

ITEM: 6.7	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A065/23 36 HAYHOE AVE, WOODBRIDGE
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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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>	Application Under Review
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 checked="" type="checkbox"/>	General Comments w/condition
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
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 checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
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
Applicant				Justification Letter

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
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PREVIOUS COA DECISIONS ON THE SUBJECT LAND

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

None		
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ADJOURNMENT HISTORY

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

June 1, 2023	Minor Variance Application A065/23 was adjourned by the Committee of Adjustment to June 1, 2023 to permit time for review of a revised submission.
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**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A065/23
36 HAYHOE AVE, WOODBRIDGE**

ITEM NUMBER: 6.7	CITY WARD #: 2
APPLICANT:	Lino Tatone
AGENT:	Ian Robertson Design
PROPERTY:	36 Hayhoe Ave, Woodbridge
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a proposed single family dwelling and retaining wall.

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 001-2021 as amended	Variance requested
1	A minimum interior (north) side yard setback of 4.91 metres is required. [Section 4.5]	To permit a minimum interior (north) side yard setback of 3.05 metres.
2	A minimum interior (south) side yard setback of 5.41 metres is required. [Section 4.5]	To permit a minimum interior (south) side yard setback of 2.25 metres.
3	A maximum building height of 8.5 metres is permitted. [Section 4.5]	To permit a maximum building height of 9.3 metres.
4	A 2.69 metre retaining wall shall be setback 2.69 metres from the interior side property line. [Section 4.13]	To permit a 2.69 metre retaining wall to be setback 1.02 metres from the interior side property line.
5	A maximum driveway width of 9.0 metres is permitted [Section 6.7]	To permit a maximum driveway width of 11.12 metres.

#	Zoning By-law 1-88 as amended	Variance requested
6	The building height shall be measured from the average finished grade at the front of the building to the highest part point of the roof surface. [Section 2.0]	To permit the building height of 9.27 metres measured from the average finished grade at the front of the building to the mid-point of the roof surface.
7	A 2.69 metre retaining wall shall be setback 2.69 metres from the interior side property line. [Section 4.1.1]	To permit a 2.69 metre retaining wall to be setback 1.02 metres from the interior side property line.

HEARING INFORMATION

DATE OF MEETING: Thursday, June 22, 2023
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive
LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

HEARING INFORMATION

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to cofa@vaughan.ca no later than NOON on the last business day before the meeting.

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

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

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:	June 8, 2023
Date Applicant Confirmed Posting of Sign:	May 30, 2023
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	Please refer to the attached justification letter.
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <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
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	An adjournment fee in the amount of \$591.00 is required to reschedule the application from the June 1, 2023, hearing.

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:	TBD
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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 dwelling in the subject property is 341.79m², the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City’s Development Engineering Department. Please note any in ground structure over 10 m² requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)

The Development Engineering (DE) Department does not object to the variance application A065/23, subject to the following condition:

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

See recommended condition:

PFH Recommended Conditions of Approval:	1) Applicant/owner shall obtain a “Private Property Tree Removal & Protection” permit through the forestry division prior to any construction works on the subject property. Horticulture:
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DEVELOPMENT FINANCE COMMENTS

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

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Demolition development charge credits valid for a period of 48 months from date of demolition permit issuance. After 48 months, full development charges apply as per by-laws.

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

No comments.

BCLPS Recommended Conditions of Approval:	None
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BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT COMMENTS

Reviewed submitted application package for minor variance.

FIRE DEPARTMENT COMMENTS

Standard requirements for owners to go through the permit process before construction and obtain all necessary inspections and associated documents. All construction to be in compliance with the OBC as amended and applicable standards.

Fire Department Recommended Conditions of Approval:	None
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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	Committee of Adjustment christine.vigneault@vaughan.ca	An adjournment fee in the amount of \$591.00 is required to reschedule the application from the June 1, 2023 hearing.
2	Development Planning Joshua.cipolletta@vaughan.ca	TBD
3	Development Engineering Rex.bondad@vaughan.ca	The Owner/applicant shall submit a Lot Grading plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.
4	Parks, Forestry and Horticulture Operations zachary.quizzetti@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.

IMPORTANT INFORMATION – PLEASE READ

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

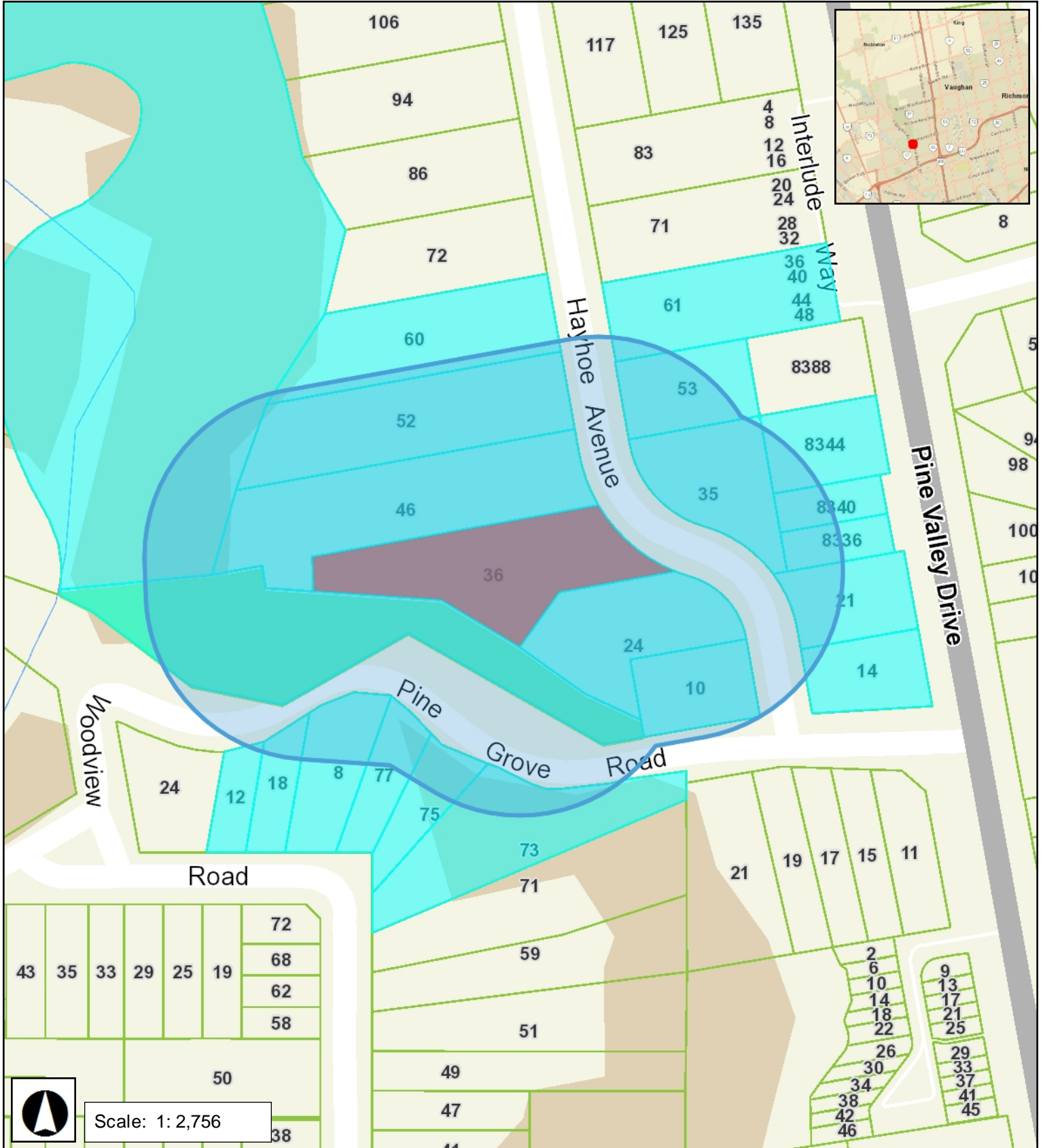
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

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

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

SCHEDULE A: DRAWINGS & PLANS



RECEIVED

By Christine Vigneault at 11:29 am, May 29, 2023



LOT 2
36 HAYHOE AVENUE
FILE NO. A065/23

20 RIVERDEBORD, UNIT 101, VAUGHAN, ONTARIO, L4K 4N9
PHONE: (416) 550-0111; FAX: 1 (888) 582-1163; WWW.IANROBERTSONDESIGN.CA

REVISIONS

NO.	DATE	DESCRIPTION
1	APR. 14/23	ISSUED FOR REVIEW
2	MAY 23/23	ISSUED FOR DISCUSSION

CLIENT:

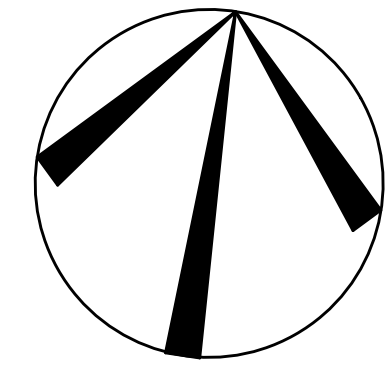
LINO TATONE
PROJECT:
36 HAYHOE AVENUE,
CITY OF VAUGHAN

SHEET TITLE:

COVER PAGE
PROJECT NUMBER: 22-17
DRAWN BY: MG
SCALE: 1/8" = 1'-0"
DRAWING NO.: 0 OF 6

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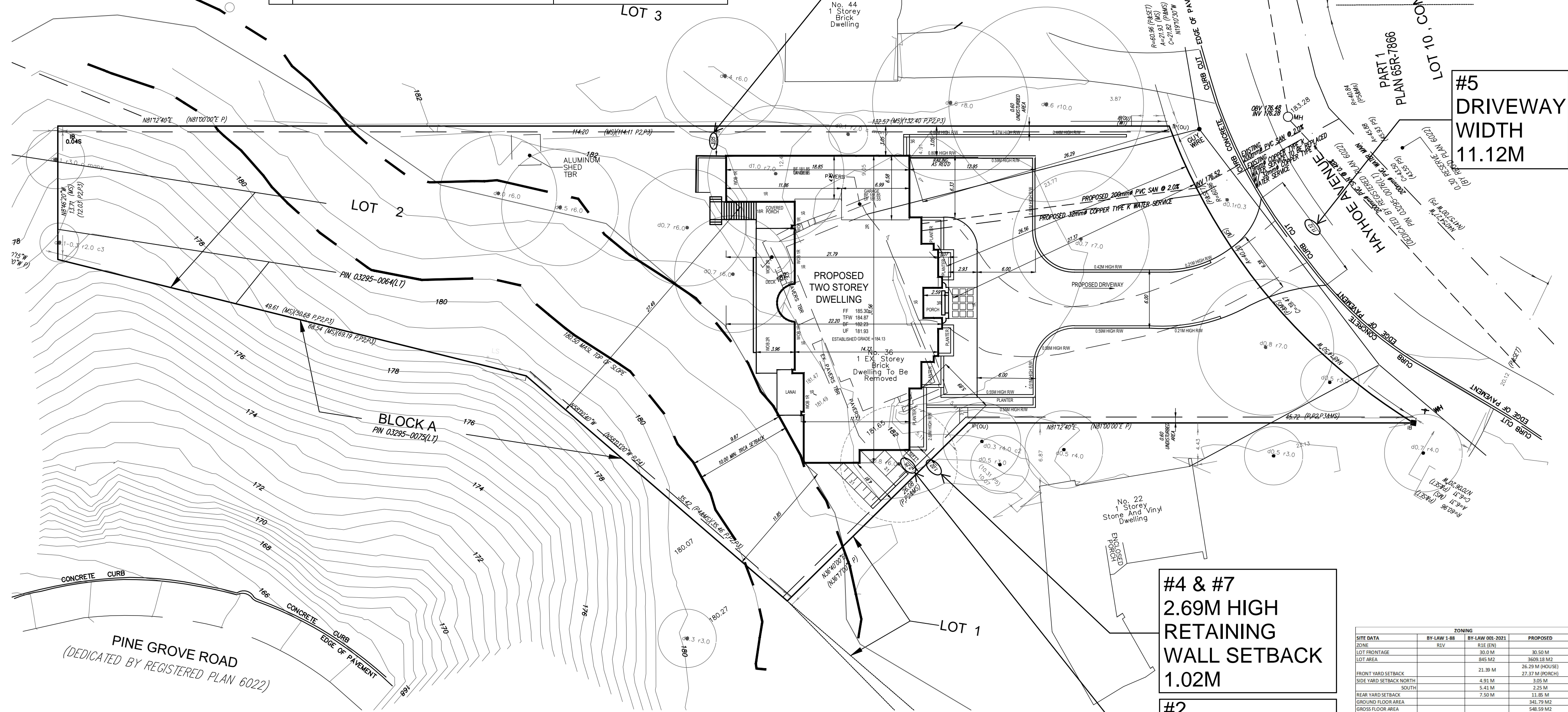


**#1
NORTH SIDE
YARD SETBACK
3.05M**

**#5
DRIVEWAY
WIDTH
11.12M**

**#4 & #7
2.69M HIGH
RETAINING
WALL SETBACK
1.02M**

**#2
SOUTH SIDE
YARD SETBACK
2.25M**



SITE DATA	ZONING		
	BY-LAW 1-88	BY-LAW 001-2021	PROPOSED
ZONE	REV	R1E (EN)	
LOT FRONTAGE	30.50 M	30.50 M	30.50 M
LOT AREA	845 M ²	3609.18 M ²	
FRONT YARD SETBACK	21.39 M	26.29 M (HOUSE)	27.37 M (PORCH)
SIDE YARD SETBACK NORTH	4.91 M	3.05 M	
SOUTH	5.41 M	2.25 M	
REAR YARD SETBACK	7.50 M	11.95 M	
GROSS FLOOR AREA		342.79 M ²	
LOT COVERAGE		548.59 M ²	
NET INC. PORCH		11.98% (432.69 M ²)	
LOT COVERAGE OF PORCH		0.26% (9.34 M ²)	
LOT COVERAGE OF OUTDOOR LOUNGE		0.65% (23.36 M ²)	
TOTAL COVERAGE		29%	12.89% (465.40 M ²)
BLDG HEIGHT TO PEAK	9.50 M	30.97 M	
BLDG HEIGHT TO MIDPOINT		8.50 M	9.27 M
DRIVEWAY WIDTH		9.0 M	6.30 M @ CURB 6.9 M @ DRIVEWAY
COMBINED DRIVEWAY WIDTH AT STREET		15.0 M	4.60 M
EAVE PROJECTION	0.50 M	0.50 M	0.50 M
FRONT YARD AREA		1081.50 M ²	
DRIVEWAY AREA		113.86 M ²	
WALKWAY & STEP AREA		24.31 M ²	
FRONT YARD LANDSCAPING	50% (540.65M ²)	1081.39 - 113.86 = 967.44 M ² (89.47%)	
FRONT YARD SOFT LANDSCAPING	60% (324.39 M ²)	967.44 - 24.31 = 943.13 M ² (100.24%)	
REAR YARD AREA		1809.45 - 119 = 1794.45 M ²	
REAR YARD SOFT LANDSCAPE AREA		24.40 M ²	
REAR YARD SOFT LANDSCAPING	50% (867.22M ²)	1794.45 - 24.40 = 1770.05 M ² (91.47%)	

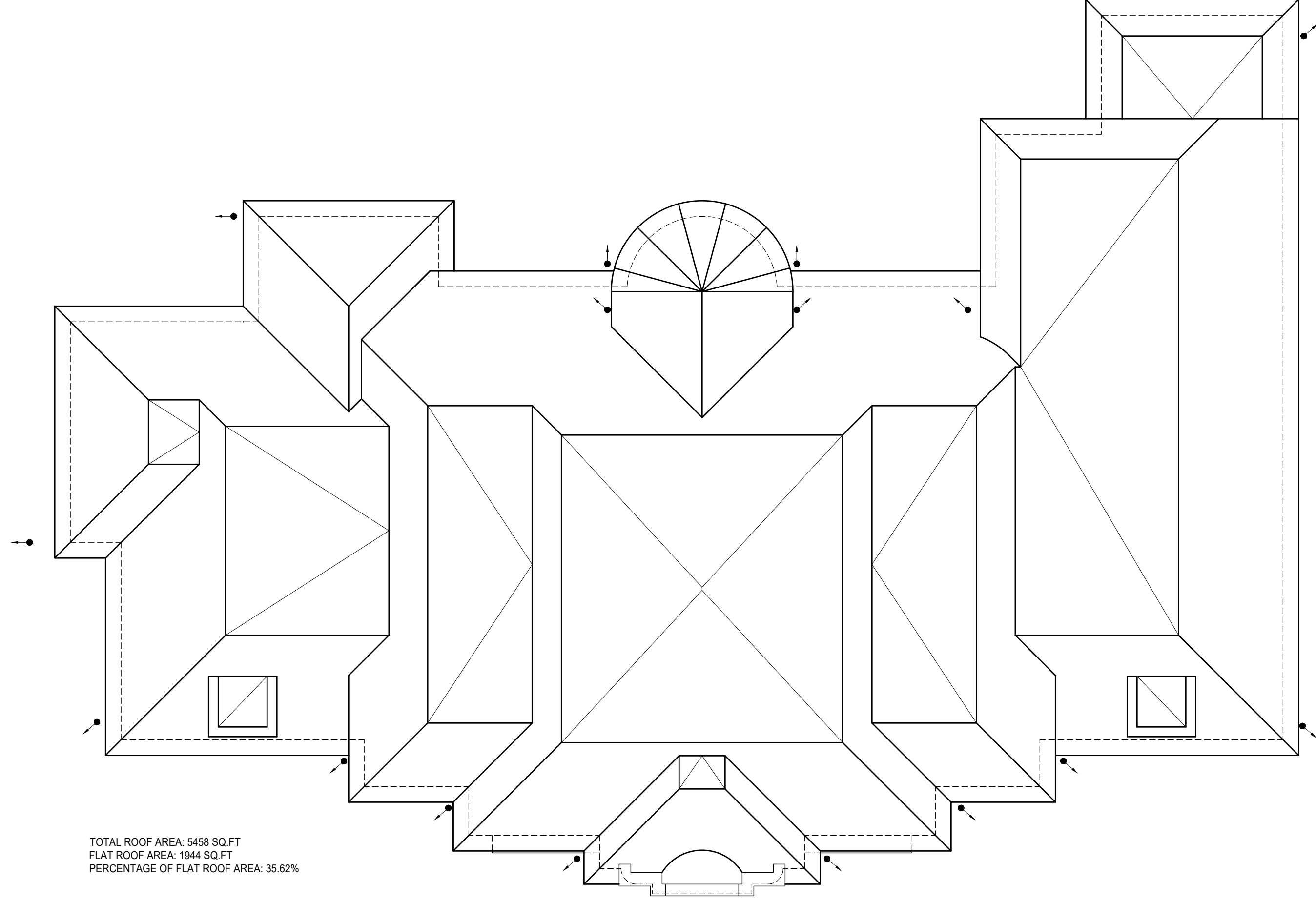
LOT 2
36 HAYHOE AVENUE
FILE NO. A065/23

CLIENT: LINO TATONE
PROJECT: 36 HAYHOE AVENUE, CITY OF VAUGHAN

SHEET TITLE: SITE PLAN
PROJECT NUMBER: 22-17
SCALE: 1:300
DRAWING NO.: 1 OF 1

REVISIONS:

1	APR. 21/23	ISSUED FOR REVIEW
2	MAY 23/23	ISSUED FOR DISCUSSION



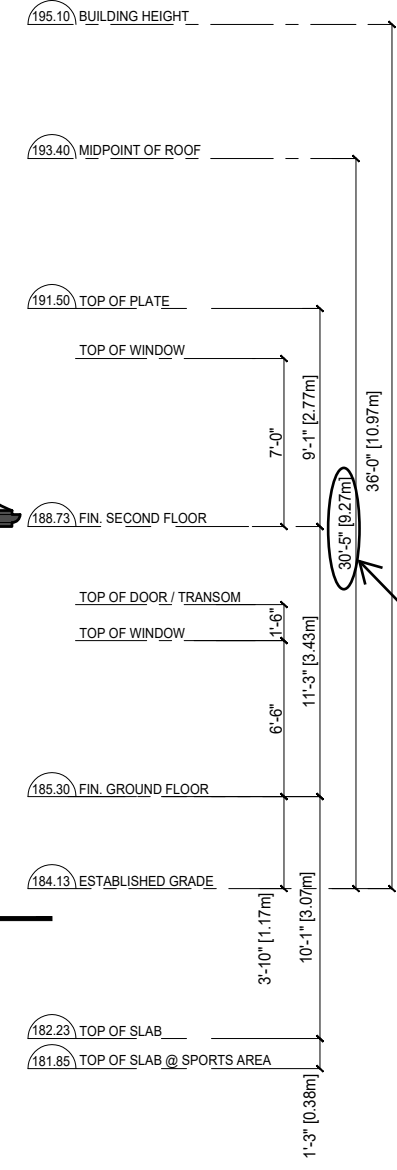
TOTAL ROOF AREA: 5458 SQ.FT
 FLAT ROOF AREA: 1944 SQ.FT
 PERCENTAGE OF FLAT ROOF AREA: 35.62%

LOT 2
 36 HAYHOE AVENUE
 FILE NO. A065/23

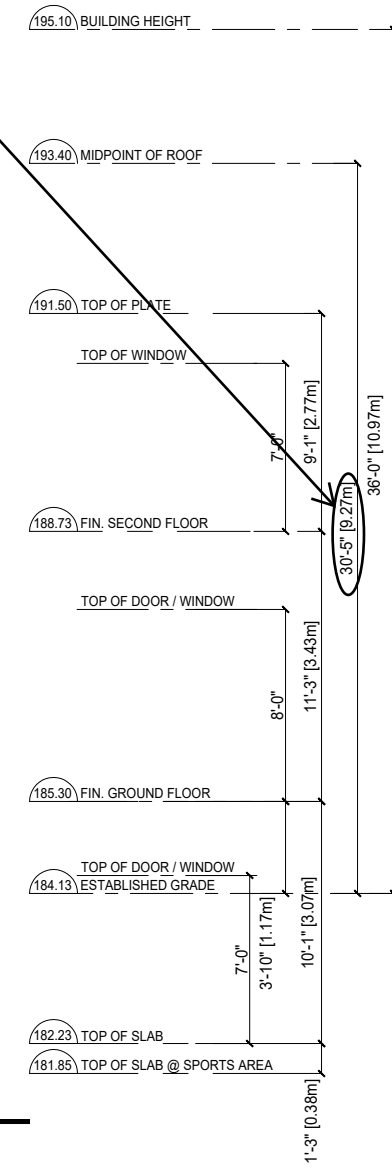
REVISIONS		CLIENT:	SHEET TITLE:
1	APR. 14/23	LINO TATONE	ROOF PLAN
2	MAY 23/23	PROJECT: 36 HAYHOE AVENUE, CITY OF VAUGHAN	PROJECT NUMBER: 22-17 DRAWN BY: MG
		SCALE: 1/8" = 1'-0"	DRAWING NO.: 4 OF 6

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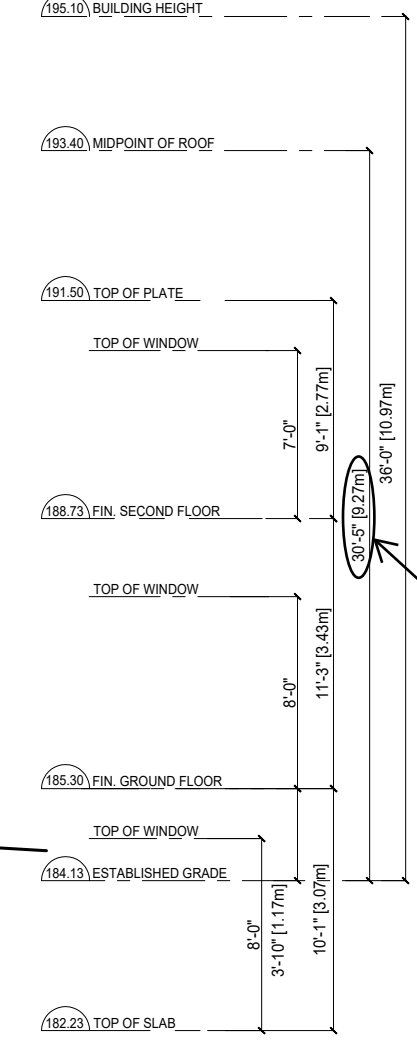
#3 & #6
BUILDING
HEIGHT
9.27M



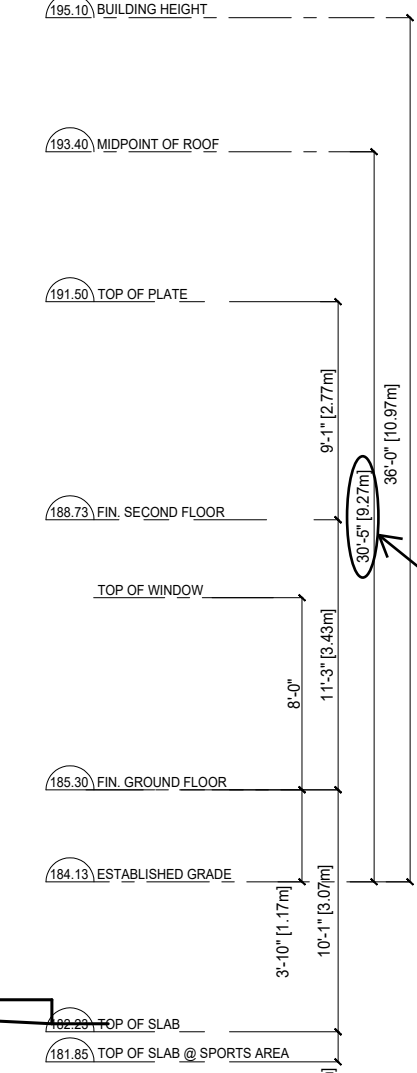
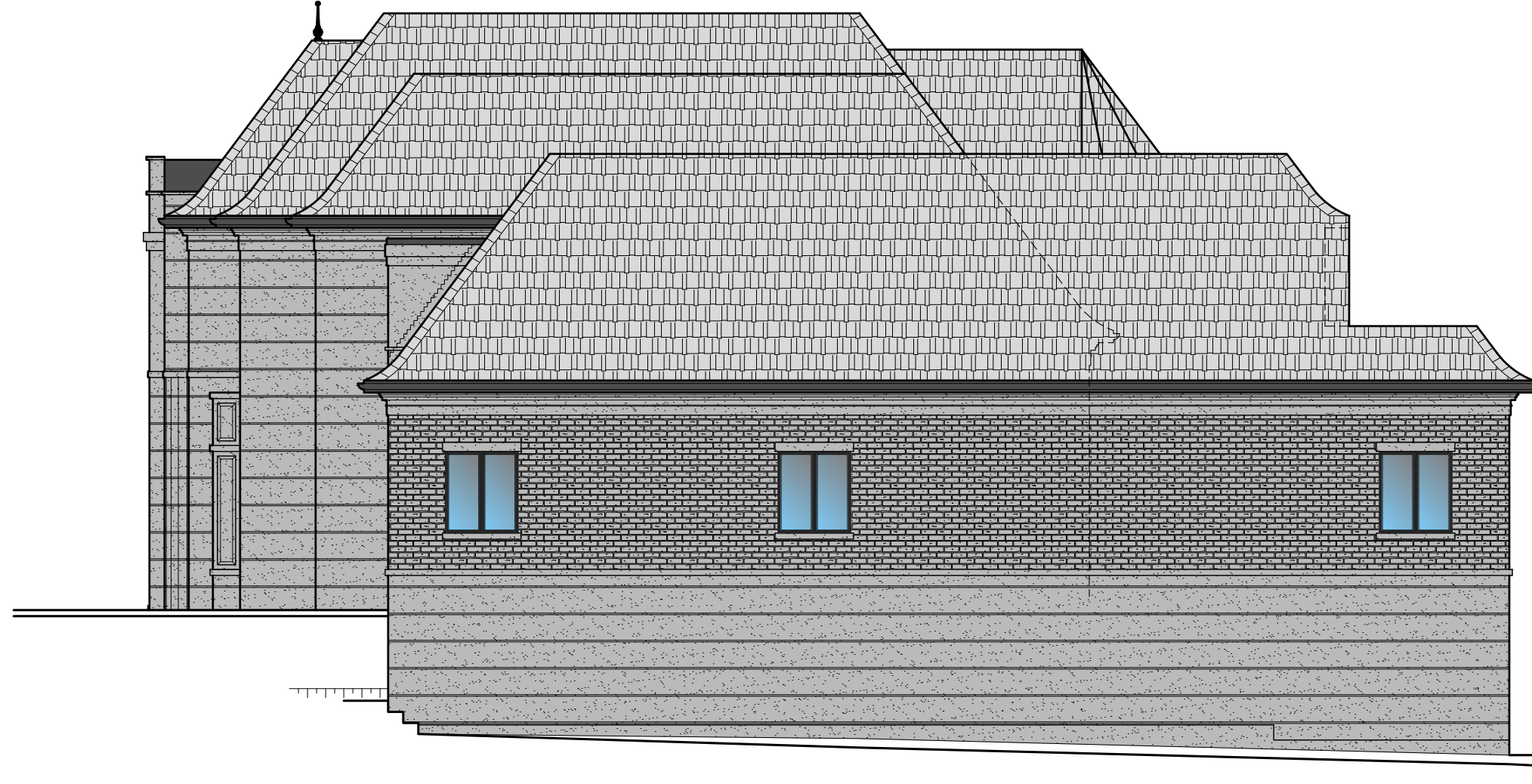
#3 & #6
BUILDING
HEIGHT
9.27M

REVISIONS	1	APR. 14/23	ISSUED FOR REVIEW
	2	MAY 23/23	ISSUED FOR DISCUSSION
SHEET TITLE:	FRONT & REAR ELEVATION		
CLIENT:	LINO TATONE	DRAWN BY:	MG
		PROJECT NUMBER:	22-17
		SCALE:	1/8" = 1'-0"
		DRAWING NO.:	5 OF 6
		36 HAYHOE AVENUE, CITY OF VAUGHAN	
<p>LOT 2 36 HAYHOE AVENUE FILE NO. A065/23</p>			

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4	A 2.69 metre retaining wall shall be setback 2.69 metres from the interior side property line. [Section 4.13]	To permit a 2.69 metre retaining wall to be setback 1.02 metres from the interior side property line.
5	A maximum driveway width of 9.0 metres is permitted [Section 6.7]	To permit a maximum driveway width of 11.12 metres.
#	Zoning By-law 1-88 as amended	Variance requested
6	The building height shall be measured from the average finished grade at the front of the building to the highest part point of the roof surface. [Section 2.0]	To permit the building height of 9.27 metres measured from the average finished grade at the front of the building to the mid-point of the roof surface.
7	A 2.69 metre retaining wall shall be setback 2.69 metres from the interior side property line. [Section 4.1.1]	To permit a 2.69 metre retaining wall to be setback 1.02 metres from the interior side property line.



#3 & #6
BUILDING
HEIGHT
9.27M



#3 & #6
BUILDING
HEIGHT
9.27M

REVISIONS	1	APR. 14/23	ISSUED FOR REVIEW
	2	MAY 23/23	ISSUED FOR DISCUSSION
CLIENT:	LINO TATONE		
PROJECT:	36 HAYHOE AVENUE, CITY OF VAUGHAN		
SHEET TITLE:	LEFT & RIGHT SIDE ELEVATION		
DRAWN BY:	22-17	MG	
SCALE:	1/8" = 1'-0"		
DRAWING NO.:	6 OF 6		

LOT 2
36 HAYHOE AVENUE
FILE NO. A065/23

SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Received to Date
Ministry of Transportation (MTO) *Schedule B				No Comments Received to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Received to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Received to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X			Application under Review
Building Standards (Zoning)	X	X		General Comments

Date: May 3rd 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A065-23**

Related Files:

Applicant Ian Robertson Design

Location 36 Hayhoe Avenue



Discover the possibilities

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:

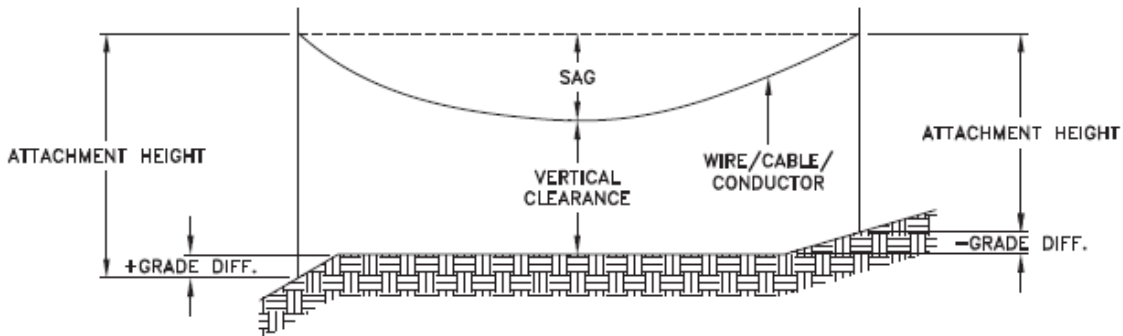
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

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

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)				
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

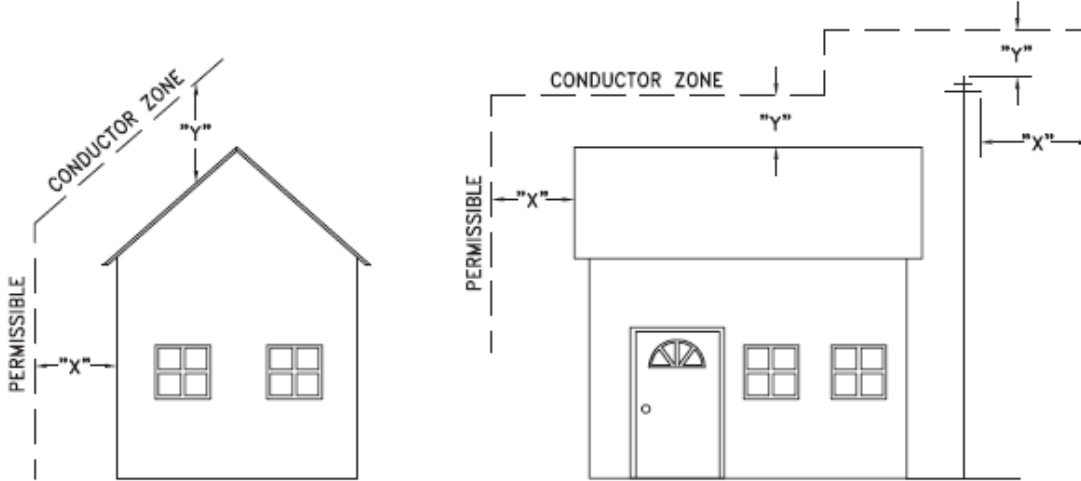
REFERENCES

SAGS AND TENSIONS | SECTION 02

MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARANCE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04
Debbie Dadwani, P.Eng. 2010-MAY-05
Name Date
P. Eng. Approval By: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment
From: Sarah Scauzillo, Building Standards Department
Date: May 26, 2023
Applicant: Ian Robertson Design
Location: 36 Hayhoe Avenue
 PLAN RP6022 Lot 2
File No.(s): A065/23

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 001-2021 as amended	Variance requested
1	A minimum interior (north) side yard setback of 4.91 metres is required. [Section 4.5]	To permit a minimum interior (north) side yard setback of 3.05 metres.
2	A minimum interior (south) side yard setback of 5.41 metres is required. [Section 4.5]	To permit a minimum interior (south) side yard setback of 2.25 metres.
3	A maximum building height of 8.5 metres is permitted. [Section 4.5]	To permit a maximum building height of 9.3 metres.
4	A 2.69 metre retaining wall shall be setback 2.69 metres from the interior side property line. [Section 4.13]	To permit a 2.69 metre retaining wall to be setback 1.02 metres from the interior side property line.
5	A maximum driveway width of 9.0 metres is permitted [Section 6.7]	To permit a maximum driveway width of 11.12 metres.

#	Zoning By-law 1-88 as amended	Variance requested
6	The building height shall be measured from the average finished grade at the front of the building to the highest part point of the roof surface. [Section 2.0]	To permit the building height of 9.27 metres measured from the average finished grade at the front of the building to the mid-point of the roof surface.
7	A 2.69 metre retaining wall shall be setback 2.69 metres from the interior side property line. [Section 4.1.1]	To permit a 2.69 metre retaining wall to be setback 1.02 metres from the interior side property line.

Staff Comments:

Zoning By-law 01-2021	
1	Rear yard aluminum shed to be demolished as advised by applicant.
2	Zoning By-law 001-2021 as amended is in force however sections of the By-law have been appealed. By-law 1-88 is also applicable for all appealed sections. Relevant to this review: Section 4.13 of By-law 001-2021 has been appealed and therefore Section 4.1.1 of By-law 1-88a.a. is applicable. Section 3.0 'Height' has been appealed and therefore Section 2.0 'Building Height' is applicable.

General Comments	
3	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
4	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Conditions of Approval:

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

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

From: [Development Services](#)
To: [Christine Vigneault](#)
Cc: [Committee of Adjustment](#)
Subject: [External] RE: A065/23 (36 Hayhoe Avenue) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Thursday, May 4, 2023 1:48:02 PM
Attachments: [image001.png](#)
[image003.png](#)

Hi Christine,

The Region has completed its review of Minor Variance A065/23 and has no comment.

Many thanks,

Christine Meehan, B.U.R.P.I., B. B. A | Associate Planner, Programs and Process Improvement,
Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 | christine.meehan@york.ca | www.york.ca

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Justification Letter

May 24, 2023

Project No: 22-17

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

**RE: Minor Variance Application
Residential Development
36 Hayhoe Avenue File No: A065/23**

Ian Robertson Design is the Designer retained to act on behalf of the home owner Lino Tatone (the 'Owner') of the lands municipally known as 36 Hayhoe Avenue (the 'Subject Property' or 'Site'). On behalf of the Owner, we are pleased to provide this Justification Letter in support of a Minor Variance Application to facilitate the construction of a new single family detached dwelling.

SUBJECT PROPERTY & SURROUNDING AREA

36 Hayhoe Avenue is located on the west side of Pine Valley Drive with the nearest intersection being Pine Valley Drive and Willis Road. The subject property backs onto the Humber River and forested area. A portion of the property is regulated by TRCA.

The neighbourhood is comprised of a combination of one and two storey homes. Some are original to the neighbourhood and some are of newer construction. Majority of the dwellings in the area have larger front yard setbacks with circular driveways or single driveways with a parking pad at the top of the driveway.

OFFICIAL PLAN AND ZONING

The subject property is designated 'Low Rise Residential' and 'Natural Areas' by the Vaughan Official Plan.

The site is subject to the City of Vaughan zoning by-laws 1-88 as amended and 2021-001 as amended, which zones the site 'Old Village Residential' (R1V) per By-Law 1-88 and 'First Density Residential' (R1E-EN) per By-Law 2021-001. Single detached dwellings are permitted.

REQUESTED RELIEF

The owner is seeking permission to build a two-storey single detached dwelling with a two car attached garage. The existing dwelling on the property is to be demolished. The proposed dwelling has been designed to comply with the applicable zoning regulations where possible. The following are the variances the Owner is seeking approval;

No.	Zoning By-Law Regulation 2021-001	Variance Request
1	The minimum interior side yard setback required is 4.91 metres on the north side and 5.41 metres on the south side. [Section 4.5.2.b]	To permit a minimum interior side yard setback of 3.05 metres on the north side and 2.25 metres on the south side of the proposed dwelling.
2	The maximum Building height permitted is 8.50 metres [Section 4.5.1.b]	To permit a maximum building height of 9.27 metres measured to the midpoint.
3	The maximum encroachment of an eaves and gutter permitted is 0.50 metres [Table 4-1]	To permit the encroachment of eaves and gutters of 0.56 metres into the required interior side yards.

No.	Zoning By-Law Regulation 1-88	Variance Request
1	The maximum Building height permitted is 9.50 metres [Schedule A]	To permit a maximum building height of 10.97 metres measured to the peak.
2	The maximum encroachment of an eaves and gutter permitted is 0.50 metres [Section 3.14 a)]	To permit the encroachment of eaves and gutters of 0.56 metres into the required interior side yards.

MINOR VARIANCE TESTS

Section 45(1) of the *Planning Act*, as amended, identifies the four tests which must be satisfied in order for the Committee to approve this application. Those tests are:

1. The variance maintains the general intent and purpose of the Official Plan.
2. The variance maintains the general intent and purpose of the Zoning By-law.
3. The variance is desirable for the appropriate development or use of the land.
4. The variance is minor in nature.

In my opinion, the requested variances are supportable and meet the four tests under the *Planning Act* in the following ways:

The Variance Maintains the General Intent & Purpose of the Official Plan

The subject property is designated 'Low Rise Residential' and 'Natural Areas' by the in-effect Vaughan Official Plan. The intent of 'Low Rise Residential' is to facilitate a range of permitted low density housing types including single detached dwellings. The existing use and detached dwellings are permitted. With respect to the Natural Areas, a sufficient setback of 10m has been provided from the Top of Bank of the Natural Areas as regulated by TRCA.

The Variance Maintains the General Intent & Purpose of the Zoning By-law

As mentioned above, the Subject Property is subject to By-laws 1-88 and 2021-001, as amended. The requested variances seek the following relief:

Reduced Side Yard Setbacks (2021-021)

The minimum interior side yard setback required is 4.91 metres on the north side and 5.41 metres on the south side; whereas interior side yard setbacks of 3.05m on the north and 2.25m on the south are being proposed.

The purpose and intent of this regulation is to prevent a mass and scale that appears larger than other dwellings within the neighbourhood. The existing setbacks on the site are well within what is required for the applicable zone and for the 'EN' designation, when a dwelling exceeds the maximum building height of 9.50m. In this case the proposed dwelling is less than the maximum building height of 9.50m and 3.05m and 2.25m setbacks would exceed what is permitted under the applicable zone. The portions of the proposed dwelling that abut the north and south neighbours measure 6.71m to the midpoint in building height. These elements make up almost 50% of the entire structure and would comply with regulations set out in Section 4.5.2.b.

While 3.05m is maintained along the north side of the property, on the south side the lot line doglegs toward the rear lot line; this increases the side yard setback to 4.91m for more than 50% of the dwelling depth.

Increased Building Height (2021-021 and 1-88)

The maximum Building height permitted is 8.50 metres (2021-21) and 9.50 metres (1-88) whereas a maximum building height of 9.27m measured to the midpoint and 10.97m measured to the peak is proposed.

(By-Law 2021-021) The purpose and intent of this regulation is to prevent a mass and scale that appears larger than other dwellings within the neighbourhood. In this case the existing dwelling is a one storey bungalow with a low sloped roof. The existing height plus 3.0m is well under the minimum requirements of 8.50m which is how the by-law

determines our maximum building height. The proposed building height is under what is required under the applicable zone. As mentioned above the portions of the proposed dwelling that abut the north and south neighbours measure 6.71m to the midpoint in building height. These elements make up almost 50% of the entire structure and would comply with regulations set out in Section 4.5.1.b.

(By-Law 1-88) The purpose and intent of this regulation is to prevent a mass and scale that appears larger than other dwellings within the neighbourhood. In this case by-law 1-88 defines a sloped roof with a flat portion greater than 10% of the total roof area to be measured to the top of the roof line. While the roof appears to be sloped from the street line with a measurement to the midpoint of 9.27m. It is in my opinion that this is a technical variance.

Encroachment of Eaves and Gutters (2021-021 and 1-88)

The maximum encroachment of an eaves and gutter permitted is 0.50 metres whereas; an encroachment of 0.56m is proposed.

The general intent of the by-law is to prevent overlapping roof lines from adjacent dwellings. The eaves and gutters on the proposed dwelling project an additional 0.6m into the interior side yard. This projection still allows for a 1.69m setback to the eaves and gutters.

The Variance is Desirable for the Appropriate Development or Use of the Land

The variance is appropriate as it is insignificant and does not impact the desirability of the development.

The Variance is Minor in Nature

The variances requested for the proposed development are technical as the proposal is within the building height and interior side yard setback requirements of the applicable zone.

CONCLUSION

It is in my opinion that the requested variances satisfy the four tests of the Section 45(1) of the Planning Act and represent good planning.

Sincerely,
Ian Robertson Design



Ian Robertson
President