

ITEM: 6.2	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A068/23 175 WESTRIDGE DR, KLEINBURG
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**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

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

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

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

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant	Frank Franco Architects	N/A	08/16/2023	Planning Justification Letter

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

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

File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY

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

None	
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**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A068/23
175 WESTRIDGE DR, KLEINBURG**

ITEM NUMBER: 6.2	CITY WARD #: 1
APPLICANT:	Bruna Nicoletti
AGENT:	FrankFranco Architects
PROPERTY:	175 Westridge Drive, Kleinburg
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a proposed cabana, location of pool equipment and reduced landscaping requirements in the rear yard.

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

The subject lands are zoned R1B(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.336 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A residential accessory structure shall not be located closer to an exterior side lot line than the principal dwelling. [Section 4.1.2.c]	To permit a residential accessory structure to be located closer to the Exterior side lot line than the principal dwelling on the lot as per the location shown on the site plan.
2	A minimum exterior side yard setback of 4.5m is required. [Table 7-3]	To permit a minimum exterior side yard setback of 1.2m for the residential accessory structure.
3	A maximum building height of 3.0m is permitted for the residential accessory structure. [Section 4.1.4.1]	To permit a maximum building height of 3.79m for the residential accessory structure.
4	In the R1B Zone, any portion of a yard in excess of 135.0 m ² shall be comprised of a minimum 60% soft landscape. [4.19.1 1]	To permit the portion of the rear yard in excess of 135.0 m ² to be comprised of a minimum 39.9% (96.0m ²) soft landscape.
5	Ground mounted pool equipment shall be permitted to encroach into the required rear yard a maximum of 1.5m. [Table 4-1]	To permit the ground mounted pool equipment to encroach a maximum of 10.67m into the required rear yard.

The subject lands are zoned R1 – Residential Zone and subject to the provisions of Exception 9(563) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
6	A maximum encroachment of 1.5m into the minimum required rear yard is permitted for ground mounted pool equipment. [Section 3.14]	To permit a maximum encroachment of 10.67m into the minimum required rear yard for ground mounted pool equipment.

HEARING INFORMATION

DATE OF MEETING: Thursday, August 31, 2023
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive
LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

HEARING INFORMATION

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

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

Email: cofa@vaughan.ca

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

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

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

INTRODUCTION

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

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

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

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

COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:	August 17, 2023
Date Applicant Confirmed Posting of Sign:	August 11, 2023
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	The permitted exterior side yard setback for an accessory structure is 7.5 meters. We are proposing a 0.610m setback in order to accommodate the accessory structure (Cabana) in the rear yard in relation to the existing house and pool.
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. *A revised submission may be required to address staff / agency comments received as part of the application review process. *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING) COMMENTS

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

Building Standards Recommended Conditions of Approval:	None
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DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments.

Development Planning Recommended Conditions of Approval:	None
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DEVELOPMENT ENGINEERING COMMENTS

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

As the proposed cabana in the subject property is 63.28 m², the Owner/Applicant needs to obtain a Lot Grading Permit from the Development Inspection and Lot Grading Division of the City's Development Engineering Department. Please note any in-ground structure over 10 m² requires a Grading Permit. Please contact the Development Engineering Reviewer after receiving the Grading Permit to clear the condition. (Condition attached)

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

The Development Engineering Department does not object to the Minor Variance application A068/23, subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:	The Owner/Applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca .
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: Tree protection & preservation methods must be followed according to City of Vaughan By-law 052-2018.

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE COMMENTS

No comment no concerns

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

No comments received to date.

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

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT COMMENTS

No comments received to date.

FIRE DEPARTMENT COMMENTS

Fire Department Recommended Conditions of Approval:	None
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SCHEDULES TO STAFF REPORT

*See Schedule for list of correspondence

Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Staff & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

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

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “**if required**”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Engineering Marina.messiha@vaughan.ca	The Owner/Applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading Division of the City’s Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca.
2	Development Planning Joshua.cipolletta@vaughan.ca	To be determined

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.

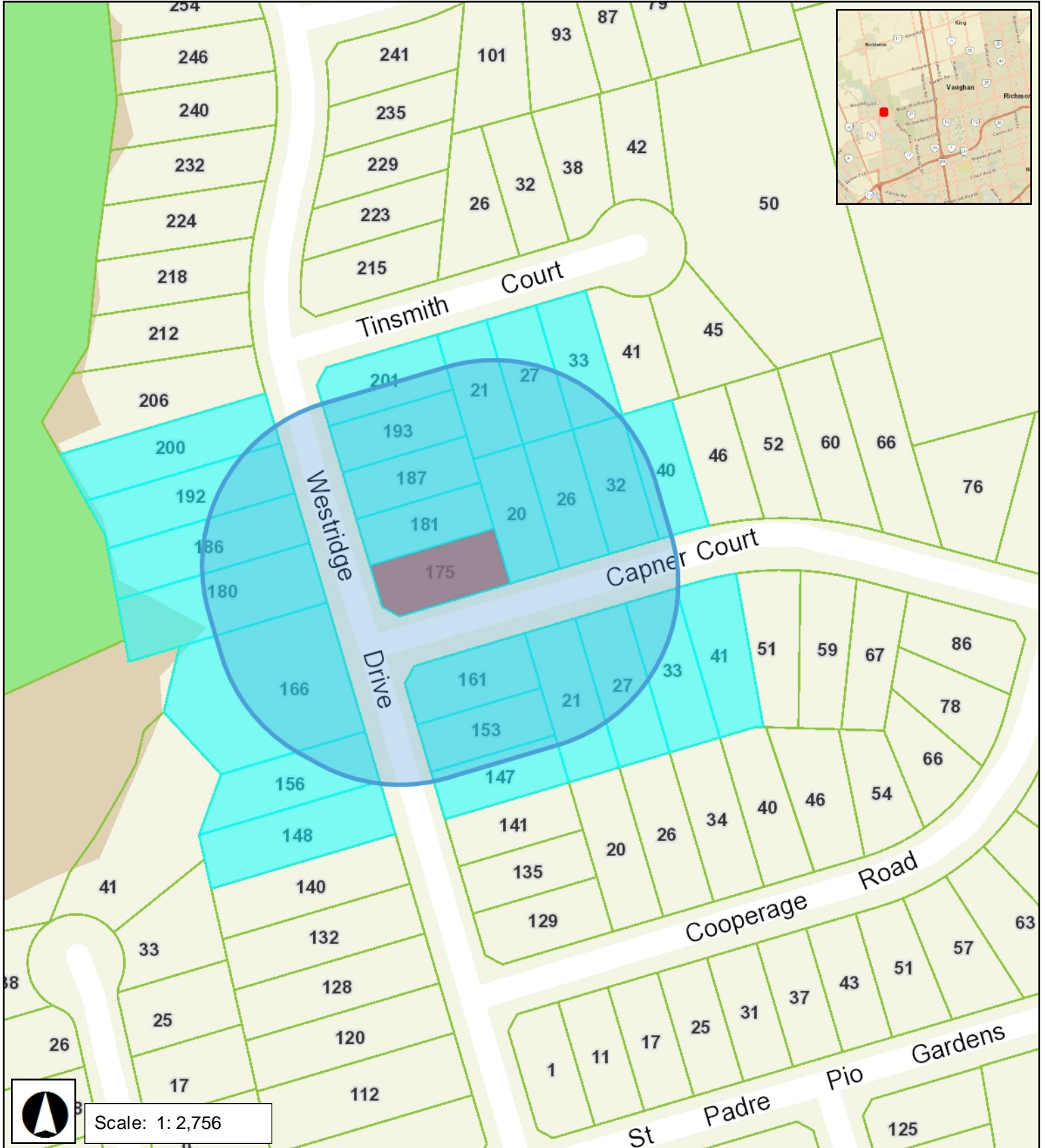
IMPORTANT INFORMATION – PLEASE READ

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

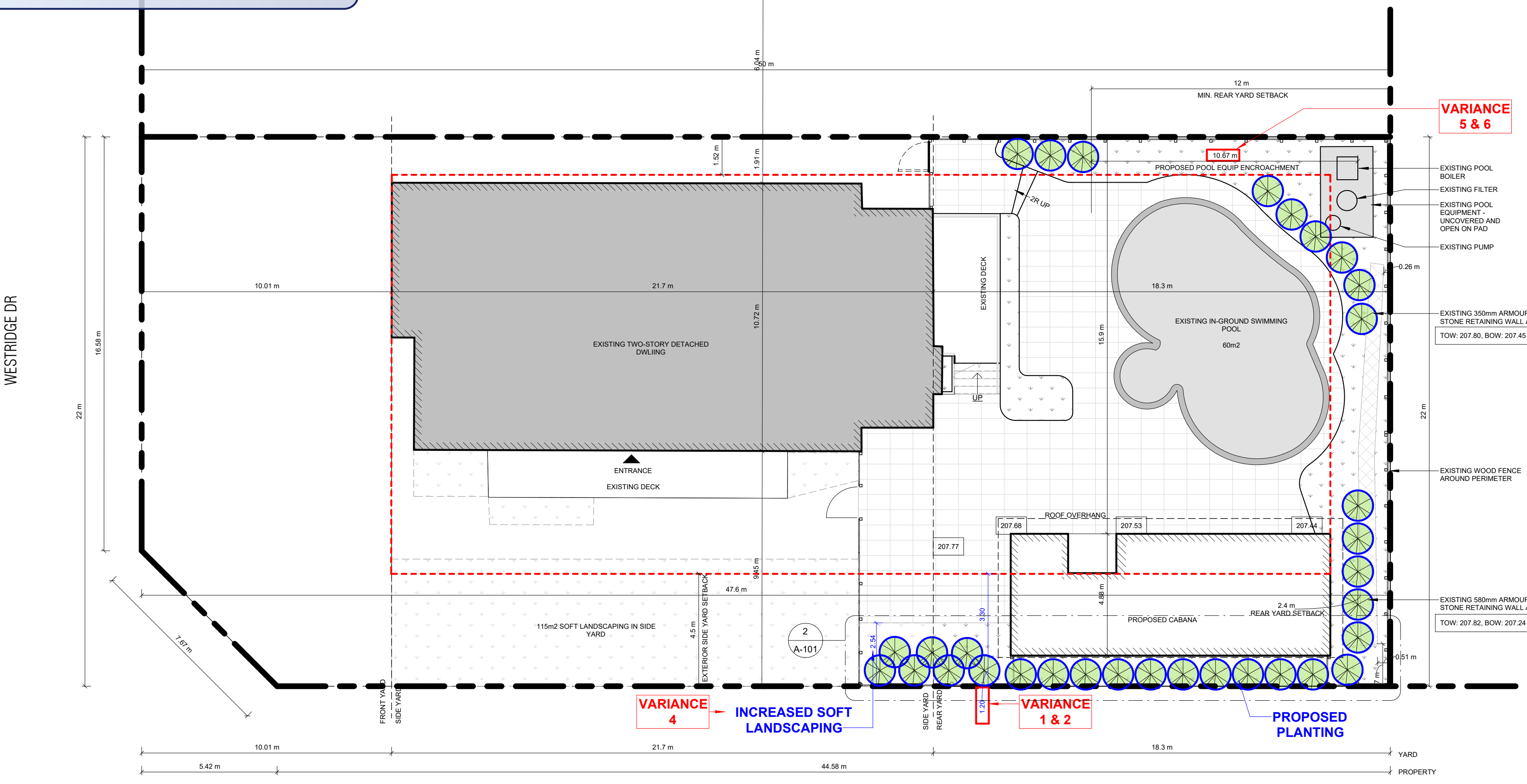


RECEIVED

By Christine Vigneault at 4:43 pm, Jul 24, 2023

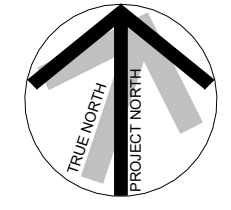
PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT

A068/23



GENERAL NOTE: THESE DRAWINGS ARE PROPERTY OF FRANKFRANCO ARCHITECTS (FFA) AND MAY NOT BE USED OR COPIED WITHOUT WRITTEN PERMISSION FROM FFA.

Revision table with columns: NO., DATE, ISSUED FOR



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10320 PINE VALLEY DR.
VAUGHAN, ONTARIO, L3L 0B3
647.749.0557
FRANK@FRANKFRANCO.COM

175 WESTRIDGE DR, VAUGHAN ON

Project information table with columns: PROJECT NO., PROJECT MANAGER, DRAWN, CHECKED, SCALE

SITE PLAN
A-001

2023-07-24 4:14:48 PM

1 SITE PLAN - COA
A-001 1:120

CAPNER CT

SITE LEGEND: SETBACKS, PROPERTY LINE, EXISTING BUILDING, SOFT LANDSCAPING, HARD LANDSCAPING

ESTABLISHED GRADE @ FRONT WALL OF CABANA
(207.53+207.44+207.68)/3 = 207.55
GRADING LEGEND: EXISTING (ESTABLISHED) GRADE: XX.XX

SITE STATISTICS

175 WESTRIDGE DR, VAUGHAN ON
LOT 83 REGISTERED PLAN 65M-2862
CITY OF VAUGHAN, REGIONAL MUNICIPALITY OF VAUGHAN

ZONING DESIGNATION

R1 - RESIDENTIAL ZONE / R1B - First Density Residential Zone

LOT AREA

1085.37 m²

LOT COVERAGE

Table with columns: LANDSCAPE/BUILDING TYPE, AREA, PERCENTAGE OF REAR (383.07m2), PERCENTAGE OF REAR EXCESS 135 m2, PERCENTAGE OF LOT

UPDATED VARIANCE 4

ZONING BY-LAW

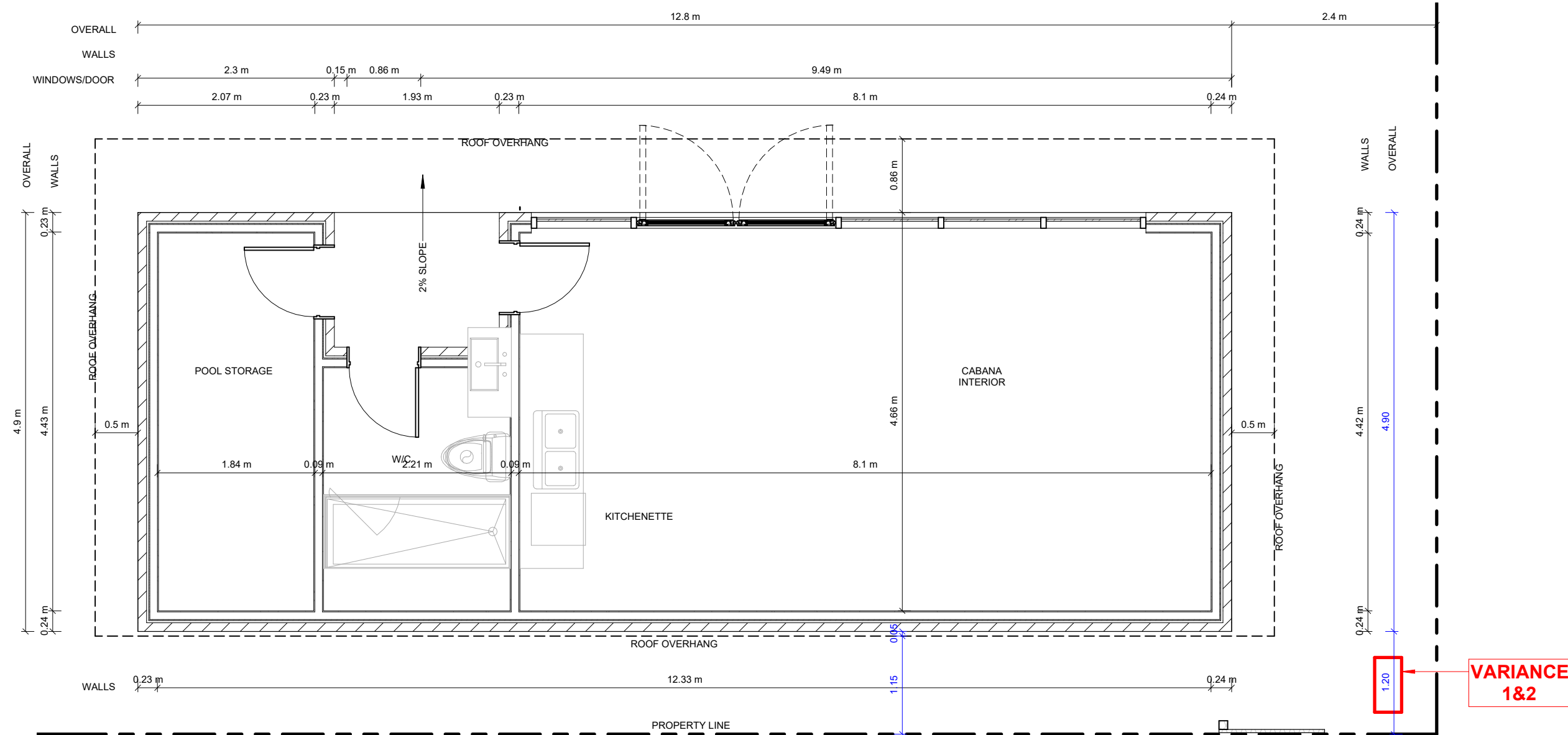
Table with columns: BY-LAW REQUIREMENT, ALLOWED IN BY-LAW 1-88, ALLOWED IN BY-LAW 001-2021, PROPOSED

VARIANCE 3

VARIANCE 1&2

VARIANCE 1&2

UPDATED VARIANCE 4



1 GROUND FLOOR PLAN
A-100 1 : 50

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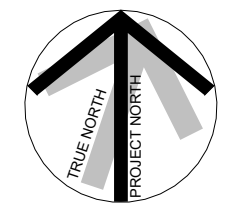
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NO.	DATE	ISSUED FOR
4	2023-07-04	DEV PLANNING REVISION 1
3	2023-06-02	COA SUBMISSION 3
2	2023-05-19	SUBMITTED FOR PRELIMINARY GRADING PLAN
1	2023-04-13	COA SUBMISSION



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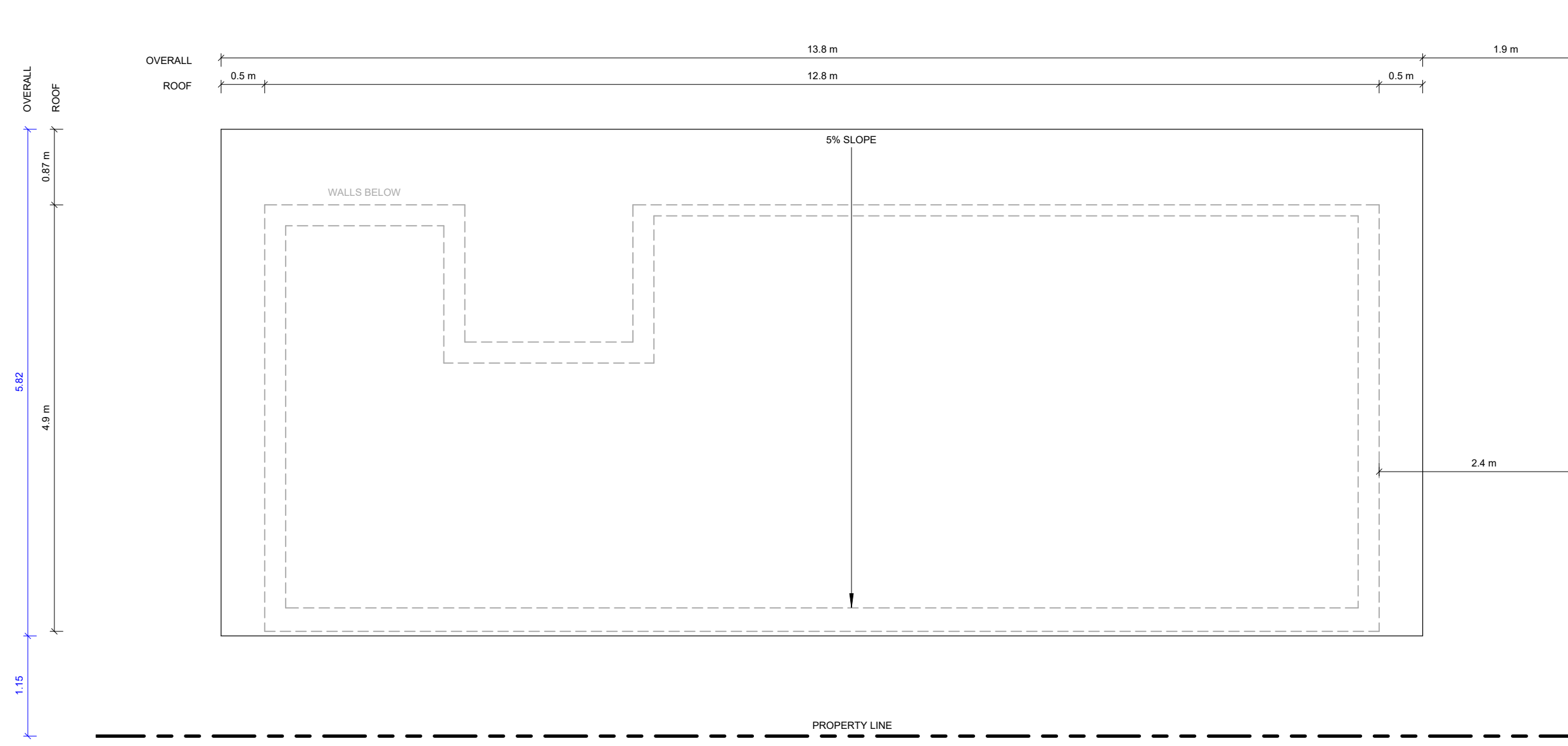
175 WESTRIDGE DR, VAUGHAN ON

PROJECT NO.	2023
PROJECT MANAGER	FD
DRAWN	TB
CHECKED	SR
SCALE	1 : 50

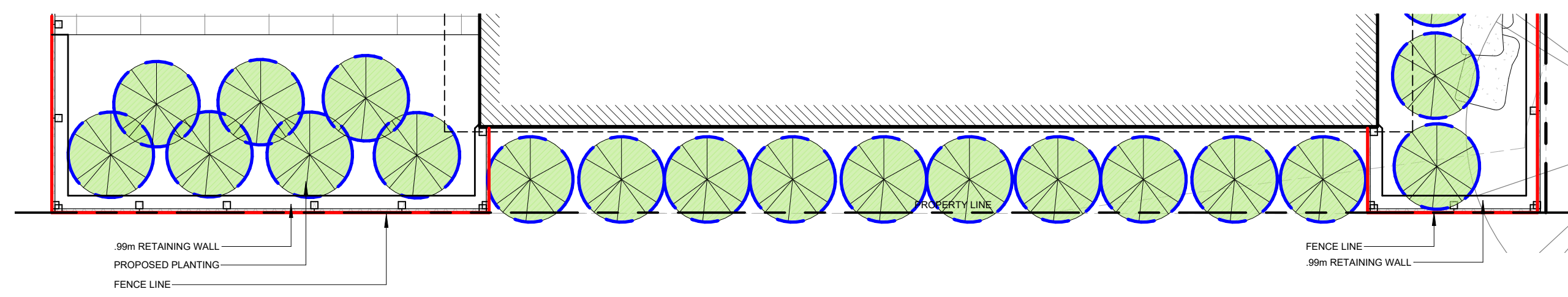
FLOOR PLAN

A-100

2023-07-24 4:14:50 PM



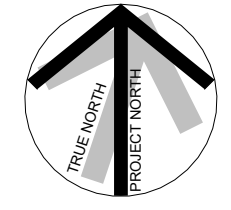
1 ROOF - CABANA
 A-101 1 : 50



2 SITE PLAN - CALLOUT
 A-101 1 : 60

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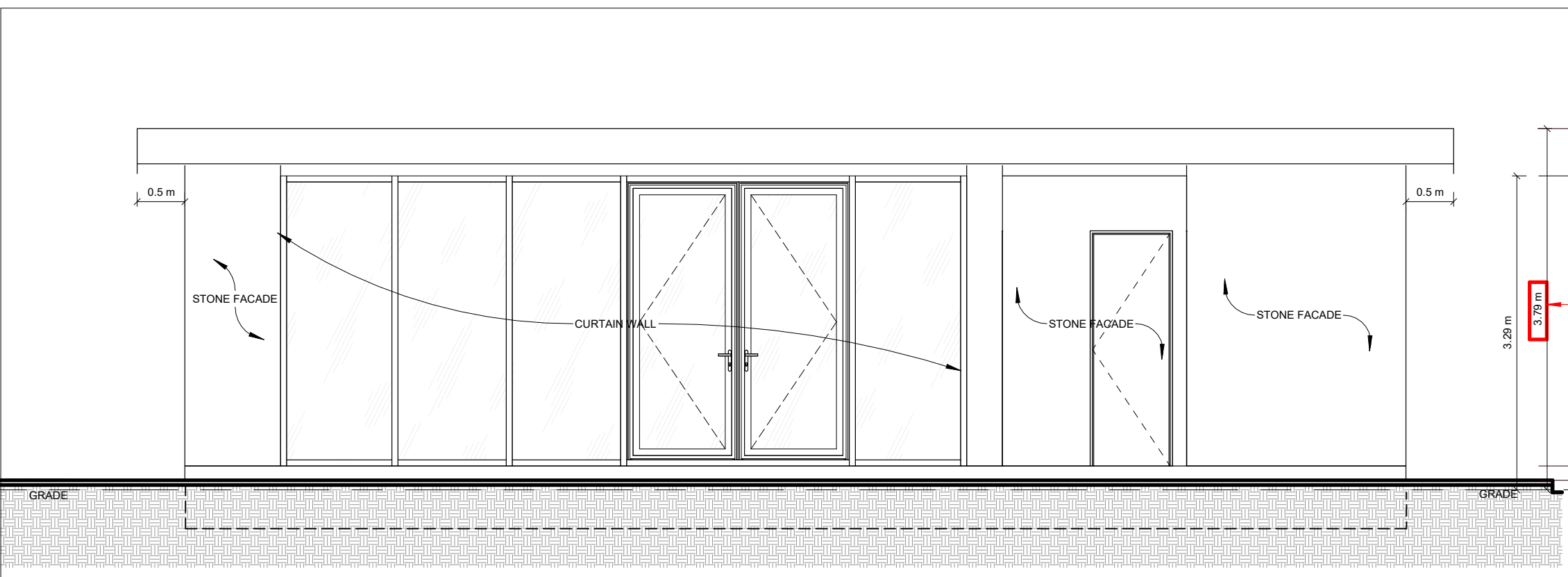
175 WESTRIDGE DR, VAUGHAN ON

PROJECT NO.	2023
PROJECT MANAGER	FD
DRAWN	TB
CHECKED	SR
SCALE	As indicated

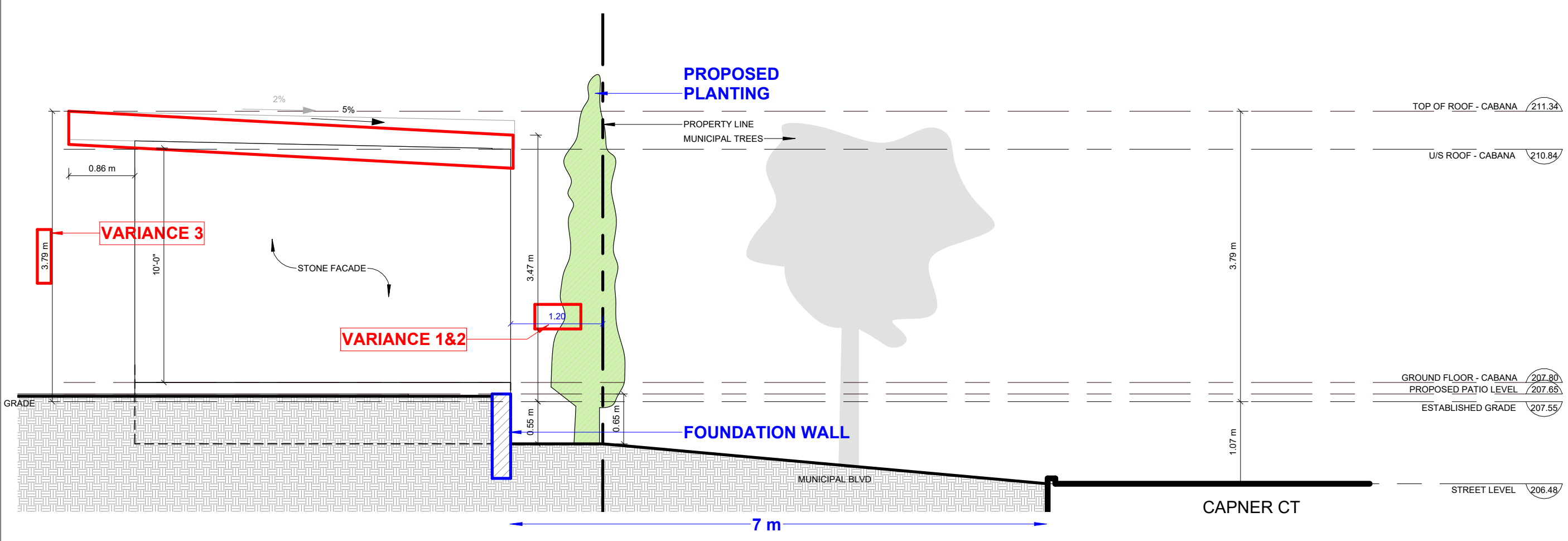
ROOF PLAN AND FENCE LINE

A-101

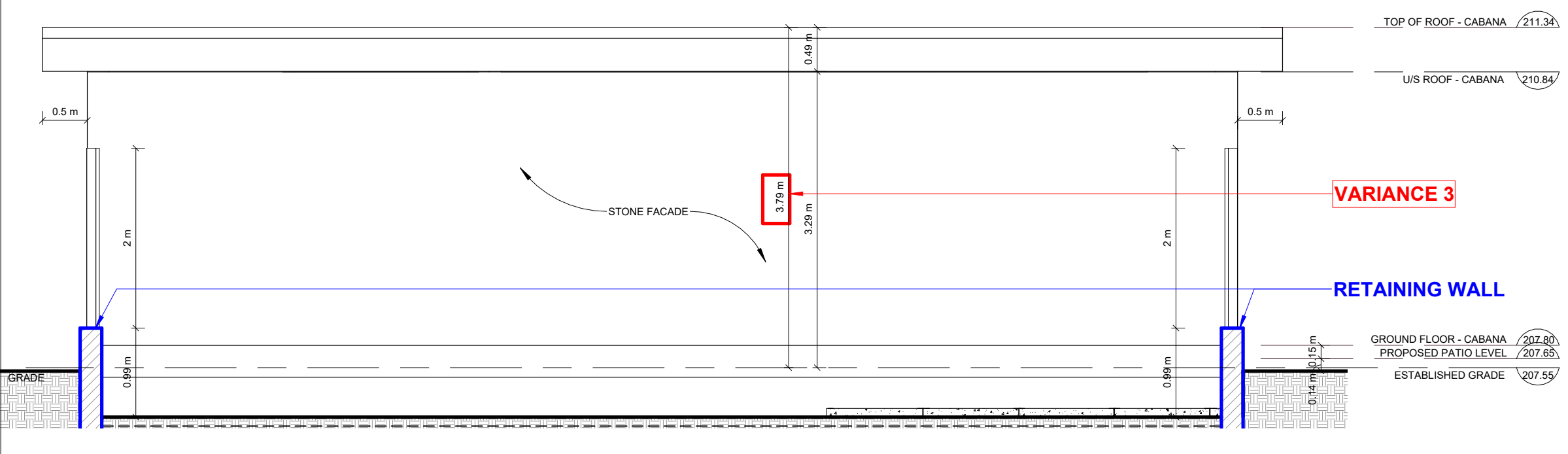
2023-07-24 4:14:52 PM



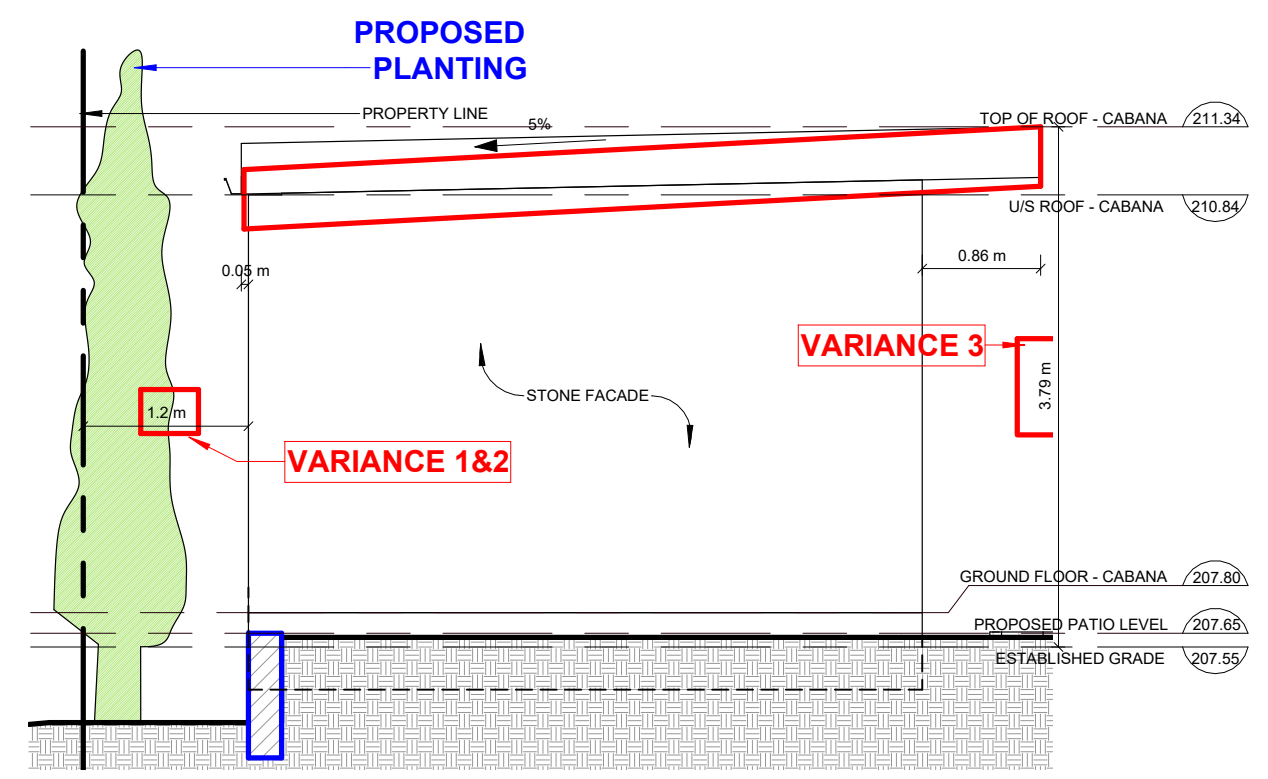
1 CABANA NORTH ELEVATION
A-200 1:50



4 CABANA WEST ELEVATION - FLAT
A-200 1:50



3 CABANA SOUTH ELEVATION
A-200 1:50



2 CABANA EAST ELEVATION
A-200 1:50

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175 WESTRIDGE DR, VAUGHAN ON

PROJECT NO.	2023
PROJECT MANAGER	FD
DRAWN	TB
CHECKED	SR
SCALE	1:50

ELEVATIONS

A-200

2023-07-24 4:14:54 PM

SCHEDULE B: STAFF & AGENCY COMMENTS

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

To: Committee of Adjustment
From: Faegheh Gholami, Building Standards Department
Date: August 1, 2023
Applicant: FrankFranco Architects
Location: 175 Westridge Drive
PLAN 65M2862 Lot 83
File No.(s): A068/23

Zoning Classification:

The subject lands are zoned R1B(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.336 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A residential accessory structure shall not be located closer to an exterior side lot line than the principal dwelling. [Section 4.1.2.c]	To permit a residential accessory structure to be located closer to the Exterior side lot line than the principal dwelling on the lot as per the location shown on the site plan.
2	A minimum exterior side yard setback of 4.5m is required. [Table 7-3]	To permit a minimum exterior side yard setback of 1.2m for the residential accessory structure.
3	A maximum building height of 3.0m is permitted for the residential accessory structure. [Section 4.1.4.1]	To permit a maximum building height of 3.79m for the residential accessory structure.
4	In the R1B Zone, any portion of a yard in excess of 135.0 m ² shall be comprised of a minimum 60% soft landscape. [4.19.1 1]	To permit the portion of the rear yard in excess of 135.0 m ² to be comprised of a minimum 39.9% (96.0m ²) soft landscape.
5	Ground mounted pool equipment shall be permitted to encroach into the required rear yard a maximum of 1.5m. [Table 4-1]	To permit the ground mounted pool equipment to encroach a maximum of 10.67m into the required rear yard.

The subject lands are zoned R1 – Residential Zone and subject to the provisions of Exception 9(563) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
6	A maximum encroachment of 1.5m into the minimum required rear yard is permitted for ground mounted pool equipment. [Section 3.14]	To permit a maximum encroachment of 10.67m into the minimum required rear yard for ground mounted pool equipment.

Staff Comments:

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

There are no outstanding Orders on file

Building Permit(s) Issued:

Building Permit No. 00-002286 for In-Ground Pool (Sfd/Semi) - New, Issue Date: Apr 11, 2000

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	Building height 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.

Date: June 13th 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A068-23**

Related Files:

Applicant FrankFranco Architects

Location 175 Westridge Drive



Discover the possibilities

COMMENTS:

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

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

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

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

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

References:

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

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

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

E-mail: stephen.cranley@alectrautilities.com

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

Email: Mitchell.Penner@alectrautilities.com

From: [Development Services](#)
To: [Christine Vigneault](#)
Cc: [Committee of Adjustment](#)
Subject: [External] RE: A068/23 (175 Westridge Drive) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Monday, June 12, 2023 6:27:04 PM
Attachments: [image001.png](#)
[image003.png](#)

Hi Christine,

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

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | 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.

From: Christine Vigneault <Christine.Vigneault@vaughan.ca>
Sent: Monday, June 12, 2023 10:50 AM
To: rowcentre@bell.ca; carrie.gordon@bell.ca; Development Services <developmentservices@york.ca>; yorkplan@trca.ca; engineeringadmin@powerstream.ca; TCenergy@mhbcplan.com; Kristen Regier <Kristen.Regier@trca.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: A068/23 (175 Westridge Drive) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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Hello,

Please email comments and recommendations on the above noted application to cofa@vaughan.ca. If you wish to be notified of the decision, please confirm in writing.

The deadline to submit comments on this application is **June 26, 2022**.

Should you have any questions or require additional information please contact the undersigned.

Regards,

Christine Vigneault, AMP, ACST
Manager, Development Services & Secretary Treasurer to the Committee of Adjustment
905-832-2281, ext. 8332 | christine.vigneault@vaughan.ca

City of Vaughan | Office of the City Clerk
2141 Major Mackenzie Dr., Vaughan ON L6A 1T1
vaughan.ca

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
Applicant	Frank Franco Architects	N/A	08/16/2023	Planning Rationale Letter



175 Westridge Drive Committee of Adjustments - Justification Report

Prepared For:

Bruna & Anthony Guido
175 Westridge Dr.
Woodbridge, ON

Prepared By:

FrankFranco Architects
10320 Pine Valley Drive
Vaughan, Ontario
L4L 1A6

Subject Lands Description

The subject property is located at 175 Westridge Drive in Woodbridge and has the legal description 'Lot 83 Registered Plan 65M2862'. The property is located on the north-east corner of Westridge Drive and Capner Ct. and has a frontage of 22 m and a lot area of 1085.28 SQ.M.

Neighbourhood Description

The dwelling is located in the neighborhood of Kleinburg. The neighbourhood predominantly consists of single family detached dwellings. The houses feature a wide range of architectural materials, styles and building forms.

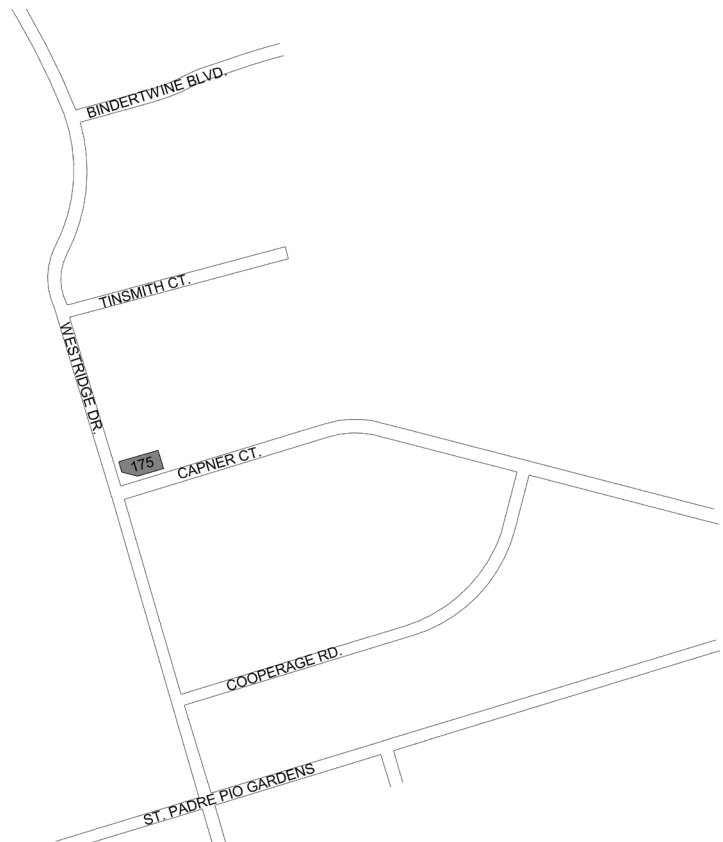


Fig. 1 –Context map - Grey region indicates the subject lands location in the neighbourhood



Official Plan & Official By-Law

There is an existing single family detached dwelling and an in-ground pool located on the property. The proposed development is for an accessory structure (cabana) adjacent to the pool in the rear yard. Figure 2 demonstrates the placement, shape, and orientation of all the existing structures, and the general buildable area for a cabana on the subject land in relation to the zoning setbacks.

Under the Zoning By-law 001-2021 the subject land is located in the R1B(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.336. Under Zoning By-law 1-88 it is an R1 - Residential zone. The predominant land use surrounding the property is single family detached dwellings.

In keeping with the official plan and zoning by-laws, the proposal for 175 Westridge Drive is to construct a new accessory structure to be used as a cabana. The intent is to provide the home owners and their family a structure to support the pool programming, enhance their outdoor living space and provide enclosed storage space. The design of the cabana and rear yard compliments the existing site and neighbourhood in scale, height, landscaping and massing.

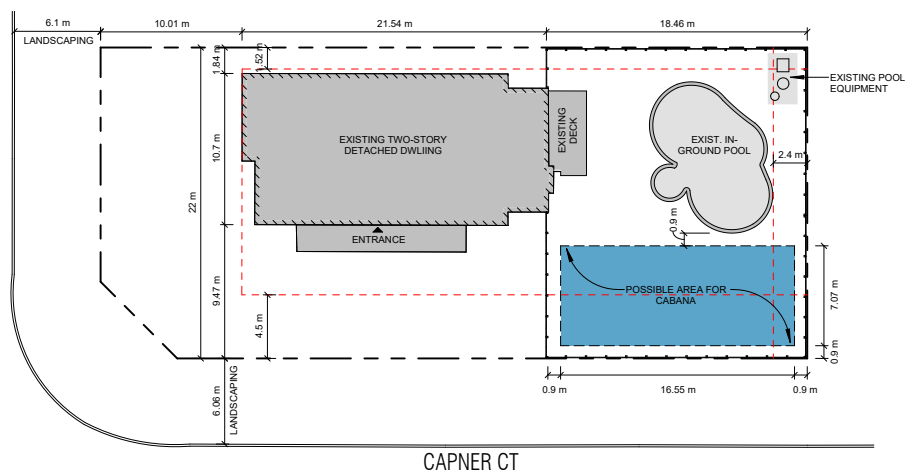


Fig. 2– Existing Dwelling And Proposed Cabana Site Plan with Zoning Setback



Table A - Zoning Requirements and Proposed Development

Zoning Standard (accessory structure)	zoning by-law 1-88 (R1 Zone)	001-2021 R1B (EN) Zone	Proposed
Max. Lot Coverage	10% or 67 sq.m	10% or 67 sq.m	9.44% (63.28 sq.m)
Max. Height	3m to u/s, 4.5m to top	3m	3.79m
Min. Rear Yard Setback	7.5m	2.4m	2.4m
Min. Interior Side Yard Setback	1.5m	1.5m	34.80m
Min. Exterior Side Yard Setback	7.5m	4.5m	1.2 m
Soft Landscaping	148.84 m2 (60%)	148.84 m2 (60%)	96.25m2 (40%)
Ground mounted pool equipment encroachment	-	1.5m	10.67m

A minor variance is required to permit the proposed development.

Requested Variances

A Minor Variance application has been submitted (File No: A068/23) to permit construction to the existing site and requires relief of zoning provisions for the following items:

City of Vaughan Zoning By-Law 001-2021:

1. By-law 01-2021 Section 4.1.2 c

Exterior Side Yard Setback

- A residential accessory structure shall not be located closer to an exterior side lot line than the principal dwelling
- The proposed exterior side yard setback is 1.2 m

2. By-law 01-2021 Table 7-3

Exterior Side Yard Setback

- A minimum exterior side yard setback of 4.5m is required
- The proposed exterior side yard setback is 1.2 m



3. By-law 01-2021 Section 4.1.4.1

Height

- A maximum building height of 3.0m is permitted for the residential accessory structure.
- The proposed maximum height is 3.79 m

4. By-law 01-2021 Section 4.19.1.1,

Lot Coverage

- In the R1B Zone, any portion of a yard in excess of 135.0m² shall be comprised of a minimum 60% soft landscape.
- The proposed minimum soft landscape is 40% (96.25m²)

5. By-law 01-2021 Table 4-1

Pool Equipment

- Ground mounted pool equipment shall be permitted to encroach into the required rear yard a maximum of 1.5m.
- The proposed encroachment is 10.67m

City of Vaughan Old 1-88 Zoning By-Law:

6. By-law 1-88 Section 3.14

Rear yard Setback

- A maximum encroachment of 1.5m into the minimum required rear yard is permitted for ground mounted pool equipment.
- The proposed encroachment is 10.67m



Planning - Justification

VARIANCE 1 & 2 - EXTERIOR SIDE YARD SETBACK

Considering the site with existing conditions of infrastructure; pool and equipment, pool amenity spaces and pool access requirements, there is only one feasible location to place the cabana. In order to properly address the pool we opted to locate the cabana adjacent (south) the pool and maintain perimeter pool access and adequate exterior amenity spaces with a distance of 3.05m. We worked with Development Planning to come to an agreeable setback of 1.2m. We then focused on correctly sizing the cabana to not over power the size of the land. Figure 3 illustrates the side yard setback, cabana location and feasible location from Figure 2.

Because the property is on a corner lot, the home is setback further from the lot lines built under the old bylaw with the building setback 9.47m. Following this same setback by working within the bylaw does not allow our client any opportunity to build.

Considering we have a privacy fence, and that the exterior lot line is adjacent to a 6m landscaping strip, our proposal is to work close to the fence line.

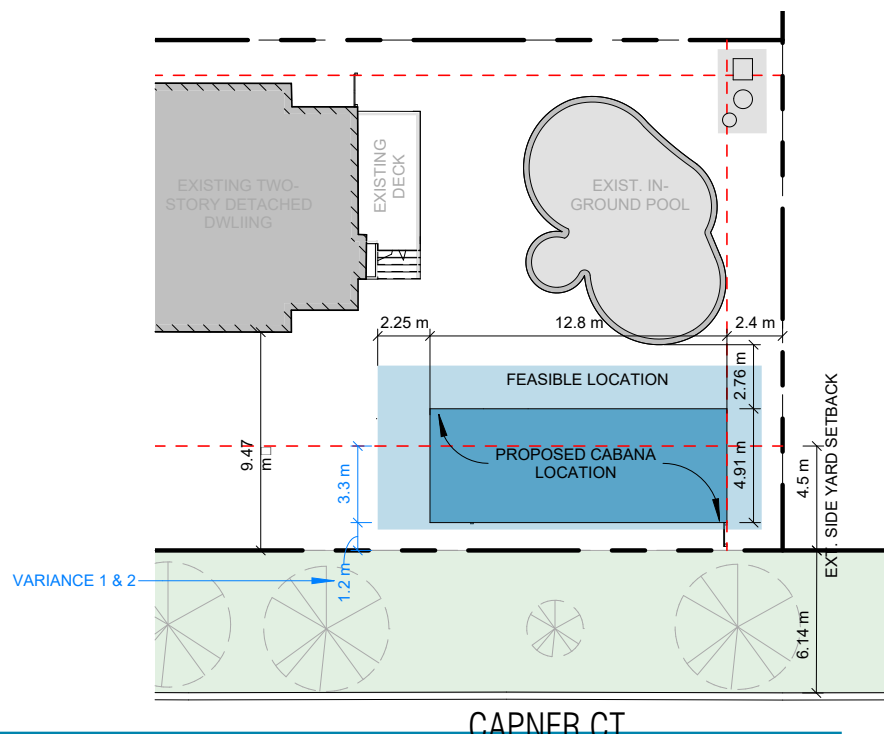


Fig. 3 – Proposed cabana location in relation to existing pool



VARIANCE 3 - HEIGHT

Our proposal accommodates a 3040mm (10') interior space for appropriately sized windows. For this application a recreational cabana space needs an abundance of natural ambient light and allows cross ventilation to naturally cool the interior in the summer. Working with Development Planning, the roof slopes towards Capner Ct. to minimize the impact on the adjacent street removing their concerns for the height variance.

Established grade (207.55) was calculated using a sloping condition from the elevations of the pool coping. The result is a much lower average elevation than the true entrance elevation (207.65) affecting how height is calculated. The variance request is higher than the actual building on the access side. Due to this interpretation of established grade, even a building height with a 2450mm (8') interior ceiling height would trigger a variance (2450 interior + 150 slab + 450 roof + 100 established grade = 3150 from established grade).

Relief of this variance also accommodates the finished cabana floor located at el. 150mm above the patio (207.65) for weather proofing and reducing water infiltration due to the proximity to the pool. The cabana will be accessed year round and the curb allows easier access in the winter protecting the interior from snow and increasing the longevity of the structure.

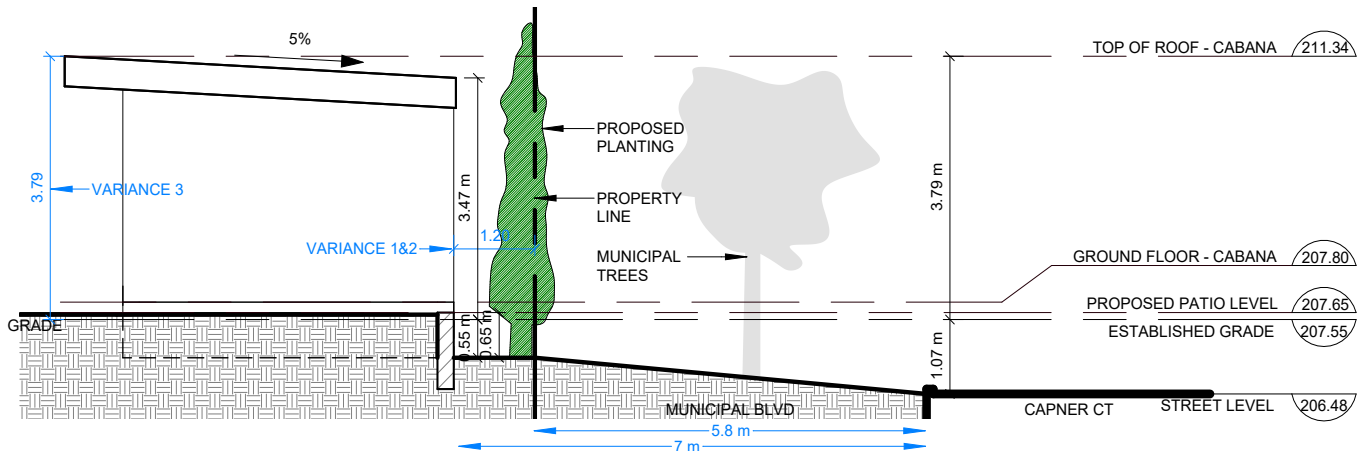


Fig.4- Proposed EAST Elevation on Hill



VARIANCE 4 - SOFT LANDSCAPING

With the existing conditions of the pool, the hard landscaping of the rear yard could not be reduced without impacting garden access, perimeter pool access and supplemental amenity space accompanying the pool. It is important to note the hard landscape area is an existing condition.

A small strip of soft landscaping along the existing fence line is being removed to allow for the cabana. We have taken steps to reintroduce a replacement strip along the deck to compensate for the reduction. The Cabana is not larger than zoning permits, complying with the prescribed lot coverage of up to 67m², however it does use area that is considered soft landscape resulting in a proposed rear yard soft landscaping total of 40% (96.25m²).

Although atypical, considering this lot is a corner lot there is significant soft landscaping of the side yard, much larger than an average lot. That could be considered when addressing concerns with lot permeability. To be precise the existing home is set back far enough and flanked by a municipal owned landscaping strip not typical for a conventional lot. The missing soft landscaping area of 62.28m² can easily be found in the side yard (104m²) (shown in figure 5). Further, we could consider the pool area (60m²) as not part of the total rear yard area - it is not permeable, but able to retain water and store it in between rainfalls. That water is reintroduced to the environment through evaporation. Therefore, if we remove the pool area (60m²) from the total rear yard, the area exceeding 135m² becomes 188.07m² and the soft landscaping is then calculated at 52% (99/188.07) exceeding Development Planning's target of 44%.

In addition, to remedy the loss of foliage in the rear, the owner has proposed planting new trees around the perimeter of the property line and in the new landscaping strip introduced at the center of the rear yard.

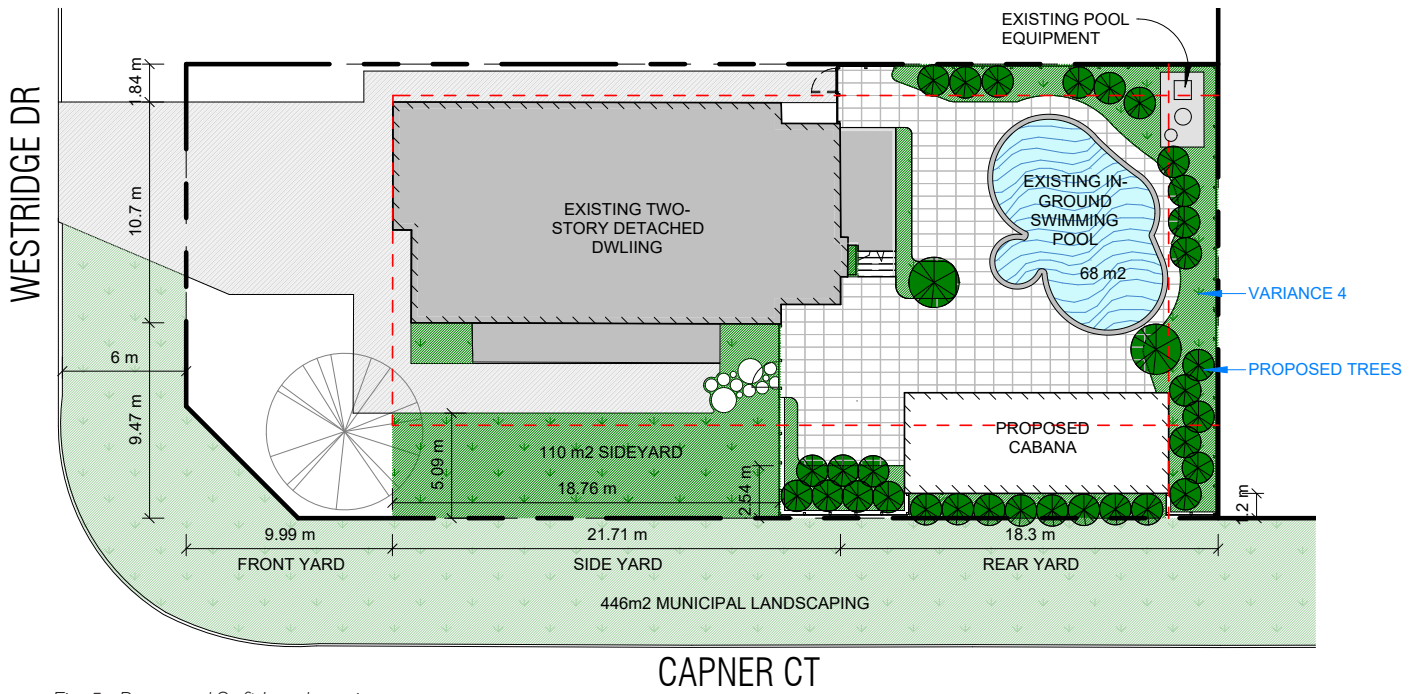


Fig. 5—Proposed Soft Landscaping



VARIANCE 5 & 6 - POOL EQUIPMENT ENCROACHMENT

This is an existing condition. Relief for this variance allows the pool equipment to remain where it has been placed since the original pool permit was approved in April, 2000. The pool equipment has been located in the north east corner of the rear yard for 23 years. It is an extremely expensive process to relocate and there is no other location on the property in it's existing state that complies with the bylaw so we are requesting relief for this existing condition.

With the amendments proposed in variance 4, the presence of more trees will help conceal the equipment while remaining accessible.

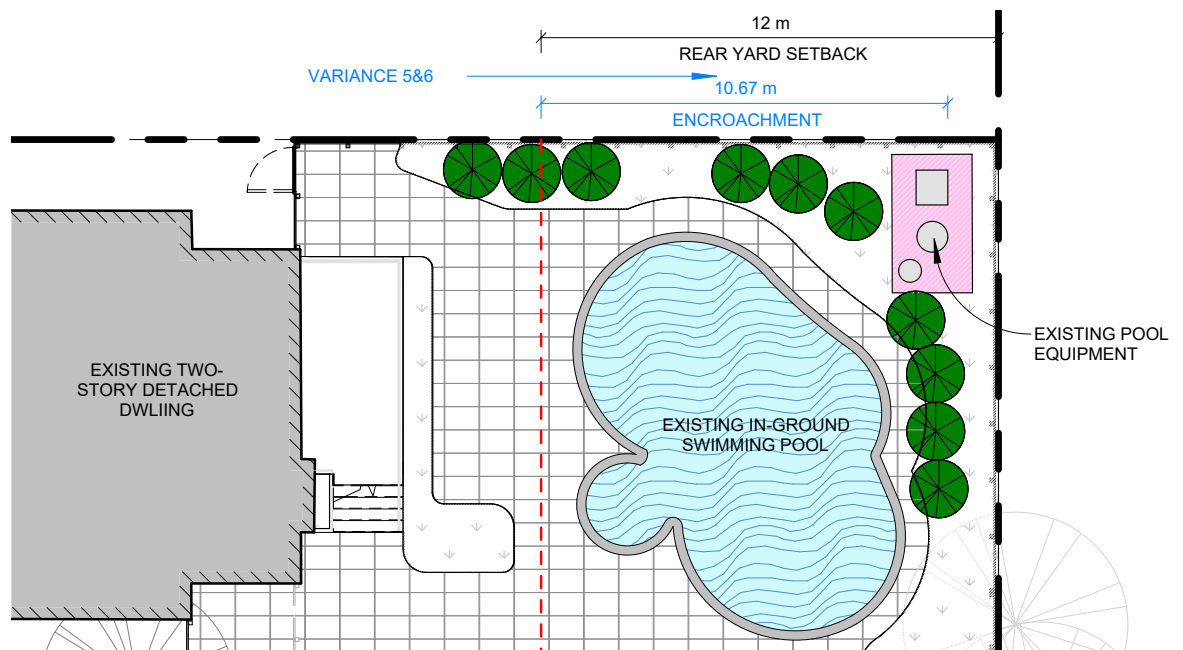


Fig. 6– Relief For Existing Pool Equipment



Conclusion

We feel the evidence contained within this report proves that the requested variances pass each of the four tests required under Subsection 45(1) of the Planning Act.

TEST 1
THE GENERAL INTENT OF THE OFFICIAL PLAN
IS MAINTAINED:

The proposal is in keeping with the intent of the Official Plan. The intent of the proposal is to update the subject property to contemporary dwelling standards. The proposal is an accessory structure allowed in the city's Official Plan to intensify and improve buildings in existing neighbourhoods, and maintains land use designations.

TEST 2
THE GENERAL INTENT OF THE ZONING BY-
LAW IS MAINTAINED:

The proposal is in keeping with the intent of the City of Vaughan By-laws in effect. The required variances are only proposed where it is functionally necessary. The variances do not represent significant departures from the regulations of the zoning by-law and are consistent with the intent and purpose of the by-law.

TEST 3
THE VARIANCE IS MINOR:

The variances are minor in nature and where applicable are supported by previously accepted variances. The proposed variances do not impede the function of the by-laws, nor do they negatively impact the neighbourhood, and should thus be considered minor.

TEST 4
THE VARIANCE IS DESIRABLE:

The variances are desirable because it will produce a proposal that is similar to and compatible with other dwellings in the community. The proposed new cabana is respectful of the existing site, and is comparable in scale to the other accessory structures in the neighbourhood.

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND

File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		