

ITEM: 6.1	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A018/23 15 LADY BIANCA COURT, MAPLE
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THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

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

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
Public	Eric Levin	11 Lady Bianca Court	02/12/2023	Letter confirming no flooding in rear yard.

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see Schedule D for a copy of the Decisions listed below		
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.	
September 21, 2023	Minor Variance Application A018/23 was adjourned by the Committee of Adjustment to November 16, 2023, or sooner, Committee of Adjustment hearing to permit time for staff to review revised submission.



**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A018/23
15 LADY BIANCA COURT, MAPLE**

ITEM NUMBER: 6.1	CITY WARD #: 4
APPLICANT:	Kevin Kliaman
AGENT:	Anna Boyko and Alexei Sitenko
PROPERTY:	15 Lady Bianca Court, Maple
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13 - Land Use and "Oak Ridges Moraine Settlement Area" by Schedule 4 – Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a swimming pool, uncovered platform (deck), including access stairs, hot tub roof structure and prefabricated sauna.

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

The subject property is zoned R3 (EN), Third Density Residential Zone - Established Neighbourhood Suffix, and EP-ORM, Environmental Protection Zone - Oak Ridges Moraine Suffix, and subject to the provisions of Exception 14.871 under By-law 001-2021 as amended.

#	Zoning By-law 001-2021	Variance requested
1	Residential accessory structures are not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a residential accessory structure (prefab sauna) within the EP-ORM zone.
2	The minimum required rear yard shall be 15.0 metres for the residential accessory structure (sauna). [Section 12.2.2, Table 12-3]	To permit a minimum rear yard of 0.45 metres to the residential accessory structure (sauna) within the EP-ORM zone.
3	The minimum required interior side yard shall be 15.0 metres for the residential accessory structure (sauna). [Section 12.2.2, Table 12-3]	To permit a minimum interior side yard of 0.15 metres to the portion of the residential accessory structure (sauna) within the EP-ORM Zone.
4	Residential accessory structures are not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
5	The minimum required rear yard shall be 15.0 metres for the residential accessory structure (hot tub roof). [Section 12.2.2, Table 12-3]	To permit a minimum rear yard of 2.8 metres to a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
6	The minimum required interior side yard shall be 15.0 metres for a residential accessory structure (hot tub roof). [Section 12.2.2, Table 12-3]	To permit a minimum interior side yard of 0.15 metres to a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
7	The minimum required interior side yard shall be 1.2 metres for the residential accessory structure (hot tub roof). [Section 4.1.2.1.a, Section 7.2.3, Table 7-4]	To permit a minimum interior side yard of 0.15 metres to the residential accessory structure (hot tub roof) within R3 (EN) zone.
8	An outdoor swimming pool (hot tub) is not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the outdoor swimming pool (hot tub) within the EP-ORM zone.
9	The minimum setback of an outdoor swimming pool (hot tub) to any lot line shall be 1.5 metres. [Section 4.21.3]	To permit an interior yard setback of 0.15 metres to an outdoor swimming pool (hot tub).

10	An outdoor swimming pool is not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the outdoor swimming pool within the EP-ORM zone.
11	An uncovered platform is not permitted within EP-ORM zone. [Section 12.2.1]	To permit a portion of an uncovered platform within EP-ORM zone.
12	The maximum permitted encroachment for an uncovered platform, including access stairs, into a minimum required rear yard is 2.4 metres. [Section 4.13., Table 4-1]	To permit the uncovered platform to encroach 5.7 metres into the minimum required rear yard.
13	An uncovered platform with a floor height of 1.2 metres or less shall be setback a minimum of 0.6 metres from the interior side lot line. [Section 4.13., Table 4-1]	To permit the uncovered platform to encroach up to 0.15 metres from the interior side lot line.
14	Any portion of a yard in excess of 135.0 m ² shall be comprised of a minimum 60% soft landscape. [Section 4.19.1]	To permit the portion of the rear yard in excess of 135.0m ² to be comprised of 15.8% (8.76 m ²) soft landscape.
15	The minimum front yard landscape requirement shall be 50%, of which 60% shall be soft landscaping. [Section 4.19.1]	To permit a minimum front yard landscape of 50%, of which 0% shall be soft landscape.

HEARING INFORMATION

DATE OF MEETING: Thursday, December 7, 2023

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive

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

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.

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:	November 23, 2023
Date Applicant Confirmed Posting of Sign:	November 20, 2023
Applicant Justification for Variances: *As provided by Applicant in Application Form	Requesting relief from the requirements of By-Laws 001-2021 and 1-88 for maximum permitted encroachments into interior side yard and rear yard setbacks for uncovered platform (deck), including

COMMITTEE OF ADJUSTMENT COMMENTS	
	access stairs, hot tub roof structure and prefabricated sauna. Requesting relief from the requirements of By-Law 001-2021 to locate structures mentioned above within the portion of the rear yard which is zoned EP-ORM (Environmental Protection Zone - Oak Ridges Moraine).
Adjournment Requests/Comments (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	<p>On September 7, 2023, Development Planning provided:</p> <p>Development Planning has reviewed the submitted materials along with the site visit photos taken during yesterday's site visit, the full list of variances, and has had discussions with internal staff regarding the above noted application. Our discussion with Environmental Planning remains ongoing with respect to the EP-ORM Zone is ongoing. In the meantime, Development Planning's focus has and continues to be its concern with the issues pertaining to the reduced setbacks to the lot lines. These setbacks are common to other residential zones and do not relate to the EP-ORM Zone.</p> <p>The Development Planning Department is not in a position to support the 0.45 m rear yard setback for the existing sauna, the 2.8 m rear yard setback to the hot tub roof, the 0.15 m interior side yard setback for the sauna, hot tub, and hot tub roof, and the 5.7 m encroachment of the deck into the required rear yard and 0.15 m encroachment for the deck from the interior side lot line.</p> <p>While Development Engineering has reviewed the variances and does not object to the Minor Variance Application in light of your commitment to incorporating Low-Impact Development measures to mitigate stormwater management impacts, Development Planning considers more than lot grading and drainage in its analysis. Our office is of the opinion that the reduced interior and rear yard setbacks will impact the functionality and maintenance of the rear yard by providing little to no access around the hot tub, sauna and deck. The application as proposed provides little separation between the deck, hot tub and sauna and the interior and rear lot line. It is anticipated this will result in significant massing and/or privacy impacts to the abutting properties to the east and south.</p> <p>Amongst other functions, an interior side yard and rear yard maintains appropriate distance between a lot line and structure and/or building. Three functions of providing this setback are to:</p> <ul style="list-style-type: none"> • Provide adequate separation of mass between properties, • Provide adequate separation of activity (i.e. use) that is related structure/building use between properties; and • Provide adequate space to perform maintenance to the fence, and the face of the building/structure facing the lot line along with performing maintenance to the lands in between. <p>The Development Planning Department is of the opinion that an appropriate distance is not provided between the rear and interior side lot lines and the existing desk, hot tub, and sauna and that the listed functions of an interior and rear yard setback have not been maintained. The by-law did not anticipate having these features project so far into the yards.</p>

COMMITTEE OF ADJUSTMENT COMMENTS

At this time, Development Planning is not in a position to support the above noted Minor Variance Application.

On October 5, 2023, the Applicant provided a revised site plan updating areas identified as permeable artificial turf.

On October 17, 2023, Zoning confirmed required variances pertaining to the revised site plan submitted October 5.

On October 25, 2023, Development Planning provided:

As per the submitted Site Plan, 0% soft landscaping for the portion of the rear yard in excess of 135.0 m² has been identified as well as 0% soft landscaping for the front yard. In an R3 Zone, any portion of the rear yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape. The soft landscaping requirement for the front yard is also 60%. Development Planning typically aims to support reductions of soft landscaping of at least 50% for the portion of the rear yard in excess of 135.0 m² where circumstances to achieve full compliance are challenging. In terms of the front yard, Development Planning would like to see compliance with the requirements for soft landscaping. An increase in soft landscaping would help balance the softscape and hardscape features and remain compatible with other properties in the area.

The Development Planning Department is not in a position to support a reduction in soft landscaping, resulting in 0% soft landscaping for both the front and rear yard. I kindly ask that you please consider increasing the front yard soft landscaping to comply with the zoning provisions under By-law 001-2021 and increasing the rear yard soft landscaping to at least 50%.

On October 27, 2023, the Applicant submitted a revised site plan indicating all areas of soft landscaping, as requested by Development Planning and Zoning.

On October 27, 2023, Zoning confirmed required variances pertaining to the revised site plan submitted October 27.

October 30, 2023, Development Planning provided:

Upon conducting my site visit, I have observed turf located around the pool. Please see attached images. I kindly ask that the attached site plan be updated to accurately reflect the soft landscaping in the rear yard. Once this is done, Zoning can update the variance if necessary.

Please note that the Development Planning Department is not in a position to support a reduction in soft landscaping, resulting in 0% soft landscaping for both the front and rear yard. I kindly ask that you please consider increasing the front yard soft landscaping to comply with the zoning provisions under By-law 001-2021 and increasing the rear yard soft landscaping to at least 50%.

On October 30, 2023, the Applicant provided:

I am writing to address the feedback we received from the Development Planning (DP) department regarding our proposed project and the associated minor variance request.

I understand that the DP department is unable to support a reduction in soft landscaping, which would result in 0% soft landscaping for both the front and rear yard. However, I kindly request that you consider our proposal the way it is currently submitted.

COMMITTEE OF ADJUSTMENT COMMENTS	
	<p>We ask that our application be considered by the Committee. We firmly believe that presenting our case directly to the Committee will allow for a more comprehensive understanding of the unique circumstances and considerations that underlie our proposal.</p> <p>It is our belief that no changes to the submitted variances #14 and #15 are required, and we are prepared to provide further information and clarification if needed.</p> <p>On November 17, 2023, Development Planning advised:</p> <p>I am following up to my email below. I kindly ask that you please depict the soft landscaping in green so that Zoning is able to calculate the percentage of soft landscaping in the rear yard. It is difficult to identify the soft landscaping on the most recent site plan you have provided.</p> <p>On November 17, 2023, the Applicant submitted a revised site plan indicating all areas of soft landscaping, as requested by Development Planning.</p> <p>On November 21, 2023, Zoning confirmed required variances pertaining to the revised site plan submitted November 17.</p>
<p>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</p> <p>*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.</p> <p>*A revised submission may be required to address staff / agency comments received as part of the application review process.</p> <p>*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.</p>	No
<p>Adjournment Fees:</p> <p>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.</p> <p>An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.</p>	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	Applicant to submit required Adjournment Fee to accommodate rescheduling of application from the September 21, 2023 Committee of Adjustment hearing.

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

DEVELOPMENT PLANNING COMMENTS	
<p>**See Schedule B for Development Planning Comments.</p> <p>The Development Planning Department recommends refusal of Variances 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, and 15, and approval of Variance 10.</p>	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS	
<p>Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation</p> <p>Due to the size of the proposed outdoor amenity on the subject property, which measures 49.27 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-</p>	

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
ground structure exceeding 10 m ² 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 Owner/Applicant has thoroughly reviewed and understood the implications of the proposed work and is committed to incorporating Low-Impact Development measures such as French Drain to mitigate the impacts on the City's stormwater management system. The Development Engineering Department does not object to the Minor Variance application A018/23, 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

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Comments Received	
PFH Recommended Conditions of Approval:	Forestry: There has been extensive root damage to the trees surrounding the subject property due to the already completed construction. Please provide a letter of consent to injure from both the neighbour to the south and the neighbour to the east.

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

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No Comments Received to Date.	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No Comments Received to Date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No Comments Received to Date.	
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

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.

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	Parks, Forestry and Horticulture Operations ryan.cochrane@vaughan.ca	There has been extensive root damage to the trees surrounding the subject property due to the already completed construction. Please provide a letter of consent to injure from both the neighbour to the south and the neighbour to the east.

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.

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.

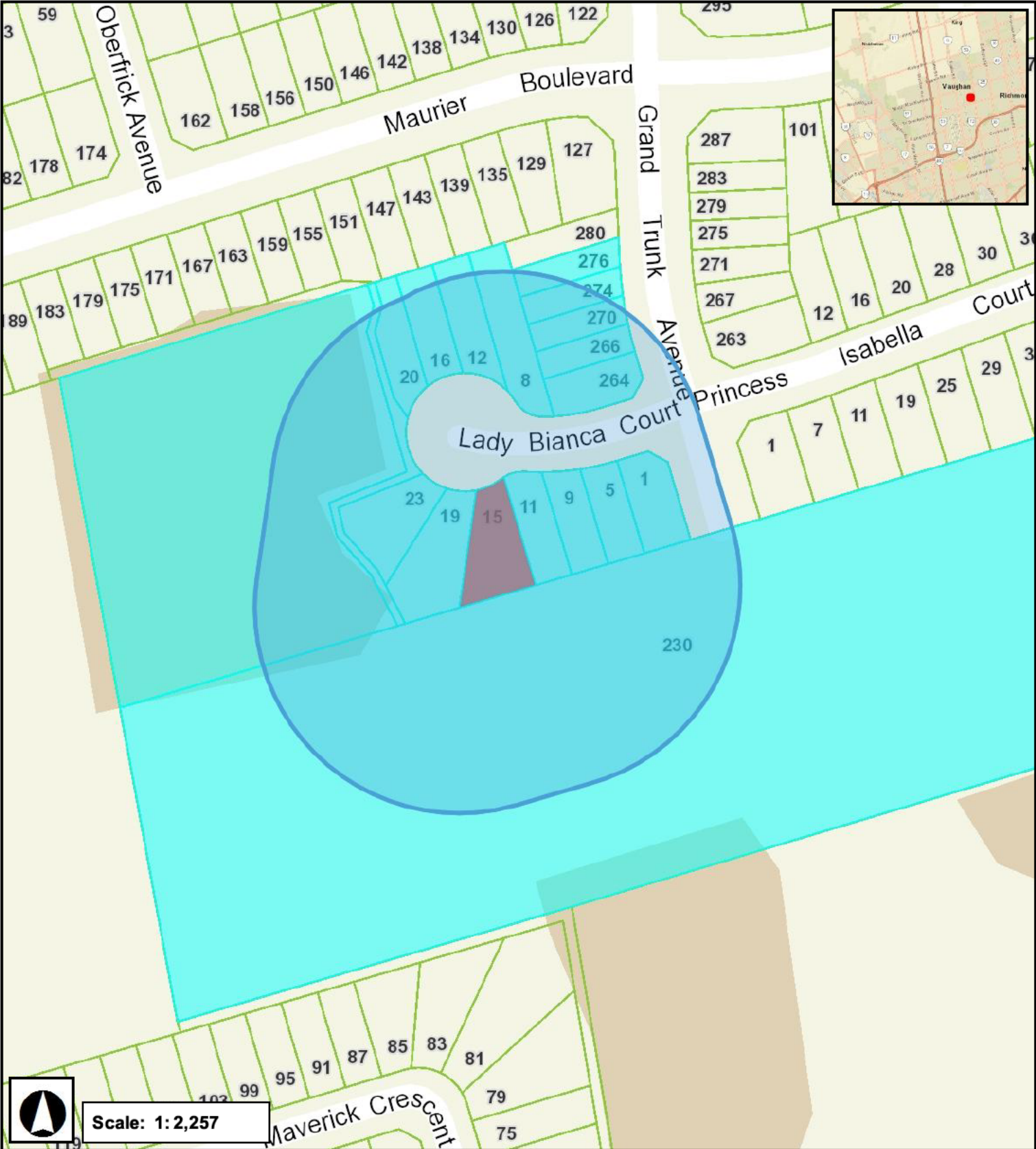
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP - A018/23

15 LADY BIANCA COURT, MAPLE



LADY BIANCA CT.

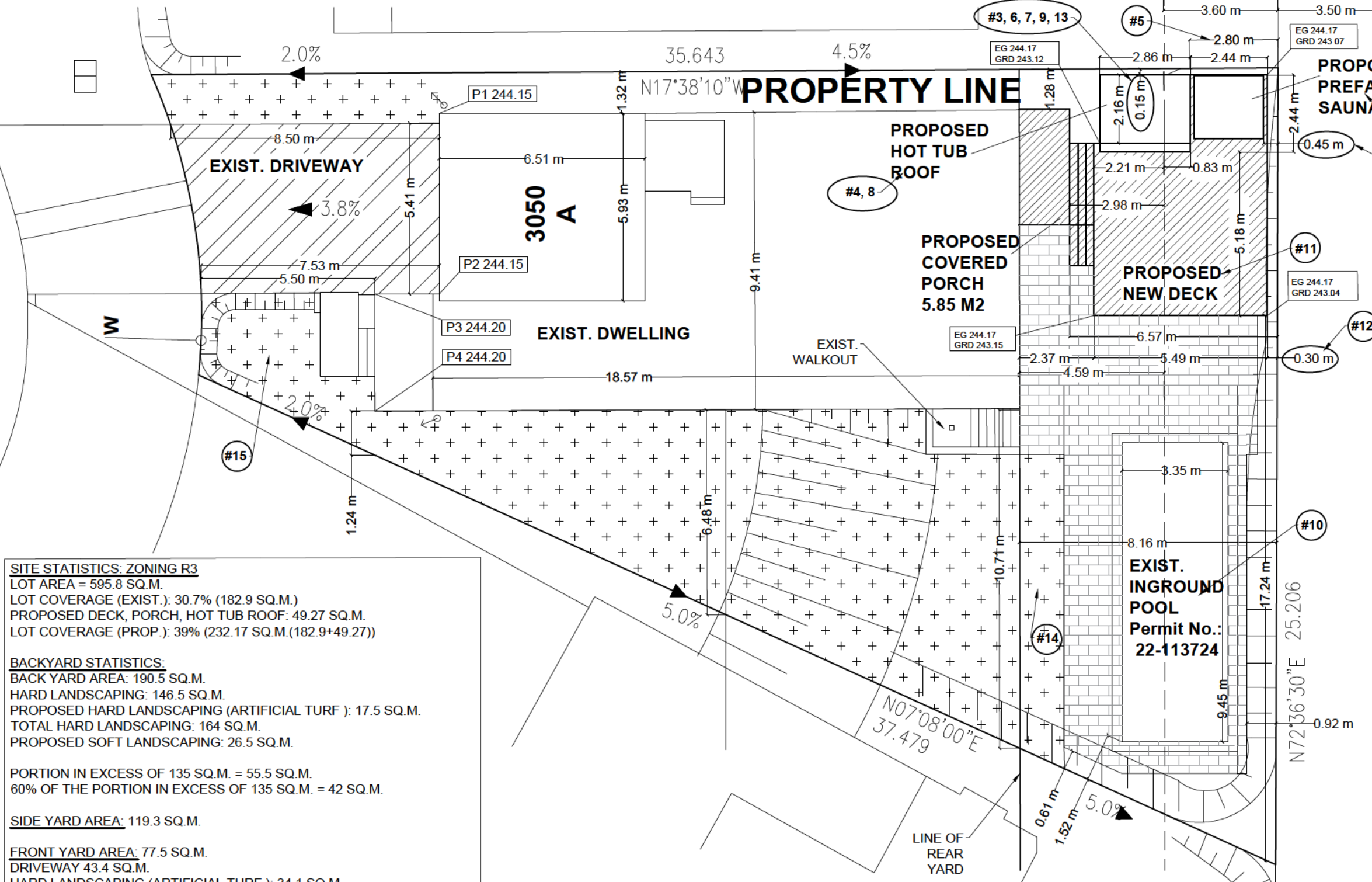
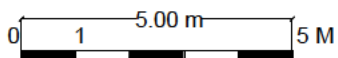
SITE STATISTICS: ZONING R3
LOT AREA = 595.8 SQ.M.
LOT COVERAGE (EXIST.): 30.7% (182.9 SQ.M.)
PROPOSED DECK, PORCH, HOT TUB ROOF: 49.27 SQ.M.
LOT COVERAGE (PROP.): 39% (232.17 SQ.M.(182.9+49.27))

BACKYARD STATISTICS:
BACK YARD AREA: 190.5 SQ.M.
HARD LANDSCAPING: 146.5 SQ.M.
PROPOSED HARD LANDSCAPING (ARTIFICIAL TURF): 17.5 SQ.M.
TOTAL HARD LANDSCAPING: 164 SQ.M.
PROPOSED SOFT LANDSCAPING: 26.5 SQ.M.

PORTION IN EXCESS OF 135 SQ.M. = 55.5 SQ.M.
60% OF THE PORTION IN EXCESS OF 135 SQ.M. = 42 SQ.M.

SIDE YARD AREA: 119.3 SQ.M.

FRONT YARD AREA: 77.5 SQ.M.
DRIVEWAY 43.4 SQ.M.
HARD LANDSCAPING (ARTIFICIAL TURF): 34.1 SQ.M.



Established Grade

P1	244.15
P2	244.15
P3	244.20
P4	244.20
EG	244.17

LEGEND

- ARTIFICIAL TURF
- PATIO STONE
- ASPHALT

SITE PLAN

15 Lady Bianca Ct, Maple, ON L6A 4B3



01.2 R8

25 OCTOBER 2023

TITLE

ADDRESS

DWG #

DATE

LADY BIANCA CT.

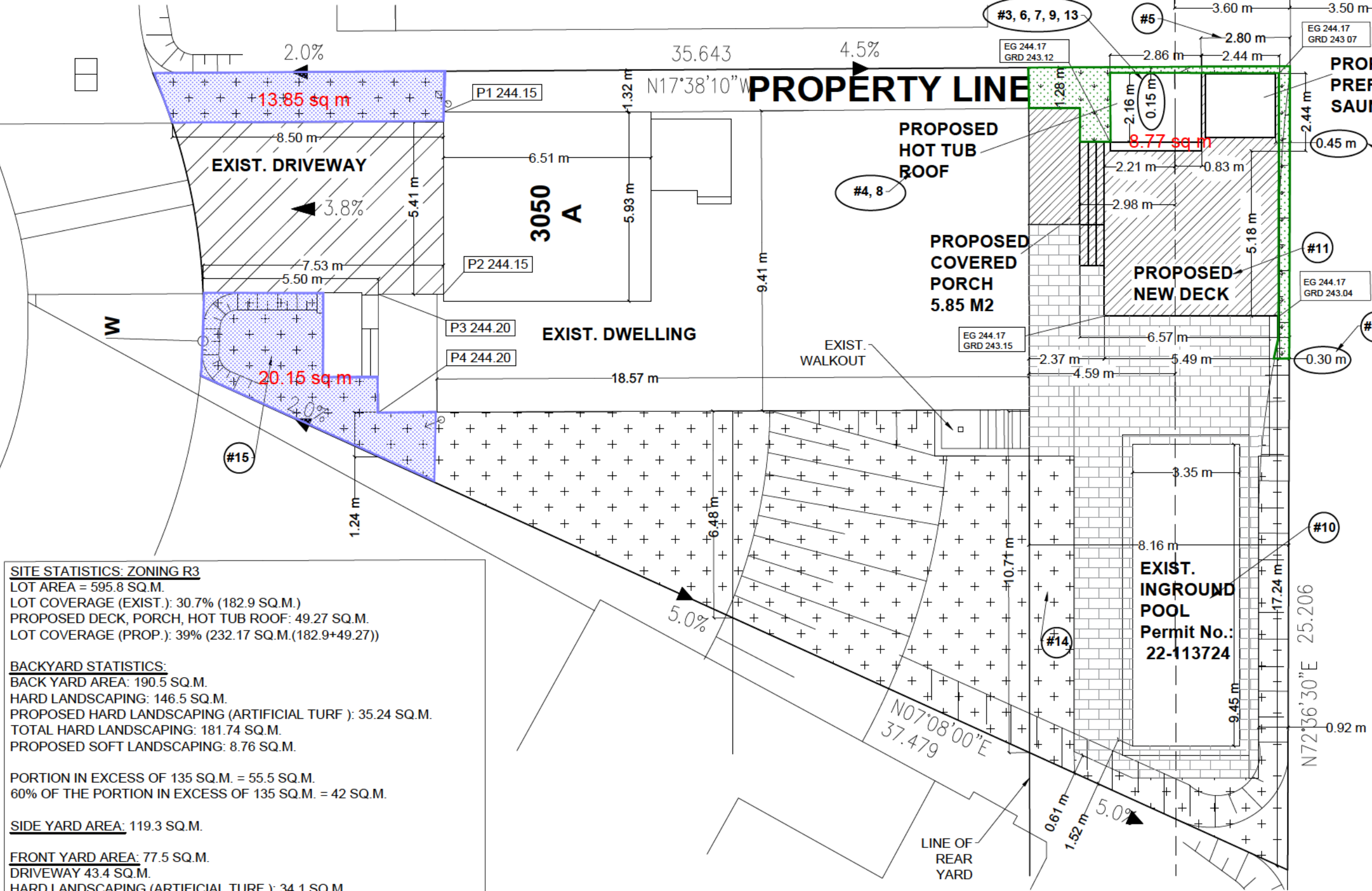
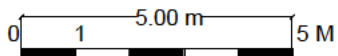
SITE STATISTICS: ZONING R3
LOT AREA = 595.8 SQ.M.
LOT COVERAGE (EXIST.): 30.7% (182.9 SQ.M.)
PROPOSED DECK, PORCH, HOT TUB ROOF: 49.27 SQ.M.
LOT COVERAGE (PROP.): 39% (232.17 SQ.M.(182.9+49.27))

BACKYARD STATISTICS:
BACK YARD AREA: 190.5 SQ.M.
HARD LANDSCAPING: 146.5 SQ.M.
PROPOSED HARD LANDSCAPING (ARTIFICIAL TURF): 35.24 SQ.M.
TOTAL HARD LANDSCAPING: 181.74 SQ.M.
PROPOSED SOFT LANDSCAPING: 8.76 SQ.M.

PORTION IN EXCESS OF 135 SQ.M. = 55.5 SQ.M.
60% OF THE PORTION IN EXCESS OF 135 SQ.M. = 42 SQ.M.

SIDE YARD AREA: 119.3 SQ.M.

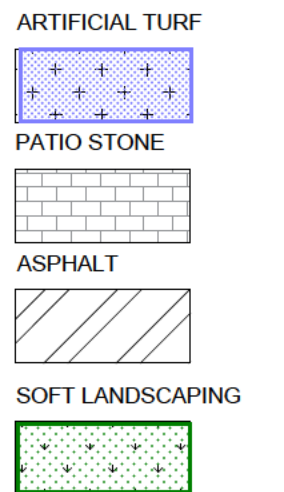
FRONT YARD AREA: 77.5 SQ.M.
DRIVEWAY 43.4 SQ.M.
HARD LANDSCAPING (ARTIFICIAL TURF): 34.1 SQ.M.



Established Grade

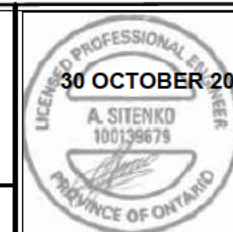
P1	244.15
P2	244.15
P3	244.20
P4	244.20
EG	244.17

LEGEND



SITE PLAN

15 Lady Bianca Ct, Maple, ON L6A 4B3



01.2 R9

30 OCTOBER 2023

TITLE

ADDRESS

DWG #

DATE

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO) *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada *Schedule B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline *Schedule B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Propane Operator *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommending Partial Approval
Building Standards (Zoning)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments

Date: August 30th 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A018-23**

Related Files:

Applicant Not Indicated

Location 15 Lady Bianca Court

COMMENTS:

- ☐

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

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

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

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

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

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

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

References:

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

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

Stephen Cranley, C.E.T

Mitchell Penner

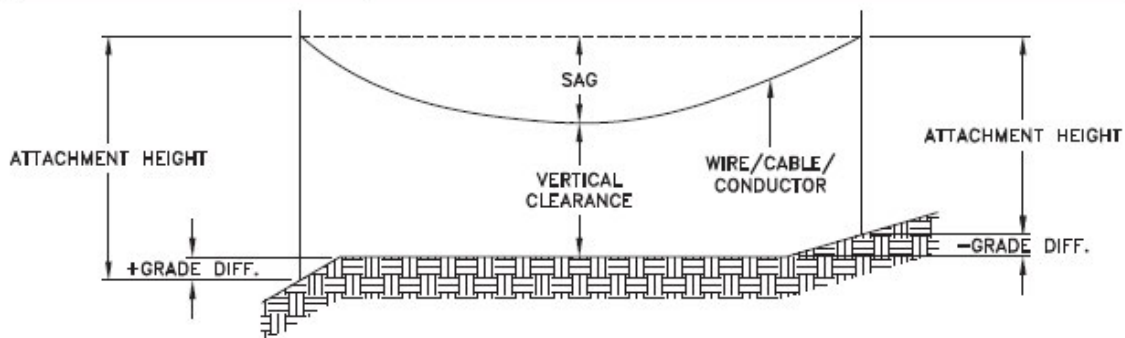
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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

E-mail: stephen.cranley@alectrautilities.com

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 VEHICLES	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO PEDESTRIANS AND BICYCLES ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT RAILWAY CROSSINGS	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

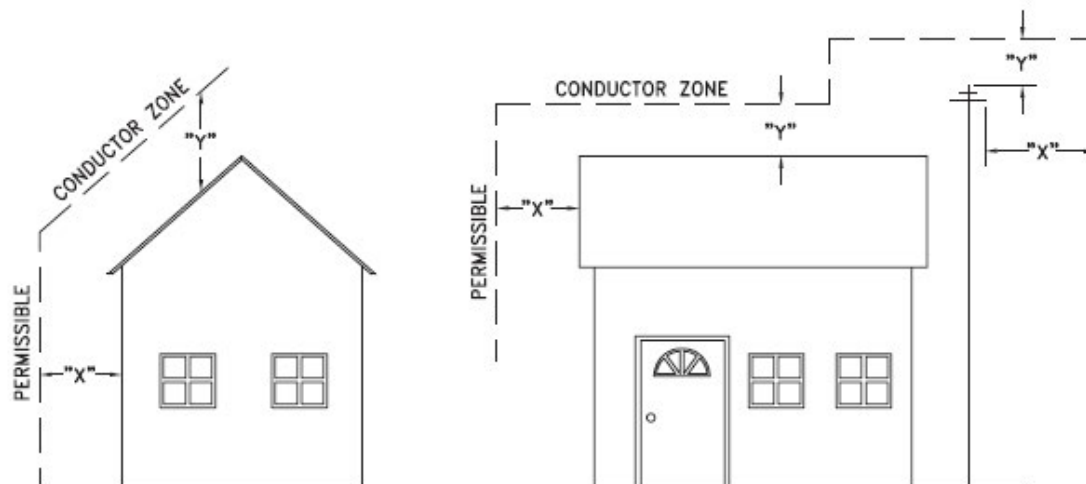
MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

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 CLEARNACE 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).

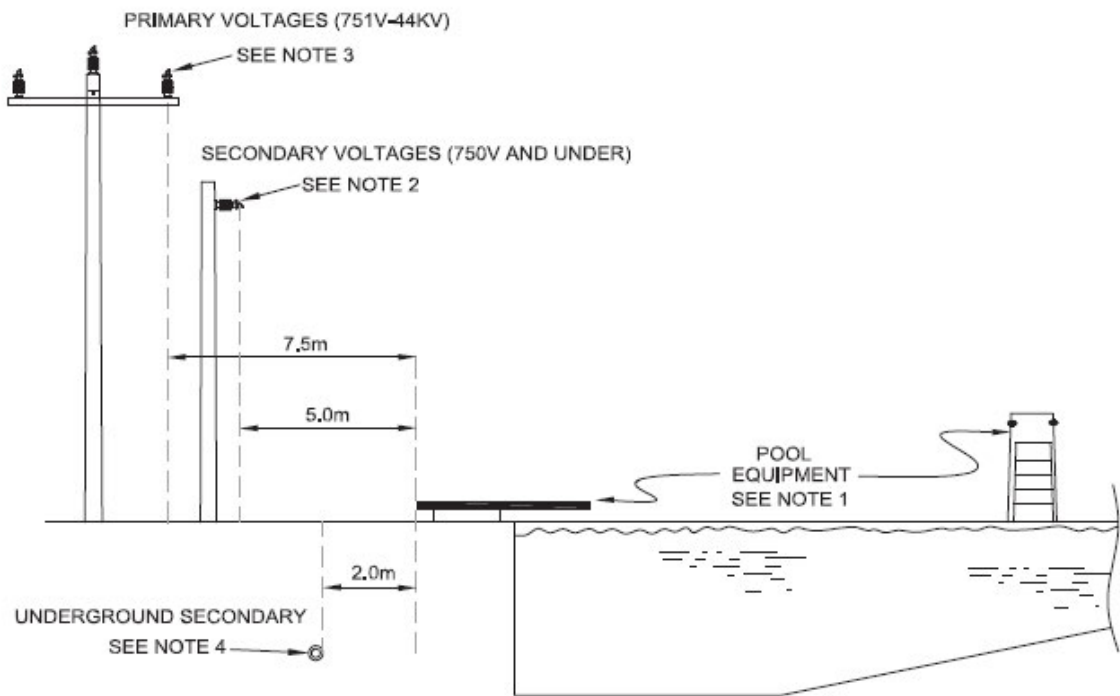
CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

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

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:

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: <u>D. Dadwani</u>	

PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 2\3-4\DWG 03-4 RD May 5, 2010.dwg, 5/5/2010 9:27:02 AM, Adobe PDF



NOTES:

1. ANY STRUCTURE WITHIN 5.0 METRES OF POOL EDGE SHALL BE CONSIDERED PART OF THE POOL.
2. THERE SHALL NOT BE ANY OVERHEAD SECONDARY OR COMMUNICATION WIRING (750V OR LESS) ABOVE THE POOL, AND ABOVE OTHER ELEVATED SURFACES ASSOCIATED WITH THE POOL, INCLUDING BUT NOT RESTRICTED TO A DIVING STRUCTURE, SLIDE, SWINGS, OBSERVATION STAND, TOWER OR PLATFORM, OR ABOVE THE ADJACENT AREA EXTENDING 5.0M HORIZONTALLY FROM THE POOL EDGE.
3. THERE SHALL NOT BE ANY OVERHEAD PRIMARY WIRING (751V - 44KV) ABOVE THE POOL AND OTHER ELEVATED SURFACES ASSOCIATED WITH THE POOL, OR ABOVE THE ADJACENT AREA EXTENDING 7.5M HORIZONTALLY FROM THE POOL EDGE.
4. ANY UNDERGROUND CONDUCTORS SHALL BE 2.0M AWAY FROM POOL EDGE IN DUCT WITH NON-CONDUCTING JACKET. FOR DEPTH AND DUCT DETAILS REFER TO FIGURE 3 IN 25-100 FOR 200A SERVICE AND 25-101 FOR 400A SERVICE RESPECTIVELY, AS PER POWERSTREAM SERVICE DESIGN SPECIFICATIONS.
5. THESE DIMENSIONS APPLY TO ALL SIDES OF THE POOL.

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX.)
7.5m	24'-6"
5.0m	16'-3"
2.0m	6'-6"

REFERENCES	
FIGURE 3, 25-100	SECTION 25
FIGURE 3, 25-101	SECTION 25

**MINIMUM CLEARANCES FOR
CONDUCTORS ADJACENT
TO SWIMMING POOLS**

ORIGINAL ISSUE DATE: 2013-JUNE-12 REVISION NO: R0 REVISION DATE:

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2013-JUN-12
Name	Date
P.Eng. Approval By:	Joe Crozier

To: Committee of Adjustment
From: Sarah Scauzillo, Building Standards Department
Date: November 21, 2023
Applicant: Kevin Kliaman
Location: 15 Lady Bianca Court
PLAN 65M4396 Lot 7
File No.(s): A018/23

Zoning Classification:

The subject property is zoned R3 (EN), Third Density Residential Zone - Established Neighbourhood Suffix, and EP-ORM, Environmental Protection Zone - Oak Ridges Moraine Suffix, and subject to the provisions of Exception 14.871 under By-law 001-2021 as amended.

#	Zoning By-law 001-2021	Variance requested
1	Residential accessory structures are not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a residential accessory structure (prefab sauna) within the EP-ORM zone.
2	The minimum required rear yard shall be 15.0 metres for the residential accessory structure (sauna). [Section 12.2.2, Table 12-3]	To permit a minimum rear yard of 0.45 metres to the residential accessory structure (sauna) within the EP-ORM zone.
3	The minimum required interior side yard shall be 15.0 metres for the residential accessory structure (sauna). [Section 12.2.2, Table 12-3]	To permit a minimum interior side yard of 0.15 metres to the portion of the residential accessory structure (sauna) within the EP-ORM Zone.
4	Residential accessory structures are not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
5	The minimum required rear yard shall be 15.0 metres for the residential accessory structure (hot tub roof). [Section 12.2.2, Table 12-3]	To permit a minimum rear yard of 2.8 metres to a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
6	The minimum required interior side yard shall be 15.0 metres for a residential accessory structure (hot tub roof). [Section 12.2.2, Table 12-3]	To permit a minimum interior side yard of 0.15 metres to a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
7	The minimum required interior side yard shall be 1.2 metres for the residential accessory structure (hot tub roof). [Section 4.1.2.1.a, Section 7.2.3, Table 7-4]	To permit a minimum interior side yard of 0.15 metres to the residential accessory structure (hot tub roof) within R3 (EN) zone.
8	An outdoor swimming pool (hot tub) is not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the outdoor swimming pool (hot tub) within the EP-ORM zone.
9	The minimum setback of an outdoor swimming pool (hot tub) to any lot line shall be 1.5 metres. [Section 4.21.3]	To permit an interior yard setback of 0.15 metres to an outdoor swimming pool (hot tub).
10	An outdoor swimming pool is not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the outdoor swimming pool within the EP-ORM zone.
11	An uncovered platform is not permitted within EP-ORM zone. [Section 12.2.1]	To permit a portion of an uncovered platform within EP-ORM zone.
12	The maximum permitted encroachment for an uncovered platform, including access stairs, into a minimum required rear yard is 2.4 metres.	To permit the uncovered platform to encroach 5.7 metres into the minimum required rear yard.

	[Section 4.13., Table 4-1]	
13	An uncovered platform with a floor height of 1.2 metres or less shall be setback a minimum of 0.6 metres from the interior side lot line. [Section 4.13., Table 4-1]	To permit the uncovered platform to encroach up to 0.15 metres from the interior side lot line.
14	Any portion of a yard in excess of 135.0 m ² shall be comprised of a minimum 60% soft landscape. [Section 4.19.1]	To permit the portion of the rear yard in excess of 135.0m ² to be comprised of 15.8% (8.76 m ²) soft landscape.
15	The minimum front yard landscape requirement shall be 50%, of which 60% shall be soft landscaping. [Section 4.19.1]	To permit a minimum front yard landscape of 50%, of which 0% shall be soft landscape.

Staff 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 the Oak Ridges Moraine Conservation Act, RSO 2001.

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.

Prabhdeep Kaur

From: development.coordinator <development.coordinator@metrolinx.com>
Sent: Thursday, September 7, 2023 11:21 AM
To: Pravina Attwala
Cc: Committee of Adjustment
Subject: [External] RE: A018/23 (15 LADY BIANCA COURT) - REQUEST FOR COMMENTS

Good afternoon Pravina,

Please be advised that the subject lands (15 Lady Bianca Crt) fall outside of the designated Metrolinx review zones. Metrolinx therefore has no comments and / or concerns on this minor variance. For future reference, please consult the webpage and mapping portal provided below, in order to determine when Metrolinx should be circulated.

- Development Projects near Metrolinx Rail Corridors (GO/LRT):

<https://www.metrolinx.com/en/about-us/doing-business-with-metrolinx/development-opportunities/adjacent-development-review>

- Metrolinx Zone of Influence Mapping Portal:

https://maps.metrolinx.com/Third_Party_Coordination_Permitting/

Thank you,

Farah Faroque (she/her)

Project Analyst, Third Party Projects Review

10 Bay Street | Toronto | Ontario | M5J 2N8

T: 437.900.2291



To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: November 22, 2023

Name of Owner: Kevin Kliaman

Location: 15 Lady Bianca Court

File No.(s): A018/23

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

1. To permit a residential accessory structure (prefab sauna) within the EP-ORM zone.
2. To permit a minimum rear yard of 0.45 m to the residential accessory structure (prefab sauna) within the EP-ORM zone.
3. To permit a minimum interior side yard of 0.15 m to the portion of the residential accessory structure (sauna) within the EP-ORM Zone.
4. To permit a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
5. To permit a minimum rear yard of 2.8 m to a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
6. To permit a minimum interior side yard of 0.15 m to a portion of the residential accessory structure (hot tub roof) within the EP-ORM zone.
7. To permit a minimum interior side yard of 0.15 m to the residential accessory structure (hot tub roof) within R3 (EN) zone.
8. To permit a portion of the outdoor swimming pool (hot tub) within the EP-ORM zone.
9. To permit an interior yard setback of 0.15 m to an outdoor swimming pool (hot tub).
10. To permit a portion of the outdoor swimming pool within the EP-ORM zone.
11. To permit a portion of an uncovered platform within the EP-ORM zone.
12. To permit the uncovered platform to encroach 5.7 m into the minimum required rear yard.
13. To permit the uncovered platform to encroach up to 0.15 m from the interior side lot line.
14. To permit the portion of the rear yard in excess of 135.0 m² to be comprised of 15.8% (8.76 m²) soft landscape.
15. To permit a minimum front yard landscape of 50%, of which 0% shall be soft landscape.

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

1. Residential accessory structures are not permitted within the EP-ORM zone.
2. The minimum required rear yard shall be 15.0 m.
3. The minimum required interior side yard shall be 15.0 m.
4. Residential accessory structures are not permitted within the EP-ORM zone.
5. The minimum required rear yard shall be 15.0 m.
6. The minimum required interior side yard for a residential accessory structure shall be 15.0 m.
7. The minimum required interior side yard for a residential accessory structure shall be 1.2 m.
8. An outdoor swimming pool (hot tub) is not permitted within the EP-ORM zone.
9. The minimum setback of an outdoor swimming pool (hot tub) to any lot line shall be 1.5 m.
10. An outdoor swimming pool is not permitted within the EP-ORM zone.
11. An uncovered platform is not permitted within EP-ORM zone.
12. The maximum permitted encroachment for an uncovered platform, including access stairs, into a minimum required rear yard is 2.4 m.
13. An uncovered platform with a floor height of 1.2 m or less shall be setback a minimum of 0.6 m from the interior side lot line.
14. Any portion of a yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape.
15. The minimum front yard landscape requirement shall be 50%, of which 60% shall be soft landscaping.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13 - Land Use and "Oak Ridges Moraine Settlement Area" by Schedule 4 – Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas

Comments:

The Owner is requesting permission to permit the existing pool, sauna, uncovered deck, hot tub and hot tub roof with the above noted variances.

The Subject Lands contain a 2-storey dwelling. The grade slopes downward from the front lot line to the rear lot line, resulting in a partially exposed basement at the rear of the building. As a result, the main floor is elevated in relation to the rear yard. A deck is proposed to link the rear yard with main floor's rear access. The deck is a two-tiered design with the higher tier being smaller in size, and a larger lower tier. The lower tier is 0.73 m high and supports the sauna and hot tub roof. The hot tub sits on the ground and the lower tier is shaped around two sides of the hot tub.

The Development Planning Department is not in a position to support Variances 1, 4, 8, and 11 for the location of the existing prefabricated sauna, hot tub roof, hot tub and uncovered deck to be located within a portion of the property zoned "EP-ORM Environmental Protection – Oak Ridges Moraine Zone". The EP-ORM zone category does not permit accessory structures to be located on OS5 lands. The By-law intends to provide a buffer between the Subject Lands and the abutting lands to the south. The deck spans nearly the entire depth of the rear yard, and further supports additional structures in the form of the hot tub roof and sauna. The deck, sauna, hot tub, and hot tub roof brings activity further into the rear yard than anticipated by the Zoning By-law. As they are above-grade structures, their visibility and impacts are more pronounced. While Development Planning staff recognize the desire facilitate access between the dwellings' rear access and the rear yard, this may be accomplished with a more modest deck which maintains the buffer. The Development Planning Department is of the opinion that Variances 1, 4, 8 and 11, do not maintain the general intent and purpose of the Zoning By-law.

The Development Planning Department has no objection to Variance 10 for the existing pool to be located within the "EP-ORM Environmental Protection – Oak Ridges Moraine Zone". As the pool is in-ground, its impact is similar to that of an at-grade landscape feature. All activity generated from the pool will be screened by the existing fence. The Development Engineering Department does not have any concerns with the location of the pool and a pool permit has been issued.

The Development Planning Department is not in a position to support Variances 2, 3, 5, 6, 7, 9, 12, and 13 for the 0.45 m rear yard setback for the existing sauna, the 2.8 m rear yard setback to the hot tub roof, the 0.15 m interior side yard setback for the sauna, hot tub, and hot tub roof, and the 5.7 m encroachment of the deck into the required rear yard and 0.15 m encroachment for the deck from the interior side lot line. While Development Engineering has reviewed the variances and does not object to the Minor Variance Application from a lot grading and drainage perspective in light of the Owner's commitment to incorporating Low-Impact Development measures to mitigate stormwater management impacts, Development Planning is reviewing the proposal from a functionality and use perspective.

Amongst other functions, an interior and side yard setback maintains appropriate distance between a lot line and structure and/or building. Three functions of providing this setback are to:

1. Provide adequate separation of mass between properties,
2. Provide adequate separation of activity (i.e. use) that is related to structure/building use between properties; and
3. Provide adequate space to perform maintenance to the face of the building/structure facing the lot line along with performing maintenance to the lands in between and the fence.

With respect to function 1, the 0.73 m high lower deck does not provide adequate separation of mass between properties. As previously noted, the deck spans nearly the entire depth of the rear yard. The height of the deck elevates the activity, structures, and items (such as seating) placed upon it. This results a hot tub canopy, sauna, and lounge

area that are not adequately screened by the existing fencing. A privacy screen has been installed for the hot tub canopy and along the south fence to better screen the activities from abutting properties.

With respect to function 2, noise generated from the activities would also be more impactful to the abutting properties due to the proximity of the elevated deck and features upon it to the lot lines. The structures and associated activities are visibly and physically close to the lot lines and cannot be adequately buffered by the at-grade fencing. Significant massing and privacy impacts to the abutting properties to the east and south are anticipated. In addition to the mass and activity generated from the structures/features on top of the deck, all pedestrians travelling between the dwelling's main floor and rear yard are required to use the elevated deck. The increased use of the deck further exacerbates any adverse impacts generated by the reduced interior and rear yard setbacks for the uncovered deck, sauna, hot tub and hot tub roof. Additional setback is needed in order to pull the activity away from the lot lines to establish sufficient spatial separation between uses and install buffering measures, such as screening vegetation.

With respect to function 3, a minimum interior side yard of 0.15 metres to the existing hot tub, hot tub roof, sauna, and uncovered deck is not adequate space to perform maintenance to the side fence or portion of the deck facing the interior lot line, nor is it adequate space to perform maintenance to the lands in between. A 0.3 metre rear yard setback for the uncovered deck along with a minimum rear yard of 0.45 metres to the sauna, and 2.8 metres to the hot tub roof is not adequate space to perform maintenance to the south side of the deck, the south fence, or the lands in between.

The Development Planning Department has conducted a review of the wider neighbourhood to determine if any similar variances have been approved by the Committee of Adjustment and have confirmed there are none. Therefore, the proposal is not consistent with previous approvals in the neighbourhood.

The Zoning By-law did not anticipate having these features so close to the lot lines. The Development Planning Department is of the opinion that an appropriate distance is not provided between the rear and interior side lot lines and the existing desk, hot tub, and sauna and that the listed functions of an interior and rear yard setback have not been maintained.

The Development Planning Department is not in a position to support Variances 14 and 15 for the reduced soft landscaping in the rear and front yards. The intent of the Zoning By-law is to limit the amount of hardscaping on residential lots to maintain a balance between hardscaping and soft landscaping. Some of the functions of maintaining sufficient soft landscaped area include: providing sufficient space for snow storage and stormwater attenuation/infiltration, providing space for the establishment of trees, noise attenuation through introduction of soft surfaces, and mitigating urban heat island effects. The proposed 0% soft landscaping for the front yard and 15.8% for the portion of the rear yard in excess of 135 m², are major reductions, and do not meet the intent of the soft landscaping provisions, and are not consistent with other yards in the neighbourhood. The proposed reduction also does not conform with Section 27(3)(b) of the *Oak Ridges Moraine Conservation Plan*, which encourages approval authorities to keep impervious surfaces to a minimum.

Accordingly, the Development Planning Department is not in a position to support Variances 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15 and 16 for the location and reduced interior and rear side yards for the existing prefabricated sauna, hot tub roof, hot tub, and uncovered deck. The Development Planning Department is of the opinion that the proposal is not minor in nature, does not maintain the general intent and purpose of the Official Plan and Zoning By-law, and is not desirable for the appropriate development of the land.

The Development Planning Department can support Variance 10 for the location of the existing pool 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-law, and is desirable for the appropriate development of the lands.

Recommendation:

The Development Planning Department recommends **refusal** of Variances 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, and 15, and **approval** of Variance 10.

Conditions of Approval:

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

None

Comments Prepared by:

Michelle Perrone, Planner 1
David Harding, Senior Planner

Attachments: Site Visit Photos

































From: [Kristen Regier](#)
To: [Committee of Adjustment](#)
Cc: [Pravina Attwala](#); [Christine Vigneault](#)
Subject: [External] RE: A018/23 (15 LADY BIANCA COURT) - REQUEST FOR COMMENTS
Date: August-28-23 1:51:38 PM
Attachments: [image002.png](#)

Hello,

The subject property at 15 Lady Bianca Court, Vaughan is not located within TRCA's Regulated Area. TRCA's Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

Kristen Regier, MA (she / her)

Planner I

Development Planning and Permits | Development and Engineering Services
Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)

E: kristen.regier@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](#) | trca.ca



Prabhdeep Kaur

From: Development Services <developmentservices@york.ca>
Sent: Wednesday, September 6, 2023 12:28 PM
To: Pravina Attwala
Cc: Committee of Adjustment
Subject: [External] RE: A018/23 (15 LADY BIANCA COURT) - REQUEST FOR COMMENTS

Hi Pravina,

The Regional Municipality of York has completed its review of the above minor variance (A018/23) and has no comment.

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

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Public	Eric Levin	11 Lady Bianca Court	02/12/2023	Letter confirming no flooding in back yard.



Alexei Sitenko [REDACTED]

Fwd: 11 Lady Bianca Court

1 message

[REDACTED]
To: Alexei Sitenko [REDACTED]

Sun, Feb 12, 2023 at 11:51 AM

Best regards,
Kevin Kliaman

Begin forwarded message:

From: Eric Levin [REDACTED]
Date: February 12, 2023 at 10:09:53 AM EST
To: [REDACTED]
Subject: 11 Lady Bianca Court

Hi Kevin,

This email is to confirm I have not had any floods in my backyard from you.

Best,

Eric

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND

None