

<b>ITEM: 6.4</b>	<b>REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A020/24</b>
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Report Date: June 14, 2024

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

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

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of Comments
Committee of Adjustment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input 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
By-law & Compliance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

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

<b>PUBLIC &amp; APPLICANT CORRESPONDENCE (SEE SCHEDULE C)</b>				
<p>All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.</p>				
Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
None				

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

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

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



## MINOR VARIANCE APPLICATION FILE NUMBER A020/24

<b>CITY WARD #:</b>	3
<b>APPLICANT:</b>	Concetta Di Matteo and Ivano Di Matteo
<b>AGENT:</b>	RK Architects Inc.
<b>PROPERTY:</b>	30 Oxbow Court, Woodbridge
<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None.
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit an uncovered deck (platform) in the rear yard.

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

**The subject lands are zoned R4A(EN) – Forth Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.690 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
	A maximum encroachment of 2.4 metres is permitted for an uncovered platform into the required rear yard. [Table 4-1]	To permit a maximum encroachment of 3.75 metres for an uncovered platform into the required rear yard.
2	A maximum encroachment of 2.0 metres is permitted for a porch into the required rear yard. [Table 4-1]	To permit a maximum encroachment of 3.42 metres for a porch into the required rear yard.

### HEARING INFORMATION

**DATE OF MEETING:** Thursday, June 20, 2024  
**TIME:** 6:00 p.m.  
**MEETING LOCATION:** Vaughan City Hall, Woodbridge Room (2<sup>nd</sup> Floor), 2141 Major Mackenzie Drive  
**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil)

#### PUBLIC PARTICIPATION

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

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

**Email:** [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

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

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

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

### INTRODUCTION

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

## INTRODUCTION

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

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

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

## COMMITTEE OF ADJUSTMENT

<b>Date Public Notice Mailed:</b>	June 6, 2024
<b>Date Applicant Confirmed Posting of Sign:</b>	April 29, 2024
<b>Applicant Justification for Variances:</b> <small>*As provided in Application Form</small>	The maximum permitted encroachment for an uncovered platform, with a floor height greater than 1.2 metres as measured above grade and including access stairs, into a minimum required rear yard is 2.4 metres, whereas 3.9 metres encroachment is proposed ( rear yard setback of 2.09 metres shown on site plan whereas 3.6 metre setback is required based on a required rear yard of 6-24=3.6 metres). [Zoning By-law 001-2021, as amended, Section 4.13, Section 7.2.4 Table 7-5 ].
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b> <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"/>
<b>COMMENTS:</b>	
None	
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None

## BUILDING STANDARDS (ZONING)

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

## DEVELOPMENT PLANNING

<b>**See Schedule B for Development Planning Comments.</b>	
<b>Development Planning Recommended Conditions of Approval:</b>	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>	
Development Engineering (DE) does not object to Minor Variance Application A020/24	
<b>Development Engineering Recommended Conditions of Approval:</b>	None

## PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.	
<b>PFH Recommended Conditions of Approval:</b>	None

## DEVELOPMENT FINANCE

No comment no concerns.	
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## DEVELOPMENT FINANCE

<b>Development Finance Recommended Conditions of Approval:</b>	None
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## BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No objections or comments.

<b>BCLPS Recommended Conditions of Approval:</b>	None
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## BUILDING INSPECTION (SEPTIC)

No comments received to date.

<b>PFH Recommended Conditions of Approval:</b>	None
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## FIRE DEPARTMENT

No comments received to date.

<b>PFH Recommended Conditions of Approval:</b>	None
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## RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

#	DEPARTMENT / AGENCY	CONDITION
1	TRCA <a href="mailto:Kristen.Regier@trca.ca">Kristen.Regier@trca.ca</a>	That the applicant provides the required fee amount of \$660.00 payable to the Toronto and Region Conservation Authority.

*All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval "if required". If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.*

## IMPORTANT INFORMATION

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

**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.

### IMPORTANT INFORMATION

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.

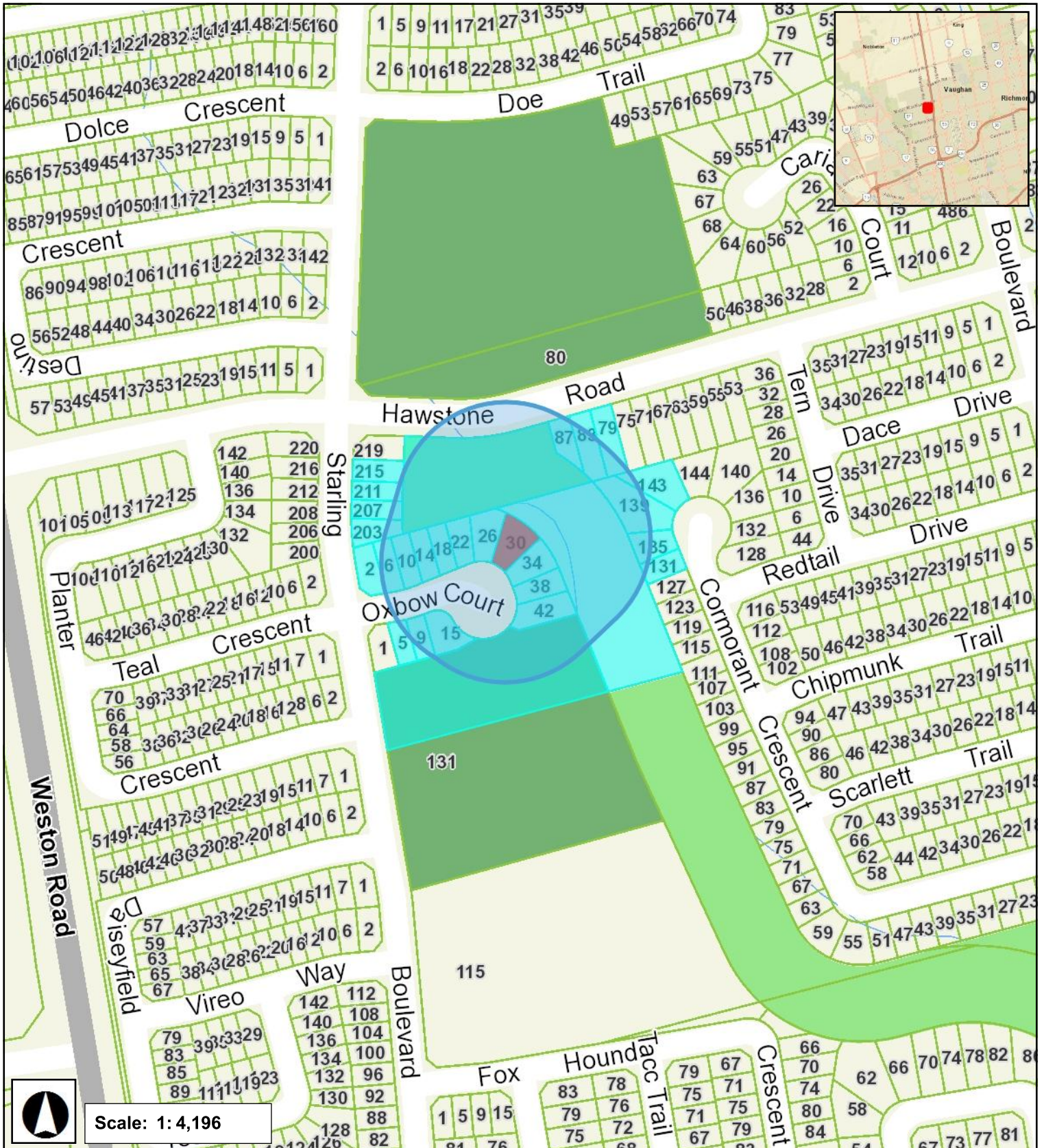
**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

**SCHEDULE A: DRAWINGS & PLANS**



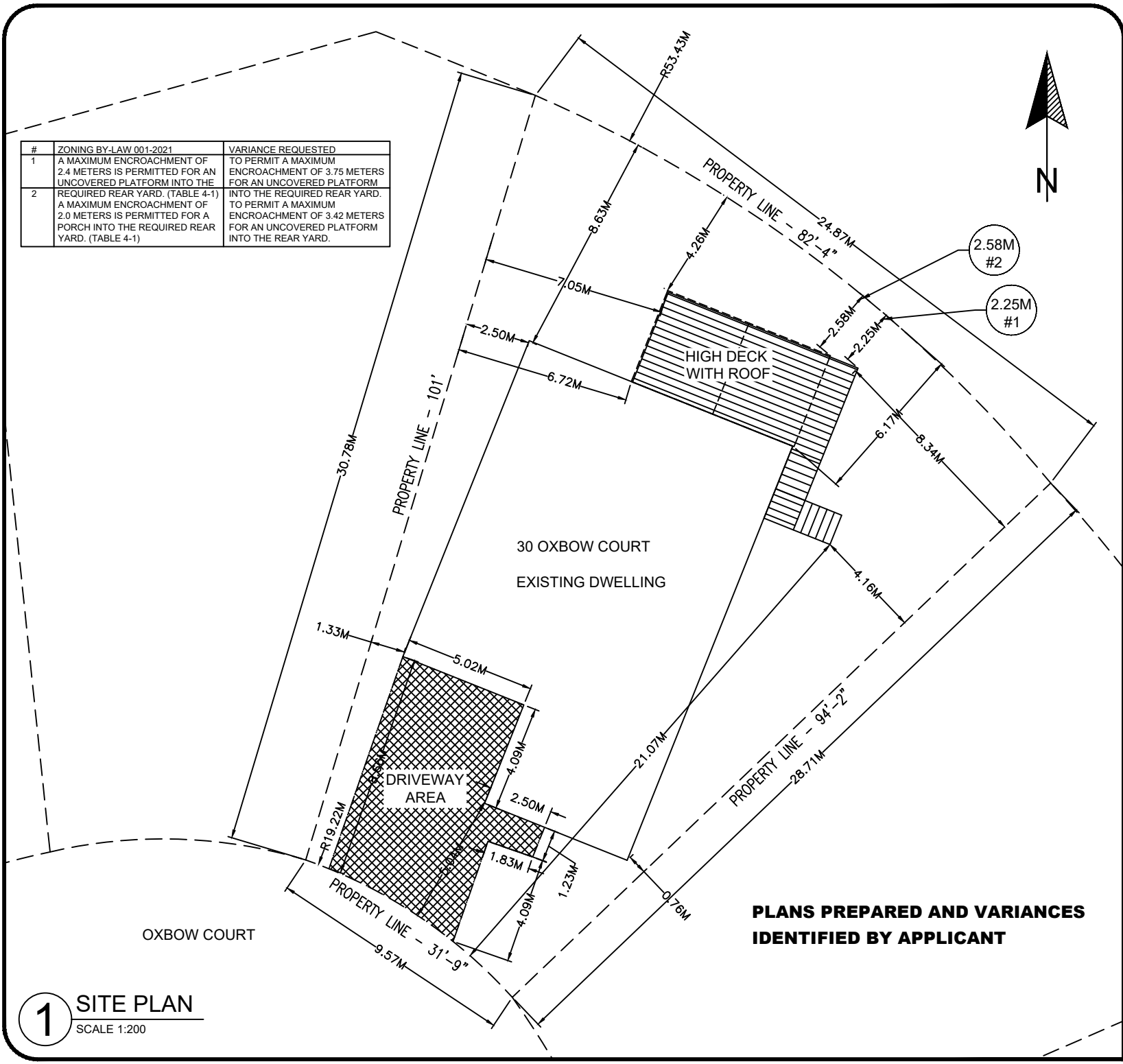
# LOCATION MAP - A020/24

30 OXBOW COURT, WOODBRIDGE




**RECEIVED**  
By Prabhdeep Kaur at 10:26 am, May 16, 2024

#	ZONING BY-LAW 001-2021	VARIANCE REQUESTED
1	A MAXIMUM ENCROACHMENT OF 2.4 METERS IS PERMITTED FOR AN UNCOVERED PLATFORM INTO THE	TO PERMIT A MAXIMUM ENCROACHMENT OF 3.75 METERS FOR AN UNCOVERED PLATFORM
2	REQUIRED REAR YARD. (TABLE 4-1) A MAXIMUM ENCROACHMENT OF 2.0 METERS IS PERMITTED FOR A PORCH INTO THE REQUIRED REAR YARD. (TABLE 4-1)	INTO THE REQUIRED REAR YARD. TO PERMIT A MAXIMUM ENCROACHMENT OF 3.42 METERS FOR AN UNCOVERED PLATFORM INTO THE REAR YARD.




**PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT**

**Hickory Dickory Decks**  
  
 Head Office  
 115 Dundas St W  
 Dundas, On L9H 7L6  
 905-689-4774  
 hddoffice@gmail.com

Project Name:  
**TINA DI MATTEO**

Project Address:  
**30 OXBOW COURT  
WOODBRIDGE  
ON, L4H 2V4**

I have reviewed and take responsibility for the design and am qualified in the appropriate category as a designer under subsection 3.2.5 of Division C of the Ontario Building Code.  
 Name: Brad Arnold  
 BCIN #: 24758  
 Signature: 

Drawn By:  
**STEPHANIE ALLEN**

Date:  
**APRIL 2, 2024**

**SP101**

**1** SITE PLAN  
SCALE 1:200



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

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

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

**Date:** April 29<sup>th</sup> 2024

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

**RE:**

**File No.:** **A020-24**

**Related Files:**

**Applicant** RK Architects Inc.

**Location** 30 Oxbow Court



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:

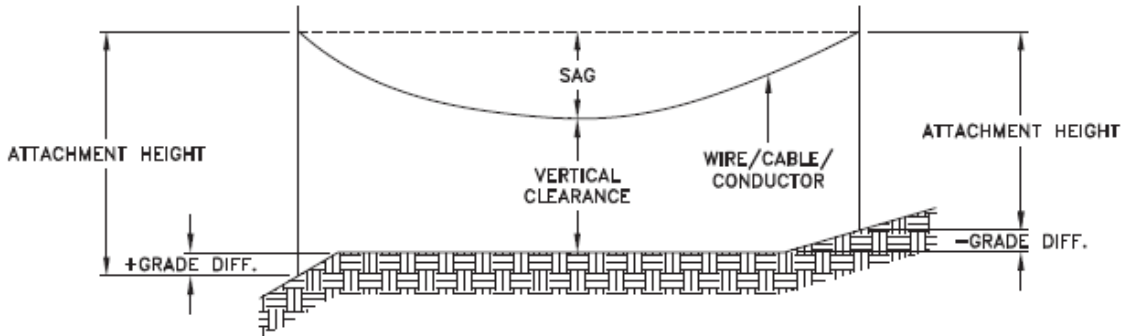
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

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

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

**Email:** [Mitchell.Penner@alectrautilities.com](mailto: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:** Christian Tinney, Building Standards Department  
**Date:** May 31, 2024  
**Applicant:** RK Architects Inc.  
**Location:** 30 Oxbow Court  
 PLAN 65M3542 Lot 23  
**File No.(s):** A020/24

**Zoning Classification:**

The subject lands are zoned R4A(EN) – Forth Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.690 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A maximum encroachment of 2.4 metres is permitted for an uncovered platform into the required rear yard. [Table 4-1]	To permit a maximum encroachment of 3.75 metres for an uncovered platform into the required rear yard.
2	A maximum encroachment of 2.0 metres is permitted for a porch into the required rear yard. [Table 4-1]	To permit a maximum encroachment of 3.42 metres for a porch into the required rear yard.

**Staff Comments:**

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

There are no outstanding Orders on file.

**Building Permit(s) Issued:**

Building Permit No. 23-134729 for Single Detached Dwelling - Alteration, Issue Date: (Not Yet 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).

**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 31, 2024  
**Name of Owners:** Ivano and Concetta Di Matteo  
**Location:** 30 Oxbow Court  
**File No.(s):** A020/24

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

1. To permit a maximum encroachment of 3.75 metres for an uncovered platform into the required rear yard.
2. To permit a maximum encroachment of 3.42 metres for a porch into the required rear yard.

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

1. A maximum encroachment of 2.4 metres is permitted for an uncovered platform into the required rear yard.
2. A maximum encroachment of 2.0 metres is permitted for a porch into the required rear yard.

**Official Plan:**

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

**Comments:**

The Owners are requesting relief to permit the construction of a proposed largely covered raised deck with the above noted variances. The covered deck is attached to, and abuts slightly less than two-thirds of the dwelling's main rear wall, which faces north-east. There is a southeast portion of the deck that projects beyond the dwelling's southeast side wall to be uncovered. The stairs descend along-side the southeast side wall of the dwelling to a landing and then outward into the interior side yard.

Development Planning Department Staff has no objection to the requested variances for an encroachment of 3.75 metres for an uncovered platform (uncovered deck) to the rear yard (Variance 1) and an encroachment of 3.42 metres to the covered portion of the deck (Variance 2). The proposed covered deck only utilizes the full extent of the requested relief for the reduced rear yard setback at its northeast corner, which is a pinch-point, increasing to 4.26 metres at its greatest extent at its northwest corner. The proposed covered deck is anticipated to have minimal use and massing impacts on the neighbouring properties to the east (34 Oxbow Court) and west (26 Oxbow Court) as appropriate interior side yard setbacks are maintained, and the proposed deck is modest in footprint. The Subject Property is a pie-shape lot expanding outward towards the rear lot line, providing for a large rear yard amenity area. The rear lot line abuts an open space area which contains trees and a watercourse. The reduction to the rear yard setback will not pose a significant visual impact to nor impact the function of the abutting open space uses. As such, the minimum rear yard setback of 2.25 m from the proposed uncovered deck maintains an appropriate area for landscaped rear yard amenity space, access, and drainage, and is not anticipated to adversely impact the abutting properties.

In support of the application, the Owners submitted an Arborist Report and Tree Preservation Plan prepared by DA White Tree Care, dated April 30<sup>th</sup>, 2024. The report inventoried all trees on the subject property and neighbouring properties, all of which are to be retained and protected through construction where necessary. No trees are proposed to be injured or removed. Urban Design staff have reviewed the report and concur with its recommendations.

Accordingly, Development Planning Department Staff support the requested variances 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:**

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

None.

**Comments Prepared by:**

Nicholas Del Prete, Planner 1  
David Harding, Senior Planner



May 8, 2024

CFN 70450.13  
Ex Ref. CFN 69880

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

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

Dear Christine:

**Re: Minor Variance Application A020/24  
Part of Lot 19, Concession 5  
30 Oxbow Court  
City of Vaughan, Region of York  
Applicant: RK Architects Inc.**

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 26, 2024. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

### **Purpose of the Application**

It is our understanding that the purpose of the above noted application is to request the following variances under By-Law 001-2021:

By-Law 001-2021:

- To permit a maximum encroachment of 3.75 metres for an uncovered platform into the required rear yard
- To permit a maximum encroachment of 3.42 metres for a porch into the required rear yard.

The noted variances are being requested to facilitate the construction of an attached rear yard covered deck to an existing detached residential dwelling.

### **Ontario Regulation 41/24**

The subject property is located within TRCA's Regulated Area due to a valley corridor and Regional Storm flood plain associated with a tributary of the Don River. In accordance with Ontario Regulation 41/24, 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, unstable soils, or bedrock will not be affected.

### **Application-Specific Comments**

TRCA staff have reviewed and issued a permit for the proposed deck structure (TRCA Permit No. C-240031, issued January 11, 2024). The plans submitted with this application are consistent with the plans that were approved as part of TRCA's permit.

Based on the above, TRCA staff have 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 (Minor 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 A020/24 subject to the following conditions:

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

We trust these comments are of assistance. Should you have any questions, please contact me at 437-880-2347 or at [joshua.lacaria@trca.ca](mailto:joshua.lacaria@trca.ca).

Sincerely,

Joshua Lacaria  
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Development Planning and Permits | Development and Engineering Services  
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## SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None

## SCHEDULE D: BACKGROUND

None