

**File:** A072/20

**Applicant:** Rafael & Natalia Silva

**Address:** 21 Lacrosse Tr Kleinburg

**Agent:** Vasily Gunbin

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)		
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, October 1, 2020



Minor Variance  
Application

Agenda Item: 11

A072/20

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

**Date & Time of Live Stream Hearing:** Thursday, October 1, 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](mailto:cofa@vaughan.ca)

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto: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:** Rafael & Natalia Silva

**Agent:** Vasily Gunbin

**Property:** 21 Lacrosse Tr Kleinburg

**Zoning:** The subject lands are zoned RD1 Residential Detached Dwelling and subject to Exception No. 9(1413) of under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "KN Low Rise Residential I", Volume 2, Section 11.8 "North Kleinburg-Nashville Secondary Plan"

**Related Files:** None

**Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the existing gazebo with open wood trellis and existing storage shed 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 7.5 metres is required.	1. To permit minimum rear yard setbacks of 0.60 metres for the accessory buildings (storage shed and gazebo/wood trellis).
2. A minimum interior side yard of 1.2 metres is required.	2. To permit a minimum interior side yard setback of 0.60 metres to the accessory building (storage shed).
3. A minimum interior side yard of 1.2 metres is required.	3. To permit a minimum interior side yard setback of 0.60 metres to the accessory building (gazebo/wood trellis).
4. A maximum of 3.0 metres is permitted from the average finished grade at the front of the building to the nearest part of the roof.	4. To permit a maximum of 3.87 metres from the average finished grade at the front of the accessory building (gazebo/wood trellis) to the nearest part of the roof.

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

For information on the previous approvals listed above please visit [www.vaughan.ca](https://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

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 September 16, 2020

Applicant confirmed posting of signage on September 10, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2019

Applicant has advised that they cannot comply with By-law for the following reason(s): The size of the backyard does not allow building an accessory structures in accordance with the requirements for minimum setbacks.

Adjournment Request: None

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: Order No. 20-000044, Order to Comply for accessory structure under construction without a permit, Issue Date: Jun 15, 2020

Building Permit No. 18-000644 for Single Detached Dwelling - New, Issue Date: Jun 28, 2018  
Building Permit No. 20-107347 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)  
Building Permit No. 18-000644 for Single Detached Dwelling - Alteration, Issue Date: Feb 05, 2019

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

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

An A/C unit and/or pool equipment shall be setback a minimum of 1.2 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "KN Low Rise Residential I", Volume 2, Section 11.8 "North Kleinburg-Nashville Secondary Plan"

The Owner is requesting permission to maintain an existing gazebo with a wood trellis and an existing shed with the above requested variances.

Variances 1, 3 and 4 are considered minor as the gazebo is appropriately sized for the lot and is below the maximum overall building height requirement of 4.5 m for an accessory structure. Variance 2 is also considered minor as the storage shed will not have adverse impacts on the neighbouring properties. Development Planning staff note that variances are not required for the proposed uncovered wood frame deck as shown in the drawings provided.

The subject lands are partially located within the Toronto and Region Conservation Authority's ('TRCA') Regulated Area of the Humber River. TRCA staff have reviewed the proposal on September 14, 2020 and have advised that they have no objections to the minor variance application.

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

The Development Planning Department recommends approval of the application.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A072/20.

Parks, Forestry and Horticulture Operations:

No comments or concerns.

**By-Law and Compliance, Licensing and Permit Services:**  
No Response.

**Financial Planning and Development Finance:**  
No comment no concerns

**Fire Department:**  
No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**  
A072/20 – Public Correspondence (28 Lacrosse Trail)

**Schedule C - Agency Comments**  
Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections  
MTO – Located outside of MTO permit control area  
TRCA – comments with conditions

**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 <a href="mailto:jason.pham@vaughan.ca">jason.pham@vaughan.ca</a>	The Owner/applicant shall submit the final Lot Grading Plan 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 (Accessory Structures). Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.
2	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:hamedeh.razavi@trca.ca">hamedeh.razavi@trca.ca</a>	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](mailto:cofa@vaughan.ca)

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](https://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.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 8002  
E [CofA@vaughan.ca](mailto: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

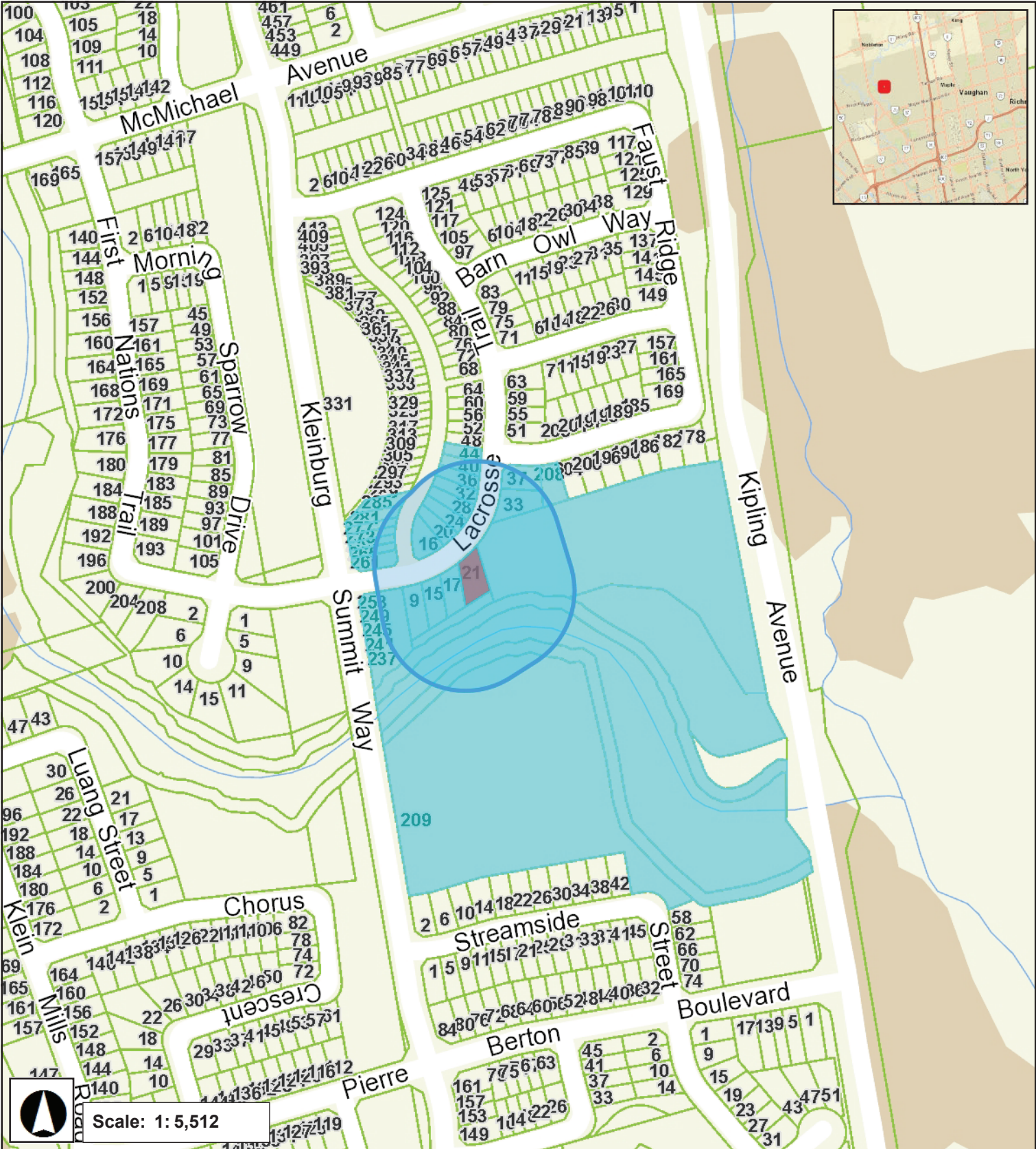


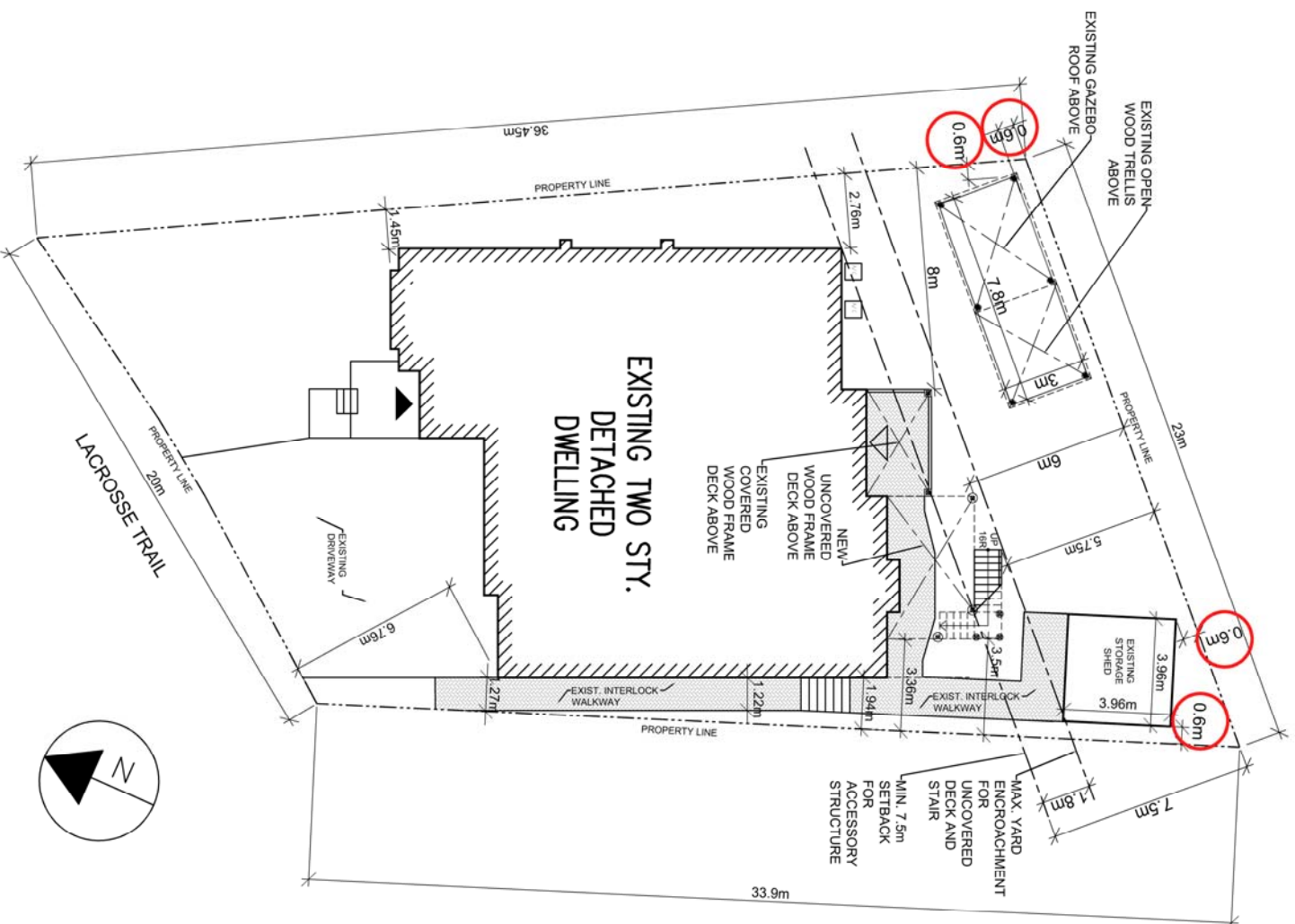


# LOCATION MAP - A072/20

21 LACROSSE TRAIL, KLEINBURG

Kirby Road





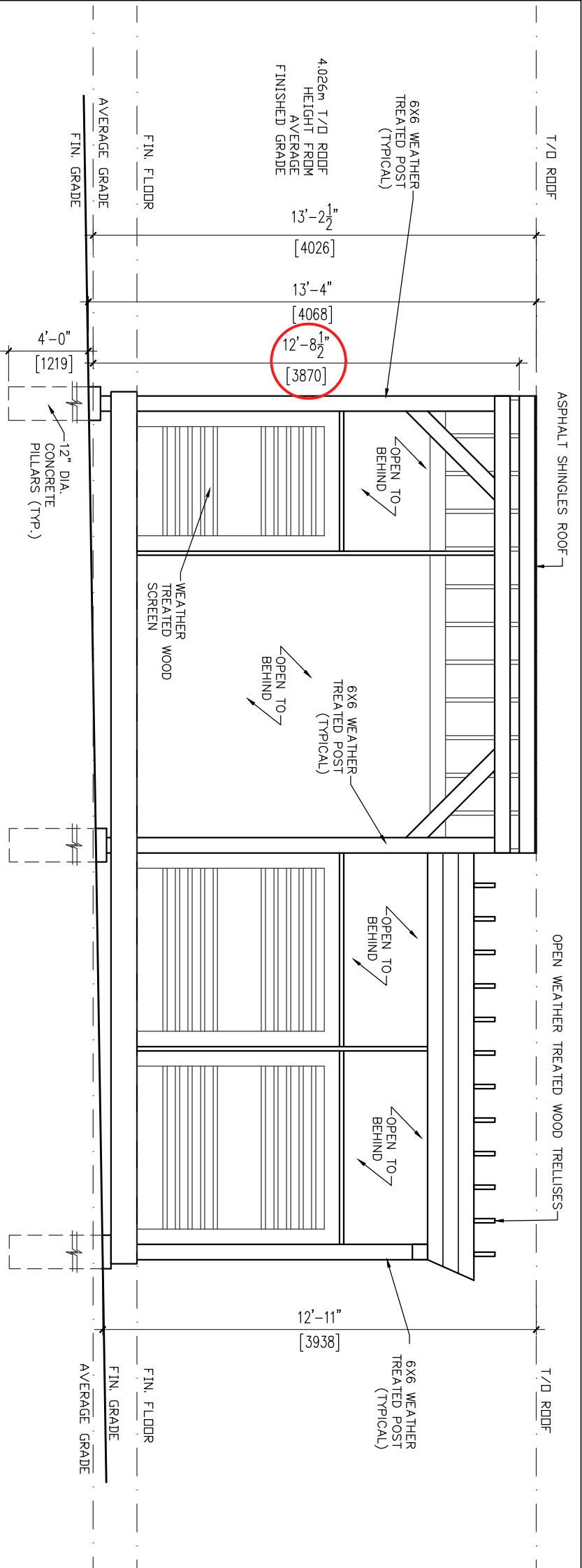
SITE STATISTICS: 21 LACROSSE TRAIL, VAUGHAN, ON		
	PERMITTED	PROPOSED
ZONE:	RD2	NO CHANGES TO EXISTING
LOT AREA (MIN.)	684sq.m (EXISTING)	NO CHANGES TO EXISTING
LOT FRONTAGE (MIN.)	20m (EXISTING)	NO CHANGES TO EXISTING
SETBACKS:		
FRONT (MIN.)	4.5m	NO CHANGES TO EXISTING
REAR (MIN.)	7.5m	0.6m (TO ACCESSORY STRUCTURE)
SIDE (MIN.)	1.2m	0.6m (TO ACCESSORY STRUCTURE)
REAR YARD AREA	206sq.m (EXISTING)	NO CHANGES TO EXISTING
REAR YARD SOFT LANDSCAPE AREA (MIN.)	60%	65%

GENERAL NOTES:

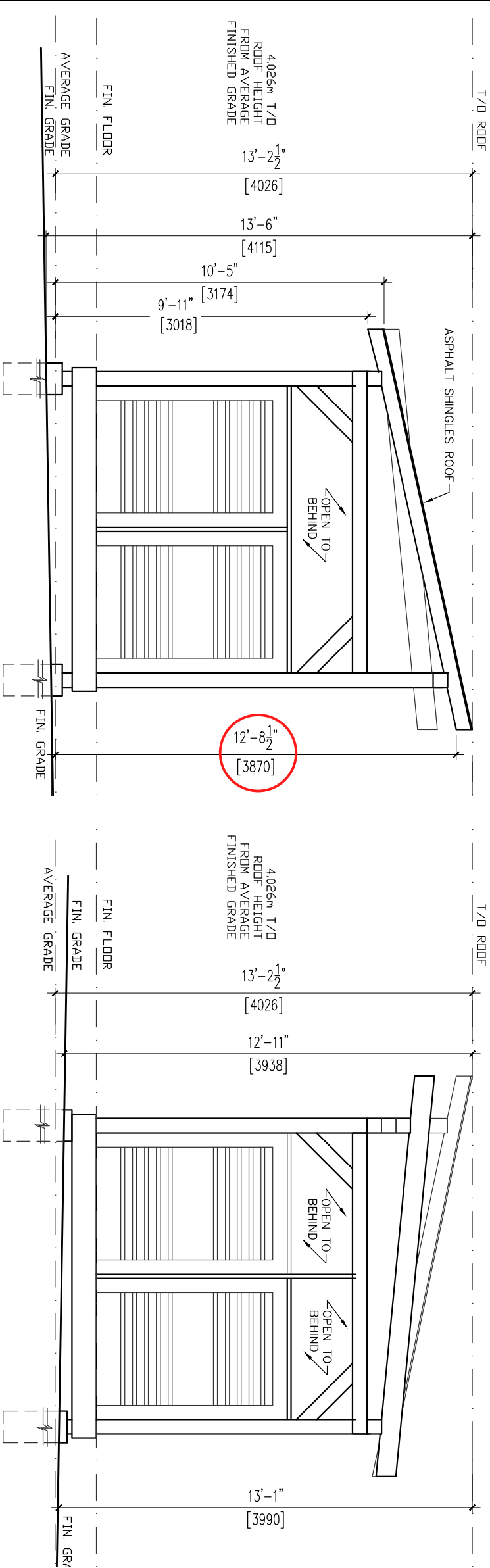
THE INFORMATION FOR THIS SITE PLAN HAS BEEN  
OBTAINED FROM A COPY OF SURVEY PLAN PREPARED BY  
RADY-PENTEK & EDWARD SURVEYING LTD.,  
DATED AUG. 20, 2018.

File:		Address:		<b>V&amp;J</b> <b>ARCHITECTURE INC.</b> www.vjarchitecture.com 647.987.4904	
		21 Lacrosse Trail, Vaughan, Ontario			
#	Issued	Date	Project:		
1	Committee of Adjustment	July 13/20	Storage Shed		
			Drawing:		
			Site Plan		
			Dn. By:	Scale:	Drawing #
			V.G.	1 : 250	SP-01

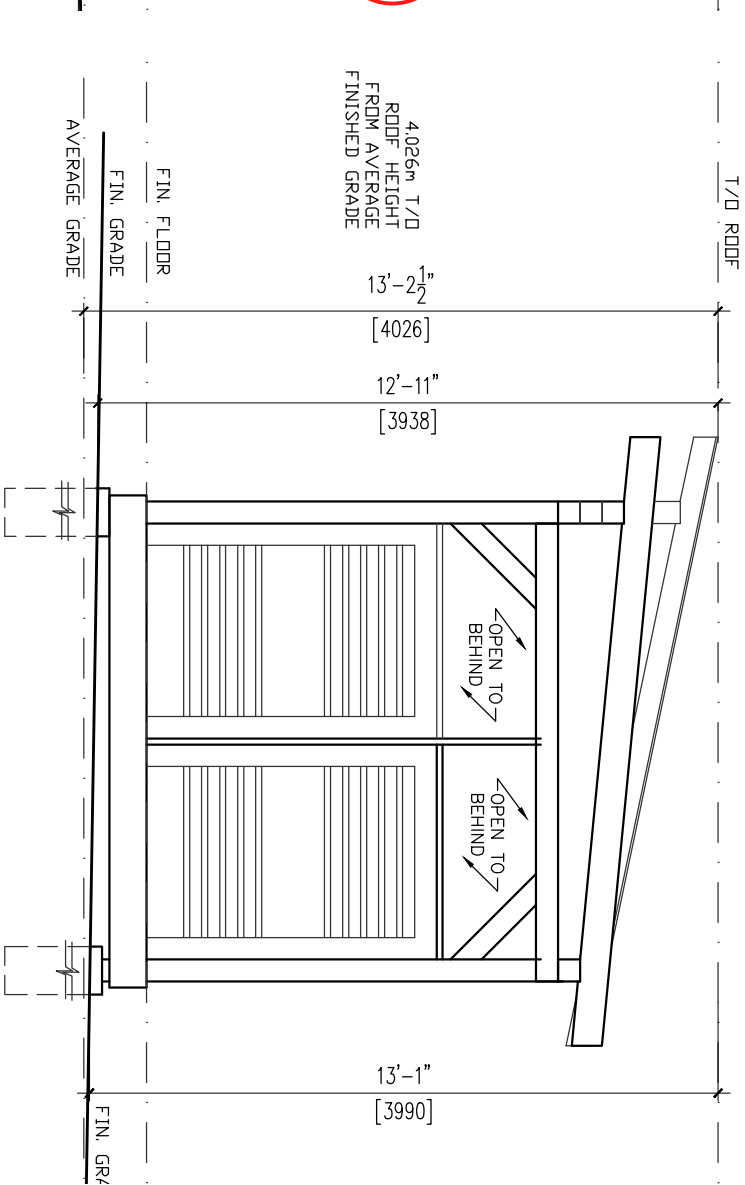




1 FRONT (NORTH) ELEVATION  
SCALE: 1/4" = 1'-0"

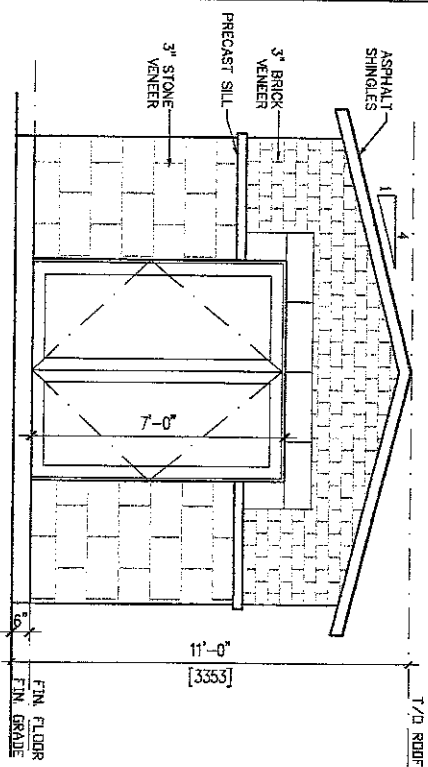
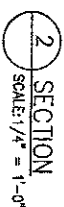


2 SIDE (EAST) ELEVATION  
SCALE: 1/4" = 1'-0"

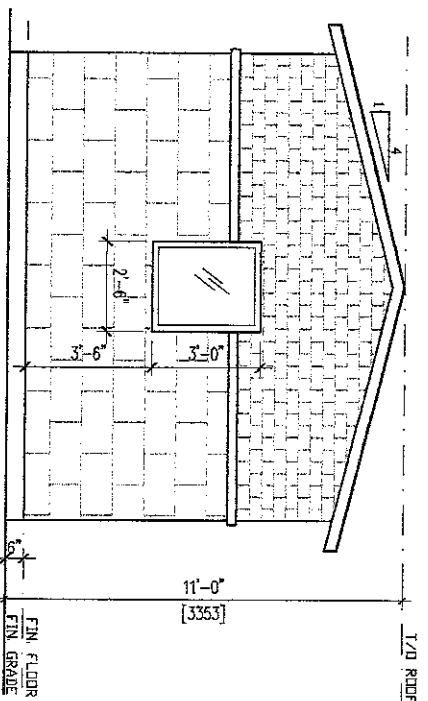


3 SIDE (WEST) ELEVATION  
SCALE: 1/4" = 1'-0"

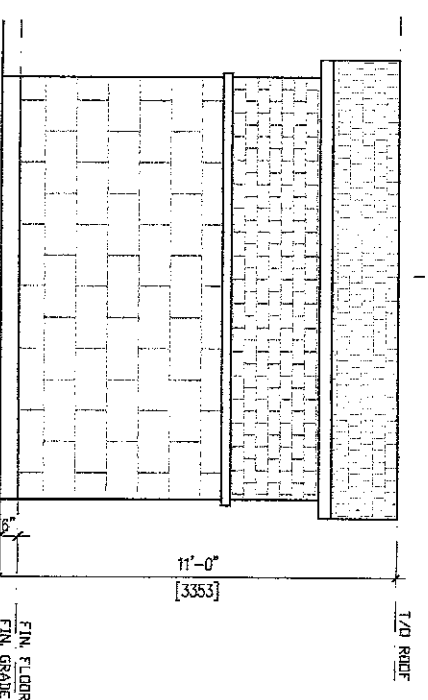
File:			Address:		<div>V&amp;J</div> <div>ARCHITECTURE INC.</div> <div>www.vjarchitecture.com</div> <div>647.987.4904</div>		
			21 Lacrosse Trail, Vaughan, Ontario				
Rev #	Revision	Date	Project:				
1	Issued for Permit	Sep 14-20	Gazebo / Wood Trellis				
			Drawing:		Dr. By:	Scale:	Drawing #
					V.G.	1/4" = 1'-0"	SK-03



3 FRONT ELEVATION  
SCALE: 1/4" = 1'-0"



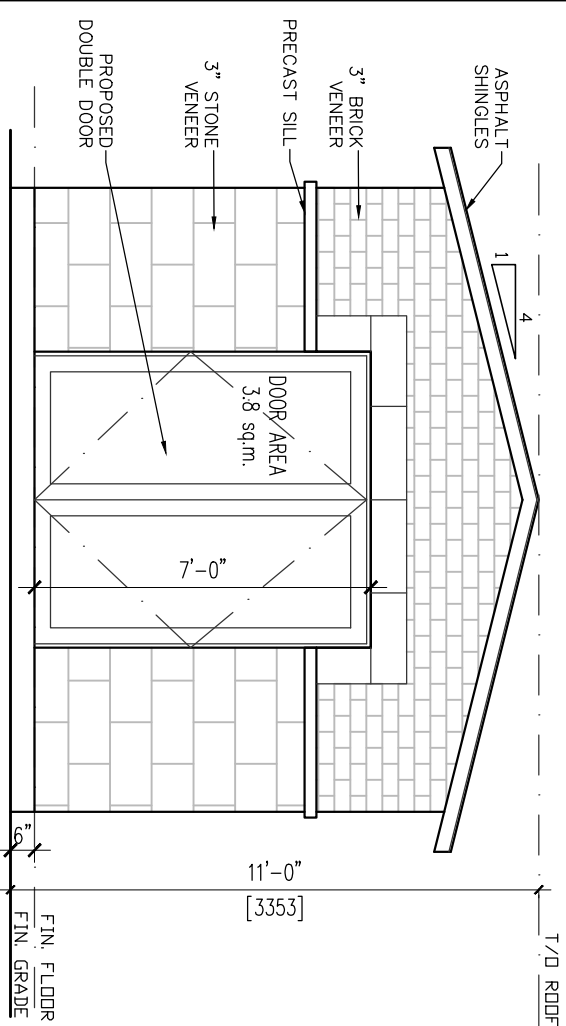
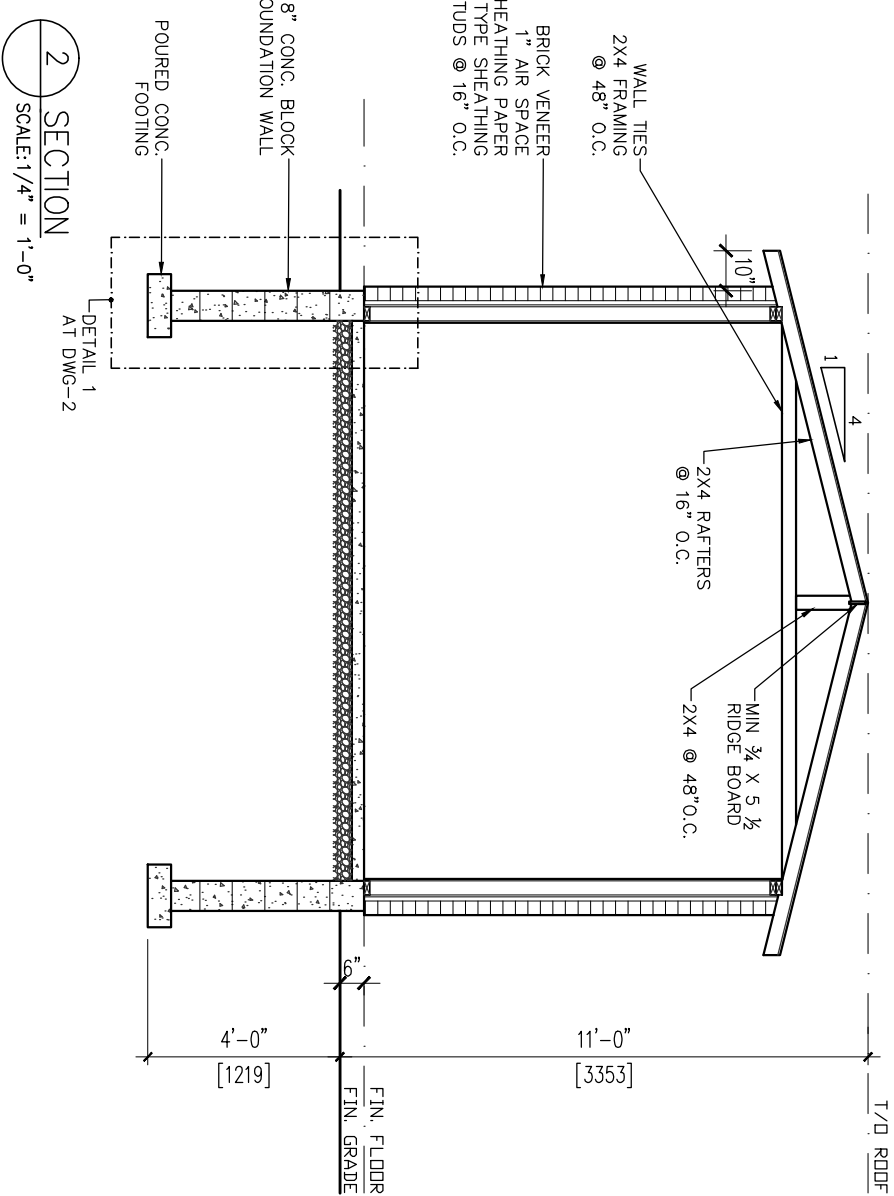
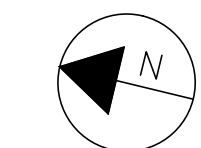
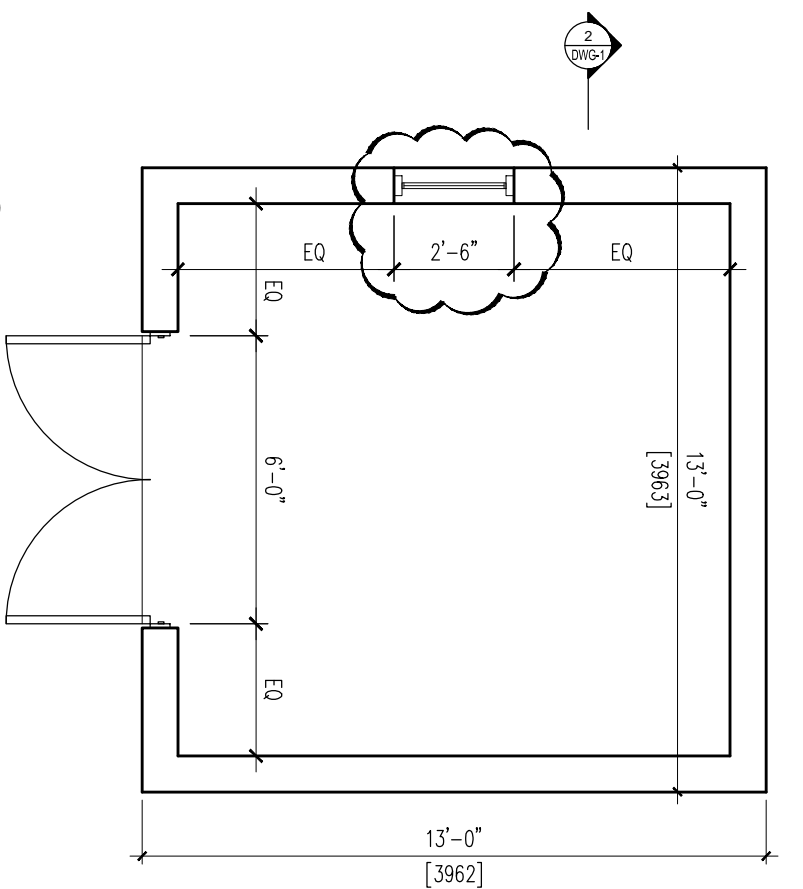
4 REAR ELEVATION  
SCALE: 1/4" = 1'-0"



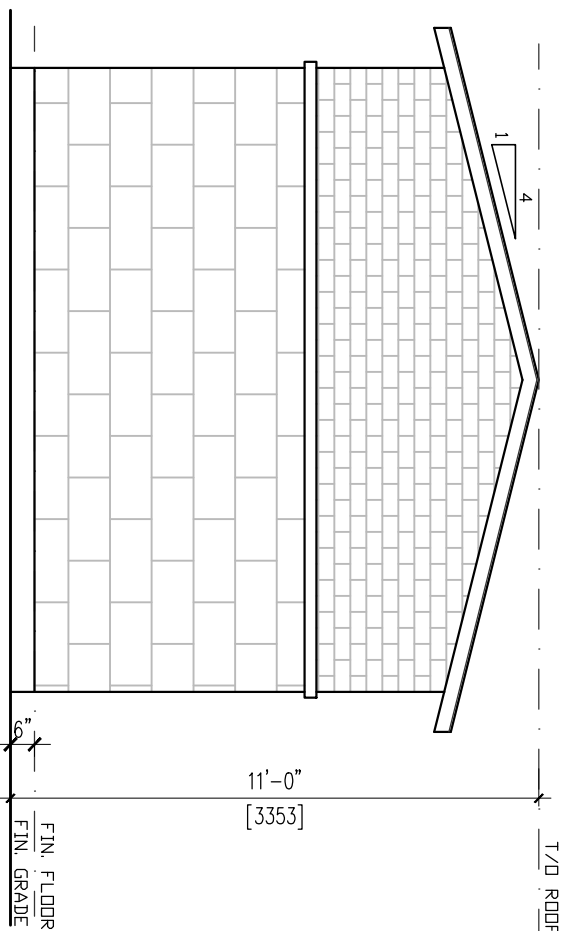
5 SIDE (TYP.) ELEVATION



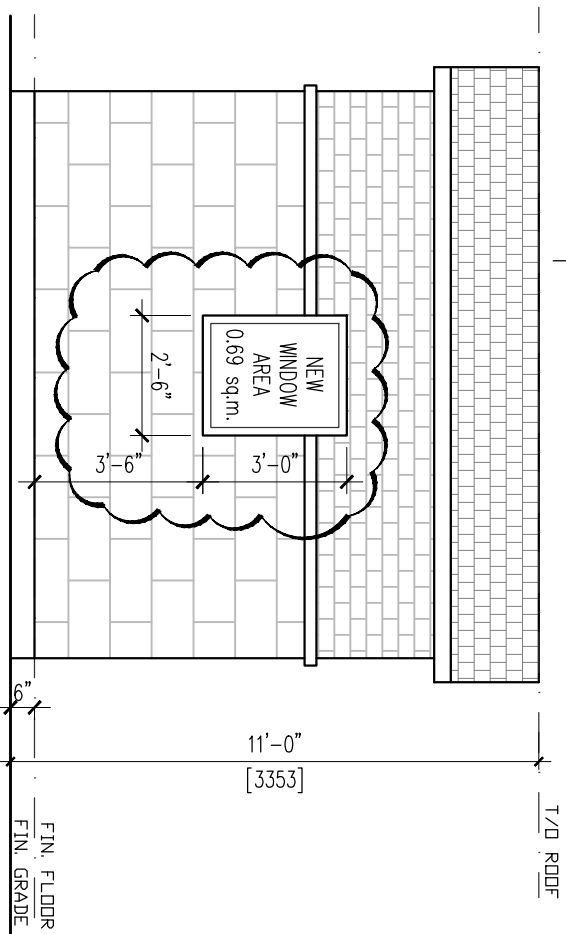
File			Access		<div>V&amp;J</div> <div>ARCHITECTURE INC.</div> <div>www.vjarchitecture.com</div> <div>647.987.4904</div>		
			21 Lacrosse Trail, Vaughan, Ontario				
Rev #			Revision		Date		
1			Issued for Permit		Jun 18-20		
Drawing			Project				
			Garden Shed				
East (Side) Existing Exterior Elevation Unprotected Openings Calculation							
Daily							
V.G.							
Scale							
1/4" = 1'-0"							
Drawing #							
SK-01							




3 FRONT (NORTH) ELEVATION  
SCALE: 1/4" = 1'-0"

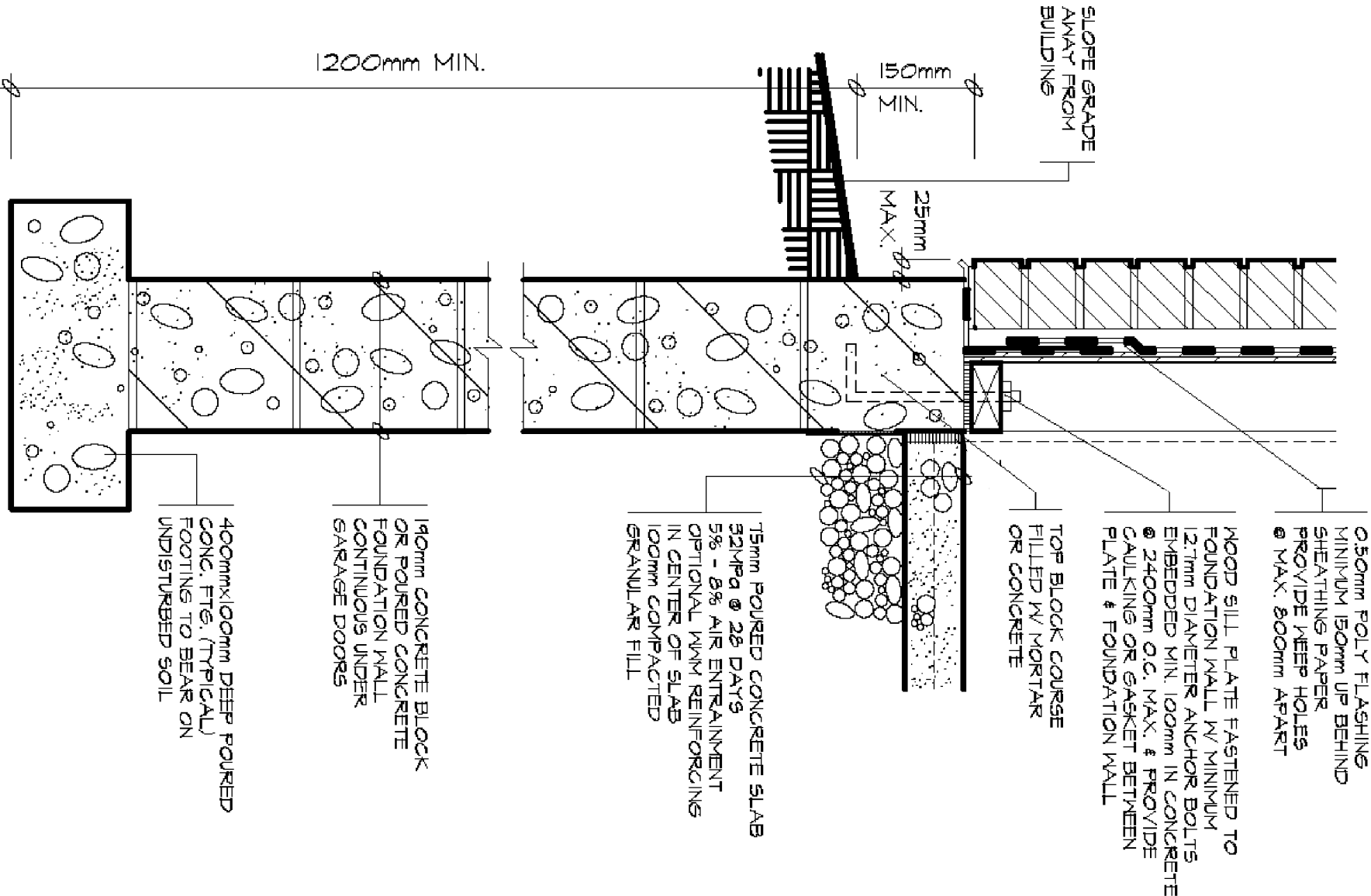


4 REAR (SOUTH) ELEVATION  
SCALE: 1/4" = 1'-0"



5 SIDE (EAST) ELEVATION  
SCALE: 1/4" = 1'-0"

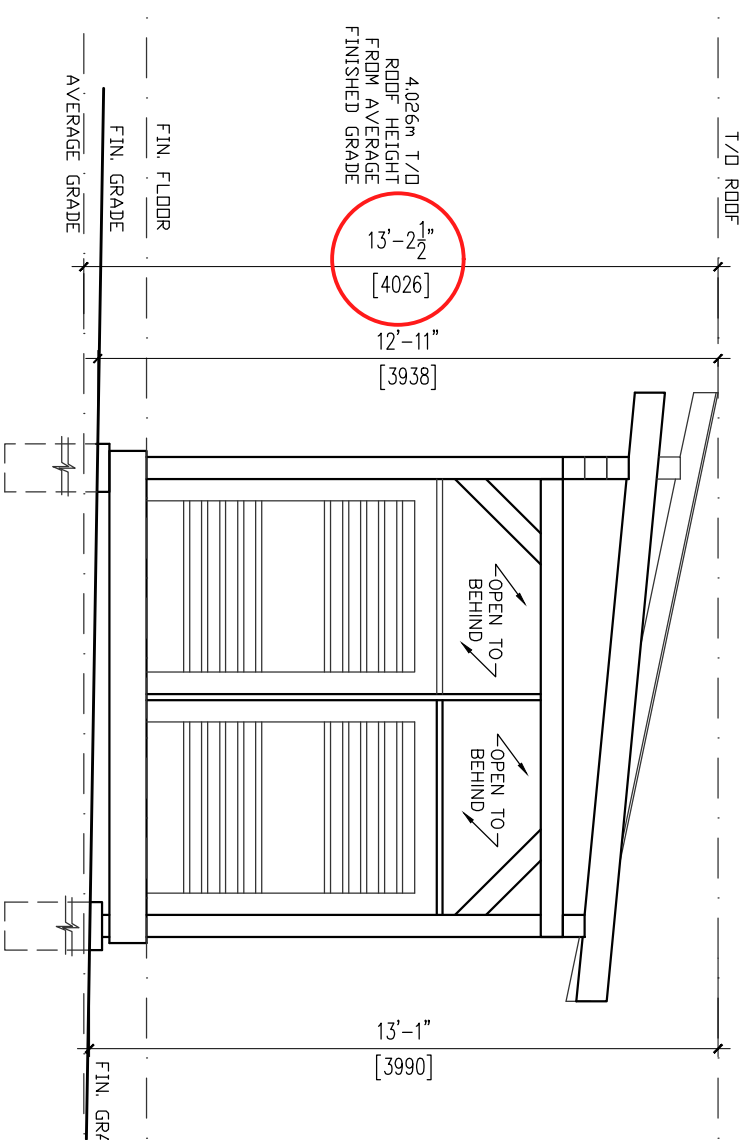
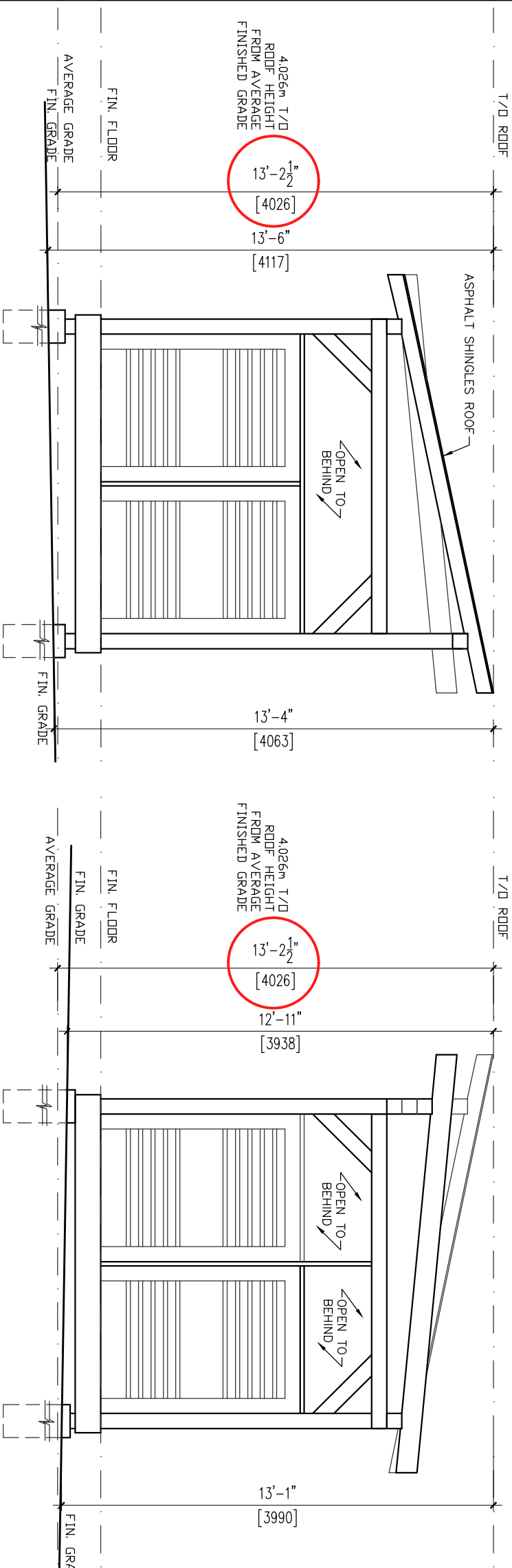
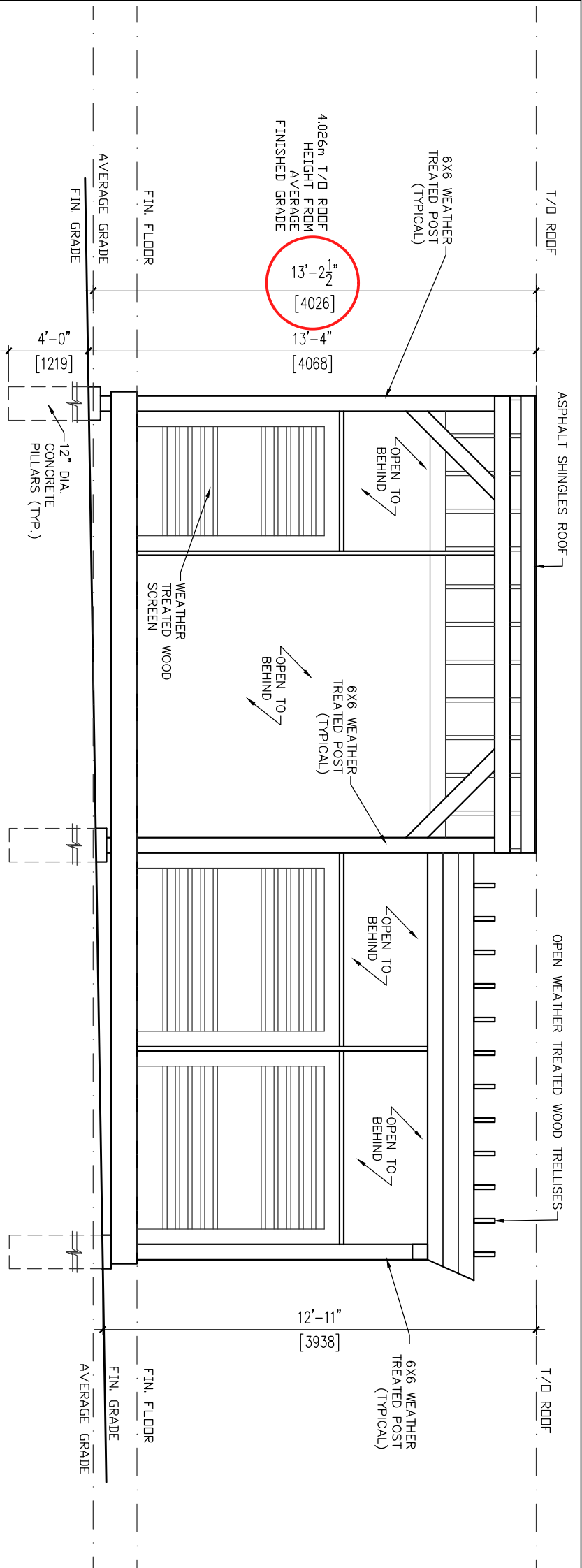
File:		Address:		21 Lacrosse Trail, Vaughan, Ontario		 ARCHITECTURE INC. www.vjarchitecture.com 647.987.4904	
Rev #		Revision		Date		Project:	
1		Issued for Permit		Jun 16-20		Garden Shed	
2		As per City Comments		July 17-20			
						Drawing:	
						Floor Plan, Section, Exterior Elevations	
						Dn/By:	
						V.G.	
						1/4" = 1'-0"	
						Scale:	
						Drawing #	
						SK-01	



1 FOUNDATION DETAIL  
SCALE: N.T.S.

File:			Address:		21 Lacrosse Trail, Vaughan, Ontario		<div>V&amp;J</div> <div>ARCHITECTURE INC.</div> <div>www.vjarchitecture.com</div> <div>647.987.4904</div>			
Rev. #		Revision		Date						
1		Issued for Permit		Jun 16-20						
			Project:	Garden Shed			Drawing:	FOUNDATION DETAIL		
							Drn/By:	Scale:	Drawing #	
							V.G.	1/4" = 1'-0"	SK-02	





File:		Address:		21 Lacrosse Trail, Vaughan, Ontario		<div>V&amp;J</div> ARCHITECTURE INC. www.vjarchitecture.com 647.987.4904	
Rev #	Revision	Date	Project:	Gazebo / Wood Trellis		Drawing #	Scale:
1	Issued for Permit	Aug 12-20					
			Drawing:	Exterior Elevations		Dn./Bj.	
						V.G.	1/4" = 1'-0"
							SK-03



**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.

**A072/20 – Public Correspondence (28 Lacrosse Trail)**

**Subject:** FW: 21 Lacrosse Trail Rear Gazebo

-----Original Message-----

From: Vince Petrasso

Sent: September-22-20 10:55 PM

To: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] 21 Lacrosse Trail Rear Gazebo

Hi I'm a neighbour living at 28 Lacrosse Trail and I'm familiar with the construction of a Gazebo and Rear Shed built to the not met set backs. I do not oppose his construction and support his effort in building it beautiful and he spent an abundance of funds doing the job so proper. I walk in our area and see many sheds erected not following the set backs and I've also noticed the owners with sheds are very organized people and have spent thousands of dollars landscaping their properties as number 21 Lacrosse Trail has made the same efforts. I've spoke with one neighbour on the opposite side who mentioned the letter and asked my opinion. I mentioned he spent lots of money and is proud of it and I personally visited the site and that gazebo and shed is solid and is build to code construction wise before any complaint was made. I do have an upset with this neighbour when he parks his truck and trailer over night in front of his home but the city of Vaughan is tagging his vehicle teaching him it's prohibited in confidentiality. I can not pick at everything because I'm not the jealous type and support his backyard as he made it beautiful and he backs on to a Ravine so there is not issue in my eyes to make this poor couple who are new to this county who worked so hard and to rip their dreams apart. I think it would be cruel to have him rip it down and any neighbours who opposes it are in envy do to the fabulous construction. I ask that you honour and allow them a pardon as they are clean people and building to make the neighbourhood beautiful. I wish many neighbours would follow the trend. I was born at Royal York and Eglinton and when I drive by the area it's filled with Historic Landscape and the grass is cut perfect and my house is sample of that area. We who spend money are encouraging neighbours to move in that direction when they are in position to do so. My upset is waling threw the area and many neighbours with backyards on Mc Micael Avenue and their front yards are a disaster. Nobody cut the grass and one guy has a mountain of garbage there and we walk in the trail behind their homes nodding our heads. I'll say it straight up I cal them super losers and they way they are living they should just by some chickens or cow to graze the grass for them. Those are the losers you should be sending letters to and cut their grass for them and put the bill on their Tax bill until they learn. When they don't maintain their properties they upset neighbours and devalue are hard worked for investment. Also drive by are mail boxes and see what people do with the junk mail they throw it on the floor making a horrible mess and the City of Vaughan should put a recycle bin next to the box asking to please insert your spam mail and see if that works. I've seen a lady in my face do it and lucky I was in my car because I would tell she's evil. It's in my opinion that you start focusing on the real problem it's the people who don't cut their grass who are the problem not Rafael and Natalia Silva.

Hope this letter serves you well

Sincerely

Vincent Petrasso.

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.-

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Located outside of MTO permit control area
- TRCA – comments with conditions

**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)

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

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

September 14, 2020

CFN 62574.20  
Ex-Ref CFN 63376

**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 A072/20  
21 Lacrosse Trail, PLAN 65M4558 Lot 55  
City of Vaughan, Region of York  
Owner: Rafael Silva, Natalia Silva (Agent: Vasily Gunbin)**

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on August 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 A072/20 is to request the following:

1. To permit minimum rear yard setbacks of 0.60 metres for the accessory buildings (storage shed and gazebo/wood trellis).
2. To permit a minimum interior side yard setback of 0.60 metres to the accessory building (storage shed).
3. To permit a minimum interior side yard setback of 0.60 metres to the accessory building (gazebo/wood trellis).
4. To permit a maximum of 3.87 metres from the average finished grade at the front of the accessory building (gazebo/wood trellis) to the nearest part of the roof.

It is our understanding that the purpose of the noted variance is to facilitate the construction of an uncovered wood frame deck and a shed and recognizing an existing patio and an existing gazebo.

### **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 partially 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 partially located within TRCA Regulated Area due to presence of a flood plain traversing to the south of the property. TRCA recently issued a permit to facilitate the construction of the proposed works on July 28, 2020 (TRCA Permit No. C-200585).

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-200585. 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 A072/20, 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](mailto:Hamedeh.Razavi@trca.ca)

Sincerely,



Hamedeh Razavi  
Planner I, Development Planning and Permits

HR/sb

C: Rafael Silva<[fael\\_brasil@hotmail.com](mailto:fael_brasil@hotmail.com)>  
Vasily Gunbin<[info@vjarchitecture.com](mailto:info@vjarchitecture.com)>

## Attwala, Pravina

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**Subject:** FW: A072/20 - REQUEST FOR COMMENTS

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

**Sent:** September-02-20 3:06 PM

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

**Subject:** [External] RE: A072/20 - REQUEST FOR COMMENTS

Good afternoon Pravina,

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

Regards,

*Gabrielle*

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

**Attwala, Pravina**

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**Subject:** FW: A072/20 - REQUEST FOR COMMENTS

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**From:** Hajjar, Alexander (MTO) <Alexander.Hajjar@ontario.ca>

**Sent:** August-21-20 4:31 PM

**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>

**Cc:** Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A072/20 - REQUEST FOR COMMENTS

Good Afternoon Pravina,

MTO has reviewed the subject land(s) located at 21 Lacrosse Tr. in the City of Vaughan. The subject lands are outside the MTO permit control area and therefore do not require a permit from this office.

Best Regards,

**Alexander Hajjar**

*Transportation Technician*

*Highway Corridor Management Section*

*Ministry of Transportation, MTO*

*416.235.4504*