



**File:** A142/19

**Applicant:** Giuseppe & Connie Nestico

**Address:** 109 Spicewood Cr Kleinburg

**Agent:** Fausto Cortese

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

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

Adjournment History: N/A

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Background History: A128/13 (see next page for details)

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Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, November 14, 2019



**Minor Variance Application**

Agenda Item: 8

**A142/19**

Ward: 1

**Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer**

**Date of Hearing:** Thursday, November 14, 2019

**Applicant:** Giuseppe & Connie Nestico

**Agent:** Fausto Cortese

**Property:** **109 Spicewood Cr Kleinburg**

**Zoning:** The subject lands are zoned RD1, Residential and subject to the provisions of Exception 9(1316) under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "Low Rise Residential"

**Related Files:** None

**Purpose:** Relief from the by-law is being requested to permit the construction of a proposed cabana and to permit pool equipment and a generator (uncovered, unenclosed and on a pad) to be located at the rear of the existing dwelling.

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

By-law Requirement	Proposal
1. A minimum rear yard setback of 7.5 metres is required.	1. To permit a minimum rear yard setback of 2.83 metres for an accessory structure (cabana).
2. A minimum rear yard setback of 6.0 metres is required.	2. To permit a minimum rear yard setback of 2.83 metres for pool equipment and generator (uncovered, unenclosed and on a pad).
3. The nearest part of the roof shall not be more than 3 metres above finished grade.	3. To permit a height of 3.04 metres above finished grade to the nearest part of a roof for an accessory structure (cabana).

**Background (previous applications approved by the Committee on the subject land):**

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A128/13	Combined garage width 17.25m	Approved May 23, 2013

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

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

**Adjournment History: N/A**

**Staff & Agency Comments**

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

**Committee of Adjustment:**

Public notice was mailed on October 30, 2019

Applicant confirmed posting of signage on October 29, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	Purchased November 2014

Applicant has advised that they cannot comply with By-law for the following reason(s): Current design does not allow compliance.

Adjournment Request: N/A

**Building Standards (Zoning Review):**

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

A Building Permit has not been issued for the proposed cabana. The Ontario Building Code requires a building permit for structures that exceed 10m<sup>2</sup>.

A permit must be obtained for the proposed future pool from the Engineering Department.

For your information, the subject lands appear to be located within the Wellhead Protection Area - Kleinburg.

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

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

Official Plan: VOP 2010: "Low Rise Residential"

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

**Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A142/19 subject to the following condition(s):

1. The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval.
2. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.

**Parks Development:**

No comment no concerns

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections  
 Region of York – No concerns or objections

**Schedule D - Previous Approvals (Notice of Decision)**

Minor Variance A128/13

**Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	1. The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property.  2. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.

**Please Note:**

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

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

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

**Conditions**

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

**Notice to the Applicant – Development Charges**

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

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

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

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

## Notice to Public

**WRITTEN SUBMISSIONS:** Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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

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

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

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

T 905 832 8585 Extension 8002  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

## **Schedule A: Plans & Sketches**

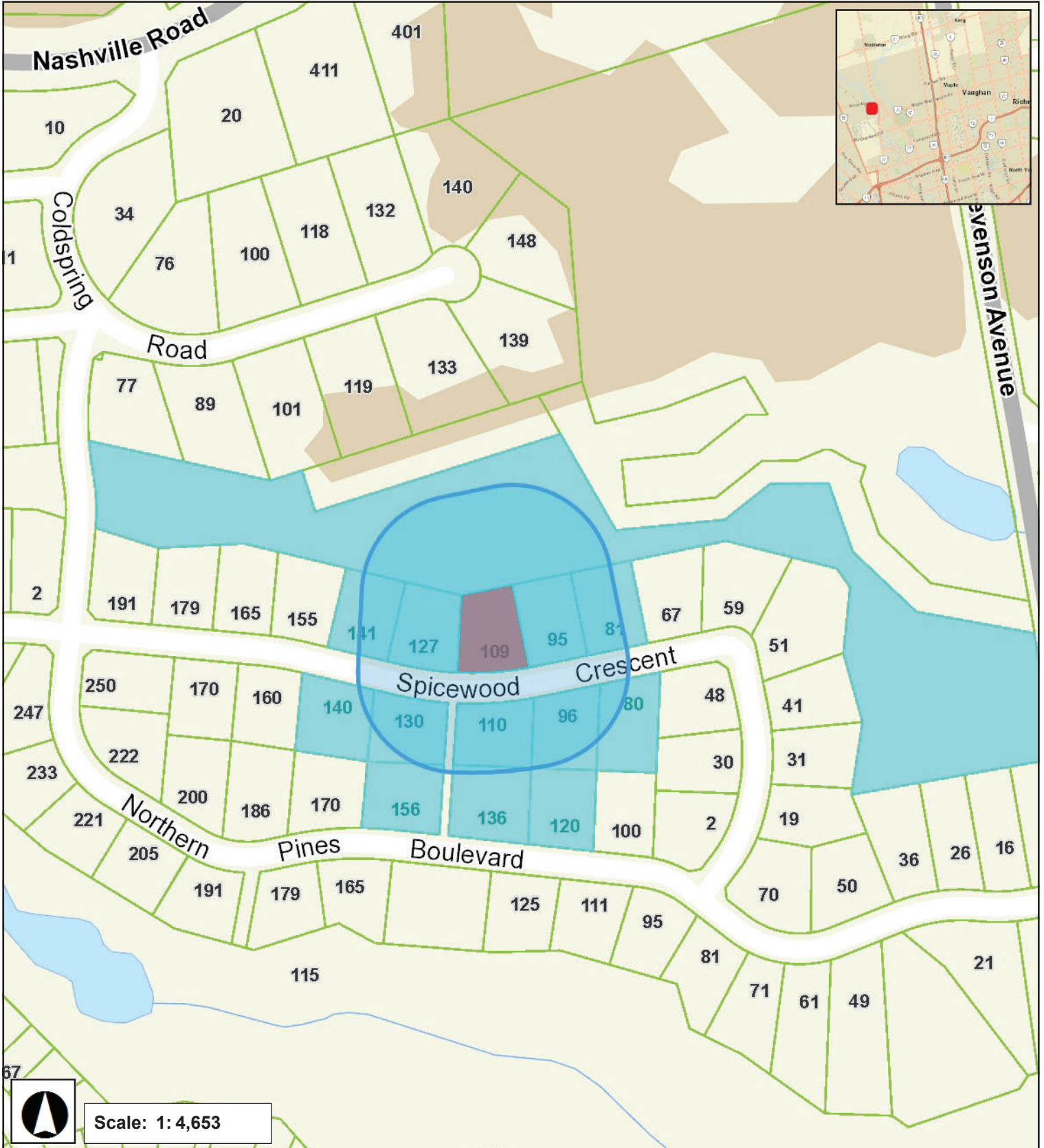
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map  
Sketches**



# LOCATION MAP - A142/19

109 SPICEWOOD CRESCENT, KLEINBURG



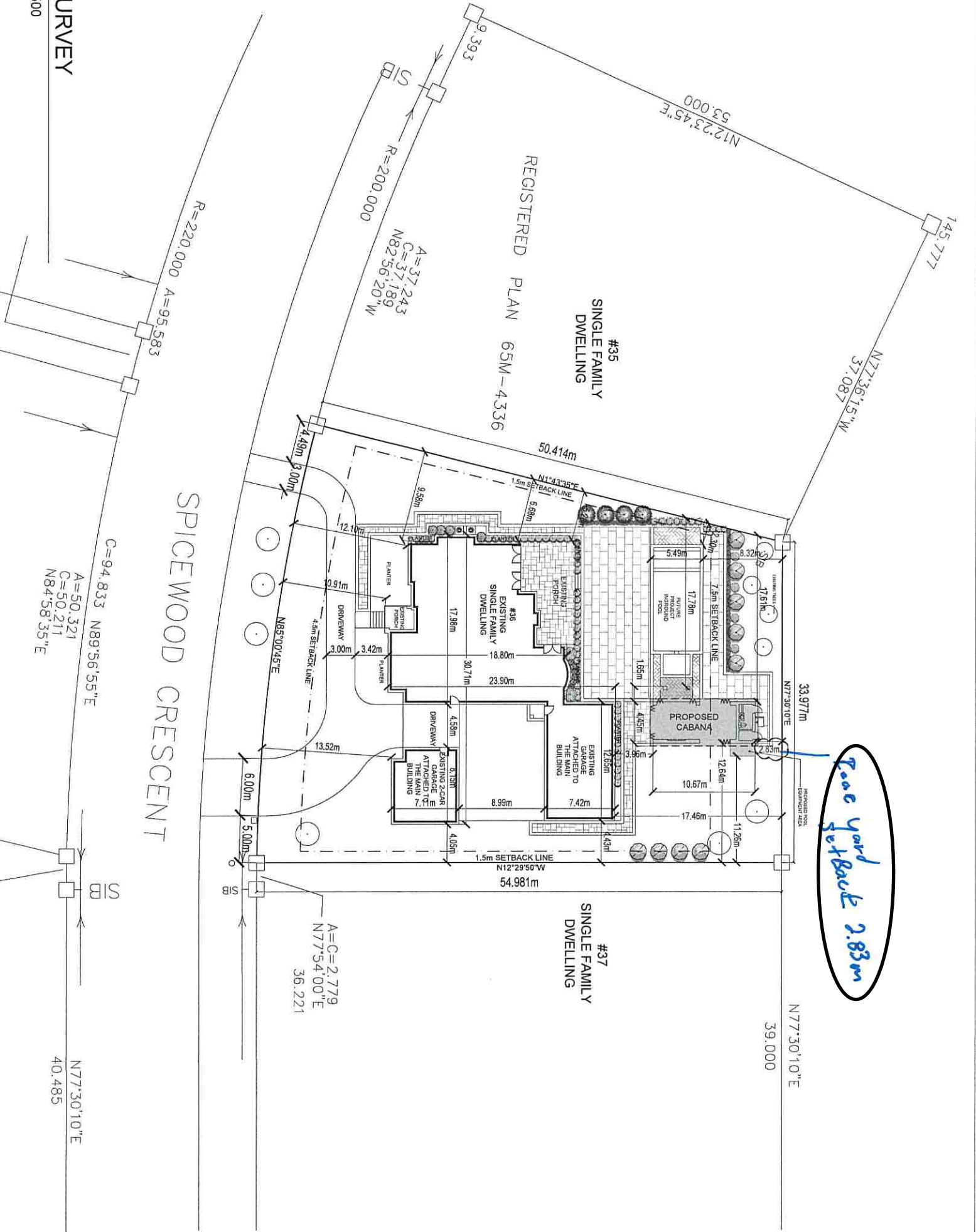
Major Mackenzie Drive

October 23, 2019 11:09 AM

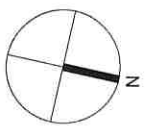
**A142/19**

1 SURVEY  
A1.0 1:500

SPICEWOOD CRESCENT



Rear yard setback 2.83m



2	ISSUED FOR COA	04/10/2019
1	ISSUED FOR CLIENT REVIEW	25/09/2019
No.	DESCRIPTION	DATE
REVISIONS		
ISSUED FOR CONSTRUCTION		
ISSUED FOR BID		
ISSUED FOR BUILDING PERMIT		
ISSUED FOR SITE PLAN APPROVAL		

**SUBMITTALS**

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER. DO NOT SCALE DRAWINGS.

**FCM**

**FAUSTO CORTESE ARCHITECTS**

3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416.806.7000  
FCORTESE@FCARCHITECTS.CA

**DRAWING: CABANA AT 109 SPICEWOOD CRESCENT**

CITY OF VAUGHAN

**SITE PLAN**

PROJECT No.: 2019-41

DATE: 04/10/2019

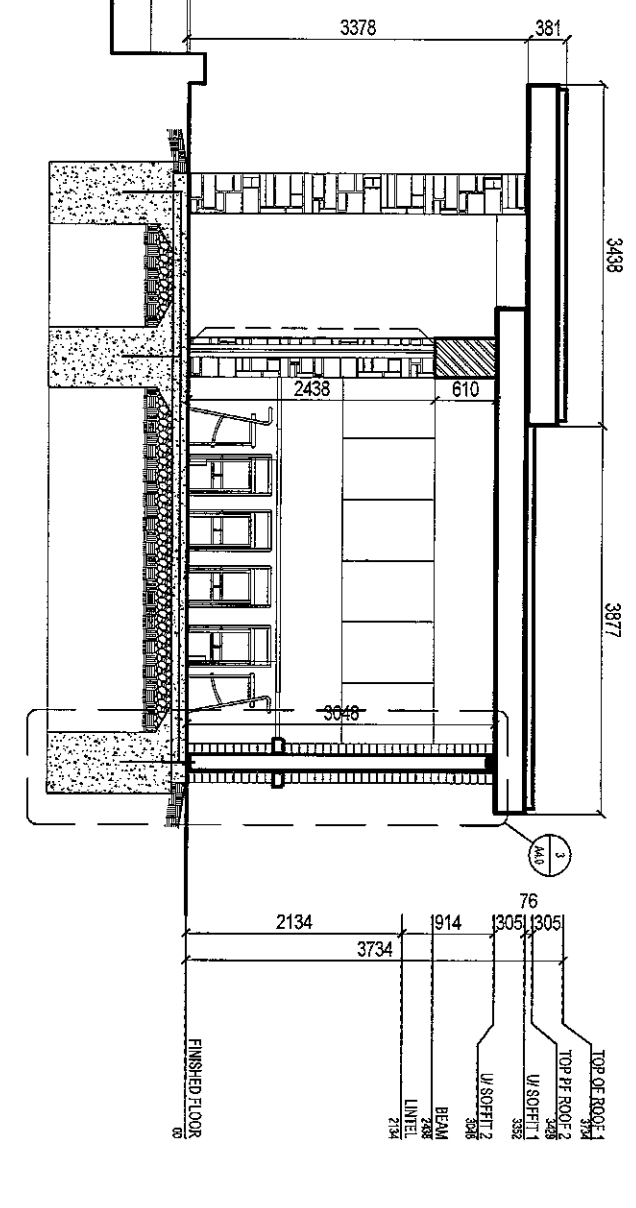
SCALE: AS NOTED

DRAWN BY: SH

REVIEWED BY: E.C.

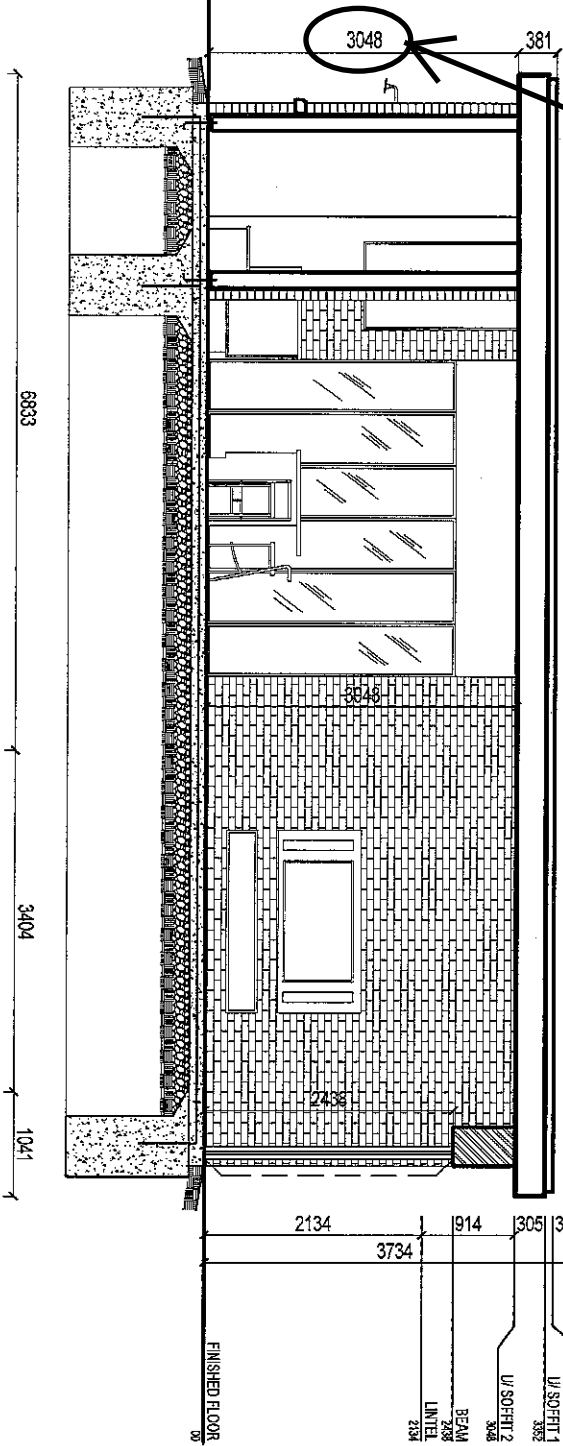


**A142/19**

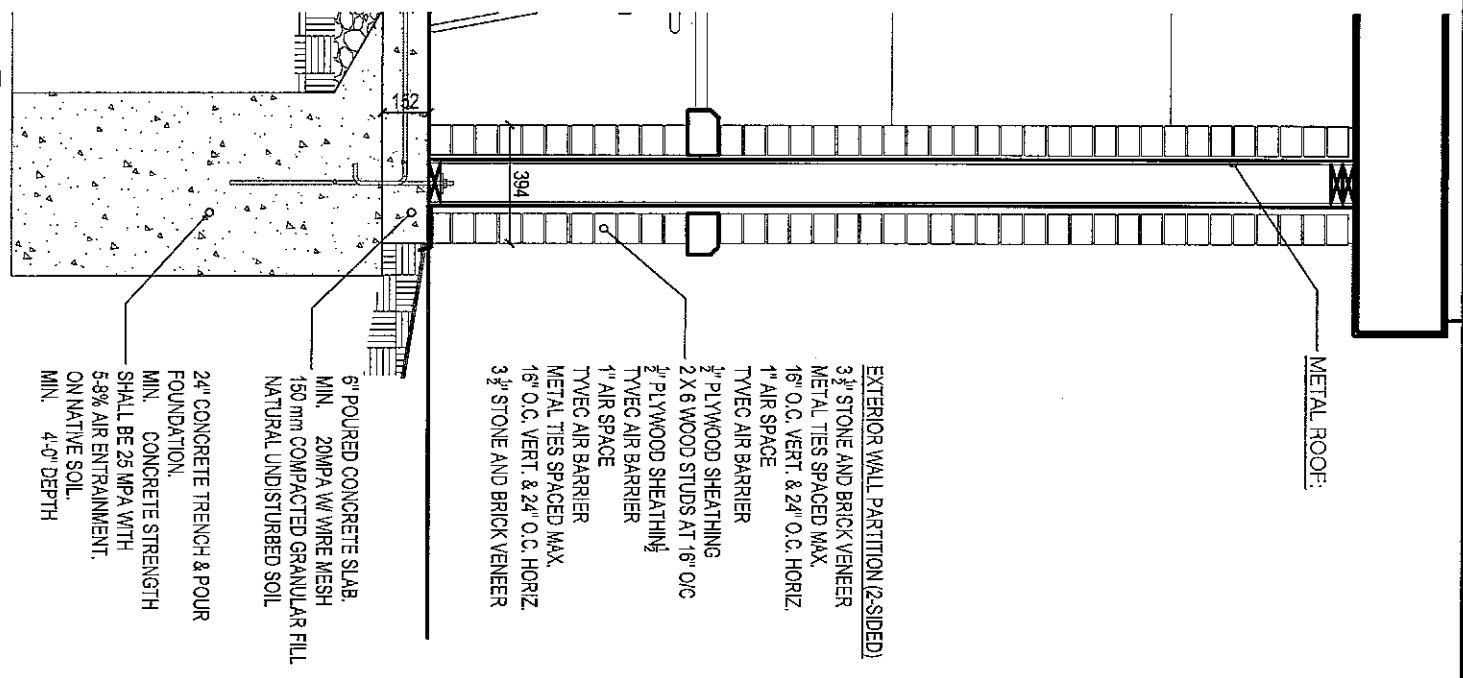


**3.048m**

**1 CABANA SECTION**  
A4.0 1:75



**2 CABANA SECTION**  
A4.0 1:75



**3 CABANA WALL SECTION**  
A4.0 1:25

No.	DESCRIPTION	DATE
2	ISSUED FOR COA	04/10/2019
1	ISSUED FOR CLIENT REVIEW	28/05/2019
REVISIONS		
ISSUED FOR CONSTRUCTION		
ISSUED FOR BID		
ISSUED FOR BUILDING PERMIT		
ISSUED FOR SITE PLAN APPROVAL		

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND DIMENSIONS ON THE PROJECT AND MUST REPORT PROCEEDING WITH CONSULTATION.  
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**FCVA**  
ARCHITECTS

3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-906-7000  
FCORTES@FCARCHITECTS.CA

DRAWINGS:  
**CABANA**  
AT  
**109 SPICEWOOD CRESCENT**  
CITY OF AURORA

PROJECT No.:  
2019-41

DATE: 04/10/2019

SCALE: AS NOTED

DRAWING No.: A4.0

PLANNER: N/A

DRAWING No.: A4.0

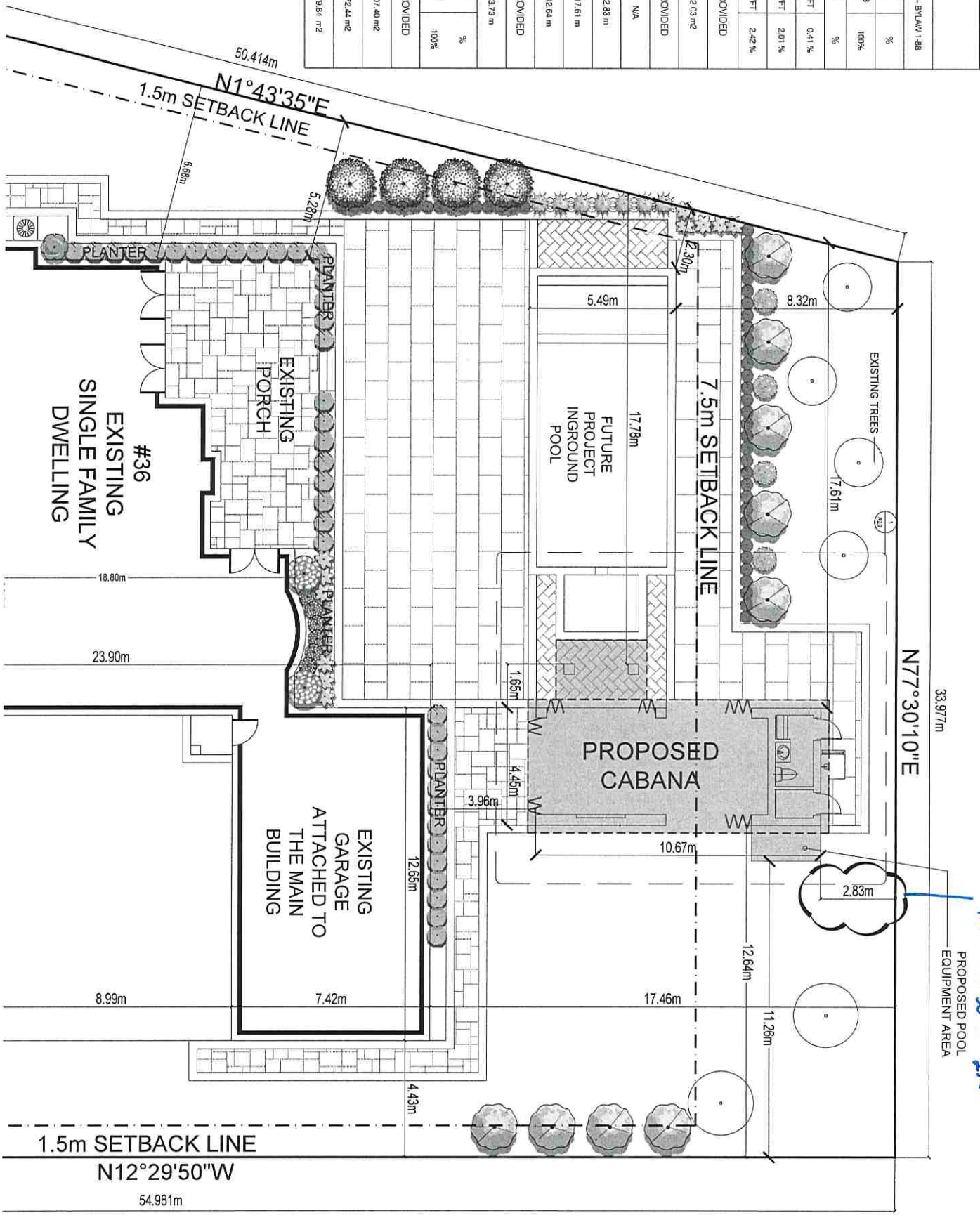
DATE: 04/10/2019

SCALE: AS NOTED

DRAWING No.: A4.0

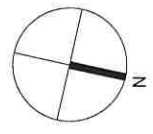
SITE DEVELOPMENT

ZONING	R01 - RESIDENTIAL DETACHED 1 - BY-LAW 1-88		
LOT AREA	SQ.M	SO.FT	%
TOTAL LOT AREA	2147.55 m <sup>2</sup>	23116.23 SO/FT	100%
ACCESSORY BUILDING	SQ.M	SO.FT	%
ENCLOSED AREA	8.86 m <sup>2</sup>	95.37 SO/FT	0.41%
OPEN AREA	43.17 m <sup>2</sup>	464.88 SO/FT	2.01%
ACCESSORY BLDG. TOTAL	52.03 m <sup>2</sup>	560.25 SO/FT	2.42%
COVERAGE BY-LAW	BY-LAW	PROVIDED	
ACCESSORY BUILDING COVERAGE	< 214.75 m <sup>2</sup> & 67 m <sup>2</sup>	52.03 m <sup>2</sup>	
SETBACKS	BY-LAW	PROVIDED	
FRONT SETBACK	4.50 m	N/A	
REAR SETBACK	7.50 m	2.83 m	
LEFT SIDEWARD	1.20 m	17.61 m	
RIGHT SIDEWARD	1.20 m	12.64 m	
BUILDING HEIGHT	BY-LAW	PROVIDED	
REAR YARD	SQ.M	SO.FT	%
REAR YARD AREA	631.97 m <sup>2</sup>	6801.45 SO/FT	100%
LANDSCAPING	BY-LAW	PROVIDED	
SOFT LANDSCAPING	296.12 m <sup>2</sup> [60% * (631.87-136)]	307.40 m <sup>2</sup>	
HARD LANDSCAPING AREA	N/A	272.44 m <sup>2</sup>	
TOTAL LANDSCAPING AREA	N/A	579.84 m <sup>2</sup>	



*Rear yard setback 2.83m*

1 SITE PLAN  
A1-1 1:200



2	ISSUED FOR COA	04/10/2019
1	ISSUED FOR CLIENT REVIEW	25/09/2019
No.	DESCRIPTION	DATE
REVISIONS		
ISSUED FOR CONSTRUCTION		
ISSUED FOR BID		
ISSUED FOR BUILDING PERMIT		
ISSUED FOR SITE PLAN APPROVAL		
SUBMITTALS		

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
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DO NOT SCALE DRAWINGS.



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ARCHITECTS  
3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTESE@FCARCHITECTS.CA

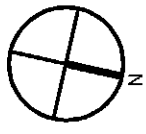
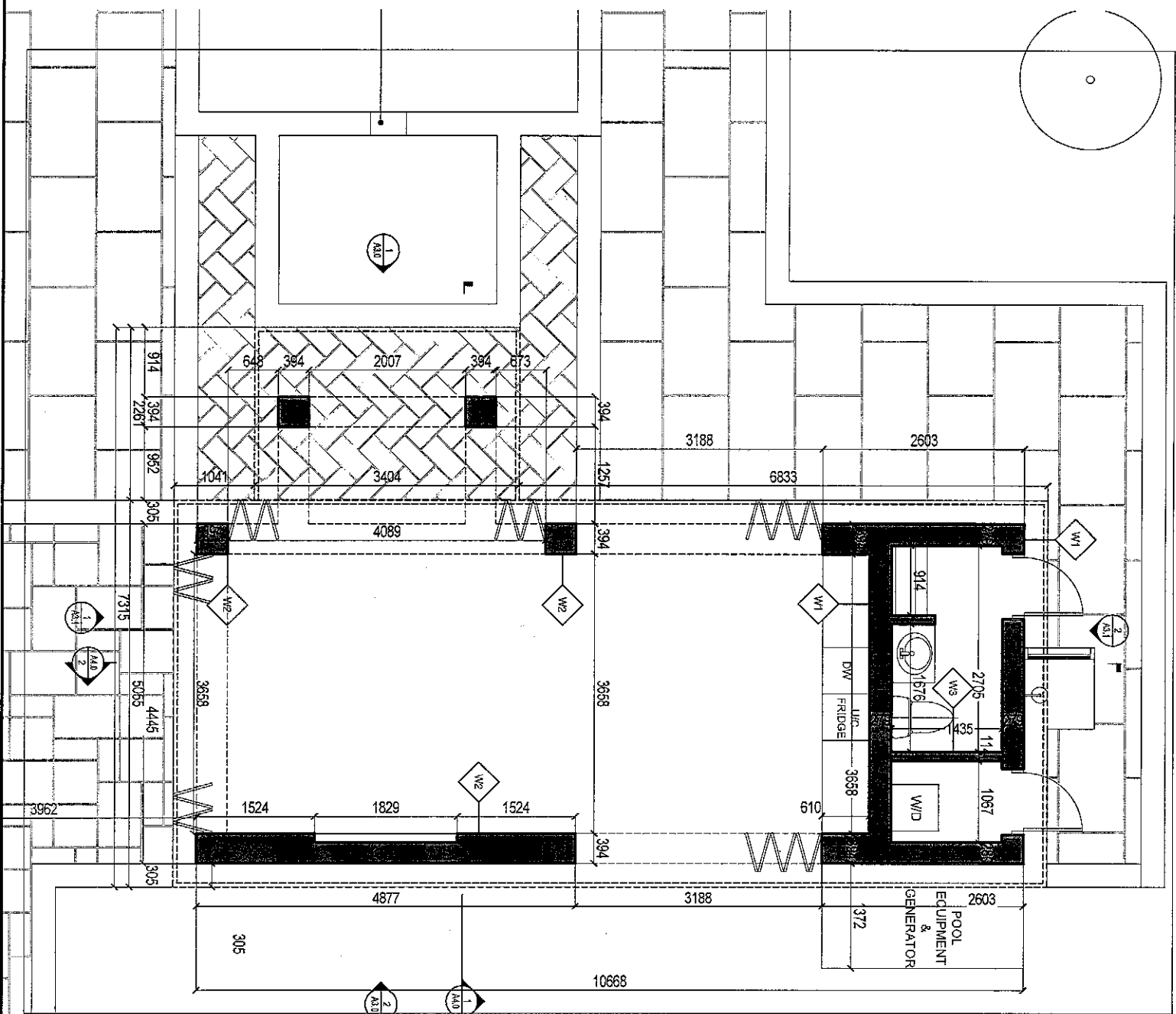
DRAWING: CABANA  
AT  
109 SPICEWOOD CRESCENT  
CITY OF AURORA

DRAWING	SITE PLAN	
PLOTTED	N/A	
DATE	04/10/2019	PROJECT NO:
SCALE	AS NOTED	DRAWING NO:
DRAWN BY:	AS NOTED	2019-41
REVIEWED BY:	AS NOTED	
\$H	F.C.	A1-1

# WALL TYPES

<p><b>EXTERIOR STONE WALL PARTITION</b></p> <p>W1</p> <p>T = 11"</p> <p>                     3/4" GYPSUM BOARD (DRYWALL)                      2" x 6" WOOD STUDS AT 16" O/C                      1/2" SHEATHING (PLYWOOD)                      1" AIR SPACE                      3/4" STONE VENEER                 </p>	<p><b>EXTERIOR STONE WALL PARTITION</b></p> <p>W2</p> <p>T = 15 1/2"</p> <p>                     3/4" STONE VENEER                      3/4" SHEATHING (PLYWOOD)                      2" x 6" WOOD STUDS AT 16" O/C                      1/2" SHEATHING (PLYWOOD)                      1" AIR SPACE                      3/4" STONE VENEER                 </p>	<p><b>INTERIOR WALL PARTITION</b></p> <p>W3</p> <p>T = 4 1/2"</p> <p>                     1/2" GYPSUM BOARD (DRYWALL)                      2" x 4" WOOD STUDS AT 16" O/C                      1/2" GYPSUM BOARD (DRYWALL)                 </p>
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## 1 CABANA FLOOR PLAN A2.0 1:75



No.	REVISIONS	DATE
1	ISSUED FOR CLIENT REVIEW	28/09/2019
2	ISSUED FOR COA	04/10/2019

ISSUED FOR CONSTRUCTION

ISSUED FOR BID

ISSUED FOR BUILDING PERMIT

ISSUED FOR SITE PLAN APPROVAL

SUBMITTALS

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND DISCREPANCIES TO THE DESIGN BEFORE PROCEEDING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER. DO NOT SCALE DRAWINGS.

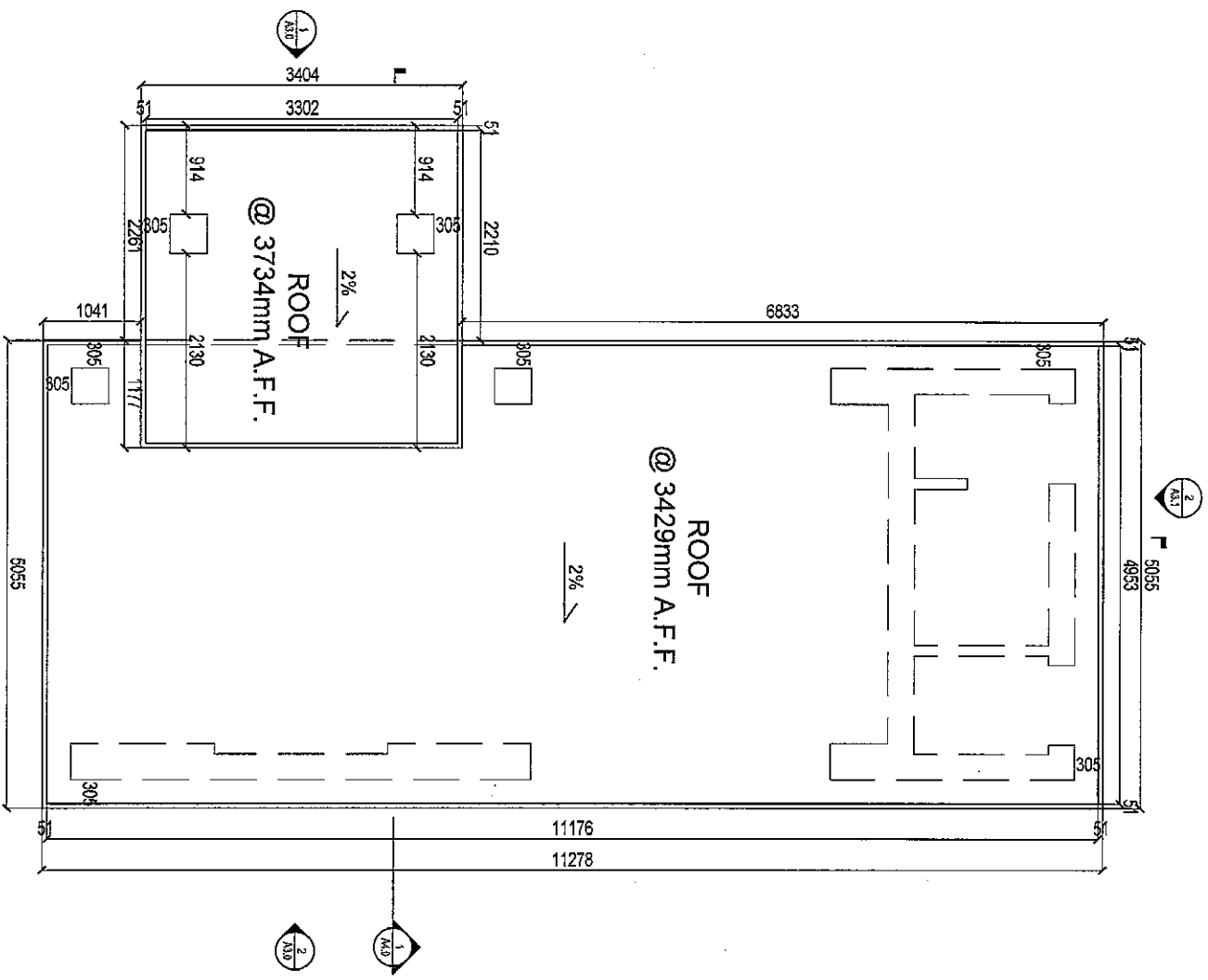
**FCM**

**FAUSTO CORTESE**  
ARCHITECTS

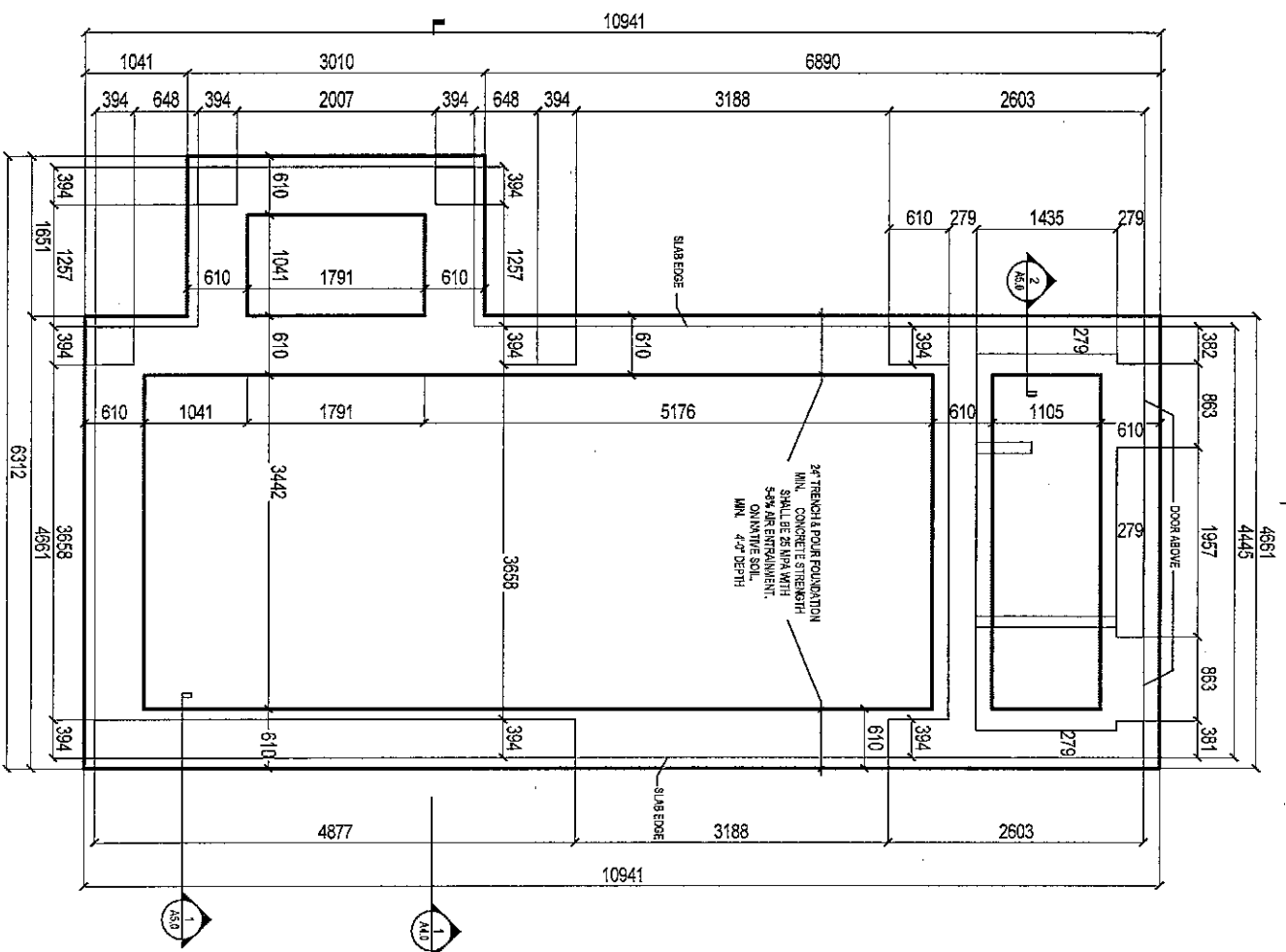
3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-906-7000  
FCORTESE@FCARCHITECTS.CA

DRAWINGS:  
**CABANA**  
AT  
**109 SPICEWOOD CRESCENT**  
CITY OF AURHAM

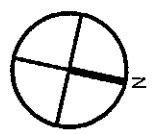
PROJECT NO:	2019-41
DATE:	04/10/2019
SCALE:	AS NOTED
DRAWN BY:	SH
REVIEWED BY:	F.C.
DRAWING NO.:	A2.0



**1 CABANA CEILING PLAN**  
A2.1 1:75



**2 CABANA FOUNDATION PLAN**  
A2.1 1:75



No.	DESCRIPTION	DATE
1	ISSUED FOR CONSTRUCTION	04/10/2019
2	ISSUED FOR CLIENT REVIEW	25/09/2019

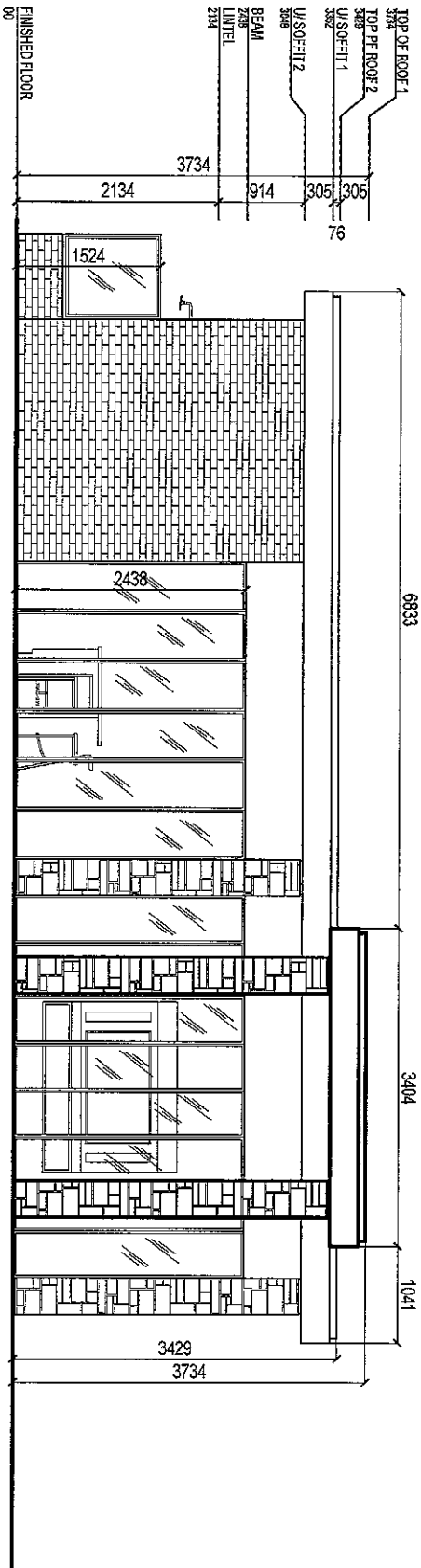
CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
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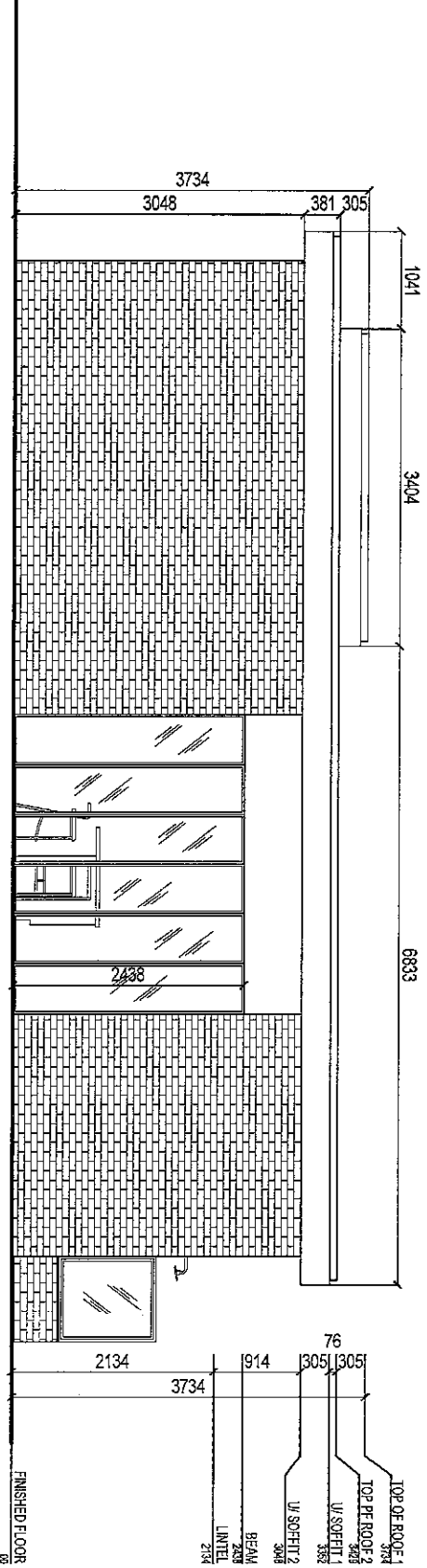
**FAUSTO CORTESE**  
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VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTESE@FCARCHITECTS.CA

CABANA  
AT  
109 SPICEWOOD CRESCENT  
CITY OF AURORA

PROJECT No. 2019-41  
DATE: 04/10/2019  
SCALE: AS NOTED  
DRAWING No. A2.1  
DRAWN BY: SH  
REVIEWED BY: E.C.



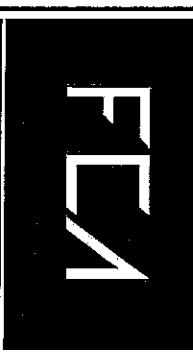
1 WEST ELEVATION  
A3.0 1:75



2 EAST ELEVATION  
A3.0 1:75

No.	DESCRIPTION	DATE
2	ISSUED FOR COA	04/10/2019
1	ISSUED FOR CLIENT REVIEW	26/09/2019

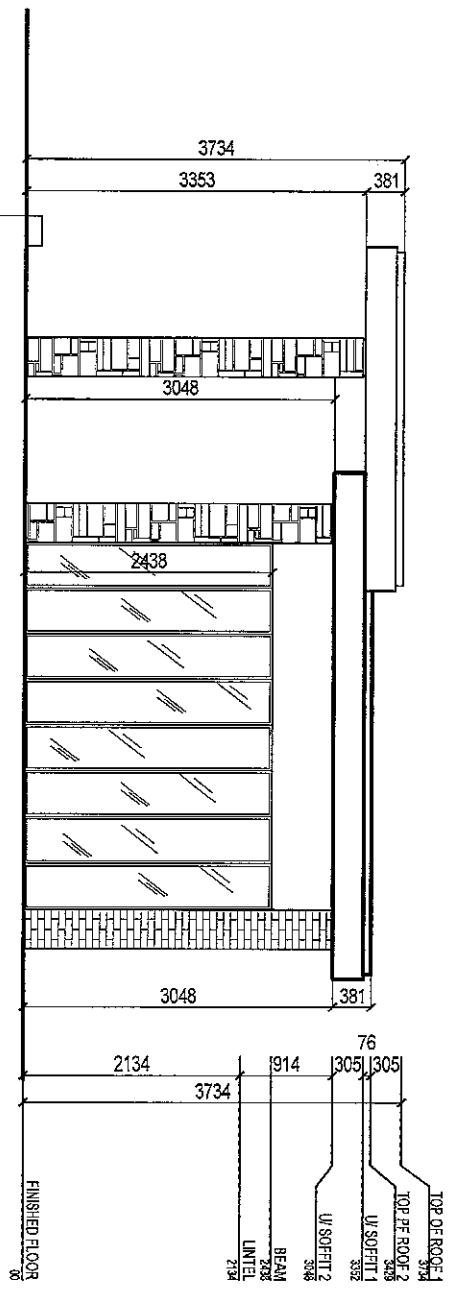
CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS TO BE USED AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
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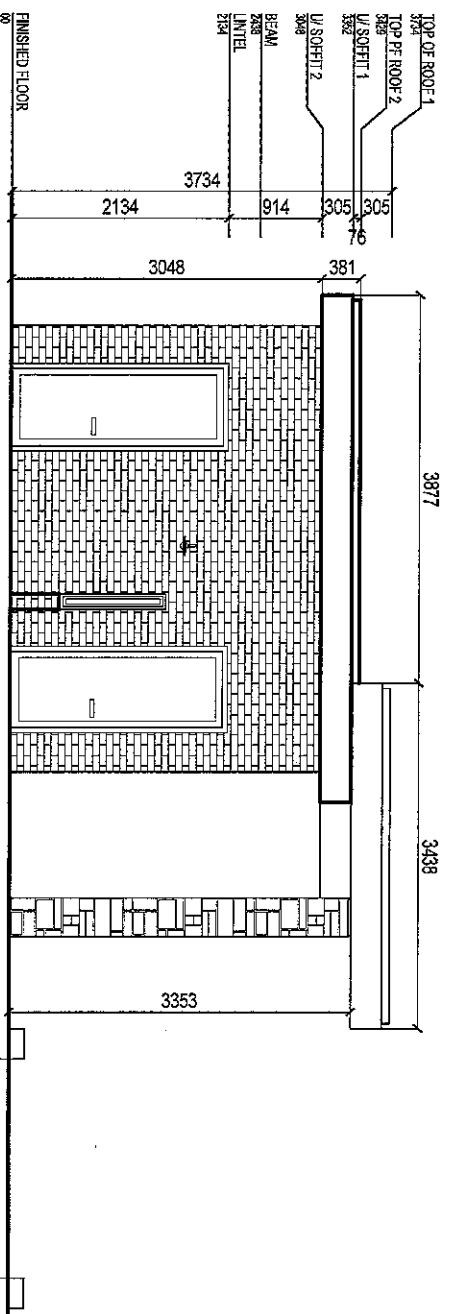
**FAUSTO CORTESE**  
ARCHITECTS  
3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-906-7000  
FCORTESE@FCARCHITECTS.CA

DRAWING: CABANA  
AT  
109 SPICEWOOD CRESCENT  
CITY OF AUGHAN

PLOTTED: N/A	PROJECT NO: 2019-41
DATE: 04/10/2019	SCALE: AS NOTED
DRAWN BY: SH	REVIEWED BY: FC
DRAWING NO: A3.0	DATE: 2019-41



1 SOUTH ELEVATION  
A3.1 1:75



2 NORTH ELEVATION  
A3.1 1:75

No.	DESCRIPTION	DATE
1	ISSUED FOR CLIENT REVIEW	28/09/2019
2	ISSUED FOR COA	04/10/2019

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND DISCREPANCIES IN THE DRAWINGS AND MUST PROCEED WITH CONSTRUCTION.  
THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER. DO NOT SCALE DRAWINGS.



**FAUSTO CORTESE**  
ARCHITECTS

3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTESE@FCARCHITECTS.CA

DRAWING: CABANA  
AT  
109 SPICEWOOD CRESCENT  
CITY OF AURORA  
DRAWINGS: CABANA ELEVATIONS

PLOTTED: N/A	PROJECT No: 2019-41
DATE: 04/10/2019	SCALE: AS NOTED
DRAWN BY: SH	REVIEWED BY: F.C.
DRAWING No: A3.1	

## **Schedule B: Public Correspondence Received**

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

**None**

## **Schedule C: Agency Comments**

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

**Alectra (Formerly PowerStream) – No concerns or objections**

**Region of York – No concerns or objections**





### 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, 03-9), attached
- Canadian Standards Association, latest edition (Basic Clearances)

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

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

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

## Attwala, Pravina

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**Subject:** FW: A142/19 - REQUEST FOR COMMENTS

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

**Sent:** October-29-19 12:29 PM

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

**Subject:** RE: A142/19 - REQUEST FOR COMMENTS

Good afternoon Pravina,

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

Regards,  
Gabrielle

**Gabrielle Hurst** | MCIP, RPP, C.Tech, Planning and Economic Development, Corporate Services

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1-877-464-9675 ext. 71538

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

## **Schedule D: Previous Approvals (Notice of Decision)**

**Minor Variance Application A128/13**

# **NOTICE OF DECISION**

## **MINOR VARIANCES**

**FILE NUMBER:** A128/13

**APPLICANT:** AMALFI HOME BUILDING INC.

**PROPERTY:** Part of Lot 22, Concession 9 (Lot 36, Registered Plan No. 65M-4336 municipally known as 109 Spicewood Crescent, Kleinburg)

**ZONING:** The subject lands are zoned RD1, Residential under By-Law 1-88 as amended and further subject to exception 9(1316).

**PURPOSE:** To permit the construction of two attached garages related to proposed dwellings, as follows:

**PROPOSAL:** 1) Maximum combined width of garages 17.25m.

**BY-LAW REQUIREMENT:** 1) Maximum width of garage(s) 9m.

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.

THAT Application No. **A128/13, AMALFI HOME BUILDING INC.**, be **APPROVED**, in accordance with the sketches attached

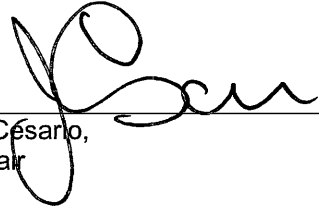
**THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.**

**CARRIED.**

CHAIR:

  
\_\_\_\_\_

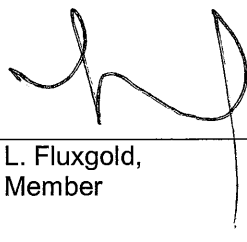
Signed by all members present who concur in this decision:

  
\_\_\_\_\_

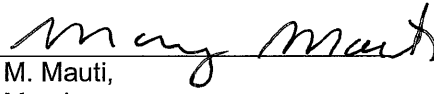
J. Cesario,  
Chair

  
\_\_\_\_\_

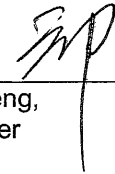
A. Perrella,  
Vice Chair

  
\_\_\_\_\_

L. Fluxgold,  
Member

  
\_\_\_\_\_

M. Mauti,  
Member

  
\_\_\_\_\_

H. Zheng,  
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, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

<b>Date of Hearing:</b>	<b>MAY 23, 2013</b>
<b>Last Date of Appeal:</b>	<b>JUNE 12, 2013</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 \$650.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 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: **JUNE 12, 2014**

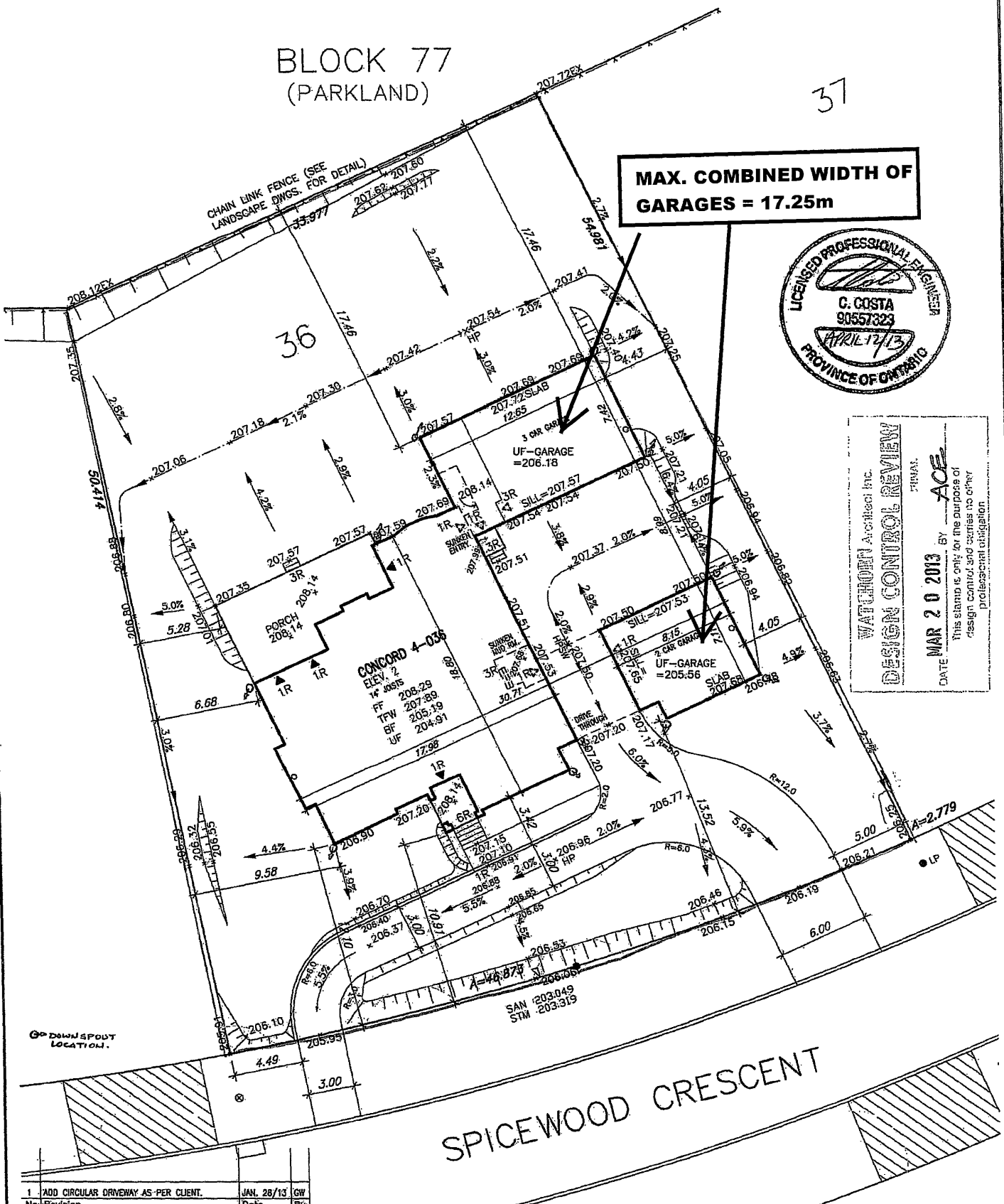
BLOCK 77  
(PARKLAND)

37

MAX. COMBINED WIDTH OF GARAGES = 17.25m



WATCHOFF Architect Inc.  
DESIGN CONTROL REVIEW  
DATE: MAR 20 2013 BY: ACE  
This stamp is only for the purpose of design control and carries no other professional obligation.



1	ADD CIRCULAR DRIVEWAY AS PER CLIENT.	JAN. 28/13	GW
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BUILDING HEIGHT (to mid-point) = 10.78m (11.0m max.)  
AVG. GRADE (along front wall) = 207.14

<ul style="list-style-type: none"> <li>● LP LIGHT POLE</li> <li>◇ H HYDRANT</li> <li>□ TRANSFORMER</li> <li>▽ WATER SERVICE</li> <li>○ DOUBLE STM. CONNECTION</li> <li>○ SINGLE STM. CONNECTION</li> <li>○ CATCH BASIN</li> <li>△ EXTERIOR DOOR LOCATION (-R= NO. OF RISERS)</li> <li>○ SIDE WINDOW LOCATION</li> </ul>	<ul style="list-style-type: none"> <li>→ SHALE DIRECTION</li> <li>□ STREET SIGN</li> <li>□ CABLE TELEVISION PEDESTAL</li> <li>□ BELL PEDESTAL</li> <li>FF FINISHED FLOOR ELEVATION</li> <li>UF UNDERSIDE FOOTING ELEVATION</li> <li>BF FIN. BASEMENT FLOOR SLAB</li> <li>TFW TOP OF FOUNDATION WALL</li> <li>UFF UNDERSIDE FOOTING AT REAR</li> <li>UFF UNDERSIDE FOOTING AT FRONT</li> <li>UFS UNDERSIDE FOOTING AT SIDE</li> <li>W.O.B. WALK-OUT DECK</li> <li>W.O.B. WALK-OUT BASEMENT</li> </ul>	<ul style="list-style-type: none"> <li>— HYDRO SERVICE LATERAL</li> <li>— 1.5m BLACK VINYL CHAIN LINK FENCE</li> <li>EMPAK EMBANKMENT 3:1 SLOPE</li> <li>PROPOSED VALVE</li> <li>SUPER MAIL BOX</li> <li>PROVIDE 3/4" DIA. CLEAR STONE IN THIS AREA</li> <li>RETAINING WALL</li> <li>ACOUSTICAL FENCE (SEE LANDSCAPE PLAN)</li> <li>WOOD SCREEN FENCE (SEE LANDSCAPE PLAN)</li> <li>AIR CONDITIONER REQUIRED</li> </ul>
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LOT 36 (Re-site)  
REVIEWED FOR:  
1. Grading as being in conformance with the drainage concepts shown on the approved lot grading plans prepared by SGS Consulting Group Ltd.  
2. Conformance with the approved composite utility plans.  
3. Conformance with the City of Vaughan grading standards.  
Date: MARCH 19/13 Reviewed by: C.C.

NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED, BUILDER IS TO RELOCATE AT HIS OWN EXPENSE.  
NOTE: BUILDER TO VERIFY SERVICE CONNECTION ELEVATIONS PRIOR TO CONSTRUCTING FOUNDATIONS.

**Greenpark**  
CANADA'S LARGEST HOME BUILDER

Project Name:  
**AMALFI HOME BUILDING INC.**  
KLEINBURG, ONT.  
MOLISE KLEINBURG ESTATES - PH.1

SITING AND GRADING PLAN  
REGISTERED PLAN No:  
65M-  
LOT: 36

Scale: 1:250  
Date: AUG 22/12  
Date Revised: JAN. 28/13


**Viljoen Architect Inc.**  
305 A Wilson Avenue  
Toronto, Ontario  
M3H 1S6  
TEL: (416) 630-2255  
FAX: (416) 630-4782  
EMAIL: info@viljoenarch.com



Project No. 10038  
File: 10038-AHI-SP  
BCDN Number: 674  
Drawing No. 1 OF 1



# COMMITTEE OF ADJUSTMENT

<b>File Nos.:</b>	A127/13 to A132/13
<b>Applicants:</b>	AMALFI HOME BUILDING INC.
	<b>SUBJECT LANDS:</b> (see map above)

