

<b>ITEM: 6.7</b>	<b>REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A046/24</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 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 <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 type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

<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>* Background Information contains historical development approvals considered to be related to this file. This information should not be considered comprehensive.</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>* Previous hearing dates where this application was adjourned by the Committee and public notice issued.</p>	
Hearing Date	Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small>
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</b> (if required)	Public & Applicant Correspondence
<b>Schedule D</b> (if required)	Background



## MINOR VARIANCE APPLICATION FILE NUMBER A046/24

<b>CITY WARD #:</b>	1
<b>APPLICANT:</b>	Cesare & Lina Pellegrino
<b>AGENT:</b>	Betz Pools Limited
<b>PROPERTY:</b>	77 Balderson Drive, Kleinburg
<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 a proposed pool and shed to be located 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 R1 – First Density Residential Zone and subject to the provisions of Exception 14.950 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	The minimum setback of an outdoor swimming pool to any lot line shall be 1.5m. [4.21.3]	To permit the proposed outdoor swimming pool to be setback from the rear lot line a minimum of 1.25m.
2	A residential accessory structure with a height greater than 2.8m shall not be located closer than 2.4m to any lot line. [4.1.2.1.b]	To permit a residential accessory structure with a height greater than 2.8m to be located a minimum of 1.02m from the rear lot line.
3	A residential accessory structure with a height greater than 2.8m shall not be located closer than 2.4m to any lot line. [4.1.2.1.b]	To permit a residential accessory structure with a height greater than 2.8m to be located a minimum of 0.56 m from the interior side lot line.
4	A minimum distance of 0.6m shall be required from any permitted encroachment to the nearest lot line. [4.13.3]	To permit a minimum distance of 0.30m from the residential accessory structure eaves to the interior side lot line.

### 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](https://vaughan.ca/LiveCouncil)

#### PUBLIC PARTICIPATION

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

### HEARING INFORMATION

**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

<b>Date Public Notice Mailed:</b>	June 6, 2024
<b>Date Applicant Confirmed Posting of Sign:</b>	May 31, 2024
<b>Applicant Justification for Variances:</b> <small>*As provided in Application Form</small>	Pool requires 1.5 meter setback from property line
<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

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

Development Engineering has reviewed the existing swimming pool and pool house. Swimming pool drawing was approved on April 20, 2016. Pool Permit Number: 16-755EP . Development Engineering does not object to the Minor Variance application A046/24.

<b>Development Engineering Recommended Conditions of Approval:</b>	None
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### PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.

<b>PFH Recommended Conditions of Approval:</b>	None
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### DEVELOPMENT FINANCE

No comment no concerns

## DEVELOPMENT FINANCE

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

No comments received to date.

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

No comments received to date.

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

No comments received to date.

<b>Fire Department 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
	None	

*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.

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

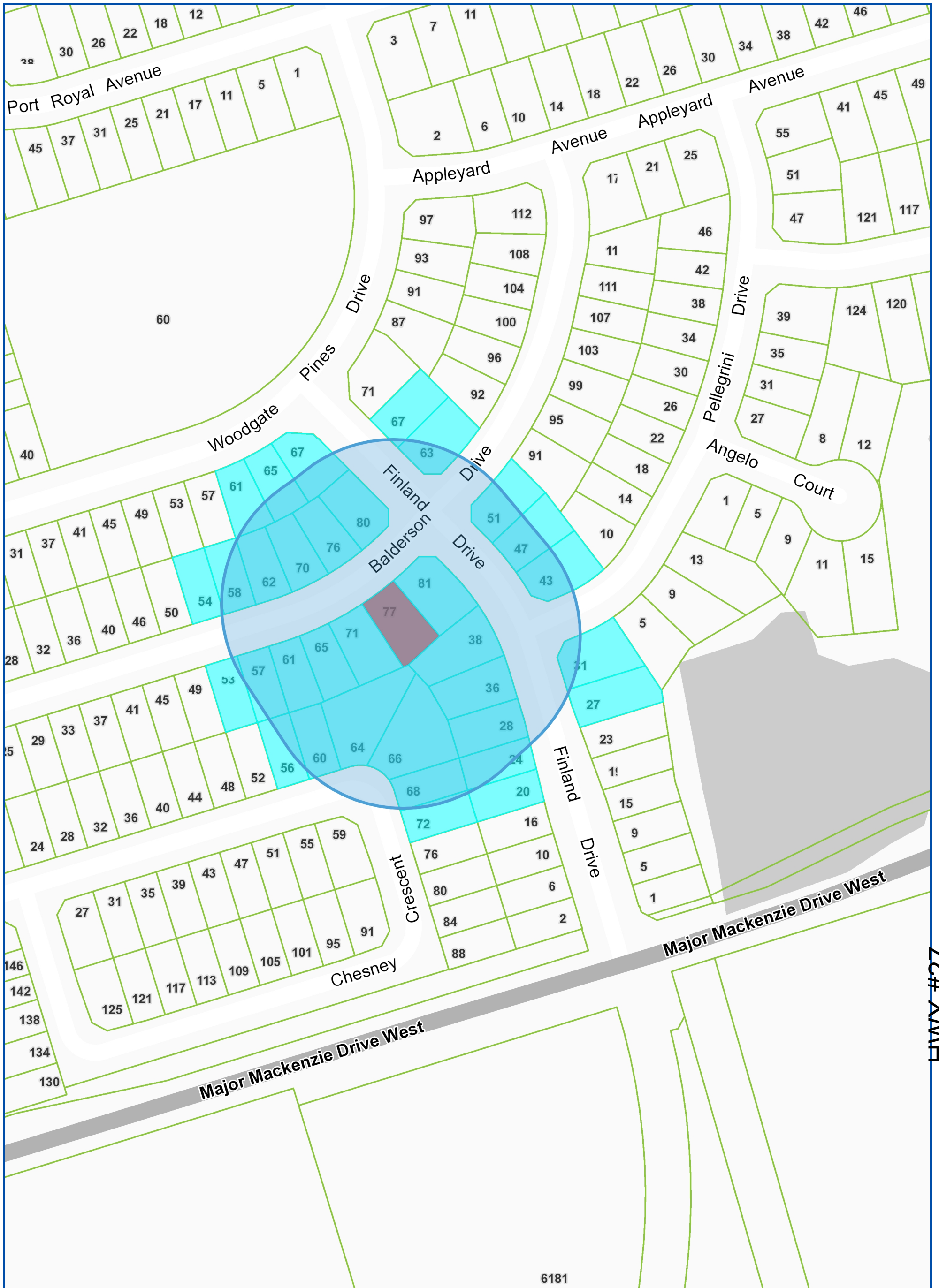
### IMPORTANT INFORMATION

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.

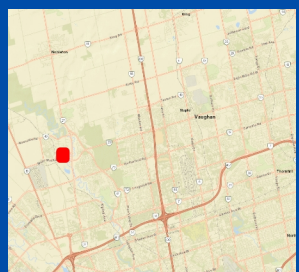
**SCHEDULE A: DRAWINGS & PLANS**





HWY #27

Map Information:



Title:

## NOTIFICATION MAP - A046/24

# 77 Balderson Drive, Kleinburg

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: 2,257

0 0.04 km



Created By:

Infrastructure Delivery

Department

March 18, 2024 10:29 AM

Projection:

NAD 83

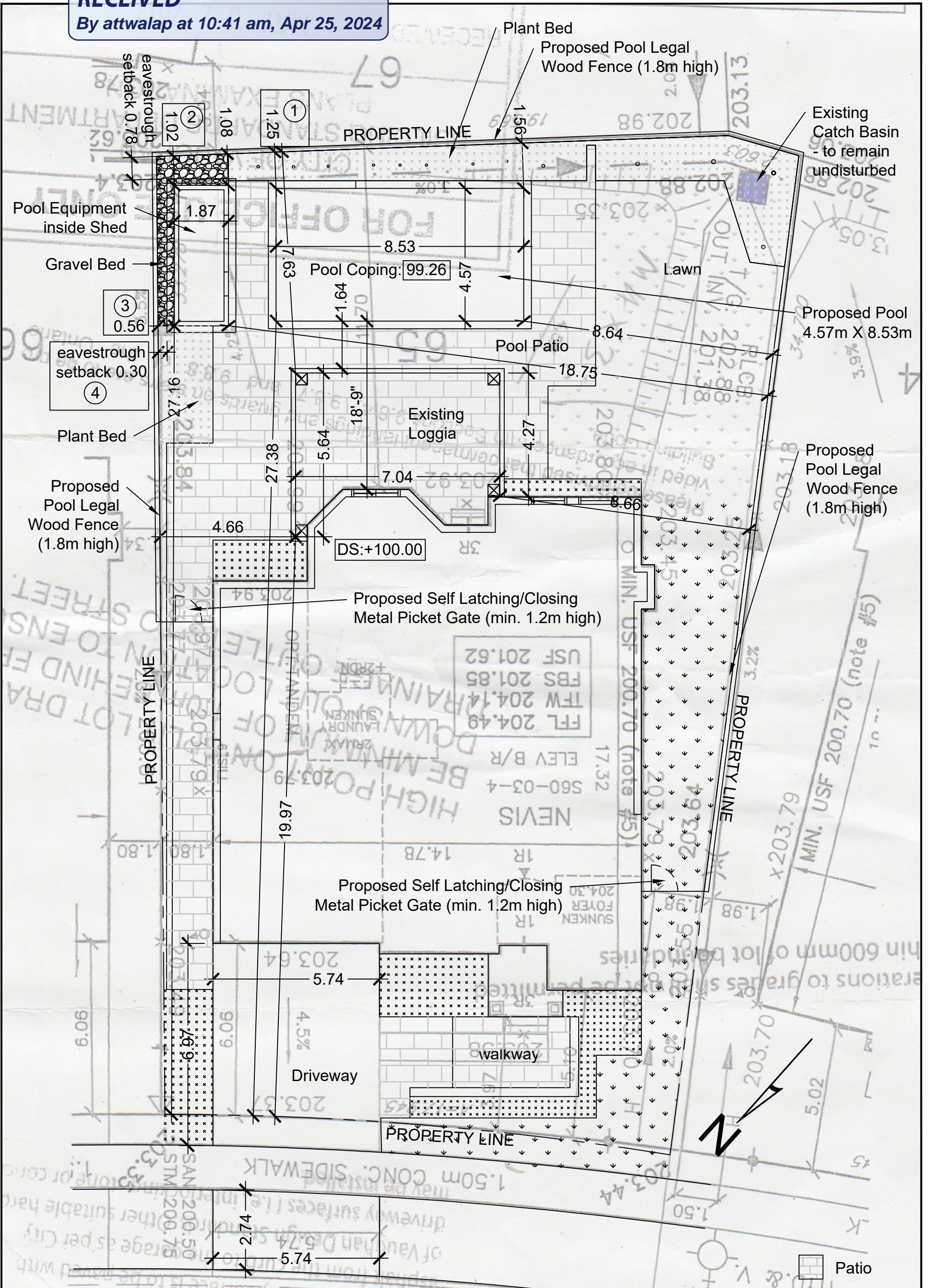
UTM Zone

17N



**RECEIVED**

By attwalap at 10:41 am, Apr 25, 2024



REAR YARD COVERAGE: 175.02 sq.m.  
 Proposed Pool: 38.98 sq.m.  
 Proposed Shed: 9.05 sq.m.  
 Proposed Patio: 46.11 sq.m.  
 Plant Bed: 37.90 sq.m.  
 Lawn: 37.61 sq.m.  
 Gravel bed around Shed: 5.37 sq.m.

# BALDERSON DRIVE

Required Soft Landscaping: 24.01 sq.m.  
 Proposed Total Soft Landscaping: 75.51 sq.m.

**Pires Residence**  
 77 Balderson Drive,  
 Kleinburg, ON

Scale 1 = 125	Date April 24, 2024
Drawing Site Plan	Drawing No. D01



**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 type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

**Date:** April 25<sup>th</sup> 2024

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

**RE:** Request for Comments

**File No.:** **A046-24**

**Related Files:**

**Applicant** Betz Pools Limited

**Location** 77 Balderson Drive

**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

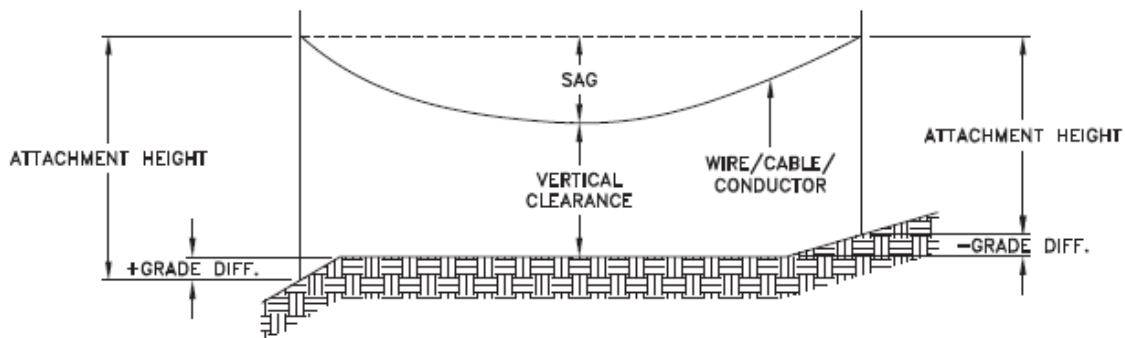
Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**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

**Certificate of Approval**

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

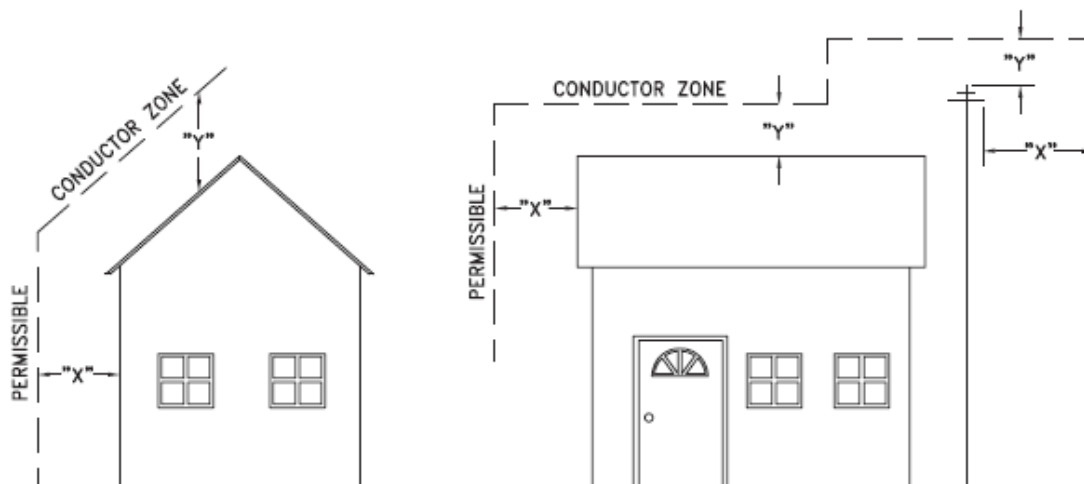
Joe Crozier, P.Eng.      2012-JAN-09

Name      Date

P.Eng. Approval By:      Joe Crozier

**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



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**

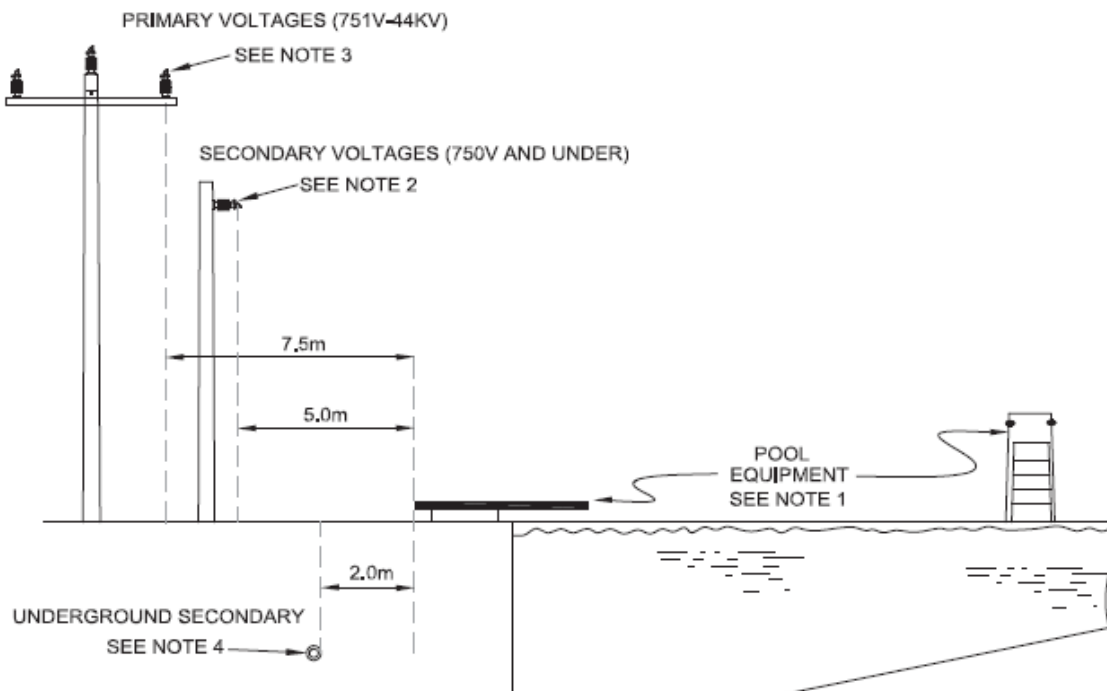
1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE 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).

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

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

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

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:  
PS\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 23-4\DWG 03-4 R0 May 5, 2010.dwg, 5/5/2010 9:22:02 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

**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

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

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



**To:** Committee of Adjustment  
**From:** Faegheh Gholami, Building Standards Department  
**Date:** April 24, 2024  
**Applicant:** Betz Pools Limited  
**Location:** 77 Balderson Drive  
 PLAN 65M4383 Lot 65  
**File No.(s):** A046/24

**Zoning Classification:**

The subject lands are zoned R1 – First Density Residential Zone and subject to the provisions of Exception 14.950 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum setback of an outdoor swimming pool to any lot line shall be 1.5m. [4.21.3]	To permit the proposed outdoor swimming pool to be setback from the rear lot line a minimum of 1.25m.
2	A residential accessory structure with a height greater than 2.8m shall not be located closer than 2.4m to any lot line. [4.1.2.1.b]	To permit a residential accessory structure with a height greater than 2.8m to be located a minimum of 1.02m from the rear lot line.
3	A residential accessory structure with a height greater than 2.8m shall not be located closer than 2.4m to any lot line. [4.1.2.1.b]	To permit a residential accessory structure with a height greater than 2.8m to be located a minimum of 0.56 m from the interior side lot line.
4	A minimum distance of 0.6m shall be required from any permitted encroachment to the nearest lot line. [4.13.3]	To permit a minimum distance of 0.30m from the residential accessory structure eaves to the interior side lot line.

**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.

**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:** June 12, 2024  
**Name of Owners:** Cesare & Lina Pellegrino  
**Location:** 77 Balderson Drive  
**File No.(s):** A046/24

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

1. To permit the proposed outdoor swimming pool to be setback from the rear lot line a minimum of **1.25 m**.
2. To permit a residential accessory structure with a height greater than **2.8 m** to be located a minimum of **1.02 m** from the rear lot line.
3. To permit a residential accessory structure with a height greater than **2.8 m** to be located a minimum of **0.56 m** from the interior side lot line.
4. To permit a minimum distance of **0.30 m** from the residential accessory structure eaves to the interior side lot line.

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

1. The minimum setback of an outdoor swimming pool to any lot line shall be **1.5 m**.
2. A residential accessory structure with a height greater than **2.8 m** shall not be located closer than **2.4 m** to any lot line.
3. A residential accessory structure with a height greater than **2.8 m** shall not be located closer than **2.4 m** to any lot line.
4. A minimum distance of **0.6 m** shall be required from any permitted encroachment to the nearest lot line.

**Official Plan:**

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

**Comments:**

The Owners are requesting relief to permit an existing accessory building (change room/shed) and an existing in-ground swimming pool in the rear yard with the above-noted variances.

Development Planning Department Staff ('Development Planning Staff') have no objection to Variance 1 for the in-ground swimming pool. The existing wood privacy fence and the larger plantings along the rear lot line provide a visual buffer between the rear lot line and the pool. The requested 0.25 m reduction to the rear yard setback is not perceptible from a visual perspective and an appropriate area for safe access and maintenance is maintained around the entirety of the pool.

Development Planning Staff have no objection to the request to permit a reduced rear yard setback (Variance 2), as well as a reduced interior side yard setback to the change room/shed walls (Variance 3) and for its eaves to come closer to the interior side lot line (Variance 4). The change room/shed is proposed in the south-east corner of the rear yard and is relatively modest in footprint. The flat roof design will assist in mitigating any potential concerns with massing on the neighbouring properties to the south (38 Finland Drive) and east (81 Balderson Drive). The change room/shed abuts another accessory structure in the rear yard of the property to the east, further mitigating any adverse use or massing impacts to that property. The proposed 1.02 metre minimum rear yard setback and 0.56 metre interior side yard setback for the changeroom/shed provides sufficient space for maintenance and access purposes respectively.

Accordingly, Development Planning 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



**From:** [Kristen Regier](#)  
**To:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A046/24 (77 Balderson Drive) - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** April-25-24 2:48:00 PM  
**Attachments:** [image002.png](#)

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Hello,

The subject property at 77 Balderson 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)

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



## SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None

## SCHEDULE D: BACKGROUND

None