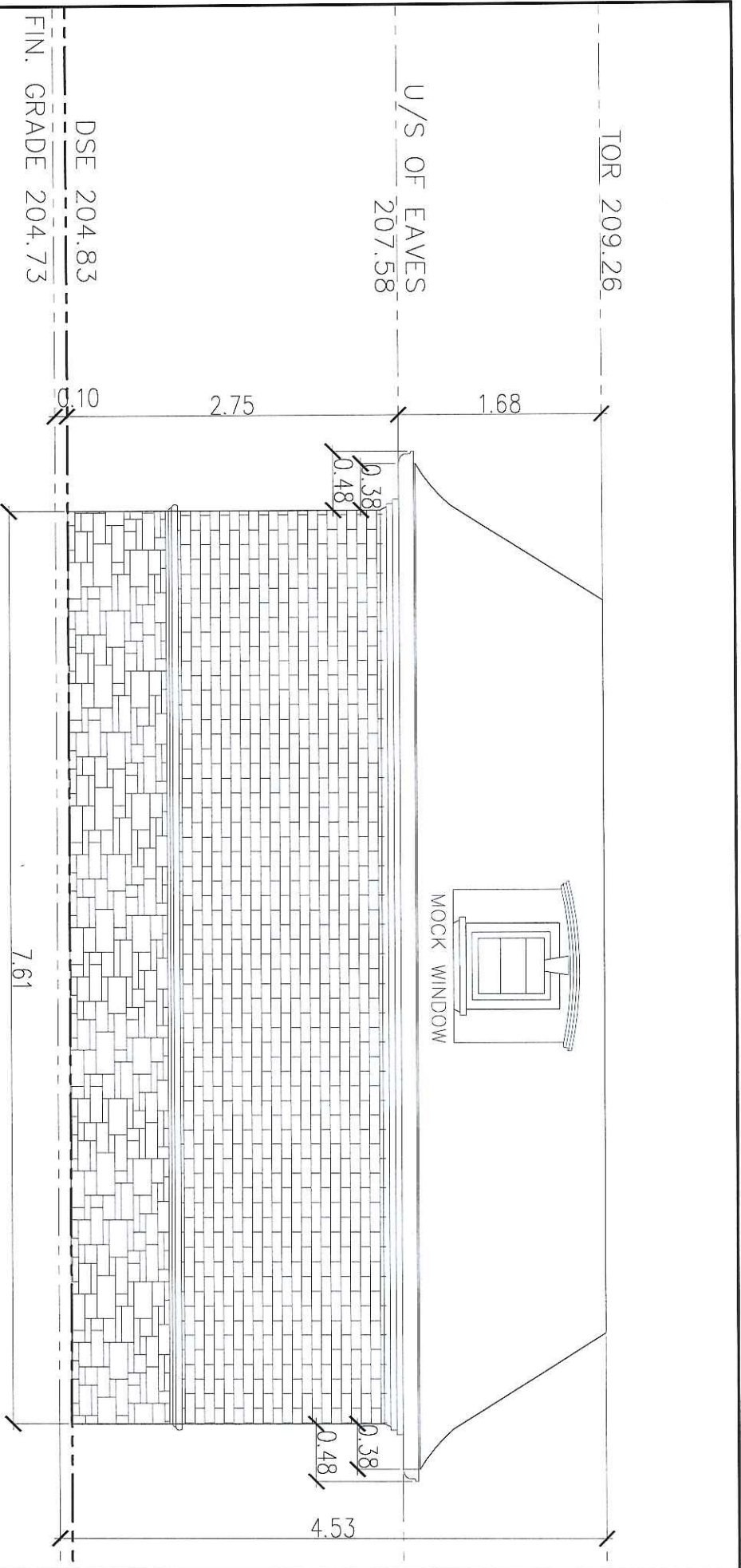


CABANA - RIGHT SIDE ELEVATION



ELAN DESIGN STUDIO INC.
6824 AVILA ROAD
MISSISSAUGA ON L5N 1R8
TEL: 905-812-7674
ANDREW@EDSI.CA

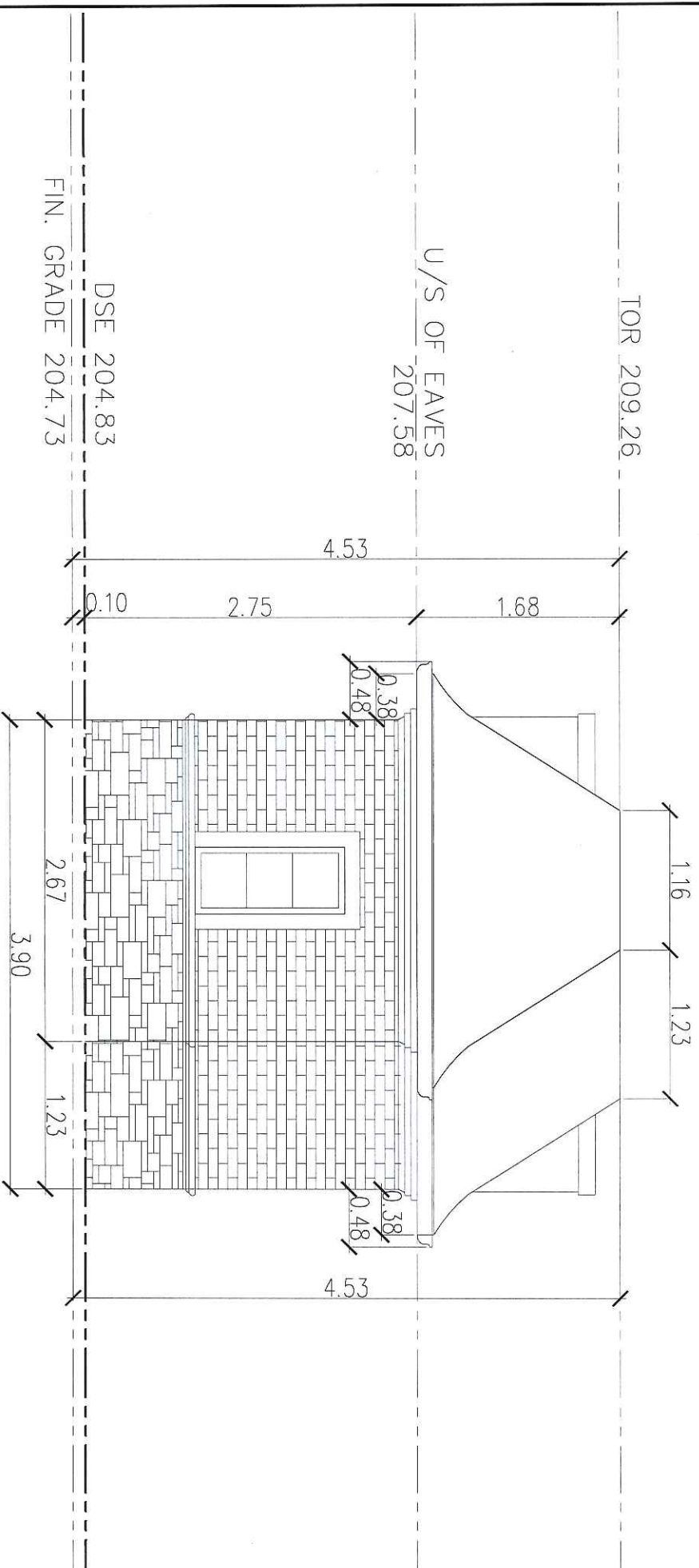
4.			NORTH		PROJECT: 18 17	145 GRANDVISTA CRES EXISTING CABANA RIGHT SIDE ELEVATION	
3.					DATE: MAR 7, 2019		
2.	REISSUED FOR COA	MAR 15, 2019			SCALE: 1:50		
1.	ISSUED FOR COA	MAR 7, 2019			DWG. No.		
NO.	REVISIONS	DATE			DWN: MIK	A2-2	
					CHKD: AK		



CABANA - REAR ELEVATION

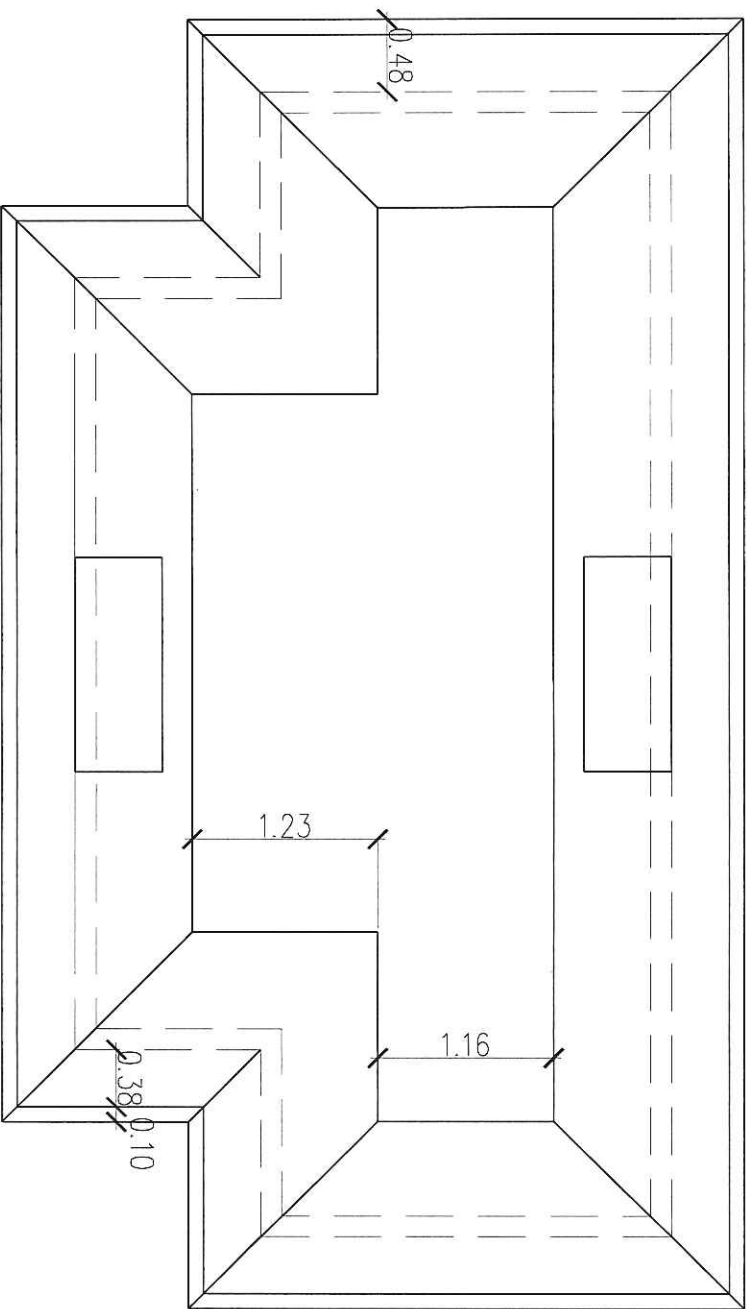
<div><div></div><div>ELAN DESIGN STUDIO INC. 6824 AVILA ROAD MISSISSAUGA ON L5N 1R8 TEL: 905-812-7674 ANDREW@EDSI.CA</div></div>				NORTH		PROJECT: 18 17		145 GRANDVISTA CRES EXISTING CABANA REAR ELEVATION	
4.				DATE:	MAR 7, 2019	SCALE:	1:50	DWG. No.	
3.									
2.	REISSUED FOR COA		MAR 15, 2019	DWN:	MIK				
1.	ISSUED FOR COA		MAR 7, 2019	CHKD:	AK				
NO.	REVISIONS	DATE							

A2-3



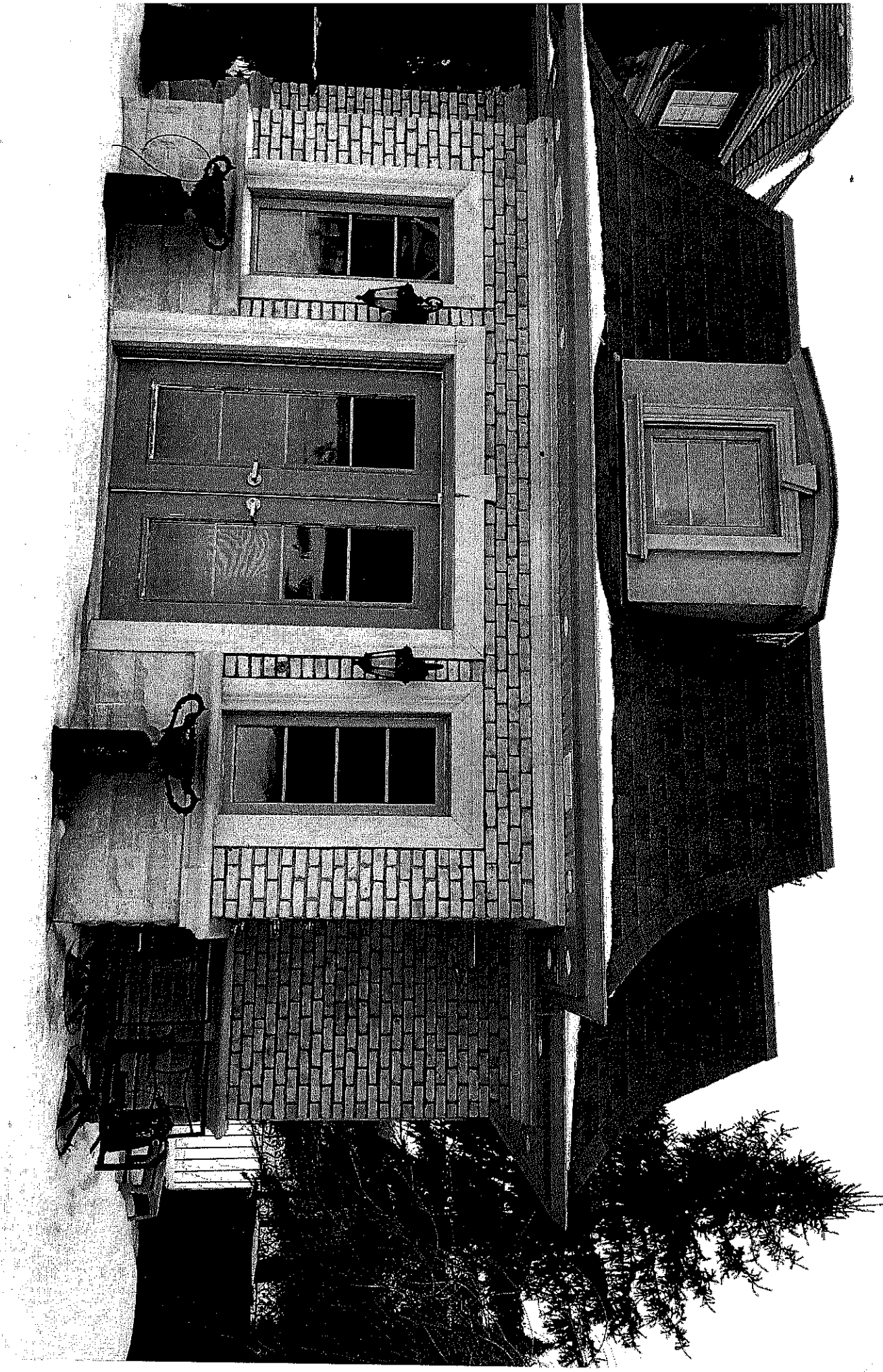
CABANA - LEFT SIDE ELEVATION

<div><div></div><div>ELAN DESIGN STUDIO INC. 6824 AVILA ROAD MISSISSAUGA ON L5N 1R8 TEL: 905-812-7674 ANDREW@EDSI.CA</div></div>				NORTH			
				PROJECT:	18 17	145 GRANDVISTA CRES EXISTING CABANA LEFT SIDE ELEVATION	
				DATE:	MAR 7, 2019		
				SCALE:	1:50		
				DWN:	MIK	DWG. No. A2-4	
				CHKD:	AK		



CABANA ROOF PLAN

<div><div></div><div>ELAN DESIGN STUDIO INC. 6824 AVILA ROAD MISSISSAUGA ON L5N 1R8 TEL: 905-812-7674 ANDREW@EDSI.CA</div></div>								NORTH		PROJECT: 18 17		145 GRANDVISTA CRES EXISTING CABANA ROOF PLAN	
	4.							DATE:	MAR 7, 2019				
	3.							SCALE:	1:50				
	2.	REISSUED FOR COA	MAR 15, 2019							DWG. No.			
	1.	ISSUED FOR COA	MAR 7, 2019										
NO.	REVISIONS		DATE					DWN: MK					
								CHKD: AK		A2-5			











Schedule B: Public Correspondence Received

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

None

Schedule C: Agency Comments

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

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Located outside of MTO permit control area
- TRCA – comments with conditions



COMMENTS:

☐

We have reviewed the proposed Variance Application and have no comments or objections to its approval.

☒

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

☐

We have reviewed the proposed Variance Application and have the following concerns (attached below).

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

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

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

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

References:

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

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

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

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

Attwala, Pravina

Subject: FW: A006/19 - REQUEST FOR COMMENTS - Variance - Vaughan

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: March-28-19 9:04 AM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Subject: RE: A006/19 - REQUEST FOR COMMENTS - Variance - Vaughan

Good Morning Pravina,

The Regional Municipality of York has reviewed this revised application and has no comment.

Regards,

Gabrielle

Gabrielle Hurst, BAA MCIP RPP, C. Tech

Community Planning and Development Services | Planning and Economic Development Branch | Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O 1-877-464-9675 ext. 71538 | gabrielle.hurst@york.ca | Our Values: Integrity, Commitment, Accountability, Respect, Excellence

Attwala, Pravina

Subject: FW: FILE: A020/19, 145 Grandvista Crescent.

From: Caple, Corey (MTO) <Corey.Caple@ontario.ca>
Sent: Thursday, February 21, 2019 3:51 PM
To: Vigneault, Christine <Christine.Vigneault@vaughan.ca>
Cc: Mazzotta, Rob (MTO) <Rob.Mazzotta@ontario.ca>
Subject: FW: FILE: A020/19, 145 Grandvista Crescent.

Hello Christine,

RE: FILE: A020/19, 145 Grandvista Crescent.

The above property-project is outside the permit control area (PCA) therefore the MTO has no comments, at this time.

Regards,

Mr. Corey Caple
Corridor Management Officer

Ministry of Transportation
Central Region, Corridor Management Section
159 Sir William Hearst Ave., 7th Floor
Toronto, Ontario
M3M 0B7
Tel. 416-235-4351
Fax. 416-235-4267

Vigneault, Christine

From: Polina Bam <polina.bam@trca.on.ca>
Sent: Tuesday, April 2, 2019 11:33 AM
To: Vigneault, Christine
Cc: Bell, Brandon; Committee of Adjustment; mirka@edsi.ca
Subject: Re: A020/19 - 145 Grandvista Crescent

Hello,

The applicant has successfully obtained an after-the-fact in order to legalize the cabana and the in-ground pool in the rear of the property. The applicant also provided the required review fee for the noted application. As such, all of TRCA's noted conditions to minor variance approval have been satisfied and we have no outstanding issues. By copy of this correspondence the applicant is hereby notified that the permit will be mailed to the owner.

Regards,

Polina Bam, Bsc. Env., M. Pl
Planner I - York Region West
Development Planning and Permits | Development and Engineering Services

T: 416.661.6600 ext. 5256

E: pbam@trca.on.ca

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.ca

From: Polina Bam/TRCA
To: "Vigneault, Christine" <Christine.Vigneault@vaughan.ca>
Cc: "Committee of Adjustment" <CofA@vaughan.ca>, mirka@edsi.ca, "Bell, Brandon" <Brandon.Bell@vaughan.ca>
Date: 03/08/2019 09:47 AM
Subject: A020/19 - 145 Grandvista Crescent

Hello,

Please see the enclosed comment letter regarding the above noted minor variance file.

[attachment "A020-19 - 145 Grandvista Crescent.pdf" deleted by Polina Bam/TRCA]

Polina Bam, Bsc. Env., M. Pl
Planner I - York Region West
Development Planning and Permits | Development and Engineering Services

T: 416.661.6600 ext. 5256

E: pbam@trca.on.ca

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.ca

March 8, 2019

CFN 60819.04
XCFN: 61049

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

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

Dear Christine:

**Re: Minor Variance Application A020/19
145 Grandvista Crescent
Lot 75, Registered Plan 65M3812
City of Vaughan
Joseph and Patricia Casale (Agent: Elan Design Studio Inc.)**

This letter will acknowledge receipt of the above noted application. Toronto and Region Conservation Authority (TRCA) staff reviewed the application and offer the following comments.

Background

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

1. To permit a minimum rear yard setback of 4.59 metres to the existing cabana, where a minimum rear yard setback of 10.0 metres to the existing cabana is required; and
2. To permit a minimum interior side yard setback of 1.1 metres to the existing cabana, where a minimum interior side yard setback of 1.2 metres to the existing cabana is required.

The purpose of Minor Variance Application A020/2019 is to facilitate a new terrace, a new one storey addition, a new two-storey addition, and a second storey addition over the existing garage of the dwelling. The intent of the application is also to recognize a historically constructed cabana structure and swimming pool in the rear of the property.

Applicable Policies and Regulations

Ontario Regulation 166/06:

The subject property is partially within TRCA's Regulated Area of the Humber River Watershed as it is located adjacent to a valley corridor associated with a tributary of the Main Humber River. In accordance with Ontario Regulation 166/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Living City Policies (LCP):

In addition, The Living Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement.

The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Application-Specific Comments

As noted above, the subject property is located partially within TRCA's Regulated Area of the Humber River Watershed. The described additions to the proposed dwelling are outside of the Regulated Area, and TRCA has no objections to this component of the application.

Based on the historical aerial photographs, it appears that the existing swimming pool and cabana structure were built at the rear of the property in 2009, without a TRCA permit. The property backs onto a well-vegetated Life Science Area of Natural and Scientific Interest (Kleinberg Woodlots). It is the understanding of TRCA that City of Vaughan policies would typically require a 10 metre setback from the boundary of a woodland feature. Under TRCA's Memorandum of Understanding (MOU) with the Region of York, TRCA provides technical environmental advice to its partner municipalities. As such, TRCA would be supportive of City of Vaughan in implementing the required 10 metre setback from the woodland feature.

A site visit was undertaken on March 1, 2019 to observe the historically constructed works in relation to the adjacent features. The slope at the rear of the property was observed to be flatter than 3H:1V. The existing Top of Slope along the rear property line can be considered as the Long Term Stable Top of Slope. Based on this, the pool and cabana are located outside of the erosion hazard. As such, there are no issues with this application from a geotechnical engineering perspective.

Though the proposed works are being contemplated outside of TRCA's Regulated Area, TRCA recommends that the applicant erect an Erosion and Sediment Control Fence around the subject works to prevent sediment laden runoff from entering the natural system in the rear of the property. TRCA also recommends that the construction materials and equipment be stored away from the Natural System in the rear of the property. It is noted that the adjacent property to the rear is owned by TRCA. By copy of this correspondence the applicant is hereby notified that any construction access through the rear of the property would require a Permission to Enter agreement from TRCA's Property staff. Please contact the undersigned for more information in this regard.

For future reference, a TRCA Permit will be required pursuant to Ontario Regulation 166/06 for any work in the rear of the property. Details with respect to the permitting process and the application form can be obtained by contacting the undersigned or visiting the following website: <http://trca.on.ca/planning-services-permits/permit-applications/>.

As of the issuance of this correspondence, the applicant has initiated the Permit review process with TRCA in order to obtain an After-the-Fact permit in support of the existing pool and cabana structures. The submitted documents are under review by TRCA.

Fees

By copy of this letter, the applicant is advised that TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$580.00 (*Minor Variance - Minor*) review fee. This review fee is separate from the fee that would be required under the permitting process pursuant to Ontario Regulation 166/06. The applicant is responsible for the fee payment and should forward the application review fee to this office as soon as possible.

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A020/19 subject to the following conditions:

1. That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority; and
2. That the applicant successfully obtains an after-the-fact permit pursuant to Ontario Regulation 166/06.

I trust these comments are of assistance. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Polina Bam
Planner I
Planning and Development
Extension 5256

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PB/jb

cc: Elan Design Studio Inc.; mirka@edsi.ca