

ITEM: 6.4	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A032/23 258 FARRELL ROAD, 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"/>	Recommends 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 type="checkbox"/>	General Comments
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 checked="" type="checkbox"/>	Recommend Approval w/Conditions
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

File Number	Date of Decision	Decision Outcome

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

	MM/DD/YYYY	
None		

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None	
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**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A032/23
258 FARRELL ROAD, MAPLE**

ITEM NUMBER: 6.4	CITY WARD #: 4
APPLICANT:	Marina Rigenco and Oleg Rijenko
AGENT:	None
PROPERTY:	258 Farrell Road, Maple
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the construction of a proposed deck (including stairs) and retaining wall.

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

The subject lands are zoned R2A – Second Density Residential Zone, and subject to the provisions of Exception 14.1014 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A maximum encroachment of 2.4 metres into the minimum required rear yard is permitted for an uncovered platform [Section 4.13, Table 4-1].	To permit a maximum encroachment of 2.5 metres into the minimum required rear yard for an uncovered platform.
2	No encroachment is permitted into the minimum required interior side yard for access stairs to an uncovered platform with a height greater than 1.2 metres [Section 4.13, Table 4-1].	To permit a maximum encroachment of 0.59 metres into the minimum required interior side yard for access stairs leading to an uncovered platform.
3	A retaining wall that is greater than 1.0 metre in height shall be setback an equal distance to the height of the highest portion of the wall [Section 4.13, Table 4-1].	To permit a retaining wall with a maximum height of 1.5 metres to be setback 0.0 metres to the rear lot line.

The subject lands are zoned RD2 – Residential Detached Zone Two and subject to the provisions of Exception 9(1385) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
3	A maximum encroachment of 1.8 metres into the minimum required rear yard is permitted for a deck [Section 3.14 c)].	To permit a maximum encroachment of 2.5 metres into the minimum required rear yard for a deck.
4	No encroachment into the minimum required interior side yard is permitted for a staircase that is greater than half a storey in height [Section 3.14 c)].	To permit a maximum encroachment of 0.59 metres into the minimum interior side yard for a staircase that is greater than half a storey in height.

HEARING INFORMATION

DATE OF MEETING: Thursday, June 1, 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

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

HEARING INFORMATION

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:	May 18, 2023	
Date Applicant Confirmed Posting of Sign:	May 5, 2023	
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	Proposed deck design does not comply with the provisions of the City's Zoning By-laws.	
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	<p>On May 15, 2023, Development Planning provided the following:</p> <p>Please note planning staff have discussed the details of this application with senior management and provide you the following comments:</p> <ol style="list-style-type: none"> 1. Development Planning (DP) does not oppose Variances 1 and 3, as they are minor in nature and will not cause an adverse impact onto the adjacent neighbours. In respects to Variance 2, DP staff cannot support an encroachment into the interior side yard as it does maintain the general intent and purpose of By-law 001-2021. DP encourage you reduce the width of the lower deck to incorporate the stairs or relocate them beneath the staircase that services the upper deck. 2. Please note urban design comments are forthcoming. <p>Note all updated plans should be submitted directly to cofa@vaughan.ca. If you wish to proceed with the current design, please note DP would be preparing a report to partially support Variances 1 and 3 and refuse Variance 2.</p> <p>On May 15, 2023 the applicant advised they would proceed as is.</p>	
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>	No	

COMMITTEE OF ADJUSTMENT COMMENTS

*A revised submission may be required to address staff / agency comments received as part of the application review process.

*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.

Adjournment Fees:

In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.

An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff **after** the issuance of public notice.

Committee of Adjustment Comments: None

Committee of Adjustment Recommended Conditions of Approval: That the applicant submit the outstanding adjournment fee of \$591.00, if adjourned from the June 1 hearing.

BUILDING STANDARDS (ZONING) COMMENTS

**See Schedule B for Building Standards (Zoning) Comments

Building Standards Recommended Conditions of Approval: None

DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments.

Development Planning Recommended Conditions of Approval: None

DEVELOPMENT ENGINEERING COMMENTS

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

As the proposed outdoor amenities in the subject property is 22.9 m², the Owner / Applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading Division of the City's Development Engineering Department. Please note any in ground structure over 10 m² requires a grading permit. Please contact the COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)

The Owner / Applicant shall apply for a Pool Grading Permit with the Development Engineering (DE) Department. Please visit the grading permits page at City of Vaughan website to learn how to apply for the Pool Permit. If you have any question about Pool Grading Permit, please contact the Development Engineering Department through email at DEPermits@vaughan.ca.

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 A032/23, subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:	The Owner / Applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca.
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry have no comments at this time

PFH Recommended Conditions of Approval: None

DEVELOPMENT FINANCE COMMENTS

No comment no concerns

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

No comments received to date.

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

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT COMMENTS

No comments received to date.

Fire Department Recommended Conditions of Approval:	None
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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
1	Committee of Adjustment christine.vigneault@vaughan.ca	That the applicant submits the outstanding adjournment fee of \$591.00, if adjourned from the June 1 hearing.
2	Development Engineering Rex.bondad@vaughan.ca	The Owner / Applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca .
3	TRCA Kristen.Regier@trca.ca	That the applicant provides the required fee amount of \$660.00 payable to the Toronto and Region Conservation Authority.

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.

IMPORTANT INFORMATION – PLEASE READ

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.

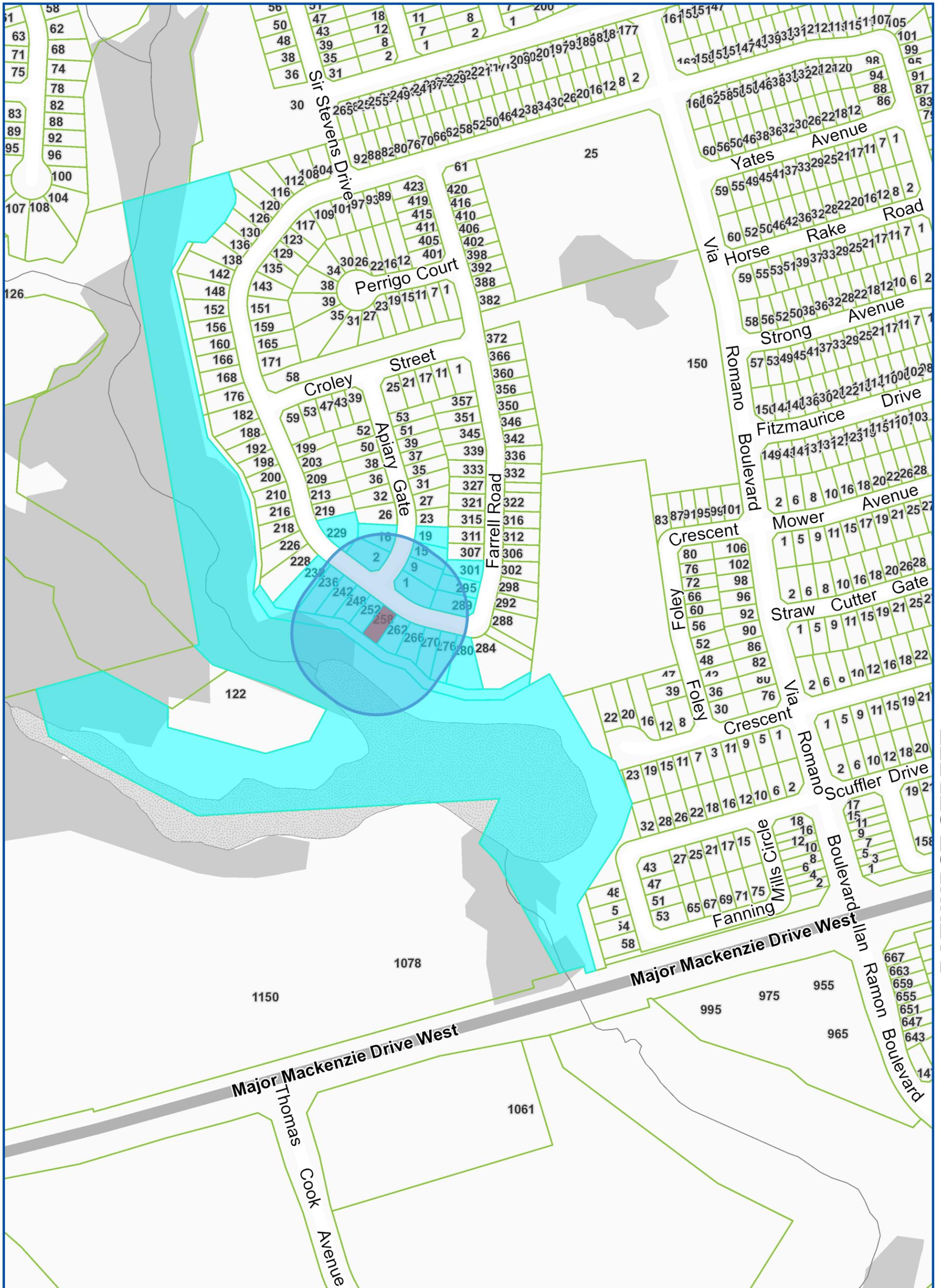
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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.

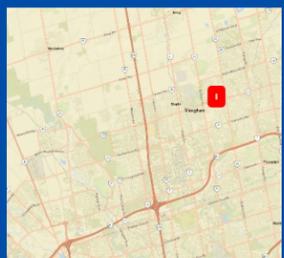
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

SCHEDULE A: DRAWINGS & PLANS



BATHURST STREET

Map Information:



Title:

258 Farrell Road, Maple

NOTIFICATION MAP - A032/23

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:4,514

0 0.07 km



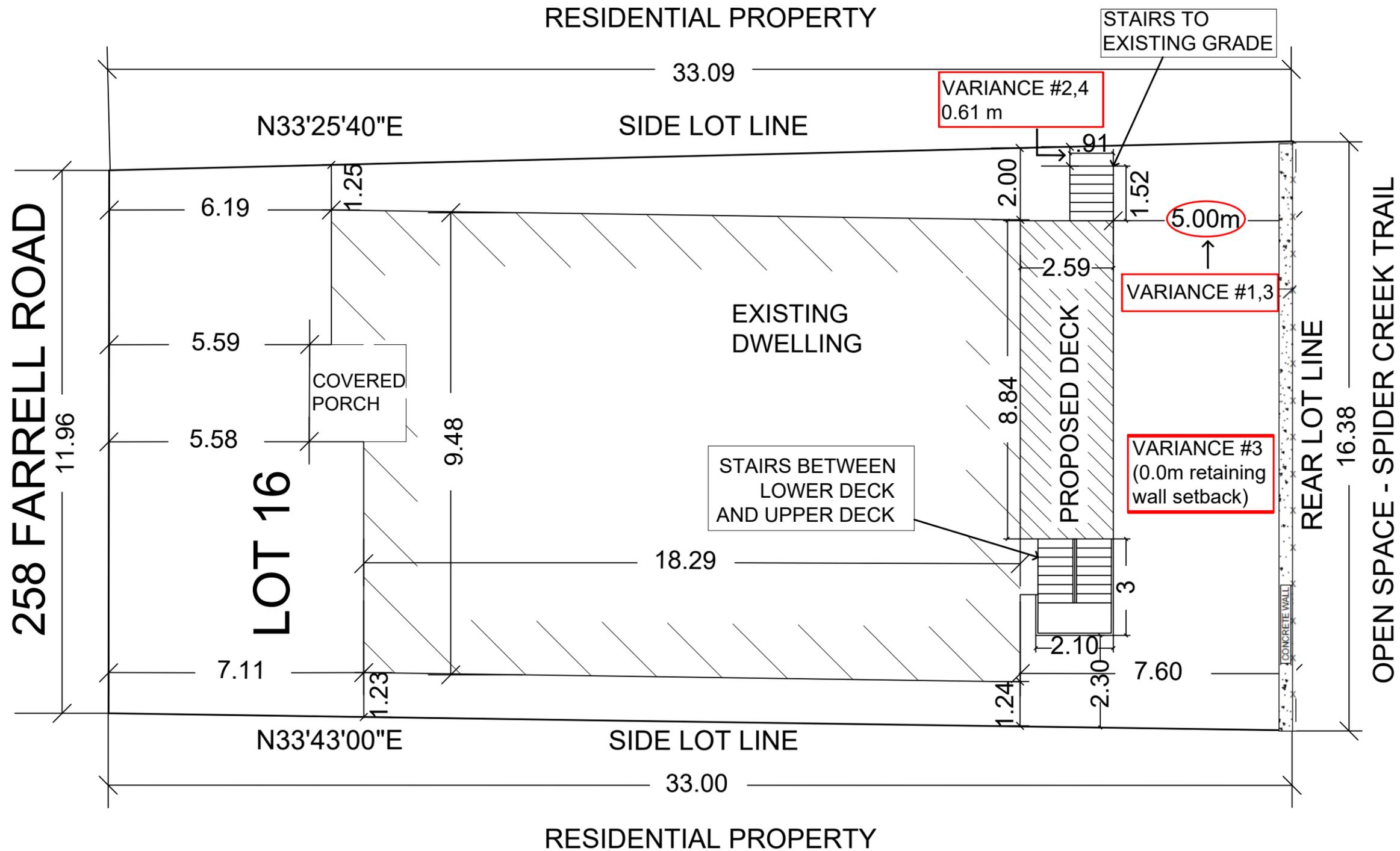
Created By:

Infrastructure Delivery
Department
May 8, 2023 2:20 PM

Projection:
NAD 83
UTM Zone
17N

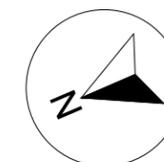
RECEIVED

By Christine Vigneault at 10:47 am, May 03, 2023



SITE PLAN

1:100



STANDARD NOTES:

REVIEWED BY:

No	Date	Revision

PROJECT:
DECK DESIGN
258 FARRELL ROAD
VAUGHAN, ON

TITLE:
SITE PLAN & PROPOSED DECK

DATE:
02/16/2023

SCALE:
AS INDICATED

SHEET NO:
S-1

Received

March 15, 2023

A032/23

STANDARD NOTES:

- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY ENGINEER AND MARKED "ISSUED FOR CONSTRUCTION".
- THE CONTRACTOR AND/OR THE OWNER SHALL BE RESPONSIBLE FOR THE ARRANGEMENT OF ALL NECESSARY INSPECTIONS AND FOLLOW INSPECTION SCHEDULES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING BASE BUILDING SYSTEMS, EQUIPMENT AND PERSONNEL DURING CONSTRUCTION.
- THE PROPOSED DESIGN DOES NOT SPECIFY ANY TEMPORARY BRACING AND/OR SHORING OF EXISTING CONDITIONS. CONTRACTOR ASSUMES ALL RESPONSIBILITY AND SOLE LIABILITY FOR THE SAFETY OF ALL REQUIRED TEMPORARY BRACING TO COMPLETE THE WORKS.
- CONTRACTOR TO VERIFY ON SITE FINISHED GRADE TO CONFIRM ACTUAL REQUIRED NUMBER OF RISERS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES, POOLS, ETC. DURING PIER FOUNDATION EXCAVATION.
- PIER FOUNDATION EXCAVATIONS SHALL BE FILLED WITH CONCRETE IMMEDIATELY AFTER EXCAVATION.
- ANY DECK FOOTING WITHIN 4'-0" OF HOUSE FOUNDATION OR POOL MUST EXTEND DOWN TO LEVEL OF EXISTING HOUSE OR POOL FOUNDATION.



Guard Details:
 -2"x6" top handrail
 -4"x4" support posts @ max. 5'-0" O.C. when screwed to rim joist
 -Max. 4" guard openings
 -No guard member between 4" to 35" height shall facilitate climbing

REVIEWED BY:



No	Date	Revision
1	06/01/2022	Issued for Permit

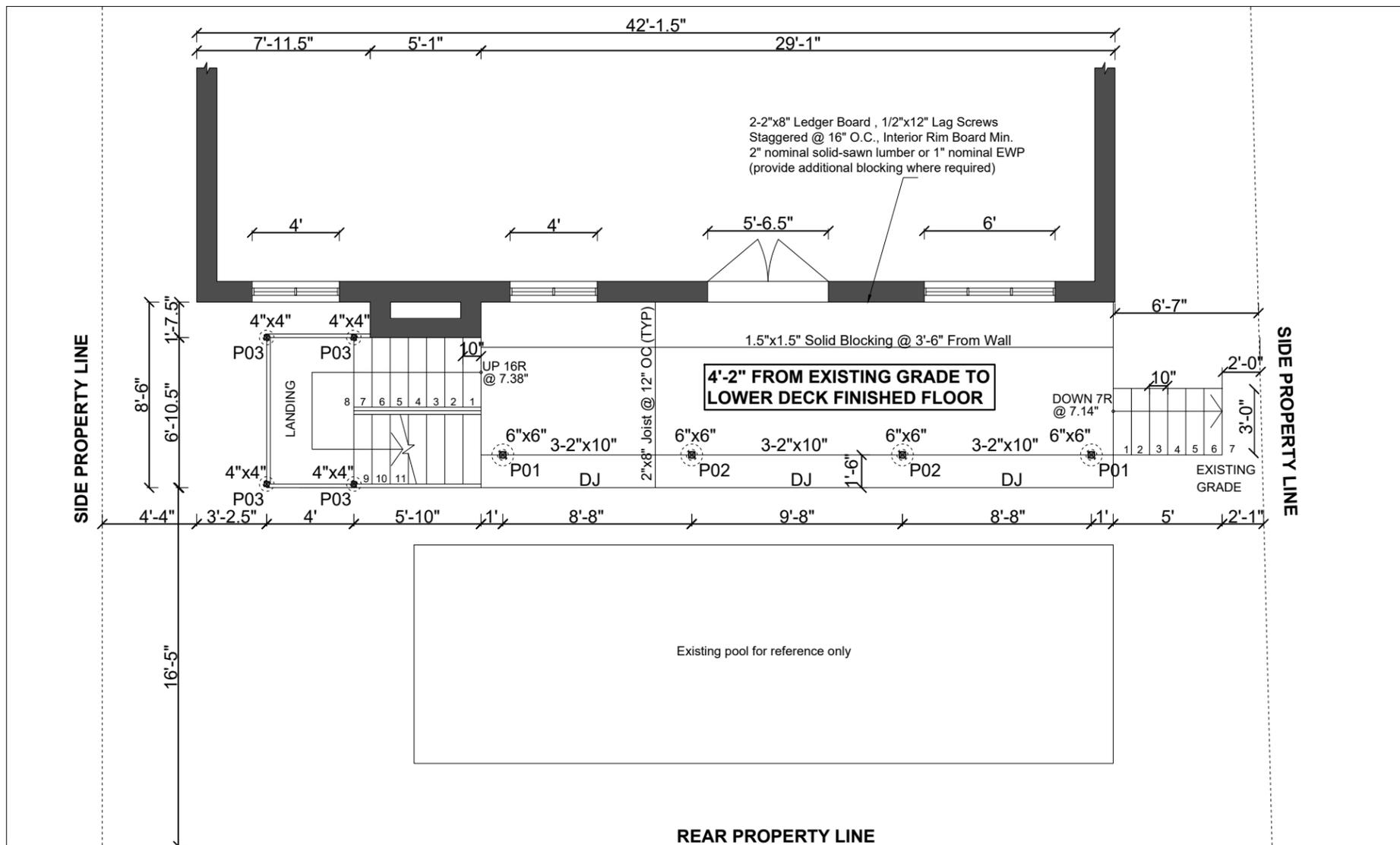
PROJECT:
DECK DESIGN
 258 FARRELL ROAD
 VAUGHAN, ON

TITLE:
PROPOSED DECK REAR ELEVATION

DATE:
 05/29/2022

SCALE:
 1/2"=1'0"

SHEET NO:
 S-1



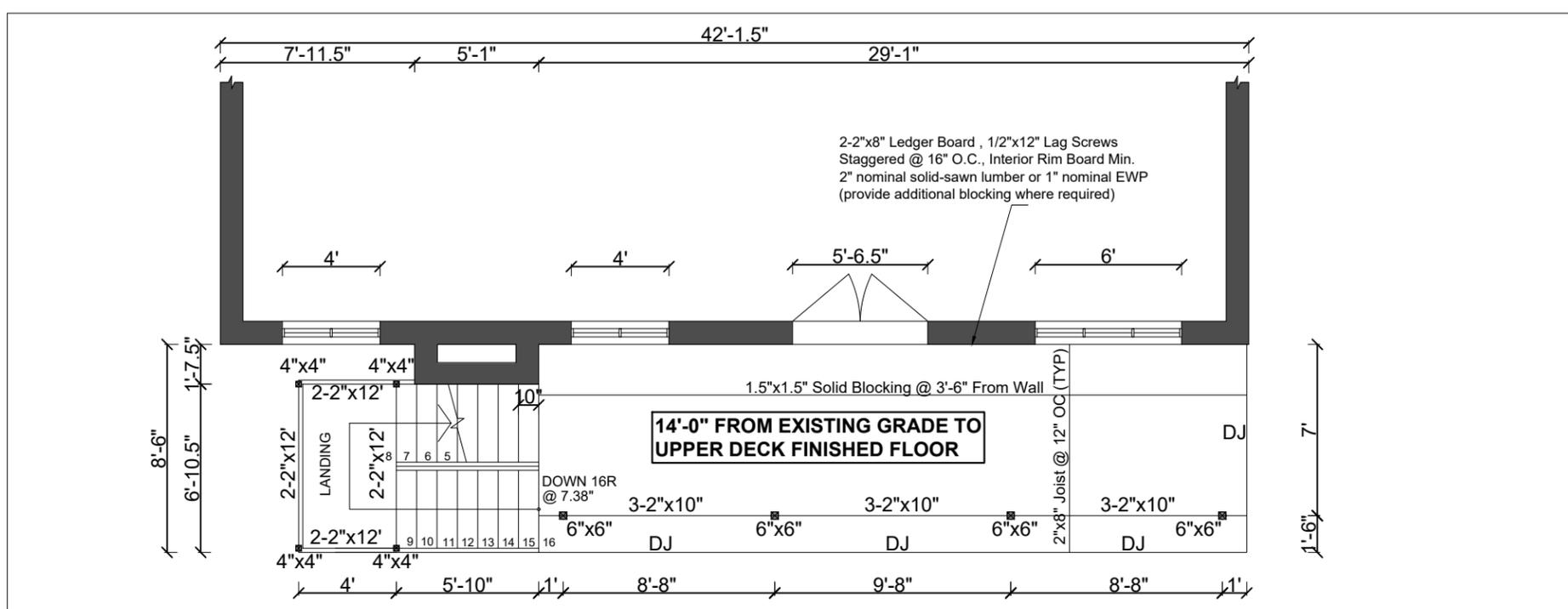
Received
March 15, 2023

PIER SCHEDULE

- P01 - 12" DIA. CONC PIER W/ 14" DIA. BF
- P02 - 12" DIA. CONC PIER W/ 20" DIA. BF
- P03 - 8" DIA. CONC PIER

- STANDARD NOTES:**
- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY ENGINEER AND MARKED "ISSUED FOR CONSTRUCTION".
 - THE CONTRACTOR AND/OR THE OWNER SHALL BE RESPONSIBLE FOR THE ARRANGEMENT OF ALL NECESSARY INSPECTIONS AND FOLLOW INSPECTION SCHEDULES.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING BASE BUILDING SYSTEMS, EQUIPMENT AND PERSONNEL DURING CONSTRUCTION.
 - THE PROPOSED DESIGN DOES NOT SPECIFY ANY TEMPORARY BRACING AND/OR SHORING OF EXISTING CONDITIONS. CONTRACTOR ASSUMES ALL RESPONSIBILITY AND SOLE LIABILITY FOR THE SAFETY OF ALL REQUIRED TEMPORARY BRACING TO COMPLETE THE WORKS.
 - CONTRACTOR TO VERIFY ON SITE FINISHED GRADE TO CONFIRM ACTUAL REQUIRED NUMBER OF RISERS.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES, POOLS, ETC. DURING PIER FOUNDATION EXCAVATION.
 - PIER FOUNDATION EXCAVATIONS SHALL BE FILLED WITH CONCRETE IMMEDIATELY AFTER EXCAVATION.
 - ANY DECK FOOTING WITHIN 4'-0" OF HOUSE FOUNDATION OR POOL MUST EXTEND DOWN TO LEVEL OF EXISTING HOUSE OR POOL FOUNDATION.

LOWER DECK FLOOR PLAN
1/2"=1'0"



UPPER DECK FLOOR PLAN
1/2"=1'0"

REVIEWED BY:



No	Date	Revision
1	06/01/2022	Issued for Permit

PROJECT:
DECK DESIGN
258 FARRELL ROAD
VAUGHAN, ON

TITLE:
PROPOSED DECK

DATE:
05/29/2022

SCALE:
AS INDICATED

SHEET NO:
S-2

STANDARD NOTES

- Owner/Contractor must verify all existing as-built conditions and dimensions on the job and report any discrepancy to Engineer before proceeding with the work
- Owner/Contractor must obtain all appropriate municipal permits prior to commencement of any work. All drawings to be used for construction only after building permit has been issued
- Owner/Contractor must obtain all required locates before digging
- All construction to comply with the Ontario Building Code, as amended, and all other codes and local authorities having jurisdiction
- All lumber shall be No. 1 and No. 2 SPF, or better, and pressure-preservative-treated when less than 6" above exposed earth. Ledger board must be pressure-preservative-treated.
- Under no circumstance shall the deck ledger be supported by brick veneer nor any lag screw/washer countersunk into ledger board. The tip of the lag screw must fully extend beyond the inside face of the internal rim joist, comprised minimum of:
 - 2" nominal solid-sawn lumber; or,
 - 1" nominal Engineering Wood Product (EWP)
- Deck posts, built-up beam, and joists shall be secured with corrosion resistant spiral nails with lengths as follows:
 - 3" for joist hangers
 - 3-1/4" for joist toe nailed (1 nail on each side) on drop beam
 - 3.5" for built-up beam, 2 rows max. 16" O.C.
 - 3.5" for corrosion resistant metal post/beam connections
- Concrete pier foundations shall be minimum 15 MPa compressive strength at 28 days and bear on undisturbed soil with a minimum 75kPa soil bearing capacity
- Minimum height of guards 42" with maximum 4" opening between pickets and no member or attachment between 5-1/2" and 35" shall facilitate climbing

STANDARD NOTES:

- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY ENGINEER AND MARKED "ISSUED FOR CONSTRUCTION".
- THE CONTRACTOR AND/OR THE OWNER SHALL BE RESPONSIBLE FOR THE ARRANGEMENT OF ALL NECESSARY INSPECTIONS AND FOLLOW INSPECTION SCHEDULES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING BASE BUILDING SYSTEMS, EQUIPMENT AND PERSONNEL DURING CONSTRUCTION.
- THE PROPOSED DESIGN DOES NOT SPECIFY ANY TEMPORARY BRACING AND/OR SHORING OF EXISTING CONDITIONS. CONTRACTOR ASSUMES ALL RESPONSIBILITY AND SOLE LIABILITY FOR THE SAFETY OF ALL REQUIRED TEMPORARY BRACING TO COMPLETE THE WORKS.
- GENERAL CONTRACTOR TO VERIFY ON SITE FINISHED GRADE TO CONFIRM ACTUAL REQUIRED NUMBER OF RISERS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES, POOLS, ETC. DURING PIER FOUNDATION EXCAVATION.
- PIER FOUNDATION EXCAVATIONS SHALL BE FILLED WITH CONCRETE IMMEDIATELY AFTER EXCAVATION.
- ANY DECK FOOTING WITHIN 4'-0" OF HOUSE FOUNDATION OR POOL MUST EXTEND DOWN TO LEVEL OF EXISTING HOUSE OR POOL FOUNDATION.

REVIEWED BY:



No	Date	Revision
1	06/01/2022	Issued for Permit

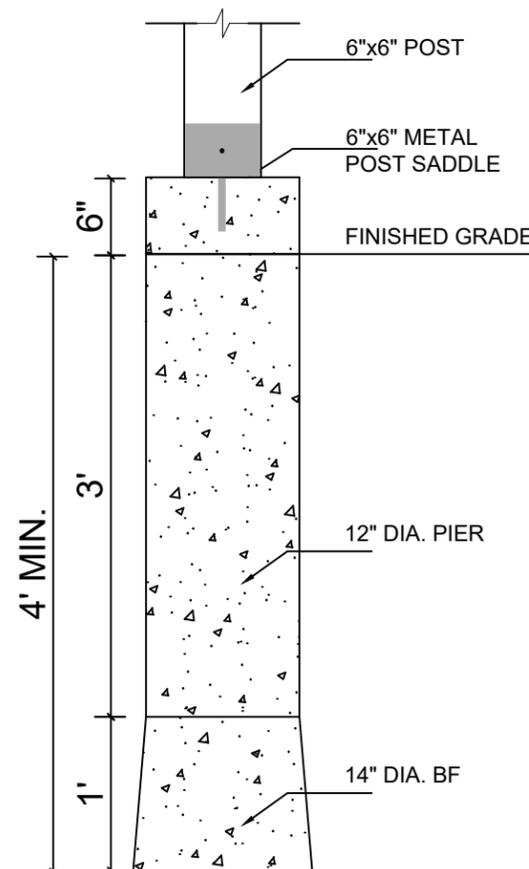
PROJECT:
DECK DESIGN
 258 FARRELL ROAD
 VAUGHAN, ON

TITLE:
**PIER FOUNDATION
 DETAILS & NOTES**

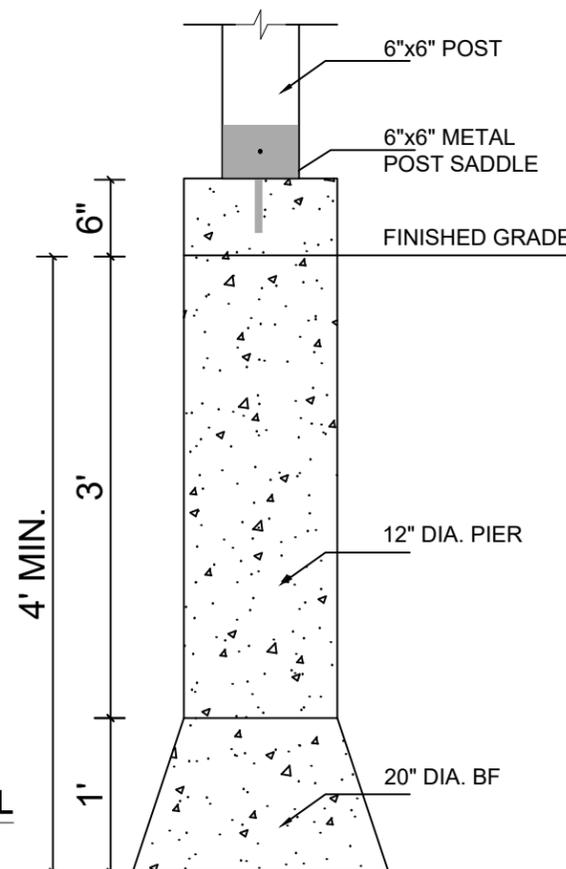
DATE:
 05/29/2022

SCALE:
 NTS

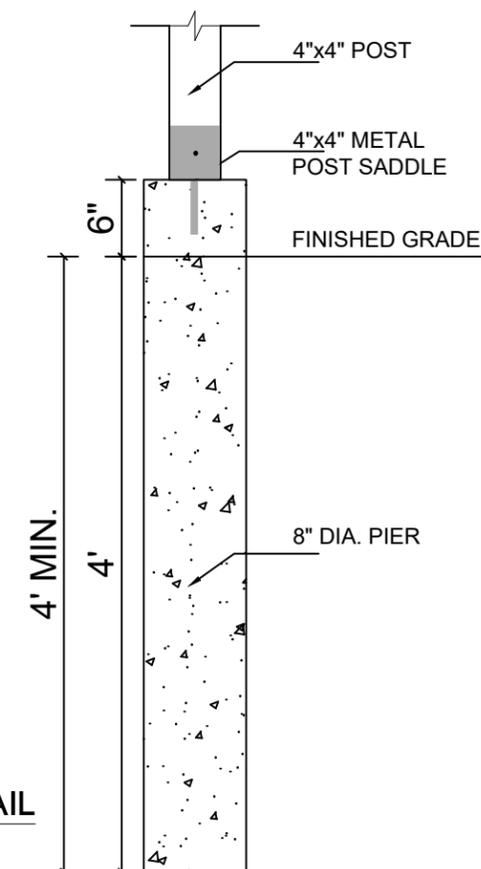
SHEET NO:
 S-3



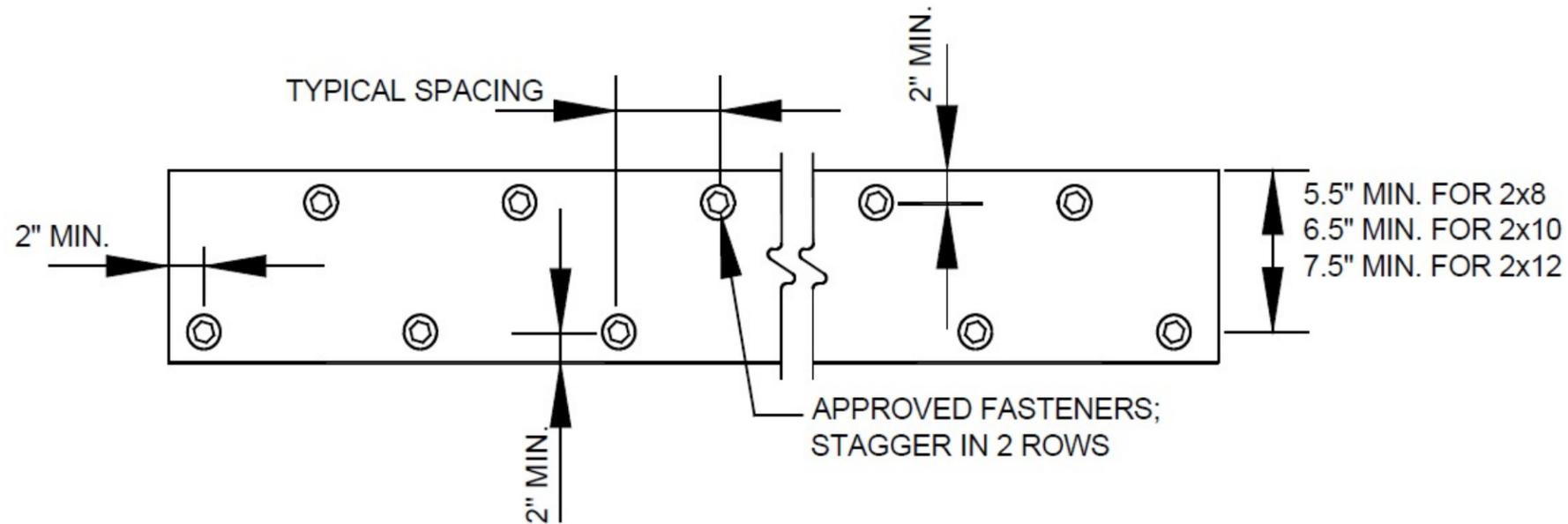
**PIER 01 DETAIL
 NTS**



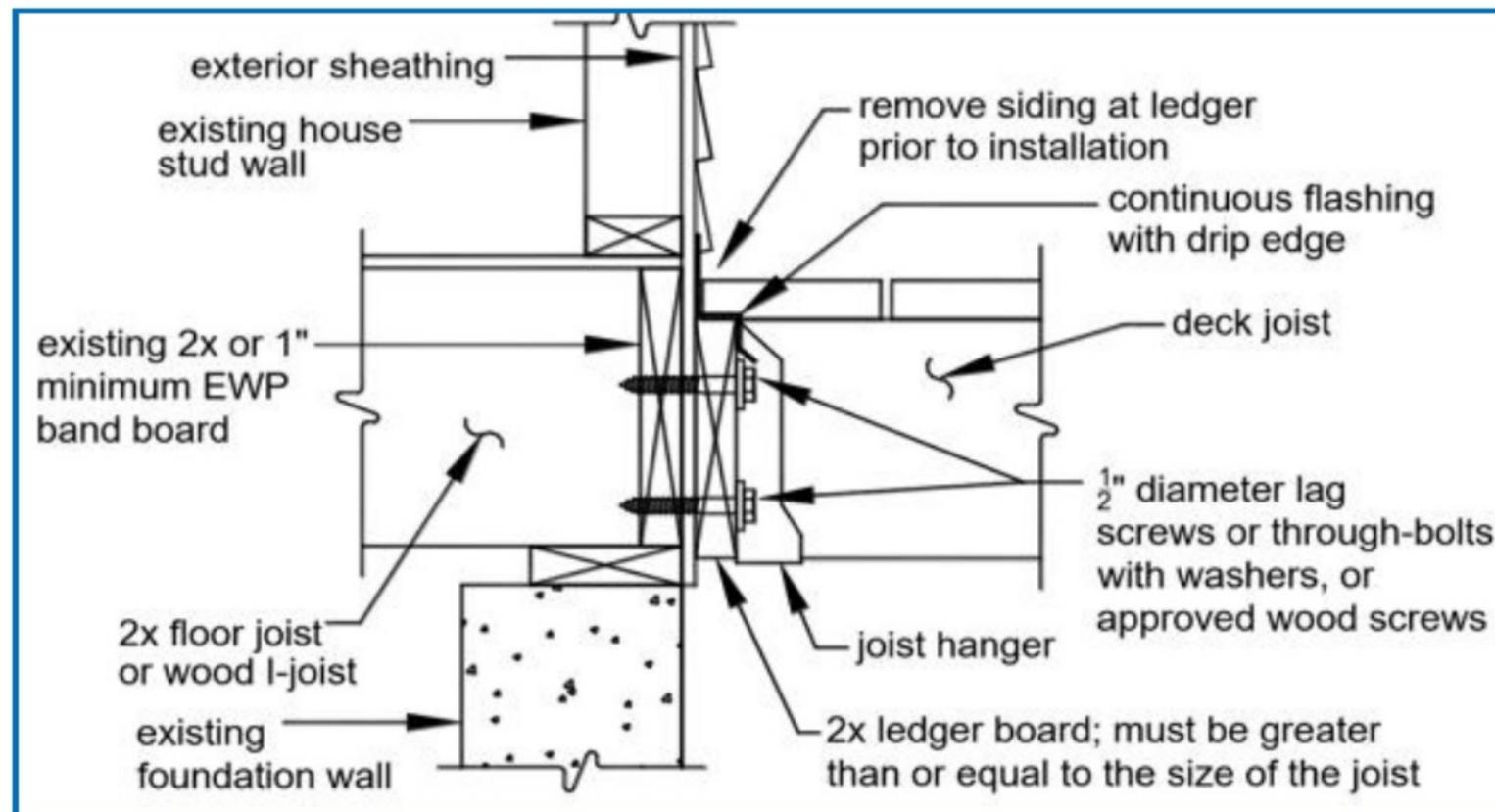
**PIER 02 DETAIL
 NTS**



**PIER 03 DETAIL
 NTS**



01 - LEDGER BOARD DETAIL



02 - LEDGER BOARD CROSS SECTION DETAIL

STANDARD NOTES:

- THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY ENGINEER AND MARKED "ISSUED FOR CONSTRUCTION".
- THE CONTRACTOR AND/OR THE OWNER SHALL BE RESPONSIBLE FOR THE ARRANGEMENT OF ALL NECESSARY INSPECTIONS AND FOLLOW INSPECTION SCHEDULES.
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- THE PROPOSED DESIGN DOES NOT SPECIFY ANY TEMPORARY BRACING AND/OR SHORING OF EXISTING CONDITIONS. CONTRACTOR ASSUMES ALL RESPONSIBILITY AND SOLE LIABILITY FOR THE SAFETY OF ALL REQUIRED TEMPORARY BRACING TO COMPLETE THE WORKS.
- CONTRACTOR TO VERIFY ON SITE FINISHED GRADE TO CONFIRM ACTUAL REQUIRED NUMBER OF RISERS.
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES, POOLS, ETC. DURING PIER FOUNDATION EXCAVATION.
- PIER FOUNDATION EXCAVATIONS SHALL BE FILLED WITH CONCRETE IMMEDIATELY AFTER EXCAVATION.
- ANY DECK FOOTING WITHIN 4'-0" OF HOUSE FOUNDATION OR POOL MUST EXTEND DOWN TO LEVEL OF EXISTING HOUSE OR POOL FOUNDATION.

REVIEWED BY:



No	Date	Revision
1	06/01/2022	Issued for Permit

PROJECT:
DECK DESIGN
 258 FARRELL ROAD
 VAUGHAN, ON

TITLE:
**LEDGER BOARD
 DETAILS**

DATE:
 05/29/2022

SCALE:
 NTS

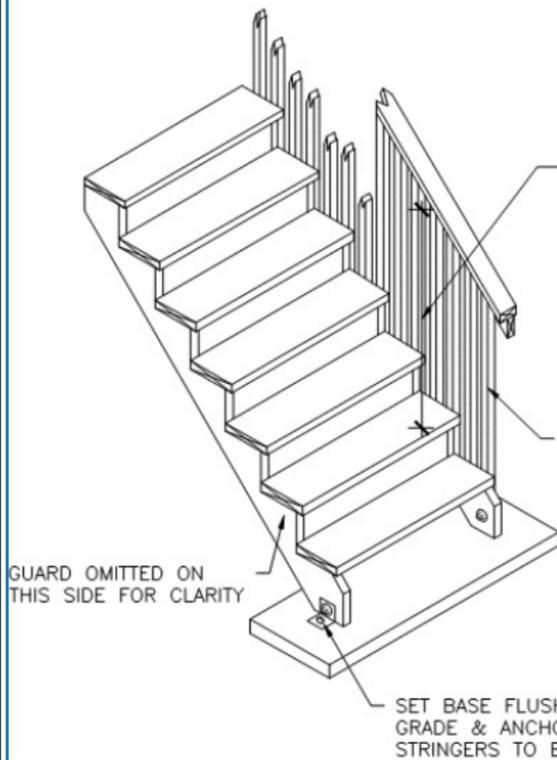
SHEET NO:
 S-4

STAIR RISE & RUN REQUIREMENTS		
	MINIMUM	MAXIMUM
RISE	125 (4-7/8")	200 (7-7/8")
RUN	230 (9")	355 (14")
TREAD	250 (9-7/8")	355 (14")

- ABOVE DIMENSIONS ARE NOTED FOR PUBLIC STAIRS ONLY
 - MUST MAINTAIN UNIFORM RISE & RUN THROUGHOUT ENTIRE FLIGHT OF STAIRS

TREAD THICKNESS

- MIN 1" ACTUAL THICKNESS
 - MIN 1-1/2" ACTUAL THICKNESS WHERE SPAN BETWEEN STRINGERS EXCEEDS 2'-6"



GUARD HEIGHT FOR STAIRS
 - GUARD HEIGHT IS MEASURED VERTICALLY FROM NOSINGS
 - MIN HEIGHT 2'-11" WHEN GUARD IS NOT MORE THAN 5'-11" OFF THE GROUND
 - MIN HEIGHT 3'-6" WHEN GREATER THAN 5'-11" OFF THE GROUND

CANTILEVERED PICKET GUARD SYSTEM AS PER DETAIL ED-1 OF SB-7 IN THE OBC

NOTE:

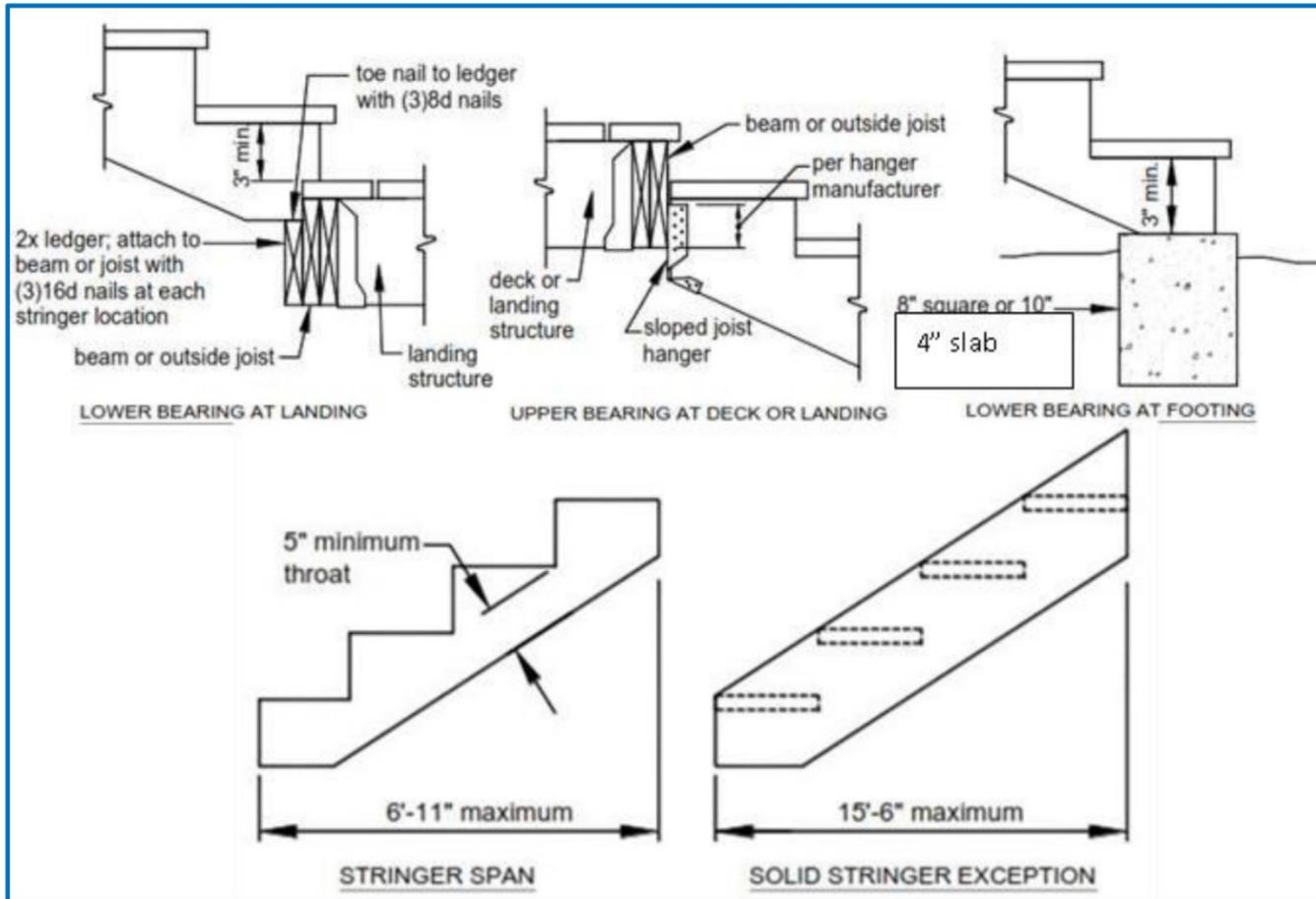
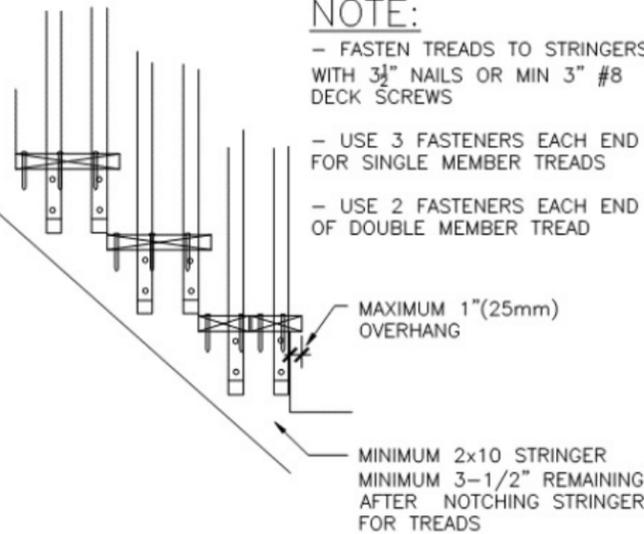
- STRINGERS MUST BE SUPPORTED & SECURED AT TOP AND BOTTOM

NOTE:

- FASTEN TREADS TO STRINGERS WITH 3 1/2" NAILS OR MIN 3" #8 DECK SCREWS

- USE 3 FASTENERS EACH END FOR SINGLE MEMBER TREADS

- USE 2 FASTENERS EACH END OF DOUBLE MEMBER TREAD



03 - STAIR TREAD DETAIL

04 - STAIR STRINGER DETAIL

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- PIER FOUNDATION EXCAVATIONS SHALL BE FILLED WITH CONCRETE IMMEDIATELY AFTER EXCAVATION.
- ANY DECK FOOTING WITHIN 4'-0" OF HOUSE FOUNDATION OR POOL MUST EXTEND DOWN TO LEVEL OF EXISTING HOUSE OR POOL FOUNDATION.

REVIEWED BY:



No	Date	Revision
1	06/01/2022	Issued for Permit

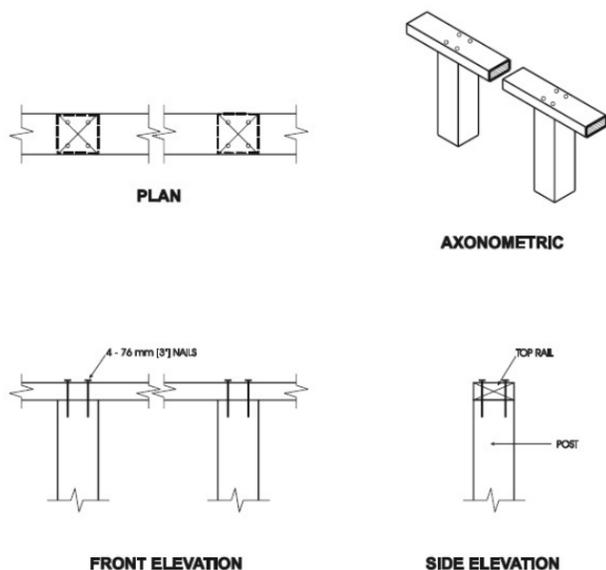
PROJECT:
DECK DESIGN
 258 FARRELL ROAD
 VAUGHAN, ON

TITLE:
STAIR DETAILS

DATE:
 05/29/2022

SCALE:
 NTS

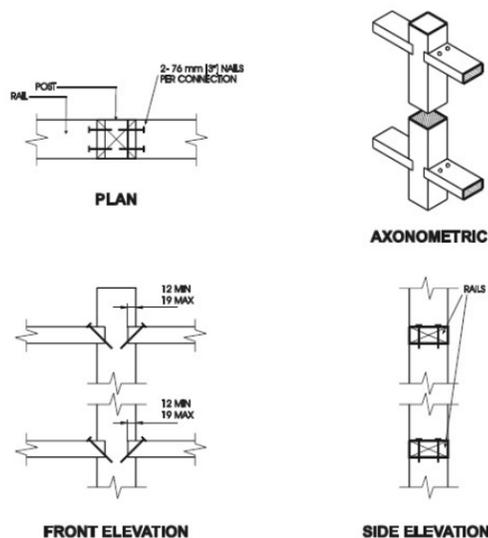
SHEET NO:
 S-5



Detail EA-1
Exterior Connection: Top Rail Nailed to Post

- Notes:
- The top rail must be continuous. Use Detail EA-5 at the end spans, where continuity ends.

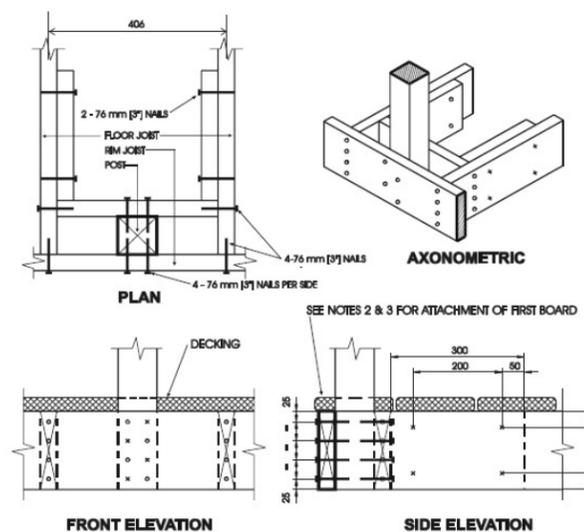
MAXIMUM SPAN OF RAIL BETWEEN POSTS	
Species	Maximum Span, m (ft-in)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir	1.52 (5'-0")
Northern Species	1.52 (5'-0")
Column 1	2



Detail EA-2
Exterior Connection: Top/Bottom Rail Skew Nailed to Post - 76 mm (3") Nails

- Notes:
- The maximum span is more often governed by post spacing.
 - Provide support to bottom rail at intervals not more than 2.0 m (6'-7").
 - The bottom rail may be bevelled as detailed in Figure 2.1.2.
 - Dimensions shown are in mm unless otherwise specified.

MAXIMUM SPAN OF RAIL BETWEEN POSTS	
Species	Maximum Span, m (ft-in)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir	2.72 (8'-11")
Northern Species	2.18 (7'-2")
Column 1	2



Detail EB-1
Exterior Connection: Post Nailed to Rim Joist

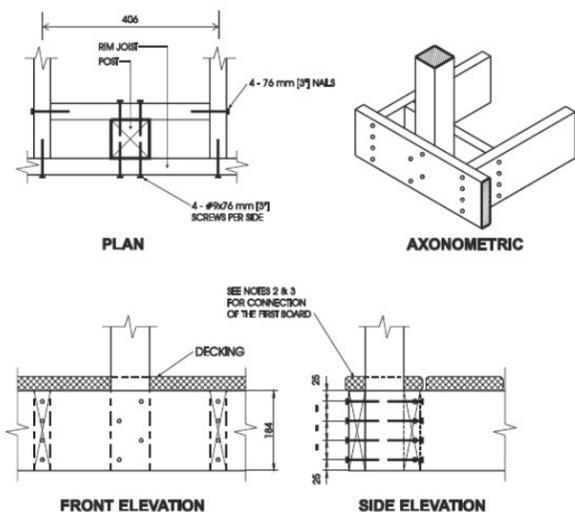
- Notes:
- Decking is omitted from the plan view and the axonometric view for clarity.
 - Fasten 25 mm x 140 mm (5/8" x 6" nominal) outer deck board to rim joist with 63 mm (2 1/2") nails at 300 mm (12").
 - Fasten 25 mm x 140 mm (5/8" x 6" nominal) outer deck board to floor joist with 1 - 63 mm (2 1/2") nail at each joist.
 - The post may be positioned anywhere between the joists.
 - Dimensions shown are in mm unless otherwise specified.

MAXIMUM SPAN OF RAIL BETWEEN POSTS	
Species	Maximum Span, m (ft-in)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir	1.22 (4'-0")
Northern Species	1.20 (3'-11")
Column 1	2

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- PIER FOUNDATION EXCAVATIONS SHALL BE FILLED WITH CONCRETE IMMEDIATELY AFTER EXCAVATION.
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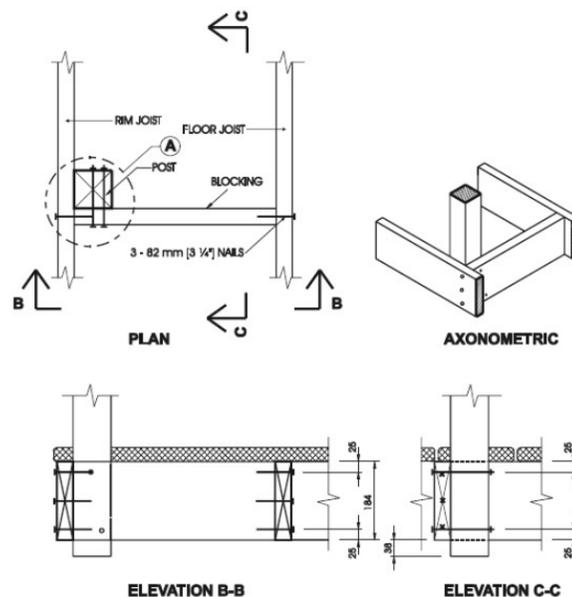
REVIEWED BY:



Detail EB-2
Exterior Connection: Post Screwed to Rim Joist

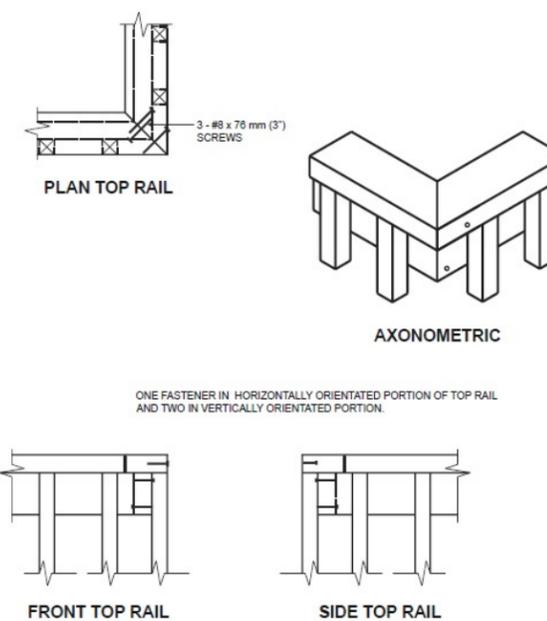
- Notes:
- Decking is omitted from the plan view and the axonometric view for clarity.
 - Fasten 25 mm x 140 mm (5/8" x 6" nominal) outer deck board to rim joist with 63 mm (2 1/2") nails at 300 mm (12").
 - Fasten 25 mm x 140 mm (5/8" x 6" nominal) outer deck board to floor joist with 1 - 63 mm (2 1/2") nail at each joist.
 - The post may be positioned anywhere between the joists.
 - #9 screws may be replaced by #8 screws if the maximum spacing between posts is not more than 1.20 m (3'-11").
 - Dimensions shown are in mm unless otherwise specified.

MAXIMUM SPAN OF RAIL BETWEEN POSTS	
Species	Maximum Span, m (ft-in)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir	1.56 (5'-1")
Northern Species	1.20 (3'-11")
Column 1	2



Detail EB-6
Exterior Connection: Post Fastened to Floor, Guard Parallel to Floor Joists

- Notes:
- Use any of the connection details shown on Details EB-1 to EB-5 at location "A". Connection Detail EB-4 is shown in this detail, as an example.
 - Maximum spacing between posts is determined from connection detail used at location "A".
 - Decking is omitted from the plan view and the axonometric view for clarity.
 - Blocking shall be not less than 38 mm x 184 mm (2" x 8" nominal).
 - Dimensions shown are in mm unless otherwise specified.



Detail ED-5
Exterior Connection: Corner Joint

- Notes:
- Screws fastening pickets are omitted for clarity.
 - Provide a minimum of 10 pickets beyond the return if end restraint of the guard is provided by this return detail only.

1	06/01/2022	Issued for Permit
No	Date	Revision

PROJECT:
DECK DESIGN
258 FARRELL ROAD
VAUGHAN, ON

TITLE:
OBC GUARD DETAILS

DATE:
05/29/2022

SCALE:
NTS

SHEET NO:
S-6

SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X	X	General Comments w/condition
Ministry of Transportation (MTO) *Schedule B				No Comments Received to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Received to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Received to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		The Development Planning Department recommends approval of Variances 1, 3 and 4, and refusal of Variances 2 and 5, as noted above.
Building Standards (Zoning)	X	X		General Comments

Date: April 20th 2023

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A032-23**

Related Files:

Applicant Marina & Oleg Rigenco

Location 258 Farrell 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:

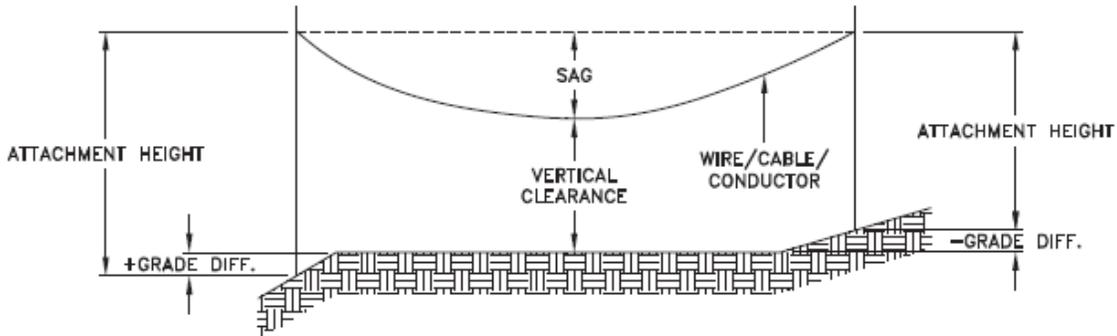
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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"

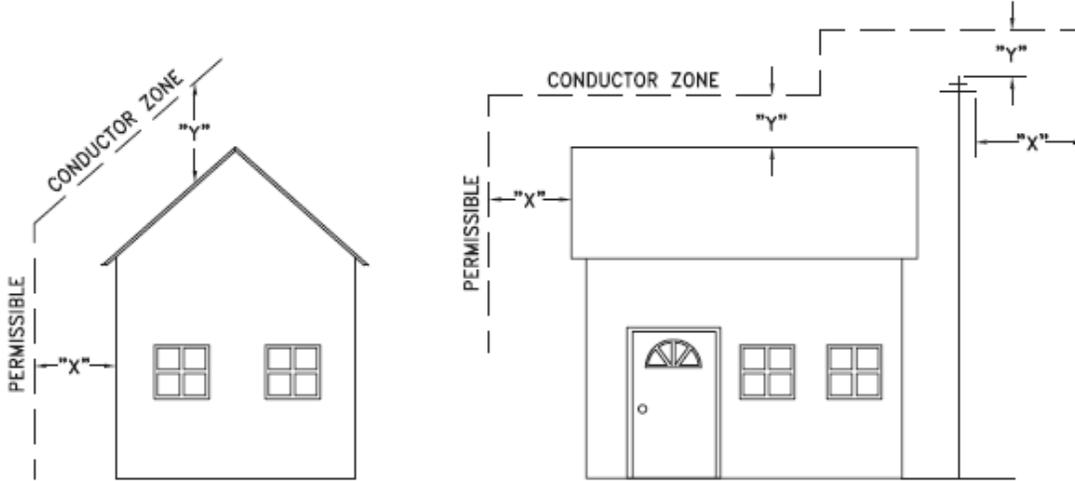
REFERENCES

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 files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment
From: Lindsay Haviland, Building Standards Department
Date: April 19, 2023
Applicant: Marina & Oleg Rigenco
Location: 258 Farrell Road
 PLAN 65M4425 Lot 16
File No.(s): A032/23

Zoning Classification:

The subject lands are zoned R2A – Second Density Residential Zone, and subject to the provisions of Exception 14.1014 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A maximum encroachment of 2.4 metres into the minimum required rear yard is permitted for an uncovered platform [Section 4.13, Table 4-1].	To permit a maximum encroachment of 2.5 metres into the minimum required rear yard for an uncovered platform.
2	No encroachment is permitted into the minimum required interior side yard for access stairs to an uncovered platform with a height greater than 1.2 metres [Section 4.13, Table 4-1].	To permit a maximum encroachment of 0.59 metres into the minimum required interior side yard for access stairs leading to an uncovered platform.
3	A retaining wall that is greater than 1.0 metre in height shall be setback an equal distance to the height of the highest portion of the wall [Section 4.13, Table 4-1].	To permit a retaining wall with a maximum height of 1.5 metres to be setback 0.0 metres to the rear lot line.

The subject lands are zoned RD2 – Residential Detached Zone Two and subject to the provisions of Exception 9(1385) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
3	A maximum encroachment of 1.8 metres into the minimum required rear yard is permitted for a deck [Section 3.14 c)].	To permit a maximum encroachment of 2.5 metres into the minimum required rear yard for a deck.
4	No encroachment into the minimum required interior side yard is permitted for a staircase that is greater than half a storey in height [Section 3.14 c)].	To permit a maximum encroachment of 0.59 metres into the minimum interior side yard for a staircase that is greater than half a storey in height.

Staff Comments:

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

There are no outstanding Orders on file

Building Permit(s) Issued:

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	The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.
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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: May 22, 2023
Name of Owners: Marina and Oleg Rigenco
Location: 258 Farrell Road
File No.(s): A032/23

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

1. To permit a maximum encroachment of 2.5 m into the minimum required rear yard for an uncovered platform.
2. To permit a maximum encroachment of 0.59 m into the minimum required interior side yard for access stairs leading to an uncovered platform.
3. To permit a retaining wall with a maximum height of 1.5 m to be setback 0.0 m to the rear lot line.

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

1. A maximum encroachment of 2.4 m into the minimum required rear yard is permitted for an uncovered platform [Section 4.13, Table 4-1].
2. No encroachment is permitted into the minimum required interior side yard for access stairs to an uncovered platform with a height greater than 1.2 m [Section 4.13, Table 4-1].
3. A retaining wall that is greater than 1.0 m in height shall be setback an equal distance to the height of the highest portion of the wall [Section 4.13, Table 4-1].

Proposed Variance(s) (By-law 1-99):

4. To permit a maximum encroachment of 2.5 m into the minimum required rear yard for a deck.
5. To permit a maximum encroachment of 0.59 m into the minimum interior side yard for a staircase that is greater than half a storey in height.

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

4. A maximum encroachment of 1.8 m into the minimum required rear yard is permitted for a deck. [Section 3.14 c]
5. No encroachment into the minimum required interior side yard is permitted for a staircase that is greater than half a storey in height. [Section 3.14c]

Official Plan:

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

Comments:

The Owners are requesting relief to permit the construction of an accessory structure (2 level deck), access stairs between the first deck level and rear yard and retaining wall abutting the rear lot line with the above noted variances.

Development Planning staff have no objections to Variances 1, 3, and 4, as a maximum encroachment increase ranging from 0.1 m to 0.7 m is minimal and is not anticipated to be perceived by the adjoining neighbours. With respect to Variance 3, Development Planning and Development Engineering have no concerns with the location of the retaining wall, as it provides for a level rear yard, which increases its functionality. It should also be noted that a 0.0 m rear yard setback in this circumstance is acceptable given this lot abuts open space and the height of the retaining wall is less than the established fence line. No massing impacts are anticipated.

Development Planning staff is of the opinion Variances 2 and 5, a maximum encroachment of 0.59 m into the minimum required interior side yard (1.2 m), does not uphold the general intent and purpose of By-law 001-2021. A 0.61 m setback between the stair edge and southeastern lot line would remain. The primary access between the front and rear yards without passing through the dwelling is located in the southeastern interior side yard, which has concrete steps to navigate the grade change between the

front and rear yards. The dwelling's two rear exits in relation to the proposed deck require the proposed encroaching stairway be used to access the rear yard amenity area. Due to the function of the southeastern interior side yard to facilitate access between the front and rear yards, and the 2-level deck's function to facilitate access between the dwelling and rear yard, it is anticipated that most if not all pedestrian activity travelling between the yards and deck, or a combination thereof would be focused within the space between the edge of the stairway and northern interior lot line. In addition to the increased activity, the encroachment also provides for restricted space for pedestrians and items (e.g., patio chairs, pool play equipment) to pass through. Therefore, impeded functionality and adverse use impacts via increased activity are anticipated. On this basis, the Development Planning Department cannot support the reduced interior side yard setback and recommend Variances 2 and 5 be refused. Other more suitable options for stairs linking the first deck level to the rear yard remain, such as recessing the stairs into the first deck level in the general location currently proposed and/or placing them under the stairs linking the first and second deck levels.

The Development Planning Department is of the opinion that Variances 1, 3, and 4 are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-laws, and are desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends **approval** of Variances 1, 3 and 4, and **refusal** of Variances 2 and 5, as noted above.

Conditions of Approval:

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

None

Comments Prepared by:

Roberto Simbana, Planner

David Harding, Senior Planner

From: [Kristen Regier](#)
To: [Christine Vigneault](#)
Subject: [External] RE: A032/23 (258 Farrell Road) - TRCA Comments
Date: Wednesday, May 24, 2023 1:06:01 PM
Attachments: [image001.png](#)

Hi Christine,

Thank you for following up on this. I apologize for the late response.

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 April 19, 2023. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

Ontario Regulation 166/06

The subject lands are partially located within TRCA's Regulated Area due to a Provincially Significant Wetland and valley corridor associated with a tributary of the Humber River that is located to the rear (south) 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

TRCA issued a permit for the construction of the subject swimming pool and minor landscaping on October 5, 2021 (TRCA Permit No. C-211161). TRCA issued a permit revision on September 8, 2022 to include the proposed deck drawings.

Based on a review of the plans submitted with this variance application, the noted works are consistent with the plans that were approved as part of TRCA Permit No. C-211161. As such, TRCA has no concerns with the proposed 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 \$660.00 (Variance-Residential-Minor) 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 A032.23 subject to the following condition:

1. That the applicant provides the required fee amount of \$660.00 payable to the Toronto and Region Conservation Authority.

Please let me know if you have any questions.

Best,

Kristen Regier, MA (she / her)

Planner I

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

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From: [Development Services](#)
To: [Christine Vigneault](#)
Cc: [Committee of Adjustment](#)
Subject: [External] RE: A032/23 (258 Farrell Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Thursday, April 27, 2023 4:07:34 PM
Attachments: [image001.png](#)
[image003.png](#)

Hi Christine,

The Regional Municipality of York has completed its review of the above minor variance 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, Programs and Process Improvement, Planning and Economic Development, Corporate Services

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None