

ITEM: 6.6	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A169/24
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Report Date: November 29, 2024

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

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

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of Comments
Committee of Adjustment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Finance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Forestry	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
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
Applicant			10/09/2024	Applicant Cover Letter

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

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 A169/24

CITY WARD #:	1
APPLICANT:	Sandy & Sonia Buda
AGENT:	Frank Sperduti (Borden Ladner Gervais LLP)
PROPERTY:	57 Sculpture Garden Lane, Kleinburg
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential".
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a swimming pool located in the rear yard.

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

The subject lands are zoned R1A First Density Zone and subject to the provisions of Exception 14.1022 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum setback of an outdoor swimming pool to any lot line shall be 1.5 m. The setback shall be measured from the inside wall of the outdoor swimming pool. [4.21]	To permit a minimum setback of an outdoor swimming pool to the rear lot line of 1.1 m.

HEARING INFORMATION

DATE OF MEETING: Thursday, December 5, 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.

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

INTRODUCTION

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

INTRODUCTION

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

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

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

COMMITTEE OF ADJUSTMENT

Date Public Notice Posted Online:	November 21, 2024
Date Applicant Confirmed Posting of Sign:	November 22, 2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	To legalize the deficient rear yard setback of an existing pool, and to permit reduced soft landscaping in the front and rear yards.
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:	
<p>Due to the postal workers' strike, residents might experience delays in receiving public hearing notices by mail. However, the Committee of Adjustment remains committed to providing public notifications of upcoming hearings as per the Planning Act and its regulations. We will continue to:</p> <ul style="list-style-type: none"> • Publish hearing notices on the municipal website. • Post links to agendas and application information on our webpages. • Email links to hearing agendas to community associations, Councillors' offices and other contacts. • Ensure a public hearing notice is posted on the property subject to an application. <p>For more information on Public Notices and to search for notices related to upcoming Council or Committee meetings, please visit: Public Notices City of Vaughan</p>	
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](#)

The Owner / Applicant shall ensure that the installation of the proposed swimming pool does not negatively impact neighbours due to surface water runoff. The backyard should be properly graded, ensuring that surface water from the pool area doesn't flow onto adjacent lots. Non-permeable surfaces, such as concrete, can cause water to flow more easily, potentially affecting the City's stormwater management system. Development Engineering strongly recommends that the Owner / Applicant implement Low-Impact Development (LID) measures—such as permeable pavers—to mitigate these impacts. For further information, please contact the Development Engineering COA reviewer. The Development Engineering Department does not object to the Minor Variance application A169/24.

Development Engineering Recommended Conditions of Approval:	None
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PARKS, FORESTRY & HORTICULTURE (PFH)

Forestry has no comment at this time.

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
	No conditions of approval	

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.

IMPORTANT INFORMATION

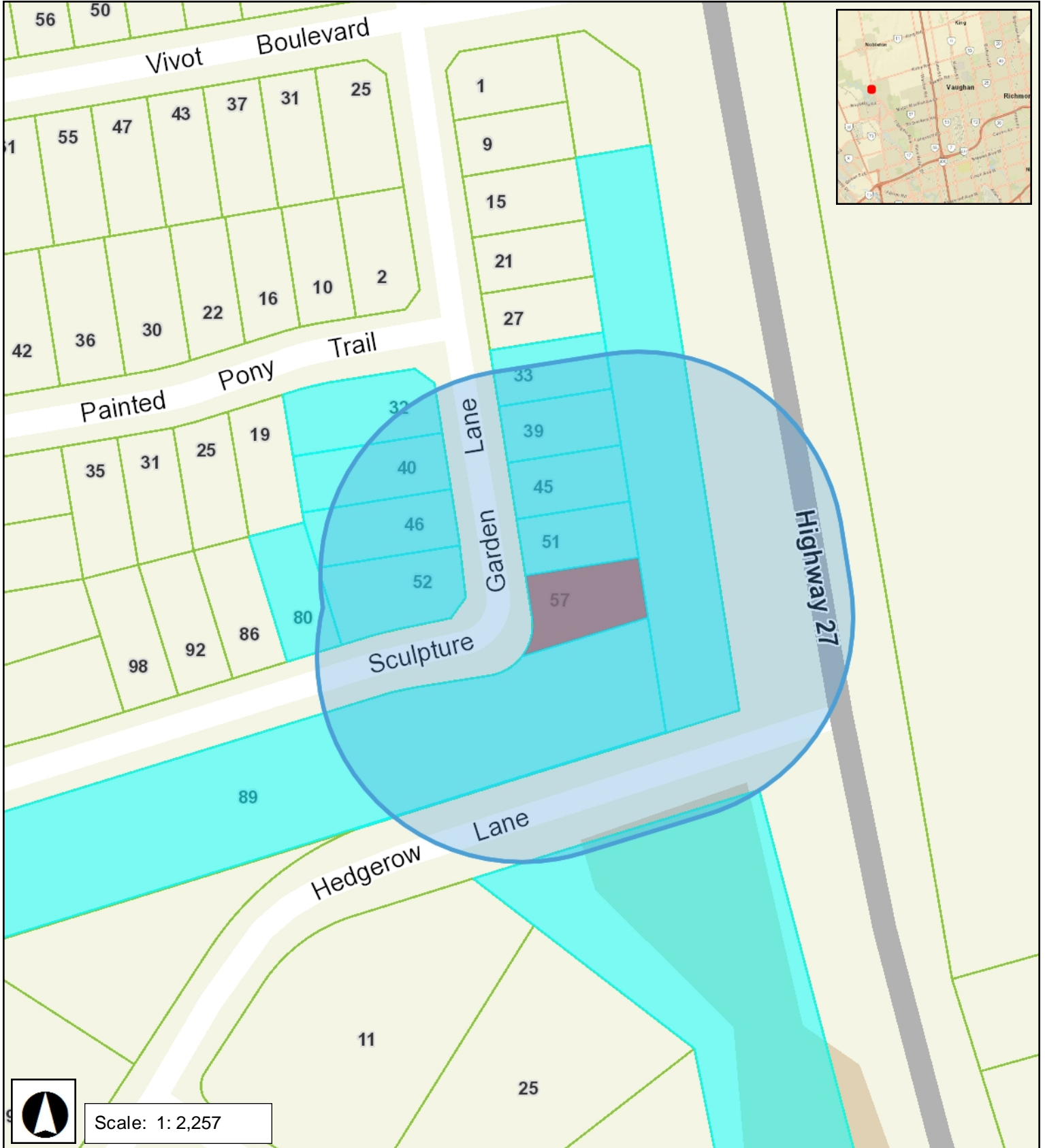
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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



SCALE 1 : 250 METRES
0 1 2 3 4 5 10

BEARING NOTES
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVATION POINTS A AND B, BY REAL TIME NETWORK OF ZONE 17 (81° WEST LONGITUDE), NAD83(CSR)

DISTANCE NOTES - METRIC
DISTANCES AND COORDINATES ARE IN METRES. DISTANCES CONVERTED TO FEET BY DIVIDING BY 0.3048. DISTANCES ARE GROUND AND CAN BE CONVERTED TO HORIZONTAL BY MULTIPLYING BY THE COMBINED SCALE FACTOR.

CONTOURS
CONTOURS SHOWN HEREON ARE DRAWN AT 1 METRE INTERVALS.

ELEVATIONS
ELEVATIONS ARE GEODETIC AND REFERRED TO THE GEODETIC VERTICAL DATUM (CGVD28:78) BY MEASUREMENT TO A REAL TIME NETWORK.

CAUTION
THE WORK AND DRAWINGS HEREIN WERE COMPLETED FOR THE EXCLUSIVE USE OF OUR CLIENT AND NO LIABILITY IS ASSUMED TO ANY THIRD PARTIES OR SUBSEQUENT OWNERS.

- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT SET
 - SSIB DENOTES SHORT STANDARD IRON BAR
 - SIB DENOTES STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - Ø DENOTES ROUND
 - M DENOTES MEASURED
 - P1 DENOTES SURVEY BY R-PE SURVEYING LTD., DATED FEBRUARY 18, 2024
 - P2 DENOTES PLAN 65M-4437
 - P3 DENOTES REGISTERED PLAN 65R-1775
 - RPE DENOTES R-PE SURVEYING LTD., DATED FEBRUARY 18, 2024
 - BF DENOTES BOARD FENCE
 - CLF DENOTES CHAIN LINK FENCE
 - DSE DENOTES DOOR SILL ELEVATION
 - GSE DENOTES GARAGE SILL ELEVATION
 - PWF DENOTES POST & WIRE FENCE
 - AC DENOTES AIR CONDITIONER
 - FH DENOTES FIRE HYDRANT
 - GM DENOTES GAS METER
 - HM DENOTES HANDRAIL
 - MV DENOTES MAINTENANCE HOLE
 - OH DENOTES OVERHEAD UTILITY WIRE
 - PLS DENOTES LIGHT STANDARD
 - WV DENOTES WATER VALVE
 - DTW DENOTES DECIDUOUS TREE W/ TRUNK

BUILDING TIES SHOWN HEREON ARE TO THE PREVIOUS SURVEY UNLESS OTHERWISE NOTED.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND ACCORDANCE WITH THE SURVEYS ACT AND THE REGULATIONS MADE THEREUNDER.
 - THE SURVEY WAS COMPLETED ON AUGUST 20, 2024

SEPTEMBER 20, 2024
DATE ANDREJS LUCAS

THIS PLAN OF SURVEY RELATES TO A/DLS PLAN SUBMISSION FOR

INTEGRATION DATA

OBSERVED REFERENCE POINTS DERIVED FROM GPS OBSERVATION TIME NETWORK AND ARE REFERRED TO UTM ZONE 17 (81° WEST LONGITUDE), NAD83(CSR) v7(2010).

URBAN ACCURACY PER SEC. 14(2), O. REG. 216/10.

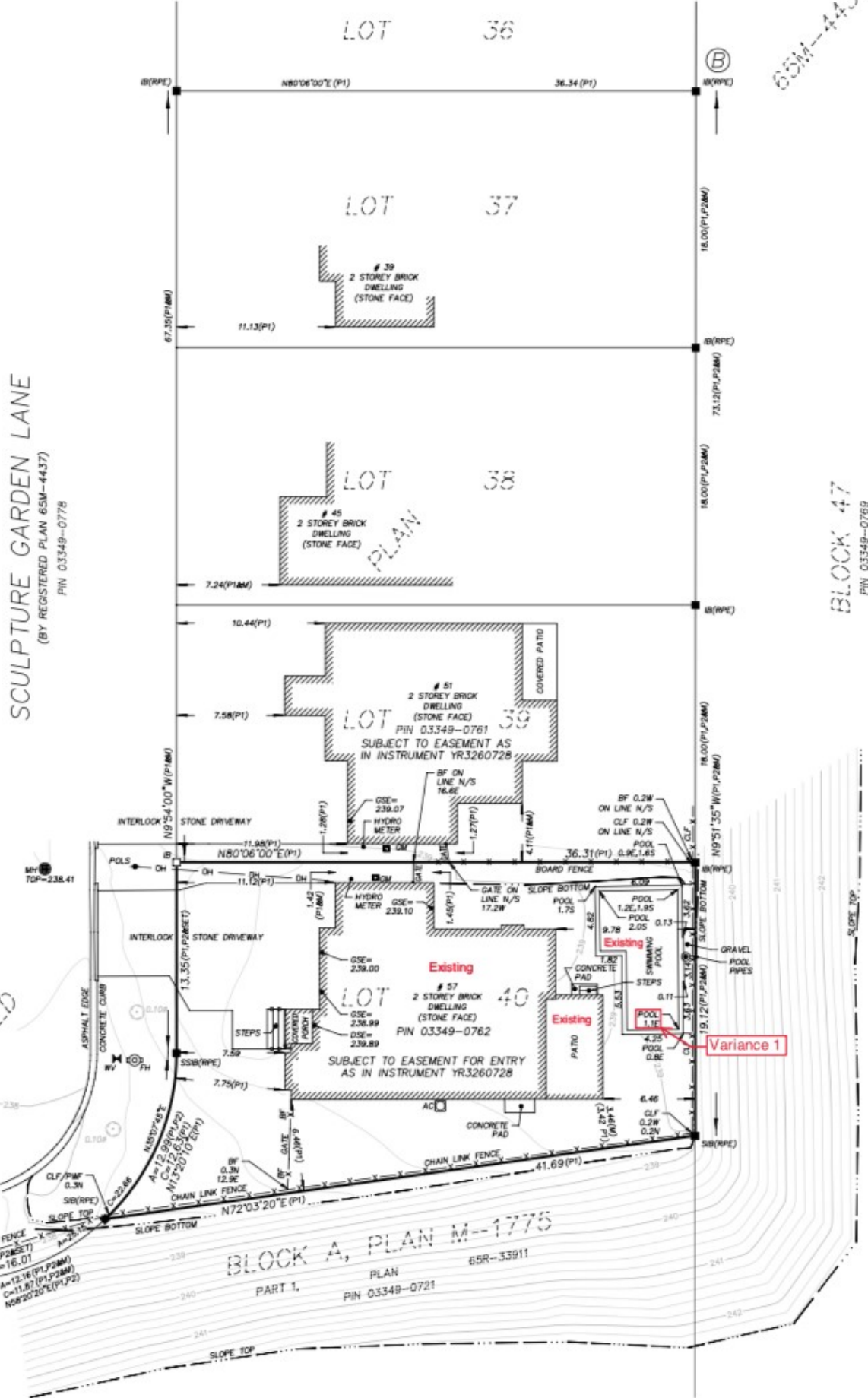
POINT ID	NORTHING
A	4856917.66
B	4857008.74

CAUTION: COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS.



IBWSURVEYORS.COM | 1.800.663.8888

copies available at ProtectYourBoundaries.com
PARTY CHIEF: J.A. [DRAWN:DKM/CHECKED:AL] PLOT DATE: SEPT. 20, 2024
FILE: A-049558-PSTP_V4



SCULPTURE GARDEN LANE
(BY REGISTERED PLAN 65M-4437)
PIN 03349-0778

BLOCK 47
PIN 03349-0769

65M-4437

REGISTERED

A

**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
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:

October 24th 2024

Attention:

Christine Vigneault

RE:

Request for Comments

File No.:

A169-24

Related Files:

Applicant

Borden Ladner Gervais LLP

Location

57 Sculpture Garden Lane

COMMENTS:

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

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

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

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

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

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream(Construction Standard 03-1, 03-4, 03-9), attached
- Canadian Standards Association, latest edition (Basic Clearances)

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

Stephen Cranley, C.E.T

Mitchell Penner

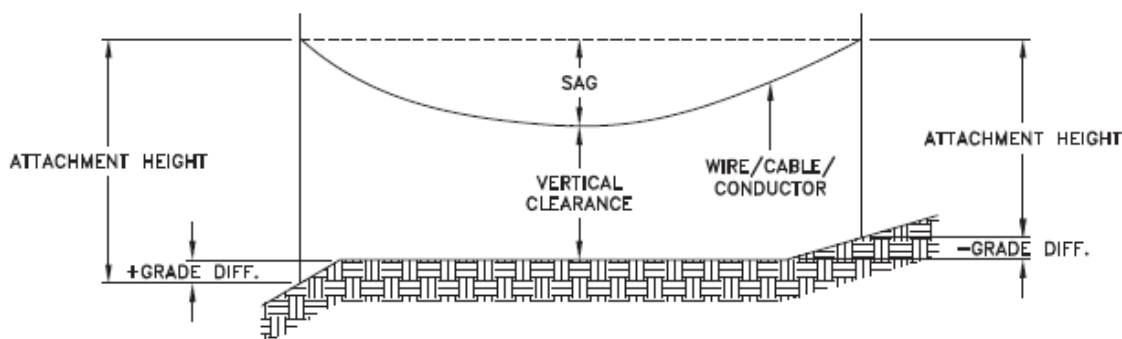
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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

E-mail: stephen.cranley@alectrautilities.com

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 VEHICLES	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO PEDESTRIANS AND BICYCLES ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT RAILWAY CROSSINGS	730cm	730cm	760cm	810cm



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

NOTES:

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

CONVERSION TABLE

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

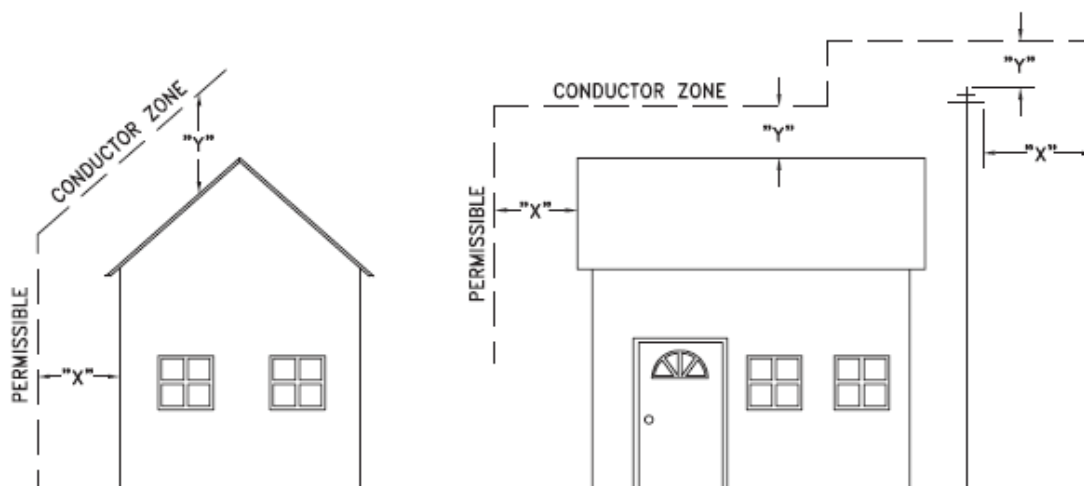
REFERENCES

SAGS AND TENSIONS | SECTION 02

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

NOTES

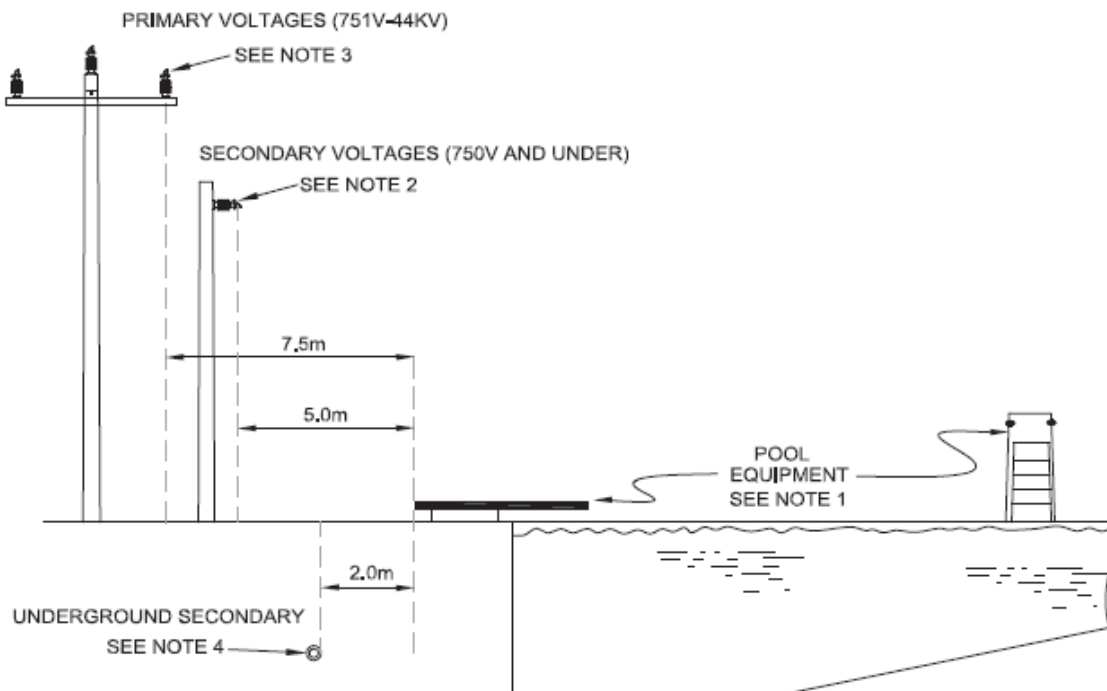
1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE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

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

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

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

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



NOTES:

1. ANY STRUCTURE WITHIN 5.0 METRES OF POOL EDGE SHALL BE CONSIDERED PART OF THE POOL.
2. THERE SHALL NOT BE ANY OVERHEAD SECONDARY OR COMMUNICATION WIRING (750V OR LESS) ABOVE THE POOL, AND ABOVE OTHER ELEVATED SURFACES ASSOCIATED WITH THE POOL, INCLUDING BUT NOT RESTRICTED TO A DIVING STRUCTURE, SLIDE, SWINGS, OBSERVATION STAND, TOWER OR PLATFORM, OR ABOVE THE ADJACENT AREA EXTENDING 5.0M HORIZONTALLY FROM THE POOL EDGE.
3. THERE SHALL NOT BE ANY OVERHEAD PRIMARY WIRING (751V - 44KV) ABOVE THE POOL AND OTHER ELEVATED SURFACES ASSOCIATED WITH THE POOL, OR ABOVE THE ADJACENT AREA EXTENDING 7.5M HORIZONTALLY FROM THE POOL EDGE.
4. ANY UNDERGROUND CONDUCTORS SHALL BE 2.0M AWAY FROM POOL EDGE IN DUCT WITH NON-CONDUCTING JACKET. FOR DEPTH AND DUCT DETAILS REFER TO FIGURE 3 IN 25-100 FOR 200A SERVICE AND 25-101 FOR 400A SERVICE RESPECTIVELY, AS PER POWERSTREAM SERVICE DESIGN SPECIFICATIONS.
5. THESE DIMENSIONS APPLY TO ALL SIDES OF THE POOL.

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX.)
7.5m	24'-6"
5.0m	16'-3"
2.0m	6'-6"

REFERENCES

FIGURE 3, 25-100	SECTION 25
FIGURE 3, 25-101	SECTION 25

Certificate of Approval

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

Joe Crozier, P.Eng.	2013-JUN-12
Name	Date
P.Eng. Approval By:	Joe Crozier

MINIMUM CLEARANCES FOR CONDUCTORS ADJACENT TO SWIMMING POOLS

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

To: Committee of Adjustment
From: Sean Fitzpatrick, Building Standards Department
Date: October 24, 2024
Applicant: Borden Ladner Gervais LLP
Location: 57 Sculpture Garden Lane
 PLAN 65M4437 Lot 40
File No.(s): A169/24

Zoning Classification:

The subject lands are zoned R1A First Density Zone and subject to the provisions of Exception 14.1022 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum setback of an outdoor swimming pool to any lot line shall be 1.5 m. The setback shall be measured from the inside wall of the outdoor swimming pool. [4.21]	To permit a minimum setback of an outdoor swimming pool to the rear lot line of 1.1 m.

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 10m2

Other Comments:

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
2	A porch to the rear exists and was constructed without the benefit of a building permit. The porch complies with zoning, but a building permit is required.

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 and Parks Planning
Date: November 25, 2024
Name of Owners: Sandy Buda and Sonia Buda
Location: 57 Sculpture Garden Lane
File No.(s): A169/24

Proposed Variance(s):

1. To permit a minimum setback of an outdoor swimming pool to the rear lot line of **1.1 m.**

By-Law 001-2021 Requirement(s):

1. The minimum setback of an outdoor swimming pool to any lot line shall be **1.5 m.**

Official Plan:

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

Comments:

The Owner is seeking relief to permit an in-ground swimming pool in the rear yard of the Subject Lands with the above-noted variance.

The Development and Parks Planning Department has no objections to Variance 1 to reduce the minimum required rear yard setback to the existing in-ground swimming pool from 1.5 m to 1.1 m. The intent of the setback provision is to ensure sufficient spatial separation to accommodate access, maintenance, and soft landscaping. The proposed 1.1 m setback meets the intent of the setback provision. The neighbouring lands abutting the rear lot line is a linear woodlot owned by the City. The proposed reduced rear setback is not anticipated to incur any negative impacts to the neighbouring lands.

As such, the Development and Parks Planning Department supports the requested variance and 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.

Recommendation:

The Development and Parks Planning Department 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:

Harry Zhao, Planner 1
Janany Nagulan, Senior Planner

From: [Cameron McDonald](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A169/24 - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Monday, October 28, 2024 9:54:28 AM
Attachments: [image002.png](#)

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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 the 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

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



From: [Development Services](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A169/24 - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Monday, October 28, 2024 11:50:41 AM
Attachments: [image001.png](#)
[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.

Hello,

The Regional Municipality of York has completed its review of the minor variance application – A169/24 (57 Sculpture Garden Lane) 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 | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



Our Mission: **Working together to serve our thriving communities – today and tomorrow**

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			10/09/2024	Applicant Cover Letter

October 9, 2024

Delivered Electronically

Ms. Assunta Perella (Committee of Adjustment – Chair)
Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Ms. Assunta Perella,

Re: **Application for Minor Variance**
 57 Sculpture Garden Lane

This cover letter has been prepared in support of the enclosed minor variance application (the “**Application**”) to the Vaughan Committee of Adjustment, with respect to the lands municipally known as 57 Sculpture Garden Lane (the “**Subject Property**”).

Subject Property (57 Sculpture Garden Lane)

The Subject Property is located immediately west of Highway 27 and north of Hedgerow lane, in a low-density residential neighbourhood (see Figure 1). Generally, the wider context surrounding the Subject Property is characterized by agricultural lands and green space, with some residential pockets. The areas to the north and west are occupied by detached residential dwellings, with Greenbelt lands located beyond. To the south and east is a vegetated natural area, zoned Public Open Space (OS1). Farther east is Copper Creek golf club.

The Subject Property is situated at the southeast corner of a residential subdivision, and abuts only one other residential property (to the north). The Subject Property has a curved frontage of approximately 26.4 metres onto Sculpture Garden Lane, with a depth of approximately 36.3 metres at the northern property line and 41.69 metres at the southern property line. The Subject Property has a total area of 805.99 square metres. To the east and south, the Subject Property abuts a berm which buffers the residential neighbourhood from Highway 27.

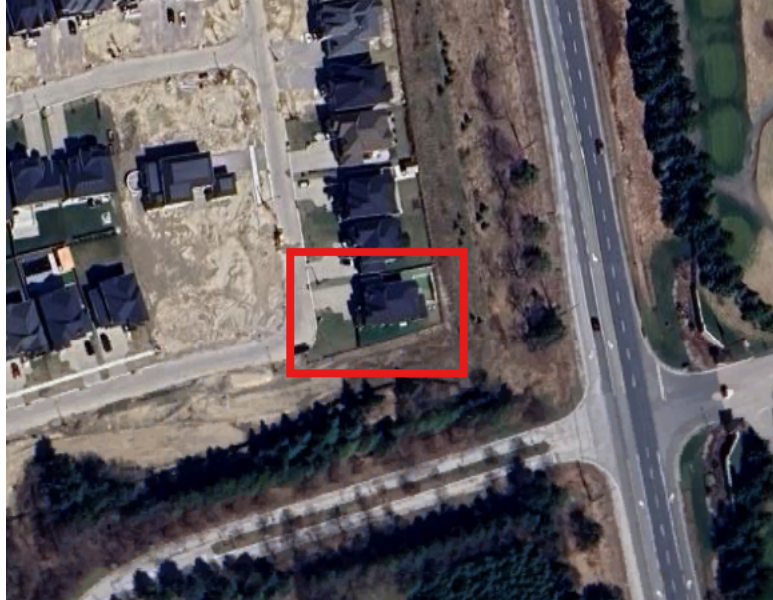


Figure 1. Aerial image of the Subject Property, outlined in red, and its surrounding context.

Zoning

The Subject Property is zoned First Density Residential and is subject to Exception 1022 (R1A-1022) under Zoning By-law 001-2021(see Figure 2). This zone permits residential uses in single-detached houses, as well as certain community and accessory uses. Lot and building requirements regulating the R1A zone are outlined in Table 7-3 of the Zoning By-law.

Exception 1022 relates to the subdivision in which the Subject Property is located, and establishes the following standards for the Subject Property:

- Minimum lot area: 648 m²
- Minimum interior yard: 1.2 m
- Minimum lot depth: 36 m

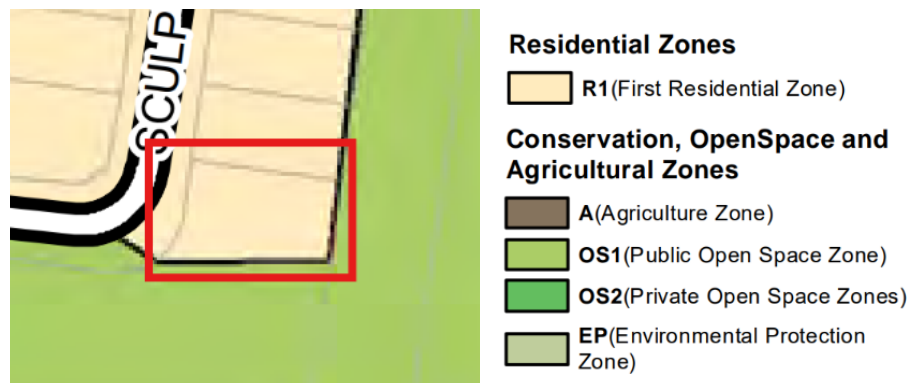


Figure 2. An extract of Schedule 216, with the Subject Property outlined in red.

Proposal and Requested Relief

This application requests relief from Zoning By-law 001-2021 to legalize an existing swimming pool setback, and to facilitate new hard landscaping in the front and rear yards. No new buildings or structures are proposed as part of this application.

Variance 1 requests a reduced rear yard setback of 1.1 metres for the in-ground swimming pool, whereas a minimum setback of 1.5 metres is currently required. This variance seeks to legalize an existing condition, as the pool was installed by the previous owner of the Subject Property.

Variance 2 requests a reduction to the minimum percentage of soft landscaping required for the front yard, to facilitate the installation of a patio stone walkway. 50% soft landscaping is proposed, while under the By-law a minimum of 60% soft landscaping is required.

Variance 3 similarly requests a reduction to the minimum percentage of soft landscaping required for the rear yard, to permit hard landscaping around the pool. A Minimum 22% soft landscaping is proposed, while under the By-law a minimum of 60% soft landscaping is required. Note that while the proposed landscaping plans comprise 24% soft landscaping, a minimum of 22% is sought to provide a modest amount of flexibility in the zoning.

Table 1. Zoning By-law requirements, and requested variances.

Variance #	Zoning By-law	Required by Zoning By-law	Requested
1	(4.21.3) “The minimum setback of an outdoor swimming pool to any lot line shall be 1.5 m. The setback shall be measured from the inside wall of the outdoor swimming pool.”	1.5 m	1.1 m
2	(4.19.1) “In the R1, R1A, R1B, R1C, R1D, R1E, R2, R2A, R3, R4, R5 and RT Zones, any portion of a yard in excess of 135.0 m ² shall be comprised of a minimum 60% soft landscape.”	Front Yard	
		60% (140.27 m ²)	50% (116.02 m ²)
3		Rear Yard	
		60% (101.68 m ²)	22% (37.28 m ²)

Planning Act Analysis

Section 45(1) of the Planning Act establishes four tests which a requested minor variance must satisfy, as listed below.

The Application is Minor in Nature

The requested variances would have no effect on adjacent properties, and would not introduce any negative impacts on adjoining lots or nearby residents.

Variance 1, which seeks to legalize an existing condition, would not facilitate any changes to the Subject Property. In addition, the Subject Property's rear lot line does not border another residential property, so a reduced rear yard setback would not impact a neighbouring lot.

Variances 2 and 3 request a minor reduction to the required percentage of soft landscaping, while maintaining sufficient areas of soft landscaping within both yards. Neither variance would have a detrimental effect on surrounding properties, both in terms of visual impact and physical impact. In particular, the adjoining lands east and west of the Subject Property are comprised of a berm; as such, variances applicable to the rear yard will be visually screened from surrounding areas. The adjacent berm also provides opportunity for rainwater drainage through soft landscaping.

The Application is Desirable for the Appropriate Development or Use of the Land

The Application is appropriate for the Subject Property, as it seeks to legalize a condition which currently exists without causing any adverse impact. Further, the Application would facilitate the landscaping of a functional, high-quality outdoor amenity space for the residents of the Subject Property.

Variances 1 and 3 will both ensure the Subject Property's rear yard is programmed and usable. This is particularly desirable for the Subject Property, whose location is farther from traditional community amenities such as recreation centres. With respect to Variance 1, permitting the existing pool to remain in place is appropriate, as the installation of an in-ground swimming pool has been approved by the City through pool enclosure permit no. 23-125666. Minor Variance 1 is necessary as there was an installation error, accidentally situating the pool less than 1.5 metres from the rear lot line.

With respect to Variance 3, the proposed rear yard landscaping plan maintains soft landscaping around the perimeter of the rear yard, providing ample space for plantings and vegetation. The location of plantings will also provide a vegetative buffer between the Subject Property's northern lot line and the abutting property.

Variance 2, which requests reduced soft landscaping to allow for the addition of a walkway leading to the rear yard, is desirable as this modification will enhance circulation and accessibility on the Subject Property.

The General Intent and Purpose of the Official Plan is Maintained

The Subject Property is designated 'Low-Rise Residential' by Schedule 13 (Land Use) of the Official Plan, and is within 'Community Areas' as designated by Schedule 1 (Urban Structure).

Section 2.2.3.2 of the Official Plan dictates that Community Areas with existing development are not intended to accommodate significant change that would alter the established character. Specifically, section 2.2.3.2 states “new development that respects and reinforces the existing scale, height, massing, lot pattern, building type, orientation, character, form and planned function of the immediate local area is permitted, as set out in the policies in Chapter 9 of this Plan.”

The Application would not impact the existing residential character of the surrounding neighbourhood, as the requested variances do not pertain to the building envelope, and variances pertaining to the rear yard would not be visible from the public realm. Further, the requested variances do not pertain to any of the above-noted characteristics, and would have no impact on the permitted scale, height, lot pattern, form, or planned function of the Subject Property. Evidently, the Application would not facilitate a notable change to the existing conditions, and would not impact the character of the area as a whole. Section 2.2.3.2 allows for development which reinforces the existing neighbourhood character, as is the case in this situation.

Section 9.2.2.1 establishes that lands designated ‘Low-Rise Residential’ shall consist of a low-rise form no greater than 3 storeys, with additional policies related to permitted use and building types. The requested variances fully comply with the intent of these policies, which overall speak to maintaining a low-rise built form and compatible uses within this designation. As previously established, the Application maintains the intent and purpose of the Official Plan, which predominantly speaks to maintaining a low-rise built form while permitting compatible change.

Section 1.5 of the Official Plan states its overarching goals, which includes promoting strong and diverse communities (Goal 1). As part of Goal One, the Official Plan seeks to maintain the stability of existing residential communities, and provide a full range of community services and amenities within each community. As previously detailed, the Application fully maintains the stability of its surrounding neighbourhood, and would not disrupt the existing character as there are no proposed changes to height, massing, building setbacks, lot pattern, or permitted uses. In addition, as the Subject Property is located farther from Vaughan’s urban core (and thereby farther from community services and amenities) the need for high-quality outdoor space on one’s own property is heightened.

In sum, the Application fully upholds the intent and purpose of the Official Plan, and complies with all relevant policies as detailed above. The minor changes sought through the requested minor variances would integrate seamlessly with the existing character and low-rise built form of the surrounding neighbourhood, as is intended by the Official Plan.

The General Intent and Purpose of the Zoning By-law is Maintained

As previously noted, the Subject Property is within the First Density Residential zone. The purpose of this zone, as established in Table 2-1, is to permit detached residential dwellings on lots between 18 and 30 metres wide. As none of the requested variances would impact the

building type or lot width, the requested variance does compromise the stated purpose of the First Density Residential zone.

With respect to Variance 1, section 4.21 of the Zoning By-law outlines specific regulations applicable to swimming pools. Apart from the variance currently sought for section 4.21(3), the existing pool condition is compliant with these provisions. It should also be noted that despite the reduced setback, there is still adequate space around the pool to permit circulation and facilitate maintenance. Given the compliance with the remaining zoning requirements for swimming pools, and the functionality of the rear yard setback, Variance 1 maintains the general intent and purpose of the Zoning By-law.

With respect to Variances 2 and 3, the proposal upholds the purpose and intent of the Zoning By-law by maintaining adequate soft landscaping in both the front and rear yards, with a wide variety of plantings. In addition, the Subject Property is surrounded by soft landscaping and vegetated areas at its eastern, southern, and western property lines. Given the less urbanized context, an increased proportion of hard landscaping would not compromise drainage or permeability in the wider area. In light of these considerations, Variances 2 and 3 clearly maintain the general intent and purpose of the Zoning By-law.

Conclusion

It is respectfully requested that the Committee of Adjustment approves this Application, as the three minor variances detailed herein satisfy all four tests established in section 45(1) of the Planning Act. Further, the Application represents good land use planning, and would not introduce any adverse impacts on the surrounding area.

Regards,

Frank Sperduti

Applicant

SCHEDULE D: BACKGROUND

Application No. (City File)	Application Description (i.e. Minor Variance Application; Approved by COA / OLT)
None	