

ITEM: 6.1	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A049/24
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Report Date: July 26, 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"/>	Recommend Adjournment
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 checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/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
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)				
<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				

BACKGROUND (SCHEDULE D, IF REQUIRED)	
<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

ADJOURNMENT HISTORY	
<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 <small>(to be obtained from NOD_ADJ)</small>
July 10, 2024	Minor Variance Application A049/24 was adjourned by the Committee of Adjustment to August 1, 2024 to accommodate statutory public notice.

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



MINOR VARIANCE APPLICATION FILE NUMBER A049/24

CITY WARD #:	2
APPLICANT:	Augusto & Pearl Ceron
AGENT:	Kelvin Lo & Salik Imtiaz
PROPERTY:	70 Condotti Drive, Woodbridge
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	None
PROPOSAL:	Relief from the Zoning By-law is being requested to permit a proposed pergola in the rear yard.

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

The subject lands are zoned R3 (EN) – Third Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.891 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	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. [Section 4.1.2.b]	To permit a residential accessory structure with a height greater than 2.8 m to be located a minimum of 0.66 from the interior side lot line.
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. [Section 4.1.2.b]	To permit a residential accessory structure with a height greater than 2.8 m to be located a minimum of 0.64 m from the rear lot line.
3	A minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest lot line. [Section 4.13.3]	To permit a minimum distance of 0.56 metres to the permitted encroachment of the Pergola eaves to the nearest lot line.

HEARING INFORMATION

DATE OF MEETING: Thursday, August 1, 2024

TIME: 6:00 p.m.

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

LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

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

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

Email: cofa@vaughan.ca

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

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

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

Date Public Notice Mailed:	June 26, 2024
Date Applicant Confirmed Posting of Sign:	July 17, 2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	The pergola is extending into the rear and side yard more than permitted.
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

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

Due to the size of the proposed pergola on the subject property, which measures 17.8 m², the Owner/Applicant must acquire a Lot Grading Permit from the Development Inspection and Lot Grading Division of the City's Development Engineering Department. It's important note that any in-ground structure exceeding 10 m² necessitates a Grading Permit. Once the Grading Permit is obtained, please reach out to the Development Engineering Reviewer to clear the Condition imposed on this application. The Development Engineering Department does not object to the Minor Variance application A049/24, subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:	The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Permits page of the City of Vaughan's website: Permits City of Vaughan to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email DEPermits@vaughan.ca
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PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE

No comment no concerns.

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

No comments received to date.

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

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT

No comments received to date.

Fire Department Recommended Conditions of Approval:	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	Development Engineering Rex.bondad@vaughan.ca	The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Permits page of the City of Vaughan's website: Permits City of Vaughan to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email DEPermits@vaughan.ca

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.

IMPORTANT INFORMATION

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

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

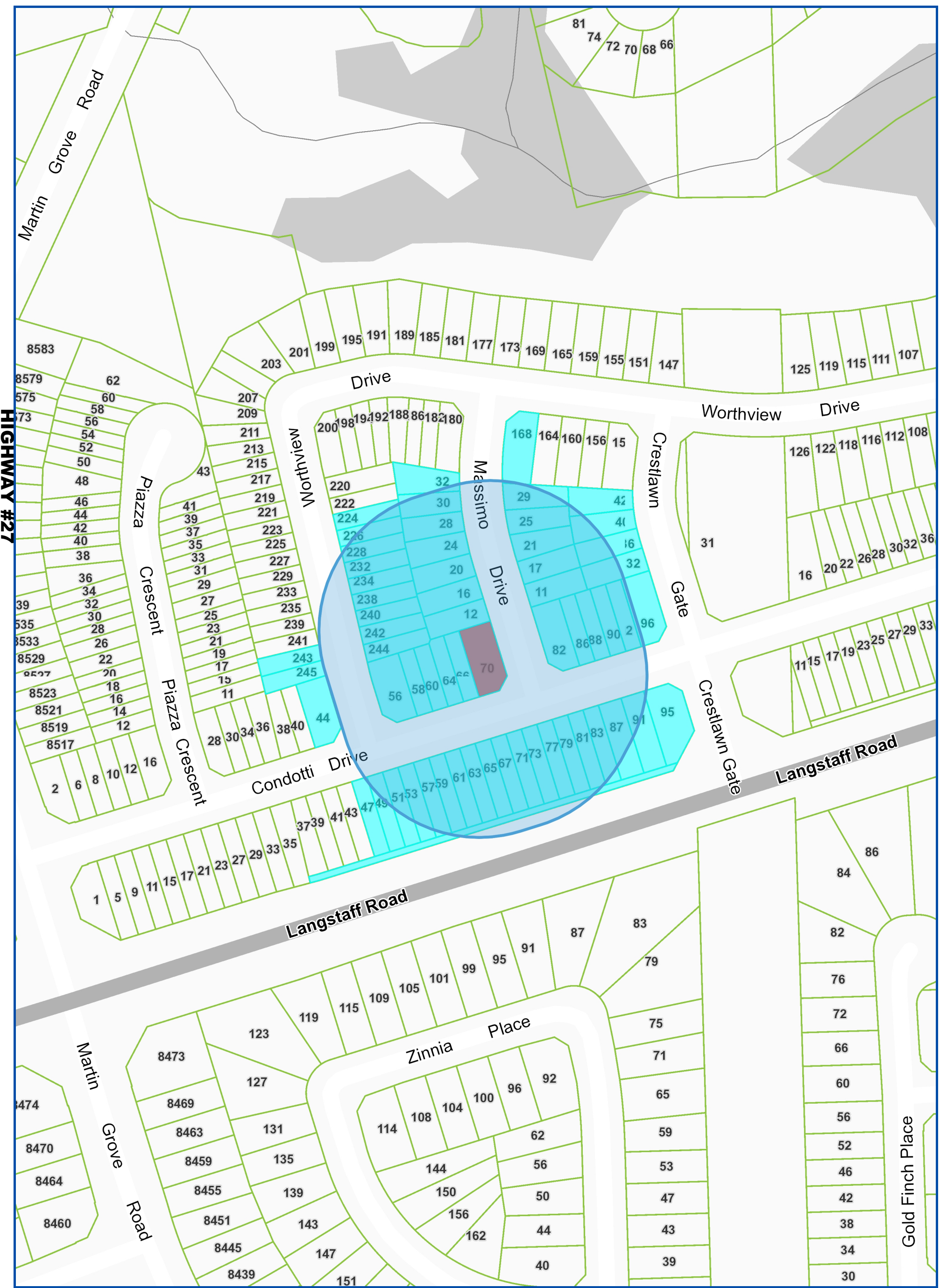
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

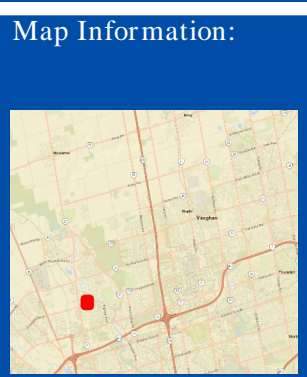
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

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

SCHEDULE A: DRAWINGS & PLANS



HIGHWAY #27



Title: **70 CONDOTTI DRIVE, WOODBRIDGE**

NOTIFICATION MAP - A049/24

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
 May 23, 2024 11:56 AM

Projection:
 NAD 83
 UTM Zone
 17N

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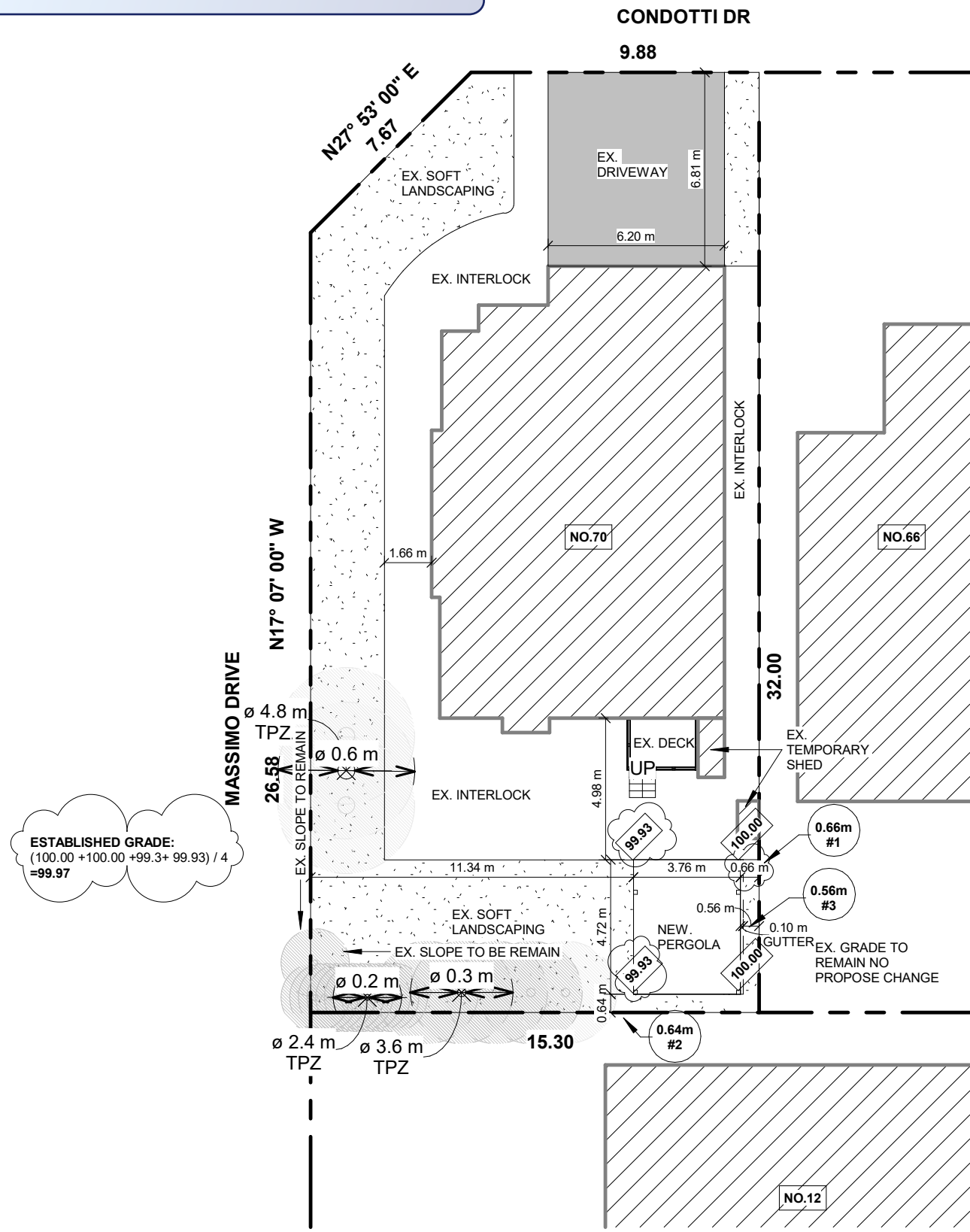
PROPOSED SITE PLAN INFORMATION TAKEN FROM:

PLAN OF LOT 45, 51 AND 54 REGISTERED PLAN 65-M-3927
REGIONAL MUNICIPALITY OF CITY OF VAUGHAN

PREPARED BY:
GUIDO PAPA SURVEYING LTD.

SITE STATISTICS		
ZONING	= R3 891	
LOT AREA	= 5,429.73	
	PERMITTED	PROPOSED
DENSITY	= 0.45	= 0.38
BUILDING HEIGHT	= 9.5 m	= 8.91 m
SETBACKS		
- FRONT	= 6.81 m	= EXISTING
- REAR	= 10.34 m	= 0.64 m
- SIDE YARD (EAST)	= 4.25 m	= EXISTING
- SIDE YARD (WEST)	= 1.22 m	= EXISTING
LOT COVERAGE		
- EX. BUILDING	=1663.56 sq.ft (30.64%)	=EXISTING
- DRIVEWAY	=454.01 sq.ft (8.36%)	=EXISTING
- SOFT LANDSCAPING		
FRONT YARD	=394.33 sq.ft (74.77%)	=EXISTING
REAR YARD	=1055.80 sq.ft (60.25%)	=936.32 sq.ft (53.38%)
-HARD LANDSCAPING		
FRONT YARD	=135.40 sq.ft (25.56%)	=EXISTING
REAR YARD	=695.24 sq.ft (39.65%)	=817.73 sq.ft (46.62%)
- EX. DECK		=49.50 sq.ft
- NEW. PERGOLA		=191.26 sq.ft (3.61%)
- TOTAL	=5429.73 sq.ft	=EXISTING

RECEIVED
By Christine Vigneault at 9:08 am, Jun 21, 2024



1 SITE PLAN
1 : 200

PROPOSED REAR YARD PERGOLA
70 CONDOTTI DR
WOODBIDGE, ON L4H 0H6

KCCL
Architect

348 Hemlock Drive, Witchurch
Stouffville ON L4A 5A7
email: info@kcclarchitect.ca
mobile: 416-602-9616

CONTRACTOR SHALL
VERIFY SITE DIMENSIONS

NO.	DESCRIPTION	DATE	BY
1	Building Permit Application	2023-04-24	DHC

Drawn by **DHC**
Date **2024-05-31**
Scale **As indicated**
Project Number **21105**

DRAWING NAME
SITE PLAN

SHEET NUMBER
A1.1

**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
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

Date: May 14th 2024

Attention: Christine Vigneault

RE:

File No.: A049-24

Related Files:

Applicant Permit Works

Location 70 Condotti Drive



Discover the possibilities

COMMENTS:

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

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

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

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

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

References:

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

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

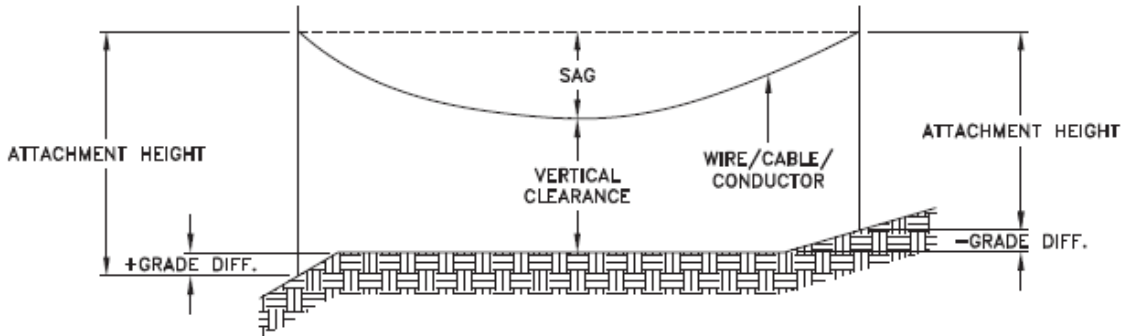
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

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

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)				
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

REFERENCES

SAGS AND TENSIONS | SECTION 02

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

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARANCE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

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

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

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

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment
From: Gregory Seganfreddo, Building Standards Department
Date: June 18, 2024
Applicant: Permit Works
Location: PLAN 65M3927 Lot 54 municipally known as 70 Condotti Drive
File No.(s): A049/24

Zoning Classification:

The subject lands are zoned R3 (EN) – Third Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.891 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	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. [Section 4.1.2.b]	To permit a residential accessory structure with a height greater than 2.8 m to be located a minimum of 0.66 from the interior side lot line.
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. [Section 4.1.2.b]	To permit a residential accessory structure with a height greater than 2.8 m to be located a minimum of 0.64 m from the rear lot line.
3	A minimum distance of 0.6 m shall be required from any permitted encroachment to the nearest lot line. [Section 4.13.3]	To permit a minimum distance of 0.56 metres to the permitted encroachment of the Pergola eaves to the nearest lot line.

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. 23-116708 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)

Other Comments:

Zoning By-law 01-2021	
1	The existing shed abutting the existing deck appears to comply, as it is less than 2.8 m in height and a minimum of 1.2 from the interior side lot line.
2	The existing shed directly abutting the fence does not comply. As it appears to be less than 2.8 m in height, it would require a minimum of 0.6 m setback from the fence. It should either be moved to comply with the required minimum setback of 0.6 m from the interior side lot line, or removed all together. The applicant has indicated the Shed will be moved to comply with the minimum 0.6 m interior side yard setback.

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 26, 2024
Name of Owners: Augusto Ceron and Pearl Grace Ceron
Location: 70 Condotti Drive
File No.(s): A049/24

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

1. To permit a residential accessory structure with a height greater than **2.8 m** to be located a minimum of **0.66 m** from the interior side lot line.
2. To permit a residential accessory structure with a height greater than **2.8 m** to be located a minimum of **0.64 m** from the rear lot line.
3. To permit a minimum distance of **0.56 m** to the permitted encroachment of the Pergola eaves to the nearest lot line.

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

1. 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.
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 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 structure (gazebo), labeled as 'new pergola' on the submitted sketch, located within the north-west corner of the rear yard with the above-noted variances.

Development Planning Department Staff ('Development Planning Staff') have no objection to the request to permit a reduced interior side yard setback measured to the two west posts (Variance 1) and to the eaves of the gazebo (Variance 3), as well as a reduced rear yard setback measured to the two rear posts (Variance 2). The accessory structure exists in the north-west corner of the rear yard. The north and west sides of the gazebo are screened with wood lattice while the other two sides are open. The gazebo is modest in size does not exceed the maximum lot coverage and maximum height requirements of the Zoning By-law for accessory buildings and structures. The rear of the gazebo faces the interior side yard of the property to the north, 12 Massimo Drive, which maintains a utilitarian rather than yard amenity area.

As such, the gazebo is not anticipated to have adverse use (privacy) or massing impacts on the neighbouring property to the west (66 Condotti Drive) or the property to the north (12 Massimo Drive), and the proposed 0.79 m minimum interior side yard setback provides sufficient space for safe maintenance and access purposes.

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: [Cameron McDonald](#)
To: [Committee of Adjustment](#)
Subject: [External] RE: A049/24 - 70 Condotti Drive - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Tuesday, May 21, 2024 9:14:39 AM
Attachments: [image003.png](#)

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.

Good morning,

Based on a review of our screening mapping, I can confirm that the subject property is not located within TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit from TRCA.

Based on the above, we have no comments/requirements.

Regards,

Cameron

Cameron McDonald

Planner I

Development Planning and Permits | Development and Engineering Services

T: [\(437\) 880-1925](tel:4378801925)

E: cameron.mcdonald@trca.ca

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



Prabhdeep Kaur

From: Development Services <developmentservices@york.ca>
Sent: Wednesday, May 15, 2024 3:21 PM
To: Prabhdeep Kaur
Cc: Committee of Adjustment
Subject: [External] RE: A049/24 - 70 Condotti Drive - 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 Prabhdeep,

The Regional Municipality of York has completed its review of the minor variance application – A049/24 (70 Condotti 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

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None

SCHEDULE D: BACKGROUND

None