

ITEM: 6.5	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A021/25
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Report Date: May 30, 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 *Comments Received	Conditions Required		Nature of Comments
Committee of Adjustment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions
Development Finance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Forestry	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions

External Agencies *Comments Received	Conditions Required		Nature of Comments *See Schedule B for full comments
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 checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions

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
N/A				

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

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)
N/A	N/A

SCHEDULES	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Comments from Agencies, Building Standards & Development Planning
Schedule C (if required)	Public & Applicant Correspondence
Schedule D (if required)	Background

	<b>MINOR VARIANCE APPLICATION</b> <b>FILE NUMBER A021/25</b>
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CITY WARD #:	1
APPLICANT:	Jonathan Louis Jimenez & Heizell Paola Torres
AGENT:	Salvatore Crimi
PROPERTY:	41 Highland Creek Court
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low Rise Residential" and "Natural Areas"
RELATED DEVELOPMENT APPLICATIONS:	N/A
PURPOSE OF APPLICATION:	Relief from zoning by-law is requested to permit a proposed pool house, swing set and shed in the rear yard.

The following variances are being requested from the City’s Zoning By-law to accommodate the above proposal:

The subject lands are zoned R1B(EN) – First Density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures shall be 10% or 67.0 m², whichever is less. [4.1.3.1]	To permit a maximum lot coverage of all accessory buildings and residential accessory structures to be 96.3 m².
2	A maximum of three accessory buildings, shall be permitted on each lot. [4.1.1.5]	To permit a maximum of four accessory building on the lot.
3	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [4.1.2.1.b]	To permit a residential accessory structure with a height greater than 2.8m to be located a minimum of 1.85 m from the side lot line.
4	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m. [4.1.4.1]	To permit a maximum height of the residential accessory structure (Swing Set) to be 3.40 m.
5	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m. [4.1.4.1]	To permit a maximum height of the residential accessory structure (Pool House) to be 3.43 m.

HEARING INFORMATION
<b>DATE OF MEETING:</b> Thursday, June 5, 2025 <b>TIME:</b> 6:00 p.m. <b>MEETING LOCATION:</b> Vaughan City Hall, Woodbridge Room (2 <sup>nd</sup> Floor), 2141 Major Mackenzie Drive <b>LIVE STREAM LINK:</b> <a href="https://vaughan.ca/LiveCouncil">Vaughan.ca/LiveCouncil</a>
PUBLIC PARTICIPATION
<p>If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the <a href="#">Request to Speak Form</a> and submit to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></p> <p>If you would like to submit written comments, please quote file number above and submit by mail or email to:</p>

HEARING INFORMATION
<p>Email: <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a></p> <p>Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1</p> <p>To speak electronically, pre-registration is required by completing the <a href="#">Request to Speak Form</a> on-line and submitting it to <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a> no later than NOON on the last business day before the meeting.</p> <p><b>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.</b></p>

INTRODUCTION
<p>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.</p> <p>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:</p> <p>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.</p> <p>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.</p>

COMMITTEE OF ADJUSTMENT	
Date Public Notice Mailed:	May 22, 2025
Date Applicant Confirmed Posting of Sign:	May 23, 2025
Applicant Justification for Variances: <small>*As provided in Application Form</small>	Rear and site setbacks / max coverage by ancillary structures
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:	
N/A	
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING)	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
<p>The Owner / Applicant shall ensure that the proposed poolhouse does not negatively impact neighbours due to surface water runoff. The property should be properly graded, ensuring that surface water from the proposed addition does not flow onto adjacent lots. It's important to note that additions more than 10 m² necessitate a Grading Permit. Once the Grading Permit is obtained, please reach out to the Development Engineering Reviewer to clear the Condition imposed on this application. The proposed work by the Owner / Applicant is increasing the lot coverage by 18% on the subject property. The added hardscape may have impacts on the City’s Storm Water management system. Development Engineering strongly encourages the Owner / Applicant introduce Low-Impact</p>	

DEVELOPMENT ENGINEERING	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
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. The Development Engineering Department does not object to the Minor Variance application A021/25, subject to the following condition(s):	
<b>Development Engineering Recommended Conditions of Approval:</b>	The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Engineering Permits page of the City of Vaughan's website: <a href="#">Engineering Permits   City of Vaughan</a> to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a>

PARKS, FORESTRY & HORTICULTURE (PFH)	
Recommended condition of approval below:	
<b>PFH Recommended Conditions of Approval:</b>	Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property.

DEVELOPMENT FINANCE	
No comment no concerns	
<b>Development Finance Recommended Conditions of Approval:</b>	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES	
No comments received to date.	
<b>BCLPS Recommended Conditions of Approval:</b>	None

BUILDING INSPECTION (SEPTIC)	
No comments received to date.	
<b>Building Inspection Recommended Conditions of Approval:</b>	None

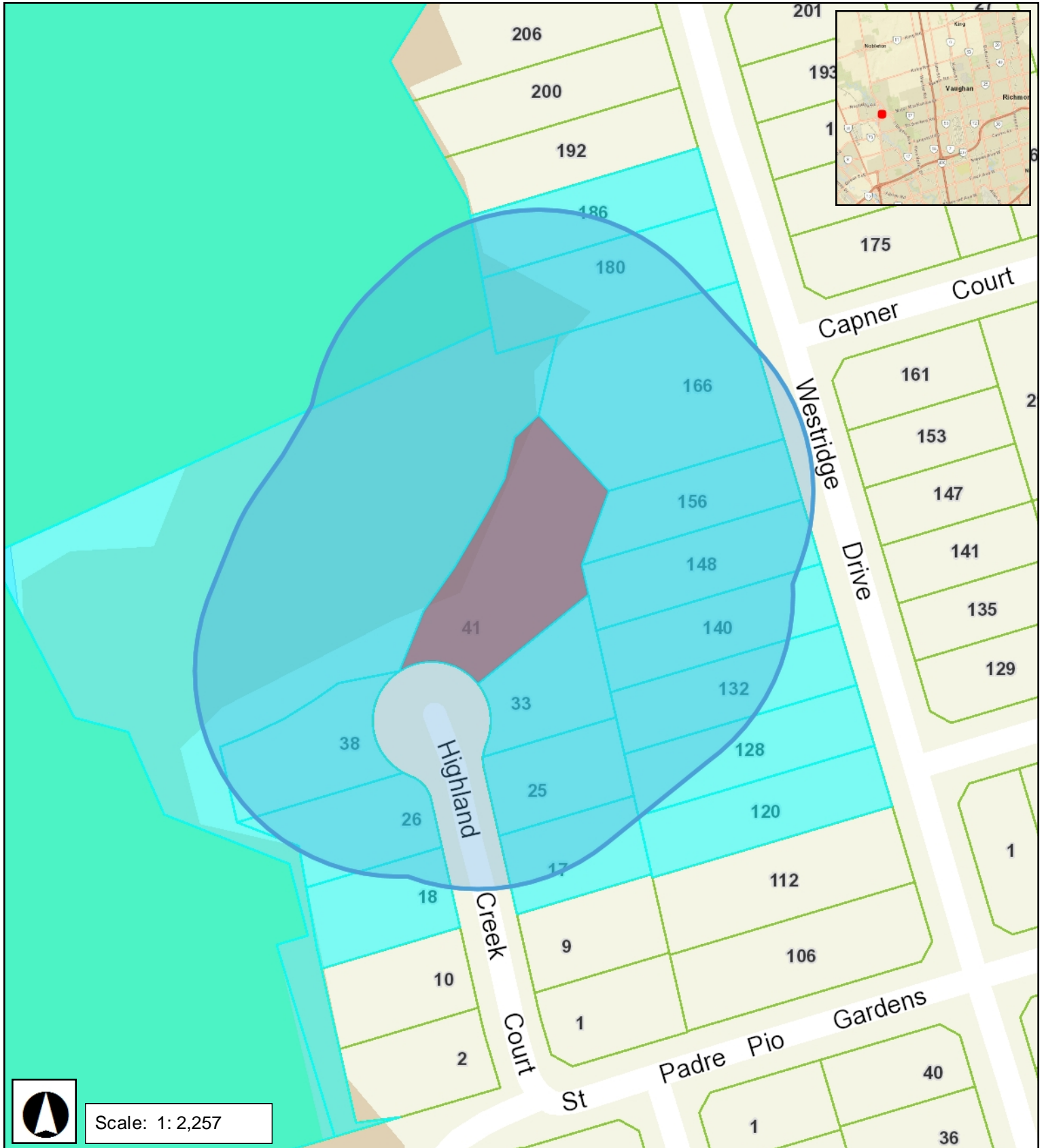
FIRE DEPARTMENT	
No comments received to date.	
<b>Fire Department Recommended Conditions of Approval:</b>	None

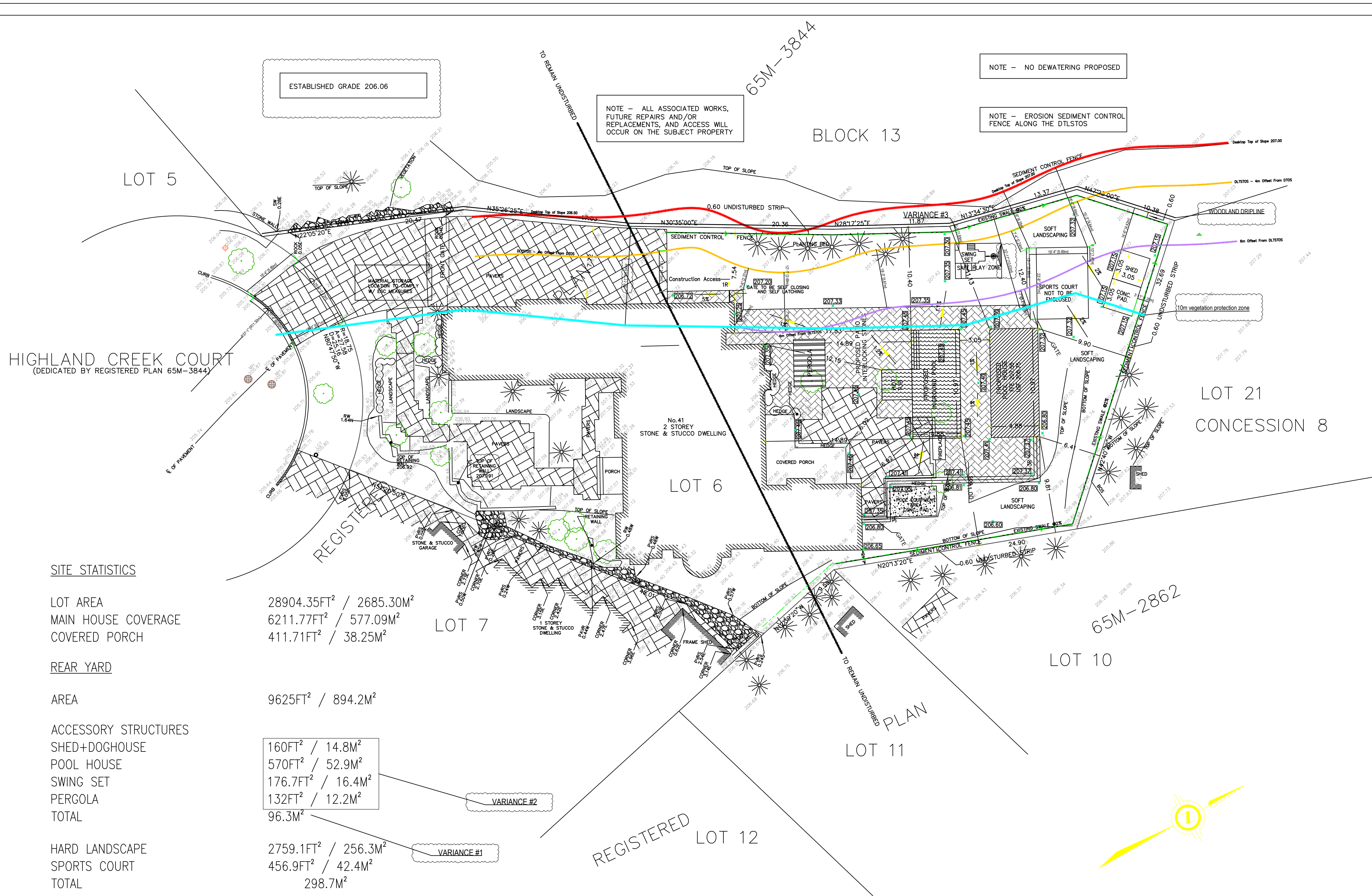
RECOMMENDED CONDITIONS OF APPROVAL SUMMARY		
Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:		
#	DEPARTMENT / AGENCY	CONDITION
1	Development Engineering <a href="mailto:Rex.bondad@vaughan.ca">Rex.bondad@vaughan.ca</a>	The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Engineering Permits page of the City of Vaughan's website: <a href="#">Engineering Permits   City of Vaughan</a> to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a>
2	Parks, Forestry and Horticulture Operations <a href="mailto:zachary.quizzetti@vaughan.ca">zachary.quizzetti@vaughan.ca</a>	Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit

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:		
		through the forestry division prior to any construction works on the subject property.
3	TRCA <a href="mailto:Cameron.McDonald@trca.ca">Cameron.McDonald@trca.ca</a>	1. That the applicant provides the required fee amount of \$660.00 payable to the Toronto and Region Conservation Authority.
<i>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.</i>		

IMPORTANT INFORMATION
<p><b>CONDITIONS:</b> 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 (<b>see condition chart above for contact</b>). 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.</p>
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p><b>DEVELOPMENT CHARGES:</b> 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.</p> <p>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.</p> <p>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</p> <p>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.</p>
<p><b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.</p>

**SCHEDULE A: DRAWINGS & PLANS**





#### SITE STATISTICS

LOT AREA 28904.35FT<sup>2</sup> / 2685.30M<sup>2</sup>  
MAIN HOUSE COVERAGE 6211.77FT<sup>2</sup> / 577.09M<sup>2</sup>  
COVERED PORCH 411.71FT<sup>2</sup> / 38.25M<sup>2</sup>

#### REAR YARD

AREA 9625FT<sup>2</sup> / 894.2M<sup>2</sup>

ACCESSORY STRUCTURES  
SHED+DOGHOUSE 160FT<sup>2</sup> / 14.8M<sup>2</sup>  
POOL HOUSE 570FT<sup>2</sup> / 52.9M<sup>2</sup>  
SWING SET 176.7FT<sup>2</sup> / 16.4M<sup>2</sup>  
PERGOLA 132FT<sup>2</sup> / 12.2M<sup>2</sup>  
TOTAL 96.3M<sup>2</sup>

HARD LANDSCAPE 2759.1FT<sup>2</sup> / 256.3M<sup>2</sup>  
SPORTS COURT 456.9FT<sup>2</sup> / 42.4M<sup>2</sup>  
TOTAL 298.7M<sup>2</sup>

SOFT LANDSCAPE 5679FT<sup>2</sup> / 527.6M<sup>2</sup>

**METRIC** DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

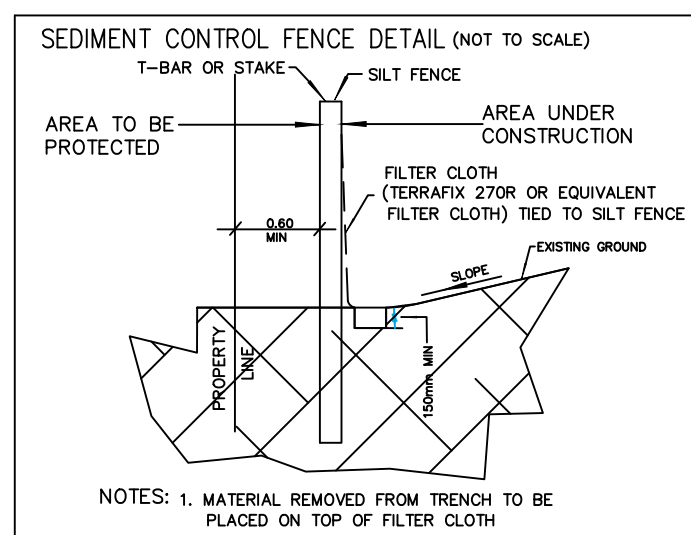
**GEODETIC:** ELEVATIONS ARE OF GEODETIC ORIGIN (G2011-1026-78), AND ARE DERIVED FROM ON-SITE OBSERVATIONS AND NATURAL RESOURCES CANADA'S GEOID MODEL HT2.0

**NOTE:** BOUNDARY INFORMATION SHOWN HEREON IS DERIVED FROM OFFICE RECORDS AND IS SUBJECT TO A LEGAL SEARCH AND FINAL SURVEY.

THIS PLAN IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK. THIS ILLUSTRATION IS NOT TO BE USED FOR MORTGAGE OR TRANSACTION PURPOSES.

#### LEGEND:

BOS DENOTES BOTTOM OF SLOPE  
CLF DENOTES CHAIN LINK FENCE  
LFP DENOTES LIGHT POST  
MF DENOTES METAL FENCE  
MH DENOTES MANHOLE  
PLR DENOTES PILLAR  
PWS DENOTES PAVES  
RW DENOTES RETAINING WALL  
SW DENOTES STONE WALL  
S.W.E.W DENOTES NORTH, SOUTH, EAST, WEST  
C DENOTES DECIDUOUS TREE  
D DENOTES DECIDUOUS TREE  
100.00 DENOTES EXISTING ELEVATION  
100.00 DENOTES PROPOSED ELEVATION  
100.00 DENOTES EXISTING ELEVATION TO REMAIN  
D DENOTES DOWNSPOUT  
S DENOTES SUMP PUMP  
DLTSTOS DENOTES DESKTOP LONG TERM STABLE TOP OF SLOPE



#### TRCA STANDARD NOTES

- "Erosion and Sediment Control (ESC) measures will be implemented prior to, and maintained during the construction phases, to prevent entry of sediment into the water. All damaged erosion and sediment control measures should be repaired and/or replaced within 48 hours of the inspection."
- "disturbed areas will be minimized to the extent possible, and temporarily or permanently stabilized or restored as the work progresses."
- "All in-water and near water works will be conducted in the dry with appropriate erosion and sediment controls."
- "The erosion and sediment control strategies outlined on the plans are not static and may need to be upgraded/modified as site conditions change to minimize sediment laden runoff from leaving the work areas. If the prescribed measures on the plans are not effective in preventing the release of a deleterious substance, including sediment, then alternative measures must be implemented immediately to minimize potential ecological impacts. TRCA Enforcement Officer should be immediately contacted. Additional ESC measures to be kept on site and used as necessary."
- "An Environmental Monitor will attend the site to inspect all new controls, as well as on a regular basis, or following rain/snowmelt event, to monitor all works, and in particular works related to erosion and sediment controls, dewatering or unwatering, restoration and in- or near-water works. Should concerns arise on site the Environmental Monitor will contact the TRCA Enforcement Officer as well as the proponent."
- "All activities, including maintenance procedures, will be controlled to prevent the entry of petroleum products, debris, rubble, concrete or other deleterious substances into the water. Vehicular refueling and maintenance will be conducted a minimum of 30 metres from the water."
- "All grades within the Regulatory Flood Plain will be maintained or matched."
- "The proponent/contractor shall monitor the weather several days in advance of the onset of the project to ensure that the works will be conducted during favourable weather conditions. Should an unexpected storm arise, the contractor will remove all unfixed items from the Regional Storm Flood Plain that would have the potential to cause a spill or an obstruction to flow, e.g., fuel tanks, portapotties, machinery, equipment, construction materials, etc."
- "All dewatering/unwatering shall be treated and released to the environment at least 30 metres from a watercourse or wetland and allowed to drain through a well-vegetated area. No dewatering effluent shall be sent directly to any watercourse, wetland or forest, or allowed to drain onto disturbed soils within the work area. These control measures shall be monitored for effectiveness and maintained or revised to meet the objective of preventing the release of sediment laden water."
- "All access to the work site shall be from either side of the watercourse. No equipment or vehicles are permitted to cross through the watercourse unless approved by TRCA."

PLAN SHOWING TOPOGRAPHY FOR SITE DEVELOPMENT  
PURPOSES OF DEVELOPMENT

No. 41 HIGHLAND CREEK COURT  
CITY OF KLEINBURG  
REGIONAL MUNICIPALITY OF VAUGHAN

SCALE 1 : 200

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 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2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232

SCHEDULE B:

COMMENTS FROM AGENCIES, BUILDING STANDARDS & DEVELOPMENT PLANNING

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

External Agencies *Comments Received	Conditions Required		Nature of Comments *See Schedule B for full comments
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 checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions

**To:** Committee of Adjustment

**From:** Bernd Paessler, Building Standards Department

**Date:** May 22, 2025

**Applicant:** Gpf Design Services Inc.

**Location:** 41 Highland Creek Court  
PLAN 65M3844 Lot 6

**File No.(s):** A021/25

**Zoning Classification:**

The subject lands are zoned R1B(EN) – First Density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures shall be 10% or <b>67.0</b> m <sup>2</sup> , whichever is less. [4.1.3.1]	To permit a maximum lot coverage of all accessory buildings and residential accessory structures to be <b>96.3</b> m <sup>2</sup> .
2	A maximum of <b>three</b> accessory buildings, shall be permitted on each lot. [4.1.1.5]	To permit a maximum of <b>four</b> accessory buildings on the lot.
3	A residential accessory structure with a height greater than 2.8 m shall not be located closer than <b>2.4</b> m to any lot line. [4.1.2.1.b]	To permit a residential accessory structure with a height greater than 2.8m to be located a minimum of <b>1.85</b> m from the side lot line.
4	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be <b>3.0</b> m. [4.1.4.1]	To permit a maximum height of the residential accessory structure (Swing Set) to be <b>3.40</b> m.
5	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be <b>3.0</b> m. [4.1.4.1]	To permit a maximum height of the residential accessory structure (Pool House) to be <b>3.43</b> m.

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

There are no outstanding Orders on file

**Other Comments:**

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
2	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).
3	The height of residential accessory structure shall be measured in accordance with the definitions in Section 3.0 DEFINITIONS of By-law 001-2021, as amended. Established grade shall be the approved grading at the time of the original building permit for the principal dwelling.

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development and Parks Planning

**Date:** May 27, 2025

**Name of Owner:** Jonathan Jimenez

**Location:** 41 Highland Creek Court

**File No.(s):** A021/25

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**Proposed Variance(s):**

1. To permit a maximum lot coverage of all accessory buildings and residential accessory structures to be **96.3 m<sup>2</sup>**.
2. To permit a maximum of **four** accessory building on the lot.
3. To permit a residential accessory structure (swing set) with a height greater than 2.8 m to be located a minimum of **1.85 m** from the side lot line.
4. To permit a maximum height of the residential accessory structure (swing set) to be **3.40 m**.
5. To permit a maximum height of the residential accessory structure (pool house) to be **3.43 m**.

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

1. In any Residential Zone, the maximum lot coverage of all accessory buildings and residential accessory structures shall be 10% or **67.0 m<sup>2</sup>**, whichever is less.
2. A maximum of **three** accessory buildings shall be permitted on each lot.
3. A residential accessory structure with a height greater than 2.8 m shall not be located closer than **2.4 m** to any lot line.
4. In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be **3.0 m**.
5. In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be **3.0 m**.

**Official Plan:**

Vaughan Official Plan 2010 ('VOP 2010'): "Low Rise Residential" and "Natural Areas"

**Comments:**

The Owner is seeking relief to permit a pergola, a pool house, a shed, and a swing set in the rear yard with the above noted variances.

The Development and Parks Planning Department has no objections to Variances 1 and 2 to permit an increase to the maximum permitted lot coverage of accessory buildings and structures and to permit a maximum of four accessory structures on the lot, of which one is a swing set. The irregularly shaped lot has a large rear yard capable of accommodating all four proposed structures while providing for sufficient soft landscaping in the remaining area. The proposed structures are located across the entire rear yard and do not pose any negative impacts on neighbouring properties.

The Development and Parks Planning Department has no objections to Variances 3 and 4 to reduce the setback for the swing set from the northern lot line and increase the maximum height of the swing set. The swing set has a minimal mass and will not have any visual impact on the TRCA-owned Woodlot abutting the property to the west. The proposed setback of 1.85 m is sufficient for access and maintenance. Environmental Planning staff have reviewed the proposed setback and are satisfied that the swing set will not negatively impact the woodlot to the west.

The Development and Parks Planning Department has no objections to Variance 5 to increase the height of the proposed pool house from 3 m to 3.43 m. The pool house has a modest footprint and is compliant with all setbacks.

Accordingly, the Development and Parks Planning Department supports 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:**

Harry Zhao, Planner

Janany Nagulan, Senior Planner

**Date:** April 16<sup>th</sup> 2025

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:**

**Related Files:** **A021-25**

**Applicant:** Gpf Design Services Inc.

**Location** 41 Highland Creek 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), attached
- Canadian Standards Association, latest edition (Basic Clearances)

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

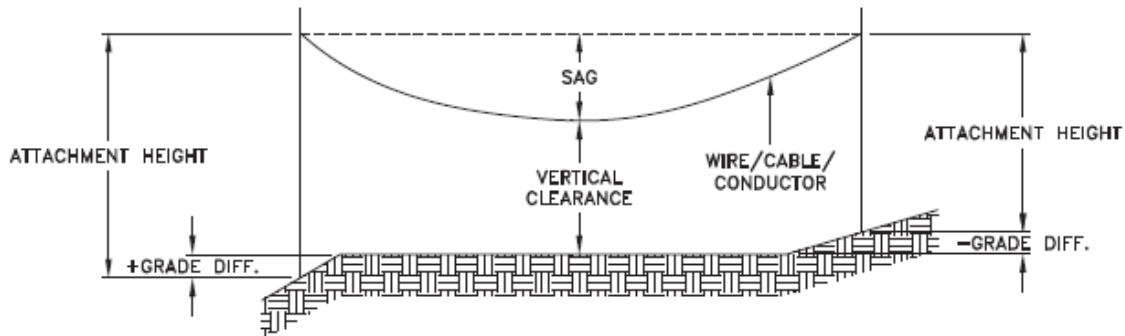
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mitchell Penner  
Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS</u> AND <u>BICYCLES</u> ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



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

**NOTES:**

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

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

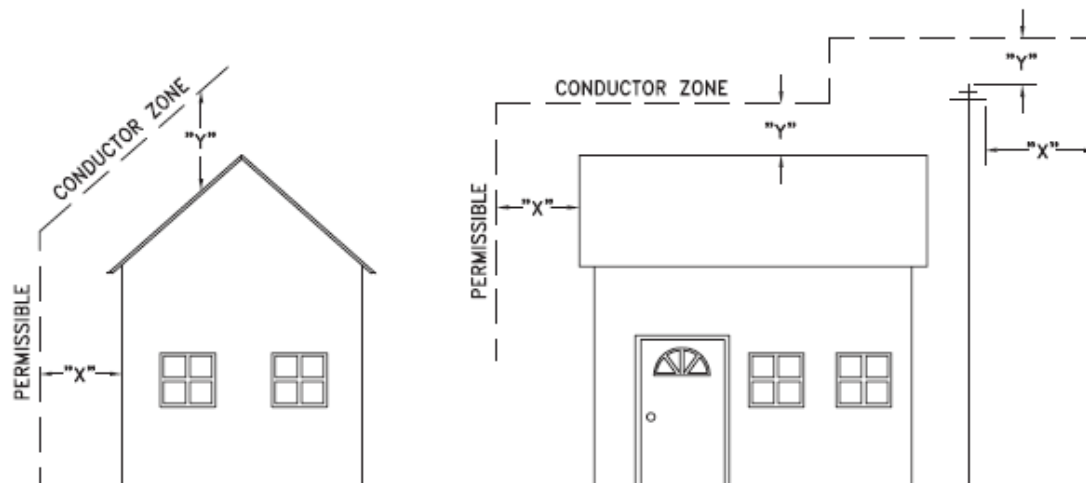
**REFERENCES**

SAGS AND TENSIONS | SECTION 02

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

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

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



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

### NOTES

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

CONVERSION TABLE	
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)

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:

PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 3\3-4\DWG 03-4 R0 May 5, 2010.dwg, 5/5/2010 8:22:02 AM, Adobe PDF

**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

April 21, 2025

PAR-DPP-2025-00701  
Ex Ref. PER-DPP-2024-00201

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

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

Dear Christine:

**Re: Minor Variance Application A021/25  
41 Highland Creek Court  
City of Vaughan, Region of York  
Applicant: GPF Design Services Inc.**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on April 16, 2025. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

**Purpose of the Application**

It is our understanding that the purpose of the above noted application is to request the following variances under By-Law 001-2021:

By-Law 001-2021:

- To permit a maximum lot coverage of all accessory buildings and residential accessory structures to be 96.3m<sup>2</sup>;
- To permit a maximum of four accessory building on the lot;
- To permit a residential accessory structure with a height greater than 2.8m to be located a minimum of 1.85m from the side lot line;
- To permit a maximum height of the residential accessory structure (Swing Set) to be 3.40 m; and,
- To permit a maximum height of the residential accessory structure (Pool House) to be 3.43 m.

The noted variances are being requested to facilitate the construction of an inground pool, Pool House, Swing Set and additional accessory structures.

### **Ontario Regulation 41/24**

The subject property is located within TRCA's Regulated Area due to a valley corridor along the west property line. In accordance with Ontario Regulation 41/24, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, unstable soils, or bedrock will not be affected.

### **Application-Specific Comments**

TRCA staff have reviewed and issued a permit for the proposed development (TRCA Permit No. PER-DPP-2024-00201, issued October 9, 2024). The plans submitted with this application are consistent with the plans that were approved as part of TRCA's permit.

Based on the above, TRCA staff have no concerns with the proposed variance.

### **Fees**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$660.00 (Minor Variance – Residential - Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

### **Recommendations**

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A021/25 subject to the following conditions:

1. That the applicant provides the required fee amount of \$660.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at 437-880-2347 or at [joshua.lacaria@trca.ca](mailto:joshua.lacaria@trca.ca).

Sincerely,

Joshua Lacaria  
Planner  
Development Planning and Permits | Development and Engineering Services  
[joshua.lacaria@trca.ca](mailto:joshua.lacaria@trca.ca), 437-880-2347

**From:** [Development Services](#)  
**To:** [Committee of Adjustment Mailbox](#)  
**Subject:** [External] RE: A021/25 - 41 HIGHLAND CREEK COURT - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Thursday, April 17, 2025 9:40:37 AM

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**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](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
N/A				

SCHEDULE D: BACKGROUND

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