ITEM: 6.3

REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A137/23

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 <u>website</u>.

Internal Departments *Comments Received	Conditions Required		Nature of Comments
Committee of Adjustment	Yes □	No ⊠	General Comments
Building Standards (Zoning)	Yes □	No ⊠	General Comments
Development Planning	Yes □	No ⊠	Recommend Approval/No Conditions
Development Engineering	Yes □	No ⊠	General Comments
Forestry	Yes □	No ⊠	General Comments

External Agencies *Comments Received	Conditions	Required	Nature of Comments *See Schedule B for full comments
Alectra	Yes □	No ⊠	General Comments
Region of York	Yes □	No ⊠	General Comments
TRCA	Yes □	No ⊠	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 (mm/dd/yyyy)	Summary
Applicant			10/18/2024	Application Cover Letter
Public				Letter expressing concern, proposed mitigation measures

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		
(i.e. Minor Variance Application; Approved by COA / OLT)		
N/A N/A		

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.		
Hearing Date Reason for Adjournment (to be obtained from NOD ADJ)		
May 16, 2024	Minor Variance Application A137/23 was adjourned by the Committee of Adjustment to June 20, 2024, to accommodate statutory public notices (additional variances identified through zoning review).	

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 A137/23

CITY WARD #:	5
APPLICANT:	Rafael Lazer
AGENT:	Spotlight Development Inc.
PROPERTY:	116 Renaissance Court, Thornhill
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential".
(2010) DESIGNATION:	
RELATED DEVELOPMENT APPLICATIONS:	None
DDODOSAL .	Deliaf from the Zaning Dy law is being requested to poweit a prepared
PROPOSAL:	Relief from the Zoning By-law is being requested to permit a proposed swimming pool, accessory structure (fire pit) and reduced rear yard soft landscaping requirements.

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

The subject lands are zoned R1D (EN) First Residential Density Zone (Established Neighbourhood) and subject to the provisions of Exception 14.478 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	No part of a private swimming pool shall be nearer	To permit a swimming pool to have a minimum setback
	to the rear to line than 35.0 metres. [14.478], [4.21]	of 21.76 metres from the rear lot line.
2	No grading, removal or placing of fill shall be permitted within 27.5 m from the rear lot line of all lots zoned R1D. [14.478]	To permit regrading and removal and replacing of fill (sport court) with a minimum setback of 1.40 metres from the rear lot line.
3	No part of an accessory structure may be nearer to	To permit an accessory structure (concrete patio
	the rear lot line than 35.0 metres [14.478]	Westerly portion of lot) with a minimum setback of 19.37 metres from the rear lot line.
4	No part of an accessory structure may be nearer to	To permit an accessory structure (fire pit and patio)
	the rear lot line than 35.0 metres [14.478]	with a minimum setback of 11.81 metres from the rear
		lot line.
5	No part of an accessory structure may be nearer to	To permit an accessory
	the	structure (covered hot tub) with a minimum setback of
	rear lot line than 35.0 metres [14.478]	31.97 metres from the rear lot line.

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.

HEARING INFORMATION

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

INTRODUCTION

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

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

That the general intent and purpose of the by-law will be maintained.

That the general intent and purpose of the official plan will be maintained.

That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.

That the requested variance(s) is/are minor in nature.

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

COMMITTEE OF ADJUSTMENT		
Date Public Notice Posted Online:	November 21, 2024	
Date Applicant Confirmed Posting of	November 6, 2024	
Sign:		
Applicant Justification for Variances:	The purpose of my application is to permit an existing	
*As provided in Application Form	swimming pool. Please see Permit No. 20 107977 000	
	00 EP. Zoning Deficiency Letter	
Was a Zoning Review Waiver (ZRW) Form	Yes □ No ⊠	
submitted by Applicant:		
*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.		
OOMANDENTO:		

COMMENTS:

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:

- 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.

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		
Committee of Adjustment Recommended	None.	
Conditions of Approval:		

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

<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u>

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. 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

DEVELOPMENT ENGINEERING

<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u>

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.

Development Engineering
Recommended Conditions of
Approval:

None.

PARKS, FORESTRY & HORTICULTURE (PFH)

Vaughan Forestry has no comments at this time.

PFH Recommended Conditions of

None.

Approval:

DEVELOPMENT FINANCE

No comments received to date.

Development Finance Recommended

None.

Conditions of Approval:

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

BCLPS Recommended Conditions of

None

Approval:

BUILDING INSPECTION (SEPTIC)

No comments received to date.

Building Inspection Recommended

None.

Conditions of Approval:

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
None.

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval "if required". If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

IMPORTANT INFORMATION

CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (see condition chart above for contact). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

IMPORTANT INFORMATION

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

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

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

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

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

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

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

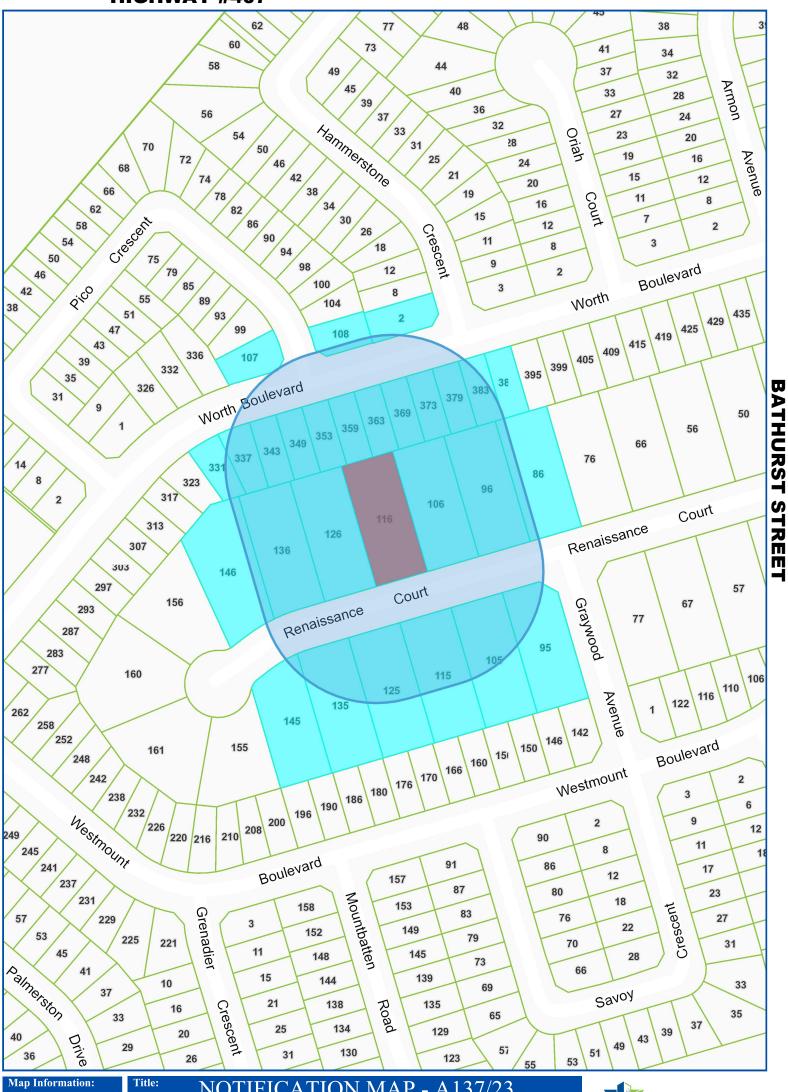
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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

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

SCHEDULE A: DRAWINGS & PLANS

HIGHWAY #407





NOTIFICATION MAP - A137/23

116 Renaissance Court, Thornhill

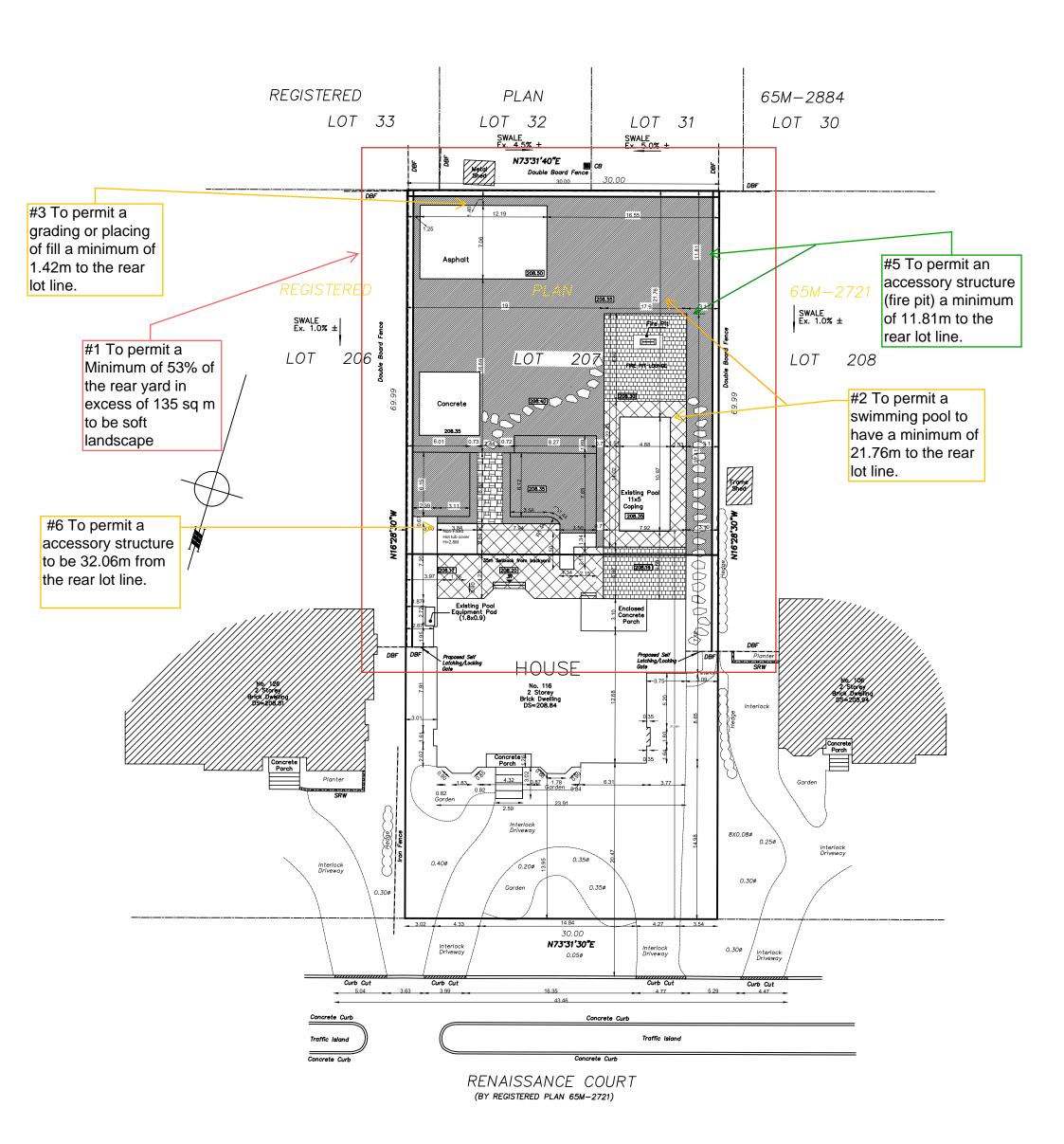
Disclaimer:

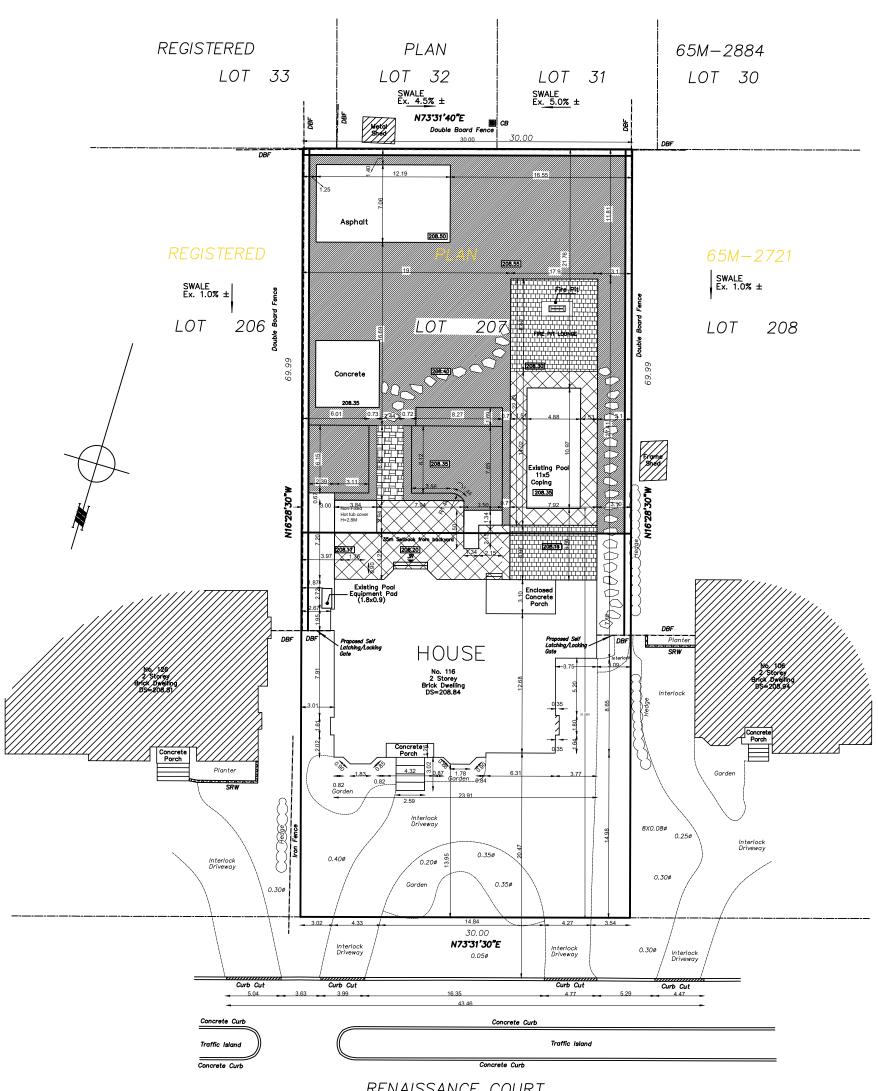


Scale: 1: 2,257 0.04 km



31, 2023 2:19 PM



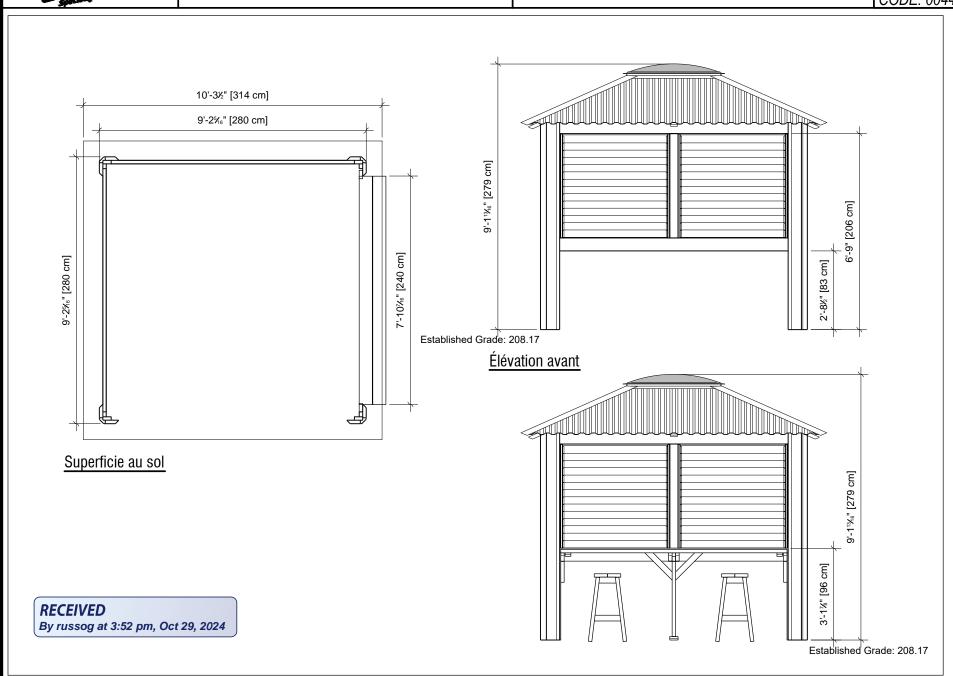




INSTRUCTIONS

ALTA

CODE: 0044



Alta_Steps_V1.0 FR

TOLL FREE: 1-877-795-7423

SCHEDULE B: COMMENTS FROM AGENCIES, BUILDING STANDARDS & DEVELOPMENT PLANNING

Department / Agency *Comments Received	Conditions Required		Nature of Comments	
Building Standards (Zoning) *See Schedule B	Yes □	No ⊠	General Comments	
Development Planning	Yes □	No ⊠	Recommend Approval/No Conditions	

External Agencies *Comments Received	Conditions Required		Nature of Comments *See Schedule B for full comments
Alectra	Yes □	No ⊠	General Comments
Region of York	Yes □	No ⊠	General Comments
TRCA	Yes □	No ⊠	General Comments



Date: April 18th 2024

Attention: Christine Vigneault

RE:

File No.: A137-23

Related Files:

Applicant Spotlight Development Inc.

Location 116 Renaissance Court



COMMENTS:

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

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

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

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

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

References:

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

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

Mr. Stephen Cranley, C.E.T

Supervisor, Distribution Design, ICI & Layouts (North)

Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner

Supervisor, Distribution Design-Subdivisions

Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

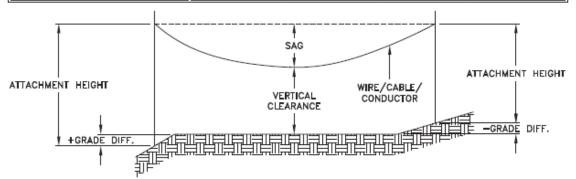


Power Stream 1

Construction Standard

03-1

	SYSTEM VOLTAGE				
LOCATION OF WIRES, CABLES OR CONDUCTORS	SPAN GUYS AND COMMUNICATIONS WIRES		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 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:

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

<u>\G</u>	340cm	11'-4"			
	310cm	10'-4"			
VALUES.	250cm	8'-4"			
VALUES.					
REFERENCES					
SAGS AND T	FNSIONS 1	SECTION 02			

METRIC

810cm

760cm 730cm

520cm 480cm

442cm 370cm

CONVERSION TABLE

IMPERIAL (APPROX)

27'-0" 25'-4"

24'-4" 17'-4"

15'-5" 12'-4"

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

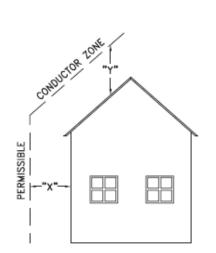
ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

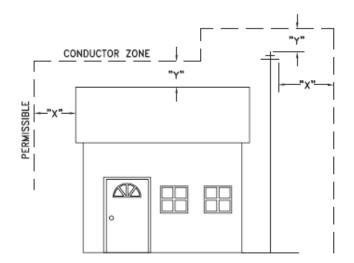
Certificate of Approval This construction Standard meets the safety requirements of Section 4 of Regulation 22/04		
Joe Crozier, P.Eng. 2012-JAN-09 Name Date		
P Fng. Approval By:	Ine Crozier	



Construction Standard

03 - 4





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

- 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.
- 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.
- 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 CONJUCTION 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).

ON TABLE
IMPERIAL
(APPROX)
16'-0"
10'-0"
8'-4"
3'-4"

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

ORIGINAL ISSUE DATE: 2010—MAY—05 REVISION NO: REVISION DATE:
PEgystem Planning and Standards/Standard Design/PowerStream Standards/standards working (lighter/Seedlan 3/3-4/c/wg d3-4 Ro May 5, 2010, s/wg, 3/3/2010 8/2/202 AM, Adobe POF



To: Committee of Adjustment

From: Sean Fitzpatrick, Building Standards Department

Date: November 1, 2024

Applicant: Spotlight Development Inc.

Location: 116 Renaissance Court

PLAN 65M2721 Lot 207

File No.(s): A137/23

Zoning Classification:

The subject lands are zoned R1D (EN) First Residential Density Zone (Established Neighbourhood) and subject to the provisions of Exception 14.478 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	No part of a private swimming pool shall be nearer to the rear to line than 35.0 metres. [14.478], [4.21]	To permit a swimming pool to have a minimum setback of 21.76 metres from the rear lot line.
2	No grading, removal or placing of fill shall be permitted within 27.5 m from the rear lot line of all lots zoned R1D. [14.478]	To permit regrading and removal and replacing of fill (sport court) with a minimum setback of 1.40 metres from the rear lot line.
3	No part of an accessory structure may be nearer to the rear lot line than 35.0 metres [14.478]	To permit an accessory structure (concrete patio Westerly portion of lot) with a minimum setback of 19.37 metres from the rear lot line.
4	No part of an accessory structure may be nearer to the rear lot line than 35.0 metres [14.478]	To permit an accessory structure (fire pit and patio) with a minimum setback of 11.81 metres from the rear lot line.
5	No part of an accessory structure may be nearer to the rear lot line than 35.0 metres [14.478]	To permit an accessory structure (covered hot tub) with a minimum setback of 31.97 metres from the rear lot line.

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file

Building Permit(s) Issued:

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2

Other Comments:

General Comments

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.

From: <u>Kari Sthyr Hansen</u>

To: <u>Committee of Adjustment Mailbox</u>

Subject: A137/23 Vaughan - Forestry - Complete No Conditions (Prabhdeep Kaur)

Date: Wednesday, November 20, 2024 10:43:19 AM

Please note that Vaughan - Forestry process is now complete for a COA folder with the following details:

File No: A137/23

Type: Minor Variance - Minor Type 1

Address: 116 Renaissance Ct

Comments: Vaughan Forestry has no comments at this time.

Conditions:





To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development and Parks Planning

Date: November 26, 2024

Name of Owner: Rafael Lazer

Location: 116 Renaissance Court

File No.(s): A137/23

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

- 1. To permit a swimming pool to have a minimum setback of 21.76 m from the rear lot line.
- 2. To permit regrading and removal and replacing of fill (sport court) with a minimum setback of 1.40 m from the rear lot line.
- 3. To permit an accessory structure (concrete patio Westerly portion of lot) with a minimum setback of 19.37 m from the rear lot line.
- 4. To permit an accessory structure (fire pit and patio) with a minimum setback of 11.81 m from the rear lot line.
- 5. To permit an accessory structure (covered hot tub) with a minimum setback of 31.97 m from the rear lot line.

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

- 1. No part of a private swimming pool shall be nearer to the rear to line than 35.0 m.
- 2. No grading, removal or placing of fill shall be permitted within 27.5 m from the rear lot line of all lots zoned R1D.
- 3. No part of an accessory structure may be nearer to the rear lot line than 35.0 m.
- 4. No part of an accessory structure may be nearer to the rear lot line than 35.0 m.
- 5. No part of an accessory structure may be nearer to the rear lot line than 35.0 m.

Official Plan:

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

Comments:

The Owner is seeking relief to permit the existing location of an outdoor swimming pool, sport court, concrete patio, fire pit/patio, and covered hot tub, with the above noted variances

The Development and Parks Planning Department has no objection to Variance 1, to permit a swimming pool to be setback 21.76 m from the rear lot line, whereas the Zoning By-law site specific Exception 14.478 on the Subject Lands requires a minimum setback of 35.0 m. The lot and building provisions found within the Exception are a result of a tree protection zone due to a former woodlot on the Subject Lands. The swimming pool is located in the southeast corner of the rear yard and the 21.76 m setback maintains the general intent of the Zoning By-law as it provides sufficient spatial separation to the rear lot line for maintenance access. An arborist letter was submitted in support of the application which states that any trees that may have been impacted by the construction of the swimming pool are in good condition. Urban Design Staff have reviewed the arborist letter and have no concerns. Environmental Planning Staff have confirmed that there are no natural heritage features on site, thus have no objections to the overall application.

The Development and Parks Planning Department has no objection to Variance 2, to permit a sport court with a minimum setback of 1.40 m to the rear lot line, whereas the Zoning By-law requires 27.5 m from the rear lot line from any grading, removal, or placing of fill. The sport court is a 12.19 m by 7.06 m concrete pad located in the northwest corner of the rear yard. Due to the modest size and design of the sport court, there are no anticipated impacts to the surrounding properties. There are existing trees that help buffer the sport court from the abutting properties. The Development Engineering Department has reviewed the application have no objection to the location of the sport court.

memorandum



The Development and Parks Planning Department has no objection to Variance 3, to permit a concrete patio on the westerly side of the rear yard with a setback of 19.37 m to the rear lot line, whereas the Zoning By-law requires 35.0 m. The 19.37 m setback provides adequate spatial separation to the rear lot line to maintain the function of the rear yard as an outdoor amenity space.

The Development and Parks Planning Department has no objection to Variance 4, to permit a fire pit and patio to be located 11.81 m setback to the rear lot line, whereas the Zoning By-law requires 35.0 m to the rear lot line. The fire pit and surrounding patio area abuts the north end of the swimming pool. The 11.81 m setback to the rear lot line does not hinder the function of the rear yard as an outdoor amenity space. As per the City's Fire Burn Permit By-law 157-2023, a permit for the firepit will be required.

The Development and Parks Planning Department has no objection to Variance 5, to permit a covered hot tub to be located 31.97 m to the rear lot line, whereas the Zoning By-law requires 35.0 m. The existing above-ground hot tub is covered by a prefabricated structure with a height of 2.79 m from grade to the highest point of the roof. The modest size of the hot tub cover is not anticipated to cause adverse massing impacts to the surrounding properties. The 31.97 m setback provides ample separation distance from the rear lot line to allow the rear yard to function as an outdoor amenity space.

Accordingly, the Development and Parks Planning Department can support the requested variances 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:

Alyssa Pangilinan, Planner 1 Janany Nagulan, Senior Planner

Prabhdeep Kaur

From: Kristen Regier <Kristen.Regier@trca.ca>
Sent: Thursday, April 18, 2024 11:21 AM

To: Committee of Adjustment

Cc: Prabhdeep Kaur

Subject: [External] RE: A137/23 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hello,

The subject property at 116 Renaissance Court, Vaughan is not located within TRCA's Regulated Area. TRCA's Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

Kristen Regier, MA (she / her)

Planner

Development Planning and Permits | Development and Engineering Services Toronto and Region Conservation Authority (TRCA)

T: 437-880-2129

E: kristen.regier@trca.ca

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca



Pravina Attwala

Subject: FW: [External] RE: A137/23 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

From: Development Services <developmentservices@york.ca>

Sent: Thursday, April 18, 2024 9:46 AM

To: Prabhdeep Kaur < Prabhdeep. Kaur@vaughan.ca> **Cc:** Committee of Adjustment < CofA@vaughan.ca>

Subject: [External] RE: A137/23 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hi Prabhdeep,

The Regional Municipality of York has completed its review of the minor variance application – A137/23 (116 Renaissance Court) and has no comment.

Please provide us with a digital copy of the notice of decision for our records.

Many thanks,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Niranjan Rajevan, **M.Pl.** | Associate Planner, Development Services, Planning and Economic Development, Corporate Services

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

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



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

Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			10/18/2024	Application Cover Letter
Public				Letter expressing concern, proposed mitigation measures



City of Vaughan Committee of Adjustment / Building Standards Department 2141 Major Mackenzie Drive Vaughan, ON L6A 1T1

Attn: Committee of Adjustment

Mr. Andrew Lommano, Zoning Plans Examiner

RE: Application for Minor Variance for 116 Renaissance Court, City of Vaughan.

Dear Committee Members & Mr. Lommano,

Please see Variance Chart below. An updated Site Plan indicating the requested variances, setback and area measurement details has been included with this application for reference. We have numbered the items in this letter sequentially for ease of reference and the first six items are cross referenced to the first six items in response to the city letter dated May 15th, 2024. For items we have numbered 7 to 9 in this letter, those are cross referenced to the same letter but are listed under the Other Items section and were also numbered 1 to 3, which we found confusing, thus our suggested sequentially numbering. Where you see a number in brackets, that is the number used in City correspondence(s). For instance, our items 10 and 11 of this letter reflect items number 1 and 2 from the City's letter dated January 5th, 2023 and in that letter, they are labeled items number 1 and 2. The remaining items from that letter are addressed in the earlier parts of the below table. Therefore, in our view, we have provided the requested information from the city and the application should be scheduled for a hearing soon.

Attached to this letter are a series of appendices, to describe the information provided in the chart below and are listed as follows:

Appendix A – Site Plan Drawing Dated September 30th, 2024

Appendix B – Calculation of Coverage pertinent to item 7 below.

Appendix C – Pergola details regarding height and size pertinent to items 7 & 8 below.

Appendix D – City of Vaughan Letter dated January 23rd, 2023 pertinent to items 10 & 11 below.

	Zoning By-law 001-2021				
#	Item	Required	Provided	Relief Requested	
1.	Any portion of a yard in excess of 135 m² shall be comprised of 60% soft landscape.	Total Rear Yard Area = 1197m²	645m² (53.8%)	73m² (7%)	
	[Section 4.19.1.1 and Section 3, Definitions,	60% =718m²			



DEVELOPMENT

	Zoning By-law 001-2021, as amended]			
2.	No part of a private swimming pool shall be nearer to the rear to line than 35.0 metres. [14.478 2. 1. d. Figure E - 853], [4.21]	35m	21.76m	13.5m
3.	No grading, removal or placing of fill shall be permitted within 27.5 m from the rear lot line of all lots zoned R1D. [14.478]	27.5m	1.40m	26.08m
	(Basketball Court)			
	No part of an accessory structure may be nearer to the rear lot line than 35.0 metres [14.478]	35m	39.63m	None
4.	(Pool Equipment Pad)			
5.	No part of an accessory structure may be nearer to the rear lot line than 35.0 metres [14.478]	35m	11.81m	23.19m
6.	(Fire Pit) No part of an accessory structure may be nearer to the rear lot line than 35.0 metres [14.478] (Covered Hot Tub)	35m	32.06m	2.94m
	Other Iten	ns – Zoning By	/-Law 01-2021	
7. (1)	A maximum lot coverage is 20% is permitted. Applicant to please provide additional statistics to demonstrate the proposed coverage for the lot including "Non fixed hot tub cover" (Pergola) for review. [14.478], [Table 7 – 3] Please note the definition of	20% or 420 sq. m	House = 350 sq. m Pergola is 7.52 sq. m Total Coverage is 358 sq. m approximately.	None (See Appendix B)



DEVELOPMENT

	Lot Coverage is as follows "Means the percentage of the lot area covered by all buildings and covered structures located above grade, as measured to the exterior limits of a building, or covered structure, and excludes eaves and gutters."			
8. (2)	The permitted maximum height of an accessory structure or accessory building is 3.0 metres. [4.1.4 1.] The height of the accessory structure in the rear yard (pergola) has not been provided. Please submit elevations showing the height of the pergola measured from established grade to the highest part of the accessory structure and eaves and gutter roof overhang dimension for review.	3.0m	2.8m	None (see appendix C)
9.	Applicant to please show a separate setback to the fire pit to rear property line on Site Plan for review.	Please see details for item #5 above. Repetitive request.		
(3)	Applicant to please show a separate setback to the patio to rear property line on Site Plan for review.	Please see details for item #5 above. Repetitive request.		
Additional Items Asked Previously, City of Vaughan Letter Dated January 5 th , 2023 (Appendix D)				
10. (1)	Interior yard setback (swimming pool)	3.0m	4.63m	None
11. (2)	Pool Equipment Pad – Interior yard setback	1.5m	1.87m	None



Thank you for you time and consideration with this matter, if you have any questions, we would be pleased to discuss with you at your earliest time.

Respectfully,

Aaron Gillard | Chief Development Officer

Spotlight Development Inc.

550 Queen St E, Suite 200, Toronto, ON, M5A 1V2

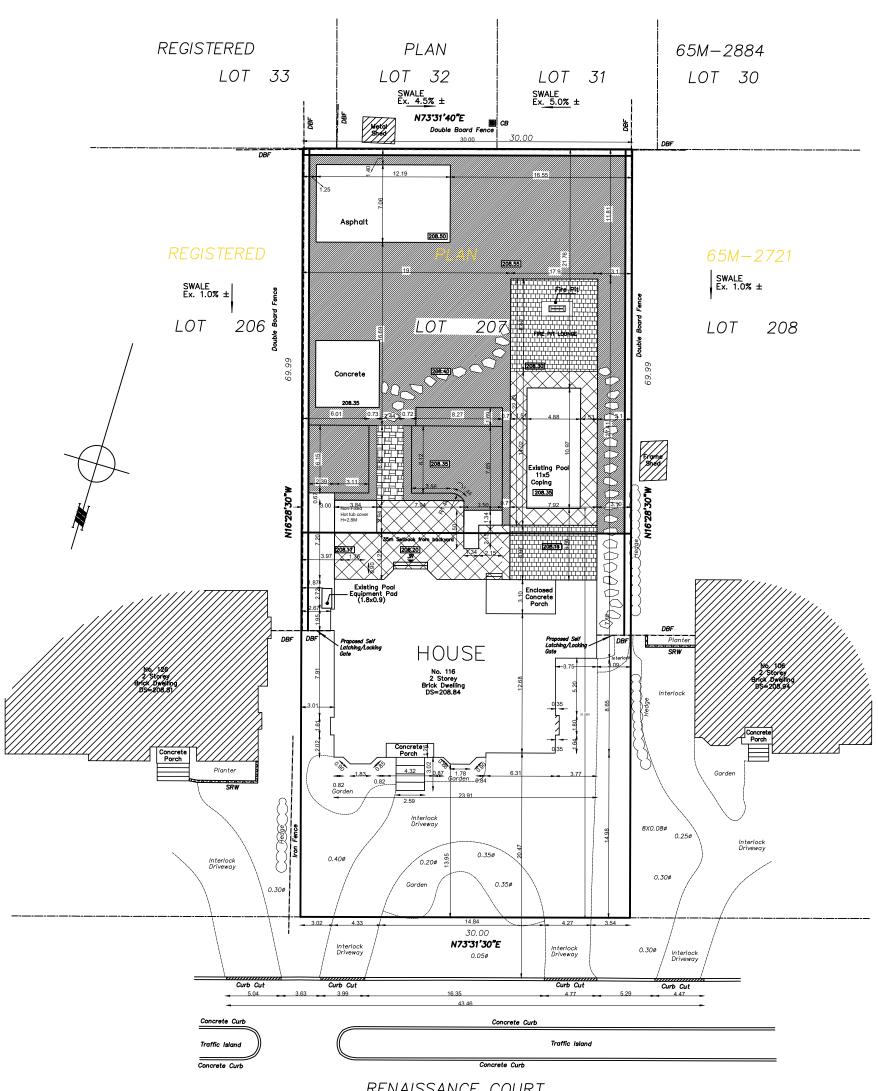
www.spotlightdevelopment.com

cc: cofa@vaughan.ca

Andrew.Lommano@vaughan.ca john@spotlightdevelopment.com

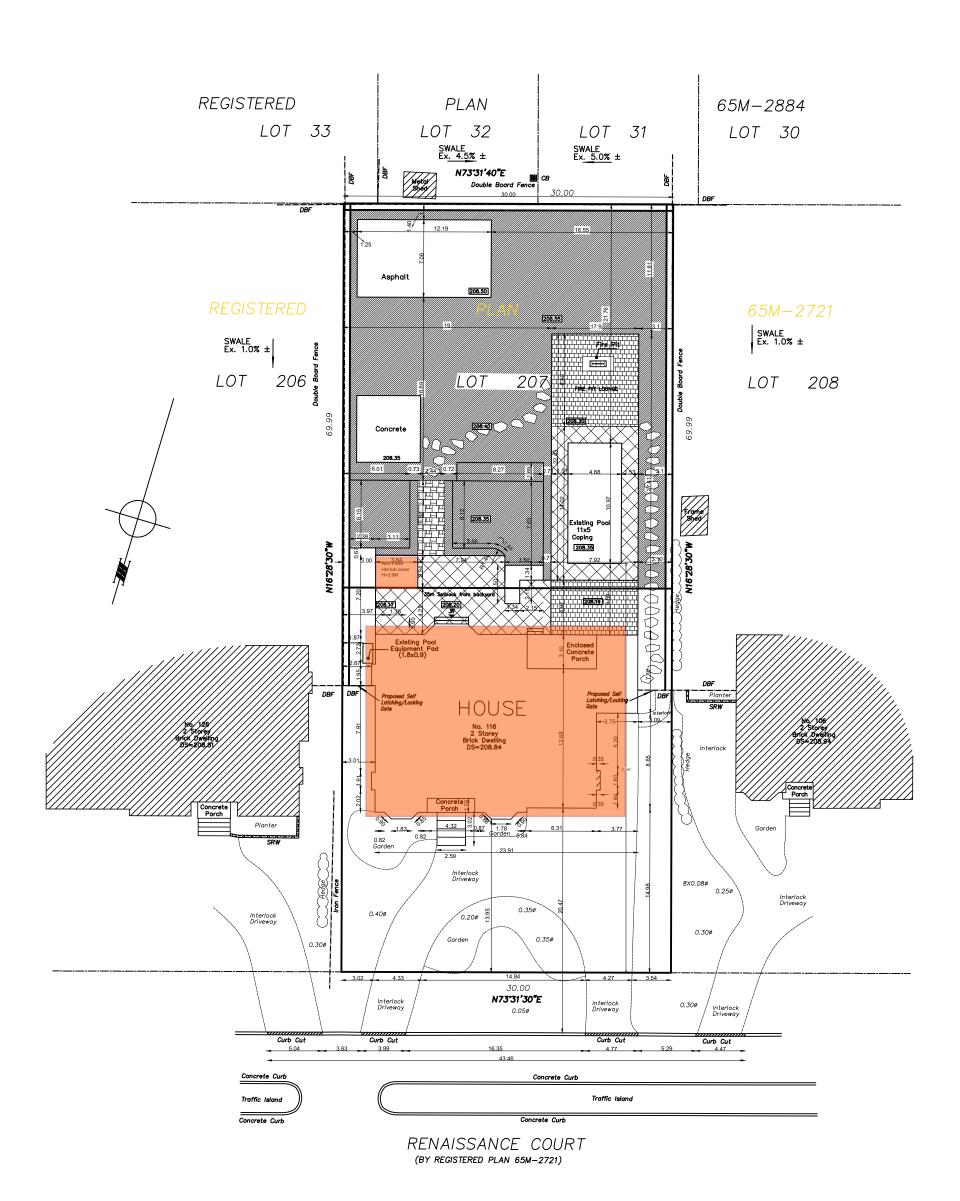


APPENDIX A





APPENDIX B





APPENDIX C

MT. ALTA





SPECIFICATIONS

9 ft wide x 9 ft long



DESCRIPTION

The Mt. Alta by Visscher turns your spa into your exclusive entertainment centre. This model incorporates a 42" x 42" skylight dome in a trusted Visscher roof structure. Sturdy posts and bar accent your property nicely. Adjust the louvers to suit your level of exposure to the elements as you relax beneath this structure.

Colour: Mocha



Description

The Mt. Alta gazebo from Visscher is a product of superior quality and easyassembly. It offers the comforts of an enclosed spa gazebo without taking up a lot of space. It will add a touch of intimacy and it will cut the windwhen you go out to your spa. It will beautify your back-yard for manyyears!

Description:

SPF structure

Black Polycarbonate roof (2) Louvre walls 94"

1) Skylight dome 42" x 42" 1) 94" Bar kit with 3 cedar stools

Colour: Mocha

Options available:

(1') Extra Louvre panel

Extra cedar stools

Reel Dimensions:

9' x 9'

Inside Dimensions:

8'- 8 9/16" (266cm) x 7'- 10 7/16" (240cm)

Outside Dimensions:

9' - 2 5/16" (280cm) x 10' - 3 1/2" (314cm)

Total Height:

9' - 1 13/16" (279cm)

Counter Height: 3' - 1 7/8" (96cm)



APPENDIX D



January 5, 2022

Spotlight development 30 Wertheim Ct. Richmond Hill ON

Re: Permit No. 20 107977 000 00 EP

PLAN 65M2721 Lot 207 116 Renaissance Court

In order to allow us to complete our zoning examination of your permit application, we request that upon review of the following, you take the appropriate action(s):

Deficiency 1. The rear and interior side yard setbacks to the pool have not been provided on the submitted application.

Provided the rear yard setback to the pool shall be 35 meters, and the interior yard setback shall be 3.0 meters

Remedy: Kindly submit a revised set of drawings which complies with the above, or in the alternative, you may contact the Development Planning Department at (905) 832-8565 to request relief from the requirements of By-Law 1-88 and of By Law 1-2021.

Deficiency 2. Rear and interior side yard setback to the pool equipment has not been provided on the submitted application.

Pool equipment, on a pad, no enclosure, shall be setback a minimum of 35 metres from the rear lot line and 1.5m from the interior side lot line.

Remedy: Kindly submit a revised set of drawings which complies with the above, or in the alternative, you may contact the Development Planning Department at (905) 832-8565 to request relief from the requirements of By-Law 1-88 and of By-Law 1-2021.

Deficiency 3. The minimum rear yard soft landscaping requirement appears to not have been met.

Where the area of the rear yard of a lot is greater than 135 m2, a minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 m2 shall be composed of soft landscaping, as per Section 4.1.2 b), Minimum Soft Landscaped Area, of By-Law 1-88, as amended and as per Section 4.19.1, Soft Landscaping Requirements of By Law 01-2021. The rear yard, as defined, means the yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of the main building or structure on the lot. (Please also note: Zoning By Law definitions of soft landscaping does not include swimming pools).

Remedy: Please submit soft landscape area calculations in order to satisfy the above referenced requirement, or in the alternative, contact the Development Planning Department at (905) 832-8565 regarding relief from By-Law 1-88 and from By Law 1-2021.

Deficiency 4. No building or structure shall be permitted within 35 metres of the rear lot line on Lots 194 to 228, Registered Plan 65M-2721, as shown on Schedule E-853. No grading, removal or placing of fill shall be permitted within 27.5 metres from the rear lot line of all lots zoned R1 Zone. For the purposes of this paragraph, a building or a structure shall include a swimming pool, tennis court, or other accessory buildings.

Remedy: Kindly submit a revised set of drawings which complies with the above, or in the alternative, you may contact the Development Planning Department at (905) 832-8565 to request relief from the requirements of By-Law 1-88 and of By Law 1-2021.

Permit application / drawing review is undertaken by various specialist examination sections in the department. A delay in providing the information requested will result in a delay of the review process. It is therefore in your best interest to ensure that the above information is submitted without delay, in order to expedite your permit issuance.

The above request pertains only to zoning matters. Subsequent items may be identified.

Yours Truly,

Andrew Lommano Zoning Plans Examiner I Building Standards Department (905) 832-8510 Ext. 8238

Andrew.Lommano@vaughan.ca

From: Alyssa Pangilinan

Cc: Committee of Adjustment
Subject: RE: [External] File 137/23

Subject: RE: [External] File 137/3 **Date:** June-06-24 3:40:59 PM

Hi Carmine,

I am confirming receipt of your comments below regarding minor variance application A137/23.

Copied to this email is City Clerks staff who will add your comments for public record.

@Committee of Adjustment Please see below.

Thank you,

Alyssa Pangilinan

Planner I

905-832-8585, ext. 8220 | alyssa.pangilinan@vaughan.ca

City of Vaughan | Development Planning Department 2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1



From: Carmine Settino

Sent: Thursday, June 6, 2024 2:10 PM

To: Alyssa Pangilinan <Alyssa.Pangilinan@vaughan.ca>

Subject: [External] File 137/23

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.

I received notification for the May 16 meeting at which the file above was reviewed on May 14. I briefly glanced at the enclosed material at that time. Since the swimming pool, landscaping, fire pit and the construction was completed 2 years ago, I did not review the notice carefully. Today I went on your website to review and noticed that the decision of the committee has been adjourned to the June meeting.

Subsequently, I have read the report more carefully. I am amazed how the work was completed without the proper approval especially since there are three variances requested.

Variance 1

• I would describe as minor subject to the proper completion of the soft landscaping and run off management.

Variance 2

• Places the swimming pool 21.76 metres from my lot line instead of the required 35 metres. This is 13.24 metres (43.4 feet) closer to my lot line. I recognize that relocating or removing the swimming pool may not be viable options. However, I ask possible solution be investigated so that the noise and lights from the pool not do not impact our enjoyment of our backyard and deck.

Variance 3

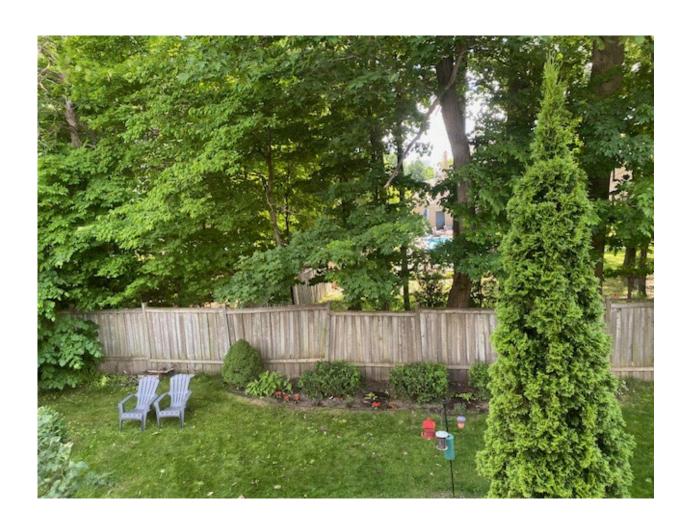
- Places the fire pit 11.81 metres from my lot line instead of the required 35 metres.

 This is 23.19 metres (76.1 feet) closer to my lot line. When in use the smoke and smell of the fire pit has been over powering, especially when the fire remains lit for long period of time. In the past the fire pit lit over over 48 hours I have attached an email sent to Vaughan by-law. The fire department attended the property and threatened to fine the owner before he agreed to douse the fire. Relocation or removal of the fire will resolve our concerns.
- Also places the basketball court very close to our lot line.

Other Factors

Prior to the construction the owner of the property clear cut several dozen trees from his property. The by-law department was contacted at the time and came to investigate. We were told that since the trees were less than 20 cm in diameter no permit was required. I have attached pictures of the property at 116 Renaissance and neighbours on either side.

As you can see from the pictures the house, there is an unobtrusive view the pool, fire pit and basketball court.







Mitigation to resolve our issues will be difficult because the construction has been complete for 2-3 years. It is ironic that if the trees had not been clear cut the entire situation would be much different. Since major variances are being requested the entire project should be removed and restarted. I understand that this will be at major expense to current homeowner and it would unfair for him to bear that cost, I ask that we can agree to some form of mitigation to resolve our concerns. The mitigation could include but not limited to:

- Planting of large trees to obscure sight lines and dampen sound
- Limiting use of the fire pit and/or basketball court
- Reduction in the overnight lighting of the area

Please reply or call me at to discuss my concerns so that I can prepare to attend the nest meeting. Also please verify the details for the next meeting by e-mail ASAP.

SCHEDULE D: BACKGROUND

None