



File: A083/20

Applicant: Matthew Aquino

Address: 2 Winterlude Court, Kleinburg

Agent: Ian Robertson Design

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)	<input checked="" type="checkbox"/>	
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: None

Background History: A206/16, A007/16, A092/15 and A007/12

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, October 1, 2020



**Minor Variance
Application**

Agenda Item: 20

A083/20

Ward: 1

Staff Report Prepared By: Adriana MacPherson, 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

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:** Matthew Aquino
- Agent:** Ian Robertson Design
- Property:** **2 Winterlude Court, Kleinburg**
- Zoning:** The subject lands are zoned R1 and subject to the provisions of Exception 9(1162) 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 reduced minimum soft landscaping to accommodate the existing Bocce Court located in the rear/exterior side yard.

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

By-law Requirement	Proposal
In an R1 Zone, where the area of a rear yard of a lot is greater than 135 sq. m., a minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 sq. m shall be composed of soft landscaping; in this case, 74.1 square metres. [4.1.2 b)]	A total of 42.9% of that portion of the rear yard in excess of 135 sq. m is proposed as soft landscaping; in this case, 53.0 square metres.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A206/16	To permit generator in the side yard	Approved – June 2/16
A007/16	To permit driveway widening and curb cut	Approved – Jan 14/16
A092/15	To permit 2 accessory buildings in rear yard and increase in lot coverage	Approved – March 26/15
A007/12	To permit a proposed dwelling and variances to building height and side yard setback	Approved – Jan 12/12

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: None

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 15, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2012
Accessory Building in rear yard	2015

Applicant has advised that they cannot comply with By-law for the following reason(s): Interpretation of the by-law does not permit the bocce court to be considered soft landscaping. Although the materials are pervious and allow for drainage.

Adjournment Request: None

Building Standards (Zoning Review):

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

- Building Permit No. 12-001802 for Single Detached Dwelling - New, Issue Date: Jul 11, 2012
- Building Permit No. 12-001802 for Single Detached Dwelling - Alteration, Issue Date: Aug 01, 2012
- Building Permit No. 15-001111 for Shed/Gazebo - New, Issue Date: May 08, 2015
- Building Permit No. 15-001110 for Single Detached Dwelling - Alteration, Issue Date: May 08, 2015

Other Comments:

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:

Application under review.

Cultural Heritage (Urban Design):

No Response.

Development Engineering:

The Development Engineering Department has reviewed the minor variance for the proposed 42.9% soft landscaping within the rear yard when a total of 60% is required and has received confirmation from the applicant that the Bocce Court within the rear yard is pervious and allows for drainage. Based on the review of the materials used for the Bocce Court, Development Engineering Department has confirmed that the court is permeable and allows for drainage and will include it as a soft landscaping calculation.

The Development Engineering (DE) Department does not object to variance application A083/20.

Parks, Forestry and Horticulture Operations:

If the applicant is using the City boulevard to access their property, they must apply for an Access Agreement prior Park's sign off. Recommended condition of approval:

That the applicant apply for an Access Agreement if using City boulevard as access point to private property.

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)

A206/16, A007/16, A092/15 and A007/12

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	Parks, Forestry and Horticulture Operations Patrick Courchesne 905-832-8585 x 3617 Patrick.Courchesne@vaughan.ca	That the applicant apply for an Access Agreement if using City boulevard as access point to private property.

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://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

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
Adriana MacPherson
T 905 832 8585 Extension 8360
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.

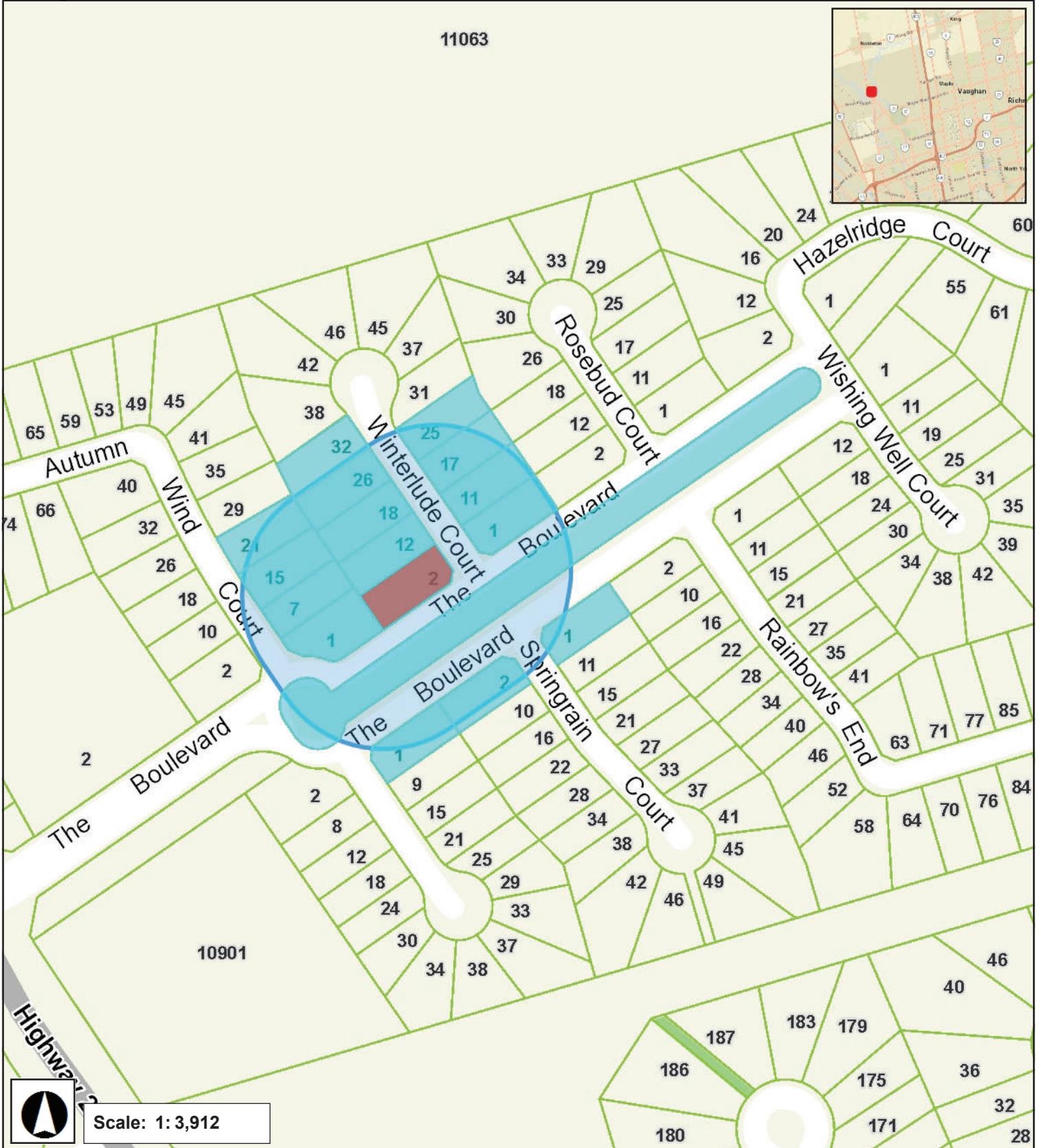
Location Map
Plans & Sketches

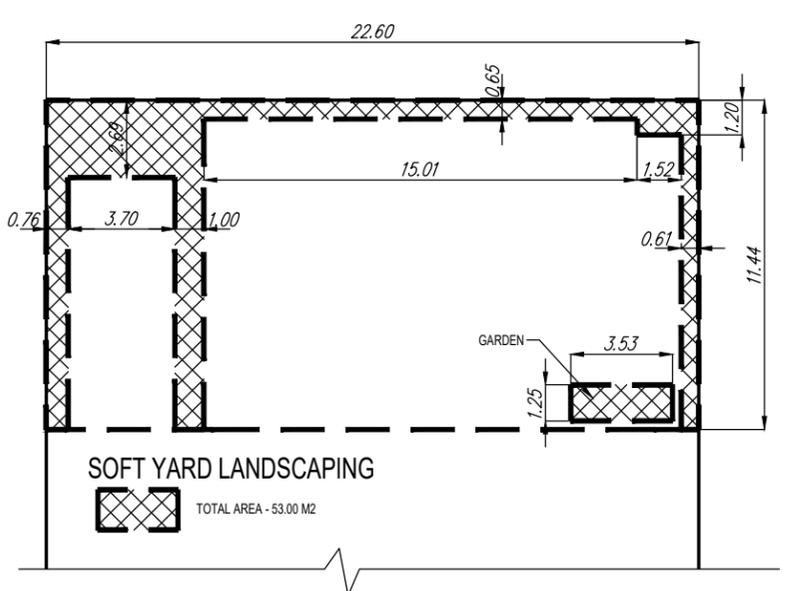
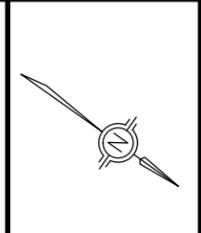


A083/20- Notifiction Map

2 Winterlude Court, Kleinburg

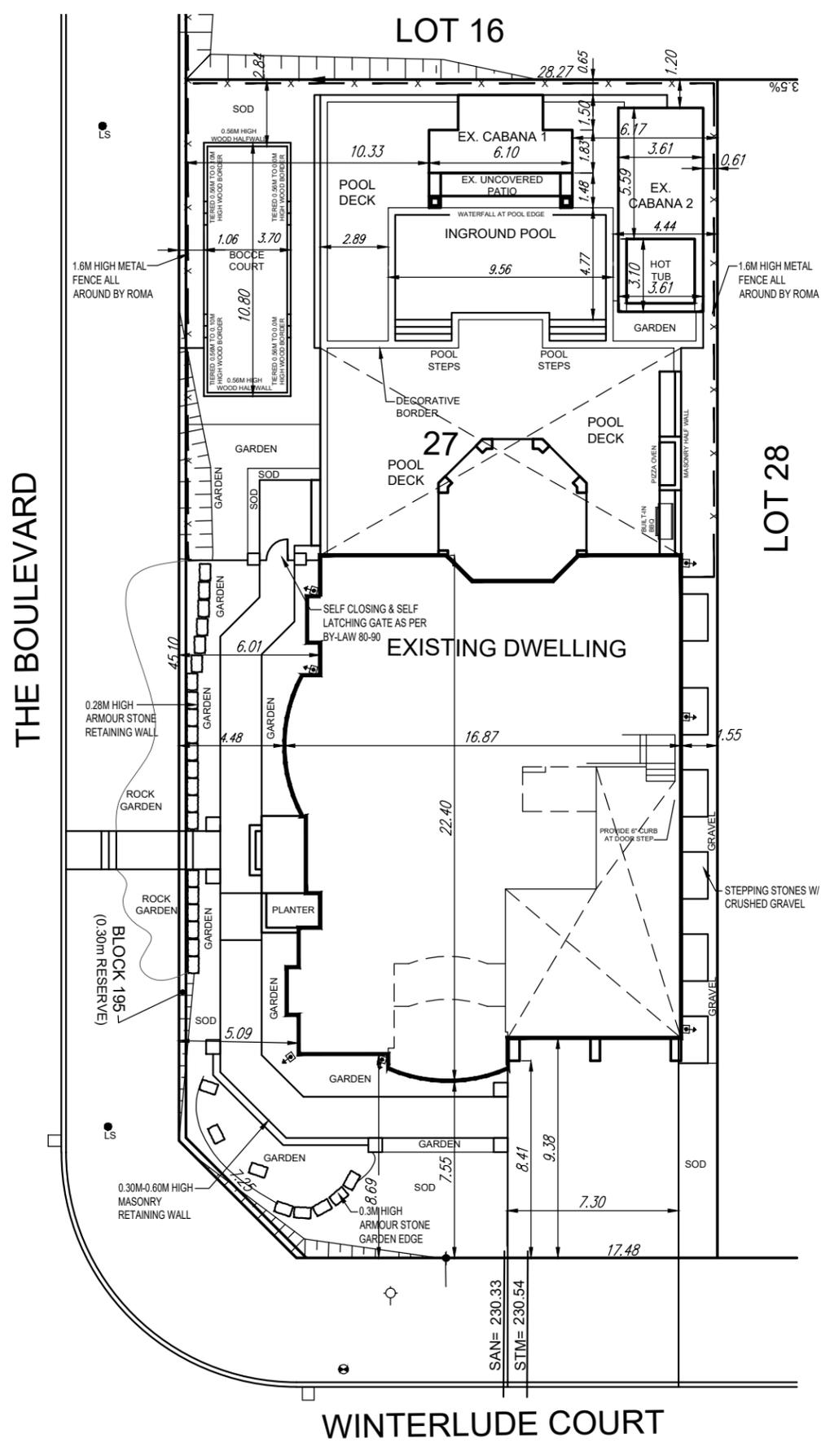
Kirby Road





**CITY OF VAUGHAN
RESIDENTIAL LOT GRADING NOTES**

1. ALL DIMENSIONS AND GRADE ELEVATIONS ARE EXPRESSED IN SI UNITS.
2. THE CONTRACTOR SHALL CHECK AND VERIFY ALL GIVEN GRADE ELEVATIONS AND DRAINAGE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. UNDERSIDE OF FOOTING SHOWN IS TAKEN FROM ARCHITECTURAL PLANS AND MAY NOT REPRESENT ACTUAL FOOTING DEPTH.
4. FOOTINGS MUST BEAR ON NATIVE, UNDISTURBED SOIL OR ROCK, AND BE A MINIMUM OF 1.22 M BELOW FINISHED GRADE.
5. WHERE REAR LOT CATCH BASINS ARE PROVIDED, HOUSE FOOTINGS ADJACENT TO RLCB LEAD MUST BE LOWER THAN THE LEAD. RLCB LEADS SHALL HAVE MINIMUM 150mm CONCRETE ENCASUREMENT FROM SEWER TO CB.
6. PERMISSIBLE SIDEYARD ENCROACHMENTS (IE A.C. UNITS, CHIMNEYS, GAS AND HYDRO METERS, WATER SPIGOTS, ETC.) MAY NOT ENCR OACH BY MORE THAN 0.5 M (ENTRY STEPS & BAY WINDOW 0.3 M) NOR BE WITHIN 1.2 M OF ANY LOT LINE (EXCLUDING EAVES AND GUTTERS).
7. IF THE DISTANCE BETWEEN MAIN WALLS OF ADJACENT UNITS IS < 1.8M, THE SIDEYARD DRAINAGE SWALE SHALL HAVE MINIMUM GRADIENT OF 3% AND BE CONSTRUCTED OF A PATIO SLAB WALKWAY ON MIN. 50mm OF 20mm CLEAR STONE ON MIN. 130mm OF GRAN. "B", 20mm C.R. LIMESTONE OR LIMESTONE SCREENINGS.
8. EXTERIOR CLADDING, THRESHOLDS, AND WINDOW SILLS SHALL BE A MINIMUM OF 150mm ABOVE FINISHED GRADE, WHERE WINDOW WELLS ARE PROVIDED, THEY MUST BE PROPERLY DRAINED AND CONNECTED TO THE FOUNDATION DRAIN.
9. ROOF DOWNSPOUTS MUST DISCHARGE AT THE FRONT OF DWELLING UNITS ONTO TURF VIA CONCRETE SPLASH PADS WITHOUT CONFLICTING WITH WALKWAYS. ROOF DRAINS SHALL NOT BE CONNECTED TO STORM OR SANITARY SEWERS.
10. SLOPE PARAMETERS
DRIVEWAYS -- MINIMUM 1.5%; MAXIMUM 8%
SWALES -- MINIMUM 2%; MAXIMUM 5%
EMBANKMENTS -- MAX. 3H:1V; MAX. ELEVATION DIFFERENTIAL 600mm
FRONT AND REAR YARDS -- MINIMUM 2%; MINIMUM 6M @ 2% TO 5%
11. DRIVEWAYS MUST CLEAR ABOVE-GROUND SERVICES OR OTHER OBSTRUCTIONS (LIGHT STANDARDS, HYDRO TRANSFORMERS, BELL PEDESTALS, ETC.) BY A MINIMUM OF 1.0M. NO DEFLECTION IN DRIVEWAY ALIGNMENT IS PERMITTED TO ACHIEVE THIS CLEARANCE.
12. DRIVEWAYS -- GRAN. "A" MINIMUM 200mm AFTER COMPACTION
HL8 MINIMUM 50mm AFTER COMPACTION PLACED WITHIN 9 MONTHS OF OCCUPANCY.
HL3 MINIMUM 25mm AFTER COMPACTION PLACED ONE WINTER AFTER THE HL8. MAXIMUM WIDTH 6.0 METRES.
13. WATER SERVICE BOXES SHOULD NOT BE LOCATED WITHIN 1.0M OF THE EDGE OF A DRIVEWAY. FROST COLLARS ARE TO BE PROVIDED AND INSTALLED TO CITY OF VAUGHAN ENGINEERING STANDARDS WHERE A WATER SERVICE VALVE-BOX IS LOCATED IN A DRIVEWAY.
14. THE FIRM OR PERSON HIRING THE SOD CONTRACTOR MUST ENSURE THAT ALL WATER BOXES ARE ADJUSTED TO SOD LEVEL AND ARE OPERATIONAL FOLLOWING COMPLETION OF THE WORKS.
15. TOPSOIL -- MINIMUM 100mm UNDER ALL TURF REFER TO VAUGHAN LOT GRADING DESIGN CRITERIA AND BY-LAWS 1-88 AND 353-90 FOR COMPLETE REQUIREMENTS.
16. REFER TO VAUGHAN LOT GRADING DESIGN CRITERIA AND BYLAWS 1-88 AND 353-90 FOR COMPLETE REQUIREMENTS.
17. BUILDER IS TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS, AND OTHER SERVICES. IF MINIMUM DIMENSIONS ARE NOT MAINTAINED, THE BUILDER IS TO RELOCATE THEM AT HIS OWN EXPENSE.



Proposal:
A total of 42.9% of that portion of the rear yard in excess of 135 sq. m is proposed as soft landscaping; in this case, 53.0 square metres.

BUILDING HEIGHT (FROM AVERAGE GRADE)		
LOT No.	AVERAGE GRADE	O/A HEIGHT (10.50 MAX)
27	233.80	13.40

LOT No.	HOUSE TYPE	FRONT YARD AREA m2	50% MIN. LANDSCAPE AREA m2	TOTAL LANDSCAPE AREA - DRIVEWAY	% LANDSCAPE AREA
27	CUSTOM	187.72	(187.72 X 50%)= 93.86 m2	(187.72-68.13)= 119.59	63.70%
			60% MIN. SOFT LANDSCAPE AREA m2 56.31 m2	(119.59-28.15)= 91.44	97.42%
27	CUSTOM	187.72	50% MIN. LANDSCAPE AREA m2 52.40 m2	(104.80-0.00)= 104.80	63.70%
			60% MIN. SOFT LANDSCAPE AREA m2 31.44 m2	(104.80-48.62)= 56.18	107.2%
			REAR YARD AREA m2 258.45	(258.45-135 =123.45) (123.45 X 60%)= 74.07 m2	53.00

**IAN ROBERTSON DESIGN
GENERAL NOTES**

1. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE BEFORE PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO 1RISER DESIGN PRIOR TO COMMENCEMENT OF WORK.
2. 1RISER DESIGNS IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL OR ENGINEERING INFORMATION SHOWN ON THESE DRAWINGS OR FOR CONSTRUCTION STARTED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH WORK.
3. AS CONSTRUCTED INVERTS MUST BE VERIFIED PRIOR TO POURING FOOTINGS.
4. 1RISER DESIGNS HAS NOT BEEN RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUB CONTRACTOR TO CARRY OUT WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
5. THIS DRAWING IS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF 1RISER DESIGN. THIS DRAWING IS NOT TO BE SCALED.

ST — STORM CONNECTION	⊗ VALVE AND CHAMBER	2.0% PROP. SWALE
SA — SANITARY CONNECTION	⊙ STREET LIGHT	PROPOSED 3:1 SLOPE
W — WATER CONNECTION	⊗ VALVE AND BOX	ENGINEERED FILL LOT
H — HYDRO CONNECTION	● SANITARY MANHOLE	TRANSFORMER
□ DOUBLE CATCH BASIN	● STORM MANHOLE	CABLE TV PEDESTAL
□ CATCH BASIN	✉ COMMUNITY MAIL BOX	BELL PEDESTAL
⊙ HYDRANT	⬇️ DOWNSPOUT LOCATION	HYDRO METER
		GAS METER

<p>SITE GRADING PLAN 2 WINTERLUDE COURT</p> <p>The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.</p> <p>QUALIFICATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 2.2.5 OF THE BUILDING CODE IAN ROBERTSON 27816</p> <p>REGISTRATION INFORMATION REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 2.2.4 OF THE BUILDING CODE 1RISER DESIGNS Inc. 32026</p>		<p>Client: MATTHEW AQUINO</p> <p>Project: 2 WINTERLUDE COURT CITY OF VAUGHAN</p> <p>Plan #: 65M-3895 Lot #: 27</p> <p>Drawn by: IR/BM Checked by: IR</p> <p>Scale: 1:250 Date: 07/11/19</p> <p>Project #: 11-55</p>
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Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

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



Discover the possibilities

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

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

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A083/20 - Request for Comments

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

Sent: August-26-20 3:04 PM

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

Subject: [External] RE: A083/20 - Request for Comments

Good afternoon Adriana

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 | 1-877 464 9675 ext 71538 |
Gabrielle.hurst@york.ca | www.york.ca

From: [Hajjar, Alexander \(MTO\)](#)
To: [MacPherson, Adriana](#)
Cc: [Scholz, Kevin \(MTO\)](#); [Committee of Adjustment](#)
Subject: [External] RE: A083/20 - Request for Comments
Date: Tuesday, August 25, 2020 4:30:35 PM
Attachments: [image003.emz](#)
[image004.png](#)

Good Afternoon Adriana,

MTO has reviewed the subject land(s) located at 2 Winterlude Court 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

Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Applications A206/16, A007/16, A092/15 and A007/12

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A206/16

APPLICANT: MATTHEW AQUINO

PROPERTY: Part of Lot 27, Concession 8 (Lot 27, Registered Plan 65M-3895) municipally known as 2 Winterlude Court, Kleinburg.

ZONING: The subject lands are zoned R1, Residential Zone One and subject to the provisions of Exception 9(665) under By-law 1-88 as amended.

PURPOSE: To permit a generator located in side yard.

PROPOSAL: 1. To permit a generator in the location as shown on the attached sketch.

BY-LAW REQUIREMENT: 1. The zoning by-law does not permit a generator.

BACKGROUND INFORMATION: Other Planning Act Applications
The land which is the subject in this application was also the subject of another application under the Planning Act:

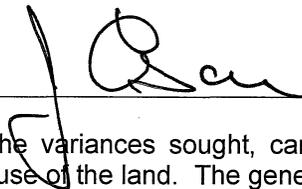
Minor Variance Application:
A092/15 - Approved- March 26, 2015- To permit to construction of two accessory bldgs
A007/12 - Approved January 12, 2012 (bldg height=13.61m; ext. side yard=3.22m).

A sketch is attached illustrating the request.

MOVED BY:



SECONDED BY:



THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A206/16, MATTHEW AQUINO**, be **APPROVED**, in accordance with the sketches attached

REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: Mary Mauti

Signed by all members present who concur in this decision:

~~ABSENT~~
H. Zheng,
Chair

Mary Mauti
M. Mauti,
Vice Chair

~~ABSENT~~
R. Buckler,
Member

J. Cesario
J. Cesario,
Member

A. Perrella
A. Perrella,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

T. Coles
Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing:	JUNE 2, 2016
Last Date of Appeal:	JUNE 22, 2016

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

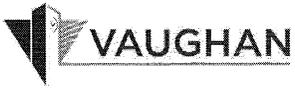
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

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NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:
JUNE 22, 2017



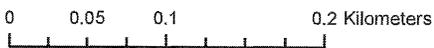
Location Map- A206/16

Kirby Road

2 Winterlude Court, Kleinburg



City of Vaughan



The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

NOTICE OF DECISION

MINOR VARIANCES

FILE NUMBER: A007/16

APPLICANT: MATTHEW PETER AQUINO

PROPERTY: Part of Lot 27, Concession 8 (Lot 27, Registered Plan 65M-3895) municipally known as 2 Winterlude Court, Kleinburg.

ZONING: The subject lands are zoned R1, Residential Zone and subject to the provisions of Exception 9(1162) under By-law 1-88 as amended.

PURPOSE: To permit the construction of driveway widening and curb cut as follows:

PROPOSAL:

1. To permit a maximum driveway width of 7.4m at the street curb and curb cut.
2. To permit the portion of the driveway between the street line and the street curb not to exceed 7.4m in width.

BY-LAW REQUIREMENT:

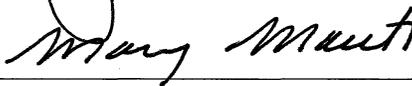
1. The maximum width of driveway at the street curb and curb cut shall be 6.0m.
2. The portion of the driveway between the street line and the street curb shall not exceed 6.0m in width.

Sketches are attached illustrating the request.

MOVED BY:



SECONDED BY:



THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A007/16**, **MATTHEW PETER AQUINO**, be **APPROVED**, in accordance with the sketches attached

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: Perrella

Signed by all members present who concur in this decision:

Perrella
A. Perrella,
Chair

Zheng
H. Zheng,
Vice Chair

Buckler
R. Buckler,
Member

Cesario
J. Cesario,
Member

Mauti
M. Mauti,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

T. Coles
Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing: JANUARY 14, 2016
Last Date of Appeal: FEBRUARY 3, 2016

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

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CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **FEBRUARY 3, 2017**

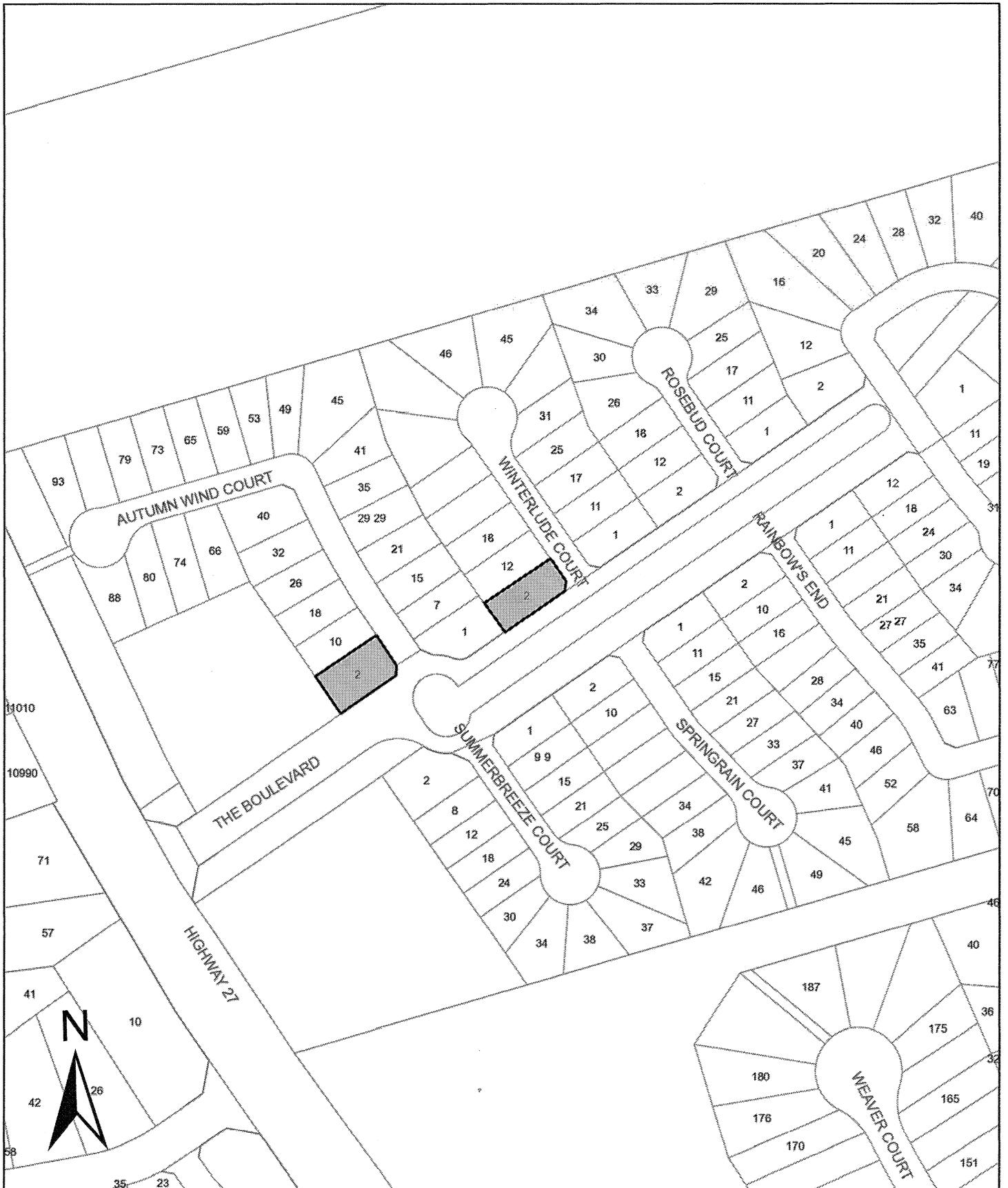


VAUGHAN

Location Map - A005/16 & A007/16

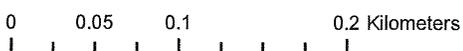
KIRBY ROAD

2 Autumn Wind Court & 2 Winterlude Court, Kleinburg



TESTON ROAD

City of Vaughan



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NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A092/15

APPLICANT: MATTHEW AQUINO

PROPERTY: Part of Lot 27, Concession 8 (Lot 27, Registered Plan 65M-3895) municipally known as 2 Winterlude Court, Kleinburg.

ZONING: The subject lands are zoned R1, Residential Zone One and subject to the provisions of Exception 9(665) under By-law 1-88 as amended.

PURPOSE: To permit the construction of two accessory buildings and architectural features, as follows:

PROPOSAL:

1. To permit a minimum rear yard setback of 0.65m to Accessory Building 1.
2. To permit a minimum rear yard setback of 1.2m to Accessory Building 2.
3. To permit a minimum interior side yard setback of 0.61m to Accessory Building 2.
4. To permit a minimum interior side yard setback of 0.61m to Architectural Feature 2.
5. To permit a minimum interior side yard setback of 0.61m to the hot tub.
6. To permit a maximum lot coverage of 37%.

BY-LAW REQUIREMENT:

1. Minimum rear yard setback 7.5m (to Accessory Building 1).
2. Minimum rear yard setback 7.5m (to Accessory Building 2).
3. Minimum interior side yard setback 1.5m (to Accessory Building 2).
4. Minimum interior side yard setback 3.7m (to Architectural Feature 2).
5. Minimum interior side yard setback 1.5m (to hot tub).
6. Maximum lot coverage of 35%.

BACKGROUND INFORMATION: Other Planning Act Applications
The land which is the subject in this application was also the subject of another application under the Planning Act:
Minor Variance Application
A007/12 - Approved January 12, 2012 (bldg height=13.61m; ext. side yard=3.22m).

A sketch is attached illustrating the request.

MOVED BY: 

SECONDED BY: 

THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A092/15, MATTHEW AQUINO**, be **APPROVED**, in accordance with the sketches attached

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: 

Signed by all members present who concur in this decision:


A. Perrella,
Chair


H. Zheng,
Vice Chair


R. Buckler,
Member


J. Cesario,
Member


M. Mauti,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.


Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing:	MARCH 26, 2015
Last Date of Appeal:	APRIL 15, 2015

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

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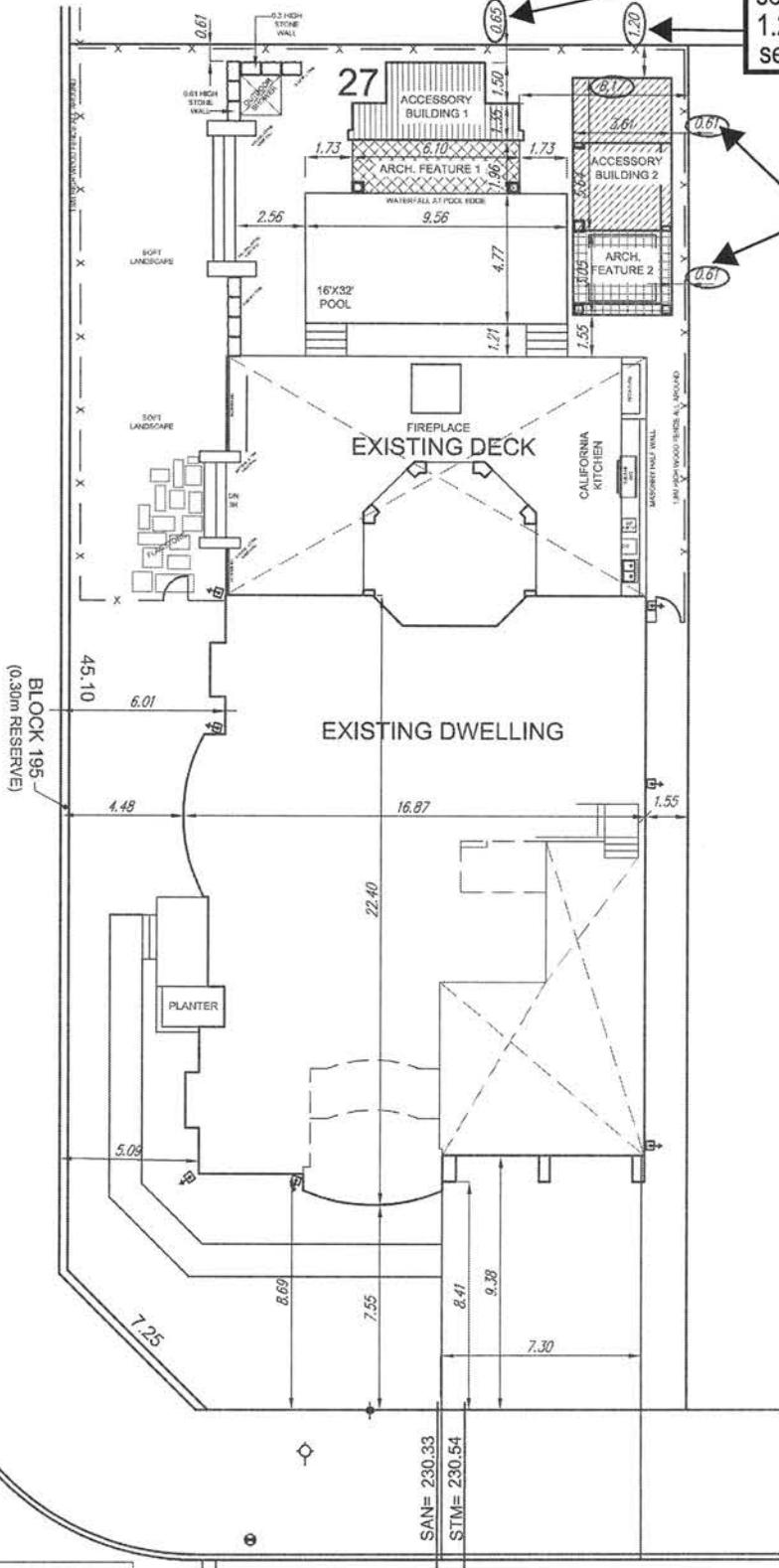
CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **APRIL 15, 2016**

LOT 27 - 2 WINTERLUDE COURT
CITY OF VAUGHAN

**Lot Coverage
= 37%**

THE BOULEVARD



0.65m rear yard setback to Bldg 1
1.2m rear yard setback to Bldg 2

*Side Yard setback to BLDG. 2,
*Architectural Feature, & *Side yard setback to Hot Tub
= 0.61m

- ACCESSORY BUILDING 1
- ACCESSORY BUILDING 2
- ARCH. FEATURE 1
- ARCH. FEATURE 2

SITE STATS			
	REQUIRED	PROPOSED BUILDING 1	PROPOSED BUILDING 2
LOT AREA	700.0s.m.	1121.98s.m.	
LOT FRONTAGE	18.0m	22.60m	
HOUSE COVERAGE	35% (392.69s.m.)	33.90%(380.39s.m.)	
ACCESSORY BLDG COVERAGE		1.2%(13.75m ²)	1.8%(20.35m ²)
TOTAL COVERAGE		37% (414.49m ²)	
REAR YARD LANDSCAPING	60% (114.14m ²)	62.85% (204.42m ²)	
ACCESSORY BLDG	67m ²	13.75m ²	20.35m ²
ARCHITECTURAL FEATURE		11.92m ²	10.99m ²
ACCESSORY BLDG SETBACKS			
-REAR	7.5m	0.65m	1.20m
-SIDE	1.50m	6.17m	0.61m
-SIDE	1.50m	N/A	N/A
ACCESSORY BLDG HEIGHT	4.50m	4.15m	3.70m

WINTERLUDE COURT



KIRBY ROAD



COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
 Phone: (905)832-8585 Fax: (905)832-8535

	FILE NUMBER:	A092/15
	APPLICANT:	MATTHEW AQUINO
		Subject Area Municipally known as 2 Winterlude Court, Kleinburg

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A007/12

APPLICANT: MATTHEW AQUINO

PROPERTY: Part of Lot 27, Concession 8, (Lot 27, Registered Plan 65M-3895, municipally known as 2 Winterlude Court, Kleinburg).

ZONING: The subject lands are zoned R1, Residential under By-Law 1-88 as amended and further subject to exception 9(1162).

PURPOSE: To permit the **construction of a proposed two-storey detached dwelling.**

PROPOSAL:

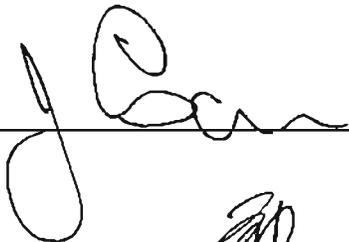
1. Maximum building height 13.61m.
2. Minimum exterior sideyard 3.22m.

BY-LAW REQUIREMENT:

1. Maximum building height 11m.
2. Minimum exterior sideyard 4.5m.

A sketch is attached illustrating the request.

MOVED BY:



SECONDED BY:

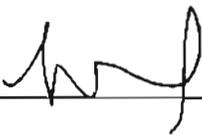


THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

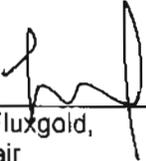
1. THAT Application No. **A007/12, MATTHEW AQUINO,** be **APPROVED,** in accordance with the attached sketch and

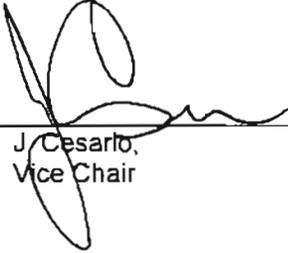
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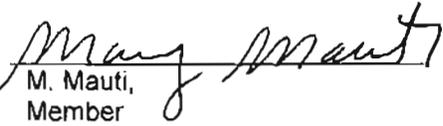
CARRIED.

CHAIR: 

Signed by all members present who concur in this decision:


L. Fluxgold,
Chair


J. Cesario,
Vice Chair


M. Mauti,
Member


A. Perrella,
Member


H. Zheng,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.


Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing: JANUARY 12, 2012
Last Date of Appeal: FEBRUARY 1, 2012

APPEALS

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CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **FEBRUARY 1, 2013**

N35°26'30"W

22.60

A007/12
NEW
RECEIVED
DEC. 8/11



	REQUIRED	PROVIDED
LOT AREA		1121.98
COVERAGE(35%)	392.69	380.39
BUILDING HEIGHT		
- MIDPOINT	11.0m	10.26m
- PEAK	n/a	13.61m
SETBACKS		
- FRONT	7.5m	7.55m
- REAR	7.5m	11.44m
- INTERIOR SIDE	1.5m	1.55m
- EXTERIOR SIDE	4.5m	4.13m

LOT 27

Building height = 13.61m²

THE BOULEVARD

45.10

N54°33'30"E

4.50 (4.50) (4.50)

4.13 (4.50) (4.13)

3.92

2.71

1.79

0.21

4.50

N09°33'30"E
7.25

7.50

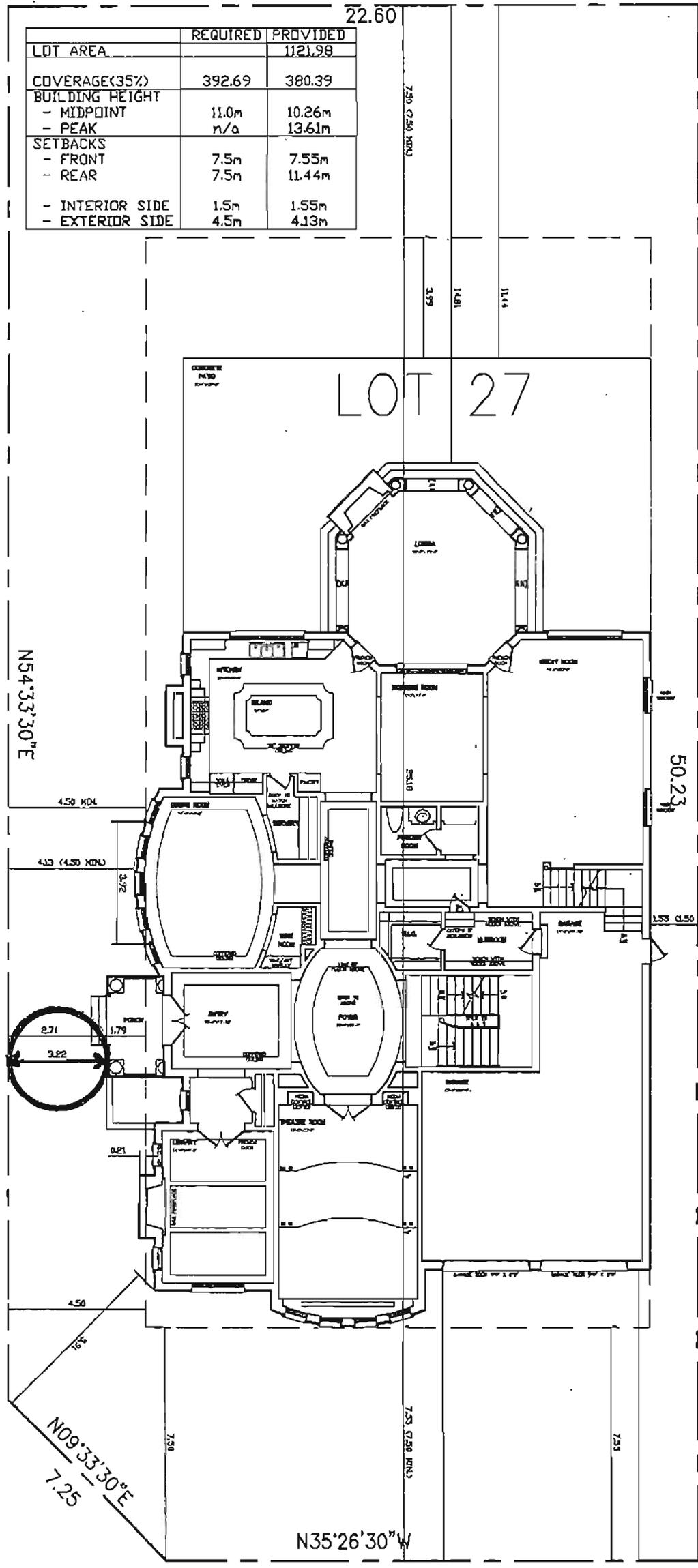
7.50 (7.50) (7.50)

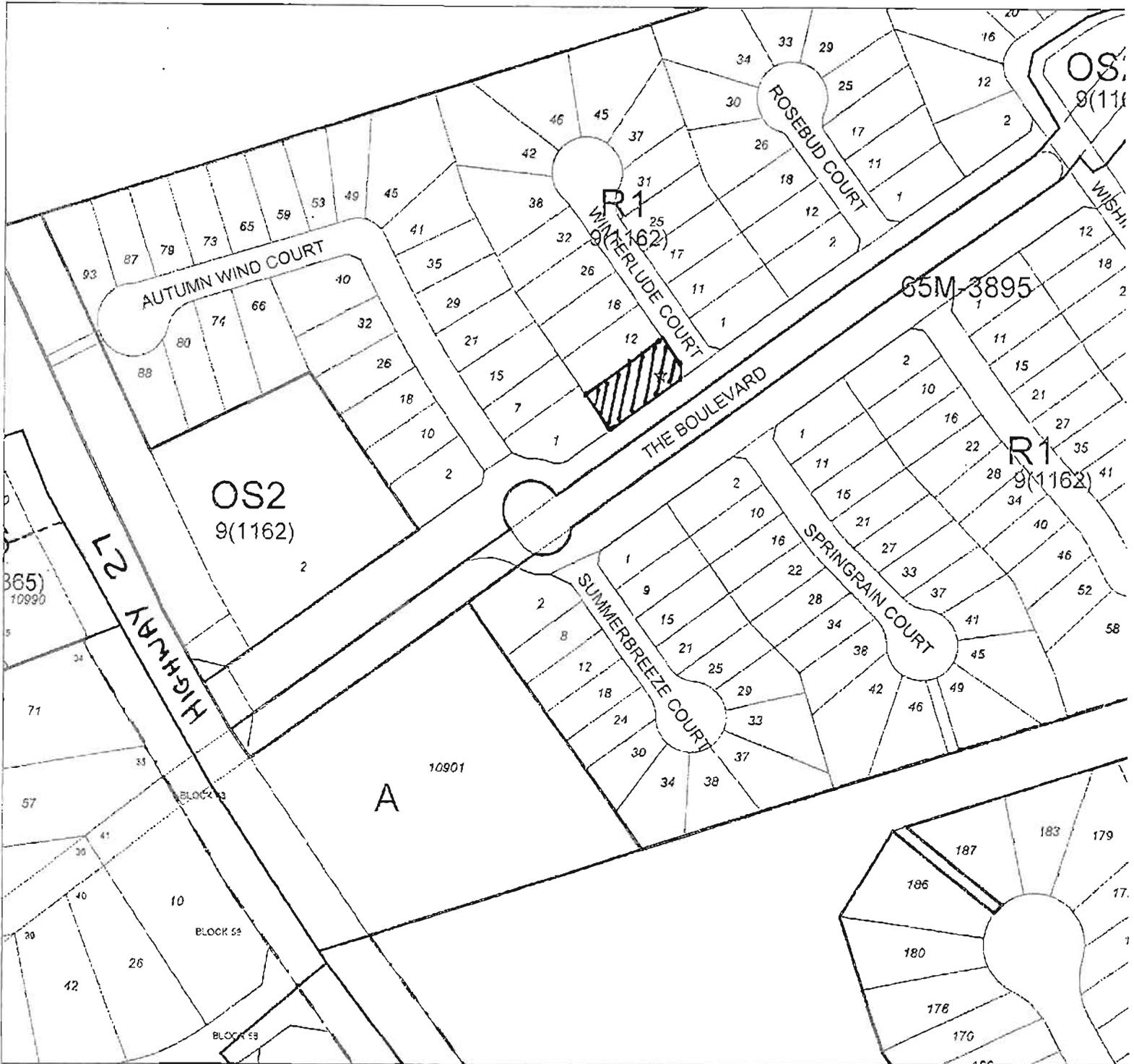
7.50

N35°26'30"W

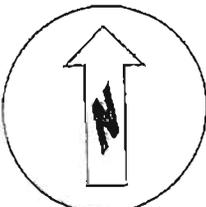
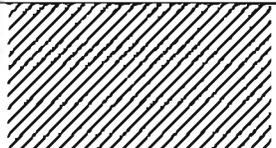
17.48

WINTERLUDE COURT





COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
Phone: (905)832-8585 Fax: (905)832-8535

	FILE NUMBER:	A007/12
	APPLICANT:	MATTHEW AQUINO
		Subject Area Municipally known as 2 Winterlude Court, Kleinburg