

<b>ITEM: 6.10</b>	<b>REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A114/24</b>
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Report Date: August 16, 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
Building Standards (Zoning) *See Schedule B	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Committee of Adjustment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/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
Forestry	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/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
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

**PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)**

All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
None				

**BACKGROUND (SCHEDULE D, IF REQUIRED)**

\* Background Information contains historical development approvals considered to be related to this file.  
This information should not be considered comprehensive.

Application No. (City File)	Application Description <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small>
N/A	N/A

**ADJOURNMENT HISTORY**

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

Hearing Date	Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small>
N/A	N/A

**SCHEDULES**

<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 A114/24

<b>CITY WARD #:</b>	3
<b>APPLICANT:</b>	Vince Baggetta & Sandra Pasquini
<b>AGENT:</b>	Anthony Bartolini, Square Design Group
<b>PROPERTY:</b>	160 Polo Crescent, 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>PROPOSAL:</b>	Relief from the Zoning By-law is being requested to permit a proposed pergola and reduced landscaping requirements 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 R1A(EN) – Estate Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	An accessory building and residential accessory structure shall be subject to the minimum interior side yard requirements for the principal building on the lot, as indicated in the applicable zone. A minimum interior side yard of 1.5 metres is required. [Section 4.1.2, 1.a.]	To permit an interior side yard of 1.05 metres to an accessory structure (pergola).
2	Any portion of a yard in excess of 135.0 m <sup>2</sup> shall be comprised of a minimum 60% soft landscape.	To permit a minimum of 55.77% (55.1 m <sup>2</sup> ) of the required Minimum Landscaped rear yard to be composed of soft landscaping.

### HEARING INFORMATION

**DATE OF MEETING:** Thursday, August 22, 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.

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>	August 8, 2024 Revised Notice issued on August 12, 2024, updating By-law requirements for variance #2.
<b>Date Applicant Confirmed Posting of Sign:</b>	July 26, 2024
<b>Applicant Justification for Variances:</b> <small>*As provided in Application Form</small>	Does not comply with lot coverage, soft landscaping.
<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>	That the final Arborist Report and Tree Protection Plan be approved to the satisfaction of Urban Design and the Development Planning Department.

## DEVELOPMENT ENGINEERING

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

The proposed work by the Owner/Applicant is increasing the lot coverage on the subject property. The added hardscape may have impacts on the City's Storm Water management system. Development Engineering strongly encourages the Owner / Applicant introduce Low-Impact Development (LID) measures (e.g., bioswales, permeable pavers, rain gardens, rain barrels etc.) to reduce the impacts to the stormwater system. Should further information be required, please contact the Development Engineering COA reviewer. As the proposed structures in the subject property totals 88 m2, the Owner/ Applicant needs to obtain a 'Lot Grading Permit' from the Development Inspection and Lot Grading Division of the City's Development Engineering Department. Please note any in-ground structure over 10 m2 requires a 'Grading Permit'. Please contact the Development Engineering Reviewer after receiving the Grading Permit to clear the condition. (Condition attached) The Owner/Applicant shall apply for a 'Pool Grading Permit' with the Development Engineering (DE) Department. Please visit the grading permits page at City of Vaughan website to learn how to apply for the Pool Permit. If you have any question about Pool Grading Permit, please contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca).

<b>Development Engineering Recommended Conditions of Approval:</b>	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
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## DEVELOPMENT ENGINEERING

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

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](mailto:DEPermits@vaughan.ca)

## PARKS, FORESTRY & HORTICULTURE (PFH)

Recommended condition of approval:

**PFH Recommended Conditions of Approval:**

Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property.

## DEVELOPMENT FINANCE

No comment no concerns.

**Development Finance Recommended Conditions of Approval:**

None

## BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

**BCLPS Recommended Conditions of Approval:**

None

## BUILDING INSPECTION (SEPTIC)

No comments received to date.

**Building Inspection Recommended Conditions of Approval:**

None

## FIRE DEPARTMENT

No comments received to date.

**Fire Department Recommended Conditions of Approval:**

None

## RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

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

#	DEPARTMENT / AGENCY	CONDITION
1	Development Planning <a href="mailto:Nicholas.delprete@vaughan.ca">Nicholas.delprete@vaughan.ca</a>	That the final Arborist Report and Tree Protection Plan be approved to the satisfaction of Urban Design and the Development Planning Department.
2	Development Engineering <a href="mailto:Rex.bondad@vaughan.ca">Rex.bondad@vaughan.ca</a>	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: <a href="#">Permits   City of Vaughan</a> to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a>
3	Parks, Forestry and Horticulture Operations <a href="mailto:zachary.quizzetti@vaughan.ca">zachary.quizzetti@vaughan.ca</a>	Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property.

*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

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**











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

**Date:** July 22<sup>nd</sup> 2024

**Attention:** Christine Vigneault

**RE:**

**File No.:** A114-24

**Related Files:**

**Applicant** Square Design Group

**Location** 160 Polo Cres



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### 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:

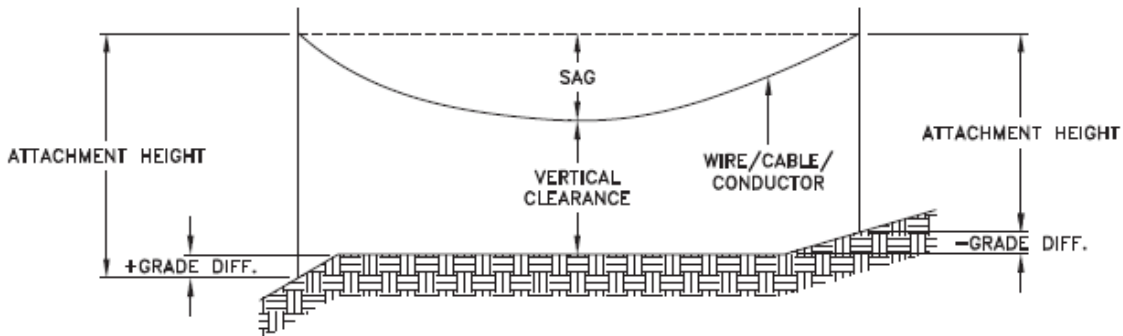
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**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"

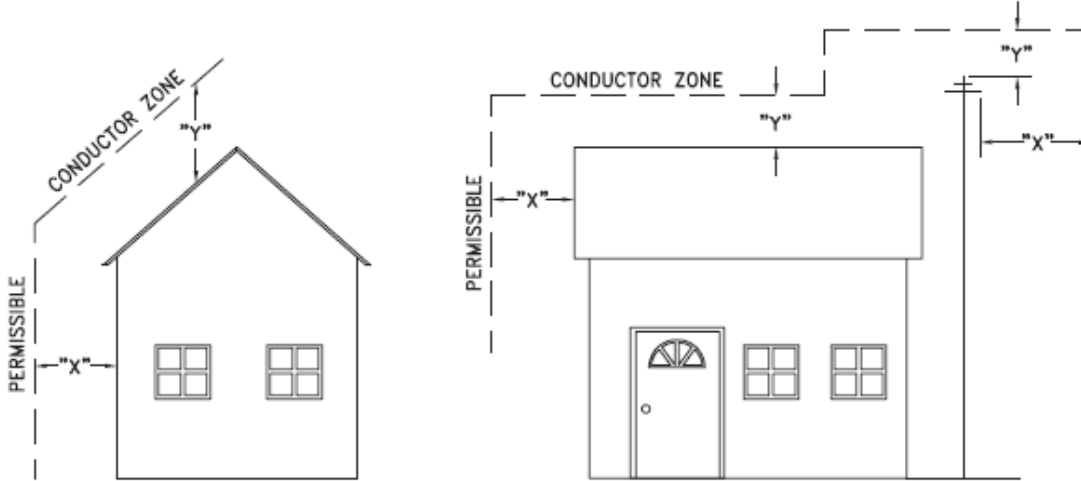
**REFERENCES**

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:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** August 09, 2024  
**Name of Owners:** Vince Baggetta and Sandra Pasquini  
**Location:** 160 Polo Crescent  
**File No.(s):** A114/24

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

1. To permit an interior side yard of **1.057 m** to an accessory structure (cabana/ pergola).
2. To permit a minimum of **55.77% (55.1 m<sup>2</sup>)** of the rear yard in excess of **135.0m<sup>2</sup>** to be comprised of soft landscaping.

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

1. An accessory building and residential accessory structure shall be subject to the minimum interior side yard requirements for the principal building on the lot, as indicated in the applicable zone. A minimum interior side yard of **1.5 m** is required.
2. Any portion of a yard in excess of **135.0 m<sup>2</sup>** shall be comprised of a minimum **60%** soft landscape.

**Official Plan:**

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

**Comments:**

The Owners are requesting relief to permit a proposed accessory structure (cabana/pergola) located within the north-east corner of the rear yard as well as a reduced minimum rear yard soft landscaping total with the above-noted variances.

The Development Planning Department has no objection to the request to permit a reduced interior side yard setback measured to the north post of the pergola portion of the proposed accessory structure (Variance 1). The accessory structure is proposed in the north-east corner of the rear yard and is primarily comprised of a pergola-style roof with open walls and an enclosed cabana at the rear (east side) of the structure. The minimum interior side yard reduction (1.057 m) provides sufficient space for safe access and maintenance purposes and is only required for the pergola portion of the structure. The reduced setback is measured at a pinch point at the northwest post of the structure (pergola portion), increasing to approximately 1.87 m at the northeast corner of the proposed accessory structure (cabana portion). The accessory structure is modest in size, and does not exceed the maximum lot coverage and maximum height requirements of the Zoning By-law for accessory buildings and structures. Additionally, there are various 6-foot cedar trees proposed along the northern interior side lot line, which will help provide a visual buffer between the proposed accessory structure and abutting properties to the north (136 and 128 Polo Crescent) helping to alleviate any perceived use (privacy) or massing impacts of the proposed structure. The accessory structure also maintains the required minimum rear yard setback of the Zoning By-law and no adverse use (privacy) or massing impacts are anticipated on the neighbouring property to the east (94 Polo Crescent).

The Development Planning Department has no objection to Variance 2 for the proposed reduction in soft landscaping in the rear yard. The proposed 4.23% reduction in required soft landscaping is negligible from a visual perspective, provides an appropriate distribution of soft landscaping and hard landscaping and provides sufficient space for stormwater infiltration. Development Engineering Staff have also reviewed the application and do not have any concerns regarding drainage.



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:**

The Development Planning Department recommends approval of the application subject to the following condition of approval.

**Condition of Approval:**

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

1. That the final Arborist Report and Tree Protection Plan be approved to the satisfaction of Urban Design and the Development Planning Department.

**Comments Prepared by:**

Nicholas Del Prete, Planner  
David Harding, Senior Planner









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**To:** Committee of Adjustment  
**From:** Christian Tinney, Building Standards Department  
**Date:** July 18, 2024  
**Applicant:** Square Design Group  
**Location:** 160 Polo Crescent  
 PLAN 65M3625 Lot 16  
**File No.(s):** A114/24

**Zoning Classification:**

The subject lands are zoned R1A(EN) – Estate Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	An accessory building and residential accessory structure shall be subject to the minimum interior side yard requirements for the principal building on the lot, as indicated in the applicable zone. A minimum interior side yard of 1.5 metres is required. [Section 4.1.2, 1.a.]	To permit an interior side yard of 1.057 metres to an accessory structure (pergola).
2	A minimum of sixty percent (60%) of the required Minimum Landscaped Front Yard shall be composed of soft landscaping. [4.1.2 a.]	To permit a minimum of 55.77% (55.1 m <sup>2</sup> ) of the required Minimum Landscaped rear yard to be composed of soft landscaping.

**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.

**Lenore Providence**

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**Subject:** FW: [External] RE: A114/24 (160 Polo Crescent) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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**From:** Cameron McDonald <Cameron.McDonald@trca.ca>  
**Sent:** Friday, July 19, 2024 3:59 PM  
**To:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A114/24 (160 Polo Crescent) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

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Good afternoon,

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 McDonald**  
Planner I  
Development Planning and Permits | Development and Engineering Services

T: [\(437\) 880-1925](tel:437-880-1925)  
E: [cameron.mcdonald@trca.ca](mailto:cameron.mcdonald@trca.ca)  
A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



**From:** [Development Services](#)  
**To:** [Lenore Providence](#)  
**Cc:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A114/24 (160 Polo Crescent) - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Tuesday, July 30, 2024 11:40:02 AM  
**Attachments:** [image002.png](#)  
[image004.png](#)

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Hi Lenore,

The Regional Municipality of York has completed its review of the minor variance application – A114/24 (160 Polo Crescent) 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 Planning | Economic and Development Services Branch | Corporate Services Department

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

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## SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None

## SCHEDULE D: BACKGROUND

None