

<b>ITEM: 6.1</b>	<b>COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A036/23 27 GOODMAN CRESCENT, 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 checked="" type="checkbox"/>	Recommend Approval w/Conditions
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 type="checkbox"/>	Recommend Refusal
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 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 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 checked="" type="checkbox"/>	Recommend Approval w/Conditions
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

File Number	Date of Decision MM/DD/YYYY	Decision Outcome

**PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

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

A073/17	04/06/2017	Approved
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**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  
A036/23  
27 GOODMAN CRESCENT, MAPLE**

<b>ITEM NUMBER:6.1</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Giuseppe Agrippa
<b>AGENT:</b>	Humphries Planning Group Inc.
<b>PROPERTY:</b>	27 Goodman Crescent, 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 the existing single-family dwelling, pool house (cabana) and reduced soft landscaping requirements in the rear yard.

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

**The subject lands are zoned R1E(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.534 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	A residential accessory structure with a height greater than 2.8 metres shall not be located closer than 2.4 m to any lot line [Section 4.1.2.1.b].	To permit a residential accessory structure (accessory dwelling) with a height greater than 2.8 metres to be located 1.1 metres to the interior side lot line.
2	A residential accessory structure with a height greater than 2.8 metres shall not be located closer than 2.4 m to any lot line [Section 4.1.2.1.b].	To permit a residential accessory structure (accessory dwelling) with a height greater than 2.8 metres to be located 0.4 metres to the rear lot line.
3	A minimum interior side yard of 1.5 metres is required for a residential accessory structure (Post and beam structure) [Section 4.1.2.1 a].	To permit a minimum interior side yard of 0 metres for the residential accessory structure (Post and beam structure east side).
4	In any Residential zone, the maximum lot coverage of all accessory buildings and residential accessory structures shall be 10% or 67 m <sup>2</sup> , whichever is less [Section 4.1.3.1].	To permit a maximum lot coverage of 79.43 m <sup>2</sup> for accessory buildings and residential accessory structures.
5	A maximum Lot coverage of 23% is permitted [Table 7-3, Note 2].	To permit a maximum lot coverage of 36.6%.
6	In any Residential zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m [Section 4.1.4.1].	To permit a maximum height of 4.29 metres for a residential accessory structure.
7	A maximum encroachment of 0.6 metres into the minimum required interior side yard is permitted for an uncovered platform [Section 4.13, Table 4-1].	To permit a maximum encroachment of 1.12 metres for an uncovered platform into the minimum required interior side yard (east side).
8	A maximum encroachment of 0.5 metres is required for Eaves and Gutters [Section 4.13, Table 4-1].	To permit a maximum encroachment of 0.61 metres for eaves and gutters into the minimum interior side yard.
9	A maximum encroachment of 0.6 meters is required for an Ornamental Building feature [Section 4.13, Table 4-1].	To permit a maximum encroachment of 1.3 metres for the attached post and beam structures on the west side of the dwelling.

#	Zoning By-law 001-2021	Variance requested
10	A minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest lot line [Section 4.13.3].	To permit a minimum distance of 0.0 metres to the permitted encroachments of Eaves and gutters into the rear yard.
11	In the R1E zone, any portion of a yard in excess of 135.0 m <sup>2</sup> shall be comprised of a minimum 60% soft landscape [Section 4.19.1].	To permit the area of the rear yard in excess of 135.0 m <sup>2</sup> to be a minimum of 39.6% soft landscape.
12	An entrance to a secondary suite shall be accessible from the street by an unobstructed hard landscaped surface walkway measuring a minimum of 1.2 m in width [Section 5.21.10 b.].	To permit an entrance to a secondary suite to not be accessed by a 1.2 m wide hard surfaced landscaped walkway.

The subject lands are zoned R1V – Old Village Residential Zone under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
13	A maximum encroachment of 0.3 metres into the minimum required interior side yard is permitted for an uncovered porch or balcony [Section 3.14 c)].	To permit a maximum encroachment of 1.5 metres for an uncovered porch or balcony into the minimum required interior side yard.
14	A maximum encroachment of 0.5 metres is required for eaves and gutters [Section 3.14 a)].	To permit a maximum encroachment of 0.61 metres for eaves and gutters into the minimum interior side yard.
15	An Ornamental Building feature is not permitted to encroach [Section 3.14]	To permit a maximum encroachment of 1.3 metres for the attached post and beam structures on the west side of the dwelling.
16	No encroachment permitted in an interior side yard shall be closer than 1.2 metres to a line except eaves, gutters, external central air conditioner and/or heat pump units [Section 3.14 i)].	To permit a deck to encroach to 0.38 metres in the interior side yard.

### HEARING INFORMATION

**DATE OF MEETING:** Thursday, August 3, 2023

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Woodbridge Room (2<sup>nd</sup> Floor), 2141 Major Mackenzie Drive

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://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](mailto:cofa@vaughan.ca)

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

**Email:** [cofa@vaughan.ca](mailto: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](mailto: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.

## 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>	July 20, 2023
<b>Date Applicant Confirmed Posting of Sign:</b>	July 11, 2023
<b>Applicant Justification for Variances:</b> <small>*As provided by Applicant in Application Form</small>	<p>The existing dwelling and accessory cabana structure exceeds the approved maximum coverage for the property. Whereas a maximum of 29.6% total lot coverage is allowed (per Decision A073/17) existing building/structures have been constructed with a lot coverage ratio of 34.40%. In addition to variances to overall lot coverage, it is expected that additional variances may also be required for rear yard setback (of an accessory structure), maximum height of an accessory structure, and the percentage of a lot covered by accessory buildings and structures.</p>
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	<p>On July 18, 2023, Development Planning provided:</p> <p>Development Planning has reviewed the submitted Planning Justification Report along with all other submitted materials, the full list of variances, and has had discussions with internal staff regarding the above noted application. We have completed our review of the file and remain concerned with the issues pertaining to the increased lot coverage, reduced setbacks, and soft landscaping in the rear yard.</p> <p><b>1. Lot Coverage:</b> Development Planning acknowledges your approved Committee of Adjustment application (File A073/17), and previously approved minor variance file A321/13 are identical and contemplated a maximum lot coverage of 29.6% (23% - dwelling, 1.8 % - front porch, 4.8% - gazebo). Planning staff supported a proposal where the main dwelling along with any attached enclosed spaces did not exceed 23% and the covered/unenclosed areas equaled 6.6%. Note the maximum lot coverage threshold did not vary and conformed with the applicable policies at that time. Development Planning recognized the Owners efforts in the past applications to ensure the previously established footprint of the two-storey dwelling (including attached garage) remained below 23%. However, the expansion of the attached garage (workshop), forms part of the primary dwelling. The lot coverage of the primary dwelling (excluding covered and unenclosed front and rear porches) is 24.94% (23% - dwelling, 1.94% - workshop).</p> <p>The additional dwelling unit contributes 9.17% to the overall lot coverage and spans more than half the width of the lot. It is Development Planning's opinion that the additional dwelling unit was constructed too close to the rear lot line. Development Planning is concerned that the added coverage in conjunction with the height and proximity to the lot line will cause adverse massing impacts to the abutting residential properties. Development Planning understands that new Provincial legislation, such as Bill 23, has ushered in many changes to the Planning Act, specifically, as-of-right zoning to permit up to three residential units per lot (two in the main building and one in an accessory building), with no minimum unit sizes. However, existing zone provisions are expected to be maintained when these units, either attached or detached, are contemplated. Given that the total lot coverage is 36.6%, where a maximum of</p>

## COMMITTEE OF ADJUSTMENT COMMENTS

23% lot coverage is permitted under Zoning By-law 001-2021 and that Sections 9.1.2.3 g) h) in VOP 2010 still apply, Development Planning is of the opinion that the lot coverage is not minor in nature.

2. **Setbacks:** The Development Planning Department is not in a position to support the rear yard setback for the existing additional dwelling unit. While Development Engineering has reviewed the variances and have no concerns with the reduced setbacks from a lot grading and drainage perspective, Development Planning is of the opinion that a 0.4 m rear yard setback will impact the functionality and maintenance of the rear yard by providing little to no access around the additional dwelling unit structure. The application as proposed provides little separation between a dwelling unit and a rear lot line. It is anticipated this will result in significant massing and privacy impacts to abutting properties.

Amongst other functions, an interior side yard and rear yard maintains appropriate distance between a lot line and structure and/or building. Three functions of providing this setback are to:

- Provide adequate separation of mass between properties,
- Provide adequate separation of activity (i.e. use) that is related structure/building use between properties; and
- Provide adequate space to perform maintenance to the face of the building/structure facing the lot line along with performing maintenance to the lands in between.

The Development Planning Department is of the opinion that an appropriate distance is not provided between the rear lot line and the existing additional dwelling unit and that the listed functions of an interior and rear yard setback have not been maintained.

3. **Soft Landscaping:** As per the submitted Site Plan, 39.6% soft landscaping for the portion of the rear yard in excess of 135.0 m<sup>2</sup> has been identified. In an R1E Zone, any portion of the rear yard in excess of 135.0 m<sup>2</sup> shall be comprised of a minimum 60% soft landscape. Development Planning typically aims to support reductions of soft landscaping of at least 50% for the portion of the rear yard in excess of 135.0 m<sup>2</sup> where circumstances to achieve full compliance are challenging. Development Planning understands that an underground parking garage exists below parts of the rear yard. However, placing landscaping on top of parking garages is common practice. At the moment, the only sizeable portion of soft landscaping within the rear yard is within the somewhat isolated southwest corner. The pool and associated patio amenity areas occupy the majority of the unenclosed rear yard. An increase in soft landscaping would help balance the softscape and hardscape features, improve the permeability of the rear yard, and remain compatible with other properties in the area.

Urban Design's revised comments have been provided.

At this time, Development Planning is not in a position to support the above noted Minor Variance Application.

### COMMITTEE OF ADJUSTMENT COMMENTS

	<p>On July 18, 2023, the applicant provided:</p> <p>The proposal represents an already built structure, so the comments cannot be addressed in any substantial matter.</p> <p>Effectively, Staff are suggesting that the application be refused, and the building be demolished and/or modified to comply with zoning requirements.</p> <p>We wish to proceed to the August 3 hearing.</p>
<p><b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b></p> <p>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</p> <p>*A revised submission may be required to address staff / agency comments received as part of the application review process.</p> <p>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</p>	No
<p><b>Adjournment Fees:</b></p> <p>In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.</p> <p>An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff <b>after</b> the issuance of public notice.</p>	
<b>Committee of Adjustment Comments:</b>	None
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	Applicant to pay outstanding application fee (\$144).

### BUILDING STANDARDS (ZONING) COMMENTS

**See Schedule B for Building Standards (Zoning) Comments	
<b>Building Standards Recommended Conditions of Approval:</b>	None

### DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments.	
<b>Development Planning Recommended Conditions of Approval:</b>	None

### DEVELOPMENT ENGINEERING COMMENTS

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

<p>Due to the size of the proposed pool house on the subject property, which measures 60.94 m<sup>2</sup>, the Owner/Applicant must acquire a Lot Grading Permit from the Development Inspection and Lot Grading Division of the City's Development Engineering Department. It's important to note that any in-ground structure exceeding 10 m<sup>2</sup> necessitates a Grading Permit. Once the Grading Permit is obtained, please reach out to the Development Engineering Reviewer to clear the Condition imposed on this application.</p> <p>The Owner/Applicant's proposed work involves increasing the Lot Coverage on the subject property. This addition of hardscape could potentially affect the City's Storm Water management system. Development Engineering highly recommends that the Owner/Applicant incorporate Low-Impact Development (LID) measures, such as bioswales, permeable pavers, rain gardens, rain barrels, etc., to minimize the impact on the stormwater system. If additional information is needed, please reach out to the Development Engineering COA reviewer.</p> <p>The Development Engineering Department does not object to the Minor Variance application A036/23, subject to the following condition(s):</p>	
<b>Development Engineering Recommended Conditions of Approval:</b>	<p>The Owner/Applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading Division within the City's Development Engineering Department. To acquire the necessary Lot</p>

## DEVELOPMENT ENGINEERING COMMENTS

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

Grading and/or Servicing Permit, kindly refer to the Grading Permit page on the official website of the City of Vaughan. Should you have any inquiries regarding the Grading Permit, please feel free to reach out to the Development Engineering Department via email at DEPermits@vaughan.ca.

## PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: Forestry has no comment at this time

<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 comment no concerns.

<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)
<b>Schedule D</b> (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 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	Applicant to pay outstanding application fee (\$144).
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 within the City's Development Engineering Department. To acquire the necessary Lot Grading and/or Servicing Permit, kindly refer to the Grading Permit page on the official website of the City of Vaughan. Should you have any inquiries regarding the Grading Permit, please feel free to reach out to



## 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.

		the Development Engineering Department via email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> .
3	York Region <a href="mailto:developmentservices@york.ca">developmentservices@york.ca</a>	Prior to final approval of the application, the City of Vaughan shall confirm that adequate water supply and sewage capacity has been allocated for the proposed secondary dwelling.

## IMPORTANT INFORMATION – PLEASE READ

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

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

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

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

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

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

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

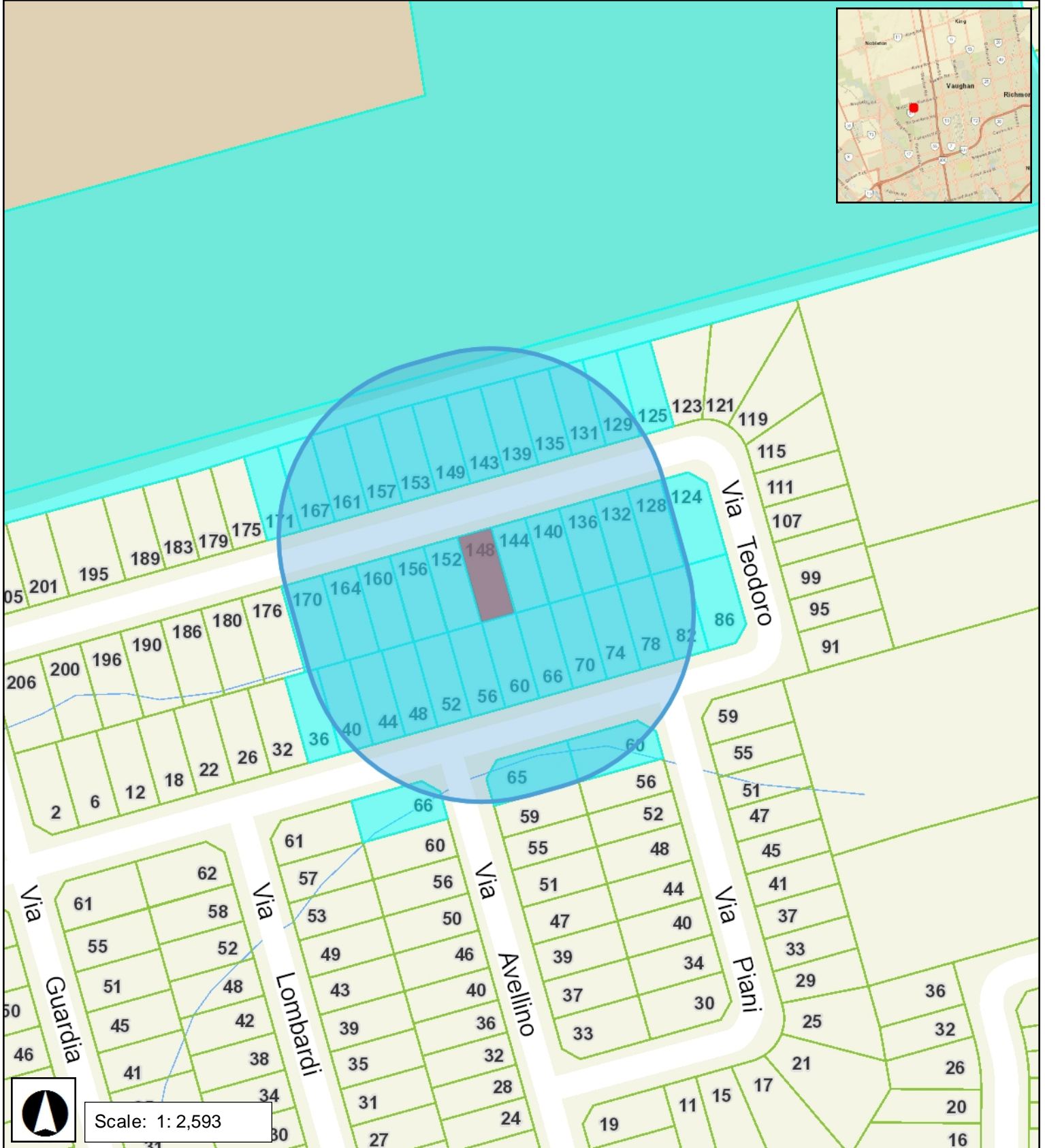
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City’s Development Charges By-law in effect at the time of payment.

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

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City’s 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 9:44 am, Jul 17, 2023

# PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT

# A036/23

General Notes

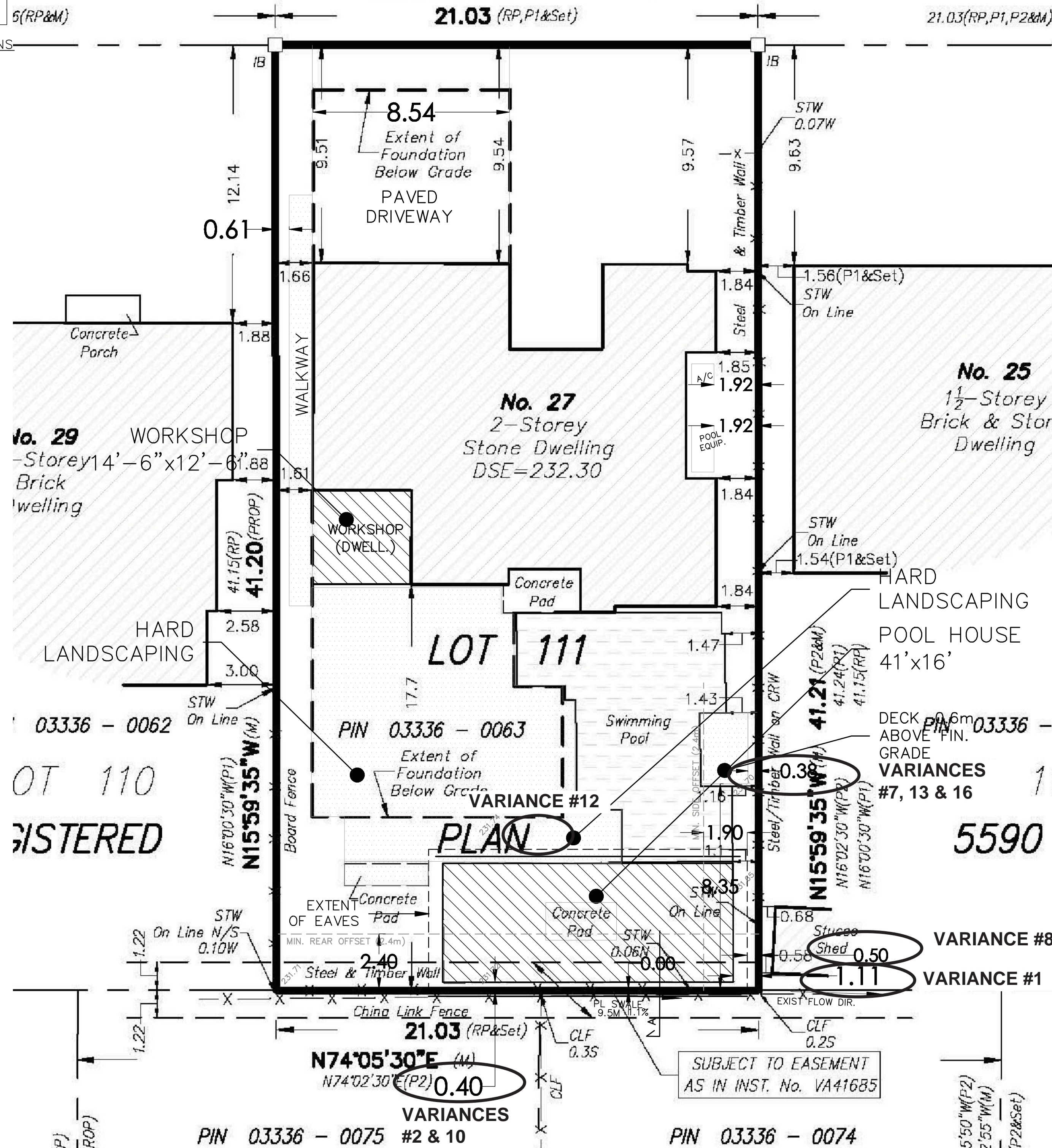
## GOODMAN CRESCENT

(BY REGISTERED PLAN 5590) VARIANCE #1  
PIN 03335 - 0179

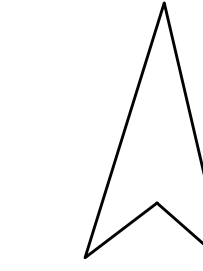
N74°10'05"E (P2)  
N74°04'00"E (REFERENCE BEARING)

METRIC  
5(RP&M)

ALL PROPERTY DIMENSIONS IN METERS UNLESS OTHERWISE NOTED



Construction North



SCOPE OF WORK:

CONSTRUCTION OF REAR YARD POOL HOUSE

BOUNDARY INFORMATION TAKEN FROM SURVEY:

DATED: FEB 17, 2010  
BY: YOUNG & YOUNG SURVEYING

DWELLING OFFSET INFORMATION TAKEN FROM ORIGINAL CONSTRUCTION DRAWINGS.

VARIANCE #3  
VARIANCE #4  
VARIANCE #5

CONTRACTOR MUST VERIFY ALL DIMENSIONS IN THE FIELD. ANY DISCREPANCIES MUST BE REPORTED BEFORE PROCEEDING WITH THE WORK.

ALL CONSTRUCTION TO ADHERE TO THESE PLANS AND/OR SPECIFICATIONS AND TO CONFORM TO THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. THESE REQUIREMENTS ARE TO BE TAKEN AS MINIMUM SPECIFICATIONS. ONT. REG. 332/12.

DOWNSPOUTS ARE TO SPLASH TO GRADE, AND WHERE POSSIBLE, THE DISCHARGE IS TO BE DIRECTED TOWARDS THE ROAD

ELEVATIONS ARE GEODETIC AND REFERRED TO BENCHMARK No. 25-5 HAVING ELEVATION = 229.71

LEGEND:

- FFE DENOTES FINISHED FLOOR ELEVATION
- GFE DENOTES GARAGE FINISHED ELEVATION
- BFE DENOTES BASEMENT FLOOR ELEVATION
- UFE DENOTES UNDERSIDE OF FOOTING ELEVATION
- TFE DENOTES TOP OF FOUNDATION ELEVATION
- HP DENOTES HIGH POINT
- 123.45 DENOTES EXISTING ELEVATION
- 123.45 DENOTES SHEET FLOOR DIRECTION
- 123.45 DENOTES PROPOSED ELEVATION
- xR DENOTES RAINWATER LEADER

NOTE:

- ALL FOOTING FORMWORK ELEVATIONS AND STEBACKS ARE TO BE CONFIRMED BY A REGISTERED ONTARIO LAND SURVEYOR PRIOR TO THE PLACEMENT OF ANY CONCRETE.
- PRIOR TO PROCEEDING WITH ANY SUPERSTRUCTURE WORKS, CONTRACTOR MUST ENSURE THAT THE TOP OF FOUNDATIONS ARE IN CONFORMITY WITH THE GRADING PLAN REVIEWED BY THE CITY.
- ALL RAINWATER LEADERS SHALL DISCHARGE ONTO SPLASH PADS AT GROUND LEVEL.
- EXISTING BOUNDARY ELEVATIONS ALONG THE SITE PERIMETER SHALL REMAIN UNDISTURBED. DRAINAGE RECEIVED FROM ADJACENT PROPERTIES SHALL BE ACCOMMODATED AND DRAINAGE FROM THE SUBJECT LANDS SHALL BE SELF CONTAINED.
- ALL YARD AREAS SHALL RECEIVE A MINIMUM OF 100mm TOPSOIL PLUS 50B.
- THE APPLICANT SHALL CONTACT THE CITY ARBORIST FOR CONSENT PRIOR TO ANY TREE BEING REMOVED.
- THE APPLICANT SHALL CONTACT THE OPERATIONS SECTION OF THE ENGINEERING AND PUBLIC WORKS DEPARTMENT TO MAKE ARRANGEMENTS FOR DRIVEWAY ACCESS AND SITE SERVICE CONNECTIONS.
- THE APPLICANT SHALL CONTACT THE CITY'S BUILDING SERVICES DIVISION A MINIMUM OF 48 HOURS IN ADVANCE OF CONSTRUCTION OF ANY RETAINING WALL DEEMED TO BE A "DESIGNATED STRUCTURE" IN ORDER TO ARRANGE FOR ANY NECESSARY INSPECTIONS.
- THE APPLICANT IS RESPONSIBLE TO ENSURE THAT ALL CONSTRUCTION ACTIVITY AND FINAL PRODUCT CONFORM TO ALL CITY BY-LAWS.

BUILDING STATISTICS:

SITE AREA: 865.40 SM  
REAR YARD AREA: 332.74 SM

DWELLING: 216.60 SM  
FRONT PORCH: 15.57 SM  
REAR PORCH: 5.11 SM

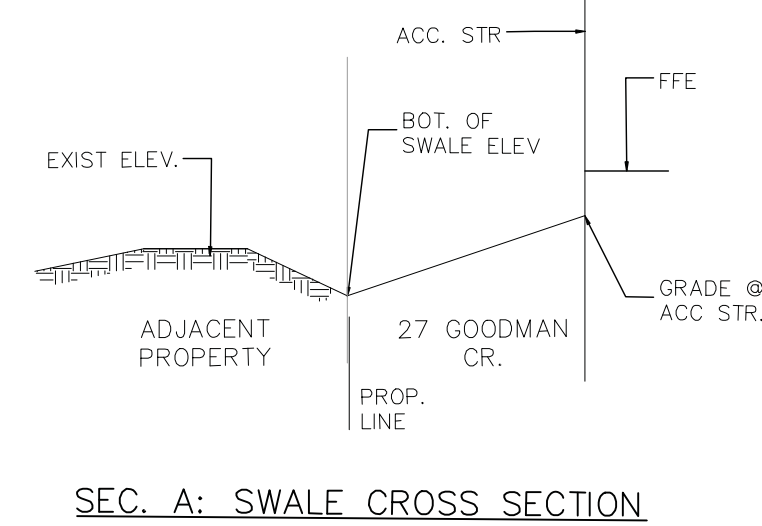
POOL HOUSE COVERAGE: 60.94 SM  
HEIGHT: 4.49 M

TOTAL COVERAGE: 298.22 SM (34.40%)

REAR YARD STATISTICS:

REAR YARD AREA: 332.74  
REAR YARD SOFT LAND: 78.31 SM (23.53%)

VARIANCES # 4,5,11



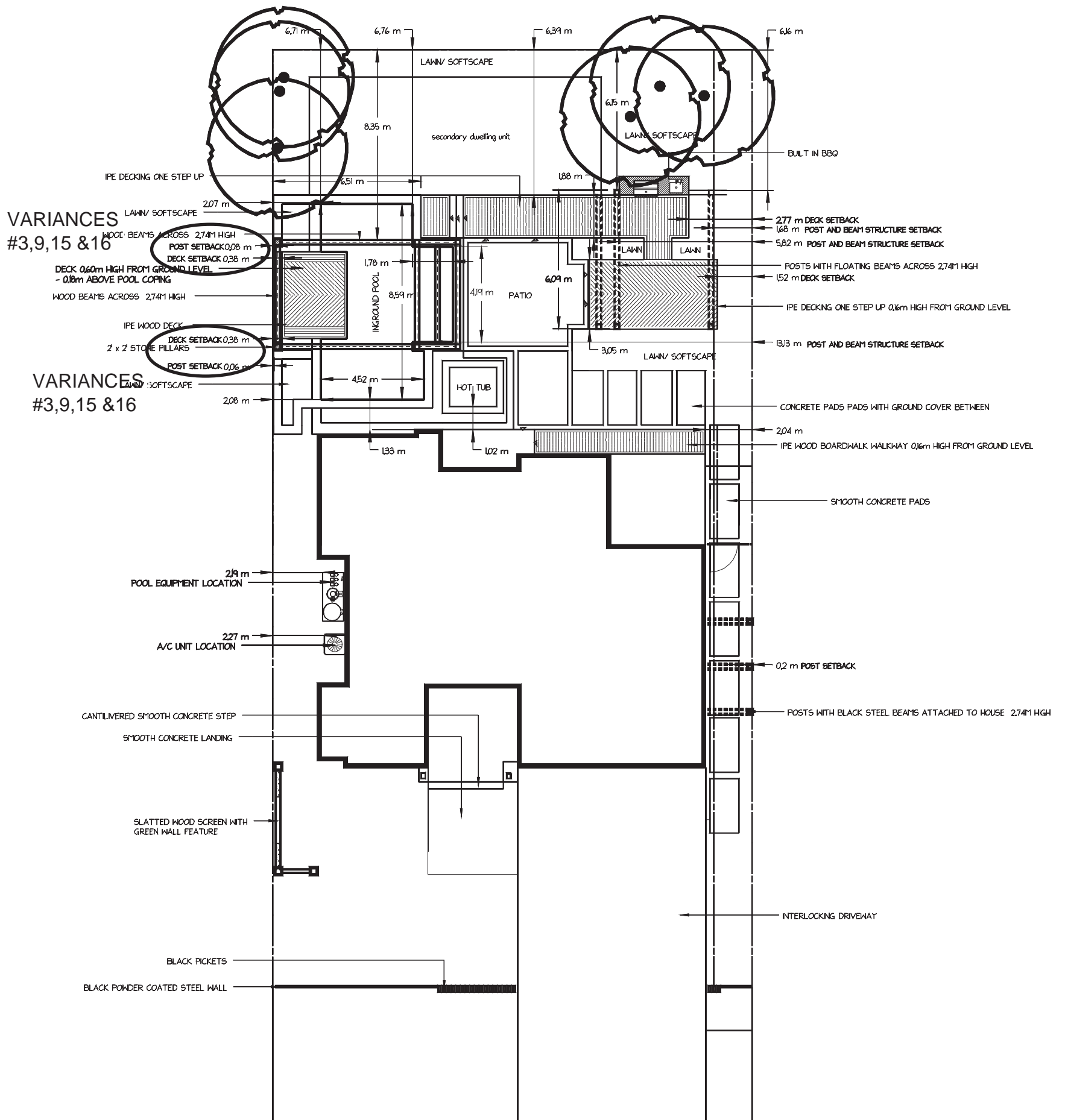
LASONNE ENGINEERING LTD. KLEINBURG 416.662.2673

No.	Revision/Issue	Date

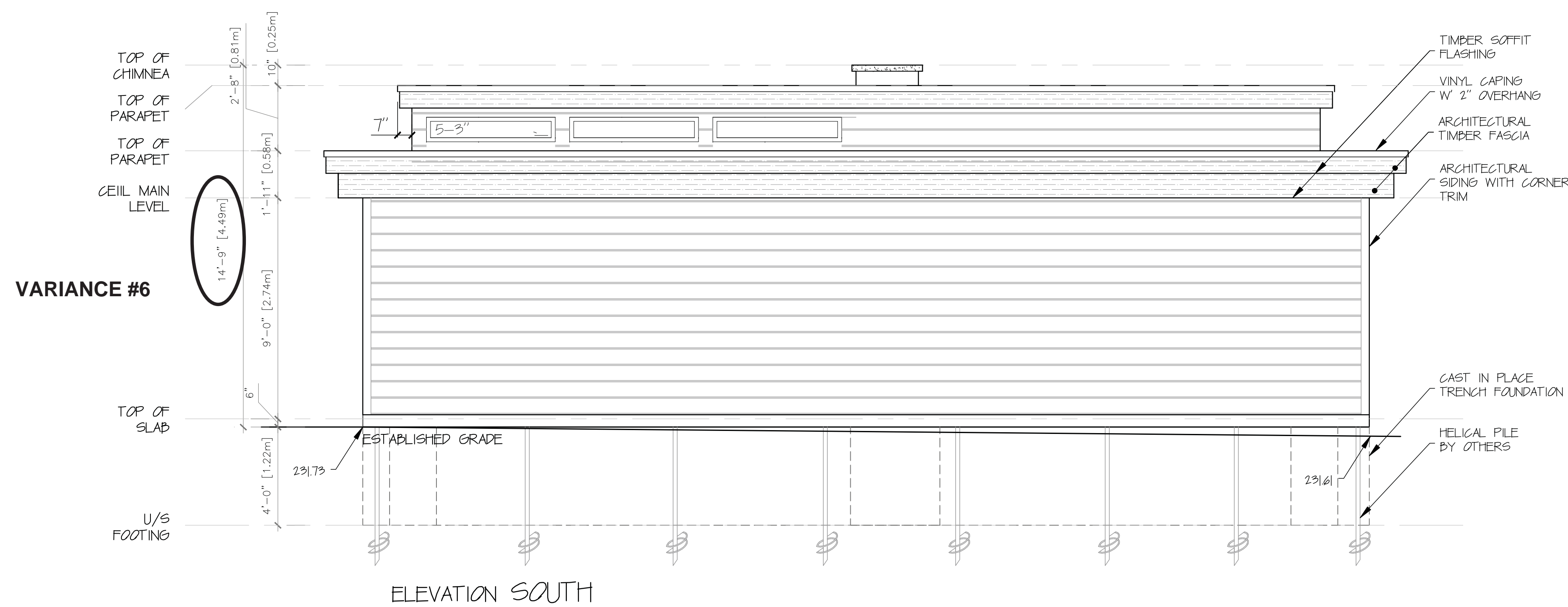
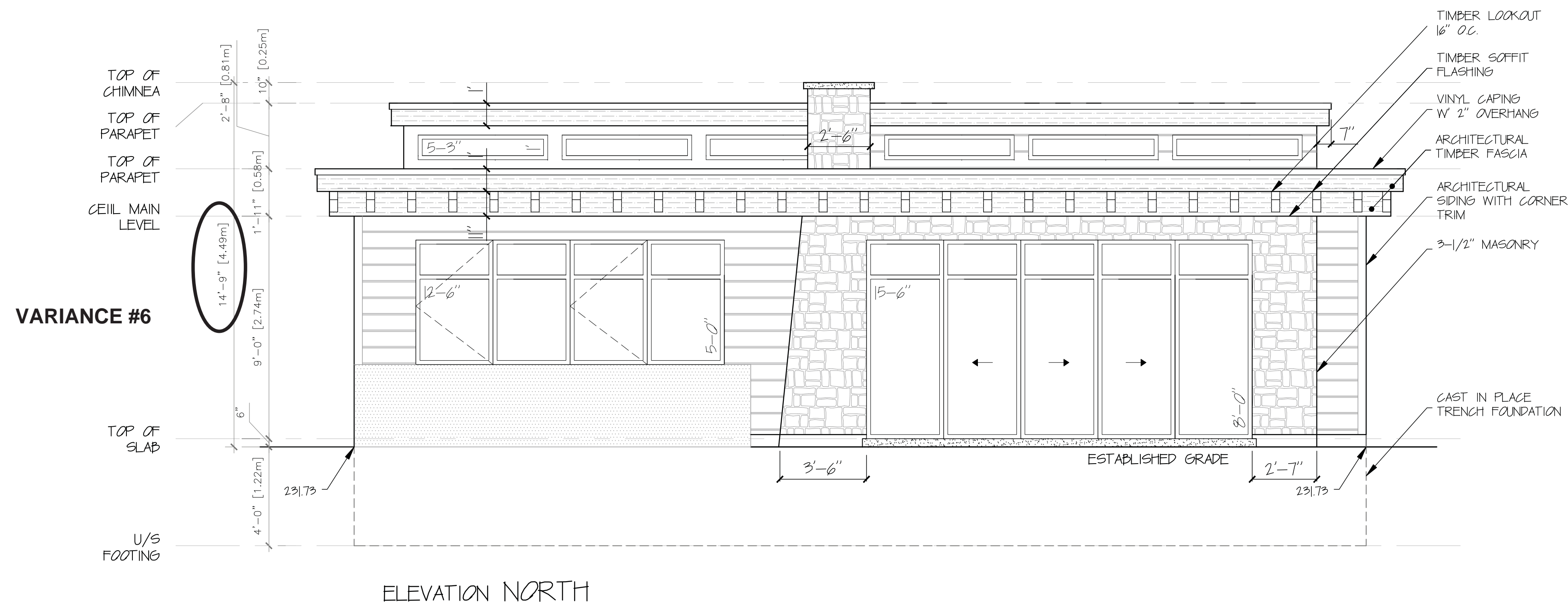
SITE PLAN

27 GOODMAN CRESCENT POOL HOUSE Vaughan, Ontario

Project	20470	Sheet	
Date	NOV '21		50
Scale	1:125		



27 GOODMAN CRESCENT, MAPLE ON	
LEGEND:	SCALE: 1:200
△ DOOR	DATE: 2023-04-24
▲ STEP	DRAWING: DESIGN 1



CONTRACTOR MUST VERIFY ALL DIMENSIONS IN THE FIELD. ANY DISCREPANCIES MUST BE REPORTED BEFORE PROCEEDING WITH THE WORK.

ALL CONSTRUCTION TO ADHERE TO THESE PLANS AND/OR SPECIFICATIONS AND TO CONFORM TO THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. THESE REQUIREMENTS ARE TO BE TAKEN AS MINIMUM SPECIFICATIONS. ONT. REG. 332/12.

General Notes

05/05/21

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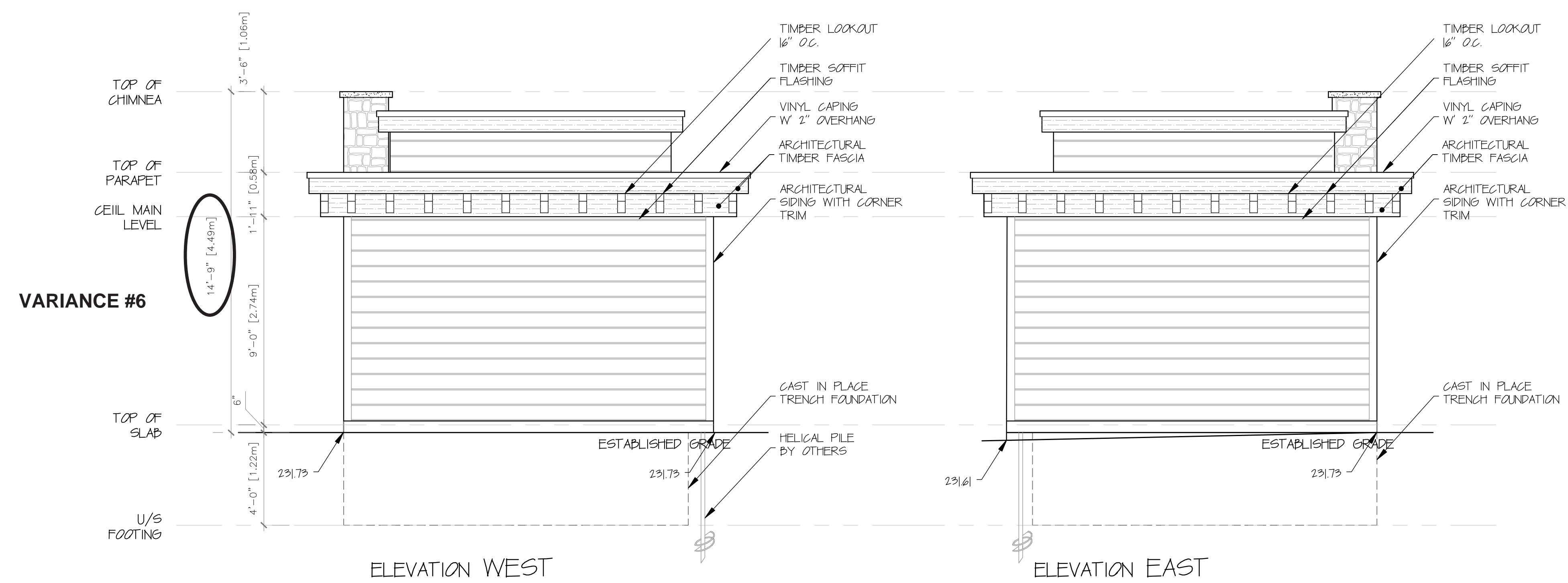
**LASONNE  
ENGINEERING LTD.**  
KLEINBURG 416.662.2673

No.	Revision/Issue	Date

**ELEVATIONS I**

**27 GOODMAN CRESCENT  
POOL HOUSE**  
Vaughan, Ontario

Project	20470	Sheet	
Date	NOV '20		S2
Scale	1:40		



CONTRACTOR MUST VERIFY ALL DIMENSIONS IN THE FIELD. ANY DISCREPANCIES MUST BE REPORTED BEFORE PROCEEDING WITH THE WORK.

ALL CONSTRUCTION TO ADHERE TO THESE PLANS AND/OR SPECIFICATIONS AND TO CONFORM TO THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE CODES AND AUTHORITIES HAVING JURISDICTION. THESE REQUIREMENTS ARE TO BE TAKEN AS MINIMUM SPECIFICATIONS. ONT. REG. 332/12.

05/05/21

23.73 23.73 23.73 23.73

**LASONNE ENGINEERING LTD.**  
KLEINBURG 416.662.2673

No.	Revision/Issue	Date

**ELEVATIONS II**

**27 GOODMAN CRESCENT POOL HOUSE**  
Vaughan, Ontario

Project	20470	Sheet	
Date	NOV '20		S3
Scale	1:40		

**SCHEDULE B: STAFF & AGENCY COMMENTS**

<b>DEPT/AGENCY</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA *Schedule B	X			No Comments Received to Date
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X	X	X	Recommend Approval w/Conditions
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	X		Recommend Refusal
Building Standards (Zoning)	X	X		General Comments



**Date:** July 10<sup>th</sup> 2023

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

**RE:** Request for Comments

**File No.:** **A036-23**

**Related Files:**

**Applicant** Giuseppe Agrippa

**Location** 27 Goodman Crescent



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:

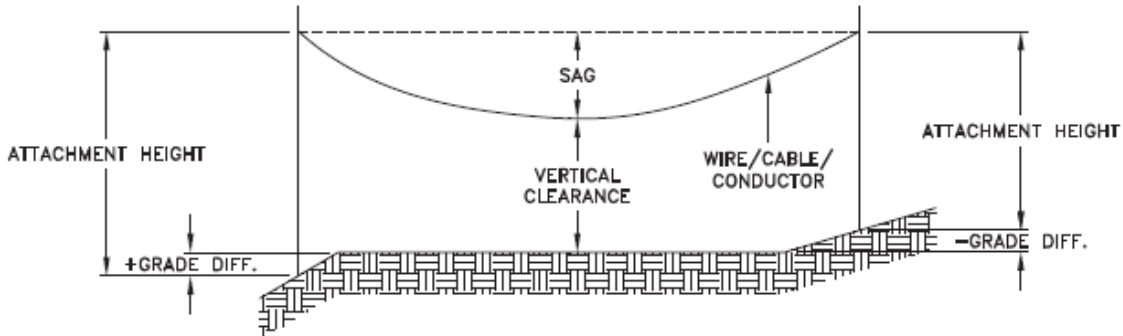
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](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)

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"

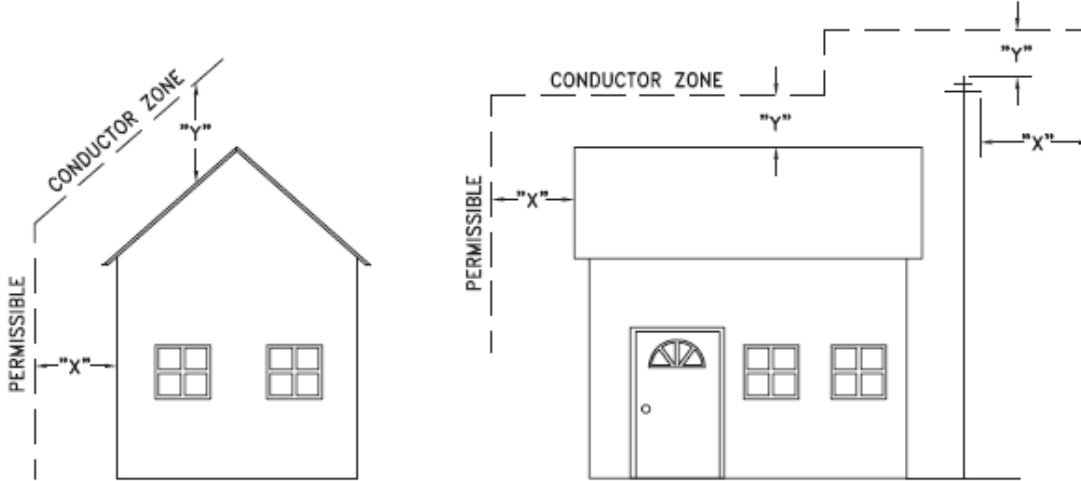
**REFERENCES**

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:** Lindsay Haviland, Building Standards Department

**Date:** July 6, 2023

**Applicant:** Giuseppe Agrippa

**Location:** 27 Goodman Crescent  
PLAN RP5590 Lot 111

**File No.(s):** A036/23

**Zoning Classification:**

The subject lands are zoned R1E(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.534 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A residential accessory structure with a height greater than 2.8 metres shall not be located closer than 2.4 m to any lot line [Section 4.1.2.1.b.].	To permit a residential accessory structure (accessory dwelling) with a height greater than 2.8 metres to be located 1.1 metres to the interior side lot line.
2	A residential accessory structure with a height greater than 2.8 metres shall not be located closer than 2.4 m to any lot line [Section 4.1.2.1.b.].	To permit a residential accessory structure (accessory dwelling) with a height greater than 2.8 metres to be located 0.4 metres to the rear lot line.
3	A minimum interior side yard of 1.5 metres is required for a residential accessory structure (Post and beam structure) [Section 4.1.2.1 a].	To permit a minimum interior side yard of 0 metres for the residential accessory structure (Post and beam structure east side).
4	In any Residential zone, the maximum lot coverage of all accessory buildings and residential accessory structures shall be 10% or 67 m <sup>2</sup> , whichever is less [Section 4.1.3.1].	To permit a maximum lot coverage of 79.43 m <sup>2</sup> for accessory buildings and residential accessory structures.
5	A maximum Lot coverage of 23% is permitted [Table 7-3, Note 2].	To permit a maximum lot coverage of 36.6%.
6	In any Residential zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m [Section 4.1.4.1].	To permit a maximum height of 4.29 metres for a residential accessory structure.
7	A maximum encroachment of 0.6 metres into the minimum required interior side yard is permitted for an uncovered platform [Section 4.13, Table 4-1].	To permit a maximum encroachment of 1.12 metres for an uncovered platform into the minimum required interior side yard (east side).
8	A maximum encroachment of 0.5 metres is required for Eaves and Gutters [Section 4.13, Table 4-1].	To permit a maximum encroachment of 0.61 metres for eaves and gutters into the minimum interior side yard.
9	A maximum encroachment of 0.6 meters is required for an Ornamental Building feature [Section 4.13, Table 4-1].	To permit a maximum encroachment of 1.3 metres for the attached post and beam structures on the west side of the dwelling.
10	A minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest lot line [Section 4.13.3].	To permit a minimum distance of 0.0 metres to the permitted encroachments of Eaves and gutters into the rear yard.
11	In the R1E zone, any portion of a yard in excess of 135.0 m <sup>2</sup> shall be comprised of a minimum 60% soft landscape [Section 4.19.1].	To permit the area of the rear yard in excess of 135.0 m <sup>2</sup> to be a minimum of 39.6% soft landscape.

12	An entrance to a secondary suite shall be accessible from the street by an unobstructed hard landscaped surface walkway measuring a minimum of 1.2 m in width [Section 5.21.10 b.].	To permit an entrance to a secondary suite to not be accessed by a 1.2 m wide hard surfaced landscaped walkway.
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The subject lands are zoned R1V – Old Village Residential Zone under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
13	A maximum encroachment of 0.3 metres into the minimum required interior side yard is permitted for an uncovered porch or balcony [Section 3.14 c)].	To permit a maximum encroachment of 1.5 metres for an uncovered porch or balcony into the minimum required interior side yard.
14	A maximum encroachment of 0.5 metres is required for eaves and gutters [Section 3.14 a)].	To permit a maximum encroachment of 0.61 metres for eaves and gutters into the minimum interior side yard.
15	An Ornamental Building feature is not permitted to encroach [Section 3.14]	To permit a maximum encroachment of 1.3 metres for the attached post and beam structures on the west side of the dwelling.
16	No encroachment permitted in an interior side yard shall be closer than 1.2 metres to a line except eaves, gutters, external central air conditioner and/or heat pump units [Section 3.14 i)].	To permit a deck to encroach to 0.38 metres in the interior side yard.

**Staff Comments:**

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

Order No. 22-120659, Stop Work Order for , Issue Date: Jun 15, 2022  
 Order No. 21-120470, Order to Comply for , Issue Date: Jul 28, 2021  
 Order No. 22-120660, Order to Comply for , Issue Date: Jun 14, 2022

**Building Permit(s) Issued:**

Building Permit No. 18-000075 for Single Detached Dwelling - New (Infill Housing) L of C Included , Issue Date: Mar 08, 2018  
 Building Permit No. 21-135836 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)  
 Building Permit No. 22-104983 for Shed/Gazebo - Residential Demolition, 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.
2	The applicant shall be advised that the maximum Height of all residential accessory buildings and structures shall be measured in accordance with the definitions in Section 3.0 DEFINITIONS of By-law 001-2021, as amended. Established Grade shall be the approved grading at the time of the original building permit for the principal dwelling.

**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:** [Lenore Providence](#)  
**Cc:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A036/23 (27 Goodman Crescent) - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Friday, July 21, 2023 10:49:17 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)

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Hi Lenore,

The Regional Municipality of York has completed its review of the minor variance application (A036/23) and has the following condition:

1. Prior to final approval of the application, the City of Vaughan shall confirm that adequate water supply and sewage capacity has been allocated for the proposed secondary dwelling.

Please provide us with a copy of the notice of decision for our records.

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, Development Services, 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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Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Please consider the environment before printing this email.

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** July 20, 2023  
**Name of Owner:** Giuseppe Agrippa  
**Location:** 27 Goodman Crescent  
**File No.(s):** A036/23

---

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

1. To permit a residential accessory structure (accessory dwelling) with a height greater than 2.8 metres to be located 1.1 metres to the interior side lot line.
2. To permit a residential accessory structure (accessory dwelling) with a height greater than 2.8 metres to be located 0.4 metres to the rear lot line.
3. To permit a minimum interior side yard of 0 metres for the residential accessory structure (Post and beam structure east side).
4. To permit a maximum lot coverage of 79.43 m<sup>2</sup> for accessory buildings and residential accessory structures.
5. To permit a maximum lot coverage of 36.6%.
6. To permit a maximum height of 4.29 metres for a residential accessory structure.
7. To permit a maximum encroachment of 1.12 metres for an uncovered platform into the minimum required interior side yard (east side).
8. To permit a maximum encroachment of 0.61 metres for eaves and gutters into the minimum interior side yard.
9. To permit a maximum encroachment of 1.3 metres for the attached post and beam structures on the west side of the dwelling.
10. To permit a minimum distance of 0.0 metres to the permitted encroachments of eaves and gutters into the rear yard.
11. To permit the area of the rear yard in excess of 135.0 m<sup>2</sup> to be a minimum of 39.6% soft landscape.
12. To permit an entrance to a secondary suite to not be accessed by a 1.2 m wide hard surfaced landscaped walkway.

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

1. A residential accessory structure with a height greater than 2.8 metres shall not be located closer than 2.4 m to any lot line.
2. A residential accessory structure with a height greater than 2.8 metres shall not be located closer than 2.4 m to any lot line.
3. A minimum interior side yard of 1.5 metres is required for a residential accessory structure (Post and beam structure).
4. In any Residential zone, the maximum lot coverage of all accessory buildings and residential accessory structures shall be 10% or 67 m<sup>2</sup>, whichever is less.
5. A maximum lot coverage of 23% is permitted.
6. In any Residential zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m.
7. A maximum encroachment of 0.6 metres into the minimum required interior side yard is permitted for an uncovered platform.
8. A maximum encroachment of 0.5 metres is required for Eaves and Gutters.
9. A maximum encroachment of 0.6 meters is required for an Ornamental Building feature.
10. A minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest lot line.
11. In the R1E zone, any portion of a yard in excess of 135.0 m<sup>2</sup> shall be comprised of a minimum 60% soft landscape.
12. An entrance to a secondary suite shall be accessible from the street by an unobstructed hard landscaped surface walkway measuring a minimum of 1.2 m in width.

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

13. To permit a maximum encroachment of 1.5 metres for an uncovered porch or balcony into the minimum required interior side yard.
14. To permit a maximum encroachment of 0.61 metres for eaves and gutters into the minimum interior side yard.



15. To permit a maximum encroachment of 1.3 metres for the attached post and beam structures on the west side of the dwelling.
16. To permit a deck to encroach to 0.38 metres in the interior side yard.

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

13. A maximum encroachment of 0.3 metres into the minimum required interior side yard is permitted for an uncovered porch or balcony.
14. A maximum encroachment of 0.5 metres is required for eaves and gutters.
15. An Ornamental Building feature is not permitted to encroach.
16. No encroachment permitted in an interior side yard shall be closer than 1.2 metres to a line except eaves, gutters, external central air conditioner and/or heat pump units.

**Official Plan:**

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

**Background:**

Previous applications for minor variance have been submitted to the City of Vaughan Committee of Adjustment for the Subject Property.

1. **A072/11:** To permit a maximum lot coverage of 26.6% (Dwelling= 21.7%, Gazebo= 4.9%), whereas a maximum of 20% is permitted in accordance with By-law 1-88. This application was approved by Committee of Adjustment on March 10, 2011.
2. **A321/13:** To permit a maximum lot coverage of 29.6% (Dwelling= 23.0%, gazebo/pergola= 4.8% and 1.8% covered front entry porch), whereas a maximum of 20% is permitted according to By-law 1-88. This application was approved by Committee of Adjustment on October 3, 2013.
3. **A073/17:** Original proposal contemplated a maximum lot coverage of 31.6% (25% dwelling/garage workshop, 4.8% existing gazebos and pergolas, 1.8% front porch), whereas a maximum of 20% is permitted according to By-law 1-88. At the request of Development Planning, the Owner revised the lot coverage to 29.6% (Dwelling= 23.0%, gazebo/pergola= 4.8% and 1.8% covered front entry porch). The application was approved by Committee of Adjustment and became final and binding on February 15, 2018.

**Comments:**

The Owner is requesting permission to permit the existing Additional Dwelling Unit (ADU), workshop addition, in-ground pool, post and beam structures (square arches over the pool/patio/platform and side walkway), and amenity space with the above noted variances. The platform is on the east side of the rear yard, the deck is in the centre and on the west side of the rear yard, and the pool is on the east side of the rear yard. The ADU abuts the pool and deck and is located in the space between those features and the rear lot line.

**Rear and Side Yard Setbacks & Height**

The Development Planning Department is not in a position to support Variances 1, 2, 3, 6, 7, 8, 9, 10, 13, 14, 15 and 16 for the reduced interior side yard and rear yard setbacks for the ADU with a height greater than 2.8 m, a maximum encroachment of 0.61 m for the ADU's eaves and gutters into the minimum interior side yard and 0.0 m into the rear yard, a minimum interior side yard of 0 m for the post and beam structures, a maximum encroachment of 1.12 m (By-law 001-2021) and 1.5 m (By-law 1-88) for the uncovered platform into the minimum required interior side yard (east side) and 1.3 m encroachment for the attached post and beam structures on the west side of the dwelling, and deck encroachment of 0.38 m into the required interior side yard.

While Development Engineering has reviewed the above noted variances and has no concerns with the encroachment of the deck, uncovered platform and ADU into the required interior side yard and rear yard from a lot grading and drainage perspective, Development Planning is of the opinion that a 1.1 m interior side yard setback and a 0.4 m rear yard setback for the ADU, an encroachment of 1.12 m (By-law 001-2021) and 1.5 m (By-law 1-88) for an uncovered platform into the required interior side yard, an encroachment of 0.38 m for the deck into the interior side yard, and the 2.74 m high post and beam structures located in the side yard will impact the functionality and

maintenance of the side and rear yard by providing little to no access around the structures/buildings, and will result in significant massing and privacy impacts to abutting properties.

Development Planning is also of the opinion that permitting relief for the ADU's eaves and gutters so that they maintain a setback of 0.39 m and 0.0 m from the interior side and rear lot lines respectively are not considered minor in nature. The setbacks are inadequate. The eaves and gutters are an additional encroachment beyond the requested setback reductions for the walls of the ADU. As the walls of the ADU are already considered to be too close to the interior side and rear lot lines, the eaves and gutters further exacerbates the adverse massing and maintenance impacts created by the built form and location of the ADU.

Amongst other functions, an interior side and rear yard setback maintains appropriate distance between a lot line and structure and/or building. Four roles of this setback include, but are not limited to:

- (1) Providing adequate spatial separation of mass between properties,
- (2) Providing adequate spatial separation of activity (i.e. use) contained within and/or related to the structure/building between properties,
- (3) Providing adequate space to perform maintenance to the face of the building/structure facing the lot line along with performing maintenance to the lands in between; and
- (4) The provision of adequate landscaped amenity space to assist with such functions as stormwater infiltration, and the establishment of vegetation. The vegetation may, amongst other functions, reduce urban heat island effects and provide privacy screening between properties.

The Development Planning Department is of the opinion that an appropriate distance is not provided between the lot line and the existing ADU and uncovered platform and that the four listed functions of a rear and interior side yard setback have not been maintained.

With respect to function 1, the existing ADU does not provide adequate separation of mass between properties as the 4.29 m high ADU spans nearly the entire length of the rear yard. The height and proximity of the ADU causes it to be visible from Malaren Road, impacting its streetscape, and it will also have adverse massing impacts on the abutting residential properties. In addition, the uncovered platform located east of the inground pool elevates not only the activities to occur upon it, but the items placed upon it. This has resulted in the installation of a 9-foot fence along the interior side lot line in order to better buffer the ADU and the uncovered platform from the abutting residence and its rear yard to the east. The 9-foot fence is not sufficient to mitigate the lack of spatial separation between the ADU and the neighbouring properties. Increased setbacks are required to ensure the adequate separation and buffering of the proposed uses from the dwellings and their rear yards on the abutting properties.

With respect to function 2, noise generated from this activity would also be more impactful to the abutting properties due to the proximity of the ADU and uncovered platform to the lot lines. Additional setback is needed in order to provide more spatial separation between the proposed uses and lot lines. The added separation in itself will provide some mitigation, and the added space will also provide sufficient area to establish buffering measures, such as planting mature vegetation to act as a screen.

With respect to function 3, a 0.4 m rear yard setback for the ADU is not adequate space to perform maintenance to the rear fence or portion of the ADU facing the rear lot line, nor is it adequate space to perform maintenance to the lands in between. In addition, an encroachment of 1.12 m (By-law 001-2021) and 1.5 m (By-law 1-88) for an uncovered platform into the required interior side yard is not adequate space to perform maintenance to the east side of the uncovered platform or the lands in between.

With respect to function 4, a 0.4 m rear yard setback for the ADU and an encroachment of 1.12 m (By-law 001-2021) and 1.5 m (By-law 1-88) for an uncovered platform into the required interior side yard is not adequate space to provide privacy screening between properties. Additional setback is required to provide separation between the proposed uses and lot lines. The additional spatial separation in itself will provide sufficient space to establish buffering measures, such as planting mature vegetation for screening.

Policy 9.1.2.3.e. states that rear yards should be consistent with other developments in the area. The zoning by-law establishes requirements to ensure that any addition and/or newly built home establishes a pattern of setbacks for the neighbourhood to minimize massing impacts on the adjacent residential lots. Development Planning is of the opinion that the ADU is not consistent with the neighbourhood's established pattern of setbacks for buildings within the rear yard and anticipates adverse massing and privacy impacts on the adjacent residential lots.

#### Lot Coverage

In 2004, Vaughan Council directed the Development Planning Department to review the lot coverage standards of the "R1V Residential Old Village Zone" ('R1V Zone') under Zoning By-law 1-88. The Development Planning Department prepared a report which compared the lot coverage standards in Vaughan with surrounding municipalities. Council approved an increase only in the maximum lot coverage for 1-storey detached dwellings which do not exceed 7 m in height from 20% to 23% to make the construction of 1-storey dwellings in areas zoned R1V more viable, while the maximum lot coverage for 2-storey dwellings remained the same at 20%.

The Development Planning Department has continued to adapt this direction by supporting other variances that proposed a maximum lot coverage of 23% for a 2-storey dwelling (excluding covered but unenclosed areas and accessory structures) in this area, as well as other R1V zones in the City. The Subject Lands are zoned "R1E(EN) First Density Residential Zone" ('R1E(EN) Zone') under the City's new Comprehensive Zoning By-law 001-2021. Recognizing the history of previous Minor Variance Application approvals in the former R1V Zone areas of the City, the R1E(EN) Zone affords a lot coverage of 23% for 2-storey dwellings as-of-right provided the maximum height does not exceed 9.5 m.

The Subject Lands are identified in Schedule 1B of Vaughan Official Plan 2010 ('VOP 2010'), as being located within one of Vaughan's Established Large-Lot Neighbourhoods ('LLN') and subject to Policy 9.1.2.3 of VOP 2010. LLNs are recognized due to their distinctive characteristics, which include substantial rear and side yards and coverages that contribute towards expansive amenity areas that in turn provide opportunities for expansive landscape development. Policy 9.1.2.3.h. requires lot coverages be consistent with not only the other developments in the area, but as is provided for in the zoning by-law to ensure that any addition and/or newly built home establishes a footprint that complements and is compatible with the existing character of the neighbourhood. The proposed lot coverage of 36.6% (25.47% - dwelling including covered unenclosed front and rear porch, 1.94% - workshop expansion to existing garage, and 9.17% - ADU) exceeds previous approvals for lot coverage in the area, does not reinforce the existing physical character of the LLN, and is well beyond the zone requirements. Therefore, it does not maintain the general intent and purpose of VOP 2010.

Bill 23 ushered in many changes to the *Planning Act*, specifically, as-of-right zoning to permit up to three residential units per lot in certain zones (two in the main building and one in an accessory building with no minimum unit sizes). However, the change only impacted the intensity of use on property; the existing zone provisions including location and height are expected to be maintained when these units, either attached or detached, are contemplated. There is sufficient opportunity to accommodate ADUs within the footprint of the primary dwelling or provide for a more modest primary dwelling along with a more modest detached ADU in order to implement the intensification objectives of Bill 23. As noted above, the Subject Lands are zoned R1E(EN) Zone under Zoning By-law 001-2021 and R1V Zone under By-law 1-88, which permits the use of a single family detached dwelling and provides development standards that support the character of the area. The request to permit a maximum lot coverage of 36.6% for the dwelling, including the workshop addition and ADU combined, exceeds past approvals for lot coverage supported by the Development Planning Department in this area and is 13.6% more than what is permitted under Zoning By-law 001-2021. The lot coverage in conjunction with the height and proximity of the ADU to the lot line will cause adverse massing impacts to the abutting residential properties that are not contemplated by the R1E zone.

This application seeks to establish lot coverages akin to the R2, R3, R4 and R5 Residential Zones under Zoning By-law 1-88, and the R1 First Density Residential Zone, R2 Second Density Residential Zone, R3 Third Density Residential Zone, R4 Fourth Density Residential Zone, and R5 Fifth Density Residential Zone, under Zoning By-law 001-2021. These zones permit a single detached dwelling with a maximum lot coverage of 40% or more. While these zones accommodate a higher lot coverage, the lots found

within these zones have smaller lot area requirements and are not characteristic of the lots found within the LLNs. Therefore, the increased lot coverage is not a minor change from the standards of the R1V and R1E(EN) Zones.

Therefore, the Development Planning Department is not in a position to support Variances 4 and 5 as the proposed lot coverage for the existing 2-storey dwelling with the workshop expansion to the attached garage and the ADU is not considered to be minor in nature, do not maintain the general intent and purpose of Zoning By-law 001-2021, and will create an undesirable built form in the R1E(EN) Zone that would alter the existing character of the surrounding area.

#### Soft Landscaping

The Development Planning Department is not in position to support Variance 11 for the reduced rear yard soft landscaping. The intent of the By-laws is to limit the amount of hardscaping on residential lots to maintain a balance between hardscaping and soft landscaping. Some of the functions of maintaining sufficient soft landscaped area include: providing sufficient space for snow storage and stormwater attenuation/infiltration, providing space for the establishment of trees, noise attenuation through introduction of soft surfaces, and mitigating urban heat island effects. At the moment, the only sizeable portion of soft landscaping within the rear yard is within the somewhat isolated southwest corner. The pool and associated patio amenity areas occupy the majority of the unenclosed rear yard. Development Planning understands that an underground parking garage exists below parts of the rear yard. However, placing landscaping on top of parking garages is common practice. The proposed 39.6% soft landscaping is a major reduction and does not meet the intent of the soft landscaping provisions nor the intent of the LLN policies under 9.1.2.3 of VOP 2010, particularly subsection (h). There is also an adverse visual impact to the character of the rear yard created by the absence of sufficient soft landscaping and the proposal is not consistent with other rear yards in the neighbourhood.

Variance 12 seeks to permit an entrance to a secondary suite that is not to be accessed by a 1.2 m wide hard surfaced landscaped walkway. While the existing hard surfaced walkway is generally unobstructed, relief is being sought as the walkway is interrupted by a hard surfaced patio and deck leading to the ADU. Development Planning does not have any concerns with the existing walkway in principle, however, the relief is requested for a building which Development Planning cannot support. As such, the Development Planning Department is not in position to support Variance 12 for the walkway as it is not required without the ADU.

Accordingly, the Development Planning Department is not in a position to support the requested variances and is of the opinion that the proposal is not minor in nature, does not maintain the general intent and purpose of the Official Plan and Zoning By-laws, and is not desirable for the appropriate development of the land.

#### **Recommendation:**

The Development Planning Department recommends refusal of the application.

#### **Conditions of Approval:**

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

None

#### **Comments Prepared by:**

Michelle Perrone, Planner 1  
David Harding, Senior Planner

**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				

**SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

<b>PREVIOUS COA DECISIONS ON THE SUBJECT LAND</b>		
<small>*Please see <b>Schedule D</b> for a copy of the Decisions listed below</small>		
<b>File Number</b>	<b>Date of Decision MM/DD/YYYY</b>	<b>Decision Outcome</b>
A073/17	04/06/2017	Approved

# NOTICE OF DECISION

## MINOR VARIANCES

**FILE NUMBER:** A073/17

**APPLICANT:** GIUSEPPE AGRIPPA

**PROPERTY:** Part of Lot 19, Concession 4 (Lot 111 of Registered Plan 5590), municipally known as 27 Goodman Crescent, Maple.

**ZONING:** The subject lands are zoned R1V and subject to the provisions of Exception under By-law 1-88 as amended

**PURPOSE:** To permit the construction of a single family dwelling, and permit the maintenance of an existing shed, pool and gazebo.

**PROPOSAL:** To permit a lot coverage of 29.6% (23% - dwelling, 1.8% - front porch, 4.8% - gazebo).

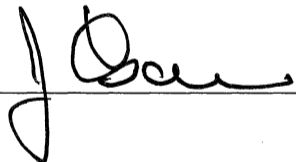
**BY-LAW REQUIREMENT:** A maximum lot coverage of 20% is permitted.

**BACKGROUND INFORMATION:** Other Planning Act Applications  
The land which is the subject in this application was also the subject of another application under the Planning Act:

A321/13 - APPROVED Oct 3 2013- To permit Lot Coverage 29.6% (dwelling 23%, Gazebo/pergola 4.8%, front porch 1.8%)  
A072-11 - APPROVED - March 10/11- To permit lot coverage of 26.6% (21.7% dwelling, 4.9% gazebo)

A sketch is attached illustrating the request.

**MOVED BY:**

  
\_\_\_\_\_

**SECONDED BY:**

  
\_\_\_\_\_

THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

The Committee of Adjustment received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

THAT Application No.A073/17, **GIUSEPPE AGRIPPA**, be **APPROVED**, in accordance with the sketches attached <sup>as amended</sup>

**THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.**

**CARRIED.**

CHAIR:           Mary Mauti          

Signed by all members present who concur in this decision:

          Mary Mauti            
M. Mauti,  
Chair

          J. Cesario            
J. Cesario,  
Vice Chair

          ABSENT            
R. Buckler,  
Member

          H. Zheng            
H. Zheng,  
Member

          A. Perrella            
A. Perrella,  
Member

**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

          Todd Coles            
Todd Coles, ACST(A), MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

<b>Date of Hearing:</b>	<b>April 06, 2017</b>
<b>Last Date of Appeal:</b>	<b>April 26, 2017</b>

**APPEALS**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.**

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$708.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$300.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

**CONDITIONS**

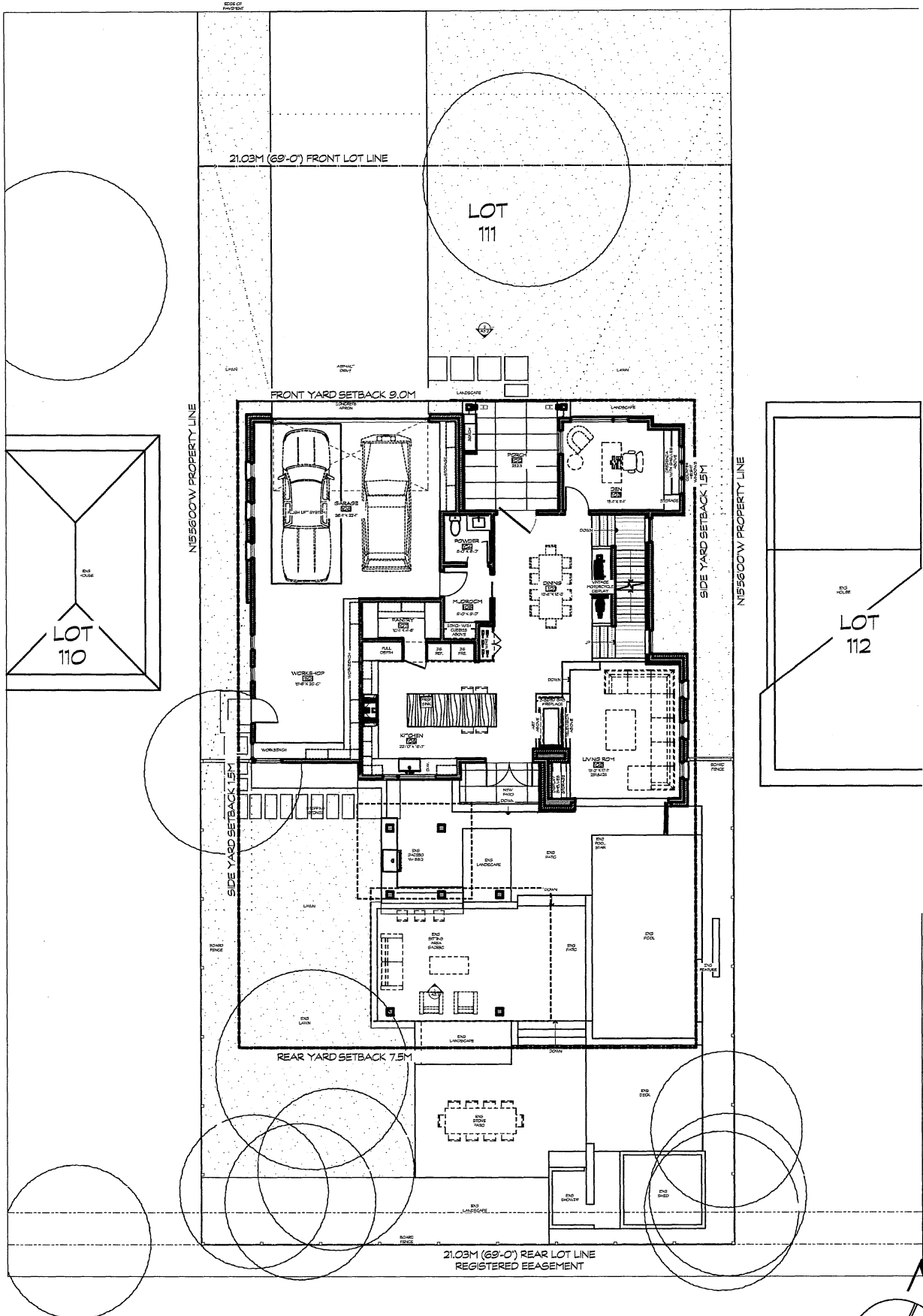
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **April 26, 2018**



**To permit lot coverage of 31.6%**

**A073/17**

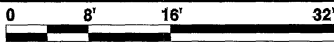
GOODMAN CRESCENT  
(BY REGISTERED PLAN 5590)



**1**

**SITE PLAN**

SCALE: 1/16" = 1'-0"



**KS**  
Architecture  
Planning  
Interiors

ISS. E.	DATE
MINOR VARIANCE	02/14/2017

**AGRIPPA RESIDENCE**  
27 GOODMAN CRESCENT  
MAPLE ONTARIO  
L6A1E8

PROJECT NUMBER: 1643

SHEET TITLE: MINOR VARIANCE

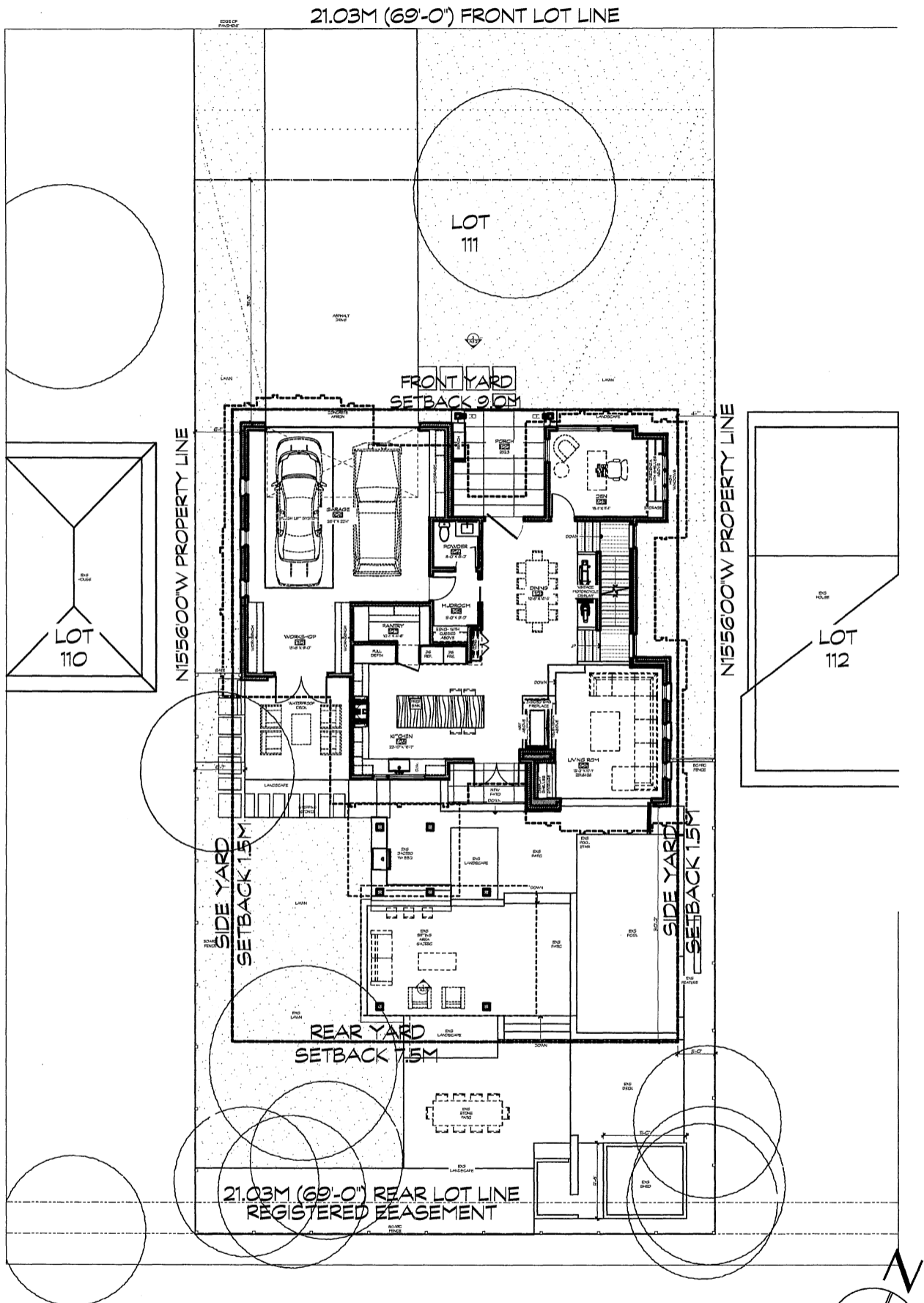
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**REVISED APR 25/17**

**A073/17**

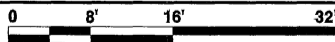
GOODMAN CRESCENT  
(BY REGISTERED PLAN 5590)



**1**

**SITE PLAN**

SCALE: 1/16" = 1'-0"



**KS**  
Architecture  
Planning  
Interiors

ISSUE	DATE
MINOR VARIANCE	02/4/2017

**AGRIPPA RESIDENCE**  
27 GOODMAN CRESCENT  
MAPLE ONTARIO  
L6A1E8

PROJECT NUMBER:	1649
SHEET TITLE:	MINOR VARIANCE

**A1.0**

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VAUGHAN

# Location Map- A073/17

## Major Mackenzie Drive

27 Goodman Crescent, Maple



City of Vaughan



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