

ITEM: 6.6	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A018/23
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Report Date: Friday, April 4, 2025

**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 checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments w/Conditions
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Recommend Approval w/Conditions
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 checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Metrolinx	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
Public	Zoe (Last name not specified)	Not specified	04/02/2025	Letter of Objection Video Link: CORRESPONDENCE A018 23 ZOE VIDEO O.pdf.MOV
Public	Kevin Kliaman	11 Lady Bianca Court	02/12/2023	Letter confirming no flooding issue in backyard.
Public	John Karkoutlian	Not Specified	12/05/2023	Letter of Concern

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 (to be obtained from NOD_ADJ)
September 21, 2023	To permit time for staff to review revised submission.
December 7, 2023	To permit time for applicant time to consult with Planning regarding comments provided and to permit time for Development Planning to provide Committee with the status of the EP ORM Zone abutting the subject lands.

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

CITY WARD #:	4
APPLICANT:	Kevin Kliaman
AGENT:	Anna Boyko and Alexei Sitenko
PROPERTY:	15 Lady Bianca Court, Maple
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13 - Land Use and "Oak Ridges Moraine Settlement Area" by Schedule 4 – Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas
RELATED DEVELOPMENT APPLICATIONS:	N/A
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a swimming pool, uncovered platform (deck), including access stairs, hot tub roof structure and prefabricated sauna.

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

The subject property is zoned R3(EN), Third Density Residential Zone - Established Neighbourhood Suffix, and EP-ORM, Environmental Protection Zone - Oak Ridges Moraine Suffix, and subject to the provisions of Exception 14.871 under By-law 001-2021 as amended.

#	Zoning By-law 001-2021	Variance requested
1	An outdoor swimming pool (hot tub) is not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the outdoor swimming pool (hot tub) within the EP-ORM zone in accordance with the attached plan.
2	The minimum setback of an outdoor swimming pool (hot tub) to any lot line shall be 1.5 metres. [Section 4.21.3]	To permit a minimum interior side yard setback of 0.15 metres to an outdoor swimming pool (hot tub).
3	An outdoor swimming pool is not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the outdoor swimming pool within the EP-ORM zone in accordance with the attached plan.
4	An uncovered platform is not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of an uncovered platform within the EP-ORM zone in accordance with the attached plan.
5	An uncovered platform, with a height of 1.2 metres or less as measured at any point from grade and including access stairs is permitted to encroach a maximum of 2.4 metres into a minimum required rear yard. [Section 4.13., Table 12-3]	To permit an uncovered platform, with a height of 1.2 metres or less as measured at any point from grade and including access stairs to encroach a maximum of 14.7 metres into the minimum required rear yard.
6	An uncovered platform, with a height of 1.2 metres or less as measured at any point from grade and including access stairs shall be setback a minimum of 0.6 metres from the interior side lot line. [Section 4.13., Table 12-3]	To permit an uncovered platform, with a height of 1.2 metres or less as measured at any point from grade and including access stairs to be setback a minimum of 0.15 metres from the interior side lot line.
7	Any portion of a yard in excess of 135.0 m ² shall be comprised of a minimum 60% soft landscape. [Section 4.19.1]	To permit the portion of the rear yard in excess of 135.0m ² to be comprised of a minimum of 15.7% (8.76m ²) soft landscape.
8	The minimum front yard landscape requirement shall be 50%, of which 60% shall be soft landscaping. [Section 4.19.1]	To permit a minimum front yard landscape of 46.8% (37.68m ²), of which 0% shall be soft landscape.

HEARING INFORMATION

DATE OF MEETING: Thursday, April 10, 2025

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.

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

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

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

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

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

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

COMMITTEE OF ADJUSTMENT

Date Public Notice Mailed:	March 27, 2025
Date Applicant Confirmed Posting of Sign:	March 24, 2025
Applicant Justification for Variances: <small>*As provided in Application Form</small>	The property is located at 15 Lady Bianca Ct in Maple. There are multiple challenges: shape of the lot, grade change from front to rear, dual zoning that need to be overcome to make the lot useful. Despite its size due to slope at the west side the only flat grade available is at the rear of the property. Only this area can be used to make enjoyable family space. The majority of the variances are related to rear yard setbacks to the OS5 zone border line that runs east-west through the rear yard of the property and divides the rear yard. It would be impossible to construct anything at the rear yard and adhere to zoning by-law requirements. We are hereby respectfully seeking variances to be able to utilize the rear yard to intend desired - family place with various zones and levels connected to the existing house through existing rear door.
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:

September 21, 2023, Committee of Adjustment Hearing:

Minor Variance Application A018/23 was adjourned by the Committee of Adjustment to November 16, 2023, or sooner, Committee of Adjustment hearing to permit time for staff to review revised submission.

COMMITTEE OF ADJUSTMENT

December 7, 2023, Committee of Adjustment Hearing:

Minor Variance Application A018/23 was adjourned by the Committee of Adjustment sine die, indefinitely, to permit time for applicant time to consult with Planning regarding comments provided and to permit time for Development Planning to provide Committee with the status of the EP ORM Zone abutting the subject lands.

Committee of Adjustment Recommended Conditions of Approval:

Applicant to submit required Adjournment Fee to accommodate rescheduling of application from the September 21, 2023, Committee of Adjustment hearing.

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:

That the Owner provide photographic evidence of the removal of the existing hot tub cover and sauna to the satisfaction of the Development and Parks Planning Department.

DEVELOPMENT ENGINEERING

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

The Owner/Applicant must prevent any adverse effects on neighbours caused by runoff from the existing hot tub and deck. The Owner/Applicant has agreed to remove the existing sauna. Proper grading of the property is required to ensure that water from the new addition does not flow onto adjacent lots. The Owner/Applicant has proposed a contingency plan to install a French drain under the deck to mitigate impacts on the City's stormwater system. The installation of the proposed French drain must be ensured. The Development Engineering Department has no objections to Minor Variance application A018/23.

Development Engineering Recommended Conditions of Approval:

None

PARKS, FORESTRY & HORTICULTURE (PFH)

Recommended condition of approval:

PFH Recommended Conditions of Approval:

There has been extensive root damage to the trees surrounding the subject property due to the already completed construction. Please provide a letter of consent to injure from both the neighbour to the south and the neighbour to the east.

DEVELOPMENT FINANCE

No comment no concerns.

Development Finance Recommended Conditions of Approval:

None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

BCLPS Recommended Conditions of Approval:

None

BUILDING INSPECTION (SEPTIC)

No comments received to date.

Building Inspection Recommended Conditions of Approval:

None

FIRE DEPARTMENT

No comments received to date.

Fire Department Recommended Conditions of Approval:

None

RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

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

#	DEPARTMENT / AGENCY	CONDITION
1	Committee of Adjustment cofa@vaughan.ca	Applicant to submit required Adjournment Fee to accommodate rescheduling of application from the September 21, 2023, Committee of Adjustment hearing.
2	Development Planning Alyssa.pangilinan@vaughan.ca	That the Owner provide photographic evidence of the removal of the existing hot tub cover and sauna to the satisfaction of the Development and Parks Planning Department.
3	Parks, Forestry and Horticulture Operations kari.sthyrhansen@vaughan.ca	There has been extensive root damage to the trees surrounding the subject property due to the already completed construction. Please provide a letter of consent to injure from both the neighbour to the south and the neighbour to the east.

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

IMPORTANT INFORMATION

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

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

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

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

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

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

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

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

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

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

IMPORTANT INFORMATION

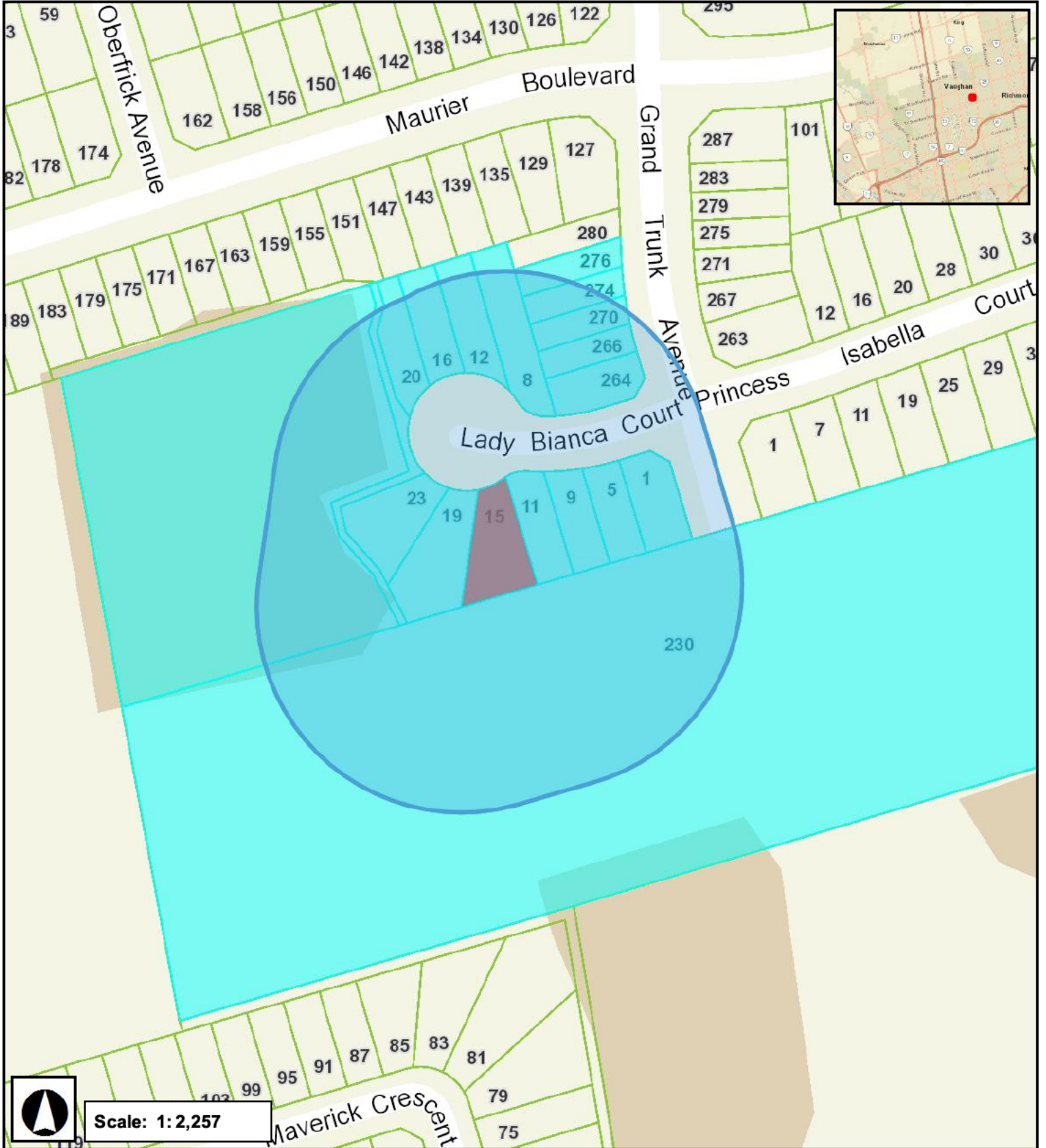
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP - A018/23

15 LADY BIANCA COURT, MAPLE



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

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of Comments
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Recommend Approval w/Conditions

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Metrolinx	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development and Parks Planning
Date: April 3, 2025
Name of Owner: Kevin Kliaman
Location: 15 Lady Bianca Court, Maple
File No.(s): A018/23

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

1. To permit a portion of the outdoor swimming pool (hot tub) within the EP-ORM zone in accordance with the attached plan.
2. To permit a minimum interior side yard setback of 0.15 metres to an outdoor swimming pool (hot tub).
3. To permit a portion of the outdoor swimming pool within the EP-ORM zone in accordance with the attached plan.
4. To permit a portion of an uncovered platform within the EP-ORM zone in accordance with the attached plan.
5. To permit an uncovered platform, with a height of 1.2 metres or less as measured at any point from grade and including access stairs to encroach a maximum of 14.7 metres into the minimum required rear yard.
6. To permit an uncovered platform, with a height of 1.2 metres or less as measured at any point from grade and including access stairs to be setback a minimum of 0.15 metres from the interior side lot line.
7. To permit the portion of the rear yard in excess of 135.0m² to be comprised of a minimum of 15.7% (8.76m²) soft landscape.
8. To permit a minimum front yard landscape of 46.8% (37.68m²), of which 0% shall be soft landscape.

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

1. An outdoor swimming pool (hot tub) is not permitted within the EP-ORM zone.
2. The minimum setback of an outdoor swimming pool (hot tub) to any lot line shall be 1.5 metres.
3. An outdoor swimming pool is not permitted within the EP-ORM zone.
4. An uncovered platform is not permitted within the EP-ORM zone.
5. An uncovered platform, with a height of 1.2 metres or less as measured at any point from grade and including access stairs is permitted to encroach a maximum of 2.4 metres into a minimum required rear yard.
6. An uncovered platform, with a height of 1.2 metres or less as measured at any point from grade and including access stairs shall be setback a minimum of 0.6 metres from the interior side lot line.
7. Any portion of a yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape.
8. The minimum front yard landscape requirement shall be 50%, of which 60% shall be soft landscaping.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13 - Land Use and "Oak Ridges Moraine Settlement Area" by Schedule 4 – Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas

Comments:

The Owner is seeking relief to permit the existing pool, hot tub, and uncovered deck, with the above noted variances.

The proposed variances previously came before Committee of Adjustment on December 7, 2023, however the application was adjourned to allow staff to further research the origins of the Environment Protection – Oak Ridges Moraine (EP-ORM) Zone on the property. Development Planning Staff previously supported the variance to permit the existing location of the in-ground pool at the time, and recommended refusal of the other

variances pertaining to the hot tub, hot tub cover, sauna, deck, and soft landscaping. The Owner has worked with Development and Parks Planning Staff and have agreed to remove most of the non-permanent accessory structures, such as the hot tub cover, and sauna, which is reflected in the current application.

The Development and Parks Planning Department has no objection to Variances 1 and 2 for the existing location of the hot tub. The hot tub is partially located within the portion of the rear yard designated as EP-ORM Zone, however a majority of the hot tub is located within the Low-Rise Residential (R3 (EN)) Zone, where it is permitted. The Oak Ridges Moraine Conservation Plan (OPMCP) 2016, specifically section 18(6), indicates that policies pertaining to Settlement Areas do not prevent a use or the erection or location of a building or structure if the use, erection and location conforms to sections 28 and 29, subsections 45 (7) and (8) and section 47 of the OPMCP. The applicant demonstrates, to the extent possible, that the use, erection or location will not adversely affect the ecological integrity of the Plan Area. The intent of the EP-ORM Zone on the subject lands was to act as a buffer between the residential development and adjacent lands to the south containing natural features. Environmental Planning Staff has reviewed the application and confirmed that there are no natural heritage features within the EP-ORM zone on the subject property and have no objections to the proposal. With respect to Variance 2, a 0.15 m side yard setback from the hot tub is proposed, whereas the Zoning By-law requires 1.5 m to any lot line. The Development Engineering Department has reviewed the proposal and are satisfied with the proposed drainage from the hot tub and have no objections to the location of the existing hot tub.

The Development and Parks Planning Department has no objection to a portion of the outdoor swimming pool within the EP-ORM zone. The existing in ground pool is sufficiently setback and provides maintenance access if required. The Development Engineering Department does not have any concerns with the location of the pool and a pool permit has been issued.

The Development and Parks Planning Department has no objection to Variances 4, 5, and 6 for the location of the existing uncovered deck. The deck is partially within the EP-ORM Zone and there are no identified Natural Heritage Features in the EP-ORM Zone on the subject lands. The deck is located 0.45m from the rear lot line and the 0.15 to the interior side lot line and is sufficiently screened by the existing fence along both lot lines, providing privacy and buffering for the deck. The Development Engineering Department has reviewed this application and has no concern regarding drainage surrounding the deck. The deck is not anticipated to generate significant adverse impacts due to its modest height and the screening offered by the existing fencing.

The Development and Parks Planning Department has no objections to Variances 7 and 8 for the reduced soft landscaping in both the front and rear yards. The southeast corner of the rear yard has soft landscaping; however, the remaining portions of the rear are patio stone and artificial turf. The Zoning By-law does not recognize artificial turf as soft landscaping, therefore the variance is to permit 0% soft landscaping in the front yard. The Development Engineering Department has confirmed that it is a permeable surface and have no concerns with respect to drainage and infiltration.

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, subject to the following conditions:

Conditions of Approval:

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

1. That the Owner provide photographic evidence of the removal of the existing hot tub cover and sauna to the satisfaction of the Development and Parks Planning Department.

Comments Prepared by:

Alyssa Pangilinan, Planner 1
Janany Nagulan, Senior Planner

To: Committee of Adjustment
From: Sarah Scauzillo, Building Standards Department
Date: February 28, 2025
Applicant: Kevin Kliaman
Location: 15 Lady Bianca Court
 PLAN 65M4396 Lot 7
File No.(s): A018/23

Zoning Classification:

The subject property is zoned R3(EN), Third Density Residential Zone - Established Neighbourhood Suffix, and EP-ORM, Environmental Protection Zone - Oak Ridges Moraine Suffix, and subject to the provisions of Exception 14.871 under By-law 001-2021 as amended.

#	Zoning By-law 001-2021	Variance requested
1	An outdoor swimming pool (hot tub) is not permitted within the EP-ORM zone. [Section 12.2.1]	To permit a portion of the outdoor swimming pool (hot tub) within the EP-ORM zone in accordance with the attached plan.
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8	The minimum front yard landscape requirement shall be 50%, of which 60% shall be soft landscaping. [Section 4.19.1]	To permit a minimum front yard landscape of 46.8% (37.68m ²), of which 0% shall be soft landscape.

Staff 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	The existing hot tub roof cover and sauna do not meet the requirements of the By-law and shall be removed.
3	The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

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.

Date: March 4th 2025

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A018-23**

Related Files:

Applicant Kevin Kliaman

Location 15 Lady Bianca Court

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

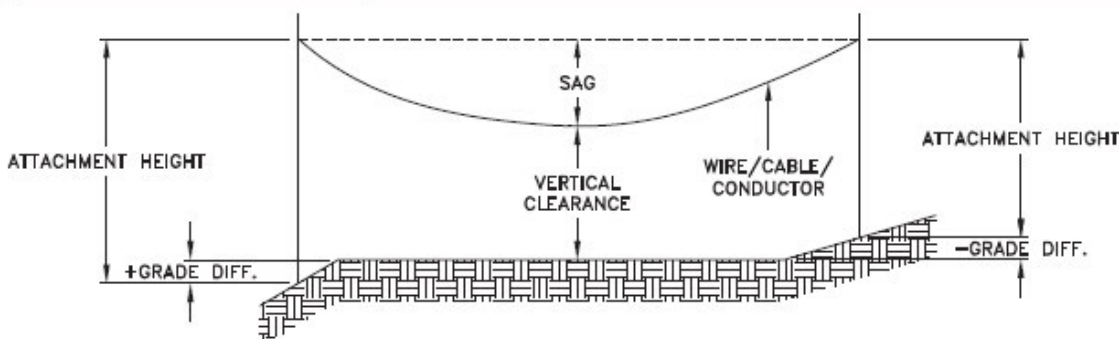
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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

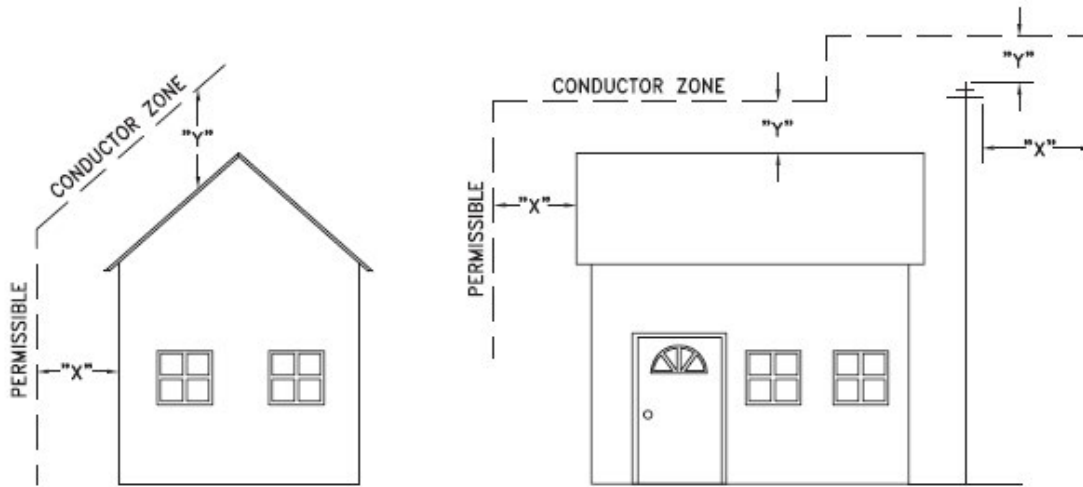
Certificate of Approval

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

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



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

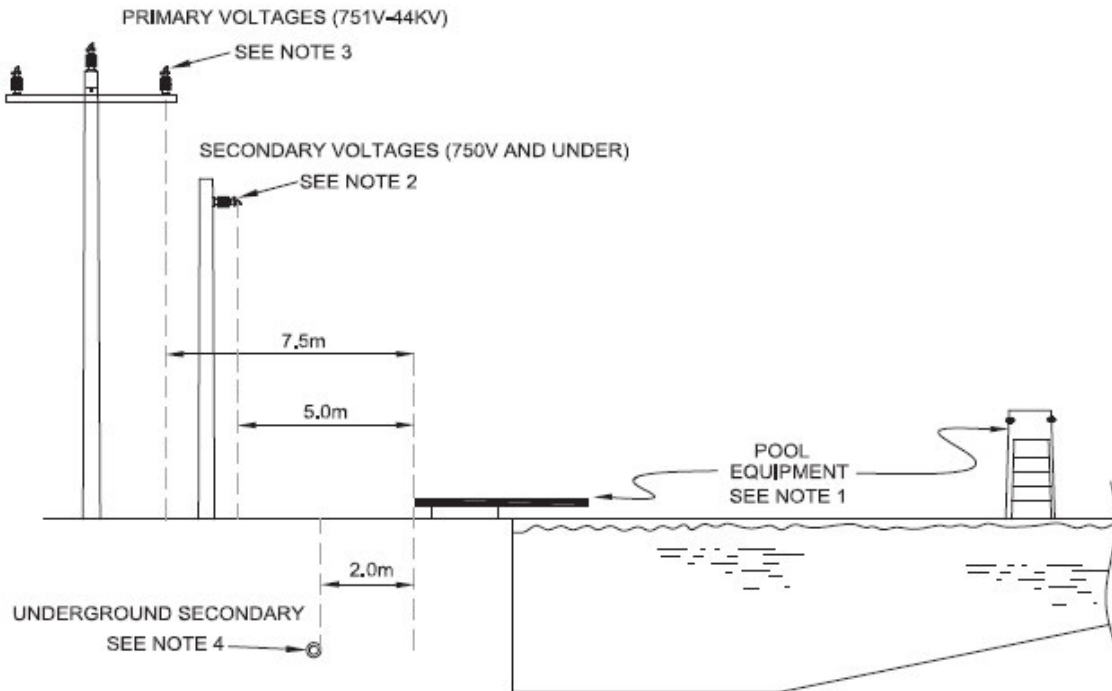
1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE 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:
System Planning and Standards/Standard Design/PowerStream Standards/PowerStream Standards working folder/Section 2.3-4/DWG 03-4 R0 May 5, 2010.dwg, 3/3/2010 9:27:02 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

MINIMUM CLEARANCES FOR CONDUCTORS ADJACENT TO SWIMMING POOLS

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

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

From: [Cameron McDonald](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A018/23 - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Monday, March 10, 2025 9:20:39 AM

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,

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: [5 Shoreham Drive, Toronto, ON, M3N 1S4](#) | trca.ca



From: [Development Services](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A018/23 - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Tuesday, March 4, 2025 11:07:31 AM

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

Good morning,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Regards,

Gabrielle

Gabrielle Hurst MCIP, RPP | Associate Planner, Development Planning, Economic and Development Services Branch | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

Prabhdeep Kaur

From: development.coordinator <development.coordinator@metrolinx.com>
Sent: Thursday, September 7, 2023 11:21 AM
To: Pravina Attwala
Cc: Committee of Adjustment
Subject: [External] RE: A018/23 (15 LADY BIANCA COURT) - REQUEST FOR COMMENTS

Good afternoon Pravina,

Please be advised that the subject lands (15 Lady Bianca Crt) fall outside of the designated Metrolinx review zones. Metrolinx therefore has no comments and / or concerns on this minor variance. For future reference, please consult the webpage and mapping portal provided below, in order to determine when Metrolinx should be circulated.

- Development Projects near Metrolinx Rail Corridors (GO/LRT):

<https://www.metrolinx.com/en/about-us/doing-business-with-metrolinx/development-opportunities/adjacent-development-review>

- Metrolinx Zone of Influence Mapping Portal:

https://maps.metrolinx.com/Third_Party_Coordination_Permitting/

Thank you,

Farah Faroque (she/her)

Project Analyst, Third Party Projects Review

10 Bay Street | Toronto | Ontario | M5J 2N8

T: 437.900.2291

 **METROLINX**

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Public	Zoe (Last name not specified)	Not specified	04/02/2025	Letter of Objection Video Link
Public	Kevin Kliaman	11 Lady Bianca Court	02/12/2023	Letter confirming no flooding issue in backyard.
Public	John Karkoutlian	Not Specified	12/05/2023	Letter of Concern

From: [REDACTED]
To: [Committee of Adjustment Mailbox](#)
Subject: [External] Subject: Strong Objection to Minor Variance Application A018/23 – 15 Lady Bianca Court & Request for Follow-Up on 19 Lady Bianca
Date: Tuesday, April 1, 2025 7:41:30 PM
Attachments: [IMG_8967.MOV](#)

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.

Dear Vaughan Committee of Adjustment,

My name is Zoe, and I am a nearby resident living directly behind **15 Lady Bianca Court, Maple**. I am writing to express my **strong objection** to the minor variance application (File No. A018/23) submitted by the property owner of 15 Lady Bianca Court for the construction of a **swimming pool, uncovered platform (deck), stairs, hot tub roof structure, and prefabricated sauna** in the backyard.

As someone living immediately behind this property, I am deeply concerned about the **environmental damage, noise, and health risks** this project could bring to our quiet residential neighborhood. My concerns are strongly based on real and frustrating past experiences.

Last summer, I filed a formal complaint with the City of Vaughan regarding **19 Lady Bianca Court**, where I witnessed **multiple incidents of pool water being drained directly into the woodland behind our homes**. I recorded video evidence at the time, clearly showing the water flow into the natural area. Unfortunately, despite my clear identification of the address, the City responded that they could not confirm which property was responsible and **no action was taken**. This outcome was deeply disappointing and has left me with serious concerns about enforcement and accountability.

Now, with 15 Lady Bianca proposing similar water-related backyard structures, I must raise the following concerns:

- **Backyard water systems**, especially large pools and hot tubs, may once again lead to **illegal drainage** into the forest
- The use of **chemicals** in stagnant water poses **health and environmental risks**
- The **woodland is already showing signs of ecological stress**, with many trees nearby looking dry and unhealthy
-

Noise levels during summer months would negatively impact our peace and privacy

- Many of us grow edible plants in our backyards, and polluted water can **directly impact our health**

I urge the City of Vaughan to **reject this variance application** in full. Our area is not suitable for additional backyard water systems, and 15 Lady Bianca's proposed construction would only worsen an already unaddressed issue.

Request for Follow-Up on 19 Lady Bianca Court

In addition to opposing this application, I strongly request that the City of Vaughan **reopen the case involving 19 Lady Bianca Court** and **issue a formal warning** to the current residents. They **must be told not to drain pool water into the woodland** this year. If they continue to do so, I will seriously consider taking **further action to protect the environment and the wellbeing of residents** in our community.

The water discharged from their property likely contains **toxic chemicals** that have sat stagnant for long periods. This is not just an environmental issue—it is a **public health** concern. The forest behind our homes is a **natural area** that should be protected, not used as a dumping ground.

If the City of Vaughan fails to take this seriously, and if no steps are taken to hold responsible parties accountable, **we residents will be forced to seek additional measures** to defend our neighborhood and the natural space we live beside.

Thank you for your attention, and I hope the Committee and City staff will **treat this matter with the urgency and seriousness it deserves.**

Sincerely,

Zoe

Pravina Attwala

Subject: A018/23 - FW: [External] Re: Pool Permit #22-113724 at 15 Lady Bianca Court
Attachments: (3) Private Tree Removal - Construction or Infill Private Tree Permit Application Form- 2020.pdf

From: Karkoutlian, John
Sent: December-05-23 11:48 PM

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Committee of Adjustment <CofA@vaughan.ca>
Subject: RE: [External] Re: Pool Permit #22-113724 at 15 Lady Bianca Court

Hello Rebecca,

Hope you are doing well.

Further to the Committee of Adjustment Report Summary for Minor Variance Application File Number A018/23, I noted that Ryan Cochrane of Parks, Forestry and Horticulture Operations (cc'd on this email) commented that *"There has been extensive damage to the trees surrounding the subject property due to the already completed construction."* As previously advised, the damage to the trees were a significant part of my concern with respect to the location of the pool construction (i.e. (i) inside the OS5 zone and (ii) within a few feet of a significant tree line). I noticed the broken roots of the damaged trees during the construction process and called the City of Vaughan right away to express my concerns. No action was taken by the City of Vaughan to stop construction and address my concerns at that time.

As you are aware, the City of Vaughan issued the above noted pool permit before the construction commenced. I also note that prior to issuing a pool permit, the application must be reviewed by the various departments including Zoning (who failed to identify the OS5 zone in this case) and Parks, Forestry and Horticulture Operations ("Forestry Department"), who must have not been involved at all. As previously advised, the staff in the Zoning Department indicated that they did not identify the OS5 zone due to human error caused by lack of staffing at that time.

Attached is a copy of a "Tree Removal & Protection" permit which must be completed by the applicant and reviewed/signed off by the Forestry Department prior to issuance of a pool permit. It is apparent that the Tree and Removal Application was not submitted and/or properly reviewed/signed off by the Forestry Department. It is also apparent that a site visit prior to construction was not properly conducted by the City of Vaughan including the Forestry Department who would have flagged the issue of the construction site and its proximity to the tree line.

In this regard, please advise why the City of Vaughan neglected and/or failed to take the necessary steps prior to issuing the pool permit including (i) proper inspection and identification of the OS5 (environmentally protected zone) by the Zoning Department and (ii) obtaining a Tree Removal & Protection permit application and (iii) conducting a proper pre-construction on-site visit. Should the above three criteria have been properly conducted by the City of Vaughan, the current situation could have been prevented. I am deeply concerned with the extensive and likely irreversible damage to the trees.

Best regards,
John



Alexei Sitenko [redacted] >

Fwd: 11 Lady Bianca Court

1 message

kevinkliaman@gmail.com [redacted]
[redacted] <avsrenos@gmail.com>

Best regards,
Kevin Kliaman

Begin forwarded message:

From: Eric Levin <[redacted]>
Date: February 12, 2023 at 10:09:53 AM EST
To: [redacted]
Subject: 11 Lady Bianca Court

Hi Kevin,

This email is to confirm I have not had any floods in my backyard from you.

Best,

Eric

SCHEDULE D: BACKGROUND

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