



File: A049/20

Applicant: Joseph Attard and Effie Mathews

Address: 114 Autumn Grove Court, Kleinburg

Agent: Marco Mazzulla

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"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>	<input checked="" type="checkbox"/>
Ministry of Transportation		
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: 11

A049/20

Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, July 30, 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 contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: Joseph Attard and Effie Mathews

Agent: Marco Mazzulla

Property: 114 Autumn Grove Court, Kleinburg

Zoning: The subject lands are zoned RV4 and subject to the provisions of Exception 9(1063) under By-law 1-88 as amended

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" & "Natural Areas"

Related Files: None.

Purpose: Relief from the by-law is being requested to permit the existing cabana located in the rear yard.

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 rear yard setback of 10.0m is required.	1. To permit a minimum rear yard setback of 3.10 m to the proposed cabana.

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

Committee of Adjustment:
Public notice was mailed on July 15, 2020

Applicant confirmed posting of signage on July 7, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2004
Cabana	2006
Deck	2006

Applicant has advised that they cannot comply with By-law for the following reason(s): The cabana would be too close to the rear of the house.

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.

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval. The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Please note Section 4.1.1(b) that states the maximum height of an accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three(3) metres above finished grade.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is requesting permission to maintain an existing cabana in the rear yard with the above-noted variance.

The existing cabana has a height of 4 m, which is under the maximum accessory structure height of 4.5 m and is situated 3.1 m from the rear lot line and 4.3 m from the westerly interior lot line. The rear lot line abuts an OS1 "Open Space Conservation Zone", mitigating any potential impacts to neighbouring properties. As such, the requested variance is considered minor in nature.

The subject property is partially located within Toronto and Region Conservation Authority's ('TRCA') Regulated Area of the Humber River Watershed due to a well-defined valley corridor associated with the Humber River that is located in close proximity of the rear property line. The TRCA is satisfied the proposal is consistent with the plans approved as part of TRCA Permit C-191119 (issued November 13, 2019). As such, TRCA has no concerns with the proposed variance.

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

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

The subject property is not within the Heritage Conservation District; therefore, Cultural Heritage has no objections.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A049/20 subject to the following condition(s):

The Owner/applicant shall submit the final Lot Grading Plan (for cabana >10m²) to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.

Parks, Forestry and Horticulture Operations:

No comments or 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
None

Schedule C - Agency Comments
TRCA – comments with conditions
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 Engineering Jason Pham 905-832-8585 x 8716 jason.pham@vaughan.ca	The Owner/applicant shall submit the final Lot Grading Plan (for cabana >10m2) to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.
2	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority.

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 [Vaughan.ca/LiveCouncil](https://www.v Vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit [www.vaughan.ca](https://www.v Vaughan.ca)

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.

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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.

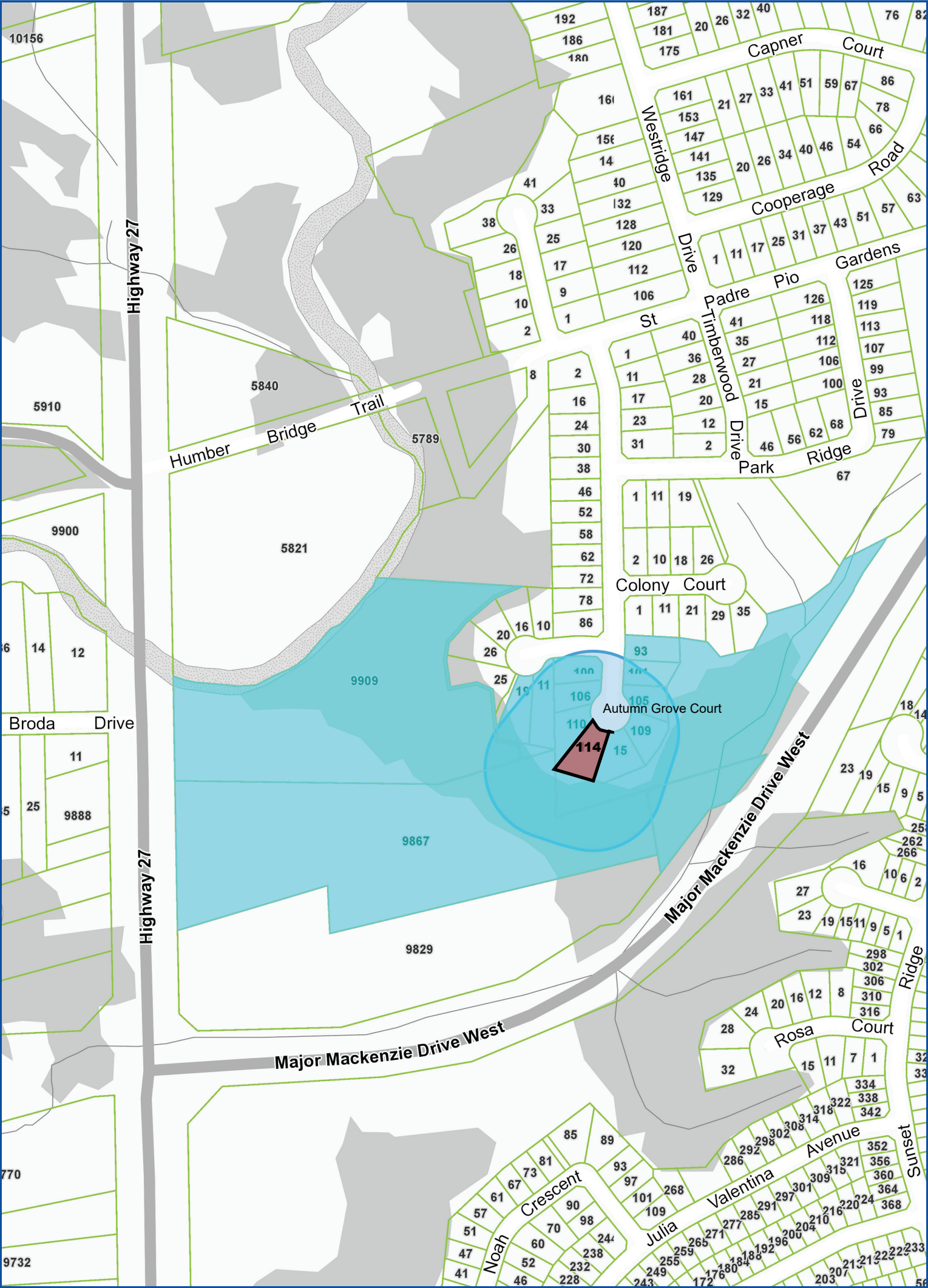
For further information please contact the City of Vaughan, Committee of Adjustment

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

Schedule A: Plans & Sketches

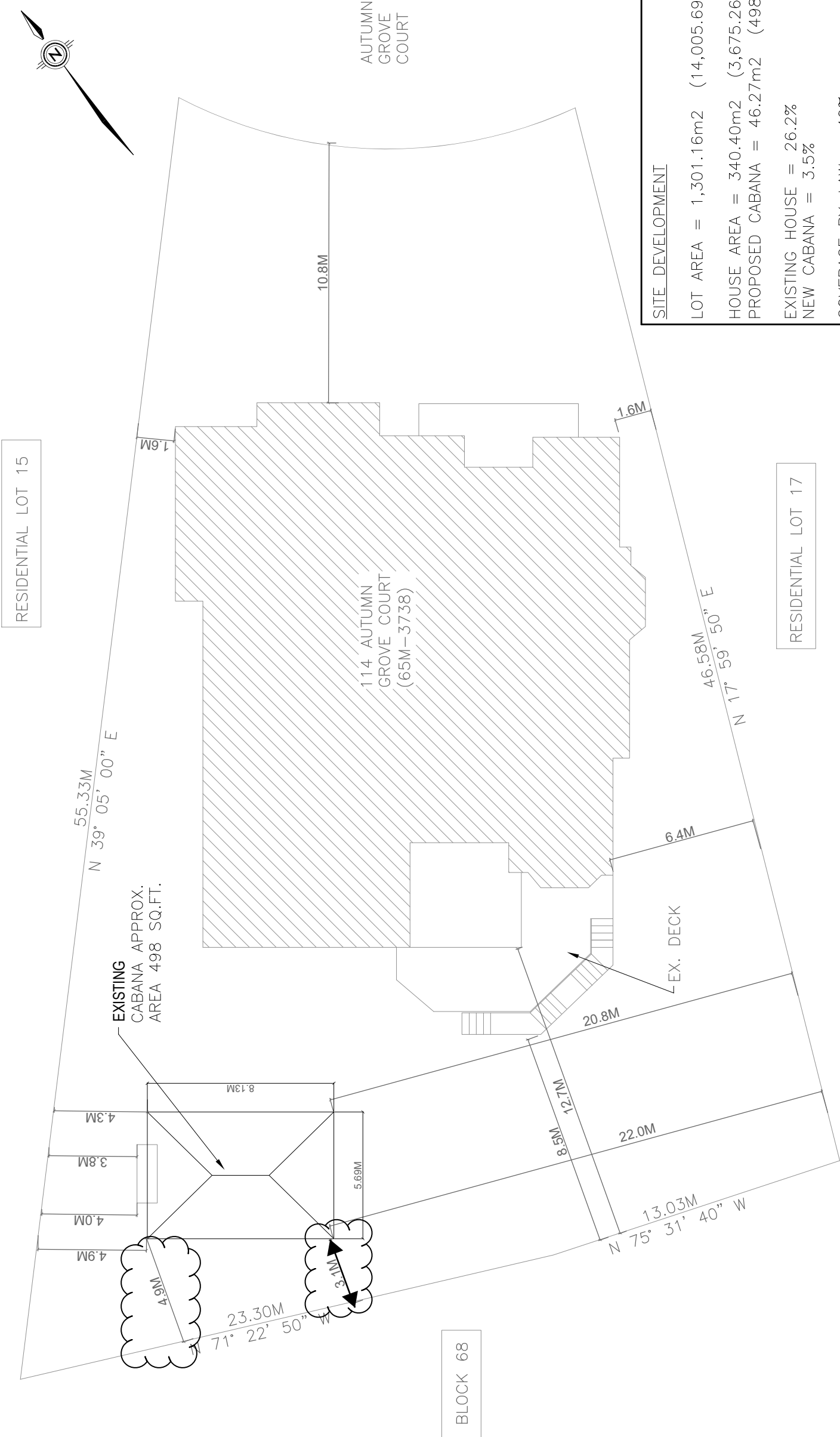
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



SITE DEVELOPMENT

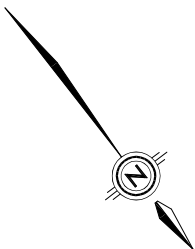
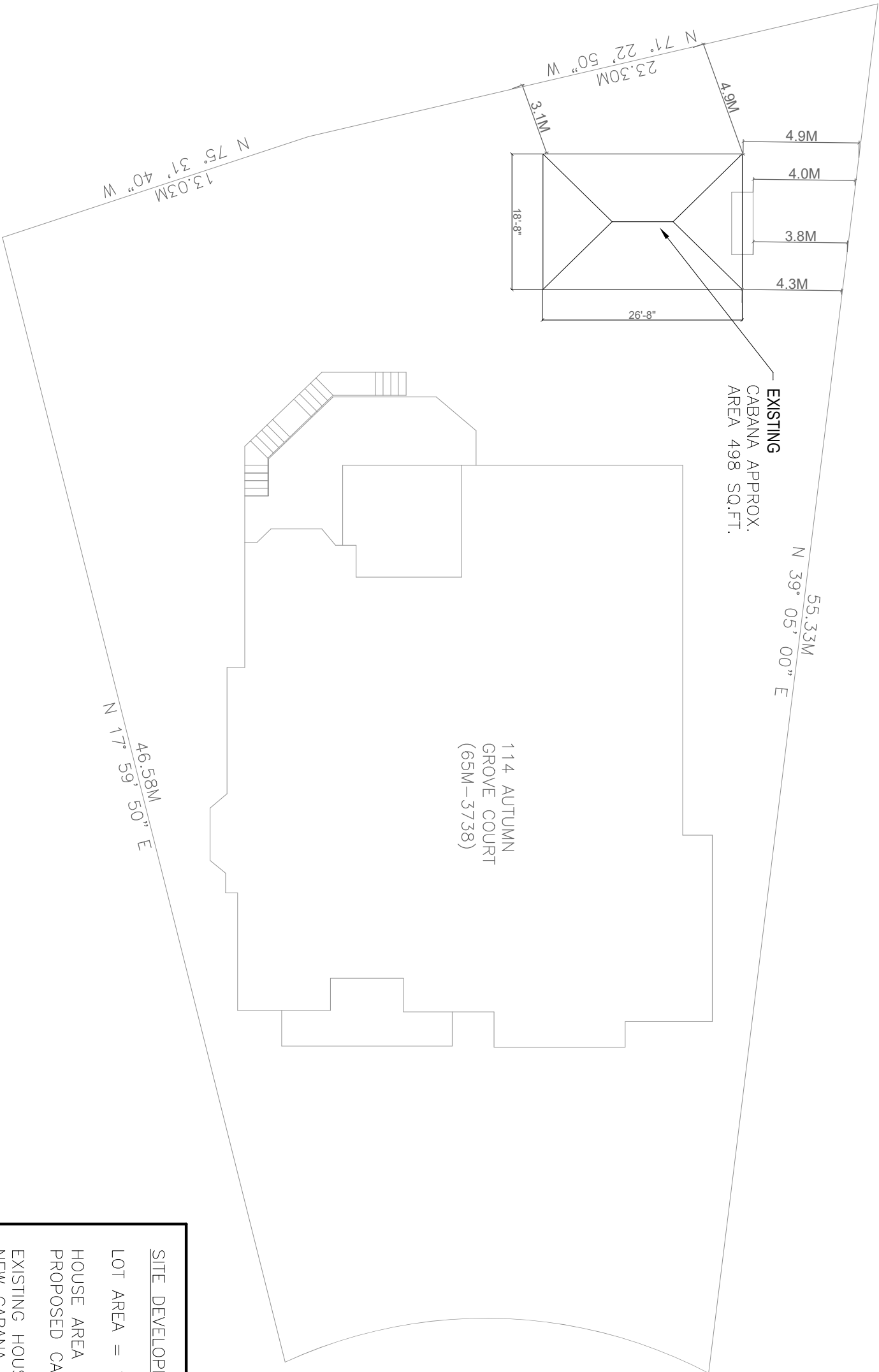
LOT AREA = 1,301.16m² (14,005.69ft²)
HOUSE AREA = 340.40m² (3,675.26ft²)
PROPOSED CABANA = 46.27m² (498ft²)
EXISTING HOUSE = 26.2%
NEW CABANA = 3.5%
COVERAGE BY-LAW = 40%
COVERAGE PROVIDED = 29.7%



A049/20

NEW

June 22, 2020



114 AUTUMN GROVE COURT (65M – 3738)

AUTUMN GROVE COURT

SITE DEVELOPMENT

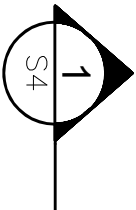

LOT AREA = 1,301.16m2 (14,005.69ft2)
HOUSE AREA = 340.40m2 (3,675.26ft2)
PROPOSED CABANA = 46.27m2 (498ft2)
EXISTING HOUSE = 26.2%
NEW CABANA = 3.5%
COVERAGE BY-LAW = 40%
COVERAGE PROVIDED = 29.7%

REVISION	DATE	DESCRIPTION	MAZZULLA STRUCTURAL +
1.	FEB 18/20	ISSUED FOR PERMIT	61 ASCALON DRIVE VAUGHAN, ON L6A0M5 T +1 416 258 0245 MAZZULLASTRUCTURAL.COM
2.	APR 28/20	RE-ISSUED FOR PERMIT	

TITLE:	
DRAWN BY:	MAZ
CHECKED BY:	MAZ

Attard Residence 114 Autumn Grove Court, Vaughan, ON		REFERENCE DRAWING:
SITE PLAN		NA
SCALE:	1/16"=1'-0"	DATE:
PROJECT NO.:	2020013	FEB 14, 2020
		DRAWING NO.:
		S1

A049/20



NEW
June 22, 2020

June 22, 2020

REVISION	DATE	DESCRIPTION
1.	FEB 18/20	ISSUED FOR PERMIT
2.	APR 28/20	RE-ISSUED FOR PERMIT

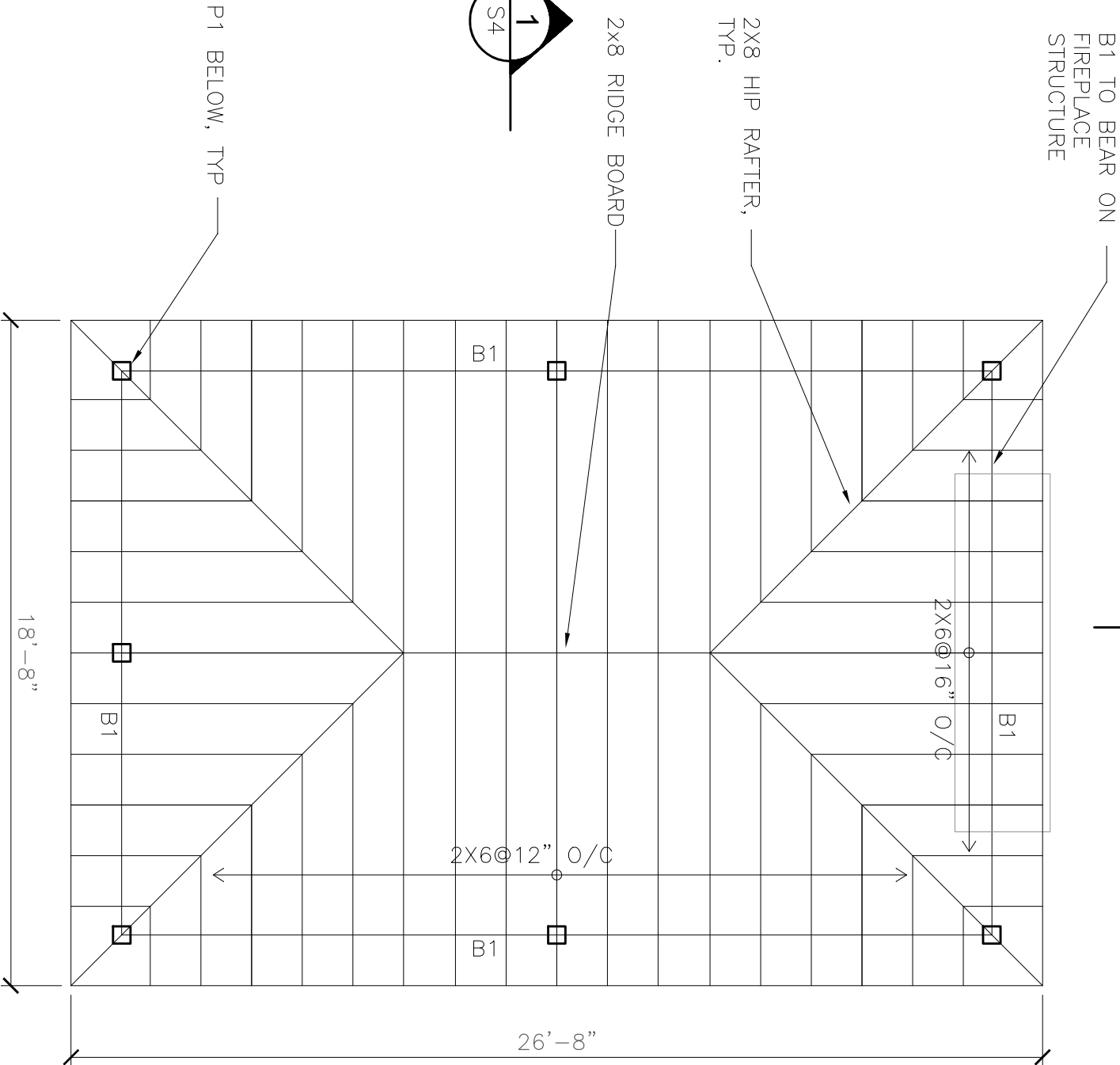
Attard Residence 114 Autumn Grove Court, Vaughan, ON	
TITLE:	FOUNDATION PLAN
DRAWN BY:	SCALE:
MAZ	1/4"=1'-0"
CHECKED BY:	PROJECT NO.:
MAZ	2020013
	DATE:
	FEB 14, 2020
	DRAWING NO.:
	S2

$$1/4'' = 1' - 0''$$


A049/20

NEW

June 22, 2020



B1: 7 1/2" X 3 1/2"
ACTUAL SIZE CEDAR BEAM

CABANA ROOF FRAMING PLAN

1/4"=1'-0"

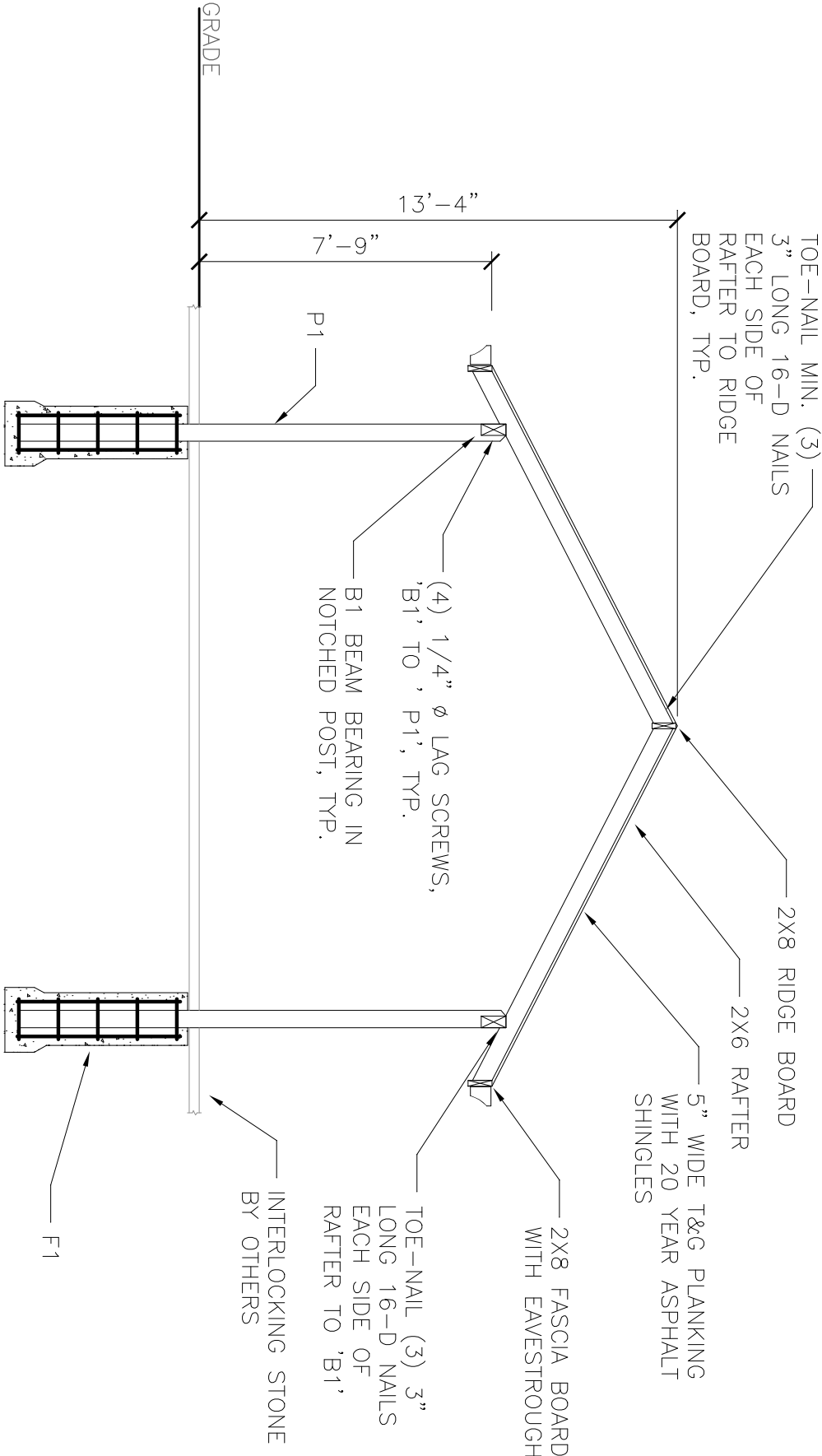
1. SEE GENERAL NOTES ON DRAWING SO.
2. DESIGN LOADS ARE: SNOW LOAD = 21 PSF, DEAD LOAD = 9 PSF
3. SITE VERIFY EXISTING SITE SERVICE INFORMATION.
4. BEARING CAPACITY 2000 PSF (100 kPa), RETAIN SOIL ENGINEER TO CONFIRM.
5. FOUND FOOTING AT MINIMUM 4'-6" BELOW FINISHED GRADE.
6. TIMBER POSTS AND OTHER FRAMING MEMBERS TO BE WESTERN RED CEDAR.

REVISION	DATE	DESCRIPTION				
1.	FEB 18/20	ISSUED FOR PERMIT				
2.	APR 28/20	RE-ISSUED FOR PERMIT				
			Attard Residence 114 Autumn Grove Court, Vaughan, ON			
TITLE:		ROOF FRAMING PLAN		REFERENCE DRAWING:		
DRAWN BY:		SCALE:		DATE:		
MAZ		1/4"=1'-0"		FEB 14, 2020		
CHECKED BY:		PROJECT NO.:		DRAWING NO.:		
MAZ		2020013		S3		

A049/20

NEW

June 22, 2020



SECTION 1
S4 / 1/4" = 1'-0"

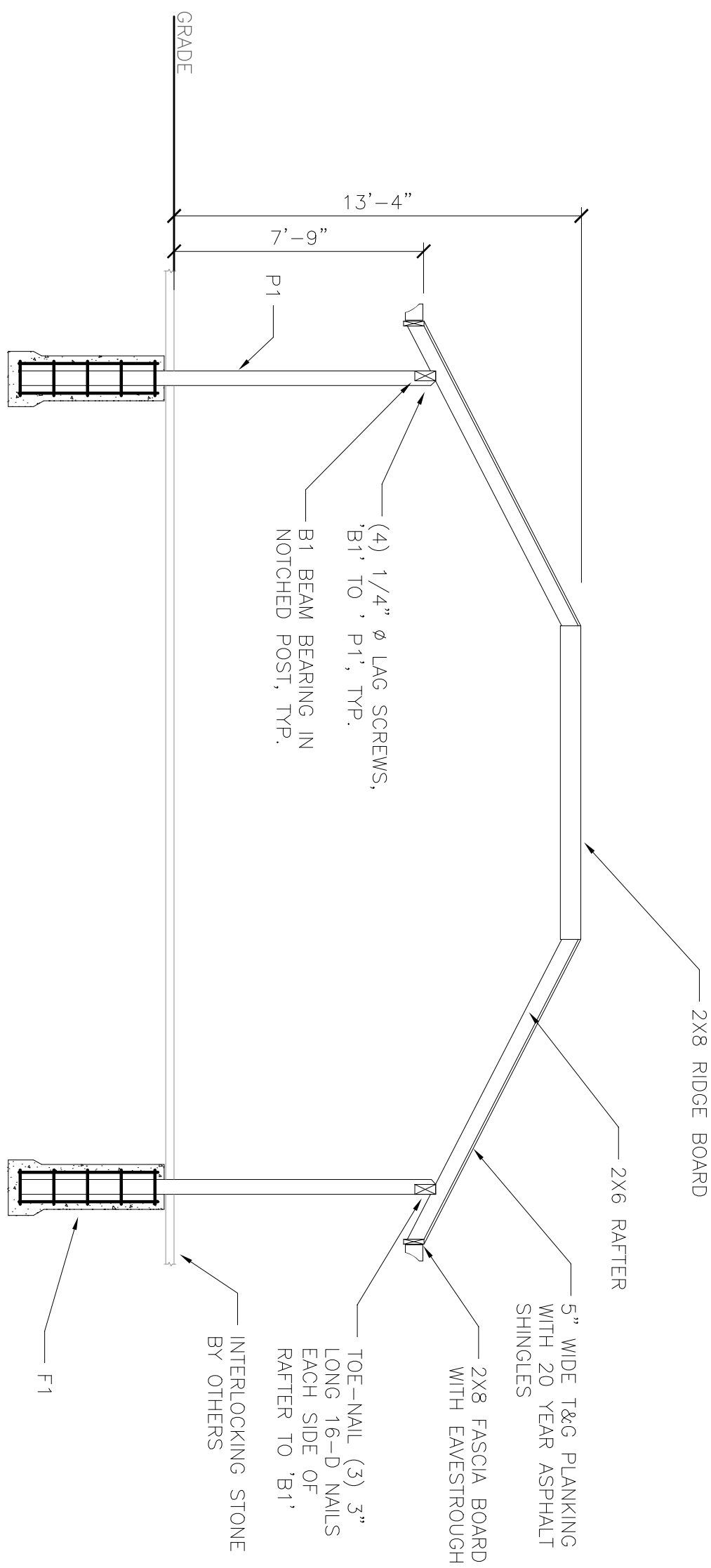


REVISION	DATE	DESCRIPTION				
1.	FEB 18/20	ISSUED FOR PERMIT				
2.	APR 28/20	RE-ISSUED FOR PERMIT				
			Attard Residence 114 Autumn Grove Court, Vaughan, ON			
			TITLE: SECTION			
			DRAWN BY: MAZ		DATE: FEB 14, 2020	
			CHECKED BY: MAZ		PROJECT NO.: 2020013	
					DRAWING NO.: S4	

A049/20

NEW

June 22, 2020



SECTION
1/4"=1'-0"
1
55



REVISION		DATE	DESCRIPTION				
1.		APR 28/20	ISSUED FOR PERMIT (NEW DWG.)				

TITLE:				Attard Residence 114 Autumn Grove Court, Vaughan, ON			
SECTION				REFERENCE DRAWING: NA			
DRAWN BY:		SCALE:		DATE:			
MAZ		1/4"=1'-0"		FEB 28 2020			
CHECKED BY:		PROJECT NO.:		DRAWING NO.:			
MAZ		2020013		S5			

A. GENERAL

- STRUCTURAL DRAWINGS SHALL BE USED IN CONJUNCTION WITH ALL OTHER CONTRACT DRAWINGS.
- DIMENSIONS AND CONDITIONS MUST BE VERIFIED IN THE FIELD. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER OF RECORD BEFORE PROCEEDING WITH THE AFFECTED PART OF THE WORK.
- THE CONTRACT STRUCTURAL DRAWINGS REPRESENT THE FINISHED STRUCTURE, AND DO NOT INDICATE THE METHOD OR MEANS OF CONSTRUCTION. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK AND SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, PROCEDURES, TECHNIQUES, SEQUENCE AND SAFETY.
- DIMENSIONS ARE IN FEET UNLESS NOTED OTHERWISE; ELEVATIONS ARE IN FEET UNLESS NOTED OTHERWISE.
- DO NOT SCALE DRAWINGS.

B. DESIGN DATA

- CODES AND STANDARDS
 - THE STRUCTURE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF THE 2019 ONTARIO BUILDING CODE.
 - ALL REINFORCED CONCRETE ELEMENTS HAVE BEEN DESIGNED IN ACCORDANCE WITH CAN/CSA-A23.3-04 (R2010) – DESIGN OF CONCRETE STRUCTURES.
 - ALL STRUCTURAL SAWN LUMBER ELEMENTS HAVE BEEN DESIGNED IN ACCORDANCE WITH CSA O86-09 – ENGINEERING DESIGN IN WOOD (LIMIT STATES DESIGN).
- LIVE LOADS
 - REFER TO ROOF PLANS FOR LIVE LOADS. ALL THE VALUES GIVEN ARE FACTORED LOADS UNLESS OTHERWISE NOTED OR SHOWN.

C. FOUNDATIONS

- BEAR ALL FOOTINGS ON SOIL CAPABLE OF SAFELY SUSTAINING A SERVICE LIMIT STATE (SLS) BEARING CAPACITY OF 100 kPa
- THE LINE OF SLOPE BETWEEN ADJACENT FOOTINGS OR EXCAVATIONS OR ALONG STEPPED FOOTINGS SHALL NOT EXCEED A RISE OF 7 IN A RUN OF 10.

D. SLAB-ON-GRADE

- BEFORE PLACING SLAB-ON-GRADE VERIFY THAT BEARING CAPACITY OF SUBGRADE AND COMPACTION OF SUB-BASE ARE ADEQUATE TO SUPPORT A 25 kPa UNIFORMLY DISTRIBUTED LOAD ON SLAB-ON-GRADE WITHOUT DIFFERENTIAL SETTLEMENT BETWEEN SLAB AND BUILDING FOUNDATIONS.

E. CONCRETE AND REINFORCING

- CONCRETE SHALL CONFORM TO THE REQUIREMENTS OF CAN/CSA A23.1 AND THE FOLLOWING:
EXTERIOR: EXPOSURE 'C'1, 35MPa@ 28 DAYS, AIR=5-8%, W/C=0.40
- REINFORCEMENT SHALL CONFORM TO CSA G30 SERIES WITH A YIELD STRENGTH OF 400 MPa. WELDED WIRE FABRIC SHALL HAVE A YIELD STRENGTH OF 386 MPa.
- THE MINIMUM CONCRETE COVER TO MILD REINFORCEMENT SHALL BE AS NOTED IN CSA/CAN A23.1.
- ALL REINFORCING BARS SHALL BE SECURELY TIED IN PLACE PRIOR TO PLACING OF CONCRETE. DO NOT DRIVE OR FORCE REBAR INTO FRESH CONCRETE.

F. TIMBER FRAMING

- SAWN LUMBER SHALL CONFORM TO CAN/CSA 0141.
- DESIGN RATED OSB SHALL CONFORM TO CSA-0452.
- WIND LOADS SHALL BE IN ACCORDANCE WITH THE ONTARIO BUILDING CODE. PROVIDE FRAMING ANCHORS TO RESIST UPLIFT EACH END OF EACH ROOF JOIST. ANCHORS TO HAVE A MINIMUM WORKING CAPACITY OF 0.5 kN (100 lbs).
- DO NOT SPLICE MEMBERS BETWEEN SUPPORTS.
- PROVIDE SOLID BLOCKING BETWEEN JOISTS OVER SUPPORT AT ALL CANTILEVERED CONDITIONS.
- PROVIDE SOLID BLOCKING AT MAXIMUM 1800 mm (6'-0") c/c UNLESS NOTED OTHERWISE, FOR ALL SAWN JOIST LOCATIONS.
- PROVIDE MINIMUM BEARING OF 100 mm (4") FOR ALL BEAMS.
- NO SAWN LUMBER SHALL BE NOTCHED OR DRILLED IN THE FIELD WITHOUT THE PERMISSION OF THE CONSULTANT.
- CONNECTOR MODEL NUMBERS SHOWN ARE STRONG-TIE CONNECTORS AS MANUFACTURED BY SIMPSON STRONG-TIE CO.
- CONNECTORS SHALL BE GALVANIZED.
- UNLESS SHOWN OTHERWISE, INSTALL SIZE AND NUMBER OF FASTENERS SHOWN IN LATEST SIMPSON CATALOG.
- STANDARD U.S.S. WASHERS SHALL BE USED BETWEEN WOOD AND BOLT HEADS AND NUTS. BOLTS AND SCREWS SHALL BE ASTM A-307, ALL SHALL BE GALVANIZED.

REVISION			DATE	DESCRIPTION	<div>Attard Residence 114 Autumn Grove Court, Vaughan, ON</div> <div>GENERAL NOTES</div> <div>TITLE:<div><div>DRAWN BY: MAZ</div><div>CHECKED BY: MAZ</div></div><div><div>SCALE: NA</div><div>PROJECT NO.: 2020013</div></div><div><div>REFERENCE DRAWING: NA</div><div>DATE: FEB 14, 2020</div><div>DRAWING NO.: S0</div></div></div>
1.			FEB 18/20	ISSUED FOR PERMIT	
2.			APR 28/20	RE-ISSUED FOR PERMIT	



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.

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.-

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

July 15, 2020

CFN: 62574.17
X-Ref CFN 60612

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: Committee of Adjustment
Minor Variance Application A049/20
114 Autumn Grove
PLAN 65M3618 Lot 133R
City of Vaughan
Owner: Joseph Attard and Effie Mathews (Agent: Marco Mazzulla)**

This letter will acknowledge receipt of the above-noted application, received by Toronto and Region Conservation Authority (TRCA) on June 22, 2020. TRCA staff reviewed the application and offer the following comments for the consideration of the Committee.

Background

The purpose of Application A049/20 is to request the following:

1. To permit a minimum rear yard setback of 3.10 m to the proposed cabana.

Applicable Policies and Regulations

Ontario Regulation 166/06:

The subject property is partially located within TRCA's Regulated Area of the Humber River Watershed due to a well-defined valley corridor associated with the Humber River that is located in close proximity of the rear property line. In accordance with *Ontario Regulation 166/06*, 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.

Living City Policies (LCP):

The Living 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. These policies guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents, and guidelines.

Application-Specific Comments

As noted above, the subject property is regulated by TRCA due to a well-defined valley corridor associated with the Humber River located at the rear property. The valley slope has a steep inclination and is approximately 20 metres in height. The valley slope is vegetated with mature trees and associated undergrowth.

The landowner submitted a TRCA Permit Application in November 2018 to recognize a recently constructed cabana, patio landscaping, and a landscape retaining wall, all of which were constructed within TRCA's Regulated Area without approval. As part of the Permit Application process, a letter by a qualified engineer was submitted confirming that the existing retaining wall and cabana had not negatively affected the stability of the adjacent slope. TRCA subsequently issued a permit (TRCA Permit No. C-191119) to recognize the noted works on November 13, 2019.

Based on a review of the plans submitted with this Minor Variance Application, TRCA is satisfied that the proposal is consistent with the plans approved as a part of TRCA Permit No. C-191119 and that the proposed works will not have any negative impacts on the natural features or associated natural hazards on the property. As such, TRCA has no concerns with the currently 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 A049/20, 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.

I 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
Planning and Development
Extension 5256

HR/jb

C: Marco Mazzulla <marco@mazzullastructural.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), 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: A049-20 - REQUEST FOR COMMENTS - 114 Autumn Grove Court, Kleinburg ON (Full Circulation)

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

Sent: June-23-20 9:28 AM

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

Subject: [External] RE: A049-20 - REQUEST FOR COMMENTS - 114 Autumn Grove Court, Kleinburg ON (Full Circulation)

Good Morning Lenore,

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

Regards,

Gabrielle

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