

ITEM: 6.3	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A016/24
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Report Date: March 28, 2024

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES (SEE SCHEDULE B):**

Additional comments from departments and agencies received after the publication of the report will be made available on the City's [website](#).

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of Comments
Committee of Adjustment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments w/Conditions
Development Finance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Recommend Approval w/Conditions
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)				
<p>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.</p>				
Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
Applicant				Applicant Cover Letter

BACKGROUND (SCHEDULE D, IF REQUIRED)	
<p style="text-align: center;"><small>* Background Information contains historical development approvals considered to be related to this file. This information should not be considered comprehensive.</small></p>	
Application No. (City File)	Application Description <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small>
N/A	N/A

ADJOURNMENT HISTORY	
<p style="text-align: center;"><small>* Previous hearing dates where this application was adjourned by the Committee and public notice issued.</small></p>	
Hearing Date	Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small>
N/A	N/A

SCHEDULES	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Comments from Agencies, Building Standards & Development Planning
Schedule C (if required)	Public & Applicant Correspondence
Schedule D (if required)	Background



**MINOR VARIANCE APPLICATION
FILE NUMBER A016/24**

CITY WARD #:	3
APPLICANT:	Flavio Spirito & Giuseppina Spirito
AGENT:	Flavio Spirito
PROPERTY:	203 Purple Creek Road, Woodbridge
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Density Residential" by Volume 2, Section 12.13 - Block 40/47.
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a proposed cabana.

The following variances are being requested from the City's Zoning By-law to accommodate the above proposal:

The subject lands are zoned RD3 – Residential Detached Zone Three - and subject to the provisions of Exception 9(1455) under Zoning By-law 1-88, as amended.

Zoning By-law 1-88	Variance requested
1 A minimum rear yard of 7.5m is required to the proposed Accessory Building. (Cabana) [Section 4.1.1.c - Schedule A3]	To permit a minimum rear yard of 0.91m to the proposed Accessory Building.
2 A minimum interior side yard of 1.2m is required to the proposed Accessory Building. (Cabana) [Section 4.1.1.c - Schedule A3]	To permit a minimum interior side yard of 0.61m to the proposed Accessory Building.

HEARING INFORMATION

DATE OF MEETING: Thursday, April 4, 2024
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive
LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

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

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

Email: cofa@vaughan.ca

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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to cofa@vaughan.ca no later than NOON on the last business day before the meeting.

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

INTRODUCTION

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

Date Public Notice Mailed:	March 21, 2024
Date Applicant Confirmed Posting of Sign:	March 21, 2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	Relief from the Zoning By-law is being requested to permit a proposed cabana.
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*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.</small>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
COMMENTS:	
None	
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING)

**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING

**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING

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

Due to the size of the proposed cabana on the subject property, which measures a 16.54 m², the Owner/Applicant must acquire a Lot Grading Permit from the Development Inspection and Lot Grading Division of the City's Development Engineering Department. It's important note that any in-ground structure exceeding 10 m² necessitates a Grading Permit. Once the Grading Permit is obtained, please reach out to the Development Engineering Reviewer to clear the Condition imposed on this application. The proposed work by the Owner / Applicant is increasing the lot coverage on the subject property. The added hardscape may have impacts on the City's Storm Water management system. Development Engineering strongly encourages the Owner / Applicant introduce Low-Impact Development (LID) measures (e.g., bioswales, permeable pavers, rain gardens, rain barrels etc.) to reduce the impacts to the stormwater system. Should further information be required, please contact the Development Engineering COA reviewer. The Development Engineering Department does not object to the Minor Variance application A016/24, subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:	The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Permits page of the City of Vaughan's website: Permits City of Vaughan to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email DEPermits@vaughan.ca
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PARKS, FORESTRY & HORTICULTURE (PFH)

Comments not received to date.

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE

No comment no concerns.

Development Finance Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No objections or comments.

BCLPS Recommended Conditions of Approval:	None
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BUILDING INSPECTION (SEPTIC)

Comments not received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT

Comments not received to date.

Fire Department Recommended Conditions of Approval:	None
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RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

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:

#	DEPARTMENT / AGENCY	CONDITION
1	Development Engineering Rex.bondad@vaughan.ca	The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Permits page of the City of Vaughan's website: Permits City of Vaughan to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email DEPermits@vaughan.ca
2	TRCA Kristen.Regier@trca.ca	That the applicant provides the required fee amount of \$120.00 payable to the Toronto and Region Conservation Authority

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.

IMPORTANT INFORMATION

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

IMPORTANT INFORMATION

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

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

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

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

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

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

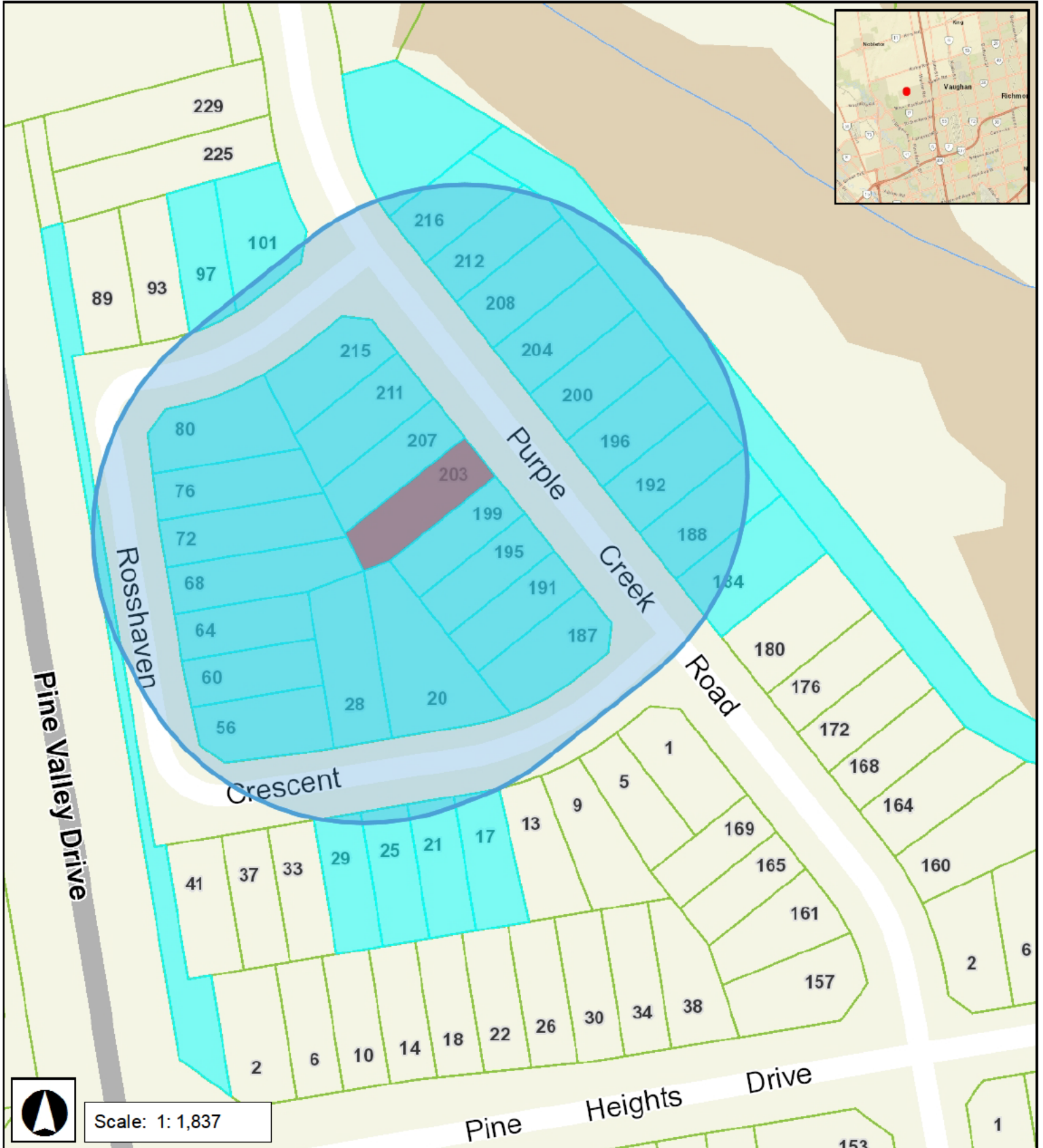
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

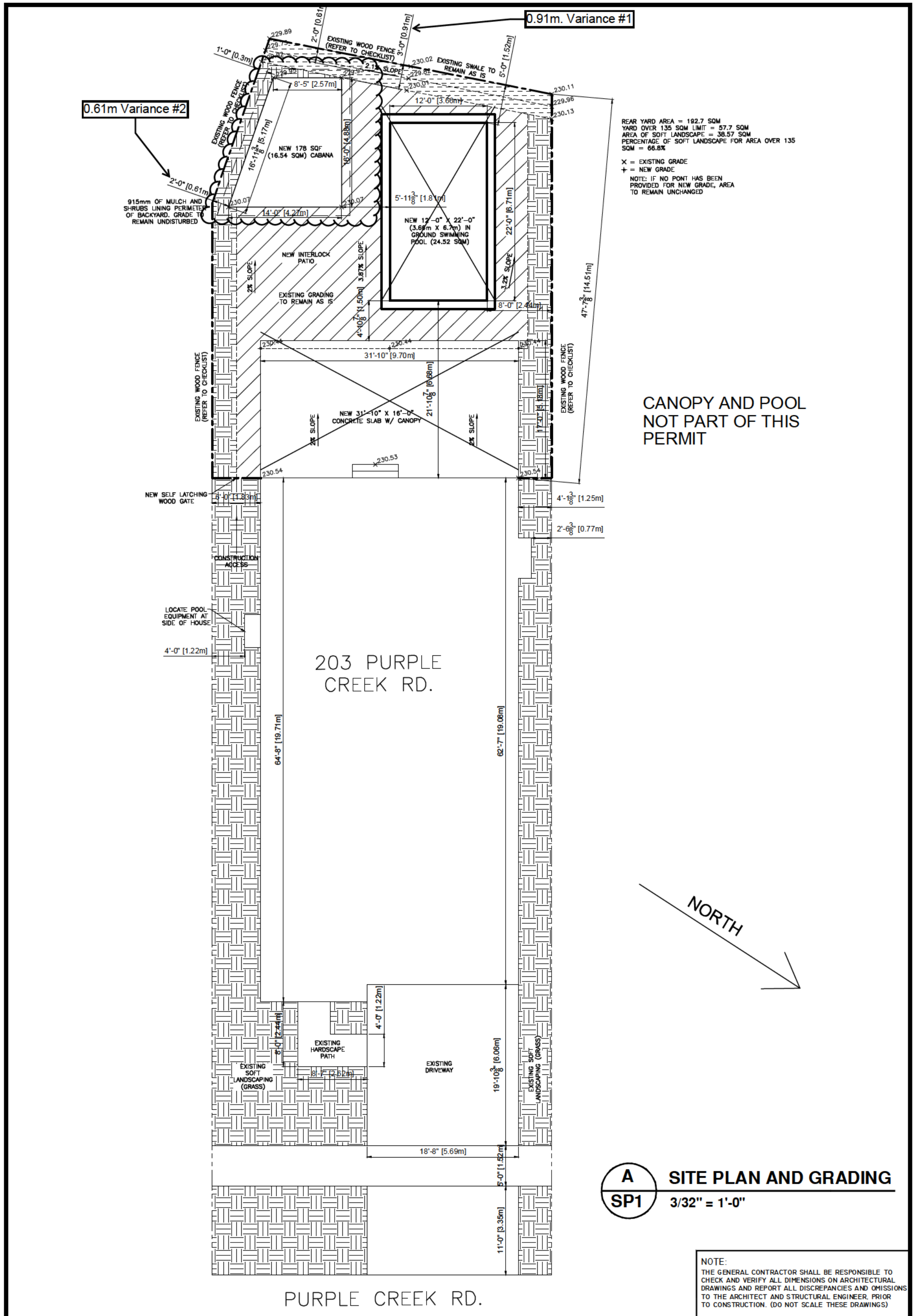
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

SCHEDULE A: DRAWINGS & PLANS





A **SITE PLAN AND GRADING**
SP1 3/32" = 1'-0"

NOTE:
 THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO CHECK AND VERIFY ALL DIMENSIONS ON ARCHITECTURAL DRAWINGS AND REPORT ALL DISCREPANCIES AND OMISSIONS TO THE ARCHITECT AND STRUCTURAL ENGINEER. PRIOR TO CONSTRUCTION. (DO NOT SCALE THESE DRAWINGS)

DRAWINGS COMPLETED BY FLAVIO SPIRITO	SITE PLAN AND GRADING				
	203 PURPLE CREEK RD. VAUGHAN, ON L4L 1A6				
	1.	REVISED FOR CoFA	02/09/24		D'wg. no.
	No:	Revision:	Date:	Date:	SP1
				JAN. 31, 2024	

**SCHEDULE B:
COMMENTS FROM AGENCIES, BUILDING STANDARDS &
DEVELOPMENT PLANNING**

Department / Agency <small>*Comments Received</small>	Conditions Required		Nature of Comments
Building Standards (Zoning) *See Schedule B	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Recommend Approval/No Conditions

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Recommend Approval w/Conditions
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

Date: February 15th 2024

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A016-24**

Related Files:

Applicant Flavio Spirito

Location 203 Purple Creek Road



Discover the possibilities

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:

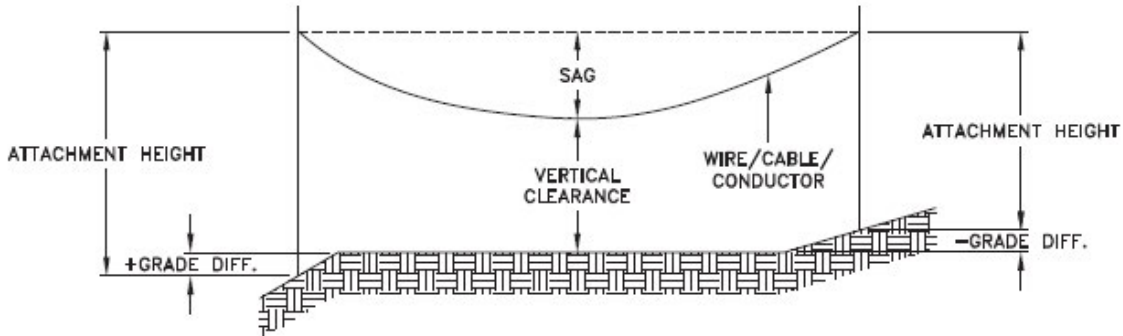
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

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

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)				
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

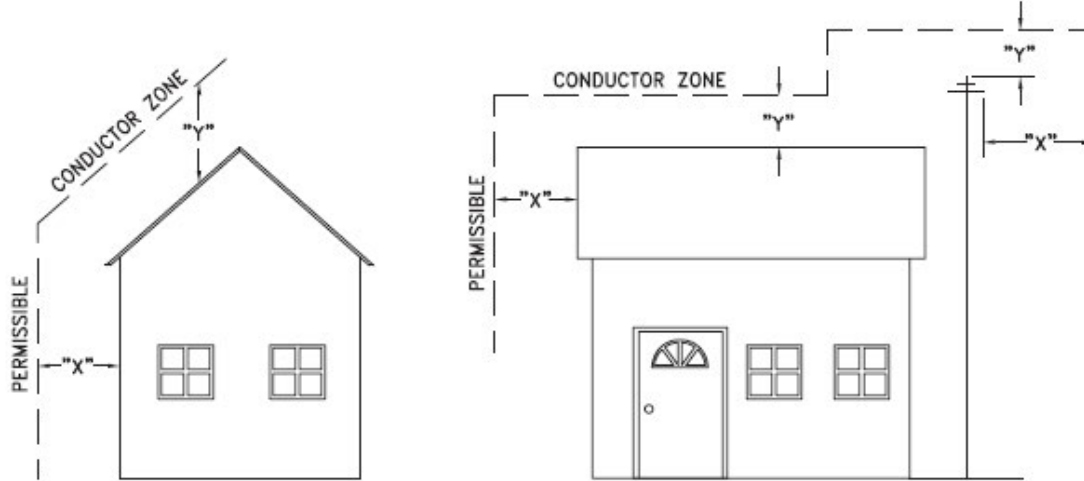
REFERENCES

SAGS AND TENSIONS | SECTION 02

MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARANCE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04
Debbie Dadwani, P.Eng. 2010-MAY-05
Name Date
P. Eng. Approval By: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
PS System Planning and Standards/Standard Design/PowerStream Standards/PowerStream Standards working folder/Section 3.3-6/DWG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:27:02 AM, Adobe PDF

To: Committee of Adjustment
From: Faegheh Gholami, Building Standards Department
Date: February 14, 2024
Applicant: Flavio Spirito
Location: 203 Purple Creek Road
 PLAN 65M4647 Lot 127
File No.(s): A016/24

Zoning Classification:

The subject lands are zoned RD3 – Residential Detached Zone Three - and subject to the provisions of Exception 9(1455) under Zoning By-law 1-88, as amended.

Zoning By-law 1-88		Variance requested
1	A minimum rear yard of 7.5m is required to the proposed Accessory Building. (Cabana) [Section 4.1.1.c - Schedule A3]	To permit a minimum rear yard of 0.91m to the proposed Accessory Building.
2	A minimum interior side yard of 1.2m is required to the proposed Accessory Building. (Cabana) [Section 4.1.1.c - Schedule A3]	To permit a minimum interior side yard of 0.61m to the proposed Accessory Building.

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.
2	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).
3	This application has been determined to be transitioned in accordance with Subsection 1.6.2.6 and therefore is subject to Zoning By-law 1-88, as amended, only.

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: March 20, 2024
Name of Owners: Flavio & Giuseppina Spirito
Location: 203 Purple Creek Road
File No.(s): A016/2024

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

1. To permit a minimum rear yard of **0.91m** to the proposed Accessory Building (Cabana).
2. To permit a minimum interior side yard of **0.61m** to the proposed Accessory Building (Cabana).

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

1. A minimum rear yard of **7.5m** is required to the proposed Accessory Building (Cabana).
2. A minimum interior side yard of **1.2m** is required to the proposed Accessory Building (Cabana).

Official Plan:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Density Residential" by Volume 2, Section 12.13 - Block 40/47.

Comments:

The Owners are requesting relief to permit a proposed Cabana at the southwest corner of the rear yard with the above-noted variances.

Development Planning Department staff have no objection to Variance 1 for a reduced rear yard setback. The proposed Cabana is relatively modest in size as it meets the maximum lot coverage and maximum height requirements of the Zoning By-law. The 0.91 metre rear yard setback is measured at a pinch-point from the corner of the Cabana and the rear lot line widens away from the rear wall of the structure, increasing the rear yard setback to approximately 1.42 metres at its greatest extent. The rear wall of the structure is also the smallest of the four (4) walls of the enclosed structure. As such, the proposed accessory structure will not pose adverse massing and privacy impacts to the neighbouring property to the west (68 Rosshaven Crescent) and provides an appropriate area for maintenance access.

Development Planning Department staff have no objection to Variance 2 for a reduced interior side yard setback. The south interior side yard of the subject property partially abuts the interior side yard of 199 Purple Creek Road, as well as the rear yard of 20 Rosshaven Crescent. The 0.61 minimum interior side yard setback is measured to the wall of the proposed Cabana and is maintained from the front to the back of the structure. The proposed reduction in the minimum interior side lot line provides sufficient space for access and maintenance. As mentioned above, the proposed Cabana complies with the maximum lot coverage and maximum height requirements of the Zoning By-law and its modest height helps alleviate any concerns with massing. The slanted roof of the proposed Cabana slopes upwards from the wall that abuts the interior side lot line. The height of the proposed Cabana is measured at 3.05 metres at the highest point, slanting down to 2.74 metres on the side facing the interior lot line. As such, the proposed accessory structure is not anticipated to pose adverse massing and privacy impacts to two properties that abut the interior side lot line of the subject property.

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

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:

Nicholas Del Prete, Planner 1
David Harding, Senior Planner

February 20, 2024

CFN 70450.06

SENT BY E-MAIL: Christine.Vigneault@vaughan.ca

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

Dear Christine:

**Re: Minor Variance Application A016/24
Plan 65M4647 Lot 127
203 Purple Creek Road
City of Vaughan, Region of York
Applicant: Flavio Spirito**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on February 14, 2024. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

Purpose of the Application

It is our understanding that the purpose of the above noted application is to request the following variances under By-Law 1-88:

By-Law 1-88:

- To permit a minimum rear yard of 0.91 metres to the proposed Accessory Building, whereas a minimum rear yard of 7.5 metres is required to the proposed Accessory Building.
- To permit a minimum interior side yard of 0.61 metres to the proposed Accessory Building, whereas a minimum interior side yard of 1.2 metres is required to the proposed Accessory Building.

The noted variances are being requested to facilitate the construction a cabana and associated landscaping in the rear yard of an existing dwelling.

Ontario Regulation 166/06

The subject lands are partially located within TRCA's Regulated Area due to a valley corridor and provincially significant wetland associated with a tributary of the Humber River that is located to the front (East) of the site. In accordance with Ontario Regulation 166/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's

satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

Application-Specific Comments

As noted above, a portion of the subject property is regulated by TRCA due to the presence of a valley corridor and provincially significant wetland. Based on a review of TRCA mapping, the proposed works are outside of the Regulated Area.

Based on a review of the materials submitted with this minor variance application, TRCA staff are satisfied that the proposed works are appropriately set back from the adjacent valley corridor and wetland. As such TRCA staff have no objections to the requested variances.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$120.00 (Screening Letter) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A016/24 subject to the following condition:

1. That the applicant provides the required fee amount of \$120.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at 437-880-2129 or at Kristen.regier@trca.ca

Sincerely,



Kristen Regier
Planner I
Development Planning and Permits

KR/sb

From: [Development Services](#)
To: [Prabhdeep Kaur](#)
Cc: [Committee of Adjustment](#)
Subject: [External] RE: A016/24 - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Friday, February 23, 2024 9:50:31 AM
Attachments: [image002.png](#)
[image004.png](#)

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hi Prabhdeep,

The Regional Municipality of York has completed its review of the minor variance application – A016/24 (203 Purple Creek Road) and has no comment.

Please provide us with a digital copy of the notice of decision for our records.

Many thanks,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Niranjan Rajevan, M.Pl. | Associate Planner, Development Services, Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

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



Our Mission: Working together to serve our thriving communities – today and tomorrow

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Applicant Cover Letter

From: [Committee of Adjustment](#)
To: [Prabdeep Kaur](#)
Cc: [\[External\] Sun A016/23 \(203 Purple Creek Road\) - Preliminary Review](#)
Subject: [February-06-24 8:22:48 AM](#)
Date: February-06-24 8:22:48 AM

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Good morning,

Thank you for your email regarding our variance application File No. A016-24.

In April 2023, we submitted an application for a canopy and a cabana/shed. We also submitted a separate application for a inground pool (permit no. 23-129152) and grading (permit no. 23-129155).

The canopy, pool and grading permits were approved. To date the pool has not been installed. The canopy (permit number 23-129149) has been built and final inspection has been completed.

As the area is zoned under agricultural we were unable to obtain a permit for the cabana/shed. The set backs for the cabana/shed under the agricultural zoning restricted us to build the cabana/shed in the location as per the drawing. As a result, it was suggested that we separate the cabana/shed and the canopy application. This would allow us to build the canopy while we submitted a variance application for the shed/cabana.

We hope the above clarifies the purpose of our application.

Should you have any other questions kindly contact Flavio at [REDACTED]

We look forward to hearing from you.

Regards,

Flavio & Pina Spirito

SCHEDULE D: BACKGROUND

None