

File: A034/20

Applicant: Utilia Amaral and Steven Del Duca

Address: 99 Wakelin Court, Woodbridge

Agent: Mark McConville
Humphries Planning Group Inc.

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
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"/>	<input checked="" type="checkbox"/>
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	Condition Cleared
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	Condition Cleared
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)	<input checked="" type="checkbox"/>	

Adjournment History: None.

Background History: None.

Staff Report Prepared By: Lenore Providence
Hearing Date: Thursday, June 11, 2020



Minor Variance
Application

Agenda Item: 20

A034/20

Ward: 2

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, June 11, 2020 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please see Important Information on next page for instructions or contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8585. Ext. 8332.

Written comments and public deputation requests must be received by noon on the last business day prior to the scheduled hearing.

Applicant: Utilia Amaral and Steven Del Duca

Agent: Mark McConville, Humphries Planning Group Inc

Property: 99 Wakelin Court, Woodbridge ON

Zoning: The subject lands are zoned R2 Residential Zone Two & OS2 Open Space Park, under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): Woodbridge Centre Secondary Plan (VOP 2010, Volume 2, Section 11.11): "Low-Rise Residential"

Related Files: None.

Purpose: Relief from the by-law is requested to permit the continued construction of an inground swimming pool.

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

By-law Requirement	Proposal
Accessory uses within the OS2 Open Space Park zone shall be subject to the provisions of Subsection 3.16 b) (a minimum setback of 7.5 metres from the rear lot line).	To permit a private swimming pool within the OS2 Open Space Park zone, subject to the residential zone standards, in accordance with Subsection 4.1.1 of By-law 1-88 a.a. (with a minimum setback of 1.5 metres from rear lot line).

Background (previous applications approved by the Committee on the subject land): None

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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on May 27, 2020

Applicant confirmed posting of signage on May 25, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	1977
Inground swimming pool	2019
Deck	+/- 2000
Hot tub	2019
Shed	TBD

Applicant has advised that they cannot comply with By-law for the following reason(s): A Minor Variance application is being submitted to allow for the continued construction of a pool in the rear yard of 99 Wakelin Court. The pool will provide for the typical pool setback of 1.5m from the rear yard, however a variance is required to reduced the rear yard setback from 7.5m to 1.53m because, although a majority of the property is zoned R2 Zone, a small rear portion of the property is zoned OS2 Zone. A shed is being proposed for the pool equipment. Variances are being sought to increase in the size of the shed from 10m2 to 11.6m2 and reduce the side yard setback to the shed from 1.5m to 1.16m.

Adjournment Request: N/A

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

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

Please note the following:

A swimming pool is a permitted use within the OS2 Open Space Park zone.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Building Inspections (Septic):
No comments or concerns

Development Planning:
Vaughan Official Plan 2010 ('VOP 2010'): Woodbridge Centre Secondary Plan (VOP 2010, Volume 2, Section 11.11):"Low-Rise Residential"

The Owner is requesting permission to maintain an existing swimming pool in the rear yard with the above-noted variance. The subject property is located at the end of the Wakelin Court cul-de- sac and backs onto open space parkland containing a woodland feature which extends into the rear yard of the property.

The subject property is split-zoned Residential Zone Two ('R2') and Open Space Park Zone Two ('OS2'). The OS2 Zone stretches across a sizeable portion of the rear yard. The existing pool is located within the OS2 Zone, and therefore, the minimum setback to the rear lot line for a swimming pool is 7.5 m. The requested variance is considered minor as the existing 1.5 m setback to the swimming pool complies with the residential zone requirement and will not negatively impact the significant woodland feature that the OS2 zone setback serves to protect.

The existing swimming pool is located within the 10m vegetation protection zone ('VPZ') of the woodland feature, where site alteration is typically not permitted. A reduction in the VPZ requirement can be considered under Section 3.3.3.2 of VOP 2010, provided an evaluation is carried out to determine the required minimum VPZ between the woodland and proposed development is sufficient to maintain or enhance existing functions of the woodland.

The Owner has provided a letter of opinion from Landscape Planning Landscape Architects, dated May 21, 2020. The letter indicates the existing swimming pool does not negatively affect the woodland feature and a restoration planting plan has been prepared including the addition of six (6) native tree plantings to enhance the existing woodland feature. Policy Planning & Environmental Sustainability staff are satisfied with the letter of opinion, restoration planting plan and recommend conditional approval.

The subject property is located within Toronto and Region Conservation Authority's ('TRCA') Regulated Area of the Humber River. The TRCA is satisfied the minor variance is consistent with the plans approved as a part of TRCA Permit C-190732 (issued July 23, 2019). As such, TRCA has no concerns with the proposed variance.

Accordingly, the Development Planning Department is of the opinion 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, subject to the following condition:

- 1. That the Owner implement the Appendix ‘B’ - Restoration Planting Plan (prepared by Landscape Planning Landscape Architects, dated May 21, 2020) to the satisfaction of the Development Planning Department.

Cultural Heritage (Urban Design):

No comments or concerns

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A034/20.

Parks, Forestry and Horticulture Operations:

No comments/concerns.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Agent’s justification letter.

- A034/20 – Public Correspondence - 10 Wakelin Court
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- A034/20 – Public Correspondence - 133 Davidson Drive

Schedule C - Agency Comments

- TRCA – comments (conditions cleared)
- 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.

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 Planning Brandon Bell 905-832-8585 x 8112 brandon.bell@vaughan.ca	That the Owner implement the Appendix 'B' - Restoration Planting Plan (prepared by Landscape Planning Landscape Architects, dated May 21, 2020) to the satisfaction of the Development Planning Department.

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.

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.

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

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: 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. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting at vaughan.ca/LiveCouncil. To make an electronic deputation, residents must contact the Committee of Adjustment no later than **noon** on the last business prior to the day of the scheduled hearing (see above for contact details).

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video 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.

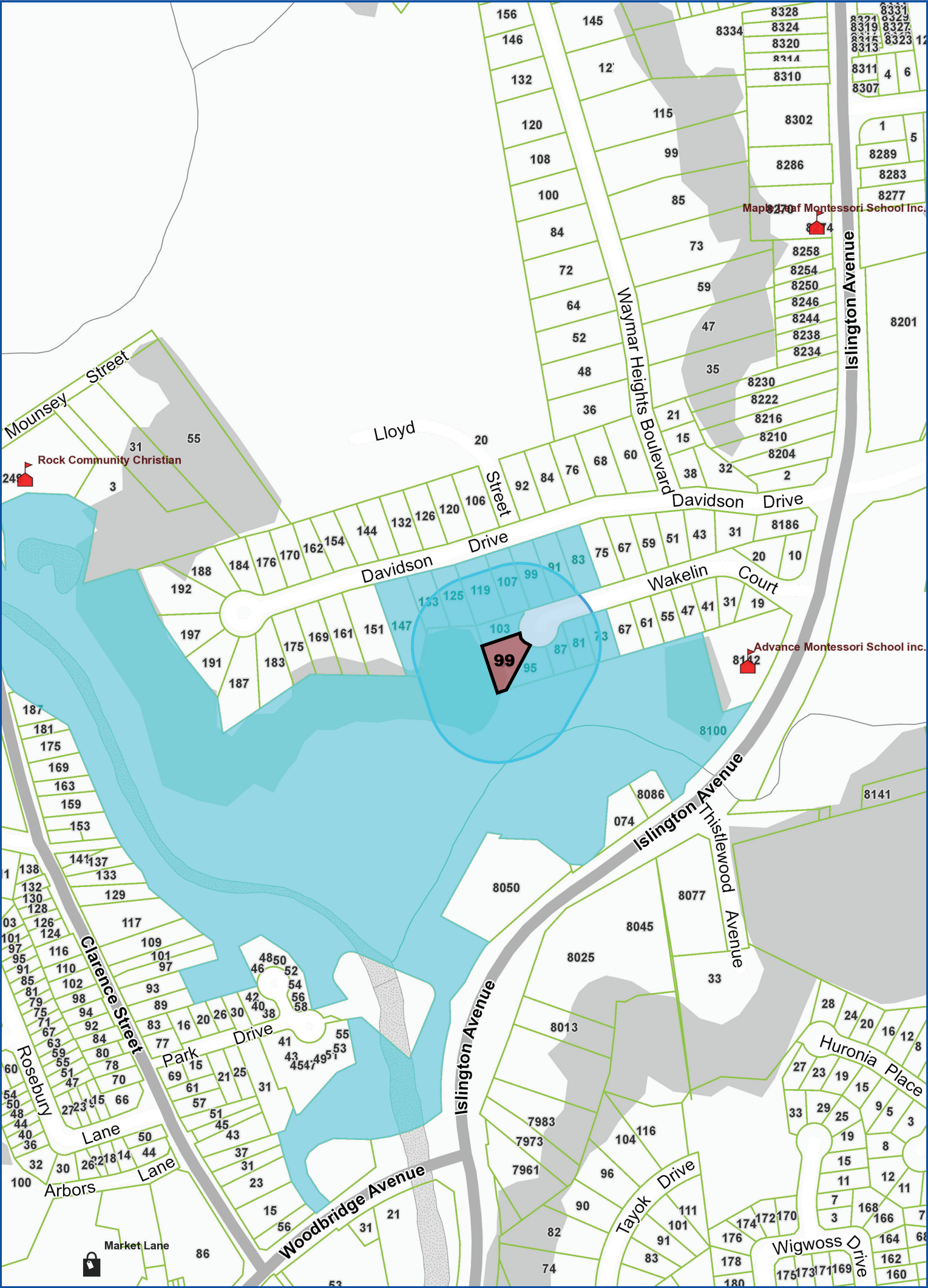
For further information please contact the City of Vaughan, Committee of Adjustment

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

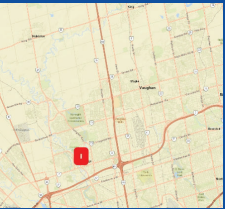
Schedule A: Plans & Sketches

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.

Location Map
Plans & Sketches



Map Information:



Title:

99 WAKELIN COURT, WOODBRIDGE

NOTIFICATION MAP - A034/20

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: 1:4,514

0 0.07 km



Created By:
Infrastructure Delivery
Department
March 19, 2020 6:04 PM

Projection:
NAD 83
UTM Zone
17N

REVISED
APRIL 17, 2020

A034/20



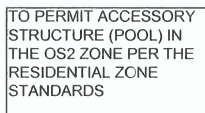
TO PERMIT ACCESSORY
STRUCTURE (POOL) IN
THE OS2 ZONE PER THE
RESIDENTIAL ZONE
STANDARDS

To permit a private swimming pool within the OS2
Open Space Park zone, subject to the residential
zone standards, in accordance with Subsection
4.1.1 of By-law 1-88 a.a. (with a minimum setback
of 1.5 metres from rear lot line).

A034/20

REVISED

APRIL 17, 2020



To permit a private swimming pool within the OS2 Open Space Park zone, subject to the residential zone standards, in accordance with Subsection 4.1.1 of By-law 1-88 a.a. (with a minimum setback of 1.5 metres from rear lot line).

RECEIVED

JUNE 2, 2020

Planning's requested drawing
Committee of Adjustment

A034/20



A034/20

R-4632

R1

9(1349)

REFT

R-4032

DAVIDSON DRIVE

WAKELIN COURT

M-1777

R2

RECEIVED
JUNE 3. 2020
Committee of Adjustment

OS2

OS1

The

C1

RECEIVED
JUNE 3. 2020
Committee of Adjustment

A034/20



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.

Agent’s justification letter.

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May 30, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
Application for Minor Variance
99 Wakelin Court, City of Vaughan**

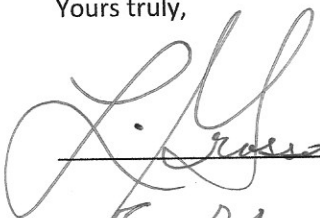
It is my understanding that the Owners of 99 Wakelin Court have submitted a minor variance application (A034/20) to City of Vaughan in order to permit the continued construction of a private swimming pool in the rear yard of the site. The variance is outlined below:

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I, the Owner of 10 Wakelin Ct., support this application.
(print property address)

Additional Comments (optional):

Yours truly,



(sign name and print name below)

Emily Grosso

May 30, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

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99 Wakelin Court, City of Vaughan**

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I, the Owner of 19 Wakelin Ct, support this application.
(print property address)

Additional Comments (optional):

I support the proposed variance.

Yours truly,

Wojciech Zurek (sign name and print name below)
WOJCIECH ZUREK

May 30, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

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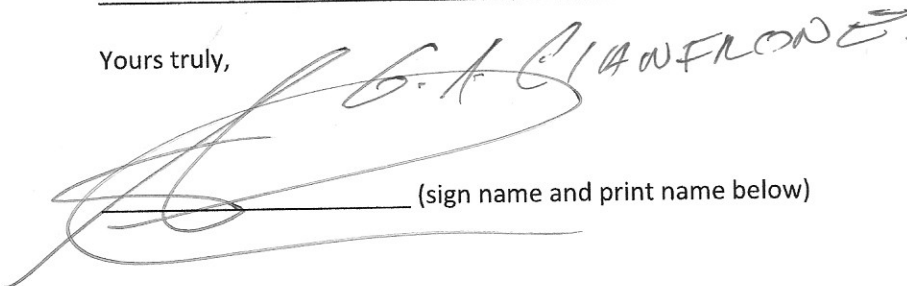
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I, the Owner of 99 WAKELIN COURT, support this application.
(print property address)

Additional Comments (optional):

Yours truly,


(sign name and print name below)

May 30, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

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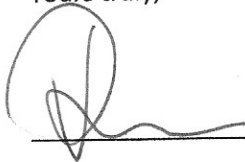
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I, the Owner of 47 Wakelin Ct., support this application.
(print property address)

Additional Comments (optional):

Yours truly,



(sign name and print name below)

VESNA DODERKA

May 29, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

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99 Wakelin Court, City of Vaughan**

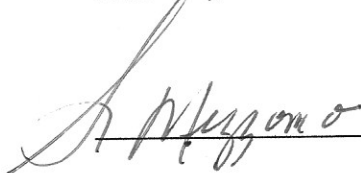
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I, the Owner of 55 Wakelin Court, support this application.
(print property address)

Additional Comments (optional):

Yours truly,

 (sign name and print name below)

May 29, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

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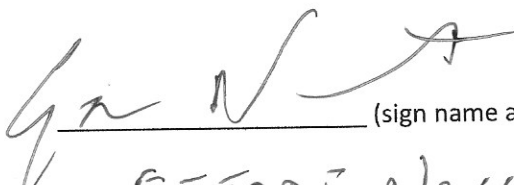
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I, the Owner of 55 WAKELIN, support this application.
(print property address)

Additional Comments (optional):

Yours truly,


(sign name and print name below)
ETIENNE NACCARATO

May 29, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

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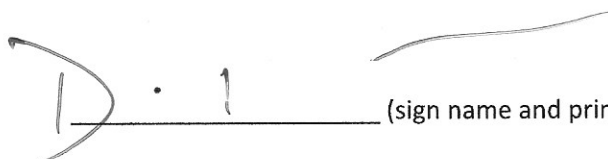
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I, the Owner of 61 Wakelin Cr., support this application.
(print property address)

Additional Comments (optional):

Yours truly,

 _____ (sign name and print name below)

D. Bello

May 31, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
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I, the Owner of 73 Wakelin, support this application.
(print property address)

Additional Comments (optional):

Yours truly,

Brigitte Kalthoff (sign name and print name below)
BRIGITTE KALTHOFF

May 19, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

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99 Wakelin Court, City of Vaughan**

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I, the Owner of 81 Wakelin Ct, support this application.
(print property address)

Additional Comments (optional):

Yours truly,

M. Bortolotto (sign name and print name below)

Mrs. Bortolotto

May 31, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
Application for Minor Variance
99 Wakelin Court, City of Vaughan**

It is my understanding that the Owners of 99 Wakelin Court have submitted a minor variance application (A034/20) to City of Vaughan in order to permit the continued construction of a private swimming pool in the rear yard of the site. The variance is outlined below:

1. A variance is required to permit a private swimming pool within the OS2 Open Space Park zone portion of the site (at the rear of the site), subject to the residential zone standards, in accordance with Subsection 4.1.1 of By-law 1-88 a.a. (with a minimum setback of 1.5 metres from rear lot line).

I, the Owner of 87 Wakelin Ct., support this application.
(print property address)

Additional Comments (optional):

D Miotto

Diane Miotto

Yours truly,

(sign name and print name below)

May 29, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
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99 Wakelin Court, City of Vaughan**

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I, the Owner of 95 Wakelin Court, support this application.
(print property address)

Additional Comments (optional):

I fully support the application.

Yours truly,

Dominic Raco

D Raco (sign name and print name below)

May 29, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
Application for Minor Variance
99 Wakelin Court, City of Vaughan**

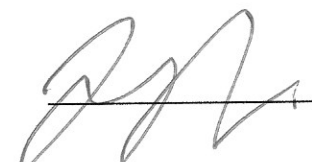
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I, the Owner of 103 Wakelin Ct., support this application.
(print property address)

Additional Comments (optional):

Yours truly,

 (sign name and print name below)
Danny Molinaro

May 31, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
Application for Minor Variance
99 Wakelin Court, City of Vaughan**

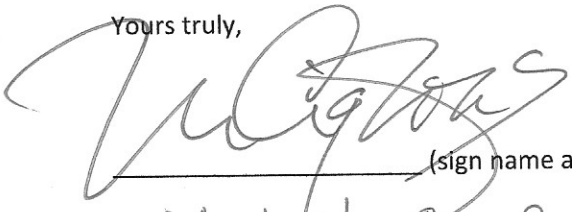
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I, the Owner of 99 Davidson Drive, support this application.
(print property address)

Additional Comments (optional):

Yours truly,


(sign name and print name below)
Michael Cianfrone.

May 31, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
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99 Wakelin Court, City of Vaughan**


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I, the Owner of 107 Dan'lson Dr., support this application.
(print property address)

Additional Comments (optional):

Yours truly,

 (sign name and print name below)
Nancy Postiglione.

May 31, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
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99 Wakelin Court, City of Vaughan**

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I, the Owner of 119 Davidson support this application.
(print property address)

Additional Comments (optional):

Yours truly,

R. Nalli (sign name and print name below)

May 31, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
Application for Minor Variance
99 Wakelin Court, City of Vaughan**


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I, the Owner of 125 Davidson Dr., support this application.
(print property address)

Additional Comments (optional):

Yours truly,

 (sign name and print name below)

Michael Carozzo

May 31, 2020

City of Vaughan
Committee of Adjustment
2141 Major MacKenzie Drive
Maple, Ontario L6A 1T1

Attn: Christine Vigneault, Secretary Treasurer, Committee of Adjustment

**Re: Letter of Support for A034/20
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99 Wakelin Court, City of Vaughan**

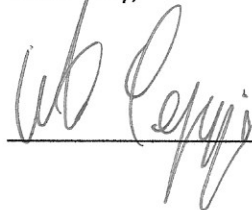
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I, the Owner of ¹³³ ~~99~~ Davidson Dr., support this application.
(print property address)

Additional Comments (optional):

Yours truly,



VITO. CAPICIZZO

(sign name and print name below)

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.-

- TRCA – comments (conditions cleared)
- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections

Providence, Lenore

Subject: FW: Clearance of TRCA's Condition -A034-20 - 99 Wakelin Ct. Woodbridge

From: Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

Sent: May-25-20 9:27 AM

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

Cc: markm@humphriesplanning.com; duca@hotmail.com; Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] Clearance of TRCA's Condition -A034-20 - 99 Wakelin Ct. Woodbridge

Hi Lenore,

The applicant has submitted TRCA's review fee of \$580.00 for the above noted application. As such, **TRCA's condition has been cleared.**

Should you have any questions, please do not hesitate to contact me.

Regards,

Hamedeh Razavi MURP

Planner I

Development Planning and Permits | Development and Engineering Services

T: [\(416\) 661-6600](tel:4166616600) ext. 5256

E: Hamedeh.Razavi@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)



TRCA's Offices are closed to visitors. The plan input and review function continues during the Coronavirus pandemic. In order to reduce the potential of transmission, TRCA requests that all development planning and permit applications and materials be submitted digitally in PDF format only. Paper submissions are discouraged and may result in extended timeframes for review. All documents should be submitted via an on-line file sharing service (e.g. OneDrive, Dropbox or corporate file sharing services) or via email in PDF format. Documents can be submitted directly to me at Hamedeh.Razavi@trca.ca We thank you for your cooperation as we respond to the current situation.

April 27, 2020

CFN 62574.14
Ex-Ref CFN 61572, 61396

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

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

Dear Christine:

**Re: Minor Variance Application A034/20
99 Wakelin Court, PLAN M1777 Lot 12
City of Vaughan, Region of York
Owner: Utilia Amaral and Steven Del Duca (Agent: Humphries Planning Group Inc.)**

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on April 21, 2020. TRCA staff has reviewed the application and offers the following comments for the consideration of the Committee of Adjustment.

Background

The purpose of application A034/20 is to request the following:

1. To permit a private swimming pool within the OS2 Open Space Park zone, subject to the residential zone standards, in accordance with Subsection 4.1.1 of By-law 1-88 a.a. (with a minimum setback of 1.5 metres from rear lot line).

It is our understanding that the purpose of the noted variance is to recognize a recently constructed outdoor swimming pool and a proposed outdoor shed.

Applicable TRCA Policies and Regulations

Living City Policies (LCP):

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that

development not be permitted within the Natural System and that it be conveyed into public ownership for its long-term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Ontario Regulation 166/06:

The subject property is located within TRCA's Regulated Area of the Humber River. In accordance with *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, 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, pollution, or the conservation of land will not be affected.

Application-Specific Comments

The subject property is located within a tiered, historically altered valley corridor that is associated with the Main Humber River. The property is located on a historically engineered plateau within the overall valley feature. A portion of the altered slope extends to the north of the subject property, and the lots further to the north are supported by historic retaining walls. A sloped tier of the overall valley also extends to the southern portion of the subject property. TRCA staff conducted a site visit as part of a permit application on May 10, 2019, in order to assess the existing site conditions with respect to historical encroachments into TRCA's owned lands, confirm the extent of the physical top of bank on the southern portion of the property, and make technical recommendations with respect to the proposed swimming pool location. TRCA staff reviewed a Slope Stability Assessment which determined the position of the Long-Term Stable Top of Slope (LTSTOS) and were satisfied with the conclusions of the report. Furthermore, the proposed swimming pool was located on a flat portion of the site and was appropriately set back from the slope on the southern portion of the lot. As such, a permit to facilitate the construction of the proposed works was issued on July 23, 2019 (TRCA Permit No. C-190732).

Based on a review of the plans submitted with this variance application, TRCA is satisfied that the noted works are consistent with the plans that were approved as a part of TRCA Permit C-190732. As such, TRCA has 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 \$580.00 (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.

Recommendation

Based on the above, TRCA staff have **no objection** to the approval of Minor Variance Application A034/20, subject to the following condition:

1. That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at Hamedeh.Razavi@trca.ca

Sincerely,



Hamedeh Razavi
Planner I, Development Planning and Permits

HR/jb

C: [steven del duca@hotmail.com](mailto:steven.delduca@hotmail.com)
 markm@humphriesplanning.com

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 & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject: FW: A034-20 - REQUEST FOR COMMENTS - 99 Wakelin Ct. Woodbridge (Full circulation)

From: Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>

Sent: April-22-20 4:16 PM

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

Cc: Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>

Subject: [External] RE: A034-20 - REQUEST FOR COMMENTS - 99 Wakelin Ct. Woodbridge (Full circulation)

Hi Lenore,

MTO Highway Corridor Management Section has reviewed the location of the above-reference application. Please be advised that the subject land is located outside of MTO Permit Control Area. As a result, an **MTO Permit from this office is not required.**

Regards,

Dan

Dan Della Mora

Senior Project Manager

Dan.DellaMora@ontario.ca

Providence, Lenore

Subject: FW: A034-20 - REQUEST FOR COMMENTS - 99 Wakelin Ct. Woodbridge (Full circulation)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: April-27-20 2:07 PM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: A034-20 - REQUEST FOR COMMENTS - 99 Wakelin Ct. Woodbridge (Full circulation)

Good afternoon Lenore,

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, Community Planning and Development Services | Corporate Services
The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877 464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca