

ITEM: 6.6	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A054/24
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Report Date: May 10, 2024

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

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

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

External Agencies *Comments Received	Conditions Required		Nature of Comments
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)				
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
Applicant			04/02/2023	Application Cover Letter

BACKGROUND (SCHEDULE D, IF REQUIRED)	
* Background Information contains historical development approvals considered to be related to this file. This information should not be considered comprehensive.	
Application No. (City File)	Application Description (i.e. Minor Variance Application; Approved by COA / OLT)
N/A	N/A

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
Hearing Date	Reason for Adjournment (to be obtained from NOD_ADJ)
N/A	N/A

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



	<b>MINOR VARIANCE APPLICATION</b> <b>FILE NUMBER A054/24</b>
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CITY WARD #:	4
APPLICANT:	Barrington Chung and AnnaMay Fung
AGENT:	Custom Pools & Landscaping (Mark Burger)
PROPERTY:	53 Dimarino Drive, 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 a proposed pool.

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

The subject lands are zoned R3 Third Density Residential Zone subject to the provisions of Exception 14.850 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum setback of the outdoor swimming pool to the rear lot line is 1.5m Section 4.21	To permit a minimum rear setback of 1.30m to the outdoor swimming pool.

HEARING INFORMATION
<b>DATE OF MEETING:</b> Thursday, May 16, 2024 <b>TIME:</b> 6:00 p.m. <b>MEETING LOCATION:</b> Vaughan City Hall, Woodbridge Room (2 <sup>nd</sup> Floor), 2141 Major Mackenzie Drive <b>LIVE STREAM LINK:</b> <a href="http://Vaughan.ca/LiveCouncil">Vaughan.ca/LiveCouncil</a>
PUBLIC PARTICIPATION
<p>If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the <a href="#">Request to Speak Form</a> and submit to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></p> <p>If you would like to submit written comments, please quote file number above and submit by mail or email to:</p> <p><b>Email:</b> <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></p> <p><b>Mail:</b> City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1</p> <p>To speak electronically, pre-registration is required by completing the <a href="#">Request to Speak Form</a> on-line and submitting it to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a> no later than NOON on the last business day before the meeting.</p> <p><b>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.</b></p>

INTRODUCTION
<p>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.</p> <p>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:</p>



INTRODUCTION	
<p>That the general intent and purpose of the by-law will be maintained.</p> <p>That the general intent and purpose of the official plan will be maintained.</p> <p>That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.</p> <p>That the requested variance(s) is/are minor in nature.</p> <p>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.</p>	

COMMITTEE OF ADJUSTMENT	
Date Public Notice Mailed:	May 2, 2024
Date Applicant Confirmed Posting of Sign:	April 29,2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	Relief from bylaw to allow for the reduction of the pool setback from 1.5m to 1.3m to the rear property line (west side)
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
COMMENTS:	
None	
Committee of Adjustment Recommended Conditions of Approval:	None

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

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

DEVELOPMENT ENGINEERING	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The Owner/Applicant has received a pool grading permit from The Development Engineering (DE) Department. DE does not object to Minor Variance Application A054/24.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH)	
No comments received to date.	
PFH Recommended Conditions of Approval:	None

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

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES	
No comments received to date.	
BCLPS Recommended Conditions of Approval:	None



BUILDING INSPECTION (SEPTIC)	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT	
No comments received to date.	
Fire Department Recommended Conditions of Approval:	None

RECOMMENDED CONDITIONS OF APPROVAL SUMMARY		
Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:		
#	DEPARTMENT / AGENCY	CONDITION
	None	
<i>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.</i>		

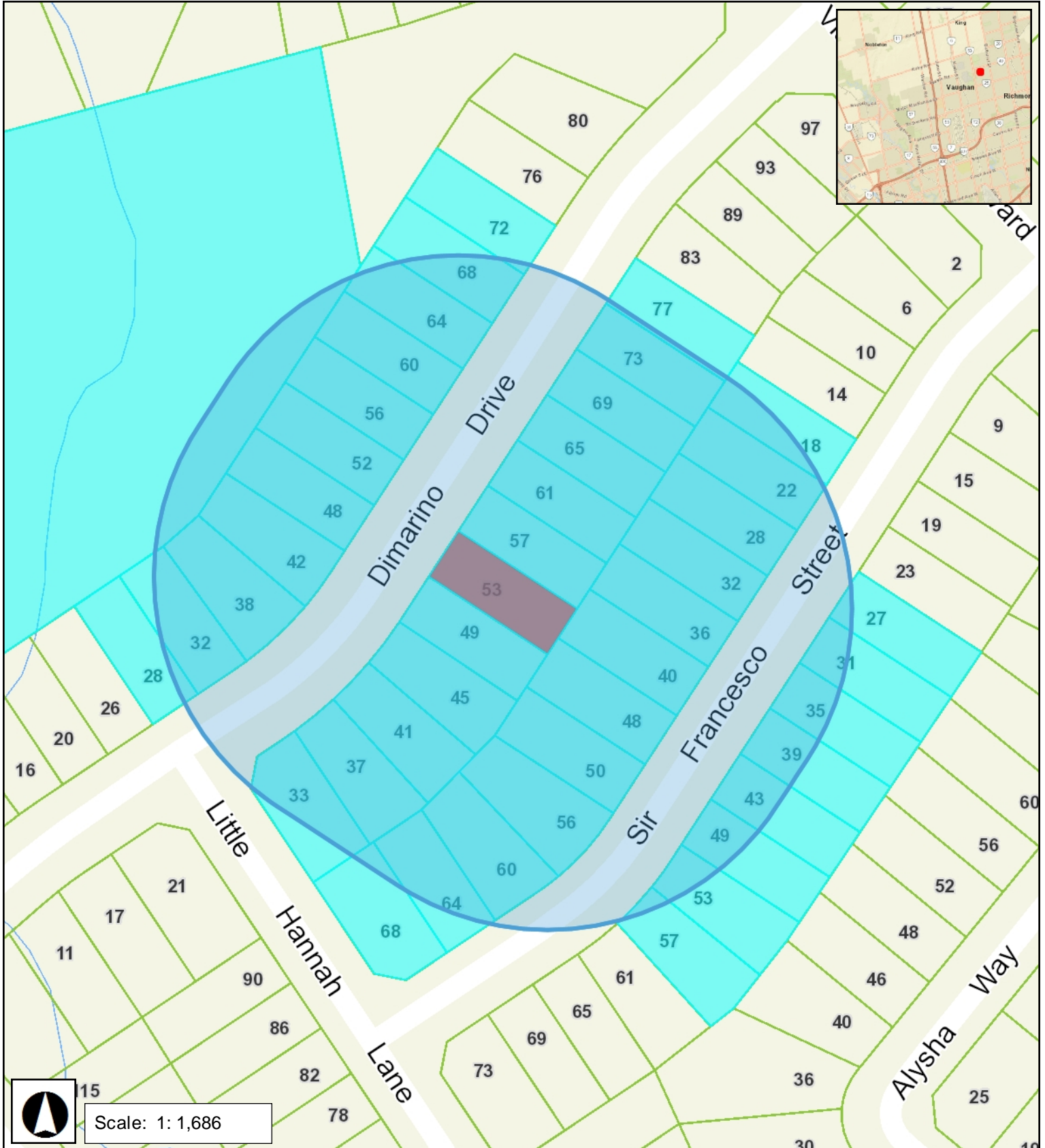
IMPORTANT INFORMATION
<b>CONDITIONS:</b> It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency ( <b>see condition chart above for contact</b> ). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.
<b>APPROVALS:</b> 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.
<b>DEVELOPMENT CHARGES:</b> That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.  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.
<b>NOTICE OF DECISION:</b> If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee’s decision you will <b>not</b> receive notice.



**SCHEDULE A: DRAWINGS & PLANS**



53 Dimarino Drive, Maple





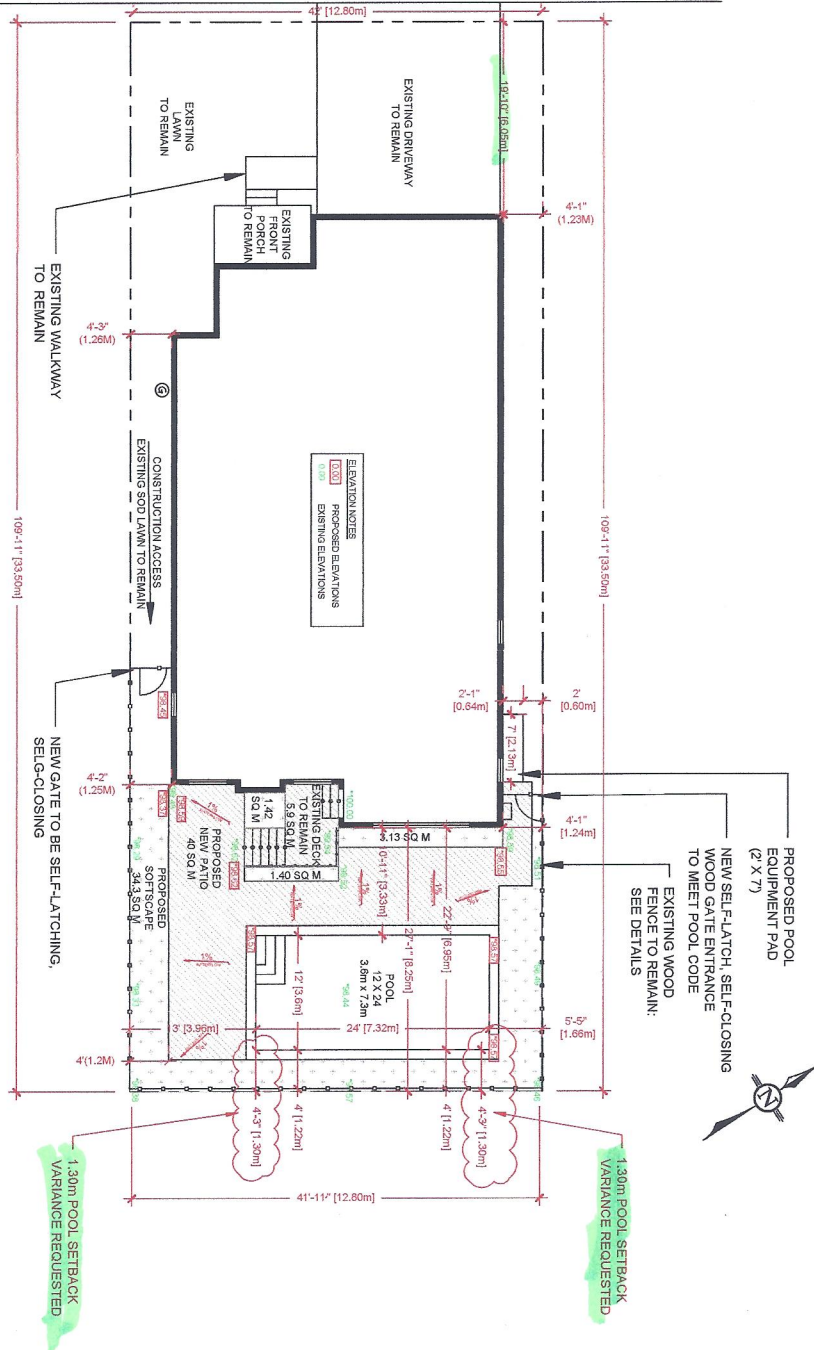
RECEIVED

By attwalap at 9:23 am, Apr 11, 2024

DIMARINO DRIVE.

Correct  
6.05m / 19'10"

**Backyard Calculations**  
Backyard size: 110.27 sq m (1187 sq ft)  
135 sq m - 110.27 sq m = 24.73 sq m  
60% of 24.73 sq m = 14.83 sq m  
Softscape Required: 14.83 sq m (159.6 sq ft)  
Proposed softscape: 40.25 sq m (433.2 sq ft)



NOTES  
ALL DRAWINGS ARE ARTIST'S IMPRESSIONS. ALL MATERIALS AND FINISHES TO BE DETERMINED BY CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION.  
ALL MATERIALS (STONE, PAVERS, FURNITURE, ACCESSORIES, PLANTINGS ETC.) ARE CONCEPTUAL REPRESENTATIONS AND MAY NOT REFLECT THE EXACT DESIGN INTENT.

POOL PERMIT PLAN  
CLIENT: CHUNG  
ADDRESS: 100 DIMARINO DR., MAPLE  
DATE: MARCH 29, 2024  
SCALE: 1/16" = 1'-0"  
SHEET SIZE: 11 X 17  
DRAWN BY: H. MOYNIHAN  
CHECKED BY: SA-617-2582



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

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

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



**Date:** April 10<sup>th</sup> 2024

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **A054-24**

**Related Files:**

**Applicant** Custom Pools & Landscaping

**Location** 53 Dimarino



**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

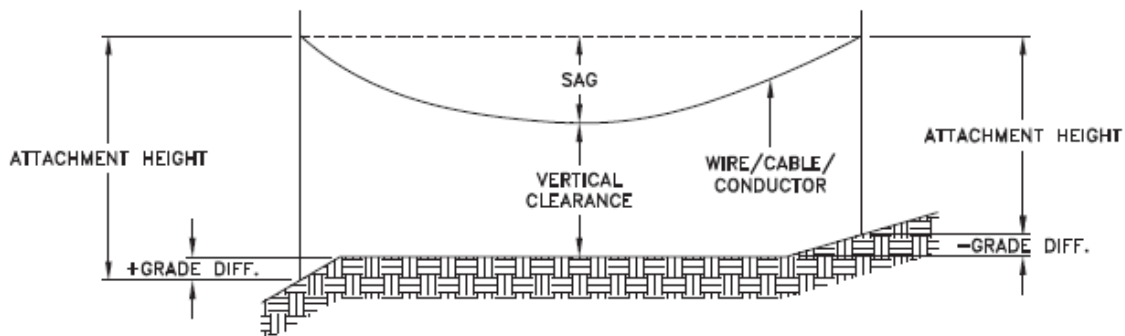
Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**E-mail:** [stephen.cranley@alecrautilities.com](mailto:stephen.cranley@alecrautilities.com)

**Email:** [Mitchell.Penner@alecrautilities.com](mailto:Mitchell.Penner@alecrautilities.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**

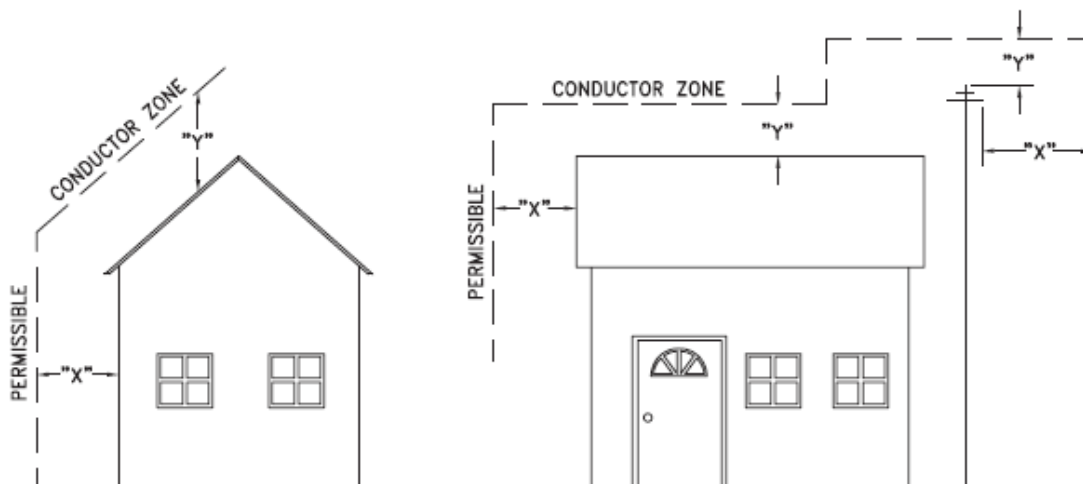
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04

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).

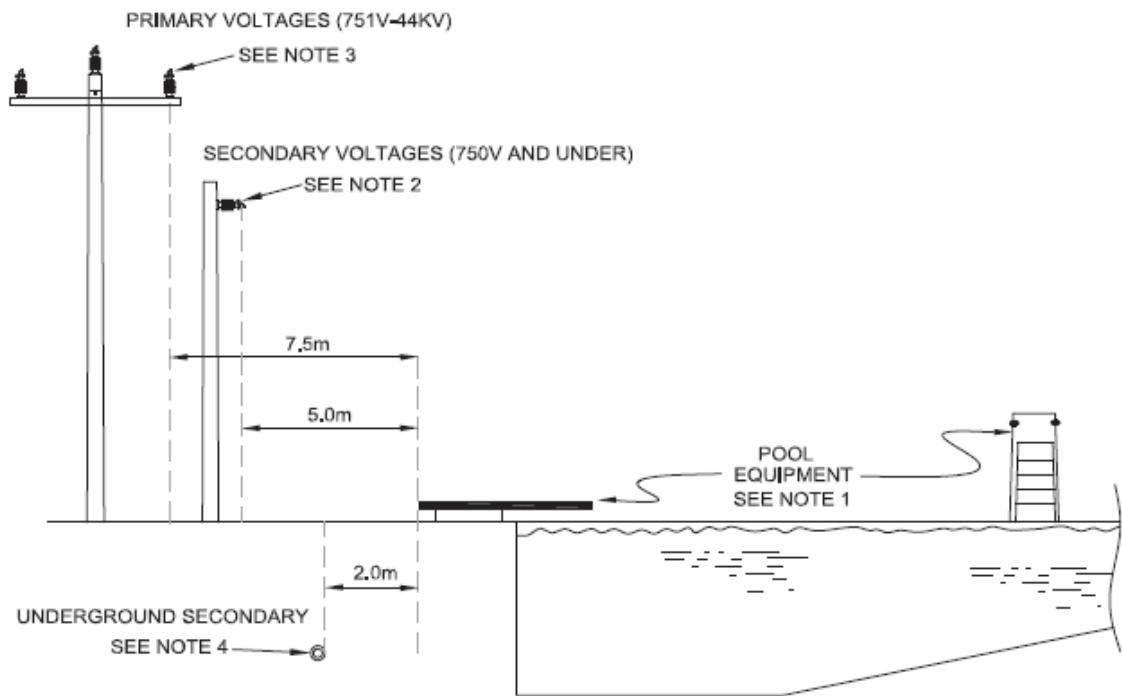
CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

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

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>	

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:  
P:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 2\3-4\DWG 03-4 R0 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:** Bernd Paessler, Building Standards Department

**Date:** April 08, 2024

**Applicant:** Custom Pools & Landscaping

**Location:** 53 Dimarino Drive  
PLAN 65M3892 Lot 111

**File No.(s):** A054/24

**Zoning Classification:**

The subject lands are zoned R3 Third Density Residential Zone subject to the provisions of Exception 14.850 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum setback of the outdoor swimming pool to the rear lot line is 1.5m  Section 4.21	To permit a minimum rear setback of 1.30m to the outdoor swimming pool.

**Staff Comments:**

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

There are no outstanding Orders on file

**Building Permit(s) Issued:**

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m<sup>2</sup>

**Other Comments:**

General Comments	
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.



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

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

**Date:** May 7, 2024

**Name of Owner:** Barry Chung

**Location:** 53 Dimarino Drive

**File No.(s):** A054/24

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

1. To permit a minimum rear setback of 1.30 m to the outdoor swimming pool.

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

1. The minimum setback of the outdoor swimming pool to the rear lot line is 1.5 m.

**Official Plan:**

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

**Comments:**

The Owner is requesting relief to permit the existing outdoor swimming pool, with the above noted variance.

Development Planning Department Staff have no objection to Variance 1 as the proposed 0.2 m reduction to the rear yard setback is minor in nature, is not anticipated to be perceptible, and maintains an appropriate area for safe access and maintenance.

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

**Recommendation:**

Development Planning Department Staff recommends approval of the application.

**Conditions of Approval:**

None.

**Comments Prepared by:**

Alyssa Pangilinan, Planner I  
David Harding, Senior Planner



## Lenore Providence

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**Subject:** FW: [External] RE: A054/24 - 53 Dimarino Dr - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**From:** Kristen Regier <Kristen.Regier@trca.ca>  
**Sent:** Tuesday, April 9, 2024 3:56 PM  
**To:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A054/24 - 53 Dimarino Dr - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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

Hello,

The subject property at 53 Dimarino Drive, 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  
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](mailto:kristen.regier@trca.ca)  
A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)





## Pravina Attwala

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**Subject:** FW: [External] RE: A054/24 - 53 Dimarino Dr - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**From:** Development Services <developmentservices@york.ca>

**Sent:** Thursday, April 18, 2024 8:31 AM

**To:** Lenore Providence <Lenore.Providence@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A054/24 - 53 Dimarino Dr - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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

Hi Lenore,

The Regional Municipality of York has completed its review of the minor variance application – A054/24 (53 Dimarino Drive) and has no comment.

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

Many thanks,

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

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

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [niranjan.rajevan@york.ca](mailto:niranjan.rajevan@york.ca) | [www.york.ca](http://www.york.ca)

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

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			04/02/2023	Application Cover Letter



COVER LETTER:

53 Dimarino Dr  
(File No. AO54/24)

Dear Committee Members,

We are requesting relief from the bylaw to allow for the reduction of the pool setback to the rear (east) property line to be 1.30 meters.

In May of 2022 we installed an inground pool at 53 Dimarino Dr. When positioning the pool we used the approved Pool Permit drawing. The drawing did not have a measurement from the rear of the house to the rear property line. We determined the position by measuring from the front property line. When bylaw came to inspect the finished project it was determined that the pool was positioned 1.3m from the rear property line instead of the required 1.5m setback. We then realized that the plan we submitted for the Pool Permit had an error. The plan stated that the distance from the front of the house to the front property line was 5.86m. This is how we calculated the position of the pool. The actual measurement from the front of the house to the front property line is 6.05m. This discrepancy resulted in the pool being 0.20m further East.

Attached is a copy of the approved Pool Permit drawing and the corrected drawing.



EXISTING CITY SIDEWALK

City of Vaughan Zoning Review for  
**PROPOSED POOL ONLY\***  
\*ALL DRAWINGS AND SPECIFICATIONS SHALL COMPLY  
WITH CITY OF VAUGHAN BY-LAW 1-88 A.A.

City of Vaughan By-law 1-88 s.a.  
**3.14 PERMITTED YARD ENCROACHMENTS AND RESTRICTIONS**  
 External ground mounted pool equipment shall be setback a minimum of 0.6 metres from the interior side of line, and may encroach 1.5 metres into the required rear yard or side yard.

**NOTES**  
ALL DRAWINGS ARE ARTISTS IMPRESSIONS. ALL MEASUREMENTS AND GRADES TO BE CONFIRMED BY CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION.  
ALL MATERIALS (STONE, PAVERS, FURNITURE ACCESSORIES, PLANTINGS ETC.) ARE CONCEPTUAL REPRESENTATIONS AND MAY NOT REFLECT THE EXACT DESIGN INTENT.

Backyard size: 110.27 sq m (1187 sq ft)

60% of 24.73 sq m = 14.83 sq m

Softscape Required: 14.83 sq m (159.6 sq ft)

Proposed softscape: 40.25 sq m (433.2 sq ft)

City of Vaughan  
GRADING APPROVED BY

August 24 2021

**City of Vaughan**  
**ZONING REVIEWED BY**

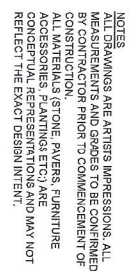
**August 20 2021**

POOL PERMIT PLAN

CLIENT:	CHING
ADDRESS:	53 DIMARINO DR., MAPLE
DATE:	JULY 28 2021
SHEET:	1:150M
SHEET SIZE:	11 X 17
DRAWN BY:	H. MOYNIHAN
CHECKED BY:	647-617-2562



Correct  
6.05m / 19'10"



Backyard size: 110.27 sq m (1187 sq ft)  
 135 sq m - 110.27 sq m = 24.73 sq m  
 60% of 24.73 sq m = 14.83 sq m  
 Softscape Required: 14.83 sq m (159.6 sq ft)  
 Proposed softscape: 40.25 sq m (433.2 sq ft)

POOL PERMIT PLAN

CUSTOMER: CHUNG  
ADDRESS: 53 DIMARINO DR., MAPLE  
DATE: MARCH 26 2024  
SCALE: 1:150M  
SHEET SIZE: 11 X 17  
DRAWN BY: H. MOYNIHAN  
CHECKED BY: 647-617-2382



**SCHEDULE D: BACKGROUND**

None