

ITEM: 6.6	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A113/23 133 DONHILL CR, 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PUBLIC & APPLICANT CORRESPONDENCE

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

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

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

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

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			08/25/23	Planning Justification Report
Applicant				Cover 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
A113/23
133 DONHILL CR, KLEINBURG**

ITEM NUMBER:	CITY WARD #: 1
APPLICANT:	Sabrina Gallo
AGENT:	Ian Robertson Design
PROPERTY:	133 Donhill Cr, 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 dwelling, including covered porch, a retaining wall, swimming pool and related pool equipment.

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

The subject lands are zoned R1B (EN) 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 minimum rear yard setback of 12.0 metres is required. [Table 7-3]	To permit a minimum rear yard setback of 11.0 metres.
2	A maximum lot coverage of 40% is permitted. [Table 7-3]	To permit a maximum lot coverage of 41.97%.
3	To maximum building height of 8.5 metres is permitted. [Section 4.5]	To permit a maximum building height of 9.47 metres
4	A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall. [Section 4.13]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.
5	Ground mounted pool equipment is permitted to encroach 1.5 metres into the required rear yard. [Section 4.13]	To permit ground mounted pool equipment to encroach 7.8 metres into the required rear yard.

#	Zoning By-law 1-88	Variance requested
6	A covered porch is permitted to encroach 0.0 metres into the required front yard. [Section 3.14]	To permit a covered porch to encroach 0.81 metres into the required front yard.
7	A retaining wall (window well) which exceeds 1.0 metres in height must be set back from the nearest property line a distance equal to its height. [Section 4.1.1]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.
8	Ground mounted pool equipment is permitted to encroach 1.5 metres into the required rear yard. [Section 3.14]	To permit ground mounted pool equipment to encroach 7.8 metres into the required rear yard.

HEARING INFORMATION

DATE OF MEETING: Thursday, September 21, 2023

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive

LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

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

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

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:	September 7, 2023	
Date Applicant Confirmed Posting of Sign:	August 30, 2023	
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	Refer to uploaded justification report.	
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: *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.	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:	That Consent Letters from the two neighbouring properties containing trees that will be impacted by the proposed construction, be provided to the satisfaction of the Development Planning Department.
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DEVELOPMENT ENGINEERING COMMENTS

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

Due to the size of the proposed residence and swimming pool on the subject property, which measures 513.94 m² and 44.85 m² respectively, 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 note that any in-ground structure exceeding 10 m² 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.

The Owner/Applicant shall submit an application for a Pool Grading Permit to the Development Engineering (DE) Department. For instructions on how to apply for the Pool Permit, please refer to the grading permits page on the City of Vaughan website. If you have any questions regarding the Pool Grading Permit, please feel free to reach out to the Development Engineering Department via email at DEPermits@vaughan.ca.

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.

The Development Engineering Department does not object to the Minor Variance application A113/23, 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 within the City's Development Engineering Department before initiating any work on the property. To apply for a Grading Permit, please visit the Permit page on the City of Vaughan website. For any inquiries regarding the Grading Permit, please feel free to contact the Development Engineering Department via email at DEPermits@vaughan.ca .
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

See recommended condition of approval.

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

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 comment no concerns.

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 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 Planning Joshua.cipolletta@vaughan.ca	That Consent Letters from the two neighbouring properties containing trees that will be impacted by the proposed construction, be provided to the satisfaction of the Development Planning Department.
2	Development Engineering Rex.bondad@vaughan.ca	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 before initiating any work on the property. To apply for a Grading Permit, please visit the Permit page on the City of Vaughan website. For any inquiries regarding the Grading Permit, please feel free to contact the Development Engineering Department via email at DEPermits@vaughan.ca .
3	Parks, Forestry and Horticulture Operations zachary.quizzetti@vaughan.ca	Applicant/owner shall obtain a “Private Property Tree Removal & Protection” permit through the forestry division prior to any construction works on the subject property.

IMPORTANT INFORMATION – PLEASE READ

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

IMPORTANT INFORMATION – PLEASE READ

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.

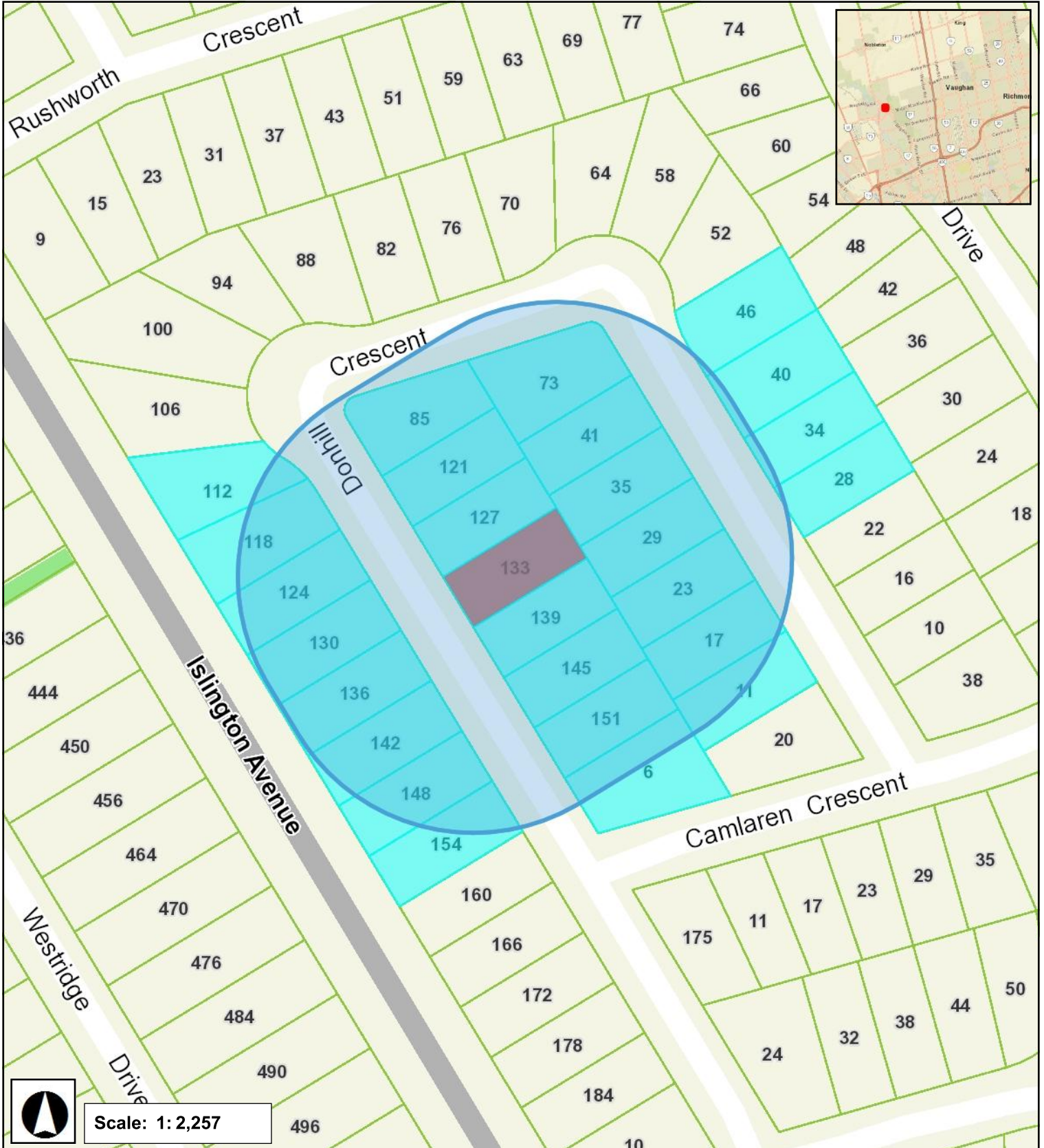
SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP - A113/23

133 DONHILL CRESCENT, KLEINBURG

Nashville Road

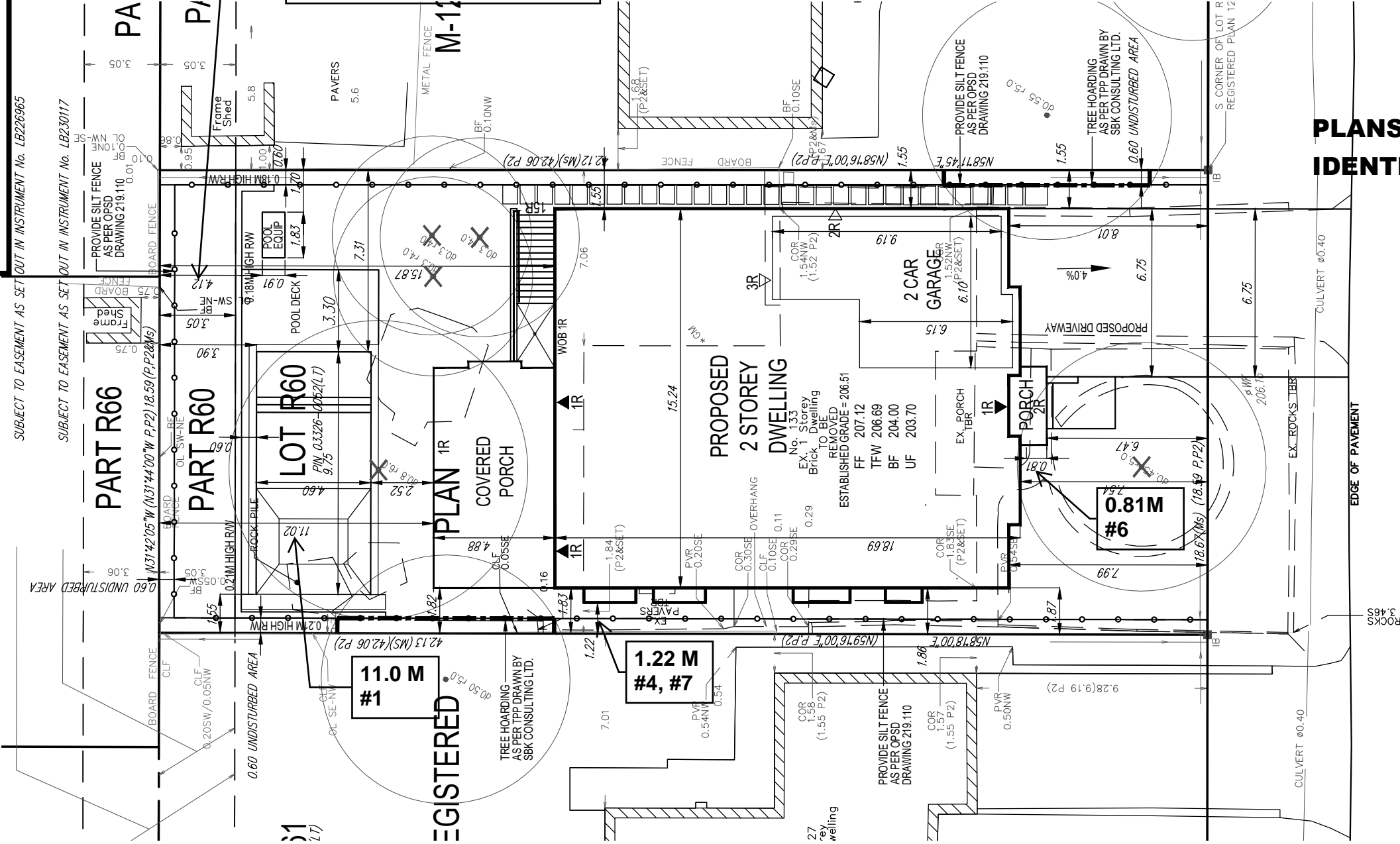


Scale: 1: 2,257

Major Mackenzie Drive

August 1, 2023 1:08 PM

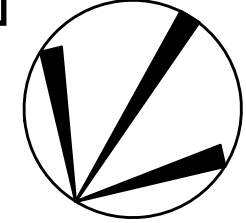
A113/23



12M SETBACK - 4.12 = 7.88M ENCROACHMENT #5, #8

#2 - LOT COVERAGE = 41.97%
35.85% DWELLING, 0.56% PORTICO, 5.56% REAR PORCH

PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT



DONHILL CRESCENT
(DEDICATED BY REGISTERED PLAN 6087)
PIN 03326-0271(LT)

ZONING		
SITE DATA	BY-LAW 001-2021	PROPOSED
ZONE	R1B (EN)	
LOT FRONTAGE	18.0 M	18.67 M
LOT AREA	600M2	784.78 M
FRONT YARD SETBACK	7.28 M	6.47 M (PORCH) 7.54 M (HOUSE)
SIDE YARD SETBACK	1.50 M	1.83 M (NORTH) 1.55 M (SOUTH)
REAR YARD SETBACK	12.0 M	15.87 M (HOUSE) 11.02 M (PORCH)
GROUND FLOOR AREA		227.52 M2
GROSS FLOOR AREA		511.71 M2
LOT COVERAGE	40% (313.91 M2)	35.85% (281.31 M2)
LOT COVERAGE OF PORTICO		0.56% (4.37 M2)
LOT COVERAGE OF REAR PORCH		5.56% (43.66 M2)
TOTAL COVERAGE	40%	41.97% (329.34 M2)
BLDG HEIGHT TO PEAK	8.50 M	9.47 M
BLDG HEIGHT TO MIDPOINT		8.51 M
DRIVEWAY WIDTH	9.0 M	6.75 M
CHIMNEY PROJECTION	0.6 M	0.00 M
WINDOW WELL SETBACK		1.22 M (NORTH)
FRONT YARD AREA		141.51 M2
DRIVEWAY AREA		51.96 M2
WALKWAY & STEP AREA		5.43 M2
FRONT YARD LANDSCAPING	50% (70.75 M2)	141.51 - 51.96 = 89.55 M2 (63.28%)
FRONT YARD SOFT LANDSCAPING	60% (42.45 M2)	89.55 M2 - 5.43 M2 = 84.12 M2 (118%)
REAR YARD AREA		241.18 M2
HARDSCAPE AREA (POOL/RET. WALL/POOL EQUIP./POOL DECK)		83.12 M2
REAR YARD SOFT LANDSCAPING	60% (144.71 M2)	241.18 - 83.12 = 158.06 M2 (65.54%)

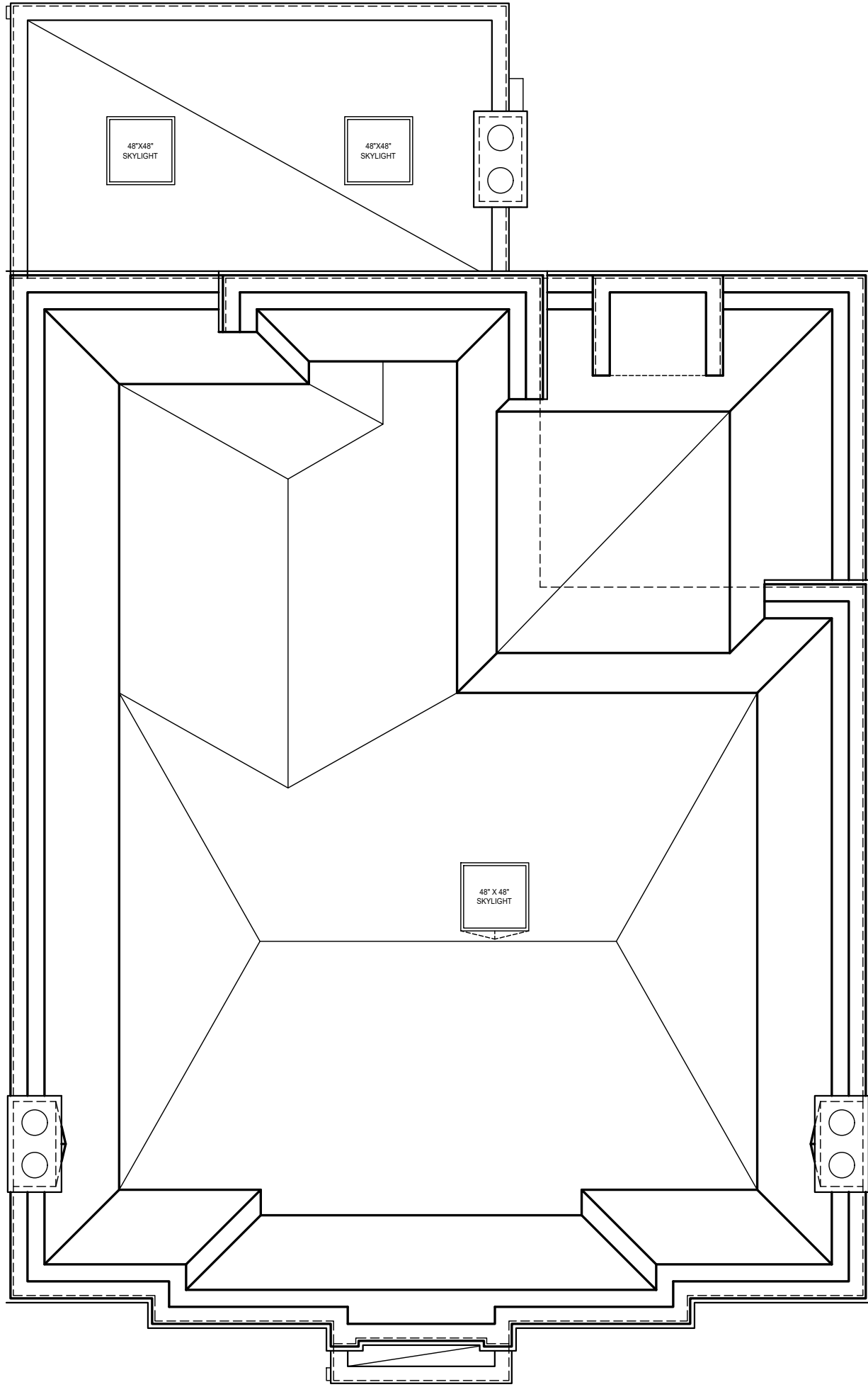
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RECEIVED
By Christine Vigneault at 11:51 am, Aug 29, 2023

LOT R60
133 DONHILL CRESCENT
FILE NO. A113/23

CLIENT:	SABRINA GALLO	SHEET TITLE:	SITE PLAN
PROJECT:	133 DONHILL CRESCENT, CITY OF VAUGHAN	PROJECT NUMBER:	23-02
ISSUED FOR REVIEW:		SCALE:	1:200
ISSUED FOR REVIEW:		DRAWN BY:	MF
ISSUED FOR REVIEW:		DRAWING NO.:	1 OF 1



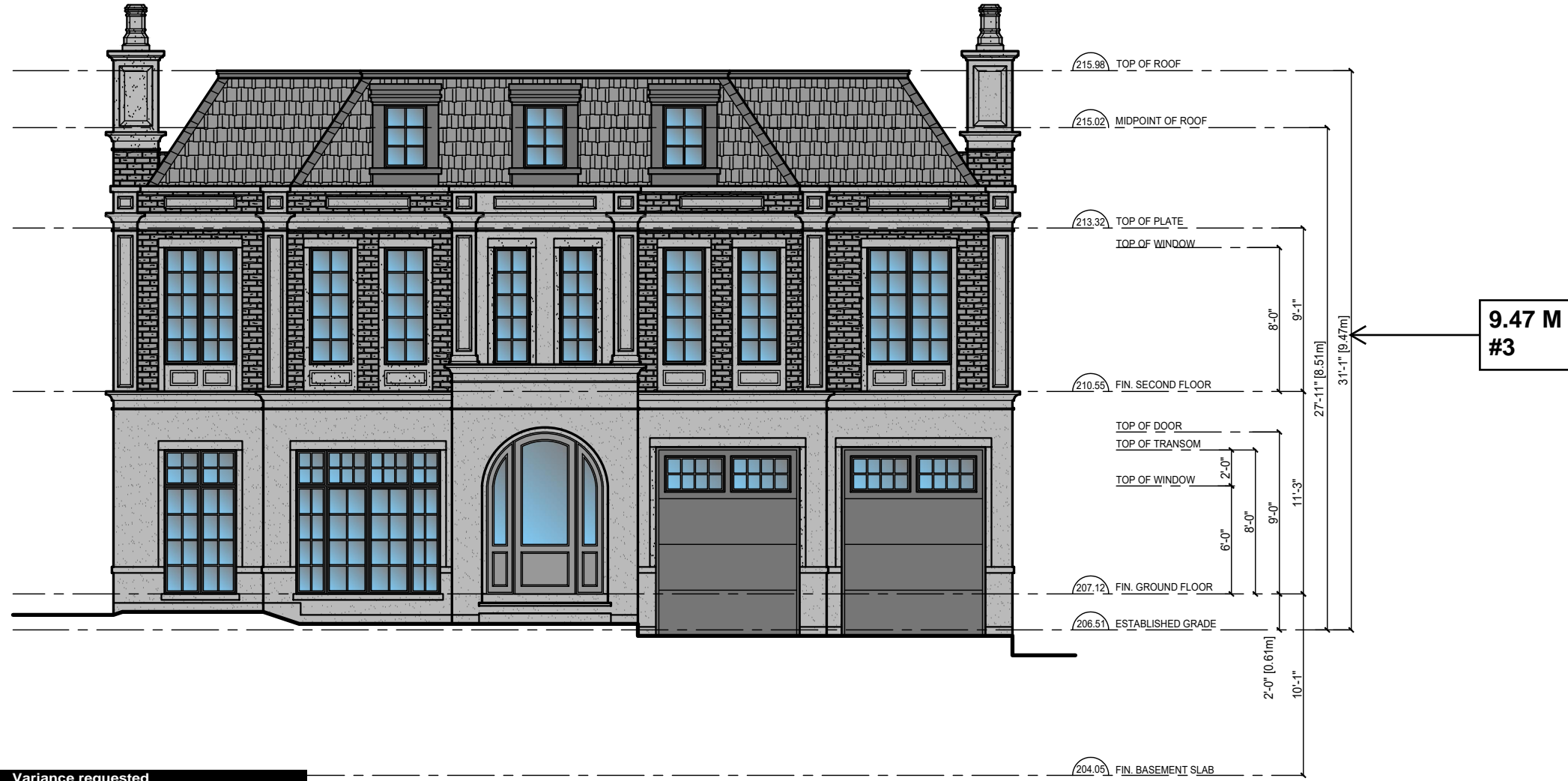
ROOF PLAN

LOT R60
 133 DONHILL CRESCENT
 FILE NO. A113/23

REVISIONS		
1	JUN. 28/23	ISSUED FOR REVIEW
2	JUL. 26/23	ISSUED FOR REVIEW
3	AUG. 1/23	ISSUED FOR REVIEW
4	AUG. 16/23	RE-ISSUED FOR REVIEW

CLIENT:	SABRINA GALLO
PROJECT:	133 DONHILL CRESCENT CITY OF VAUGHAN

SHEET TITLE:		ROOF PLAN	
PROJECT NUMBER:	23-02	DRAWN BY:	MF
SCALE:	1/8" = 1'-0"	DRAWING NO.:	4 OF 8



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LOT R60
133 DONHILL CRESCENT
FILE NO. A113/23

REVISIONS	ISSUED FOR REVIEW
1 JUN. 28/23	ISSUED FOR REVIEW
2 JUL. 26/23	ISSUED FOR REVIEW
3 AUG. 1/23	ISSUED FOR REVIEW
4 AUG. 16/23	RE-ISSUED FOR REVIEW

CLIENT: **SABRINA GALLO**
 PROJECT: **133 DONHILL CRESCENT**
CITY OF VAUGHAN

SHEET TITLE: **FRONT ELEVATION**
 PROJECT NUMBER: **23-02**
 SCALE: **1/8" = 1'-0"**
 DRAWN BY: **MF**
 DRAWING NO.: **5 OF 8**



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LOT R60
133 DONHILL CRESCENT
FILE NO. A113/23

REVISIONS	ISSUED FOR REVIEW
1 JUN. 28/23	ISSUED FOR REVIEW
2 JUL. 26/23	ISSUED FOR REVIEW
3 AUG. 1/23	ISSUED FOR REVIEW
4 AUG. 16/23	RE-ISSUED FOR REVIEW

CLIENT: **SABRINA GALLO**
PROJECT: **133 DONHILL CRESCENT**
CITY OF VAUGHAN

SHEET TITLE: **LEFT SIDE ELEVATION**
PROJECT NUMBER: **23-02**
SCALE: **1/8" = 1'-0"**
DRAWN BY: **MF**
DRAWING NO.: **6 OF 8**



**9.47 M
#3**

#	Zoning By-law 001-2021	Variance requested
1	A minimum rear yard setback of 12.0 metres is required. [Table 7-3]	To permit a minimum rear yard setback of 11.0 metres.
2	A maximum lot coverage of 40% is permitted. [Table 7-3]	To permit a maximum lot coverage of 41.97%.
3	To maximum building height of 8.5 metres is permitted. [Section 4.5]	To permit a maximum building height of 9.47 metres
4	A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall. [Section 4.13]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.
5	Ground mounted pool equipment is permitted to encroach 1.5 metres into the required rear yard. [Section 4.13]	To permit ground mounted pool equipment to encroach 7.8 metres into the required rear yard.

#	Zoning By-law 1-88	Variance requested
6	A covered porch is permitted to encroach 0.0 metres into the required front yard. [Section 3.14]	To permit a covered porch to encroach 0.81 metres into the required front yard.
7	A retaining wall (window well) which exceeds 1.0 metres in height must be set back from the nearest property line a distance equal to its height. [Section 4.1.1]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.
8	Ground mounted pool equipment is permitted to encroach 1.5 metres into the required rear yard. [Section 3.14]	To permit ground mounted pool equipment to encroach 7.8 metres into the required rear yard.

LOT R60
133 DONHILL CRESCENT
FILE NO. A113/23

REVISIONS	DATE	DESCRIPTION
1	JUN. 28/23	ISSUED FOR REVIEW
2	JUL. 26/23	ISSUED FOR REVIEW
3	AUG. 1/23	ISSUED FOR REVIEW
4	AUG. 16/23	RE-ISSUED FOR REVIEW

CLIENT: **SABRINA GALLO**
PROJECT: **133 DONHILL CRESCENT
CITY OF VAUGHAN**

SHEET TITLE: **RIGHT SIDE ELEVATION**
PROJECT NUMBER: **23-02**
SCALE: **1/8" = 1'-0"**
DRAWN BY: **MF**
DRAWING NO.: **7 OF 8**



#	Zoning By-law 001-2021	Variance requested
1	A minimum rear yard setback of 12.0 metres is required. [Table 7-3]	To permit a minimum rear yard setback of 11.0 metres.
2	A maximum lot coverage of 40% is permitted. [Table 7-3]	To permit a maximum lot coverage of 41.97%.
3	To maximum building height of 8.5 metres is permitted. [Section 4.5]	To permit a maximum building height of 9.47 metres
4	A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall. [Section 4.13]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.
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LOT R60
133 DONHILL CRESCENT
FILE NO. A113/23

REVISIONS	
1	JUN. 28/23 ISSUED FOR REVIEW
2	JUL. 26/23 ISSUED FOR REVIEW
3	AUG. 1/23 ISSUED FOR REVIEW
4	AUG. 16/23 RE-ISSUED FOR REVIEW

CLIENT: **SABRINA GALLO**
 PROJECT: **133 DONHILL CRESCENT**
CITY OF VAUGHAN

SHEET TITLE: **REAR ELEVATION**
 PROJECT NUMBER: **23-02**
 SCALE: **1/8" = 1'-0"**
 DRAWN BY: **MF**
 DRAWING NO.: **8 OF 8**

SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO) *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada *Schedule B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline *Schedule B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/no conditions
Building Standards (Zoning)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: September 14, 2023
Name of Owner: Sabrina Gallo
Location: 133 Donhill Crescent
File No.(s): A113/23

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

1. To permit a minimum rear yard setback of 11.0 m.
2. To permit a maximum lot coverage of 41.97%.
3. To permit a maximum building height of 9.47 m.
4. To permit a retaining wall with the maximum height of 2.11 m to be setback 1.22 m from the (north) interior side lot line.
5. To permit ground mounted pool equipment to encroach 7.8 m into the required rear yard.

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

1. A minimum rear yard setback of 12.0 m is required.
2. A maximum lot coverage of 40% is permitted.
3. To maximum building height of 8.5 m is permitted.
4. A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall.
5. Ground mounted pool equipment is permitted to encroach 1.5 m into the required rear yard.

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

6. To permit a covered porch to encroach 0.81 into the required front yard.
7. To permit a retaining wall with the maximum height of 2.11 m to be setback 1.22 m from the (north) interior side lot line.
8. To permit ground mounted pool equipment to encroach 7.8 m into the required rear yard.

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

6. A covered porch is permitted to encroach 0.0 m into the required front yard.
7. A retaining wall (window well) which exceeds 1.0 m in height must be set back from the nearest property line a distance equal to its height.
8. Ground mounted pool equipment is permitted to encroach 1.5 m into the required rear yard.

Official Plan:

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

Comments:

The Owner is requesting relief to demolish the existing single storey dwelling and permit the construction of a 2-storey dwelling, retaining wall, pool equipment, and covered porches, with the above-noted variances.

Upon recommendations from the Development Planning Department, the Owner has revised their application to reduce the height and increase the interior side yard setbacks for the proposed dwelling. The Development Planning Department has no objection to Variances 1 and 3 for the revised dwelling. The dwelling now complies with the interior side yard setback provisions of the Zoning By-laws, which reduces the mass of the dwelling's walls facing the street and rear lot line. The reduction to the rear yard setback is minor in nature and not anticipated to be perceptible to the neighbouring properties. The dwelling proposes a flat roof. Therefore, no part of the roof will exceed 9.47 m in height, except for the two architectural columns located on either side of the dwelling. The proposed height is consistent with the heights of similar dwellings in the neighbourhood, including dwellings where height is measured to a mid-point. The height

is appropriate for the size of the lot and is not anticipated to have negative massing impacts to the neighbourhood or the existing streetscape.

The proposed dwelling, covered rear yard porch, and covered front porch will have lot coverages of 35.85%, 5.56% and 0.56% respectively. The 1.97% increase to the permitted lot coverage is minor in nature, appropriate for the size of the lot and will not pose a significant adverse impact to the neighbouring properties or the surrounding area. The minor increase in lot coverage is to facilitate the construction of the single storey rear yard porch, which is considered non-habitable space. The proposed increase in lot coverage is also in line with previous approvals for dwellings with covered porches in the neighbourhood. As such, the Development Planning Department has no objection to Variance 2 for the increased lot coverage.

The Development Planning Department has no objection to Variances 4 and 7. The variances pertain to four window wells, identified as 'retaining walls' within the north interior side yard. Deeper window wells are proposed to facilitate the installation of taller basement windows. The retaining wall height is measured from the bottom of the window wells to the top of the finished ground floor, so the vast majority of its height would be hidden from view. The retaining wall is not anticipated to have adverse impacts to the neighbouring property to the north. The Development Engineering Department has also reviewed the proposal and is satisfied that drainage in the interior side yard will be maintained.

The Development Planning Department has no objection to Variances 5 and 8 for the proposed pool equipment as the proposal maintains sufficient area for access and maintenance and is not anticipated to adversely impact the neighbouring properties. The Development Engineering Department has also reviewed the proposal and is satisfied that drainage will be maintained.

The Development Planning Department has no objection to Variance 6 for the proposed encroachment into the required front yard for the covered front porch. The front porch is modest in both size and height. The encroachment into the required front yard will not pose adverse massing impacts to the neighbouring properties or the established streetscape. It is anticipated to add character to the streetscape.

In support of the application, the Owner has submitted an Arborist Report and Tree Inventory & Preservation Plan prepared by Strybos Barron King Ltd., dated June 30, 2023. The report inventoried seven trees, five of which are proposed to be removed. Urban Design staff have reviewed the report and concur with its recommendations.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-laws, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application, subject to the following condition:

Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That Consent Letters from the two neighbouring properties containing trees that will be impacted by the proposed construction, be provided to the satisfaction of the Development Planning Department.

Comments Prepared by:

Joshua Cipolletta, Planner
David Harding, Senior Planner

To: Committee of Adjustment
From: Sarah Scauzillo, Building Standards Department
Date: August 24, 2023
Applicant: Ian Robertson Design
Location: 133 Donhill Crescent
PLAN M1230 Lot 60
File No.(s): A113/23

Zoning Classification:

The subject lands are zoned R1B (EN) 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 minimum rear yard setback of 12.0 metres is required. [Table 7-3]	To permit a minimum rear yard setback of 11.0 metres.
2	A maximum lot coverage of 40% is permitted. [Table 7-3]	To permit a maximum lot coverage of 41.97%.
3	To maximum building height of 8.5 metres is permitted. [Section 4.5]	To permit a maximum building height of 9.47 metres
4	A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall. [Section 4.13]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.
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6	A covered porch is permitted to encroach 0.0 metres into the required front yard. [Section 3.14]	To permit a covered porch to encroach 0.81 metres into the required front yard.
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8	Ground mounted pool equipment is permitted to encroach 1.5 metres into the required rear yard. [Section 3.14]	To permit ground mounted pool equipment to encroach 7.8 metres into the required rear yard.

Staff Comments:

General Comments	
1	Applicant to update the front elevation drawing to include the proposed building height in accordance with Section 3.0 of By-law 001-2021.
2	The minimum required rear yard setback of 12.0 metres is required to the below grade living space under the rear covered porch. [Table 7-3]
3	Zoning By-law 001-2021 as amended is in force however sections of the By-law have been appealed. By-law 1-88 is also applicable for all appealed sections. Relevant to this review: Section 4.13 of By-law 001-2021 has been appealed and therefore Section 3.14 of By-law 1-88a.a. is applicable.

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

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: August 3rd 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A113-23**

Related Files:

Applicant Ian Robertson Design

Location 133 Donhill Crescent

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:

Stephen Cranley, C.E.T

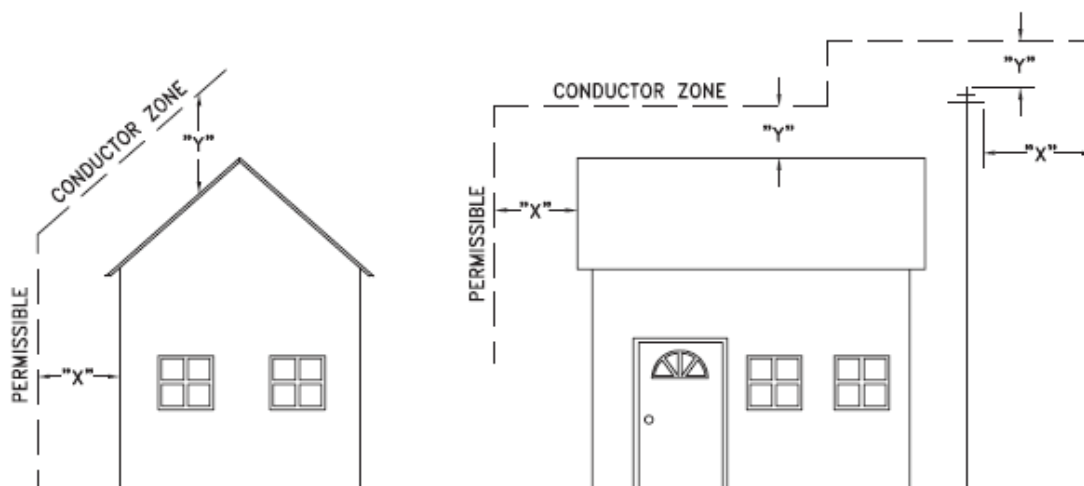
Mitchell Penner

Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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

E-mail: stephen.cranley@alecrautilities.com

Email: Mitchell.Penner@alecrautilities.com



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE 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

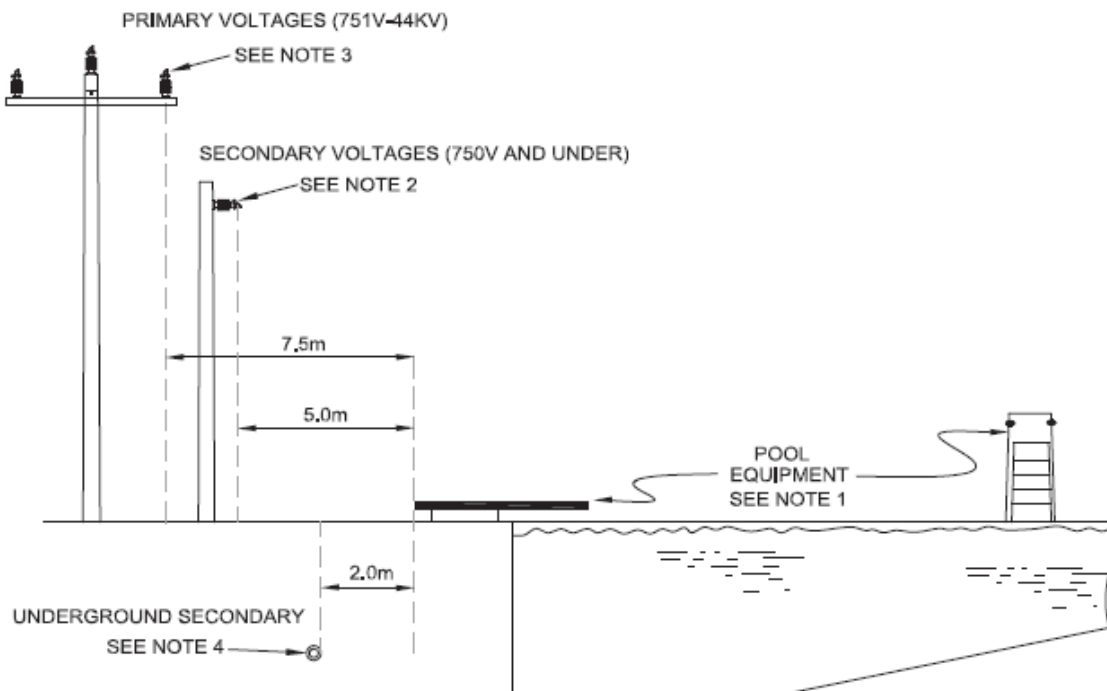
1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE 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 folder\Section 23-4\DWG 03-4 R0 May 5, 2010.dwg, 5/5/2010 9:22:02 AM, Adobe PDF



NOTES:

1. ANY STRUCTURE WITHIN 5.0 METRES OF POOL EDGE SHALL BE CONSIDERED PART OF THE POOL.
2. THERE SHALL NOT BE ANY OVERHEAD SECONDARY OR COMMUNICATION WIRING (750V OR LESS) ABOVE THE POOL, AND ABOVE OTHER ELEVATED SURFACES ASSOCIATED WITH THE POOL, INCLUDING BUT NOT RESTRICTED TO A DIVING STRUCTURE, SLIDE, SWINGS, OBSERVATION STAND, TOWER OR PLATFORM, OR ABOVE THE ADJACENT AREA EXTENDING 5.0M HORIZONTALLY FROM THE POOL EDGE.
3. THERE SHALL NOT BE ANY OVERHEAD PRIMARY WIRING (751V - 44KV) ABOVE THE POOL AND OTHER ELEVATED SURFACES ASSOCIATED WITH THE POOL, OR ABOVE THE ADJACENT AREA EXTENDING 7.5M HORIZONTALLY FROM THE POOL EDGE.
4. ANY UNDERGROUND CONDUCTORS SHALL BE 2.0M AWAY FROM POOL EDGE IN DUCT WITH NON-CONDUCTING JACKET. FOR DEPTH AND DUCT DETAILS REFER TO FIGURE 3 IN 25-100 FOR 200A SERVICE AND 25-101 FOR 400A SERVICE RESPECTIVELY, AS PER POWERSTREAM SERVICE DESIGN SPECIFICATIONS.
5. THESE DIMENSIONS APPLY TO ALL SIDES OF THE POOL.

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX.)
7.5m	24'-6"
5.0m	16'-3"
2.0m	6'-6"

REFERENCES

FIGURE 3, 25-100	SECTION 25
FIGURE 3, 25-101	SECTION 25

Certificate of Approval

This construction Standard meets the safety requirements of Section 4 of Regulation 22/04

Joe Crozier, P.Eng.	2013-JUN-12
Name	Date
P.Eng. Approval By:	Joe Crozier

MINIMUM CLEARANCES FOR CONDUCTORS ADJACENT TO SWIMMING POOLS

ORIGINAL ISSUE DATE: 2013-JUNE-12 REVISION NO: R0 REVISION DATE:

From: [Kristen Regier](#)
To: [Christine Vigneault](#)
Subject: [External] RE: A113/23 (133 Donhill Crescent) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Thursday, August 3, 2023 10:49:10 AM
Attachments: [image001.png](#)

Hello,

The subject property at 133 Donhill Crescent, Vaughan is not located within TRCA's Regulated Area. TRCA's Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

Kristen Regier, MA (she / her)

Planner I

Development Planning and Permits | Development and Engineering Services
Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)

E: kristen.regier@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](#) | trca.ca



From: [Development Services](#)
To: [Christine Vigneault](#)
Cc: [Committee of Adjustment](#)
Subject: [External] RE: A113/23 (133 Donhill Crescent) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Wednesday, August 2, 2023 5:40:18 PM
Attachments: [image001.png](#)
[image003.png](#)

Hi Christine,

The Regional Municipality of York has completed its review of the minor variance application – A113/23 (133 Donhill Crescent) and has no comment.

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

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



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Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			08/25/23	Planning Justification Report
Applicant				Cover Letter

RECEIVED

By RECEIVED at 9:11 am, Aug 17, 2023

20 RIVERMEDE ROAD, UNIT 101
CONCORD, ON. L4K 3N3

August 16, 2023

Project No: 23-02

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

A113/23

**RE: Minor Variance Application
Residential Development
133 Donhill Crescent File No:**

Ian Robertson Design is the Designer retained to act on behalf of the home owner Sabrina Gallo (the 'Owner') of the lands municipally known as 133 Donhill Crescent (the 'Subject Property' or 'Site'). On behalf of the Owner, we are pleased to provide this Justification Letter in support of a Minor Variance Application to facilitate the construction of a new single family detached dwelling.

SUBJECT PROPERTY & SURROUNDING AREA

133 Donhill Crescent is located on the east side of Islington Avenue with the nearest intersection being Islington Avenue and Major Mackenzie Drive. The subject property is within TRCA's jurisdiction but is well outside the regulated area.

The neighbourhood is comprised of single detached homes with a mixture of two storey and one storey single family dwellings. There is a variety of homes within the area. Some that have been reconstructed with attached two car garages and others that remain original to the neighbourhood.

OFFICIAL PLAN AND ZONING

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

The site is subject to the City of Vaughan zoning by-laws 1-88 as amended and 2021-001 as amended, which zones the site 'Old Village Residential' (R1V) per By-Law 1-88 and 'First Density Residential' (R1B-EN) per By-Law 2021-001. Single detached dwellings are permitted.

REQUESTED RELIEF

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

No.	Zoning By-Law Regulation 2021-001	Variance Request
1	The maximum Building height permitted is 8.50 metres [Section 4.5.1.b]	To permit a maximum building height of 9.47 metres measured to the peak.
2	The maximum lot coverage permitted is 40% (313.91 m ²) [Table 7-3]	To permit a maximum lot coverage of 41.97% (329.34 m ²) (dwelling 35.85%, portico 0.56%, rear porch 5.56%)
3	A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall. [Section 4.13]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.
4	Ground mounted pool equipment is permitted to encroach 1.5 metres into the required rear yard. [Section 4.13]	To permit ground mounted pool equipment to encroach 7.88 metres into the required rear yard.

No.	Zoning By-Law Regulation 1-88	Variance Request
1	A covered porch is permitted to encroach 0.0 metres into the required front yard. [Section 3.14]	To permit a covered porch to encroach 1.1 metres into the required front yard.
2	A covered porch is permitted to encroach 0.0 metres into the required rear yard. [Section 3.14]	To permit a covered porch to encroach 1.0 metres into the required rear yard.
3	A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall. [Section 3.14]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.

4	Ground mounted pool equipment is permitted to encroach 1.5 metres into the required rear yard. [Section 4.13]	To permit ground mounted pool equipment to encroach 7.88 metres into the required rear yard.
---	---	--

MINOR VARIANCE TESTS

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

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

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

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

The subject property is designated 'Low Rise Residential' by the in-effect Vaughan Official Plan. The intent of 'Low Rise Residential' is to facilitate a range of permitted low density housing types including single detached dwellings. The existing use and detached dwellings are permitted.

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

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

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

The maximum Building height permitted is 8.50 metres (2021-21) whereas a maximum building height of 9.47m measured to the peak is proposed.

The purpose and intent of this regulation is to prevent a mass and scale that appears larger than other dwellings within the neighbourhood. In this case the existing dwelling is a one storey bungalow with a low sloped roof. The existing height plus 3.0m is well under the minimum requirements of 8.50m which is how the by-law determines our maximum building height. The proposed building height complies with the maximum height under the applicable zone. The Owner desires a Georgian Transitional design that requires certain proportions in order to reflect the architectural style. This required the roof to be a certain percentage of the overall wall height.

Increased Lot Coverage

The maximum Lot Coverage permitted is 40% (2021-21) whereas a maximum Lot Coverage of 41.97% is proposed.

(By-Law 2021-021) The purpose and intent of this regulation is to prevent a mass and scale that appears larger than other dwellings in the neighbourhood as well as not negatively impact the municipal infrastructure. The increased coverage pertains to the one storey rear porch (dwelling 35.85%, portico 0.56%, rear porch 5.56%). This will not impact the streetscape and is consistent with most of not all new dwellings being build in this neighborhood.

Encroachment of a Window Well

A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall. [Section 4.13] (2021-001) and [Section 4.1.1] (1-88).

The purpose and intent of this regulation is to prevent any obstructions/ shadowing onto the adjacent properties. Due to grading conditions the total height of the window well is 2.11 metres which would require a minimum setback of 2.11 metres to the interior side lot line. We are proposing a setback of 1.22 metres which will allow for a clear path of travel along the north side of the dwelling.

Encroachment of Pool Equipment

Ground mounted pool equipment is permitted to encroach 1.5 metres into the required Rear yard. [Section 4.13] (2021-21) and [Section 3.14] (1-88) whereas the pool equipment is encroaching 7.88 metres into the rear yard.

The purpose and intent of this regulation is to prevent the pool equipment from being visible and interfering with the adjacent properties. The location of the pool equipment has been placed adjacent to the retaining wall in the rear yard that will have planting on the east side of the wall creating a buffer from the adjacent neighbours.

Encroachment of a Porch into the Front Yard

A covered porch is permitted to encroach 0.0 metres into the required front yard. [Section 3.14] whereas the front portico is encroaching 1.1 metres into the required front yard setback.

The purpose and intent of this regulation is to prevent a mass and scale that appears larger than other dwellings within the neighbourhood. The front portico is a small one storey element with a flat roof that has minimal impact to the streetscape.

Encroachment of a Porch into the Rear Yard

A covered porch is permitted to encroach 0.0 metres into the required rear yard. [Section 3.14] whereas the rear porch is encroaching 1.0 metre into the required rear yard setback.

The purpose and intent of this regulation is to prevent a mass and scale that appears larger than other dwellings within the neighbourhood. The rear covered porch is a one storey element with a flat roof. The setback to the north lot line is 1.83 metres which is in keeping with the current existing setback.

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

The variances are appropriate as they are insignificant and do not impact the desirability of the development.

The Variance is Minor in Nature

The variances are minor in nature as they are in keeping with the general intent and purpose of the Official Plan and zoning By-Law.

CONCLUSION

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

Sincerely,
Ian Robertson Design

Ian Robertson
President

August 16, 2023

Project No: 23-02

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

**RE: Minor Variance Application
Residential Development
133 Donhill Crescent File No:**

Ian Robertson Design is the Designer retained to act on behalf of the home owner Sabrina Gallo (the 'Owner') of the lands municipally known as 133 Donhill Crescent (the 'Subject Property' or 'Site'). On behalf of the Owner, we are pleased to provide this Justification Letter in support of a Minor Variance Application to facilitate the construction of a new single family detached dwelling.

SUBJECT PROPERTY & SURROUNDING AREA

133 Donhill Crescent is located on the east side of Islington Avenue with the nearest intersection being Islington Avenue and Major Mackenzie Drive. The subject property is within TRCA's jurisdiction but is well outside the regulated area.

The neighbourhood is comprised of single detached homes with a mixture of two storey and one storey single family dwellings. There is a variety of homes within the area. Some that have been reconstructed with attached two car garages and others that remain original to the neighbourhood.

OFFICIAL PLAN AND ZONING

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

The site is subject to the City of Vaughan zoning by-laws 1-88 as amended and 2021-001 as amended, which zones the site 'Old Village Residential' (R1V) per By-Law 1-88 and 'First Density Residential' (R1B-EN) per By-Law 2021-001. Single detached dwellings are permitted.

REQUESTED RELIEF

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

No.	Zoning By-Law Regulation 2021-001	Variance Request
1	The maximum Building height permitted is 8.50 metres [Section 4.5.1.b]	To permit a maximum building height of 9.47 metres measured to the peak.
2	The maximum lot coverage permitted is 40% (313.91 m ²) [Table 7-3]	To permit a maximum lot coverage of 41.97% (329.34 m ²) (dwelling 35.85%, portico 0.56%, rear porch 5.56%)
3	A retaining wall (window well) shall be set back an equal distance to the height of the highest portion of the retaining wall. [Section 4.13]	To permit a retaining wall with the maximum height of 2.11 metres to be setback 1.22 metres from the (north) interior side lot line.
4	Ground mounted pool equipment is permitted to encroach 1.5 metres into the required rear yard. [Section 4.13]	To permit ground mounted pool equipment to encroach 7.88 metres into the required rear yard.

No.	Zoning By-Law Regulation 1-88	Variance Request
1	A covered porch is permitted to encroach 0.0 metres into the required front yard. [Section 3.14]	To permit a covered porch to encroach 1.1 metres into the required front yard.
2	A covered porch is permitted to encroach 0.0 metres into the required rear yard. [Section 3.14]	To permit a covered porch to encroach 1.0 metres into the required rear yard.
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MINOR VARIANCE TESTS

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

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

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

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

The subject property is designated 'Low Rise Residential' by the in-effect Vaughan Official Plan. The intent of 'Low Rise Residential' is to facilitate a range of permitted low density housing types including single detached dwellings. The existing use and detached dwellings are permitted.

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

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

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

The maximum Building height permitted is 8.50 metres (2021-21) whereas a maximum building height of 9.47m measured to the peak is proposed.

The purpose and intent of this regulation is to prevent a mass and scale that appears larger than other dwellings within the neighbourhood. In this case the existing dwelling is a one storey bungalow with a low sloped roof. The existing height plus 3.0m is well under the minimum requirements of 8.50m which is how the by-law determines our maximum building height. The proposed building height complies with the maximum height under the applicable zone. The Owner desires a Georgian Transitional design that requires certain proportions in order to reflect the architectural style. This required the roof to be a certain percentage of the overall wall height.

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CONCLUSION

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

Sincerely,
Ian Robertson Design

Ian Robertson
President