

**File:** A207/21

**Applicant:** Giuseppe & Ana DiGennaro

**Address:** 66 Sierra Ct Maple

**Agent:** Pool Craft

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

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

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala  
 Hearing Date: Thursday, October 28, 2021

**\*Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).**



**Minor Variance Application**

Agenda Item: 14

**A207/21**

Ward: 1

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

**Date & Time of Live Stream Hearing:** Thursday , October 28, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

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

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto:cofa@vaughan.ca) or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

- Applicant:** Giuseppe & Ana DiGennaro
- Agent:** Pool Craft
- Property:** **66 Sierra Ct Maple**
- Zoning:** The subject lands are zoned R2 Residential, and subject to the provisions of Exception No. 9(840) under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
- Related Files:** None
- Purpose:** Relief from By-law 188, as amended, is being requested to permit the construction of a proposed covered porch in the rear yard.

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

By-law Requirement	Proposal
A minimum setback of 9.0 metres is required from the rear lot line to the nearest part of the covered porch. 9(840)	To permit a setback of 7.14 metres from the rear lot line to the nearest part of the covered porch.

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

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

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

**Adjournment History: N/A**

**Staff & Agency Comments**

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

**Committee of Adjustment:**

Public notice was mailed on October 6, 2021

Applicant confirmed posting of signage on October 6, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	1997

Applicant has advised that they cannot comply with By-law for the following reason(s):  
 Due to the irregularity of the subject property line, a 9.0m setback from the structure could not be established across the entire length of the backyard.

Committee of Adjustment recommended conditions of approval: None

**Building Standards (Zoning Review):**

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

Building Permit No. 21-121209 for Single Detached Dwelling - Alteration, (Not Yet Issued)

Please be aware that an A/C unit shall be setback a minimum of 0.6 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard.

**Building Inspections (Septic):**

No comments received to date

**Development Planning:**

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

The Owner is requesting permission to construct a roof over an existing rear yard patio with the above noted variance.

The Development Planning Department has no objection to the variance given the 7.14 m rear yard setback to the covered porch is measured at a pinch point (south-west corner), increasing in distance to 9.05 m. Additionally, the covered patio is unenclosed (non-livable area) and any visual impact is mitigated by the extensive mature landscaping along the rear and side lot lines.

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

The Development Planning Department recommends approval of the application.

**Development Engineering:**

As the proposed addition in the subject property is 26.69 m<sup>2</sup>, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering Department. Please note any in ground structure over 10 m<sup>2</sup> requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)

The proposed work by the owner is increasing the lot coverage in the subject property. The added hardscape may have impact on City's Storm Water management system. Staff suggests the owner/applicant to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts.

The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for the pool permit.

The Development Engineering (DE) Department does not object to variance application A207/21 subject to the following condition(s):

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 approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for lot grading and/or servicing approval.

**Parks Development - Forestry:**

Forestry has no comment at this time.

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

No comment no concerns

**Development Finance:**

No comment no concerns

**Fire Department:**

No comments received to date

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

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

None

**Staff Recommendations:**

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

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

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

Should the Committee **adjourn** this application the following condition(s) is required: None

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:

	<b>Department/Agency</b>	<b>Condition</b>
1	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.Khan@Vaughan.ca">Farzana.Khan@Vaughan.ca</a>	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 approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.

**Conditions**

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

**Please Note:**

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

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

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

### **Notice to the Applicant – Development Charges**

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

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

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

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

## Notice to Public

**PLEASE NOTE:** As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

**PUBLIC CONSULTATION DURING OFFICE CLOSURE:** Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

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

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit [www.vaughan.ca](http://www.vaughan.ca)

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related 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.

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

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

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

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

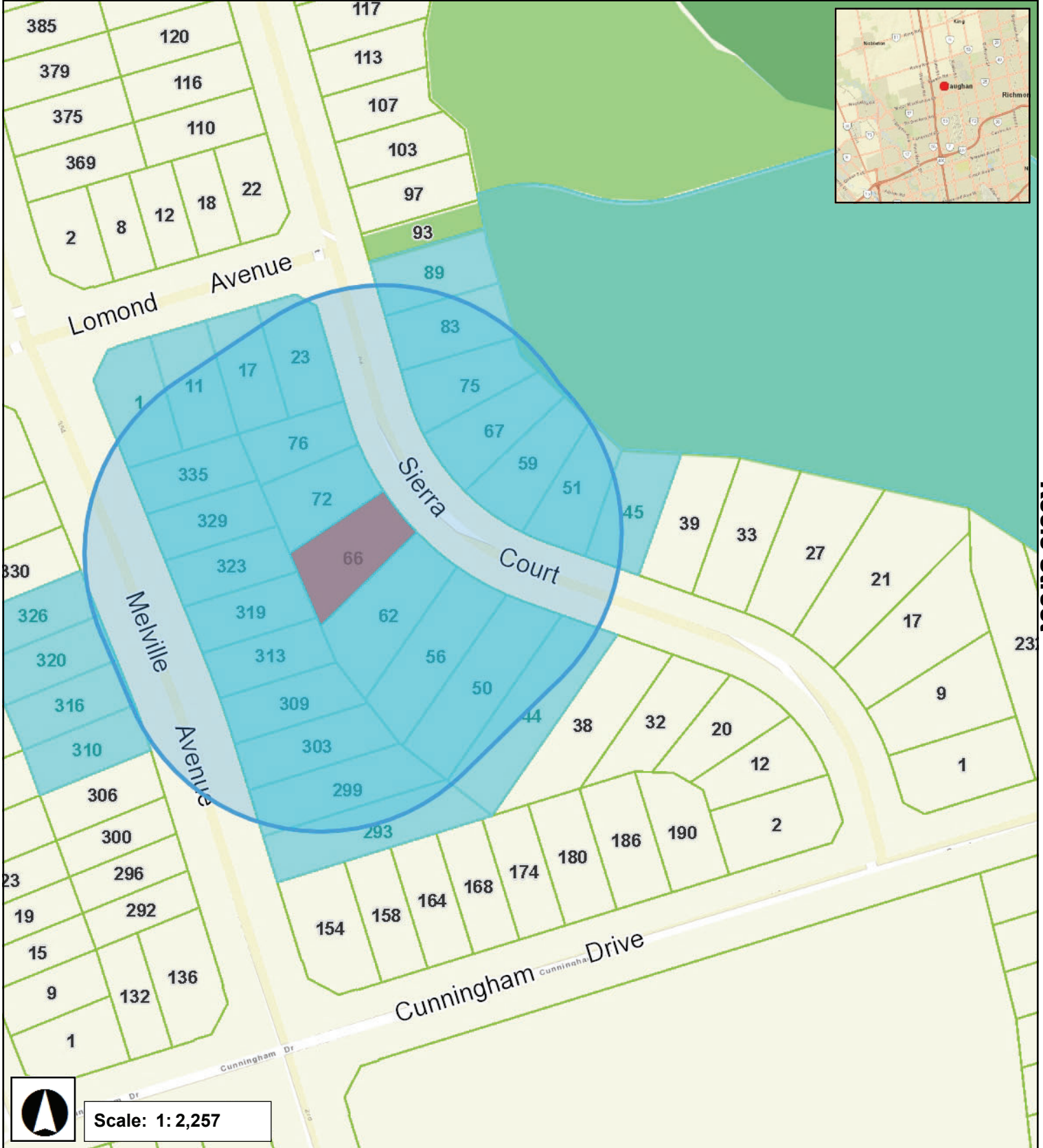
**Location Map**  
**Plans & Sketches**



# LOCATION MAP - A207/21

66 SIERRA COURT, MAPLE

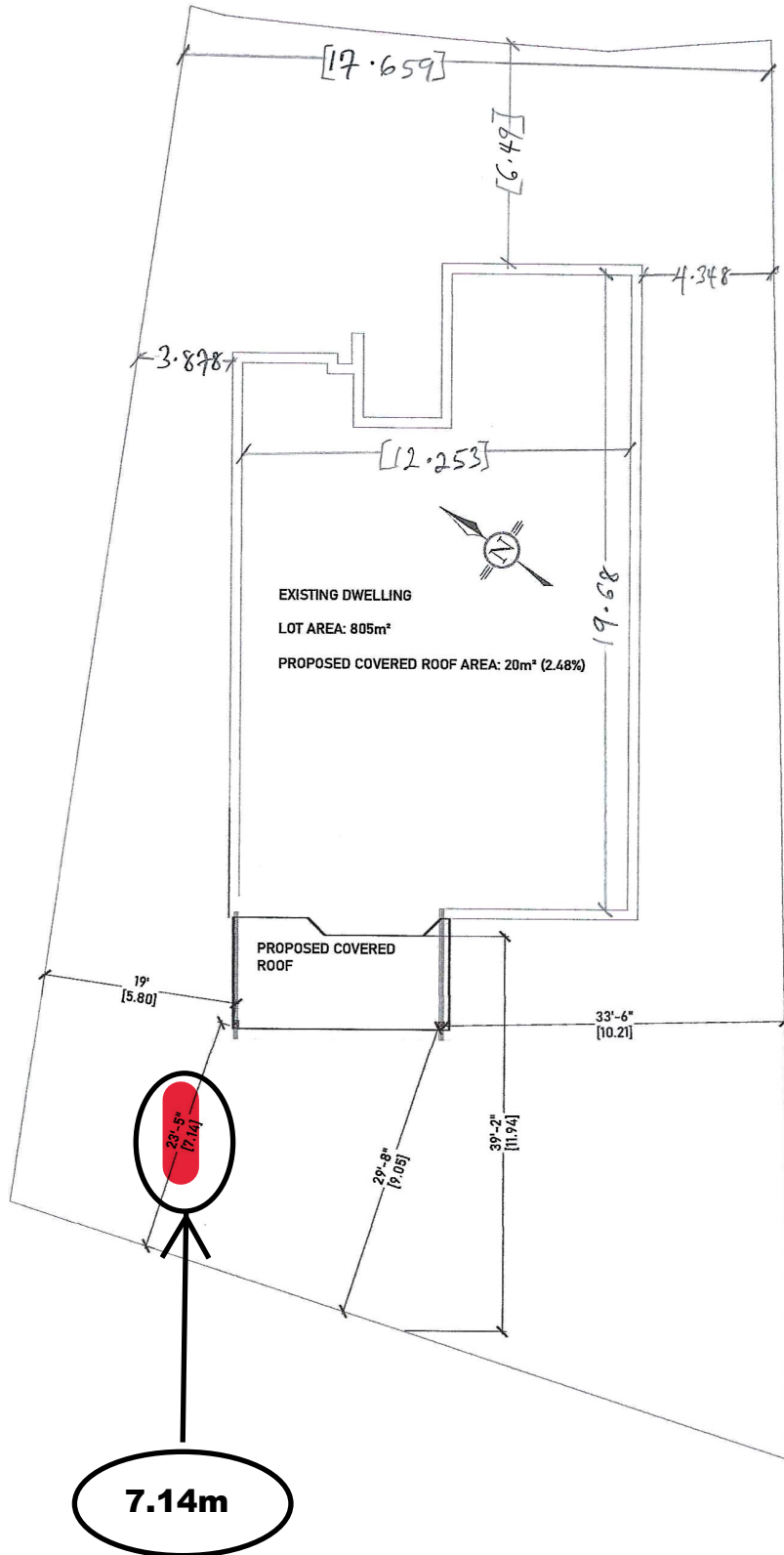
## Teston Road



Major Mackenzie Drive

October 8, 2021 2:53 PM





NOTES

THE INFORMATION HEREIN IS THE PROPERTY OF 209 DESIGN AND FOR THE EXCLUSIVE USE OF THE CONTRACTED PARTY FOR THIS PROJECT ONLY AND SHALL NOT BE USED FOR OTHER PROJECTS, PUBLISHED, COPIED OR COMMUNICATED TO A THIRD PARTY WITHOUT WRITTEN CONSENT OF 209 DESIGN

DRAINAGE AS PER APPROVED POOL PERMIT PLAN  
ALL FRAMING TO BE SPF No. 162 OR GREATER

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

**Qualification Information**  
Required unless design is exempt under Div. C - 32.6.1 of the building code

DANA EVANS  
Name Signature BCIN 100332

**Registration Information**  
Required unless design is exempt under Div. C - 32.6.1 of the building code

DESIGNER



**209 DESIGN**  
Dana Evans  
15905 Silveroad 17  
Sunderland, Ontario  
647-297-8300

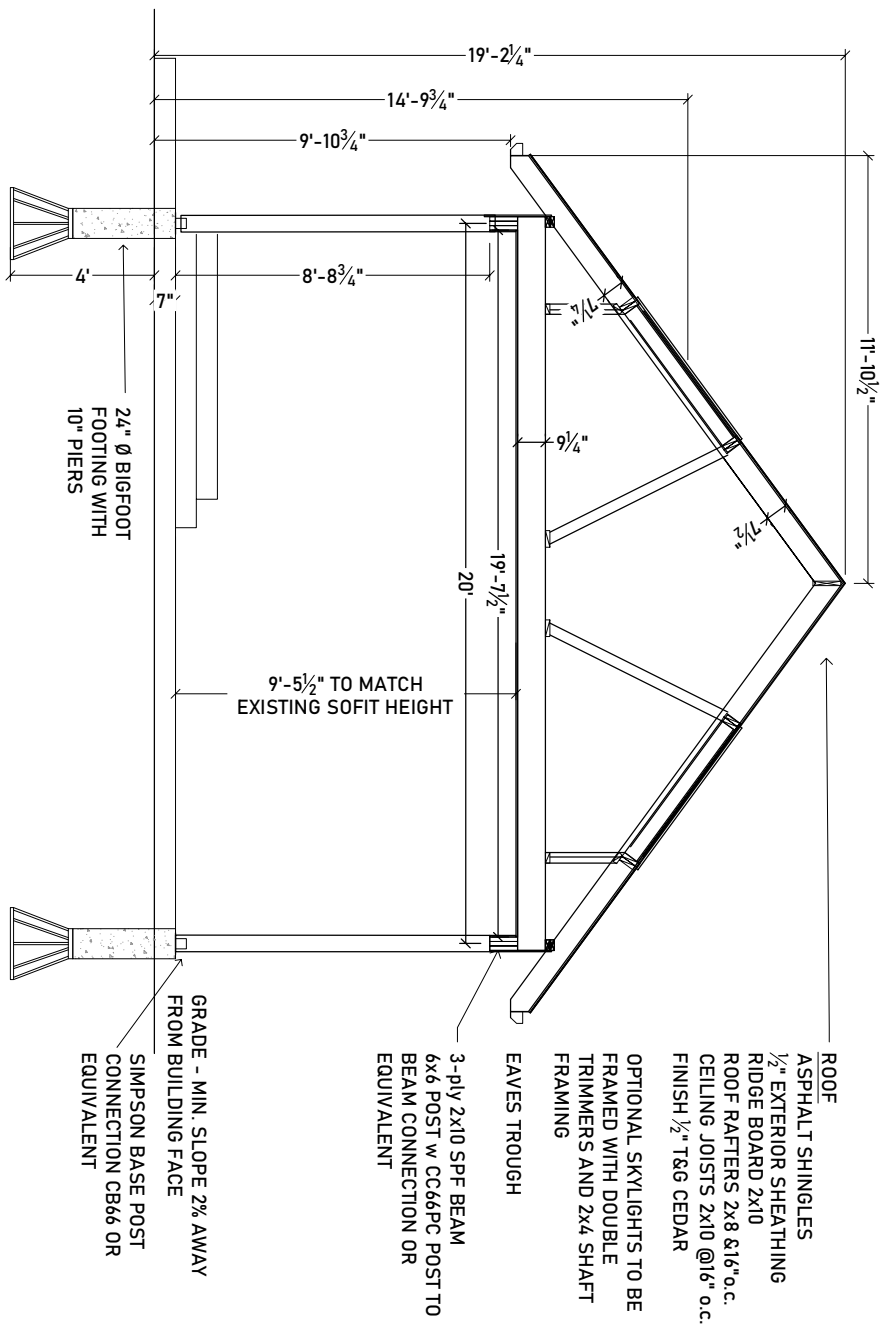
PROJECT

PROPOSED COVERED ROOF  
66 Sierra Court,  
Maple, ON L6A 2N7

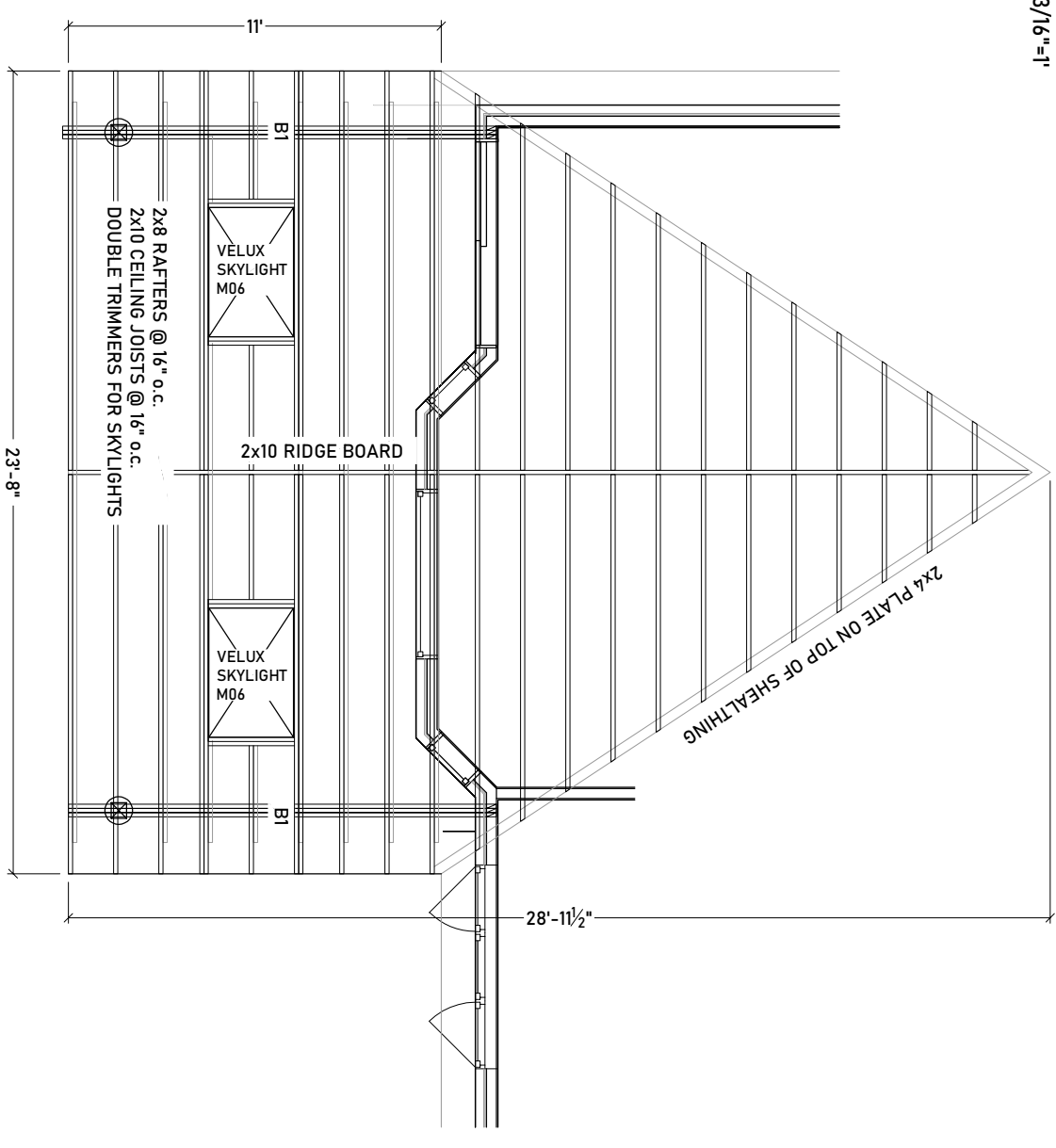
DATE Sept 22 2021

SCALE 1:150

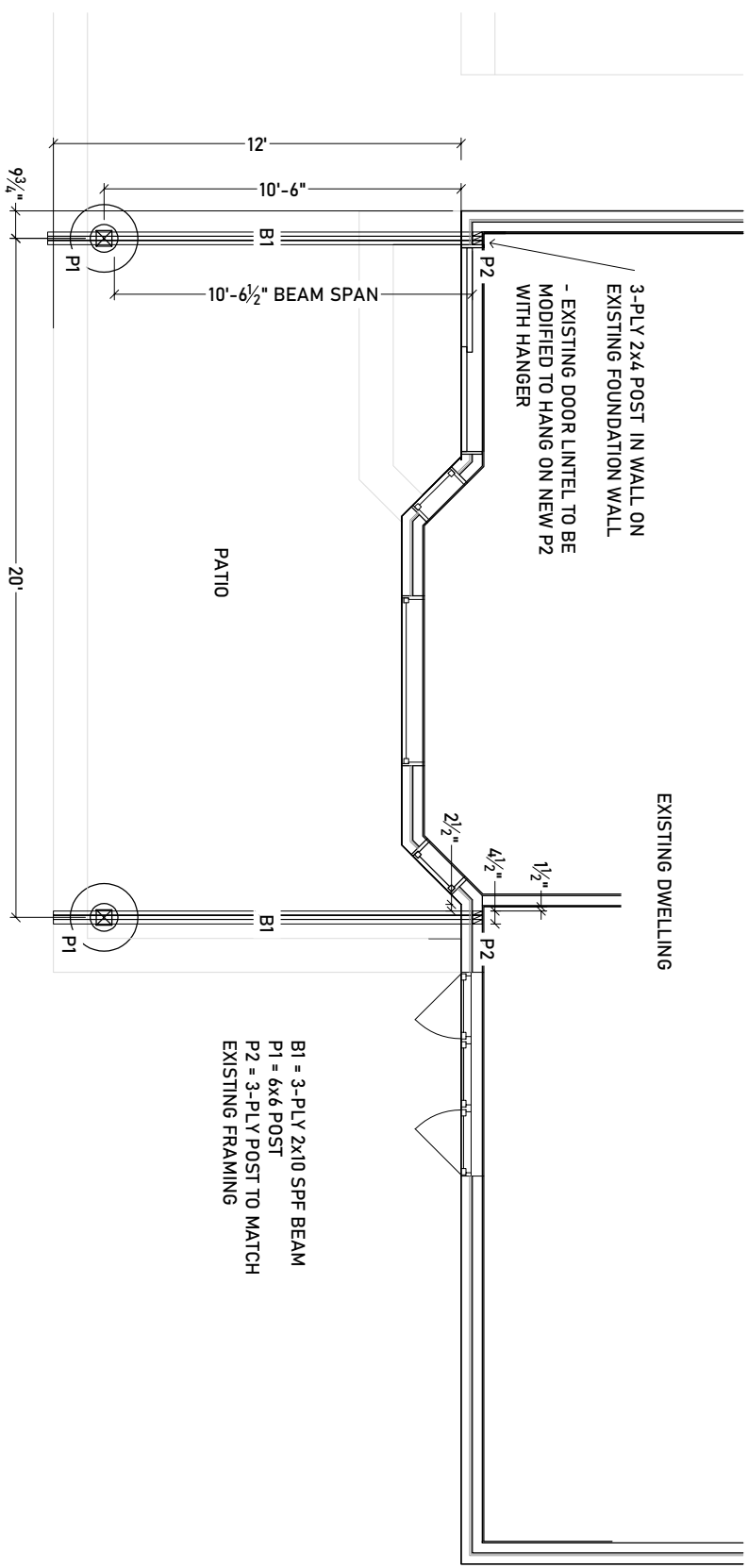
SECTION  
Scale: 3/16"=1'



ROOF PLAN  
Scale: 3/16"=1'



PLAN  
Scale: 3/16"=1'



B1 = 3-PLY 2x10 SPF BEAM  
P1 = 6x6 POST  
P2 = 3-PLY POST TO MATCH EXISTING FRAMING

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification Information  
Required unless design is exempt under Div. C - 32.5.1. of the building code

DANA EVANS  
Name  
Signature  
100332  
BCIN

209 DESIGN  
Firm Name  
100B21  
BCIN

Registration Information  
Required unless design is exempt under Div. C - 32.4.1. of the building code

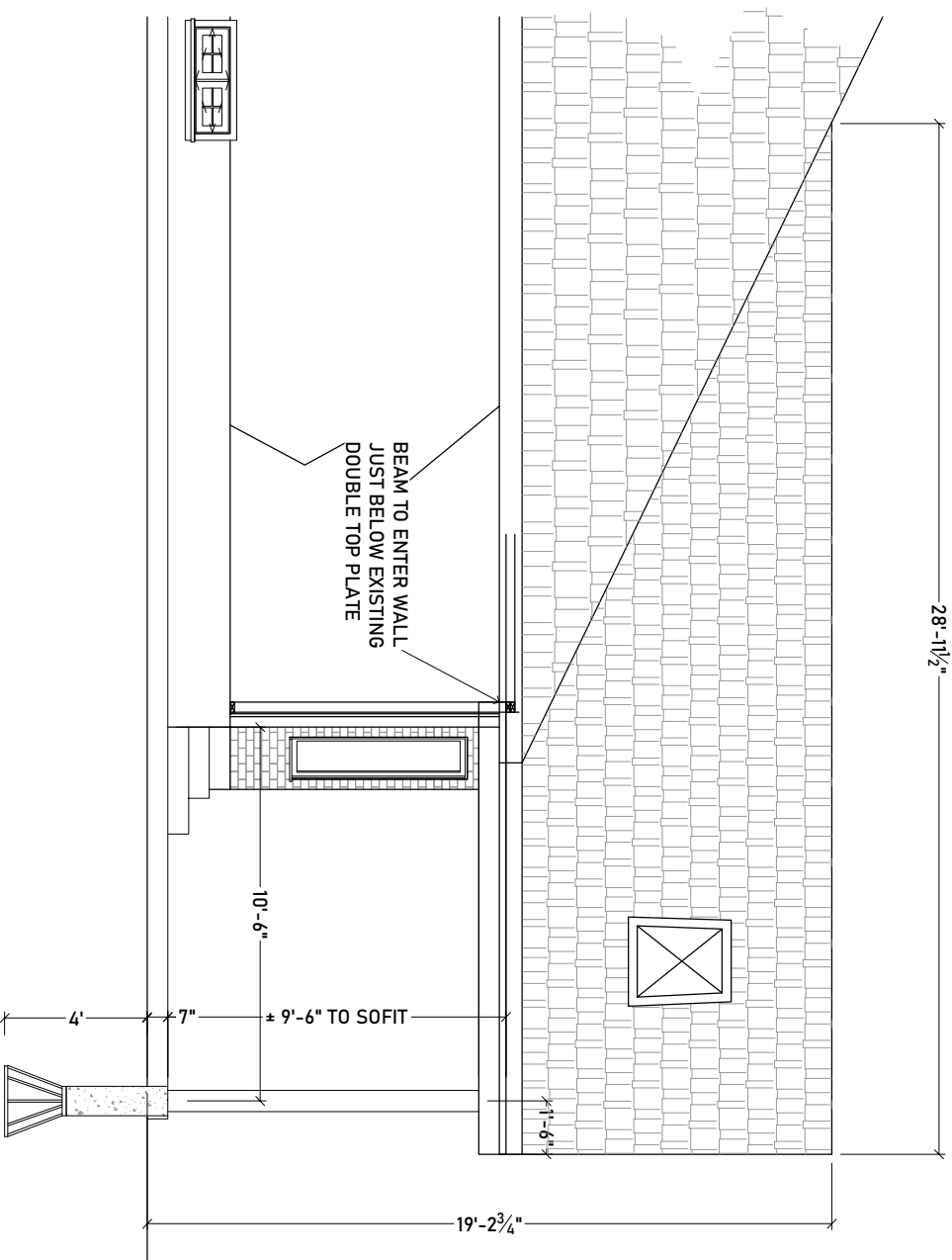
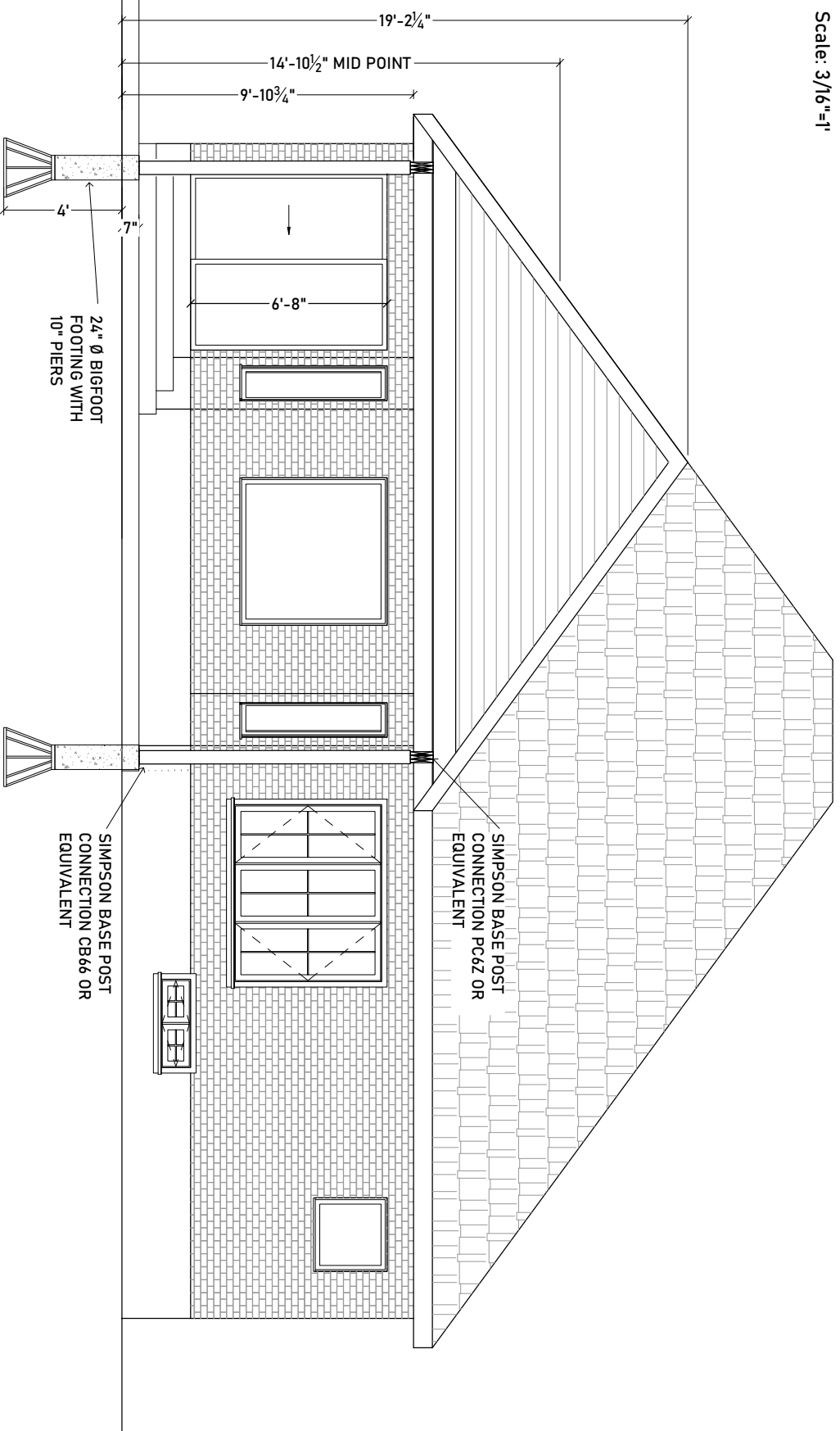


DESIGNER  
209 DESIGN  
Dana Evans  
15905 Sideroad 17  
Sunderland Ontario  
647-297-8300

PROJECT  
PROPOSED COVERED ROOF  
66 Sierra Court,  
Maple, ON L6A 2N7

No.	DESCRIPTION	DATE	DWG. No	PAGE
1	ISSUED FOR PERMIT APPLCN	SEPT 2021	21-025	3/3
2	REVISED FOR PERMIT APPLCN	SEPT 2021		

DATE: Sept 2 2021  
SCALE: 3/16"=1'  
DRAWING: ROOF PLAN & SECTION



The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

Qualification Information  
Required unless design is exempt under Div. C - 32.5.1 of the building code

DANA EVANS  
100332

Name \_\_\_\_\_ Signature \_\_\_\_\_ BCIN 100332

Registration Information  
Required unless design is exempt under Div. C - 32.4.1 of the building code

209 DESIGN 100821  
Firm Name \_\_\_\_\_ BCIN \_\_\_\_\_



**209 DESIGN**  
Dana Evans  
15905 Sideroad 17  
Sunderland, Ontario  
647-297-8300

**PROJECT**  
PROPOSED COVERED ROOF  
66 Sierra Court,  
Maple, ON L6A 2N7

DATE Sept 2 2021

SCALE 3/16"=1'

DRAWING ELEVATIONS

No.	DESCRIPTION	DATE	DWG. No	PAGE
1	ISSUED FOR PERMIT APPLICN	JULY 2021	21-025	2/3
2	REVISED FOR PERMIT APPLICN	SEPT 2021		

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

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

**None**

## **Schedule C: Agency Comments**

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

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

**Date:** October 1<sup>st</sup> , 2021

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

**RE:** Request for Comments

**File No.:** **A207-21**

**Related Files:**

**Applicant:** Giuseppe DiGennaro & Ana DiGennaro

**Location** 66 Sierra Court

**COMMENTS:**

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

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

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

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

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

**References:**

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream(Construction Standard 03-1, 03-4, 03-9), attached
- Canadian Standards Association, latest edition (Basic Clearances)

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

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

Mr. Tony D'Onofrio  
Supervisor, Subdivisions (Alectra East)  
**Phone:** 1-877-963-6900 ext. 24419

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

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

**Pravina Attwala**

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**Subject:** FW: A207/21 (66 SIERRA COURT) - REQUEST FOR COMMENTS

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** October-04-21 1:51 PM  
**To:** Pravina Attwala <Pravina.Attwala@vaughan.ca>  
**Cc:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A207/21 (66 SIERRA COURT) - REQUEST FOR COMMENTS

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

*Gabrielle*

**Gabrielle Hurst mcip rpp** | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)