### ITEM # 6.7:

### COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A125/22 24 Monica Ct Woodbridge

### **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	Х	Х		General Comments
Building Standards -Zoning Review * <b>Schedule B</b>	X	Х		General Comments
Building Inspection (Septic)	Х			No Comments Recieved to Date
Development Planning *Schedule B	Х	Х		Recommend Approval/No Conditions
Development Engineering	X	Х	Х	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	Х		No Comments or Concerns
By-law & Compliance, Licensing & Permits	X	Х		No Comments or Concerns
Development Finance	Х	Х		No Comments or Concerns
Real Estate				
Fire Department	Х	Х		No Comments or Concerns
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	Х	Х		General Comments
Ministry of Transmission and ations				
Ministry of Transportation (MTO) * <b>Schedule B</b>	X			
	X X	X		General Comments
(MTO) *Schedule B		X X		General Comments General Comments
(MTO) *Schedule B Region of York *Schedule B	X			
(MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B	X X X	Х		General Comments
(MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B	X X X	Х		General Comments
(MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B	X X X	Х		General Comments
(MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B YCDSB *Schedule B	X X X	Х		General Comments
(MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B YCDSB *Schedule B CN Rail *Schedule B	X X X	Х		General Comments
(MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B YCDSB *Schedule B CN Rail *Schedule B CP Rail *Schedule B	X X X X	Х		General Comments General Comments

### **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
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND *Please see Schedule D for a copy of the Decisions listed below		
File Number         Date of Decision         Decision Outcome           MM/DD/YYYY         MM/DD/YYYY         MM/DD/YYYY		
None description of the second s		
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 A125/22 24 Monica Ct Woodbridge

### FILE MANAGER: Pravina Attwala, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.7	CITY WARD #: 3
APPLICANT:	Frances Ayala & Frank Varvaro
AGENT:	Great Room Inc.
PROPERTY:	24 Monica Ct Woodbridge
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and
(2010) DESIGNATION:	"Parks"
RELATED DEVELOPMENT	None
APPLICATIONS:	
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the construction of a proposed pool cabana, storage shed and swimming pool. Relief is also being request to permit the reconstruction of the existing mechanical shed.

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

## The subject lands are zoned R3(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.277 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	An outdoor swimming pool shall only be permitted in the rear yard of a lot [Section 4.21.2]	To permit an outdoor swimming pool not to be located in the rear yard of a lot.
2	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 metres to any lot line [Section 4.1.2.1b.]	To permit a residential accessory structure (mechanical shed) to be located 0.65 m to the rear lot line.
3	A minimum Rear yard of 7.5 metres is required [Section 14.277, Schedule T-17]	To permit a minimum rear yard of 1.92 metres to the dwelling (attached cabana).
4	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 metres to any lot line [Section 4.1.2.1b.]	To permit a residential accessory structure (shed) to be located 0.68 m to the interior side lot line.
5	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 metres to any lot line [Section 4.1.2.1b.]	To permit a residential accessory structure (mechanical shed) to be located 0.91 m to the interior side lot line.
6	A maximum lot coverage of 40% is required [Schedule T-17].	To permit a maximum Lot coverage of 43.57%. (30.02% dwelling; 10.27% cabana; 1.91% storage shed; 1.37% mechanical shed)

# The subject lands are R3 - Residential Zone and subject to the provisions of Exception 9(476) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
7	A swimming pool shall only be located in the rear yard	To permit a swimming pool not
	[Section 4.1.1 i)].	to be located in the rear yard.
8	Any accessory building or structure shall be located in the rear yard [Section 4.1.1 c)].	To permit an accessory structure located in the interior side yard
		(Shed).

	Zoning By-law 1-88	Variance requested
9	A minimum rear yard setback of 7.5 metres is required [Schedule T-17].	To permit a minimum rear yard setback of 1.92 metres to a dwelling (attached cabana).
10	A minimum rear yard setback of 7.5 metres is required [Schedule T-17].	To permit a minimum rear yard setback of 0.65 metres to the mechanical shed.
11	A minimum interior side yard setback of 1.2 metres is required [Schedule T-17].	To permit a minimum interior side yard of 0.91 m (mechanical shed).
12	A minimum interior side yard setback of 1.2 metres is required [Schedule T-17].	To permit a minimum interior side yard of 0.68 metres (shed).

### HEARING INFORMATION

DATE OF MEETING: Thursday, July 28, 2022 TIME: 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan LIVE STREAM LINK: <u>Vaughan.ca/LiveCouncil</u>

### PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the <u>Request to Speak Form</u> and submit to <u>cofa@vaughan.ca</u> If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: <u>cofa@vaughan.ca</u>

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

### THE DEADLINE TO <u>REGISTER TO SPEAK</u> OR <u>SUBMIT WRITTEN COMMENTS</u> ON THE ABOVE NOTED FILE(S) IS <u>NOON</u> 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:	July 13, 2022	
Date Applicant Confirmed Posting of Sign:	July 13, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	The new and old zoning by-law requirements are too restrictive to permit the construction of a new storage shed, reconstruction of an existing pool mechanical shed, and attached cabana as proposed.	
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
*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.       No         *A revised submission may be required to address staff / agency comments received as part of the application review process.       Image: Comments received as part of the application review process.		No
*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. Adjournment Fees:		

COMMITTEE OF ADJUSTMENT COMMENTS		
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 instan Committee or staff <b>after</b> the issuance of public no		
Committee of Adjustment Comments:	General Comments	
Committee of Adjustment Recommended Conditions of Approval:	None	
BUILDING STAND	ARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zo	oning) Comments	
Building Standards Recommended Conditions of Approval:	None	
DEVELOPMEN	IT PLANNING COMMENTS	
**See Schedule B for Development Planning	Comments.	
Development Planning Recommended Conditions of Approval:	nONE	
DEVELOPMENT	ENGINEERING COMMENTS	
<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u> As the proposed cabana in the subject property is 62.7 m2, 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 m2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached) The Development Engineering (DE) Department does not object to variance application A125/22		
subject to the following condition(s): Development Engineering Recommended Conditions of Approval:	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.	
PARKS, FORESTRY & I	HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comment		
PFH Recommended Conditions of Approval:	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 no concerns

BCLPS Recommended Conditions of Approval:

None

### **BUILDING INSPECTION (SEPTIC) COMMENTS**

No comments received to date

BUILDING INSPECTION (SEPTIC) COMMENTS		
Building Inspection Recommended	None	
Conditions of Approval:		
FIRE DEPARTMENT COMMENTS		
No comment no concerns		
Fire Department Recommended None		
Conditions of Approval:		

	SCHEDULES TO STAFF REPORT		
	*See Schedule for list of correspondence		
Schedule A	Chedule A Drawings & Plans Submitted with the Application		
Schedule B	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	Application under review
2	Development Engineering farzana.khan@vaughan.ca_	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.

### **IMPORTANT INFORMATION – PLEASE READ**

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

**APPROVALS:** Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

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

### **IMPORTANT INFORMATION – PLEASE READ**

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

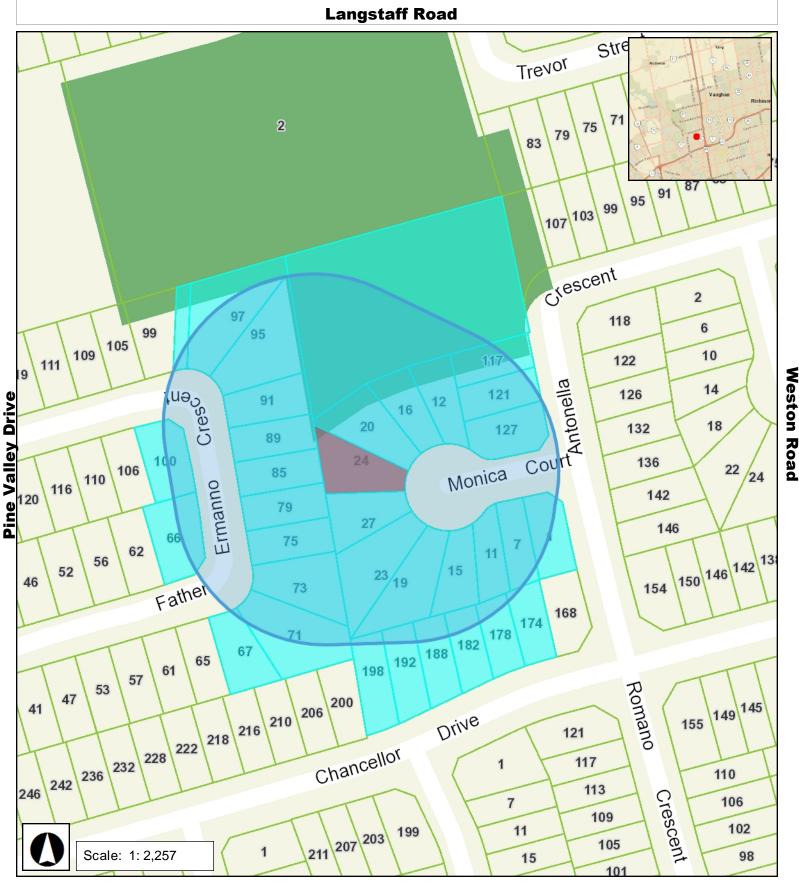
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the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

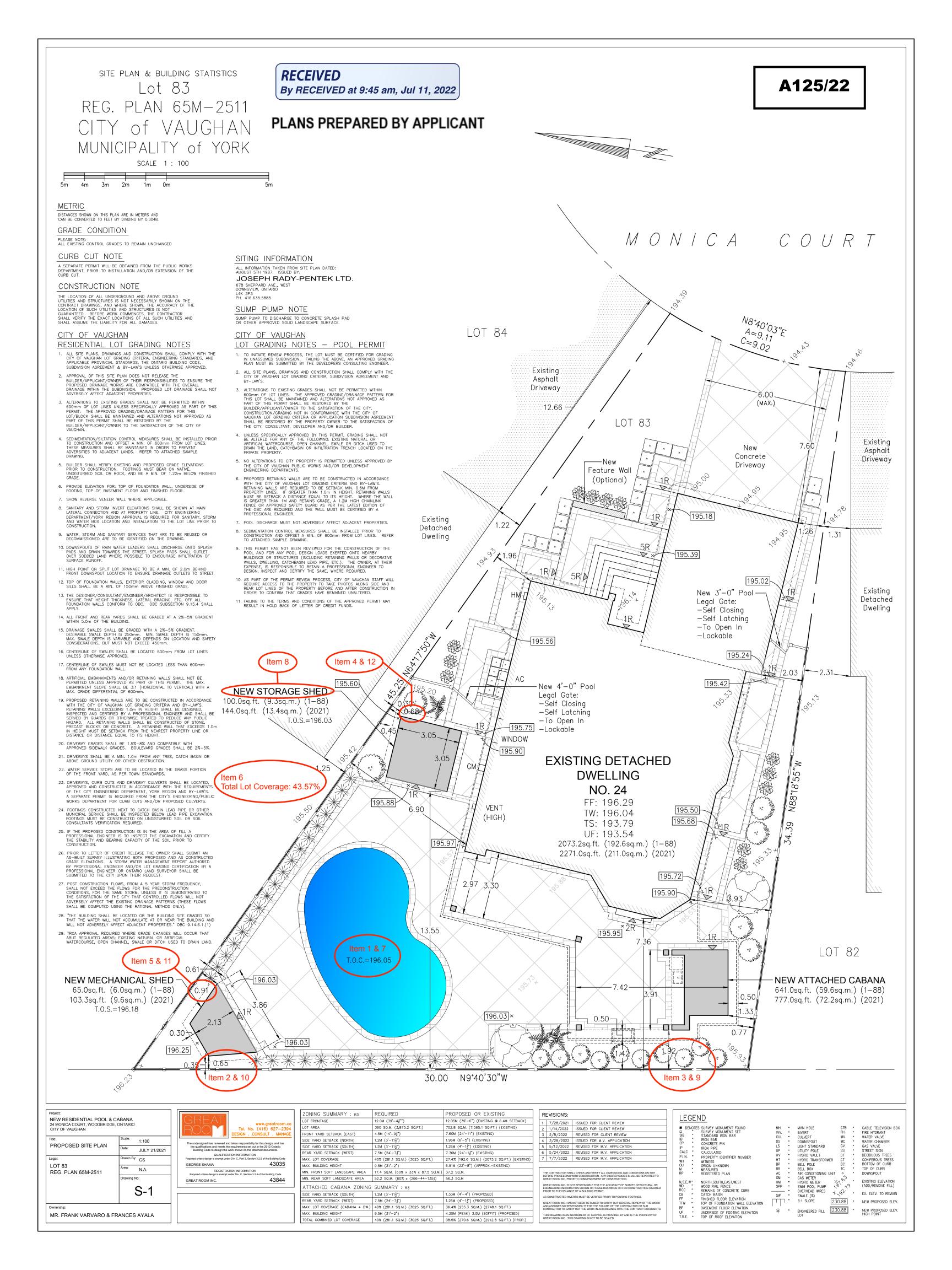
VAUGHAN LOCATION MAP - A125/22

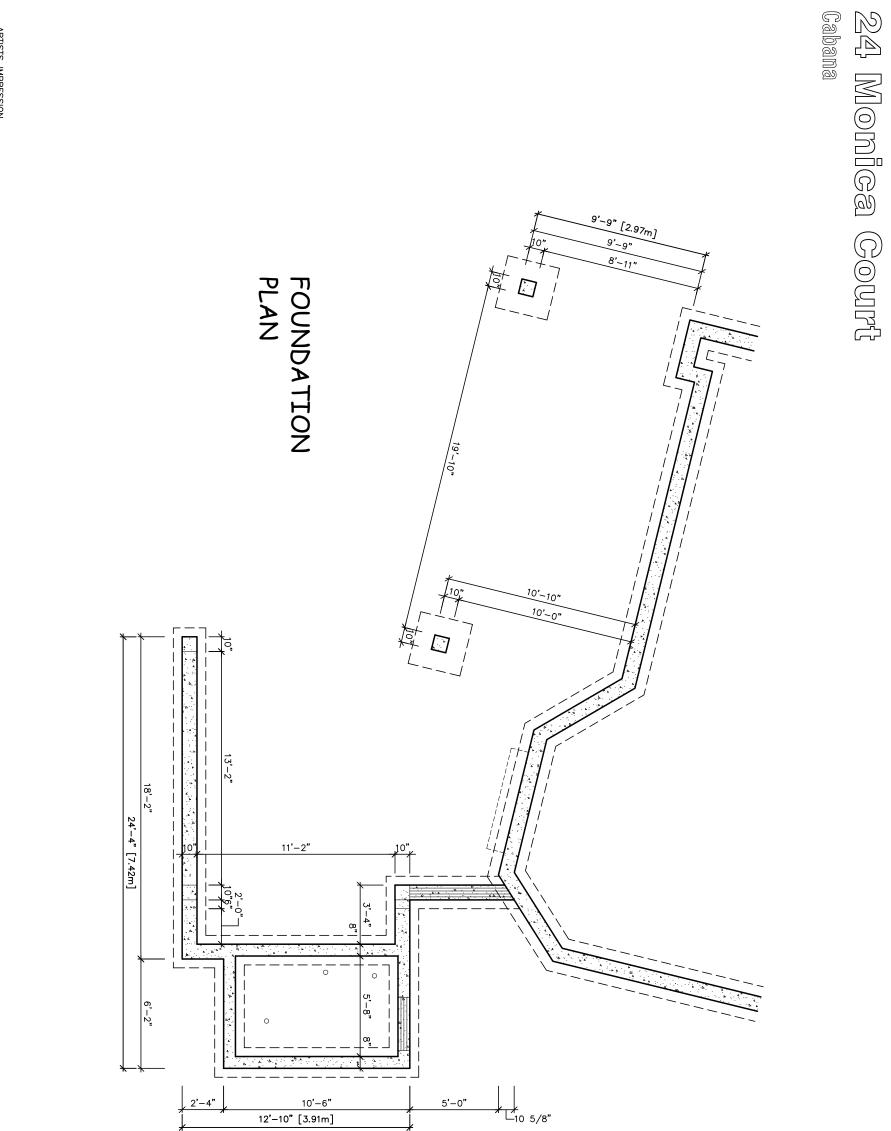
### 24 MONICA COURT, WOODBRIDGE



June 14, 2022 2:22 PM

**Highway 7** 



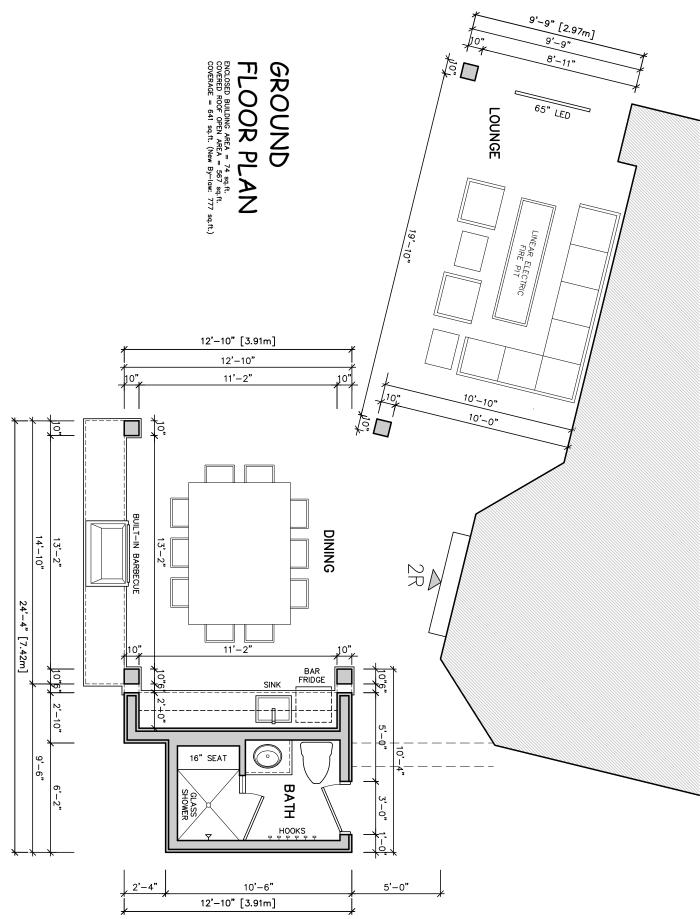


ARTISTS IMPRESSION Organization of hore we're recress wa pracyker jaares to accept the same, sidds wur'r at any extensione drinwer was die to grunne wranke, mote actur, floor Same wy we'r rraw the sindd floor area, all recreases are arress concept, daedsong, secondinge and achitectural defunde are sideet to ware wanke e & o.e.



	/	12 10	[0.3111]	
7				<b>x</b>



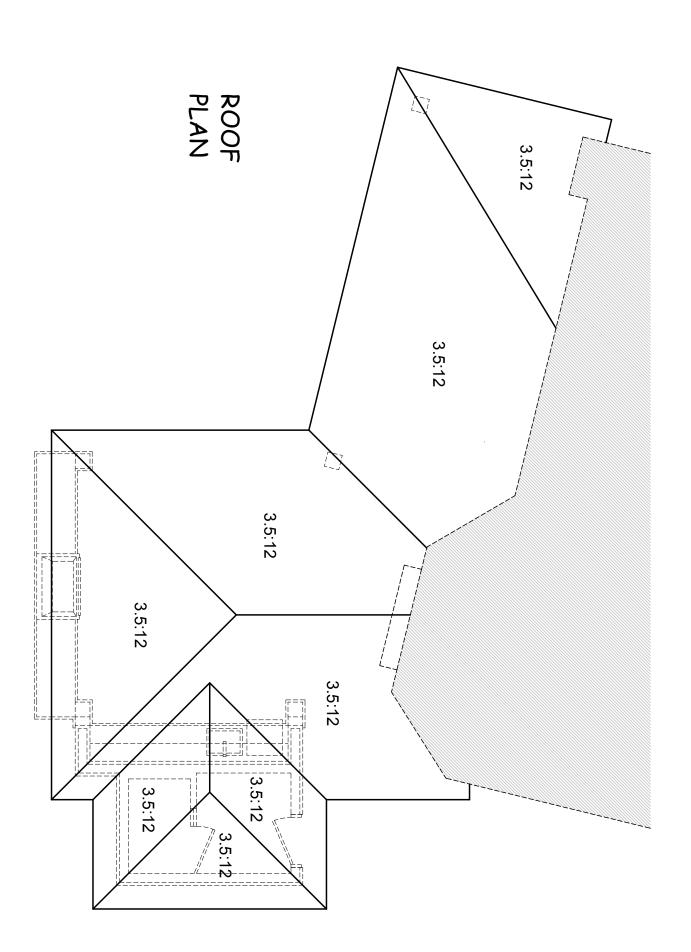


Gabana 24 Monica Court



12 - 10	[3.91m]		,
		A N	

24 Monica Court <sup>Cabana</sup>

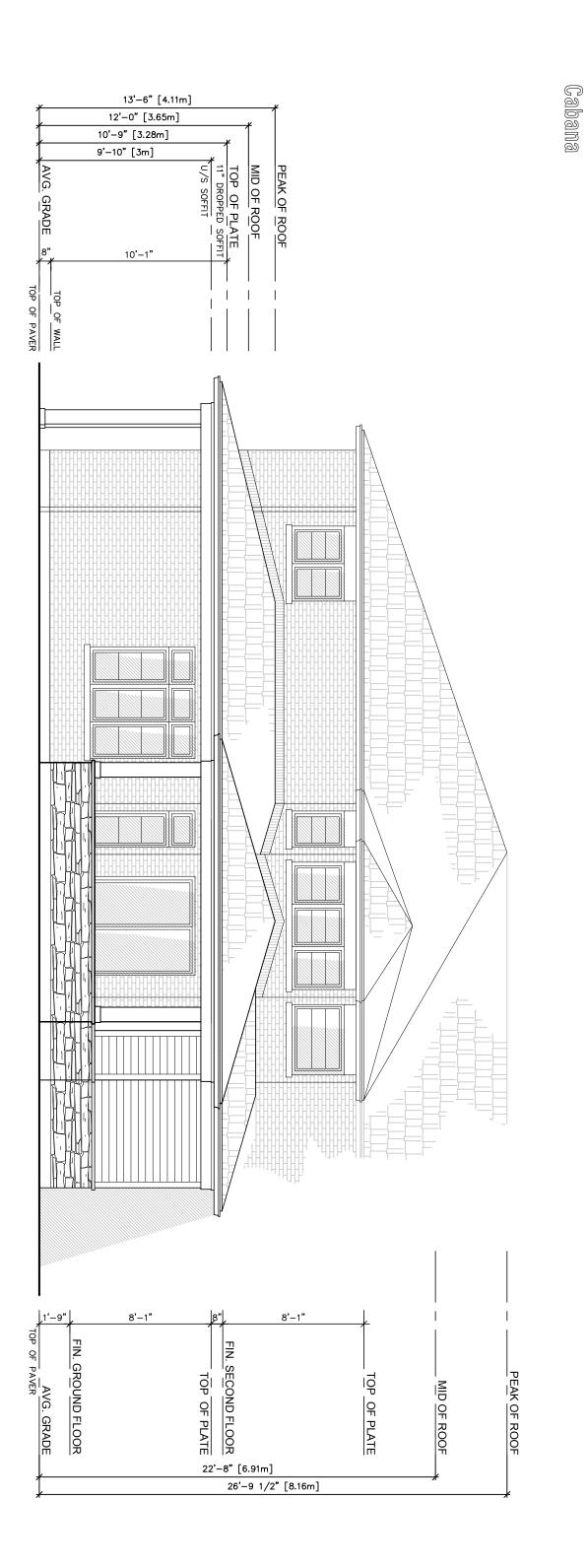


ARTISTS IMPRESSION Organization of hore we're recress wa pracyker jaares to accept the same, sidds wur'r at any extensione drinwer was die to grunne wranke, mote actur, floor Same wy we'r rraw the sindd floor area, all recreases are arress concept, daedsong, secondinge and achitectural defunde are sideet to ware wanke e & o.e.



ARTISTS IMPRESSION ordenning of how we re refered no preview areas to accept the same, stips wy wer a an ectedior dirance was die to groupe wannee, hote, actual rock since wy wer from the since and, all roddings are artists oncept, diabations, secondations and andirections, econdard are same to and washes to a de-

FRONT ELEVATION

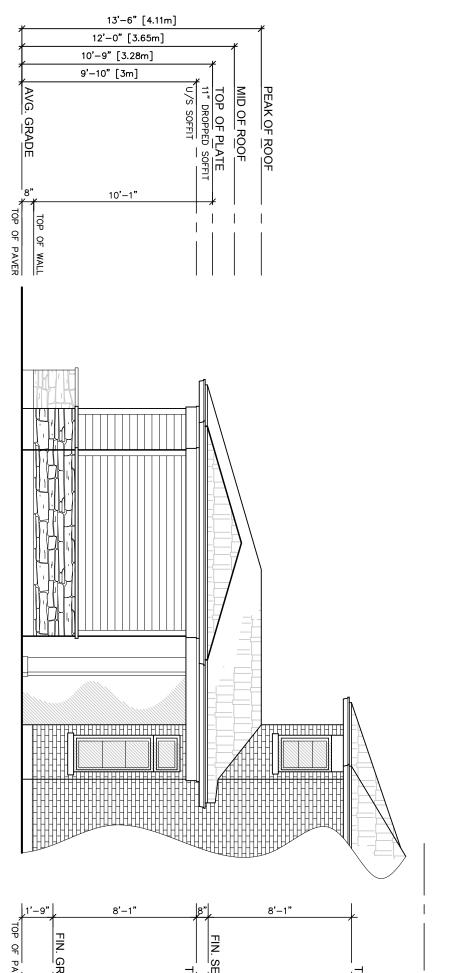


24 Monica Court



ARTISTS IMPRESSION ordenning of how we re refered no preview areas to accept the same, stips wy wer a an ectedior dirance was die to groupe wannee, hote, actual rock since wy wer from the since and, all roddings are artists oncept, diabations, secondations and andirections, econdard are same to and washes to a de-

# **RIGHT SIDE ELEVATION**



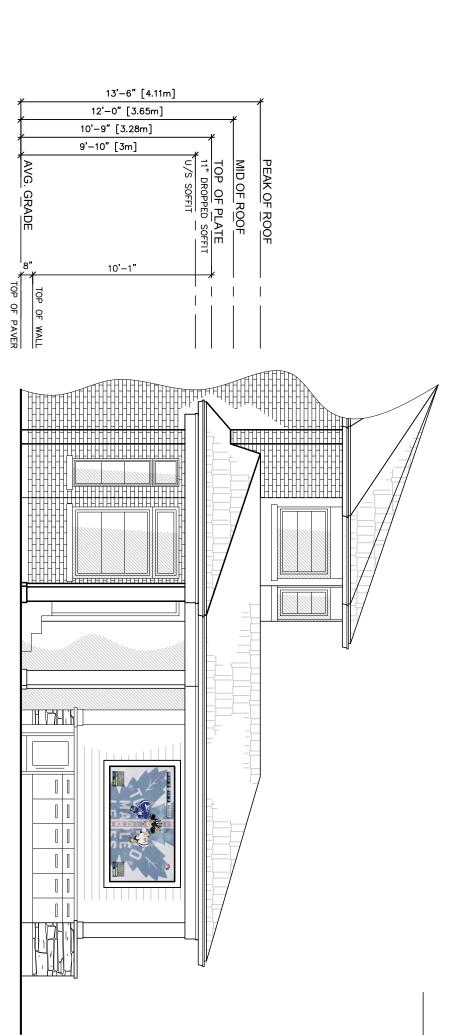
24 Monica Court Cabana

AVER	ROUND FLOOR AVG. GRADE	TOP OF PLATE 22'-8" [6.91m]	T <u>O</u> P <u>OF PLATE</u>		PE <u>A</u> K <u>OF ROOF</u>
;		26'-9 1/2" [8.16	ôm]	<b></b> *	

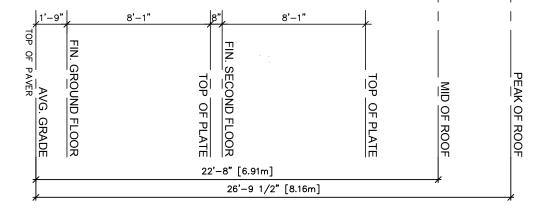


ARTISTS IMPRESSION ordenning of how we re refered no preview areas to accept the same, stips wy wer a an ectedior dirance was die to groupe wannee, hote, actual rock since wy wer from the since and, all roddings are artists oncept, diabations, secondations and andirections, econdard are same to and washes to a de-

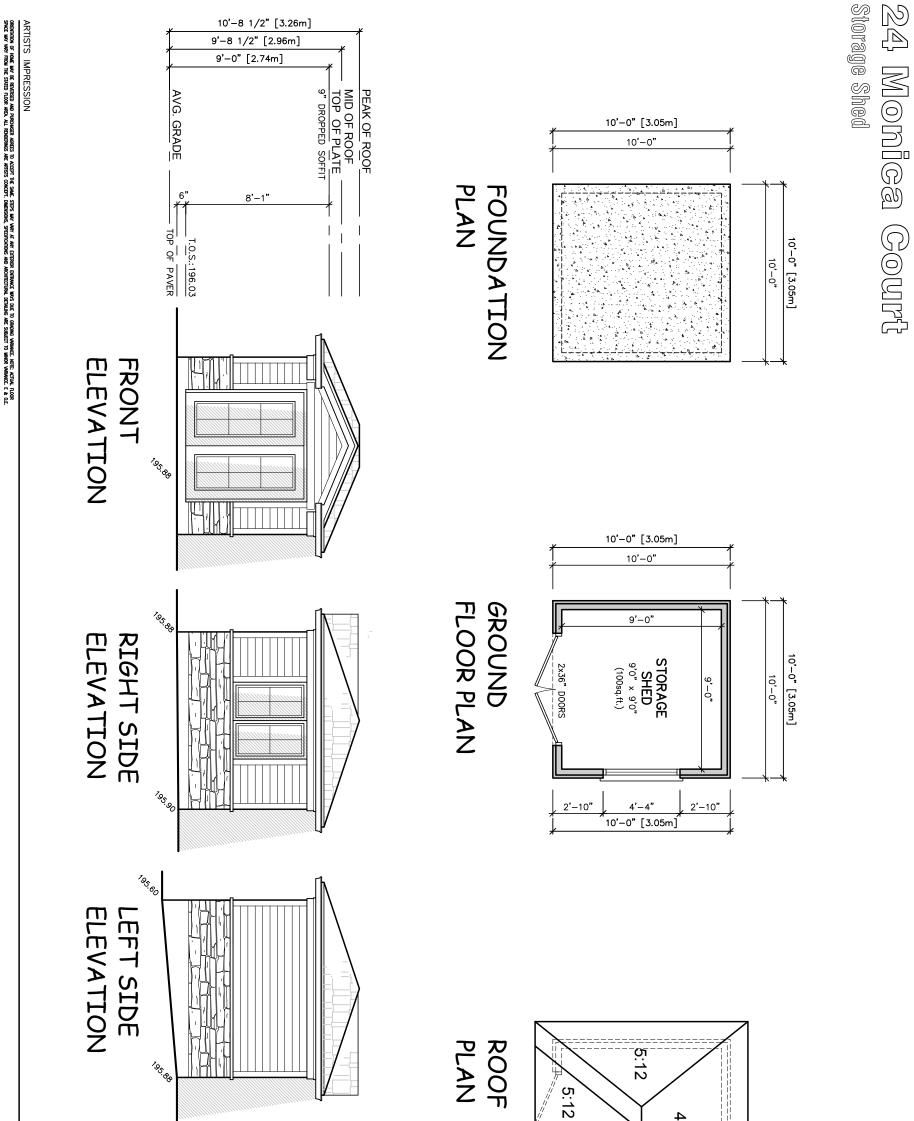
LEFT SIDE ELEVATION



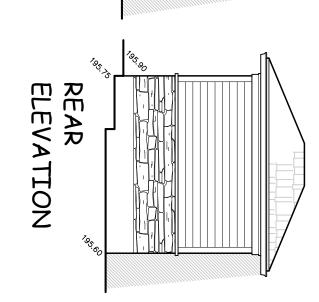
24 Monica Court <sup>Cabana</sup>

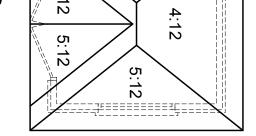


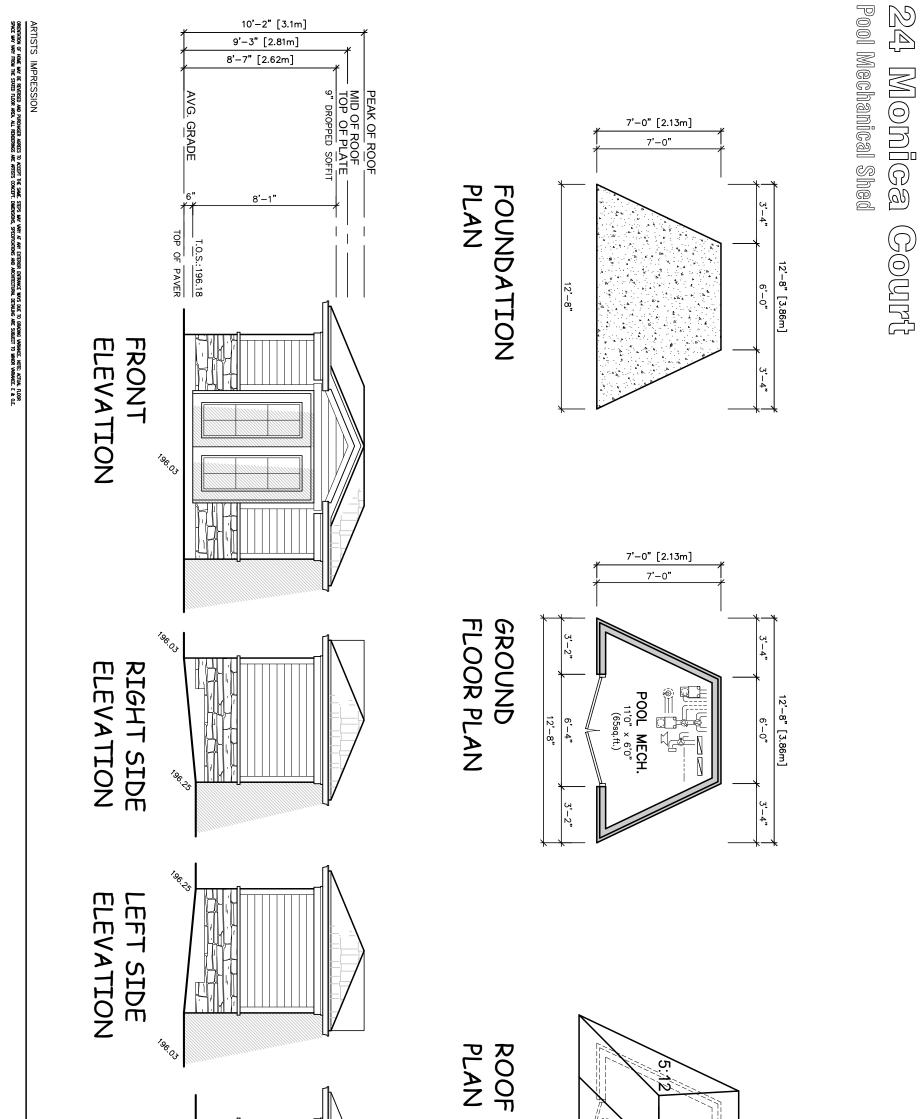






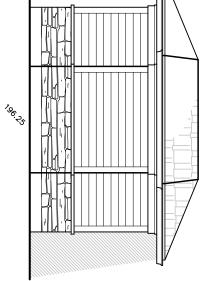


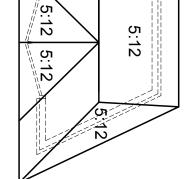






# REAR ELEVATION





SCHEDULE B: STAFF & AGENCY COMMENTS					
DEPT/AGENCY	Circulated	<b>Comments Received</b>	Conditions	Nature of Comments	
TRCA *Schedule B	Х	Х		General Comments	
Ministry of Transportation (MTO) <b>*Schedule B</b>	Х				
Region of York *Schedule B	Х	Х		General Comments	
Alectra *Schedule B	Х	Х		General Comments	
Bell Canada *Schedule B	Х	Х		General Comments	
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 * <b>Schedule B</b>					
Development Planning	Х	Х		Recommend Approval/no conditions	
Building Standards (Zoning)	Х	Х		General Comments	

# VAUGHAN

То:	Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning	
Date: July 19, 2022	
Name of Owners:	Frances Ayala and Frank Varvaro
Location: 24 Monica Court	
File No.(s):	A125/22

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

- 1. To permit an outdoor swimming pool not to be located in the rear yard of a lot.
- 2. To permit a residential accessory structure (mechanical shed) to be located 0.65 m to the rear lot line.
- 3. To permit a minimum rear yard of 1.92 m to the dwelling (attached cabana).
- 4. To permit a residential accessory structure (shed) to be located 0.68 m to the interior side lot line.
- 5. To permit a residential accessory structure (mechanical shed) to be located 0.91 m to the interior side lot line.
- 6. To permit a maximum Lot coverage of 43.57%.

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

- 1. An outdoor swimming pool shall only be permitted in the rear yard of a lot.
- 2. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
- 3. A minimum rear yard of 7.5 m is required.
- 4. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
- 5. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
- 6. A maximum lot coverage of 40% is required.

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

- 7. To permit a swimming pool not to be located in the rear yard.
- 8. To permit an accessory structure located in the interior side yard (shed).
- 9. To permit a minimum rear yard setback of 1.92 m to a dwelling (attached cabana).
- 10. To permit a minimum rear yard setback of 0.65 m to the mechanical shed.
- 11. To permit a minimum interior side yard of 0.91 m (mechanical shed).
- 12. To permit a minimum interior side yard of 0.68 m (shed).

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

- 7. A swimming pool shall only be located in the rear yard.
- 8. Any accessory building or structure shall be located in the rear yard.
- 9. A minimum rear yard setback of 7.5 m is required.
- 10. A minimum rear yard setback of 7.5 m is required.
- 11. A minimum interior side yard setback of 1.2 m is required.
- 12. A minimum interior side yard setback of 1.2 m is required.

### **Official Plan:**

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

### Comments:

The Owners are requesting relief to facilitate the construction of a storage shed, an attached cabana to the existing single detached dwelling, and the replacement of an existing mechanical shed with the above noted variances.

The Development Planning Department has no objection to Variances 1 and 7 as the subject property is a pie-shaped lot and the pool would be in what is effectively used as the rear yard. The pool also complies with all rear yard and side yard setback requirements which allows for safe access around the pool area.



The Development Planning Department has no objection to Variances 2, 5, 10 and 11 as the reduction to the interior side yard and rear yard setbacks for the mechanical shed would not have adverse impacts to the neighbouring properties and maintains an appropriate area for drainage.

Upon recommendations from the Development Planning Department, the Owners have revised their application to reduce the height and increase the rear yard setback of the proposed attached cabana. The Development Planning Department has no objection to Variances 3 and 9 for the revised attached cabana. The cabana will be screened to the south by existing trees on 27 Monica Court and to the west by a shed on 79 Father Ermanno Crescent. The applicant has also proposed tree plantings between the cabana and rear fence to further screen the cabana from the neighbouring properties to the rear. The proposed 1.92 m setback will also facilitate safe access and drainage.

Upon recommendations from the Development Planning Department, the Owners have revised their application to reduce the height of the proposed storage shed to minimize the massing impact on the neighbour and prominence of the building from the street. The Development Planning Department has no objection to Variances 4, 8 and 12 as the reduction to the interior side yard setback for the storage shed does not have adverse impacts to the neighbouring properties and it maintains an appropriate area for drainage. The shed is also located in what is effectively used as the rear yard due to the shape of the lot.

The existing dwelling has a lot coverage of 27.4 %. The existing dwelling's footprint with attached cabana will have a combined lot coverage of 35.9%. The storage shed, mechanical shed, and all building eaves will have lot coverages of 1.32%. 0.85% and 5.5% respectively. By-law 001-2021 currently includes eaves as part of the lot coverage calculation whereas By-law 1-88 does not. The 3.57% increase to the permitted lot coverage is minor in nature. The total lot coverage of 38.07% would also comply with Zoning By-law 01-2021 once the eaves are removed from the calculation as part of a general housekeeping amendment that was approved at the June 28th, 2022 Council meeting and is currently in its appeal period. As such, the Development Planning Department has no objection to Variance 6 for the increase in lot coverage.

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.

### **Conditions of Approval:**

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

**Comments Prepared by:** Joshua Cipolletta, Planner I David Harding, Senior Planner



То:	Committee of Adjustment
From:	Lindsay Haviland, Building Standards Department
Date: July 11, 2022	
Applicant: Frances Ayala & Frank Varvaro	
Location: PLAN 65M2511 Lot 83 municipally known as 24 Monica (	
File No.(s):	A125/22

### Zoning Classification:

The subject lands are zoned R3(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.277 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	An outdoor swimming pool shall only be permitted in the rear yard of a lot [Section 4.21.2]	To permit an outdoor swimming pool not to be located in the rear yard of a lot.
2	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 metres to any lot line [Section 4.1.2.1b.]	To permit a residential accessory structure (mechanical shed) to be located 0.65 m to the rear lot line.
3	A minimum Rear yard of 7.5 metres is required [Section 14.277, Schedule T-17]	To permit a minimum rear yard of 1.92 metres to the dwelling (attached cabana).
4	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 metres to any lot line [Section 4.1.2.1b.]	To permit a residential accessory structure (shed) to be located 0.68 m to the interior side lot line.
5	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 metres to any lot line [Section 4.1.2.1b.]	To permit a residential accessory structure (mechanical shed) to be located 0.91 m to the interior side lot line.
6	A maximum lot coverage of 40% is required [Schedule T-17].	To permit a maximum Lot coverage of 43.57%.

The subject lands are R3 - Residential Zone and subject to the provisions of Exception 9(476) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
7	A swimming pool shall only be located in the rear yard [Section 4.1.1 i)].	To permit a swimming pool not to be located in the rear yard.
8	Any accessory building or structure shall be located in the rear yard [Section 4.1.1 c)].	To permit an accessory structure located in the interior side yard (Shed).
9	A minimum rear yard setback of 7.5 metres is required [Schedule T-17].	To permit a minimum rear yard setback of 1.92 metres to a dwelling (attached cabana).
10	A minimum rear yard setback of 7.5 metres is required [Schedule T-17].	To permit a minimum rear yard setback of 0.65 metres to the mechanical shed.



11	A minimum interior side yard setback of 1.2 metres is required [Schedule T-17].	To permit a minimum interior side yard of 0.91 m (mechanical shed).
12	A minimum interior side yard setback of 1.2 metres is required [Schedule T-17].	To permit a minimum interior side yard of 0.68 metres (shed).

### Staff Comments:

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

There are no outstanding Orders on file

### **Building Permit(s) Issued:**

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2

### **Other Comments:**

### **General Comments**

1

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

### **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:May 31st , 2022Attention:Christine VigneaultRE:Request for CommentsFile No.:A125-22Related Files:Christine Vigneault

- Applicant Frances Ayala Frank Varvaro
- Location 24 Monica Court



### COMMENTS:

х

We have reviewed the proposed Variance Application and have no comments or objections to its approval.

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

We have reviewed the proposed Variance Application and have the following concerns (attached below).

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

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

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

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

### **References:**

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

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

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

*E-mail*: <u>stephen.cranley@alectrautilities.com</u>

Mitchell Penner

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

Email: Mitchell.Penner@alectrautilities.com

### Pravina Attwala

Subject:

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: June-01-22 8:21 AM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A125/22 (24 MONICA COURT) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hello Pravina

Bell Canada has no comments for this minor variance.

Kind regards,

Carrie Gordon

Carríe Gordon



Associate, External Liaison Right of Way Control Centre 140 Bayfield St, Fl 2 Barrie ON, L4M 3B1 T: 705-722-2244/844-857-7942 F :705-726-4600

### Pravina Attwala

Subject:

From: Hamedeh Razavi <Hamedeh.Razavi@trca.ca>
Sent: May-30-22 3:44 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Subject: [External] RE: A125/22 (24 MONICA COURT) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hi Pravina,

The subject property is not located within TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit and TRCA's Planning and Regulatory policy interests are not impacted.

TRCA has no comments and no objection to the application.

Regards,

Hamedeh Razavi MURP Planner I Development Planning and Permits | Development and Engineering Services

T: (416) 661-6600 ext. 5256

E: <u>Hamedeh.Razavi@trca.ca</u> A: <u>101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca</u>

Toronto and Region Conservation Authority

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 <u>Hamedeh.Razavi@trca.ca</u> We thank you for your cooperation as we respond to the current situation.

### Pravina Attwala

Subject:

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: June-02-22 12:05 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A125/22 (24 MONICA COURT) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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** | Programs and Process Improvement | Planning and Economic Development | The Regional Municipality of York | 1-877 464 9675 ext 71538 | <u>gabrielle.hurst@york.ca</u> |<u>www.york.ca</u>

### SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				