



File: A158/19

Applicant: Graciano and Carla Da Ponte

Address: 27 Antorisa Ave Woodbridge ON

Agent: None

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

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

Adjournment History: None.

Background History: None.



Minor Variance
Application

Agenda Item: 15

A158/19

Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing:

Thursday, December 12, 2019

Applicant:

Graciano and Carla Da Ponte

Agent:

None.

Property:

27 Antorisa Avenue, Woodbridge ON

Zoning:

The subject lands are zoned RD3 Residential Detached Zone Three, and subject to the provisions of Exception No. 9(1291) under By-law 1-88 as amended.

OP Designation:

Vaughan Official Plan 2010: "Low-Rise Residential"

Related Files:

None.

Purpose:

Relief from the bylaw is being requested to permit the construction of a proposed inground swimming pool to be located at the rear of the existing dwelling and a pool equipment pad to be located in the interior side yard (north).

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

By-law Requirement	Proposal
1. A minimum interior side yard setback of 0.60 metres is required to the pool equipment.	1. To permit a minimum interior side yard setback of 0.35 metres to the pool equipment.
2. A minimum interior side yard setback of 1.5 metres is required to the inground swimming pool.	2. To permit a minimum interior side yard setback of 1.2 metres to the inground swimming pool.
2. A minimum rear yard setback of 1.5 metres is required to the inground swimming pool.	3. To permit a minimum rear yard setback of 1.2 metres to the inground swimming pool.

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

Adjournment History: N/A

Staff & Agency Comments

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

Committee of Adjustment:
Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 26, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	2012

Applicant has advised that they cannot comply with By-law for the following reason(s): To permit construction of in ground pool in the rear year and pool equipment at the side of the house, allowing us to maximize the enjoyment and use of the back yard for entertaining family

Adjournment Request: Applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to address Development Engineering comments. Please note that comments have been addressed.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

Exception No. 9(1291) allows the encroachment of the covered rear patio up to 1.8 metres; therefore, a minor variance is not required.

The water feature is 1.0 metre in height; therefore, a minor variance is not required.

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

Lot coverage is not required under the above-noted zoning designation.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010: Low-Rise Residential.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

No Response.

Development Engineering:

Please note: The owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

The Development Engineering (DE) Department does not object to variance application A158/19.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No comment or concerns

Financial Planning and Development Finance:

No comment or concerns

Fire Department:

No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None.

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None.

Staff Recommendations:

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

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

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

Please Note:

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

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

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

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

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

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

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

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

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

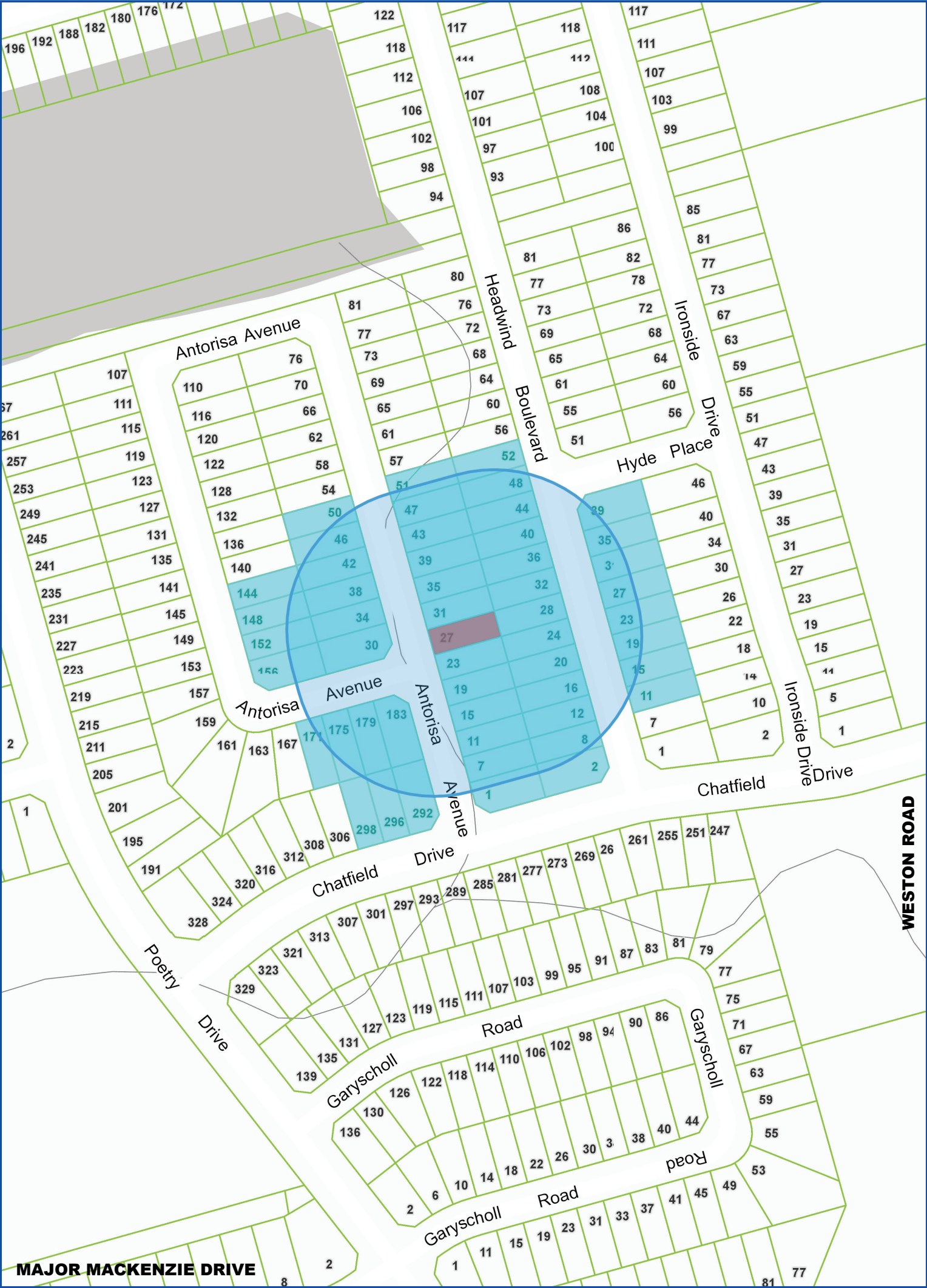
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
E CofA@vaughan.ca

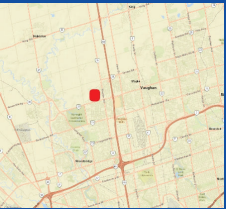
Schedule A: Plans & Sketches

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

Location Map
Sketches



Map Information:



Title:

27 ANTORISA AVENUE, WOODBRIDGE

NOTIFICATION MAP - A158/19

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:2,257

0 0.04 km



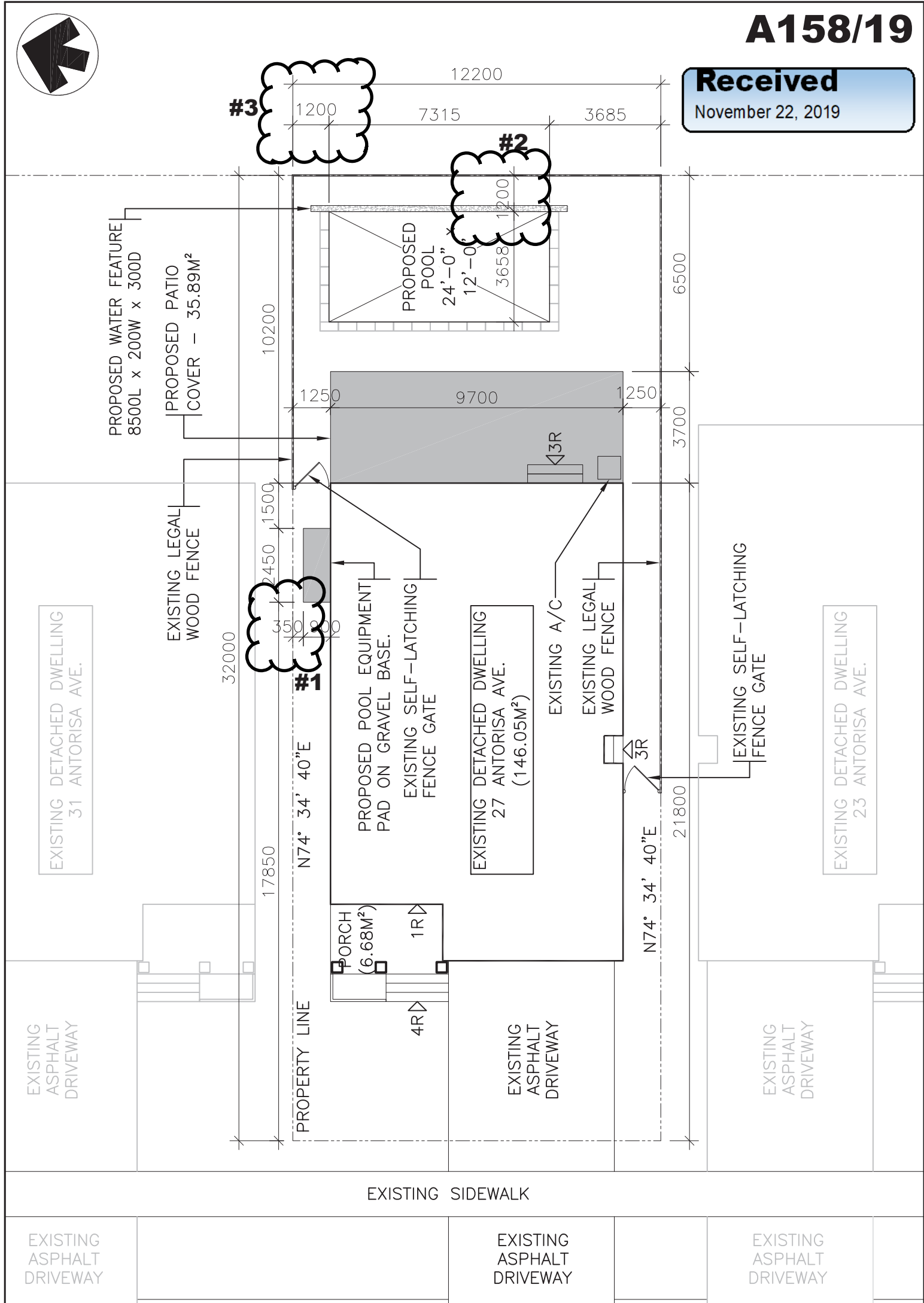
Created By:

Infrastructure Delivery
Department
November 22, 2019 1:17 PM

Projection:
NAD 83
UTM Zone
17N



Received
November 22, 2019



EXISTING SIDEWALK

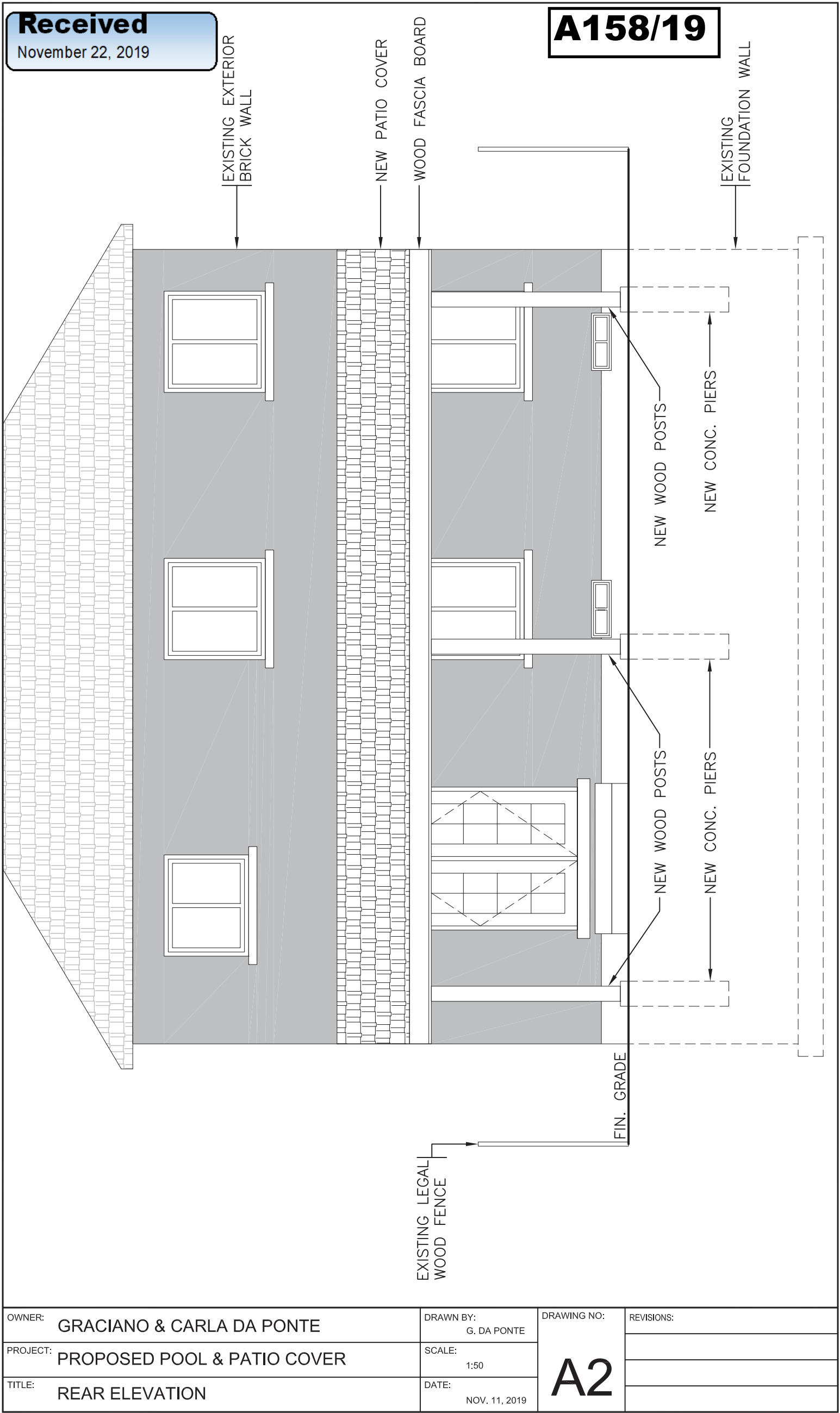
ANTORISA AVENUE

1. To permit a minimum interior side yard setback of 0.35 metres to the pool equipment.
2. To permit a minimum interior side yard setback of 1.2 metres to the inground swimming pool.
3. To permit a minimum rear yard setback of 1.2 metres to the inground swimming pool.

OWNER: GRACIANO & CARLA DA PONTE	DRAWN BY: G. DA PONTE	DRAWING NO: A1	REVISIONS:
PROJECT: PROPOSED POOL & PATIO COVER	SCALE: 1:150		R1: NOV. 22, 2019
TITLE: PROPOSED SITE PLAN	DATE: NOV. 11, 2019		

Received
November 22, 2019

A158/19

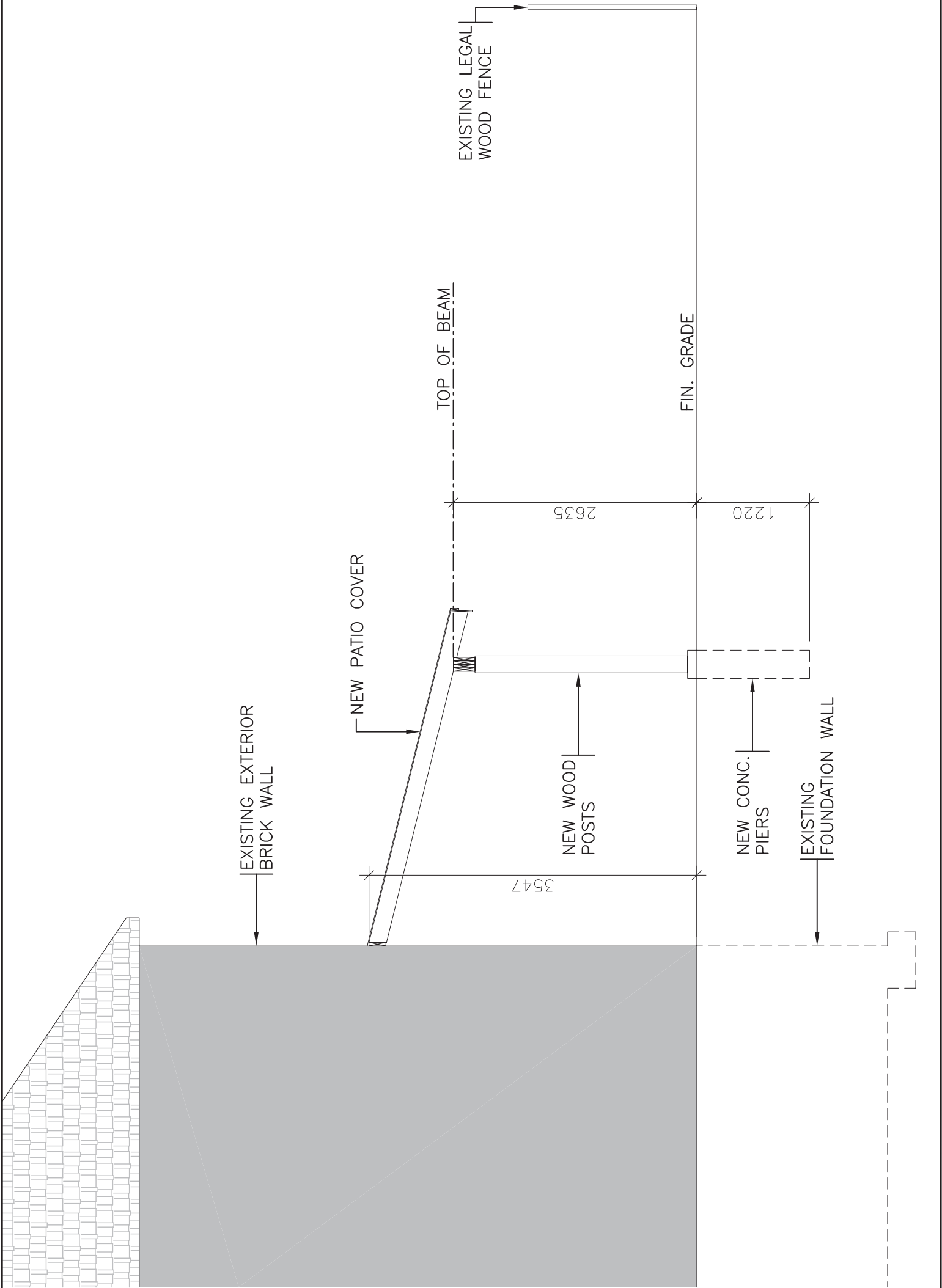


OWNER:	GRACIANO & CARLA DA PONTE	DRAWN BY:	G. DA PONTE	DRAWING NO:	REVISIONS:
PROJECT:	PROPOSED POOL & PATIO COVER	SCALE:	1:50	A2	
TITLE:	REAR ELEVATION	DATE:	NOV. 11, 2019		

Received

November 22, 2019

A158/19



OWNER:	GRACIANO & CARLA DA PONTE	DRAWN BY:	G. DA PONTE	DRAWING NO:	A3	REVISIONS:
PROJECT:	PROPOSED POOL & PATIO COVER	SCALE:	1:50			
TITLE:	SOUTH ELEVATION (NORTH MIRRORED)	DATE:	NOV. 11, 2019			

SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF LOTS 129, 130, 134
AND 135
PLAN 65M-4291
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

SCALE 1:300
10m 5m 0 10m 20metres

RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.
METRIC

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

NOTES

- DENOTES MONUMENT FOUND
- DENOTES MONUMENT SET
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- D.U.C. DENOTES DWELLING UNDER CONSTRUCTION
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- P DENOTES PORCH
- PL DENOTES PLAN 65M-4291

ALL FOUND MONUMENTS BY KRCMAR
SURVEYORS LTD., O.L.S.

ALL TIES TO CONCRETE FOUNDATION

BEARINGS ARE GRID AND ARE REFERRED TO THE
EASTERLY LIMIT OF ANTORISA AVENUE AS
SHOWN ON PLAN 65M-4291 HAVING A BEARING
OF N15°25'20"W.

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
1840744

THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3).

PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS: NONE
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

SURVEYOR'S CERTIFICATE

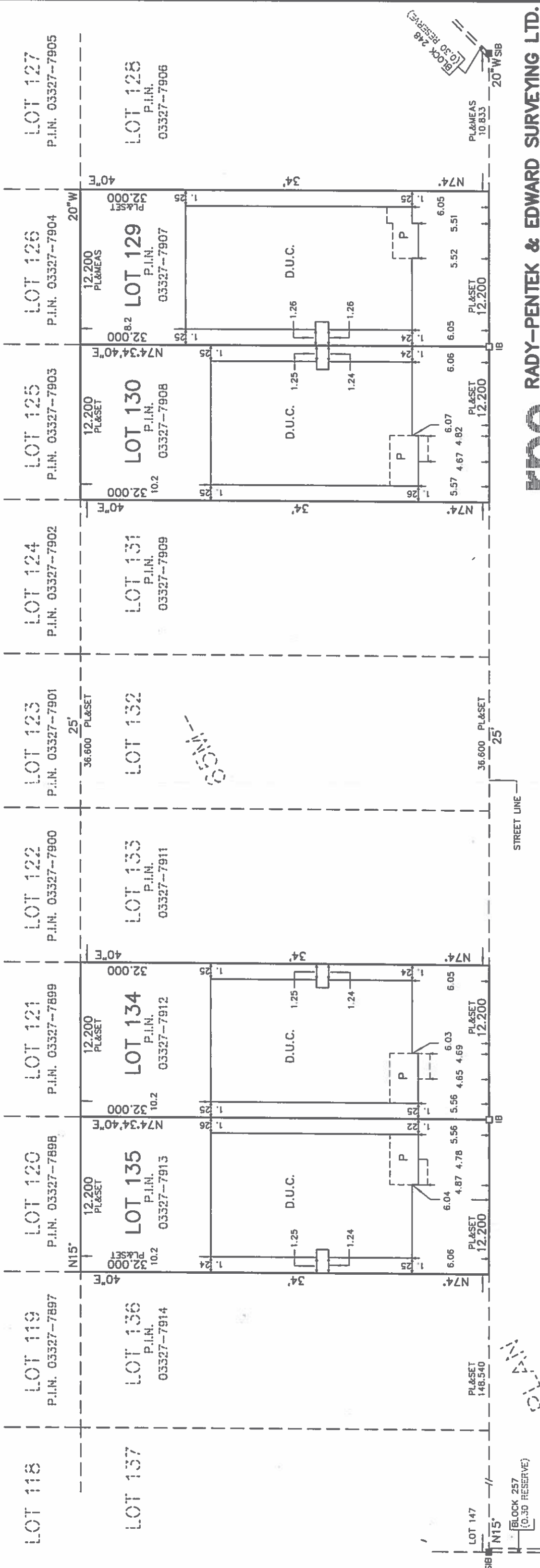
I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE
WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND
TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 26 DAY OF April, 2012.

DATE June 6, 2012.

T. SINGH

ONTARIO LAND SURVEYOR



ANTORISA AVENUE

(BY PLAN 65M-4291)
P.I.N. 03327-8046

RADY-PENTEK & EDWARD SURVEYING LTD.

ONTARIO LAND SURVEYORS

643 Chrislea Road, Suite 7

Woodbridge, Ontario L4L 8A3

Tel.(416)635-5000 Fax (416)635-5001

Tel.(905)264-0881 Fax (905)264-2099

Website: www.r-pe.ca

DRAWN: V.H. CHECKED: G.P./T.S.

JOB No. 12-035 CAD FILE No.4291-129

THIS REPORT WAS PREPARED FOR
TIFFANY PARK HOMES
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

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Schedule B: Public Correspondence Received

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

None.

Schedule C: Agency Comments

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

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Providence, Lenore

Subject: FW: MVAR.19.V.0465 (A158/19) - 27 Antorisa Avenue

From: Candy, Grace <Grace.Candy@york.ca>

Sent: November-21-19 11:31 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Subject: MVAR.19.V.0465 (A158/19) - 27 Antorisa Avenue

Hi Lenore,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has **no comment**.

Should you have any questions or concerns, please contact Gabrielle Hurst, Associate Planner at ext. 71538 or by email at gabrielle.hurst@york.ca .

Best,

Grace Candy | Assistant Planner – Co-op Student, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 73012 | grace.candy@york.ca | york.ca

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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:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

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