



File: A183/18

Applicant: Carlo and Flora Vigna

Address: 133 Longview Crescent, Woodbridge

Agent: RGC Design Group Consulting Inc.

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: None

Background History: A265/06



Minor Variance  
Application

Agenda Item: 10

A183/18

Ward: 2

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, June 27, 2019

**Applicant:** Carlo and Flora Vigna

**Agent:** RGC Design Group Consulting Inc.

**Property:** 133 Longview Crescent, Woodbridge

**Zoning:** The subject lands are zoned R1 Residential, and subject to the provisions of Exception 9(665), under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "Low-Rise Residential" and "Natural Areas"

**Related Files:** None

**Purpose:** Relief from the By-Law is being requested to permit the existing accessory structures (cabana and covered patio) located in the rear yard.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum interior side yard setback of 1.8 metres is required for the new accessory building.	1. To permit a minimum interior side yard setback of 0.81 metres to the new accessory building (covered patio).
2. A minimum rear yard setback of 10.0 metres is required for a new accessory building.	2. To permit a minimum rear yard setback of 1.0 metres to the new accessory building (covered patio).
3. A maximum building height of 4.5 metres is permitted for the existing accessory building.	3. To permit a maximum building height of 4.9 metres for the existing accessory building (cabana).
4. A minimum interior side yard setback of 1.5 metres is required to the precast stairs.	4. To permit a minimum interior side yard setback of 0.51 metres to the precast stairs.
5. A maximum of 67.0m2 of floor area is permitted for all accessory buildings.	5. To permit a maximum of 124.7m2 of floor area for all accessory buildings.

Background (previous applications approved by the Committee on the subject land):

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A265/06	To permit a rear yard deck and canopy structure- Variances to side yard and rear yard setbacks and height.	APPROVED- Aug 10 2006

For information on the previous approvals listed above please visit [www.vaughan.ca](http://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on June 12, 2019

Applicant confirmed posting of signage on June 14, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1996
Cabana & Deck	1996

Applicant has advised that they cannot comply with By-law for the following reason(s): The application is to address the variance conditions created by the existing built form.

Adjournment Request:  
None

Building Standards (Zoning Review):  
Stop Work Order(s) and Order(s) to Comply:

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Building Inspections (Septic):  
No comments or concerns

Development Planning:  
VOP 2010: "Low-Rise Residential" and "Natural Areas"

The Owner is requesting permission to maintain a newly constructed covered patio structure and an existing cabana on the subject lands, with the above noted variances.

The covered patio structure, located in the rear yard, is replacing an existing deck and removable canopy that was originally approved by the Committee of Adjustment (A265/06) in the same location. The Development Planning Department has no objections to setback variances #1, #2 and #4 as they are considered minor in nature. Variance #3 is an existing site condition and is a minor deviation from the maximum building height of 4.5 metres. Variance #5 is also considered minor as the majority of the lot area of accessory buildings (82 m2) is attributed to an unenclosed patio structure.

The subject lands are located within the Toronto and Region Conservation Authority’s (TRCA) Regulated Area of the Humber River Watershed due to the presence of a steep valley corridor associated with the Humber River. An after-the-fact TRCA permit application (0809/18/VAUG) was submitted to TRCA on August 16,2018. TRCA staff were concerned that the structure had been constructed within the erosion hazard of the valley. A Geotechnical Investigation and Slope Stability Study, prepared by Terraprobe, was reviewed by TRCA on March 5, 2019 and a site visit was conducted on March 20, 2019. From a geotechnical perspective, TRCA staff are now satisfied that the works are located away from the Long-Term Stable Top of Slope and have not been constructed closer to the slope than the originally existing structures (A265/06). Accordingly, TRCA is providing conditional approval for the works provided that the Owner successfully obtains a permit pursuant to Ontario Regulation 166/06 in support of the subject works and payment of the TRCA review fee.

The Development Planning Department has no concerns with the proposal as the requested variances will not have adverse visual impacts on neighbouring properties and the adjacent valley corridor will not be impacted. Accordingly, the Development Planning Department is 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.

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):  
The subject property is not designated under the Ontario Heritage Act, is not included in the Register of Property of Cultural Heritage Value and is not noted as a property of interest to Cultural Heritage Division, as per the City of Vaughan Heritage Inventory. Therefore, there are no cultural heritage concerns regarding the subject property.

The subject property lies in an area identified as a being of high archaeological potential in the City’s database of archaeological resources. An archaeological assessment will not be required; however, the owner is advised that standard clauses apply:

Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, the City of Vaughan’s Policy Planning and Urban Design and Recreation and Culture Departments shall be notified immediately.

In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities and shall contact the York Regional Police Department, the Regional Coroner and the Registrar of Cemeteries at the Ministry of Consumer Services.

**Development Engineering:**

The Development Engineering (DE) Department has reviewed the subject variance application (A183/18) and provides the following advisory comments:

The Development Inspection & Lot Grading Division of DE has completed a site inspection and confirms the existing drainage along the lot line between 133 & 141 Longview Cres. has not been compromised (patio stones, retaining wall, etc.). DE also confirms the existing setback to the stairs/retaining wall under current conditions is approx. 0.7m, not 0.5m as indicated on the plans and Zoning Report.

DE does not object to variance application A183/18 subject to the following condition(s):

1. The Owner/applicant shall apply and obtain lot grading approval via grading permit through the Development Inspection and Lot Grading Division of the City’s Development Engineering Department for the proposed covered patio structure prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.
2. The Owner/applicant shall apply and obtain lot grading approval via grading permit through the Development Inspection and Lot Grading Division of the City’s Development Engineering Department for the existing cabana (DE confirms no permit has been obtain previously). Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.
3. The Owner shall apply for a pool fence enclosure and grading permit through the Development Inspection and Lot Grading Division of DE as required by City of Vaughan Fencing By-law 80-90 as amended (existing pool installed without proper permit). Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

**Parks Development:**

No Comment, No Response.

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Located outside of MTO permit control area

TRCA – comments with conditions

**Schedule D - Previous Approvals (Notice of Decision)**

A265/06

**Staff Recommendations:**

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers 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.

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

	Department/Agency	Condition
1	TRCA Polina Bam  416-661-6600 x 5256 <a href="mailto:pbam@trca.on.ca">pbam@trca.on.ca</a>	<div>1. The applicant successfully obtains a permit from Toronto and Region Conservation Authority pursuant to Ontario Regulation 166/06 in support of the subject works;</div> <div>2. The applicant submits the variance application review fee of \$580.00 payable to the Toronto and Region Conservation Authority, pertaining to Minor Variance Application A183/18.</div>
2	Development Engineering Brad Steebes  905-832-8585 x 8977	<div>1. The Owner/applicant shall apply and obtain lot grading approval via grading permit through the Development Inspection and Lot Grading Division of the City’s Development Engineering Department for the proposed covered patio structure prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.</div> <div>2. The Owner/applicant shall apply and obtain lot grading approval via grading permit through the Development Inspection and Lot Grading Division of the City’s Development Engineering Department for the existing cabana (DE confirms no permit has been obtain previously). Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.</div> <div>3. The Owner shall apply for a pool fence enclosure and grading permit through the Development Inspection and Lot Grading Division of DE as required by City of Vaughan Fencing By-law 80-90 as amended (existing pool installed without proper permit). Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.</div>

**Please Note:**

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

**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. 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.

## Notice to the Applicant – 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 to Public

**WRITTEN SUBMISSIONS:** Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

**PUBLIC RECORD:** Personal information 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.

**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) 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.

**For further information please contact the City of Vaughan, Committee of Adjustment**

**Adriana MacPherson**

T 905 832 8585 Extension 8360

E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

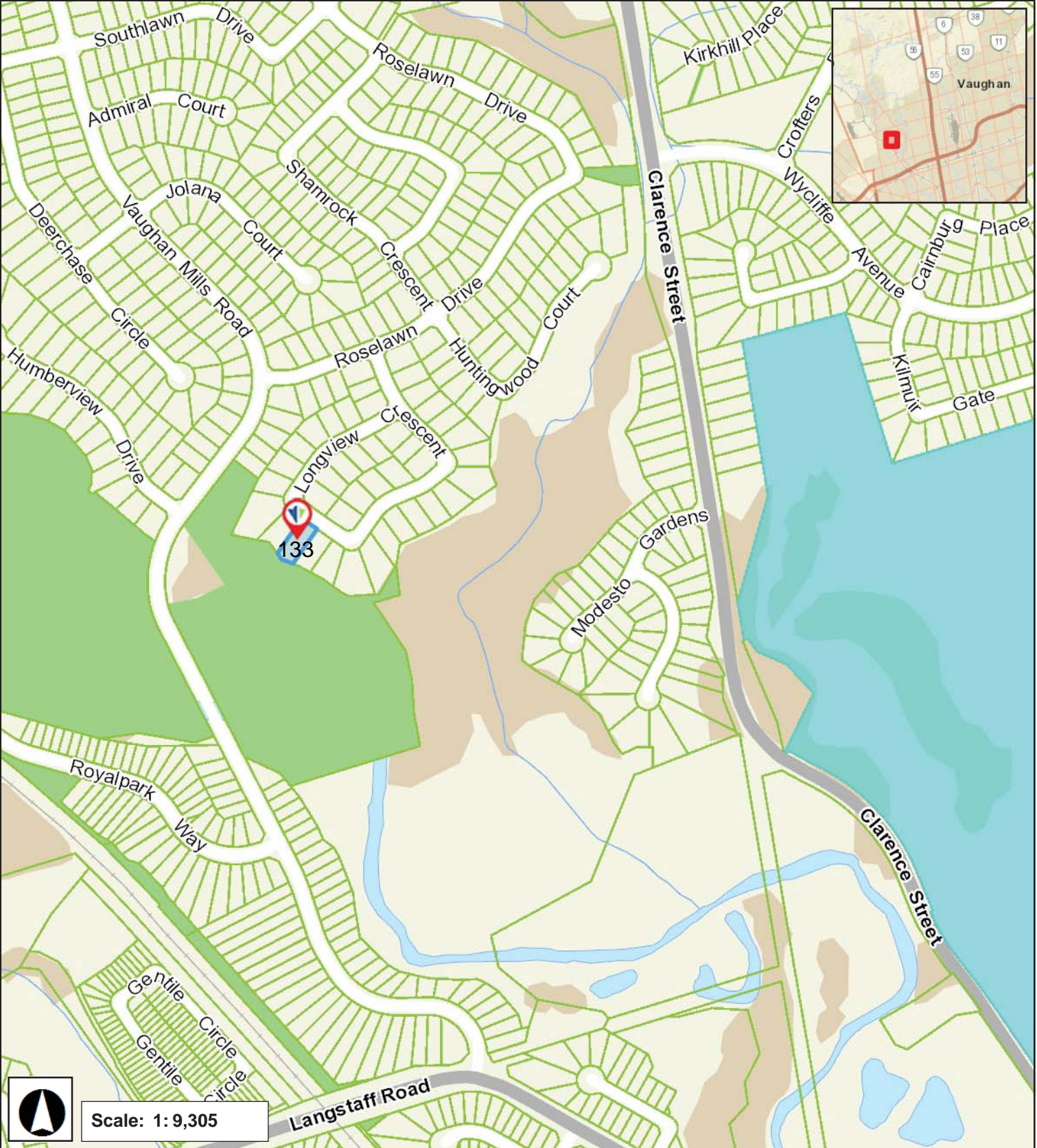
Location Map  
Sketches



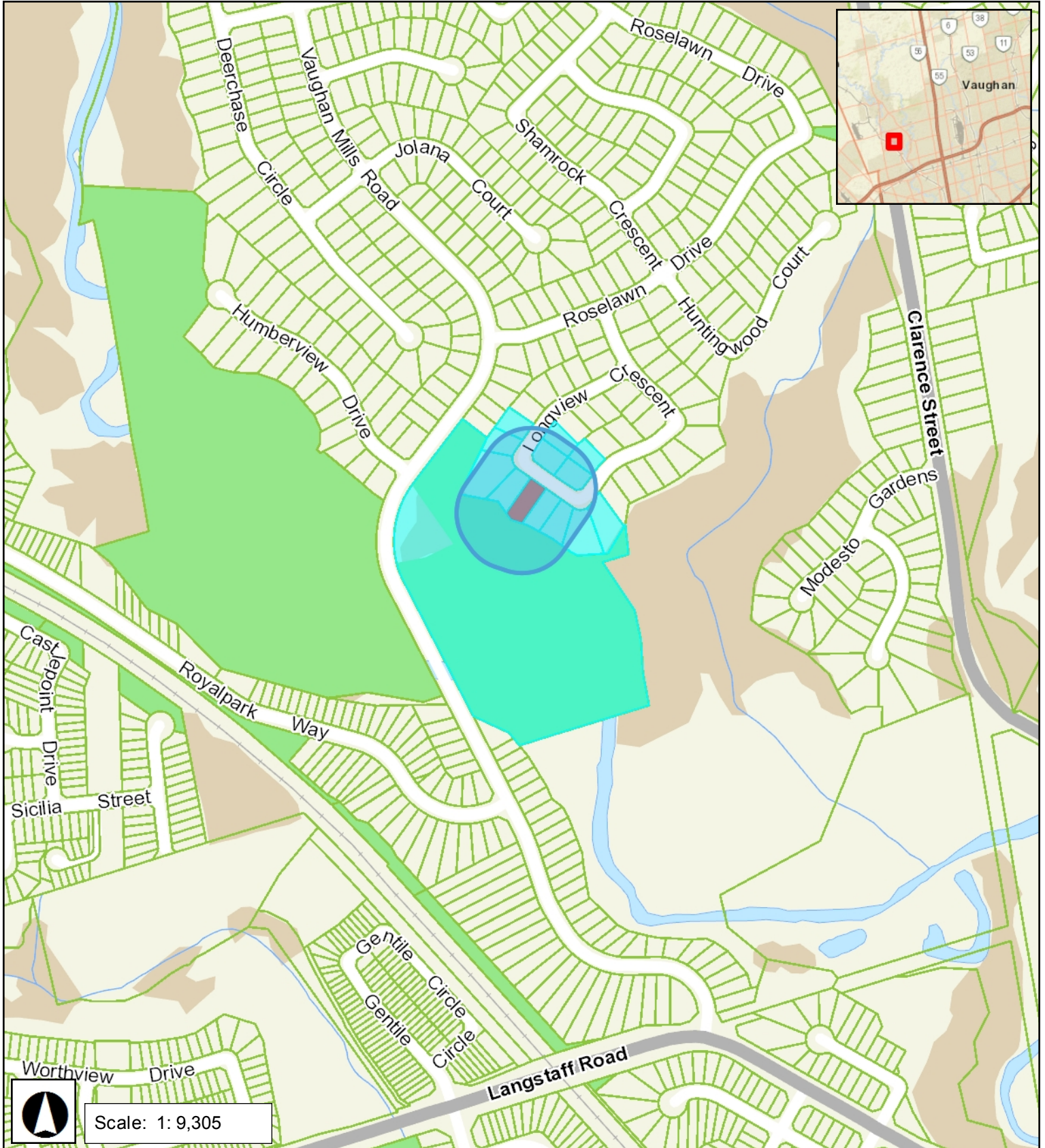


# A183/18 - Location Map

133 Longview Crescent, Woodbridge



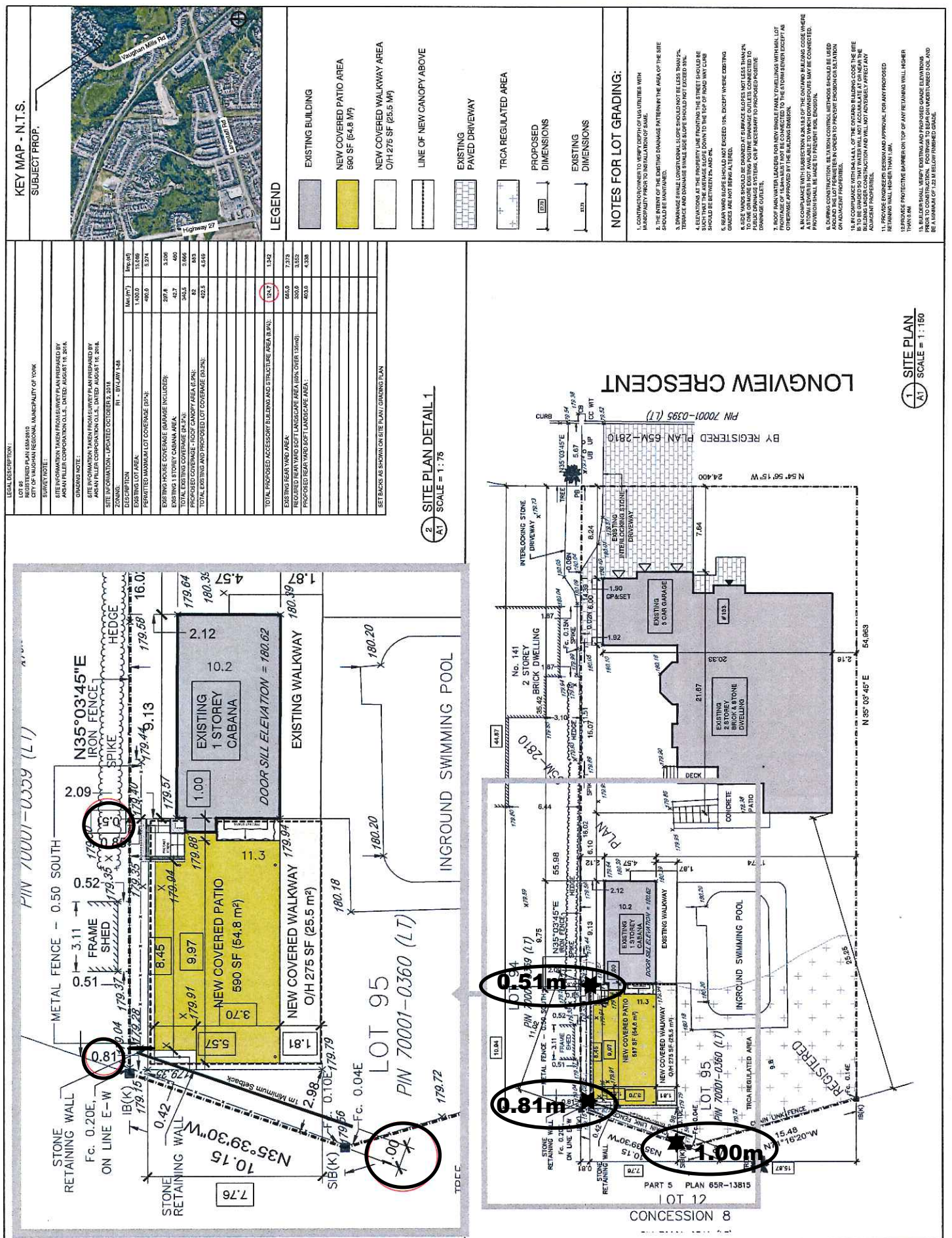






### Proposal:

1. To permit a minimum interior side yard setback of 0.81 metres to the new accessory building(covered patio).
2. To permit a minimum rear yard setback of 1.0 metres to the new accessory building (covered patio).
3. To permit a maximum building height of 4.9 metres for the existing accessory building (cabana).
4. To permit a minimum interior side yard setback of 0.51 metres to the precast stairs.
5. To permit a maximum of 124.7m2 of floor area for all accessory buildings.







NO.	DATE	REVISION
1	05/09/17	PRELIMINARY
2	10/07/17	PRELIMINARY
3	03/25/18	PRELIMINARY
4	05/17/18	PRELIMINARY
5	05/26/18	ISSUED FOR COORDINATION
6	05/26/18	ISSUED FOR COORDINATION
7	06/05/18	ISSUED FOR COORDINATION
8	06/07/18	ISSUED FOR PERMIT
9	05/05/18	ISSUED FOR PERMIT
10	10/10/18	ISSUED FOR COA

☐ ISSUED FOR CONSTRUCTION  
☐ ISSUED FOR PRICING  
☒ ISSUED FOR BUILDING PERMIT  
☐ ISSUED FOR PRELIMINARY REVIEW



PRINTS ARE NOT TO BE SCALED

[illegible]

- ☐ ISSUED FOR CONSTRUCTION  
☐ ISSUED FOR PRICING  
☐ ISSUED FOR BUILDING PERMIT  
☐ ISSUED FOR PRELIMINARY REVIEW



[www.rgcsdesigngroup.com](http://www.rgcsdesigngroup.com)

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R G CONSULTING INC.

2201 Finch Avenue West, Suite #27, Toronto, Ontario M9M 2Y9  
Tel.: 416 213 0200, Fax: 416 213 0202

**PROPOSED  
COVERED PATIO STRUCTURE  
FOR VIGNA RESIDENCE  
133 LONGVIEW CRES.  
VAUGHAN, ONTARIO**

date: OCTOBER 2017  
 scale: AS NOTED  
 drawn by: ZL  
 checked by: RG  
 project number: R17-04-02W

ELEVATION &  
FL. PLAN DETAILS

A2-1

3 PROPOSED COVERED PATIO STRUCTURE - SECTION A  
A2-1 SCALE: 1/4" = 1'-0"

**Schedule B: Public Correspondence Received**

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**None.**



Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Located outside of MTO permit control area
- TRCA – comments with conditions



**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  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

**MacPherson, Adriana**

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**Subject:** FW: REQUEST FOR COMMENTS

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**From:** Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>  
**Sent:** October-29-18 11:59 AM  
**To:** Vigneault, Christine <Christine.Vigneault@vaughan.ca>  
**Cc:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>  
**Subject:** REQUEST FOR COMMENTS

Hello Christine,

MTO Highway Corridor Management Section has reviewed the locations of the following Applications for Minor Variance:

- A183/18** - 133 Longview Cr Woodbridge ON
- A187/18** - 368 Highcliffe Dr, Thornhill, ON

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

**Paul Nunes** | Corridor Management Officer  
Ministry of Transportation | Corridor Management Section | York Region  
159 Sir William Hearst Avenue, 7<sup>th</sup> floor Building D, Downsview, ON M3M 0B7  
(416) 235-5559 | [paul.nunes@ontario.ca](mailto:paul.nunes@ontario.ca)



***A Strong Transportation Future Together***

Confidentiality Warning: This message and any attachments may contain PRIVILEGED and CONFIDENTIAL INFORMATION and is intended only for the use of the recipient(s). If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you have received this message in error, please immediately notify the sender by return e-mail, and delete this message and any attachments from your system. Thank you.

## Vigneault, Christine

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** Monday, November 5, 2018 11:21 AM  
**To:** MacPherson, Adriana  
**Cc:** Vigneault, Christine  
**Subject:** FW: A183/18 - Request for Comments - 133 Longview Cr.  
**Attachments:** A183-18 - Circ.pdf

Good Morning Adriana,  
The Regional Municipality of York has completed its review of the above Minor Variance application and has no comment.  
Regrads,

*Gabrielle Hurst, MCIP.RPP. C.Tech*

Programs and Process Improvement | Planning and Economic Development Branch | Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O 1-877-464-9675 ext. 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | Our Values: Integrity, Commitment, Accountability, Respect, Excellence

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**From:** MacPherson, Adriana [mailto:Adriana.MacPherson@vaughan.ca]  
**Sent:** Friday, October 26, 2018 3:14 PM  
**Cc:** Vigneault, Christine  
**Subject:** A183/18 - Request for Comments



**Committee of Adjustment**  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
T 905 832 8585  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

### **REQUEST FOR COMMENTS**

#### **Minor Variance Application A183/18**

Section 45 of the Planning Act, R.S.O, 1990, c.P.13

**Date & Time of Hearing:** Thursday, December 6, 2018 at 6:00 p.m.

**Location of Hearing:** Committee Room 242/243 (2nd Floor), Vaughan City Hall  
2141 Major Mackenzie Drive, Vaughan, Ontario

**Applicant:** Carlo and Flora Vigna

**Agent:** RGC Design Group Consulting Inc.

**Property:** **133 Longview Cr Woodbridge ON**

**Zoning:** The subject lands are zoned R1 Residential, and subject to the provisions of Exception 9(665), under By-law 1-88 as amended.

June 7, 2019

CFN 59079.43  
XCFN 60263

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

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

Dear Christine:

**Re: Minor Variance Application A183/18  
133 Longview Crescent  
Lot 95, 65M-2810  
City of Vaughan, York Region  
Carlo Vigna (Agent: RG Consulting Inc. c/o Ralph Grittani)**

This letter will acknowledge receipt of the above noted application. The application was initially received on October 26, 2018 and was subsequently adjourned, sine die, subject to the resolution of Toronto and Region Conservation Authority (TRCA) staff comments. The applicant has provided revised documents (Appendix A) as part of the subject proposal, and in order to satisfy TRCA's requirements under Ontario Regulation 166/06. TRCA staff have reviewed the application and offer the following comments.

**Background**

The purpose of the above-noted application is to request the following variances:

1. To permit a minimum interior side yard setback of 0.81 metres to the new accessory building (covered patio), where the minimum interior side yard setback of 1.8 metres is required for the new accessory building;
2. To permit a minimum rear yard setback of 1.0 metres to the new accessory building (covered patio), where a minimum rear yard setback of 10.0 metres is required for the new accessory building;
3. To permit a maximum building height of 4.9 metres for the existing accessory building (cabana), where a maximum building height of 4.5 metres is permitted for the existing accessory building;
4. To permit a minimum interior side yard setback of 0.51 metres to the precast stairs, where a minimum interior side yard setback of 1.5 metres is required to the precast stairs;
5. To permit a maximum of 124.7 sq.m. of floor area for all accessory buildings, where a maximum of 67.0 sq.m. of floor area is permitted for all accessory buildings.

It is the understanding of TRCA that the purpose of this application is to recognize a deck/patio replacement, new retaining wall, new walkway, and a new permanent patio cover in the rear of the property. The property is partially Regulated by TRCA as it is located adjacent to a steep valley corridor associated with the Main Humber River.



## **Applicable Policies and Regulations**

### *Ontario Regulation 166/06:*

The subject property is located within the TRCA's Regulated Area of the Humber River Watershed due to the presence of a steep valley corridor associated with the Main Humber River. In accordance with *Ontario Regulation 166/06*, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

### *Living City Policies (LCP):*

In addition, The Living Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development is not permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

## **Application-Specific Comments**

An after-the-fact TRCA permit application (0809/18/VAUG) was submitted to TRCA on August 16, 2018. Following the initial assessment of the application, TRCA requested that a geotechnical investigation with a slope stability analysis be submitted in order to delineate the position of the Long-Term Stable Top of Slope (LTSTOS), as the slope in the rear of the property appeared to be steeper than 2 Horizontal :1 Vertical adjacent to the rear of the property. TRCA staff were concerned that the structure had been constructed within the erosion hazard of the valley.

Terms of Reference for a Geotechnical Investigation with a Slope Stability analysis were provided on October 9, 2018, and subsequent scoping information for the Slope Stability analysis was provided on November 16, 2018.

A Geotechnical Investigation and Slope Stability Study, prepared by Terraprobe, was received by TRCA on March 5, 2019. A site visit was undertaken by TRCA Geotechnical Engineering staff (Ali Shirazi) and Terraprobe Inc. on March 20, 2019. A revision to the report was received on April 9, 2019 in response to TRCA comments, which satisfied TRCA comments with respect to the position of the LTSTOS. From a geotechnical perspective, TRCA staff are satisfied that the works are located away from the LTSTOS and have not been constructed closer to the slope than the originally existing structures. The applicant has provided subsequent drawings on May 24<sup>th</sup> to satisfy the remainder of the outstanding technical comments.

It is noted that a minor comment remains outstanding with respect to Stormwater Management. Drawing A3 does not show a downspout diverter for overflow, and the applicant is requested to revise this drawing to show a diverter that directs overflow to a gravel trench. This comment can be satisfied through the TRCA permit application.

## **Fees**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$580.00 (Minor Variance - Minor) review fee. The applicant is responsible for fee payment and should forward the application review fee to this office as soon as possible.

### **Recommendations**

Based upon the comments noted above, TRCA staff provides **conditional approval** to Minor Variance Application A183/18, subject to the following conditions:

1. The applicant successfully obtains a permit from Toronto and Region Conservation Authority pursuant to Ontario Regulation 166/06 in support of the subject works;
2. The applicant submits the variance application review fee of \$580.00 payable to the Toronto and Region Conservation Authority, pertaining to Minor Variance Application A183/18.

Please notify TRCA of any decisions made by the City of Vaughan regarding Minor Variance Application A183/18, or any appeals made by any party in respect of this application.

I trust these comments are of assistance. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Polina Bam  
Planner I  
Development Planning and Permits  
Extension 5256

PB/cs 

cc: Ralph Grittani; RGC Design Group Consulting Inc.  
Carlo Vigna; Carlo.Vigna@manulifesecurities.ca  
Brian Moyle; Toronto and Region Conservation Authority  
Coreena Smith; Toronto and Region Conservation Authority

## Appendix A: Reviewed Documents

- Geotechnical Investigation and Slope Stability Study, prepared by Terraprobe, dated April 8, 2019, received by TRCA April 9, 2019;
- Drawings S01+ S02, Structural Roof and Footings details, prepared by TBM Engineers Inc., Revision 2 dated May 15, 2018, received by TRCA May 24, 2019;
- Structural Engineer's Letter, prepared by TBM Engineers Inc., dated May 23, 2019, received by TRCA May 24, 2019;
- Retaining Wall Geogrid Section, prepared by TBM Engineers Inc., dated May 23, 2019, received by TRCA May 24, 2019;
- Drawing No. A2, Covered Patio Structure details, Revision No. 16, dated May 23, 2019, prepared by RGC, received by TRCA May 24, 2019;
- Drawing No. A3, Covered Patio Structure Elevation and Section, Revision No. 16, dated May 23, 2019, prepared by RGC, received by TRCA May 24, 2019;
- Drawing No. A1, Site Plan, Revision No. 15, dated May 15, 2019, prepared by RGC, received by TRCA May 17, 2019;
- Drawing No. A1-1, Section, Revision No. 15, dated May 15, 2019, prepared by RGC, received by TRCA May 17, 2019.

**Schedule D: Previous Approvals (Notice of Decision)**

**A265/06**

# NOTICE OF DECISION

**FILE NO: A265/06**

IN THE MATTER OF Subsection 45 of the Planning Act.

IN THE MATTER OF an application by **LUCIANO AND ELISABINA CARINCI**, Part of Lot 12, Concession 8 (Lot 95, Registered Plan 65M-2810. Municipally known as 133 Longview Crescent, Woodbridge).

The subject lands are zoned R1, Residential under By-Law 1-88 as amended and further subject to Exception 9(665).

The applicant is requesting variances to permit the **maintenance of an existing wooden deck and removable canopy**, notwithstanding, the proposed changes to the existing By-Law & current By-Law requirements are as follows:

**Proposal:**

1. A deck with a side yard setback of 0.8m.
2. A deck with a rear yard setback of 0.15m.
3. An accessory structure (canopy) with a maximum area of 36m<sup>2</sup>.
4. An accessory structure (canopy) with a rear yard setback of 2.5m.
5. An accessory structure (canopy) with a height of 3.4m.

**By-Law Requirements:**

1. A minimum required side yard setback of 1.8m to the deck.
2. A minimum required rear yard setback of 10m to the deck from the OS1, Open Space Conservation zone.
3. An accessory structure (canopy) with a maximum area of 10m<sup>2</sup>.
4. A minimum required rear yard setback of 10m to the accessory structure (canopy) from the OS1, Open Space Conservation zone.
5. A maximum height of 2.5m for an accessory structure (canopy).

A sketch is attached illustrating the request.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

THAT the Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A265/06, LUCIANO AND ELISABINA CARINCI**, be **APPROVED in accordance with the sketches "A", "B" & "C" attached and subject to the following conditions:**

1. That the applicant successfully obtain an Ontario Regulation 166 from TRCA for the proposed development, prior to the issuance of a municipal building permit, if required, to the satisfaction of the Toronto and Region Conservation Authority.
2. That 1 metre of the deck, closest to the rear lot line is to be removed, if required, to the satisfaction of the Toronto and Region Conservation Authority.
3. That A planting plan is to be submitted for TRCA review for the back portion of the property, if required, to the satisfaction of the Toronto and Region Conservation Authority.
4. That the applicant enter into an indemnification agreement with the TRCA stipulating that the TRCA will not be held liable for any future claims to restore the slope and/or deck should erosion take place in the future, if required, to the satisfaction of the Toronto and Region Conservation Authority .



5. That if the conditions listed above is not fulfilled and the Building Permit, if required, is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.**(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**
6. Screening in accordance with the sketch attached, to the satisfaction of Urban Design.

**VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT AND TO MAKE SURE THAT THE AGENCY AND/OR DEPARTMENT ADDRESSES AND FORWARDS A COPY OF THE CLEARANCE LETTER TO THE SECRETARY-TREASURER PRIOR TO THE FULFILLMENT OF CONDITIONS LAPSING DATE.**

**FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.**

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: \_\_\_\_\_

Signed by all members present who concur in this decision:

\_\_\_\_\_  
M. Mauti,  
Chair,

\_\_\_\_\_  
T. DeCicco  
Vice Chair,

\_\_\_\_\_  
L. Fluxgold,  
Member,

\_\_\_\_\_  
D. H. Kang,  
Member,

\_\_\_\_\_  
M. S. Panicali,  
Member,

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

\_\_\_\_\_  
Dianne E. L. Grout, A.M.C.T.,  
Manager of Development Services and  
Secretary-Treasurer to Committee of  
Adjustment  
City of Vaughan

DATE OF HEARING:

AUGUST 10, 2006

LAST DATE OF APPEAL:

AUGUST 30, 2006

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30P.M . ON AUGUST 30, 2006.**  
*Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.*

*Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above.*

**NOTE:**The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

NOTE: IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION,  
THE FINAL DATE FOR FULFILLING THEM IS:  
\* \* \* AUGUST 30, 2007 \* \* \*