

<b>ITEM #: 6.23</b>	<b>COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A168/22 99 Davidson Dr, Woodbridge</b>
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**COA REPORT SUMMARY**

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:**

*\*Please see **Schedule B** of this report for a copy of Staff 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	X	X		General Comments
Building Standards -Zoning Review <i>*Schedule B</i>	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning <i>*Schedule B</i>	X	X		Recommend Approval/No Conditions
Development Engineering	X	X		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X		No Comments or Concerns
Real Estate				
Fire Department	X			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA <i>*Schedule B</i>		X		General Comments
Ministry of Transportation (MTO) <i>*Schedule B</i>	X			No Comments Recieved to Date
Region of York <i>*Schedule B</i>	X			Under Review
Alectra <i>*Schedule B</i>	X			Under Review
Bell Canada <i>*Schedule B</i>	X			No Comments Recieved to Date
YRDSB <i>*Schedule B</i>				
YCDSB <i>*Schedule B</i>				
CN Rail <i>*Schedule B</i>				
CP Rail <i>*Schedule B</i>				
TransCanada Pipeline <i>*Schedule B</i>	X			No Comments Recieved to Date
Metrolinx <i>*Schedule B</i>				
Propane Operator <i>*Schedule B</i>				

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see <b>Schedule C</b> of this report for a copy of the public &amp; applicant correspondence listed below.</i>				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
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
Public Correspondence	Paul & Nancy Postiglione	107 Davidson Drive	05/31/2022	Letter of Support

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
<i>*Please see <b>Schedule D</b> for a copy of the Decisions listed below</i>		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A048/08	08/18/11	Approved

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A168/22  
99 Davidson Dr, Woodbridge**

**FILE MANAGER:** Adriana Bozzo, Administrative Coordinator - Committee of Adjustment

<b>ITEM NUMBER: 6.23</b>	<b>CITY WARD #: 2</b>
<b>APPLICANT:</b>	Anna Cianfrone
<b>AGENT:</b>	None
<b>PROPERTY:</b>	99 Davidson Dr, Woodbridge
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential," Volume 2, Section 11.11 Woodbridge Centre Secondary Plan
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit an addition to the existing dwelling.

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

**The subject lands are zoned R1C(EN) and subject to the provisions of Exception 14.983 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 01-2021	Variance requested
1	A minimum interior side yard setback of 1.5 metres is required. [Section 7.2.2, By-law 001-2021 as amended]	To permit a minimum interior side yard setback of 1.1 metres.
2	A minimum front yard setback of 10.0 metres is required. [Section 7.2.2, By-law 001-2021 as amended]	To permit a minimum front yard of setback of 8.9 metres.

**The subject lands are zoned R1 and subject to the provisions of Exception 9(1349) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
3	A minimum interior side yard setback of 1.5 metres is required. [Schedule A, By-law 001-2021]	To permit a minimum interior side yard setback of 1.1 metres.

### HEARING INFORMATION

**DATE OF MEETING:** Thursday, July 7, 2022

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

**MEETING LOCATION:** Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

#### PUBLIC PARTICIPATION

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

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

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

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

**THE DEADLINE TO REGISTER TO SPEAK 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.

INTRODUCTION	
<p>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:</p> <p>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.</p> <p>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.</p>	

COMMITTEE OF ADJUSTMENT COMMENTS		
Date Public Notice Mailed:	June 22, 2022	
Date Applicant Confirmed Posting of Sign:	June 23, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	The setbacks in the deficiencies are existing and were not disclosed at the time of purchase in 1989.	
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:	No	
*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.		
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:	None	

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

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

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
Given that the owner and the neighbor at 107 Davidson Drive has confirmed that there are no flooding issues because of the decreased setback of the existing garage, which was built prior to 1989, the Development Engineering (DE) Department does not object to variance application A168/22.	
<b>Development Engineering Recommended Conditions of Approval:</b>	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Parks: None Forestry: Forestry has no comment at this time. Horticulture: None	
PFH Recommended Conditions of Approval:	Parks: None Forestry: None Horticulture: None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No Comment	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No Comment	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
We have reviewed this application and our comment is one that applies to construction and permitting. Owner to ensure all construction complies with Ontario Building Code Standards.	
Fire Department Recommended Conditions of Approval:	None

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
None		

IMPORTANT INFORMATION – PLEASE READ
<b>CONDITIONS:</b> 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 ( <b>see condition chart above for contact</b> ). 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	
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
<p><b>DEVELOPMENT CHARGES:</b> 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.</p> <p>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.</p> <p>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</p> <p>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.</p>	
<p><b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.</p>	

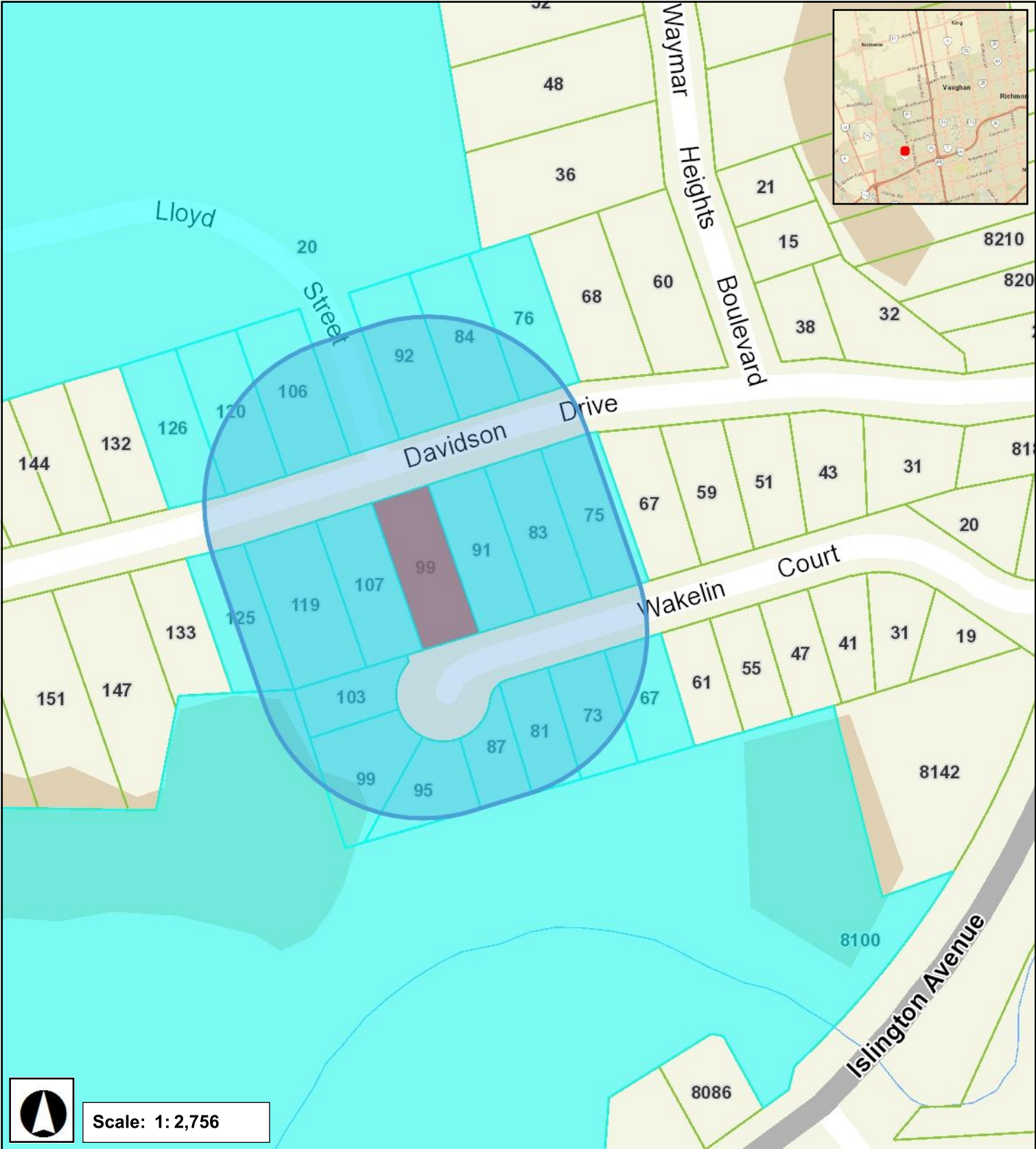
**SCHEDULE A: DRAWINGS & PLANS**





# A168/22 - Notification Map

99 Davidson Drive, Woodbridge



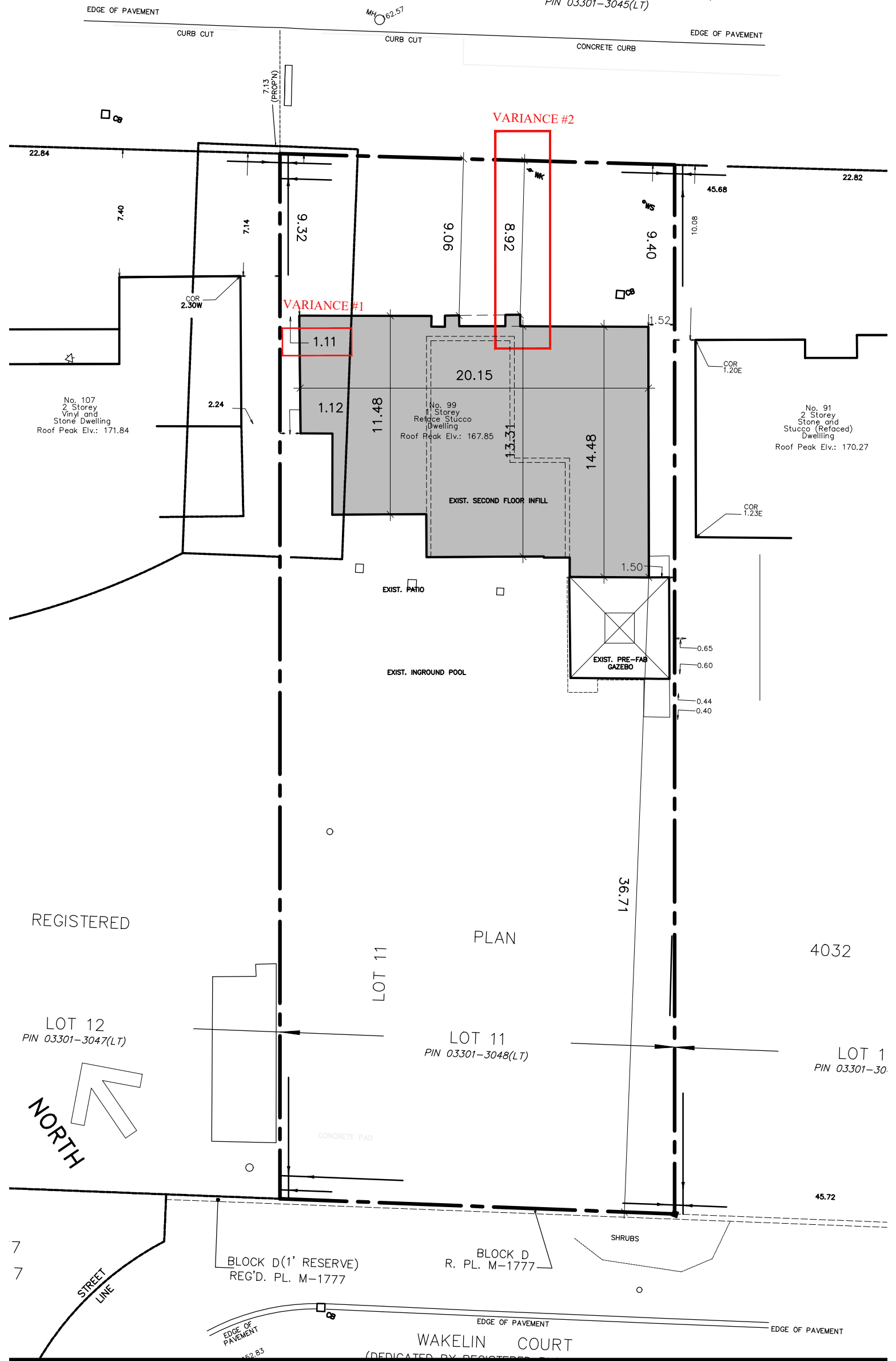
Highway 7

June 21, 2022 10:35 AM



JUNE 17, 2022

DAVIDSON DRIVE  
(DEDICATED BY REGISTERED PLAN 4032)  
PIN 03301-3045(LT)



CIANFRONE RESIDENCE  
99 DAVIDSON DRIVE  
WOODBIDGE, ON







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

## Adriana Bozzo

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**Subject:** FW: [External] RE: A168/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (99 Davidson Drive, Woodbridge)

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**From:** Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

**Sent:** June-29-22 11:29 AM

**To:** Adriana Bozzo <Adriana.Bozzo@vaughan.ca>; developmentservices@york.ca; York Plan <yorkplan@trca.ca>; engineeringadmin@powerstream.ca

**Subject:** [External] RE: A168/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (99 Davidson Drive, Woodbridge)

Hi Adriana,

The subject property is not located within TRCA's Regulated Area. As such, TRCA has no comments on the proposed development.

Regards,

**Hamedeh Razavi** MURP

Planner I

Development Planning and Permits | Development and Engineering Services

T: [\(416\) 661-6600](tel:(416)661-6600) ext. 5256

E: [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca)

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)



*TRCA's Offices are closed to visitors. The plan input and review function continues during the Coronavirus pandemic. In order to reduce the potential of transmission, TRCA requests that all development planning and permit applications and materials be submitted digitally in PDF format only. Paper submissions are discouraged and may result in extended timeframes for review. All documents should be submitted via an on-line file sharing service (e.g. OneDrive, Dropbox or corporate file sharing services) or via email in PDF format. Documents can be submitted directly to me at [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca) We thank you for your cooperation as we respond to the current situation.*

<b>SCHEDULE C: PUBLIC &amp; APPLICANT CORRESPONDENCE</b>
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Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Public Correspondence	Paul & Nancy Postiglione	107 Davidson Drive	05/31/22	Letter of Support

Date: May 31, 2022

To: City of Vaughan

Re: **Minor Variance - 99 Davidson Drive, Woodbridge, Ontario L4L 1M2**

To Whom It May Concern,

The owners of 107 Davidson Drive, Paul & Nancy Postiglione, **are in support of the minor variance application filed by:**

**Michael & Anna Cianfrone  
99 Davidson Drive  
Woodbridge, Ontario  
L4L 1M2**

Paul & Nancy Postiglione



<b>SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND</b>
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File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A048/08	08/18/11	Approved

## **NOTICE OF DECISION**

### **MINOR VARIANCES**

**FILE NUMBER:** A048/08

**APPLICANT:** FAUSTO MICHAEL CIANFRONE

**PROPERTY:** Part of Lot 8, Concession 7, (Lot 11, Registered Plan 4032, municipally known as 99 Davidson Drive, Woodbridge).

**ZONING:** The subject lands are zoned R1, Residential under By-Law 1-88 as amended, subject to exception 9(1349).

**PURPOSE:** To permit the **maintenance of an existing gazebo** in the rear yard of an existing two-storey single family detached dwelling.

**PROPOSAL:**

1. An accessory structure with a maximum height of 6.71m.
2. An accessory structure with a maximum height of 4.01m to the eaves.
3. A minimum interior sideyard setback of 0.0m to and accessory structure.

**BY-LAW REQUIREMENT:**

1. An accessory structure with a maximum height of 4.5 m.
2. An accessory structure with a maximum height of 3m to the eaves.
3. A minimum interior sideyard setback of 1.5 m to and accessory structure.

A sketch is attached illustrating the request.

**MOVED BY:**



**SECONDED BY:**



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

THAT Application No. **A048/08, FAUSTO MICHAEL CIANFRONE**, be **APPROVED**, in accordance with the attached sketch, subject to the following conditions:

1. The applicant obtain an exemption from the Fence By-law (80-90) for the existing fence, if required, to the satisfaction of the Development Planning Department.
2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**



**VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.**

**FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.**

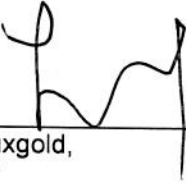
**THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.**

**CARRIED.**

CHAIR: \_\_\_\_\_



Signed by all members present who concur in this decision:

  
L. Fluxgold,  
Chair  
J. Cesario,  
Vice Chair  
M. Mauti,  
Member  
~~ABSENT~~  
A. Della,  
Member  
H. Zheng,  
Member**CERTIFICATION**

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



Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

**Date of Hearing:           AUGUST 18, 2011****Last Date of Appeal:    SEPTEMBER 7, 2011****APPEALS**

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

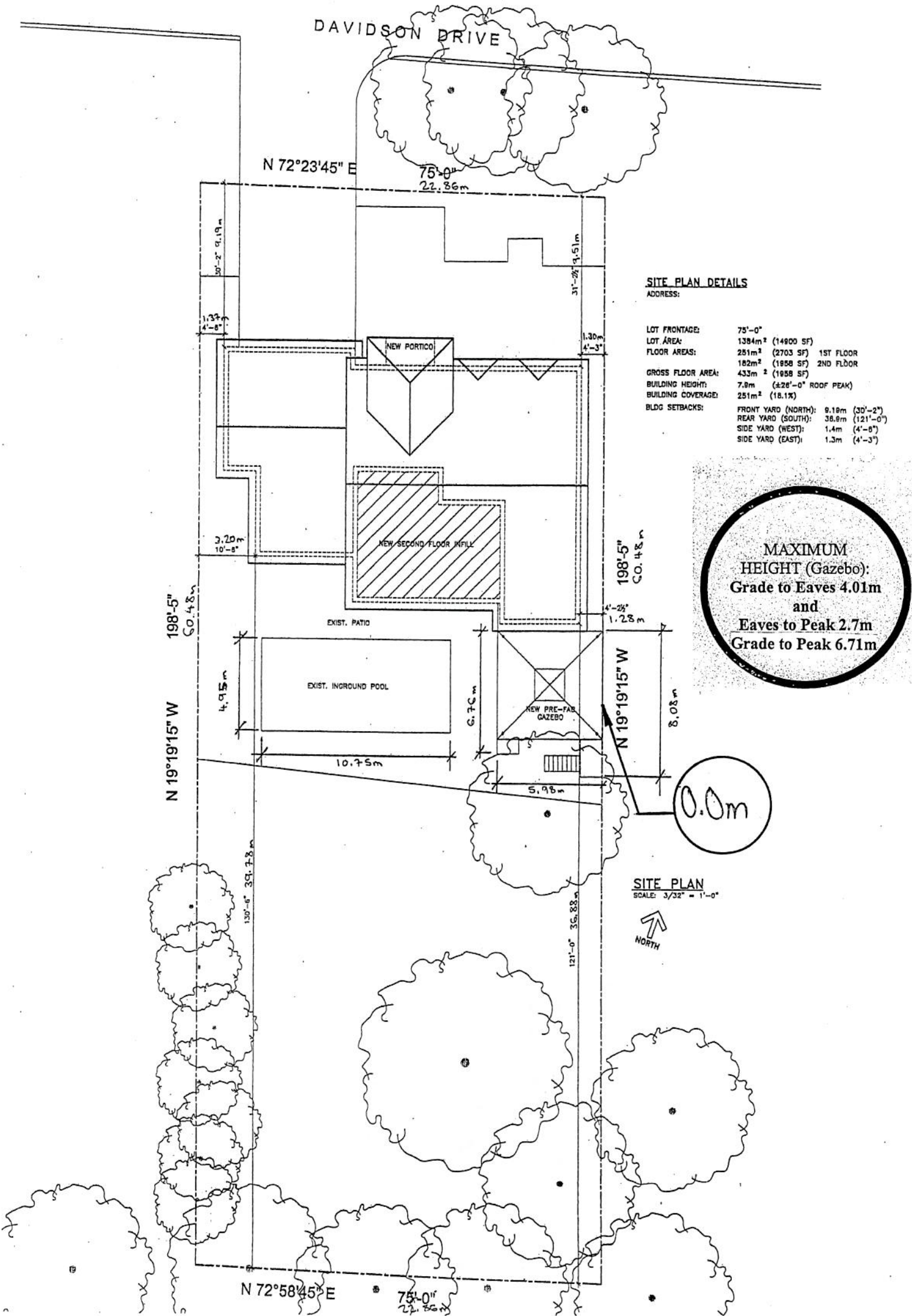
**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name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

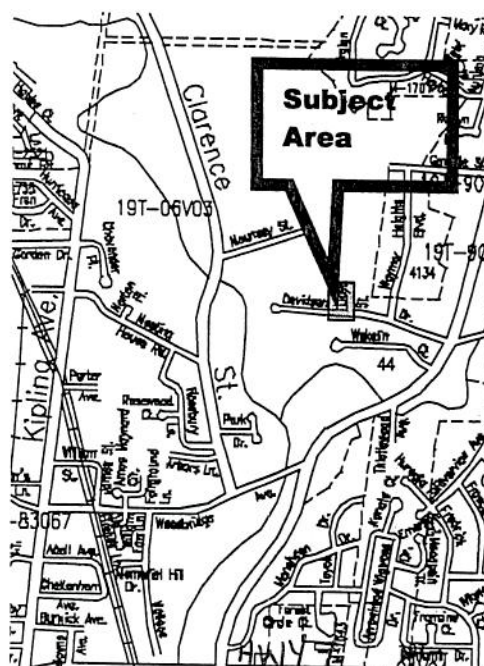
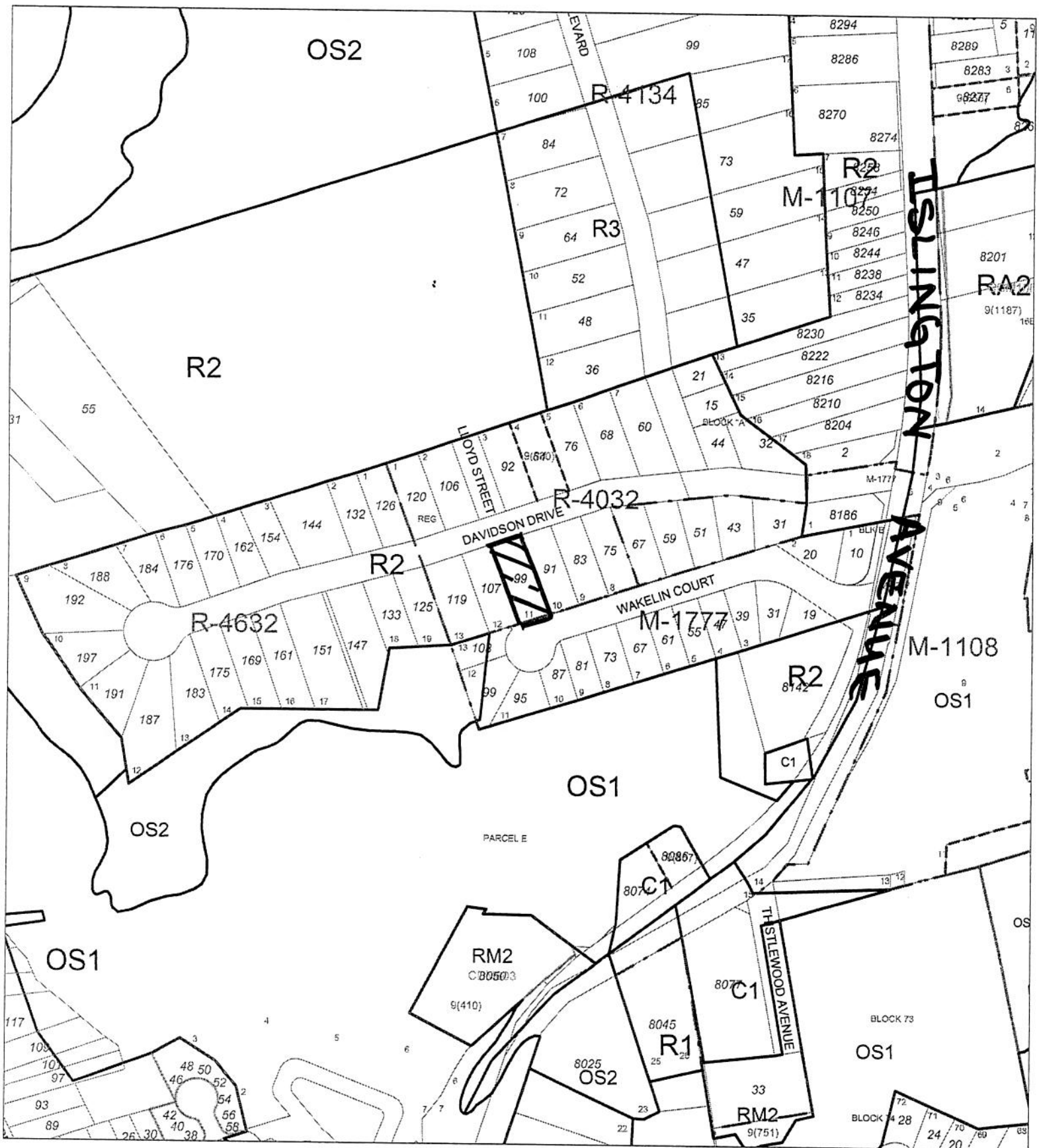
**CONDITIONS**


IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:  
**SEPTEMBER 7, 2012**



A048/08





 <b>COMMITTEE OF ADJUSTMENT</b>	
<b>File No &amp; Applicant</b> A048/08 Fausto Michael CIANFRONE	<b>Subject Area</b> Municipally known as 99 Davidson Drive, Woodbridge