

<b>ITEM #: 6.12</b>	<b>COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A158/22 126 Alistair Cres, Kleinburg</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		No Comments or Concerns
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			No Comments Recieved to Date
Ministry of Transportation (MTO) <i>*Schedule B</i>	X			No Comments Recieved to Date
Region of York <i>*Schedule B</i>	X			No Comments Recieved to Date
Alectra <i>*Schedule B</i>	X	X		General Comments
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
None				

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
None		

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  
A158/22  
126 Alistair Cres, Kleinburg**

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

<b>ITEM NUMBER:</b> 6.12	<b>CITY WARD #:</b> 1
<b>APPLICANT:</b>	Luigi Michael and Rita Cicchelli
<b>AGENT:</b>	Harris Ramrup
<b>PROPERTY:</b>	126 Alistair Cres, Kleinburg
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit the construction of a proposed cabana.

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

**The subject lands are zoned A – Agricultural Zone and subject to the provisions of Exception 14.1065 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 01-2021	Variance requested
1	The minimum required rear yard setback for an accessory structure is 15.0m. Sect. 12.2.2 Table 12-3	To permit a minimum rear yard setback of 0.90m for the accessory structure.
2	The minimum required interior side yard setback is 9.0m. Sect. 12.2.2 Table 12-3	To permit a minimum interior side yards setback of 1.2m on the east side and 1.2m on the west side.
3	The maximum permitted lot coverage is 10%. Sect. 12.2.2 Table 12-3	To permit a maximum lot coverage of 56.22%

**The subject lands are zoned RD4 and subject to the provisions of Exception 9(1376) under Zoning By-law 1-88, as amended.**

#	Zoning By-law 1-88	Variance requested
4	The minimum required rear yard setback is 7.5m Schedule A3	To permit a minimum rear yard setback of 0.90m for the accessory structure.

### 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:** [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.	
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 12, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	We cannot comply because current bylaw provisions are too restrictive for the Cabana building with respect to the rear yard and side yards setback.	
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:  *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
<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	
**See Schedule B for Building Standards (Zoning) Comments	
<b>Building Standards Recommended Conditions of Approval:</b>	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
<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>	
The proposed work by the owner/ applicant is increasing the lot coverage area from 10% to 56.22% in the subject property. The added hardscape may have impact on City's Storm Water management system. Stuff suggests the owner/applicant to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts.	

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>	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Parks: None Forestry: Forestry has no comment. 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	
No comment	
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.

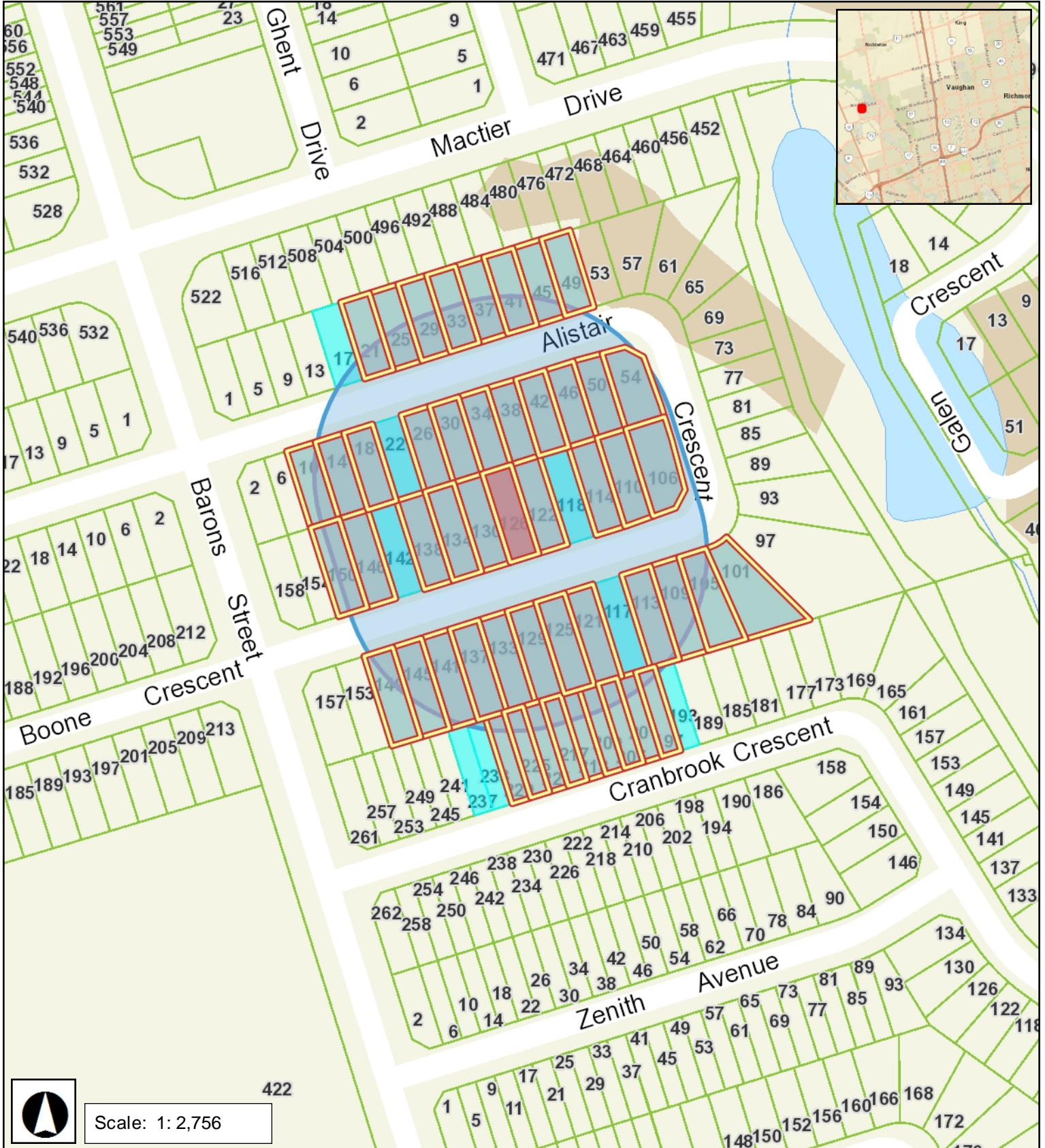
IMPORTANT INFORMATION – PLEASE READ	
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the 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**

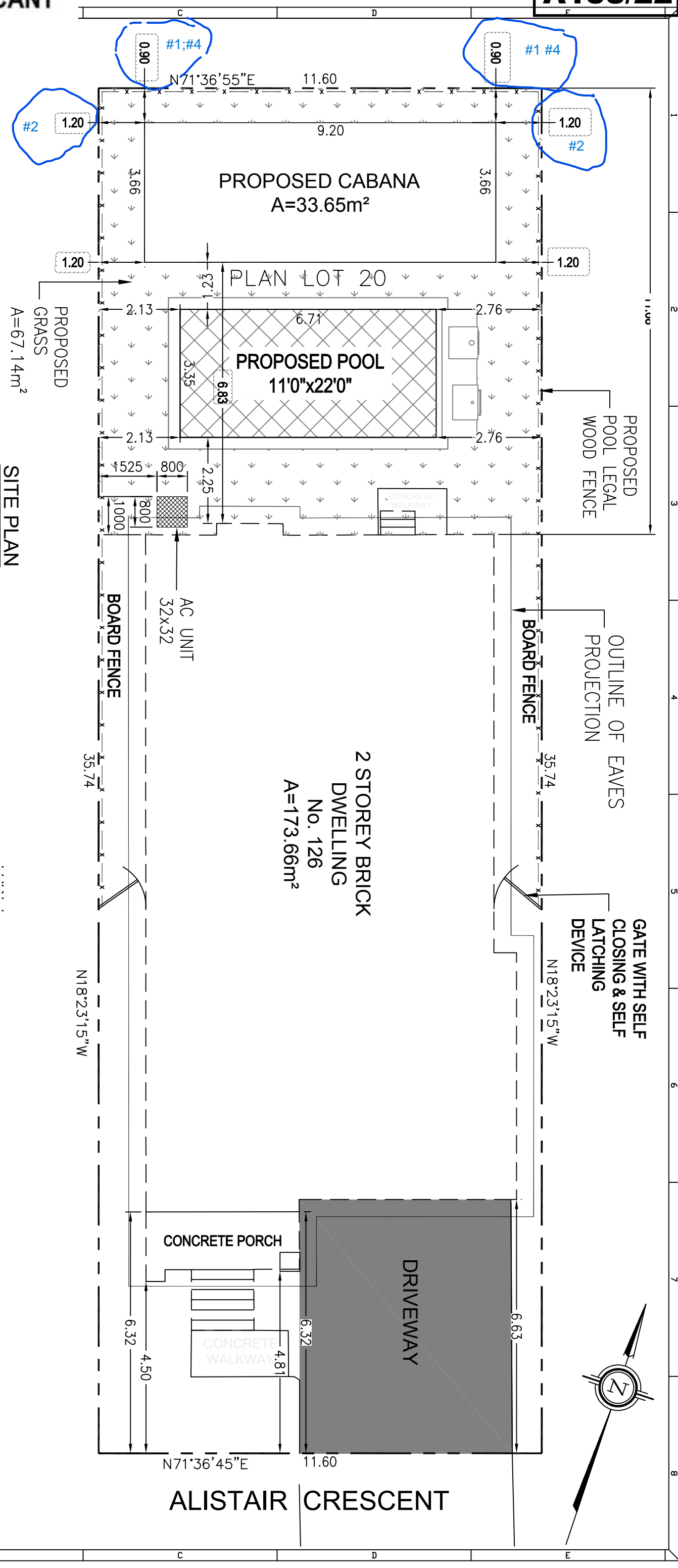


## Nashville Road

HWY 50







SITE PLAN

LOT AREA= 414.58 m<sup>2</sup>  
REAR YARD AREA= TOTAL=135.10 m<sup>2</sup>  
GRASS AREA = 67.61 m<sup>2</sup>  
POOL AREA = 22.48 m<sup>2</sup>  
TOTAL SOFT LANDSCAPING (POOL & GRASS)= 90.09 m<sup>2</sup>  
%OF SOFT LANDSCAPING =90.09/135.10= 66.68%  
HARD LANDSCAPING  
REAR CABANA AREA =35.65 m<sup>2</sup>  
CONC AROUND POOL AREA= 9.16 m<sup>2</sup>  
CONC WALKWAY AREA = 2.17 m<sup>2</sup>  
AC UNIT AREA = 0.63 m<sup>2</sup>

PLAN of LOT 20  
REGISTERED PLAN 65M-4639  
Scale 1:100  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK  
126 ALISTAIR CRESCENT, KLIENBURG, ONTARIO

LOT COVERAGE	EXISTING AREA m <sup>2</sup>	ADDITION AREA m <sup>2</sup>	%AGE COVERAGE
DWELLING, 2-STOREY, GARAGE & PORCH incl. EAVES PROJECTION	197.40		47.61%
PROPOSED CABANA		33.65	8.12%
TOTAL		231.05	55.73%

GROSS COVERAGE AREA=231.05m<sup>2</sup> LOT AREA=414.58m<sup>2</sup>

NOTE:  
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ANY DEVIATION FROM THIS DRAWING WILL RENDER THIS DOCUMENT NULL AND VOID.  
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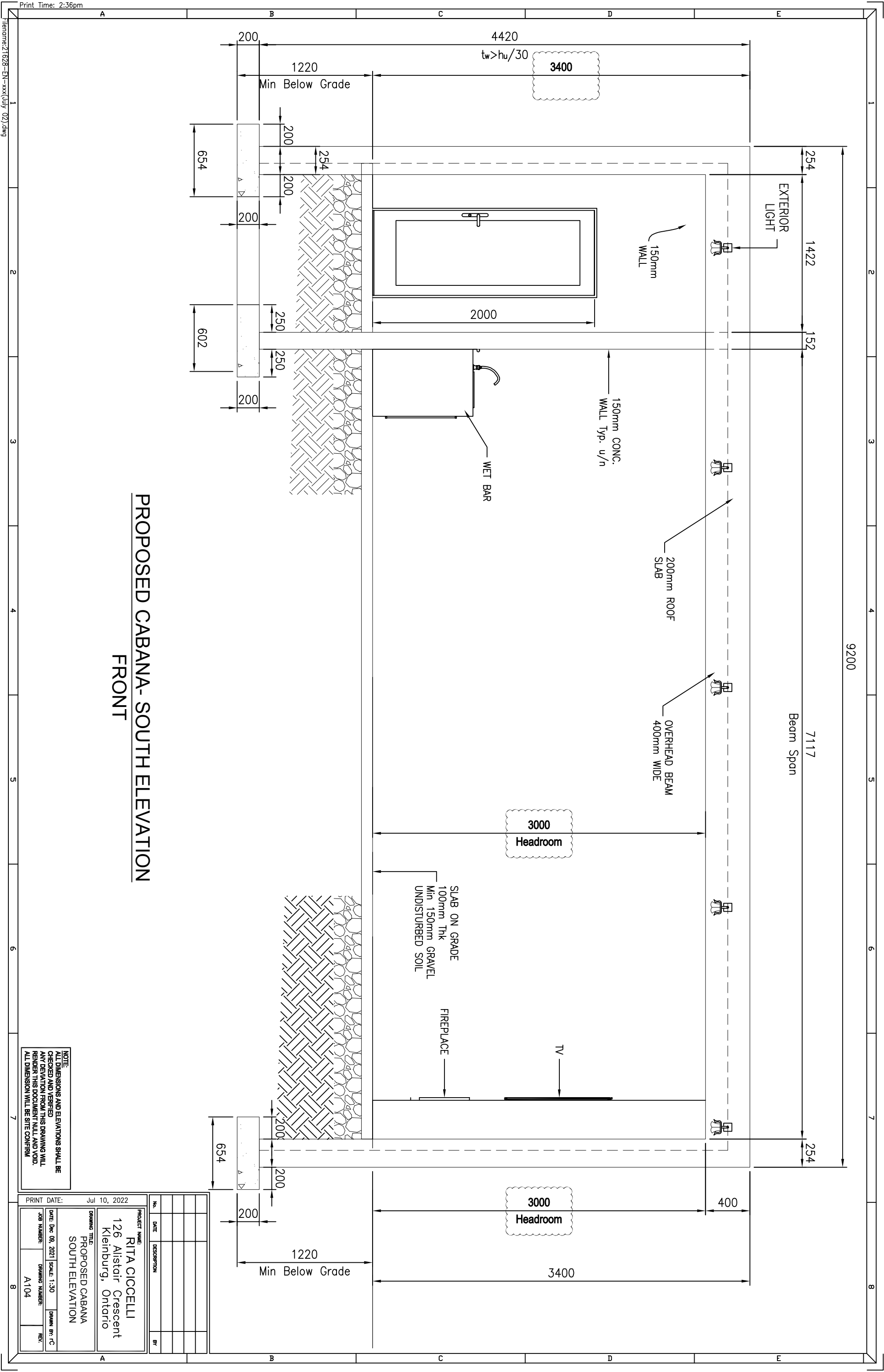
PROJECT NAME: RITA CICCCELLI 126 Alistair Crescent Kleinburg, Ontario	DRAWING TITLE: PROPOSED CABANA SITE PLAN
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DATE: Dec 09, 2021	SCALE: 1:100	DRAWN BY: C-C
JOB NUMBER: A100	DRAWING NUMBER:	REV:



PRINT DATE: Jul 10, 2022

PRINT DATE:		Jul 10, 2022	
DRAWING TITLE: <b>PROPOSED CABANA FOUNDATION</b>		PROJECT NAME: <b>RITA CICCELLI 126 Alistair Crescent Kleinburg, Ontario</b>	
DATE: Dec 09, 2021	SCALE: 1:30	DATE:	
JOB NUMBER: <b>A101</b>	DRAWING NUMBER:	DESCRIPTION:	
	REV:	BY:	

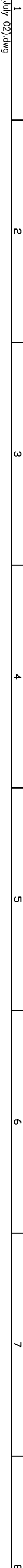


PROPOSED CABANA- SOUTH ELEVATION

FRONT



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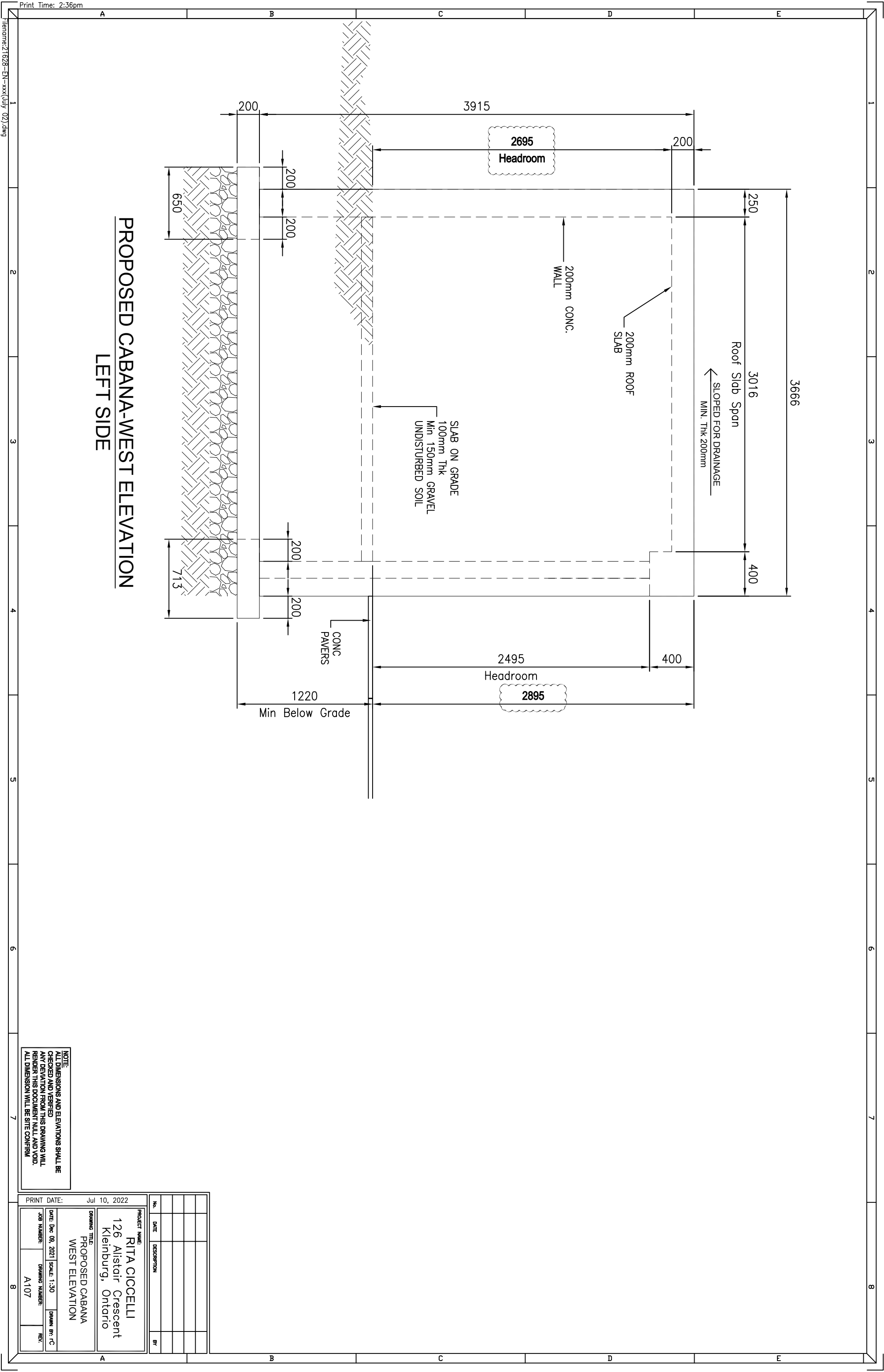


A line graph with a horizontal x-axis and a vertical y-axis. A straight line starts at the origin (0,0) and extends upwards and to the right at a constant positive slope.

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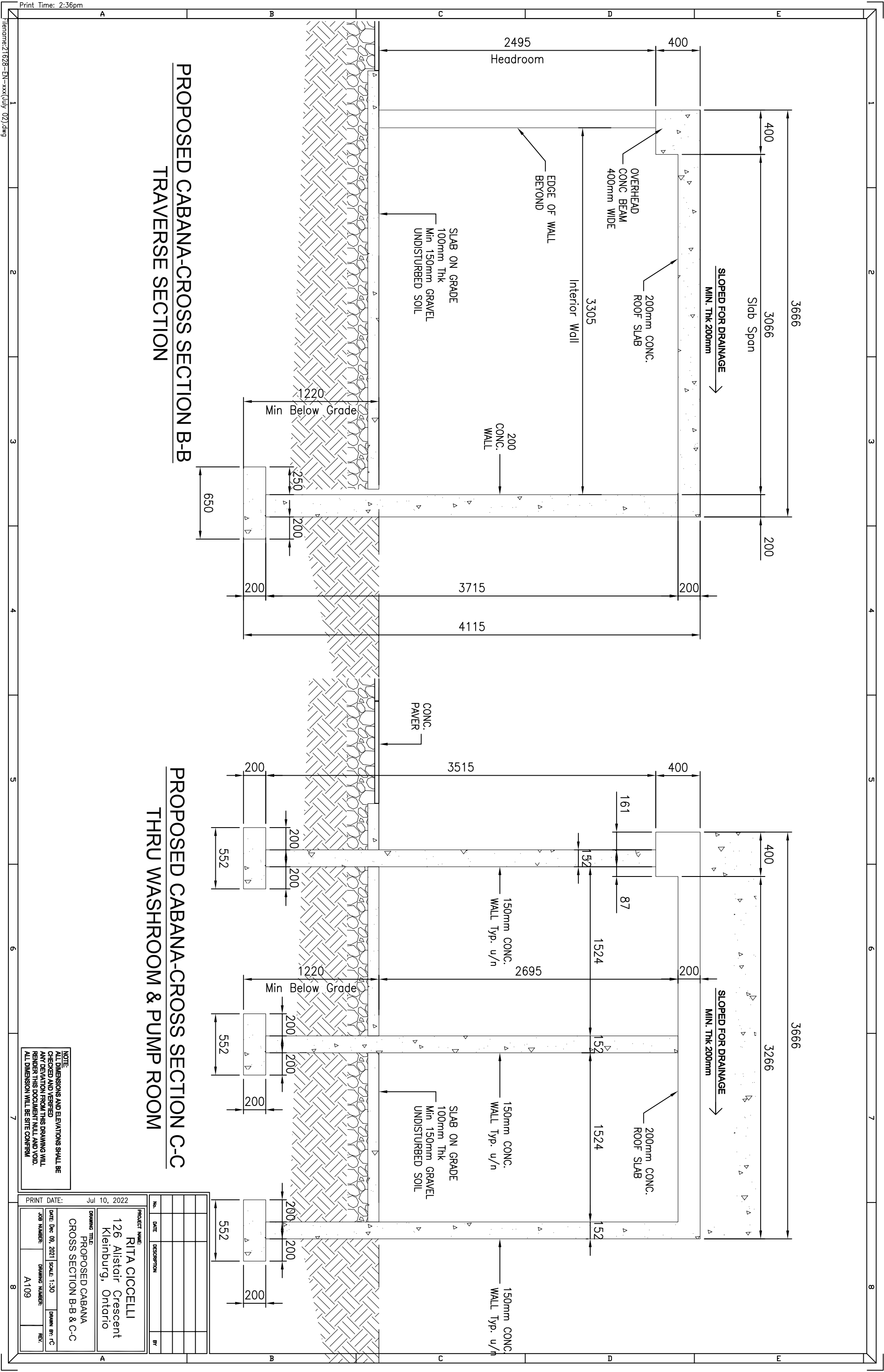
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SOIL BEARING CAPACITY/INVESTIGATION

THE FOOTING HAVE BEEN DESIGNED FOR FACTORED BEARING CAPACITY(ULS) OF 150 kPa AND SERVICEABILITY LIMIT STATE BEARING CAPACITY 100kPa. CLIENT TO RETAIN A SOIL ENGINEER TO CONFIRM THE SOIL BEARING CAPACITY. IF THIS CONDITION DOES NOT PREVAIL AT SITE, ADVISE THE ENGINEER BEFORE PROCEEDING WITH WORK.

1. IT IS THE RESPONSIBILITY OF THE THE OWNER TO RETAIN A SOIL ENGINEER TO INSPECT AND CONFIRM SOIL BEARING CAPACITY AS INDICATED ON THE DRAWING PRIOR TO THE PLACEMENT OF THE FOOTING.
2. IN CASE THE OWNER DOES NOT RETAIN A GEOTECHNICAL ENGINEER AND A SOIL REPORT IS NOT PROVIDED, THE ENGINEER IS NOT LIABLE FOR SOIL BEARING PRESSURE AND OTHER SOIL PROPERTIES BEYOND THE MINIMUM SPECIFIED ON THE DRAWINGS AS PER CODE.
3. IF THE GEOTECHNICAL INVESTIGATION IS BEING PERFORMED, THE OWNER SHALL INFORM THE ENGINEER SO THAT THE ENGINEER MAY BE ABLE TO RECOMMEND ANY ALTERNATIVE.

CONCRETE COMPRESSIVE STRENGTH

1. THE COMPRESSIVE STRENGTH OF REINFORCED CONCRETE AFTER 28 DAYS SHALL BE NOT LESS THAN,  
(a) 32 MPA FOR CONCRETE FLOOR AND ALL EXTERIOR WALLS
2. CONCRETE USED FOR CONCRETE FLOOR AND WALL SHALL HAVE AIR ENTRAINMENT OF 5 TO 8%.

FOOTINGS AND FOUNDATION

1. CONCRETE AND CONCRETE FOOTINGS NOT SUBJECT TO SURCHARGE,  
(a) ON STABLE SOILS WITH AN ALLOWABLE BEARING PRESSURE OF 75 kPa OR GREATER C19.15.1(1)(a)(i)

CONSTRUCTION NOTES:

- a. CONTRACTOR TO FOLLOW BEST PRACTICES.
- b. CONTRACTOR TO ENSURE THAT ALL SAFETY REQUIREMENTS ARE FULFILLED.
- c. ALL INFORMATION CONCERNING EXISTING MEZZANINE HAS BEEN TAKEN FROM THE MEASUREMENT. CONTRACTOR TO CONFIRM ON SITE ALL EXISTING DIMENSION, ELEVATIONS AN DETAILS PRIOR TO START/PROCEDE THE CONSTRUCTION.
- d. CONTRACTOR TO CONTACT THE ENGINEER FOR ANY WORK OR DETAIL NOT CLEAR PRIOR TO PERFORM THAT ITEM.
- e. THE CONTRACTOR IS RESPONSIBLE FOR HAVING A QUALITY CONTROL PLAN AND SYSTEMS IN PLACE DURING CONSTRUCTION AND UNTIL THE COMPLETION OF WORK.
- f. THE CONTRACTOR TO PERFORM WORK IN ACCORDANCE WITH THE OBC 2012, CONSTRUCTION RECOMMENDATIONS AND LOCAL MUNICIPAL BY-LAWS AND SAFETY REGULATIONS, OSHA REQUIREMENTS AND ALL OTHER APPLICABLE CODE REQUIREMENTS.

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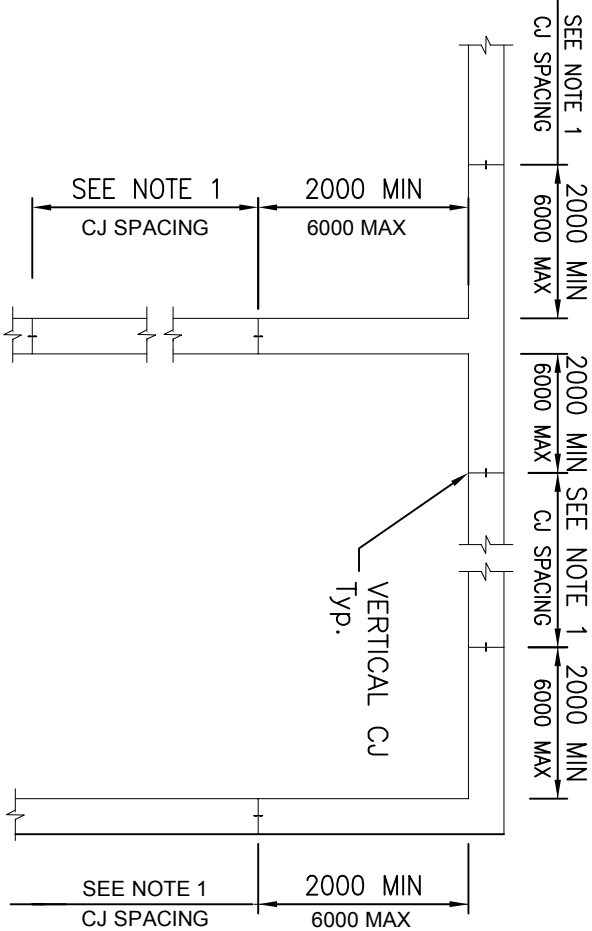
PROJECT NAME:  
RITA CICCCELLI  
126 Alistair Crescent  
Kleinburg, Ontario

DRAWING TITLE:  
PROPOSED CABANA  
GENERAL NOTES

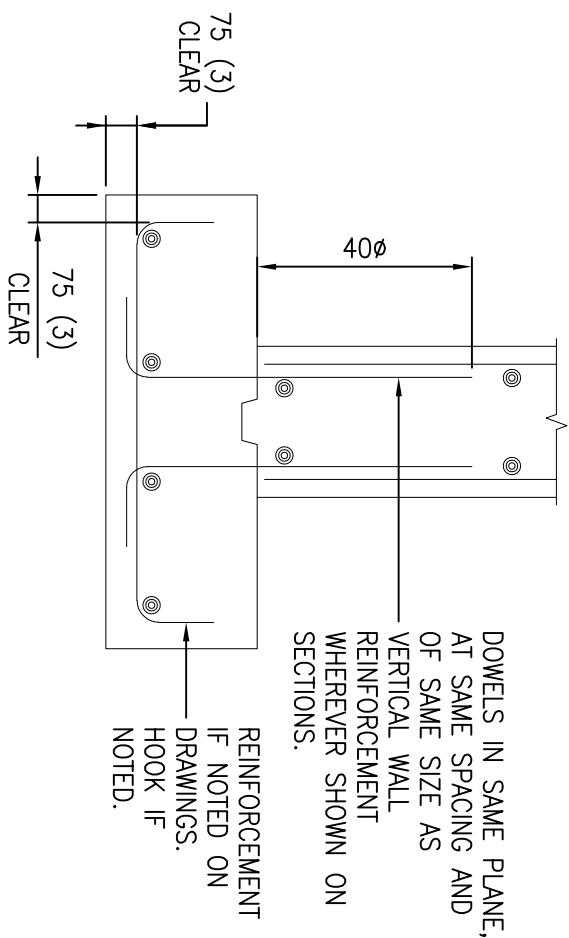
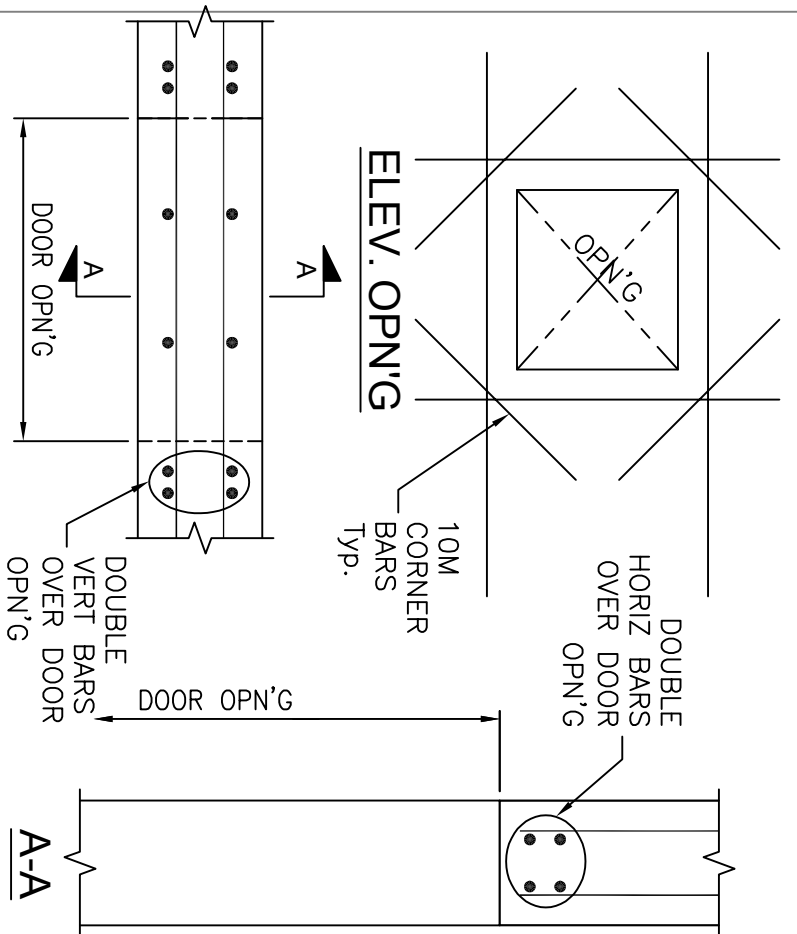
DATE: Dec 09, 2021 | SCALE: 1:30 | DRAWN BY: C

JOB NUMBER: | DRAWING NUMBER: S 100 | REV:

No.	DATE	DESCRIPTION	BY



# WALL CONSTRUCTION JOINT SPACING



# CONCRETE WALL

TABLE OF MINIMUM CONCRETE COVER			
EXPOSURE CONDITION	N	F-1, F-2, S-1, S-2	C-XL, C-1, C-3, A-1, A-2, A-3
CAST AGAINST AND PERMANENTLY EXPOSED TO EARTH	-	75 mm	75 mm
BEAMS, GIRDERS, COLUMNS, & PILE	30 mm	50 mm	60 mm
SLABS, WALLS, JOISTS, SHELLS, & FOLDED PLATES	20 mm	50 mm	60 mm
RATIO OF COVER TO NOMINAL BAR DIAMETER	1.0	1.5	2.0
RATIO OF COVER TO NOMINAL MAXIMUM AGGREGATE SIZE	1.0	1.5	2.0

NOTES:

THE MINIMUM CONCRETE COVER FOR EXPOSURE CLASS N REFERS ONLY TO CONCRETE THAT WILL BE CONTINUALLY DRY WITHIN THE CONDITIONED SPACE, I.E., MEMBERS ENTIRELY WITHIN THE VAPOUR BARRIER OF THE BUILDING ENVELOPE.

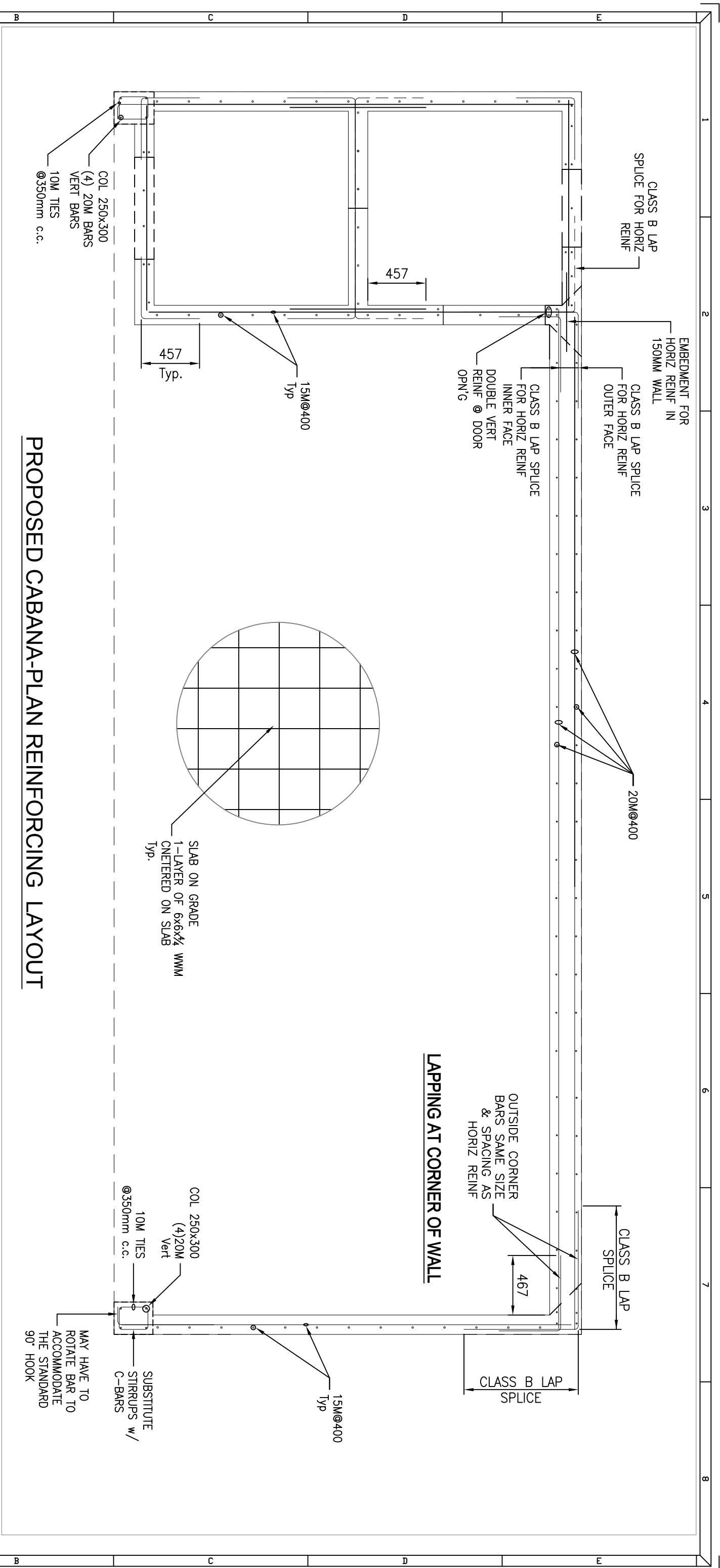
THE COVER FOR A BUNDLE OF BARS SHALL BE THE SAME AS THAT FOR A SINGLE BAR WITH AN EQUIVALENT AREA.

FOR EXPOSURE CLASS N CONCRETE, THE SPECIFIED COVER FROM SCREDED SURFACES SHALL BE AT LEAST 1.5 TIMES THE NOMINAL MAXIMUM AGGREGATE SIZE TO REDUCE INTERFERENCE BETWEEN AGGREGATE AND REINFORCEMENT WHERE VARIATIONS IN BAR PLACEMENT RESULT IN A COVER SMALLER THAN SPECIFIED.

# STANDARD REINFORCING DETAILS

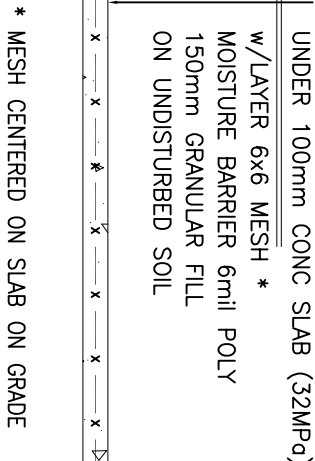
<p><b>NOTE:</b></p> <p>ALL DIMENSIONS AND ELEVATIONS SHALL BE CHECKED AND VERIFIED          ANY DEVIATION FROM THIS DRAWING WILL RENDER THIS DOCUMENT NULL AND VOID.          REVISION DIMENSION WILL BE SITE CONTROL</p>		<p>PRINT DATE: Jul 10, 2022</p>		
<p>DATE: Dec 09, 2021</p> <p>SCALE: 1:30</p> <p>DRAWN BY: JC</p>		<p><b>PROJECT NAME:</b></p> <p><b>RITA CICCCELLI</b></p> <p><b>126 Alistair Crescent</b></p> <p><b>Kleinburg, Ontario</b></p>		
<p><b>DRAWING TITLE:</b></p> <p><b>PROPOSED CABANA</b></p> <p><b>DETAIL</b></p>		<p><b>NO.</b></p> <p><b>DATE</b></p> <p><b>DESCRIPTION</b></p> <p><b>BY</b></p>		
JOB NUMBER:	DRAWING NUMBER:	REV.		
S 101				



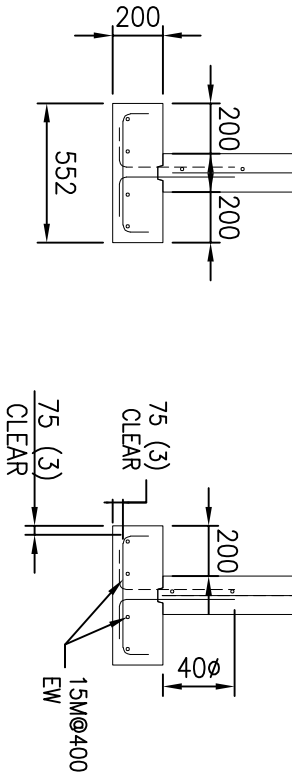


# PROPOSED CABANA-BEAM REINFORCING LAYOUT

PRINT DATE: Jul 10, 2022					
PROJECT NAME: <b>RITA CICCELLI</b> 126 Alstair Crescent Kleinburg, Ontario					
DRAWING TITLE:					
<b>PROPOSED CABANA REINFORCING PLAN &amp; BEAM</b>					
DATE: Dec 08, 2021	SCALE: 1:30	DRAWN BY: C			
JOB NUMBER:	DRAWING NUMBER:				REV.
S102					



Technical drawing of a wall section showing reinforcement details. The drawing includes dimensions: 75 (3) CLEAR, 200, 40Ø, and 20M@400 EW. It shows a cross-section of a wall with reinforcement bars and a dowel.



The diagram illustrates the assembly of a dowel joint. A wooden board is shown with a pre-drilled hole. A dowel is being inserted into the hole. The dowel is labeled "DOWEL" and the hole is labeled "DOWEL HOLE". An arrow points to the hole with the text "ALTERNATE DIRECTION", indicating the direction of insertion.

**NOTE:**  
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DRAWING TITLE:		126 Alistair Crescent Kleinburg, Ontario	
JOB NUMBER:		DRAWING NUMBER:	
DATE: Dec 09, 2021		SCALE: 1:30	
CROSS SECTIONS		DRAWN BY: C	
S 103		REV.	

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments 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		Approval no conditions
Building Standards (Zoning)	X	X		General Comments

**To:** Committee of Adjustment

**From:** Bernd Paessler, Building Standards Department

**Date:** July 13, 2022

**Applicant:** COA\_Applicant\_Zoning

**Location:** PLAN 65M4639 Lot 20 municipally known as 126 Alistair Cres

**File No.(s):** A158/22

**Zoning Classification:**

The subject lands are zoned A – Agricultural Zone and subject to the provisions of Exception 14.1065 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	No variances	

The subject lands are zoned RD4 and subject to the provisions of Exception 9(1376) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
4	The minimum required rear yard setback is 7.5m.  Schedule A3	To permit a minimum rear yard setback of 0.90m for the accessory structure.

**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 10m<sup>2</sup>

**Other Comments:**

General Comments		
5	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.

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** July 19, 2022

**Name of Owners:** Luigi Micheal Cicchelli and Rita Cicchelli

**Location:** 126 Alistair Crescent

**File No.(s):** A158/22

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

1. To permit a minimum rear yard setback of 0.90 m for the accessory structure.
2. To permit a minimum interior side yards setback of 1.2 m on the east side and 1.2 m on the west side.
3. To permit a maximum lot coverage of 56.22%.

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

1. The minimum required rear yard setback for an accessory structure is 15.0 m.
2. The minimum required interior side yard setback is 9.0 m.
3. The maximum permitted lot coverage is 10%.

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

4. To permit a minimum rear yard setback of 0.90 m for the accessory structure.

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

4. The minimum required rear yard setback is 7.5 m.

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13, Volume 2, Section 12.7 Block 61 West-Nashville Heights

**Comments:**

The Owners are requesting relief to facilitate the construction of a proposed cabana with the above noted variances.

Upon recommendations from the Development Planning Department, the Owners have revised their application to increase the rear yard and side yard setbacks of the proposed cabana. The Development Planning Department has no objection to Variances 1 and 4 as the revised cabana is not anticipated to have adverse impacts to the neighbouring properties and provides sufficient area for safe access and drainage.

The subject lands are zoned "RD4 – Residential Detached Zone Four" by Zoning By-law 1-88 but were erroneously zoned as "A – Agriculture Zone" by Zoning By-law 001-2021. As such, greater variances are required under Zoning By-law 001-2021 for the 1.2 m east and west interior side yard setbacks. The Development Planning Department has no objection to Variance 2 as it complies with Zoning By-law 1-88.

The existing dwelling, proposed cabana, and all building eaves will have lot coverages of 41.89%, 8.12%, and 6.2% respectively. The proposed lot coverage of 50.01%, not including the building eaves, complies with Zoning By-law 1-88. As such, the Development Planning Department has no objection to Variance 3 for the proposed lot coverage as the permitted lot coverage of 10% applies to lands zoned "A – Agriculture Zone", where larger properties and primarily outdoor uses are anticipated.

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

**COMMENTS:**

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

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

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

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

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

**References:**

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

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

Mr. Stephen Cranley, C.E.T  
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**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

None