

File: A077/20**Applicant:** Francesco and Cristina Ricciuti**Address:** 11 Via Piani Woodbridge**Agent:** None

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		
Cultural Heritage (Urban Design)		
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Lenore Providence
Hearing Date: Thursday, October 1, 2020



Minor Variance
Application

Agenda Item: 15

A077/20

Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday , October 01, 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

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: Francesco and Cristina Ricciuti

Agent: None

Property: 11 Via Piani, Woodbridge

Zoning: The subject lands are zoned RD3 Residential Detached Dwelling and subject to the provisions of Exception 9(1283) under By-law 1-88 as amended.

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

Related Files: None.

Purpose: Relief from by-law 1-88, as amended, is being requested to permit the construction of a proposed pavilion and pool to be located in the rear yard as well as a proposed change area/storage room to be located in the westerly side yard. Relief is also being requested to permit the existing 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 a minimum rear yard setback of 0.61 metres to the accessory structure (pavilion).
2. A minimum interior side yard setback of 1.2 metres is required.	2. To permit a minimum westerly interior side yard setback of 0.61 metres to the accessory structure (pavilion).
3. A minimum rear yard setback of 0.60 metres is required.	3. To permit a minimum rear yard setback of 0.43 metres to the accessory building (shed).
4. A minimum interior side yard setback of 0.6 metres is required.	4. To permit a minimum easterly interior side yard setback of 0.53 metres to the accessory building (shed).
5. A maximum building height of 2.5 metres is permitted for structures under 8m2.	5. To permit a maximum building height of 3.12 metres for the accessory building (shed).
6. A minimum interior side yard setback of 1.5 metres is required to a swimming pool.	6. To permit a minimum westerly interior side yard setback of 0.92 metres to the swimming pool.
7. All accessory buildings and structures shall be located entirely within the rear yard.	7. To permit the accessory building (storage structure) to be permitted in the interior side yard.
8. A minimum interior side yard setback of 1.2 metres is required.	8. To permit a minimum interior side yard setback of 1.09 metres to the accessory building (change room).

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. 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 7, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2009

Applicant has advised that they cannot comply with By-law for the following reason(s): All accessory structures are required to maintain the setbacks applicable to the main building, which would severely limit the ability for such buildings to be constructed.

Adjournment Request: None

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.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is requesting permission to construct a pavilion, change room, swimming pool and to maintain an existing shed in the rear yard with the above-noted variances. Development Planning Department staff visited the site on September 15, 2020 and observed the existing shed and the proposed locations of the pavilion, pool and change room. Development Engineering staff have no concerns with the drainage along the property line for the subject property. The existing height of 3.12 m for the shed is compatible with similar structures constructed in neighbouring yards. As such, Variances 3, 4 and 5 are considered minor in nature.

The proposed height of the pavilion is 3.12 m at the peak, which complies with the maximum height requirement of 4.5 m. The roofline slopes down toward the rear lot line where the maximum height decreases to 2.79 m. As the pavilion is open and enclosed, with the exception the back and side walls, the proposed rear and interior yard setbacks are appropriate and will not have adverse impacts on the neighbouring properties. As such, variances 1 and 2 are minor in nature.

The reduced interior yard setback to the swimming pool is consistent with previous approvals, has received Development Engineering’s support and has no impact on neighbouring properties. The proposed change room is attached to the dwelling and is located in the interior yard. Given the limited size and proposed height of 2.43 m, the small 0.11 m reduction in the minimum interior side yard will have no adverse impacts on the neighbouring property to the west.

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

The Development Planning Department recommends approval of the application.

Development Engineering:

The Development Engineering Department has reviewed the proposed minor variance for the existing setbacks of 0.53m and 0.43m to the existing shed that has been existing since 2012. Through photographs provided by the applicant we have confirmed the shed has a cement base with clear stone surrounding the base allowing for drainage to flow property along the property line. Although the setback is less than what the Engineering Department usually allows we have confirmed that the neighboring property has a rear yard catch basin designed to receive any drainage along the rear. With the clear stone allowing for drainage and a rear yard catch basin, we have no concerns with the impacts along the property line swale for this property.

The Development Engineering (DE) Department does not object to variance application A077/20.

Parks, Forestry and Horticulture Operations:

No comments or concerns.

Recommended condition of approval:

Applicant/owner shall install hoarding around city owned boulevard tree to the satisfaction of Vaughan Forestry. Build hoarding according to design detail MLA 107B. Forestry to inspect hoarding prior to removing condition.

By-Law and Compliance, Licensing and Permit Services:

No comments.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No comments.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
MTO – Located outside of MTO permit control area

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
2	<div>Parks, Forestry and Horticulture Operations</div> <div>Zachary Guizzetti</div> <div>905-832-8585 x3614</div> <div>Zachary.Guizzetti@vaughan.ca</div>	Applicant/owner shall install hoarding around city owned boulevard tree to the satisfaction of Vaughan Forestry. Build hoarding according to design detail MLA 107B. Forestry to inspect hoarding prior to removing condition.

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.

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.

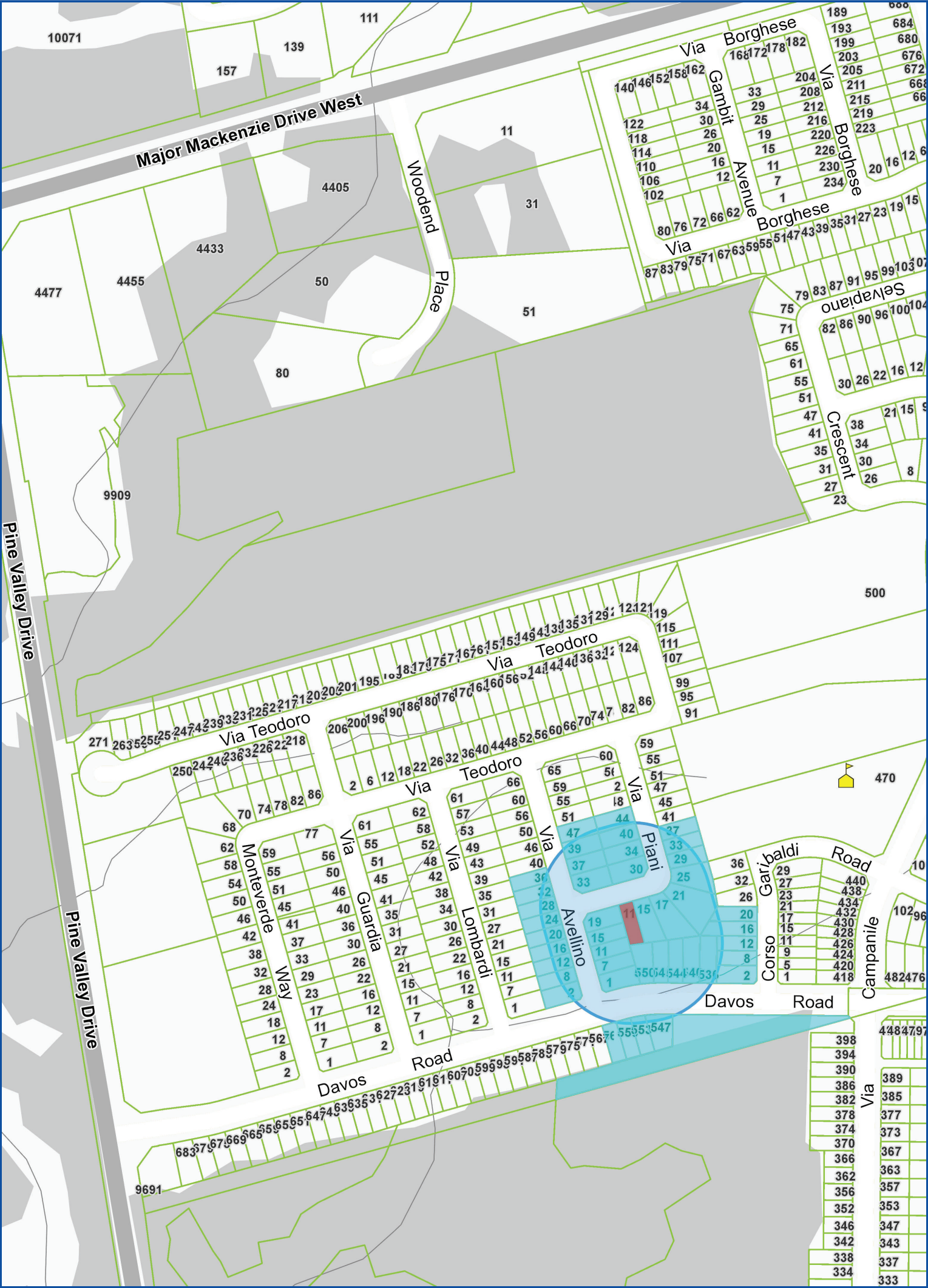
For further information please contact the City of Vaughan, Committee of Adjustment

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

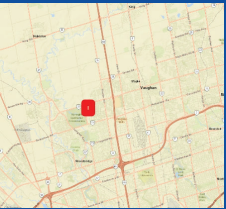
Schedule A: Plans & Sketches

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:

11 VIA PLANÌ, WOODBRIDGE

NOTIFICATION MAP - A077/20

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: 1:4,068

0 0.06 km



Created By:

Infrastructure Delivery
Department
September 13, 2020 6:39 AM

Projection:
NAD 83
UTM Zone
17N

LANDSCAPE DESIGN AT 11 VIA PIANI, WOODBRIDGE

- Ⓐ - 6FT (1.8 M) WOOD FENCE
Ⓑ - GATE
SELF LATCHING
SELF CLOSING
Ⓒ - GARDEN BEDS

INTERLOCK DECK

PROPOSED
POOL EQUIPMENT
EXISTING SHED
7.43 SQ.M.

6' (1.8 M) HEIGHT WOOD FENCE
Fences in rear (exterior)
to a maximum of 1.8 metre
(or about 6FT.) in height
(0.61M) UNDISTURBED SOIL
NO CHANGE WITH 0.6M
FROM PROPERTY LINE

PROPOSED PAVILION
10' x 23' (3.06M x7.02M)
MAX. 9'-2"-10'-3" HEIGHT (3.12 M)
(SEE ARCHITECT FOR DETAILS)

0.61m

#1, #2

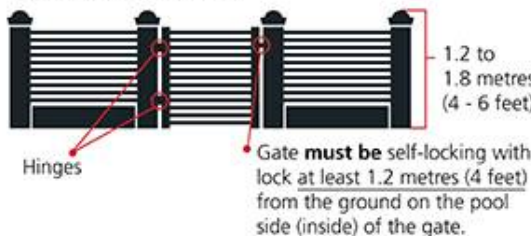
PROPOSED POOL 3.66 M x 7.92 M

0.92m

#6

EXISTING DECK
+ STEPS

Pool Perimeter Fence:



1.09m

#8

1.8M HEIGHT
WOOD GATE
SELF CLOSING
&
SELF LATCHING

Gate to be closed and locked at all times. All gate hardware, including hinges shall be located inside the gate, and shall be located at least 4' from the ground. Equipped with self-closing and self-latching devices on the inside of the gate. Not exceeding height requirements (NON- CLIMBABLE)

1. To permit a minimum rear yard setback of 0.61 metres to the accessory structure (pavilion).
2. To permit a minimum westerly interior side yard setback of 0.61 metres to the accessory structure (pavilion).
3. To permit a minimum rear yard setback of 0.43 metres to the accessory building (shed).
4. To permit a minimum easterly interior side yard setback of 0.53 metres to the accessory building (shed).
5. To permit a maximum building height of 3.12 metres for the accessory building (shed).
6. To permit a minimum westerly interior side yard setback of 0.92 metres to the swimming pool.
7. To permit the accessory building (storage structure) to be permitted in the interior side yard.
8. To permit a minimum interior side yard setback of 1.09 metres to the accessory building (change room).

FRONT
HARDSCAPE 615 SQ.FT.-45 %
SOFTSCAPE 338 SQ.FT.-55 %

0 5 10 20
SCALE IN FEET

0 1 2 3 4 5 10
SCALE IN METERS



LANDSCAPE DESIGN
TANAH LANDSCAPECA

Client :
RICCUTI

Address :
11 VIA PIANI

WOODBRIDGE

416-399-7174

Scale :
3/32"=1'-0"

Plan No : 200150

Designer :
TANIA NAPOLITANO

Date :
AUG 4 2020

PLEASE NOTE ALL MEASUREMENTS
ARE TO BE CHECKED BY CONTRACTOR
PRIOR TO COMMENCEMENT
OF CONSTRUCTION
REFER TO ENGINEER FOR GRADING
NOTES (Structures to be
designed by
Architectural Services)
PROPOSED GRADES 45' - (00)
EXISTING GRADES 40' - (00)
ALL GRADE UNITS
ARE IN FEET (NOTES)

REVISIONS:

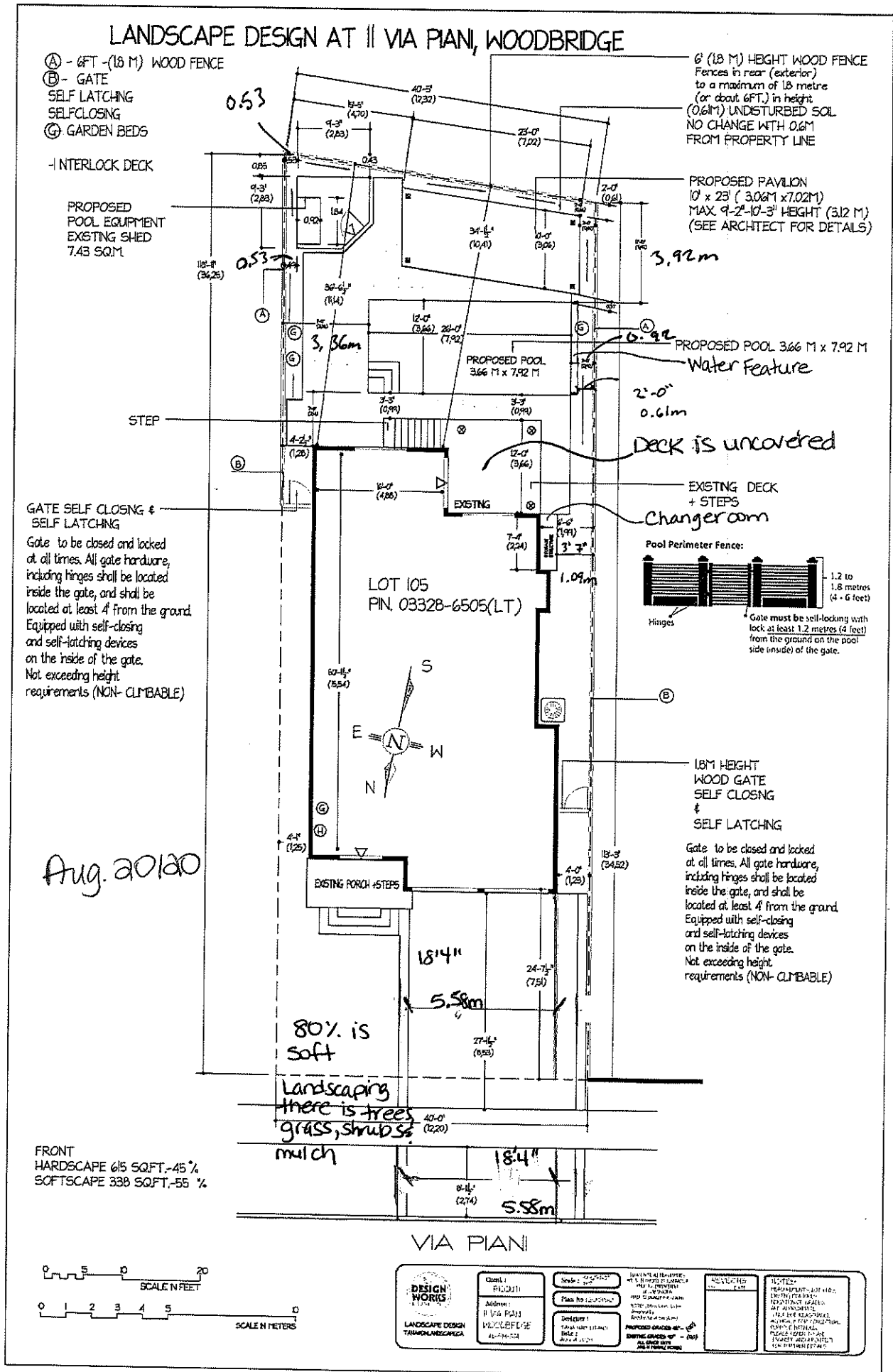
QTY. DATE

NOTES:
MEASUREMENTS, LOT LINES,
EXISTING FEATURES,
INDICATION OF GRADES
ARE APPROXIMATE
ONLY BUT REASONABLE
ACCURACY FOR CONCEPTUAL
PURPOSE INTENDED.
PLEASE REFER TO AND
ENGINEER AND ARCHITECT
FOR FURTHER DETAILS

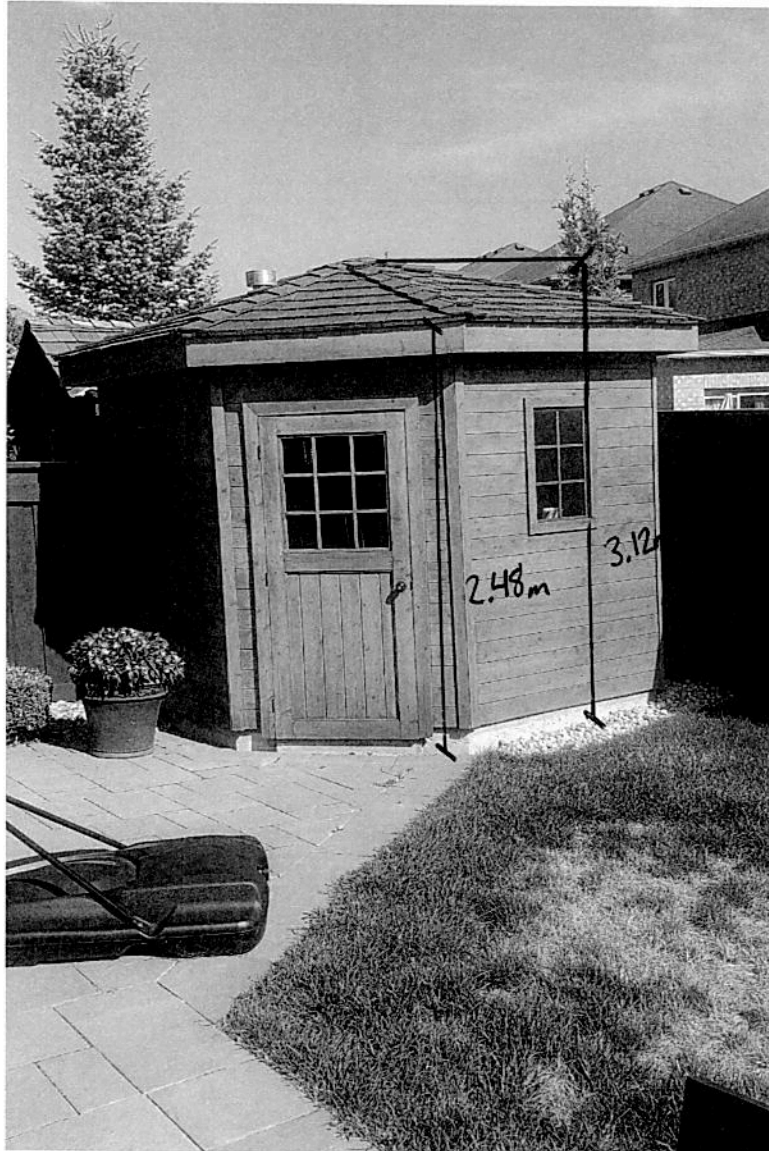
Revised

August 27, 2020

A077/20

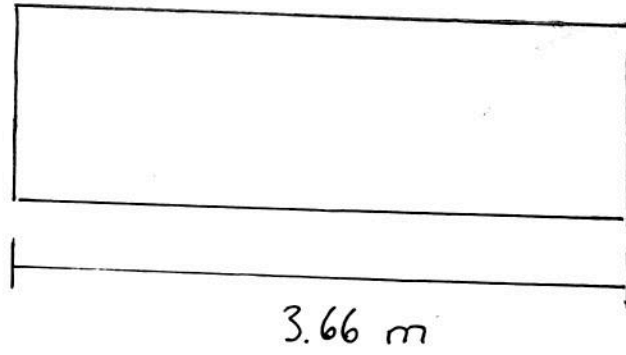
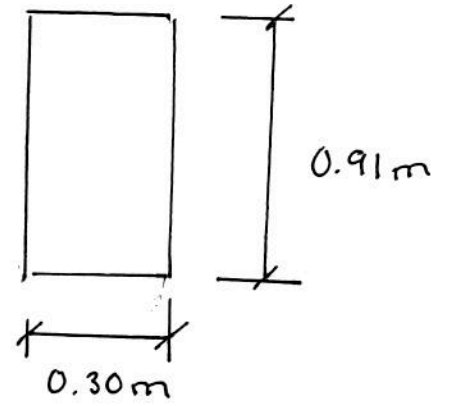


Existing Shed



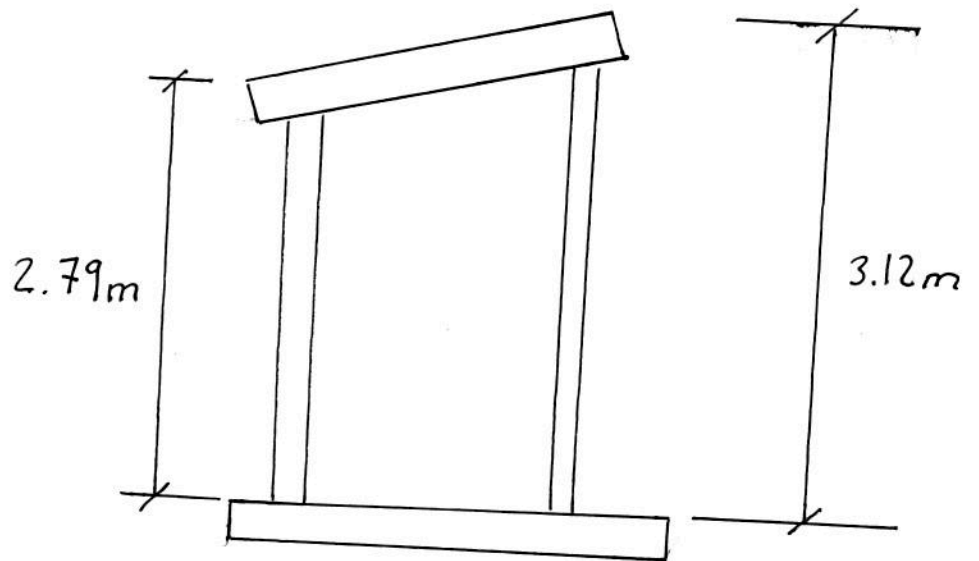
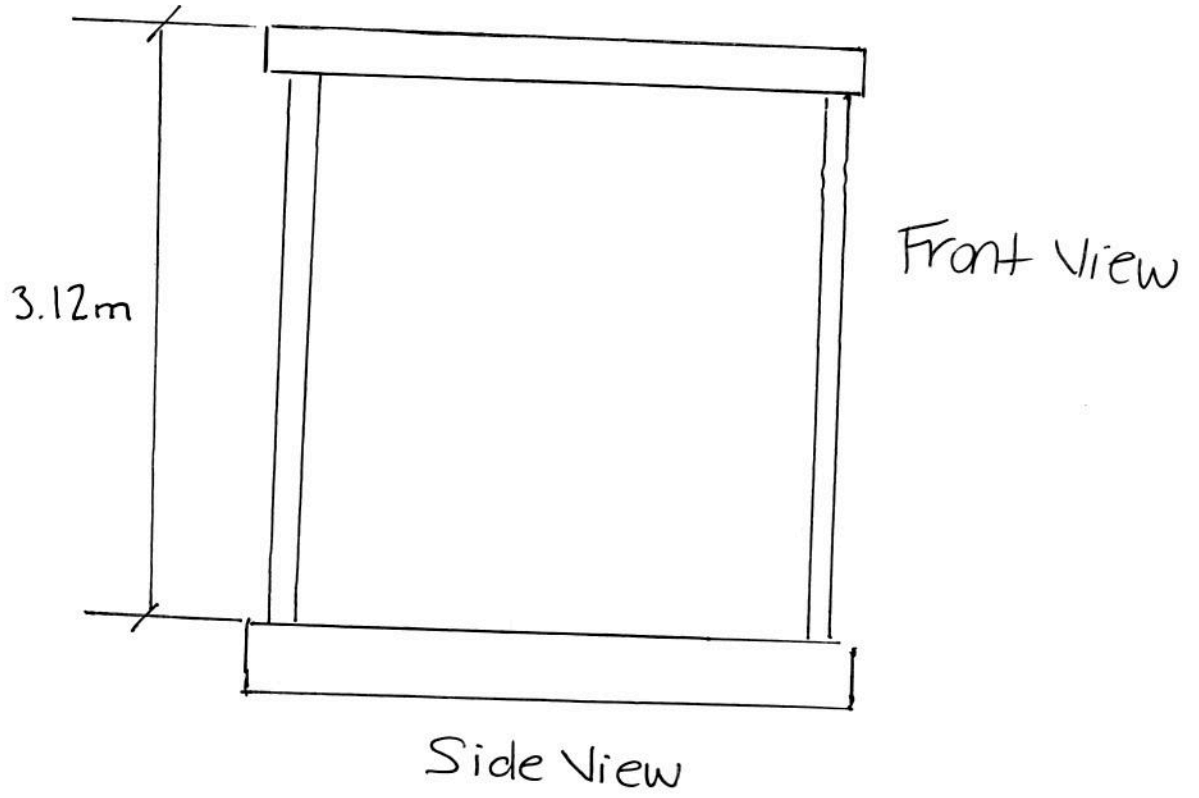
Pool Water Feature

Side View



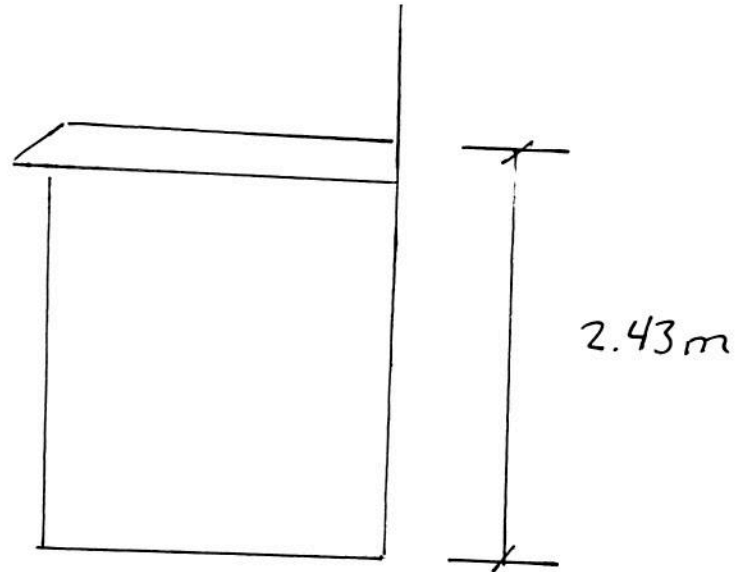
Front View

Pavillion

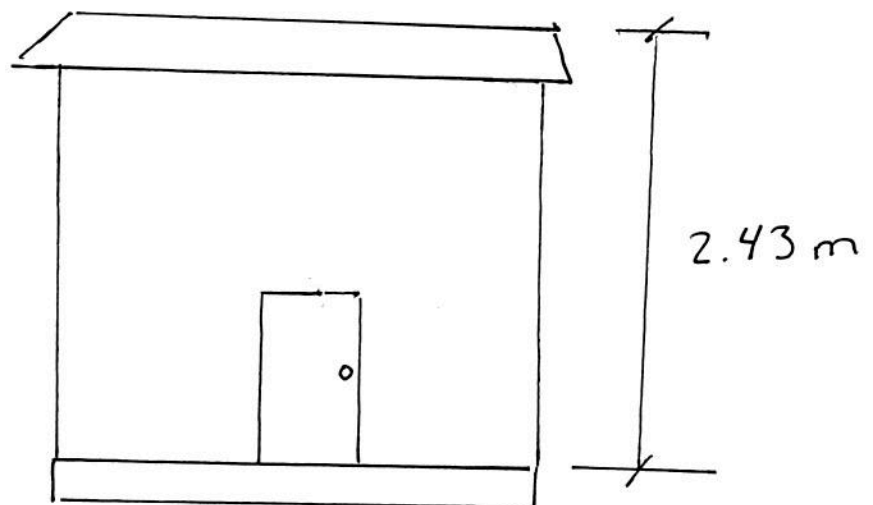


Change room

Side View



Front View



RECEIVED

September 23, 2020

Committee of Adjustment

A077/20









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.

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.-

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

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: A077-20 - REQUEST FOR COMMENTS - 11 Via Piani, Woodbridge, (full circulation)

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

Sent: September-03-20 2:16 PM

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

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

Subject: [External] RE: A077-20 - REQUEST FOR COMMENTS - 11 Via Piani, Woodbridge, (full circulation)

Good Afternoon Lenore,

MTO has reviewed the subject land(s) located at 11 Via Piani Rd. 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

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

Sent: September 3, 2020 1:25 PM

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

Cc: Shen, Rey (MTO) <Rey.Shen@ontario.ca>

Subject: FW: A077-20 - REQUEST FOR COMMENTS - 11 Via Piani, Woodbridge, (full circulation)

Dan Della Mora

Senior Project Manager

Dan.DellaMora@ontario.ca

Providence, Lenore

Subject: FW: A077-20 - REQUEST FOR COMMENTS - 11 Via Piani, Woodbridge, (full circulation)

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

Sent: September-14-20 3:56 PM

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

Subject: [External] RE: A077-20 - REQUEST FOR COMMENTS - 11 Via Piani, 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 | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca