

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)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation	<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: October 1, 2020 (see next page for details)

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, November 12, 2020



Minor Variance
Application

Agenda Item: 14

A072/20

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, November 12, 2020 at 6:00 p.m.

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

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

Please submit written comments by mail or email to:

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

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

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

Applicant: 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).

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).

Hearing Date:	Members Absent from Hearing:	Status of Adjournment: (i.e. date/sine die)	Reason for Adjournment:
October 1, 2020	N/A	Adjourned	Allow for modifications to the application and discussions with the neighbours,

As a result of the October 1, 2020 adjournment, the applicant has **removed** the following variance from their proposal:

By-law Requirement	Proposal
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.

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 October 28, 2020

Applicant confirmed posting of signage on October 27, 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 structure 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. As a result of the application being adjourned by the Committee of Adjustment on October 1, 2020, the Owner has since revised the proposal, resulting in the removal of the height variance for the gazebo.

Variances 1 and 3 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.

The Development Engineering staff also reviewed the reduction in setbacks and have no concerns. 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 revised proposal on October 28, 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 A07/20 subject to condition(s):

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 https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.

Parks, Forestry and Horticulture Operations:

No comments or concerns.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No Response.

Schedule A – Plans & Sketches**Schedule B – Public Correspondence**

Public Correspondence (16 Lacrosse Trail)

Public Correspondence (17 Lacrosse Trail)

Public Correspondence (28 Lacrosse Trail)

Application Correspondence – Justification Letter

Previous Public Deputations:

At the October 1, 2020 hearing Mr. Raymond Shen from 15 Lacrosse Trail made a public deputation expressing concerns with the proposal (please refer to October 1, 2020 hearing minutes for details).

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 jason.pham@vaughan.ca	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 https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.
2	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

Notice to Public

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

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

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

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](https://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.

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 8002
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.

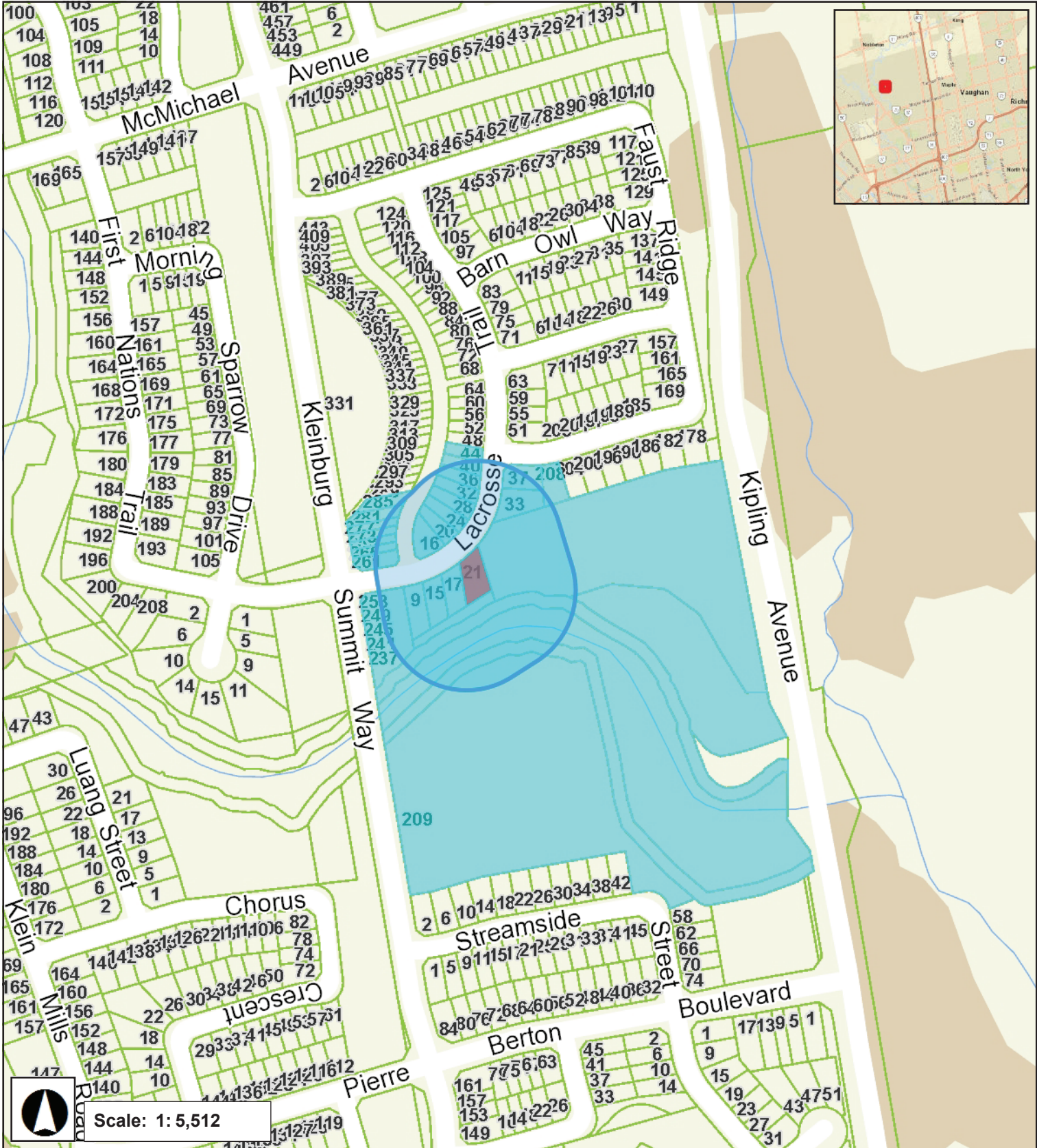
Location Map
Plans & Sketches

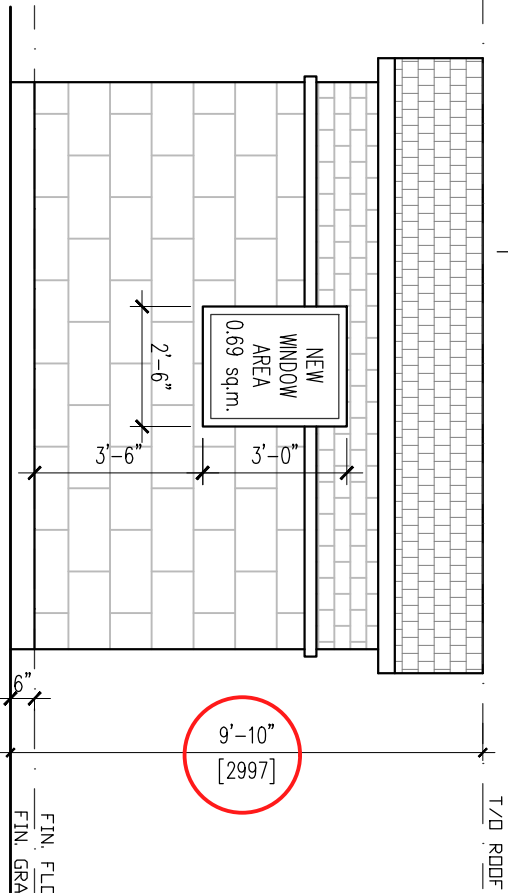
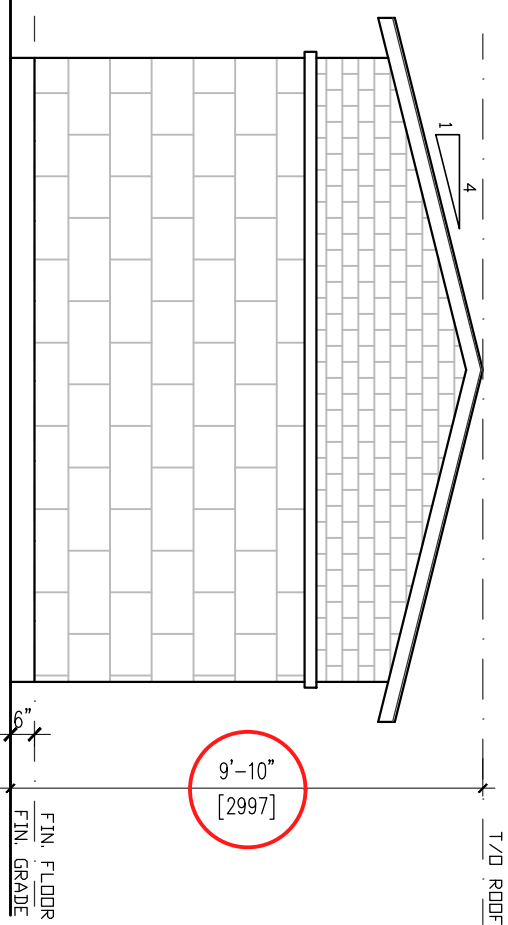
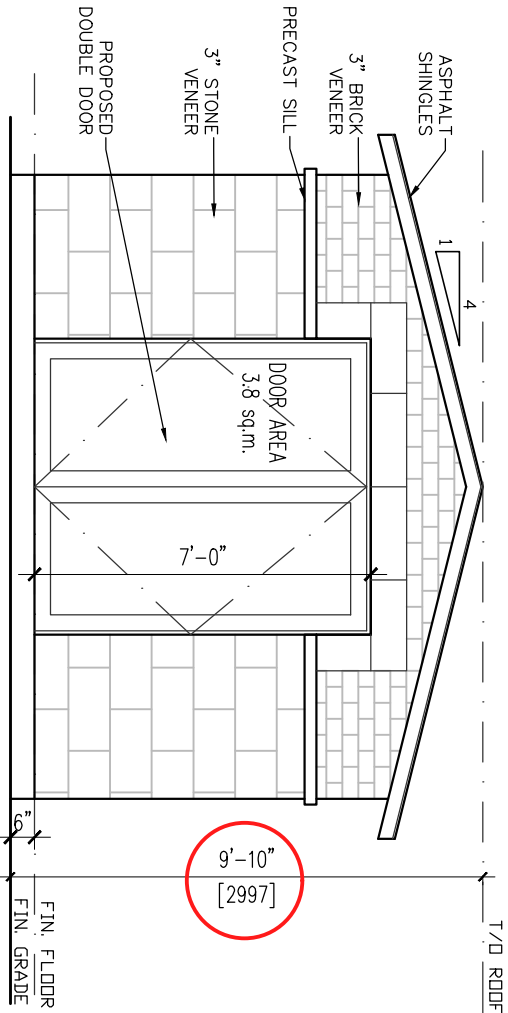
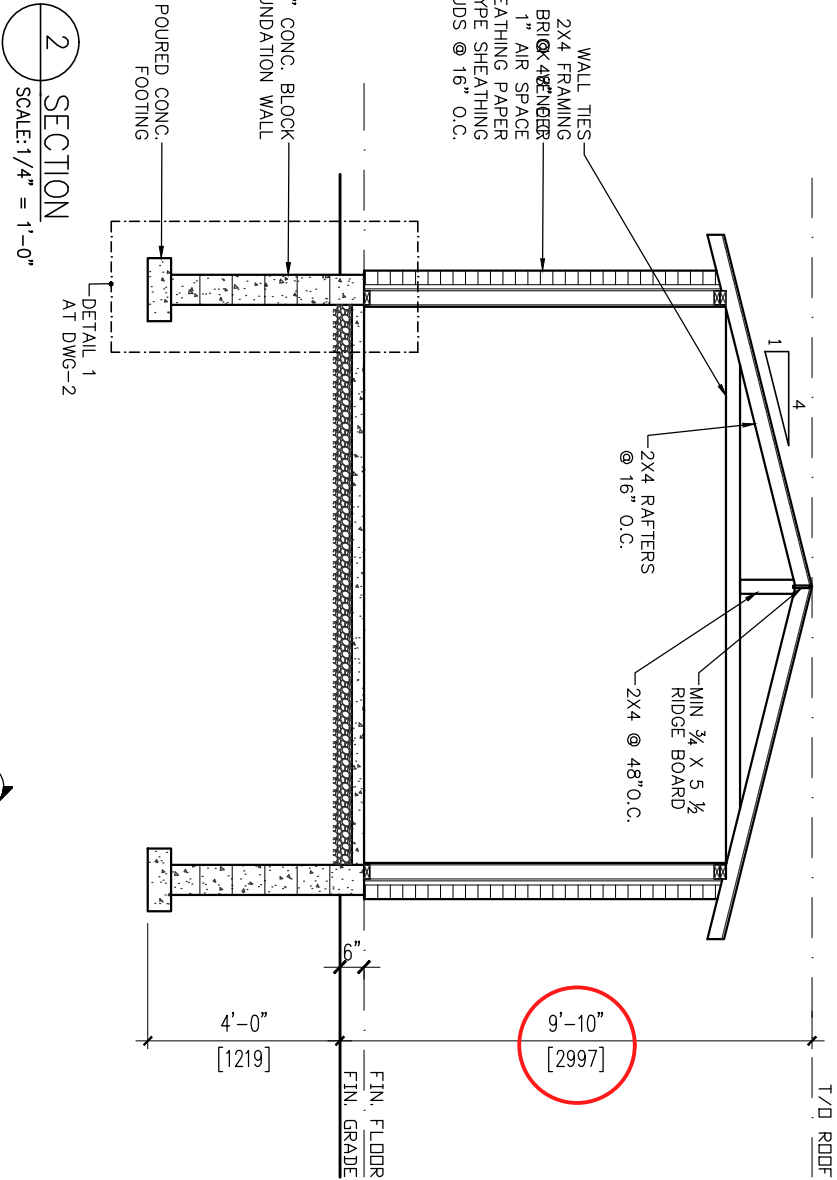
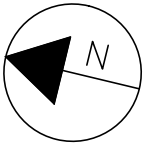
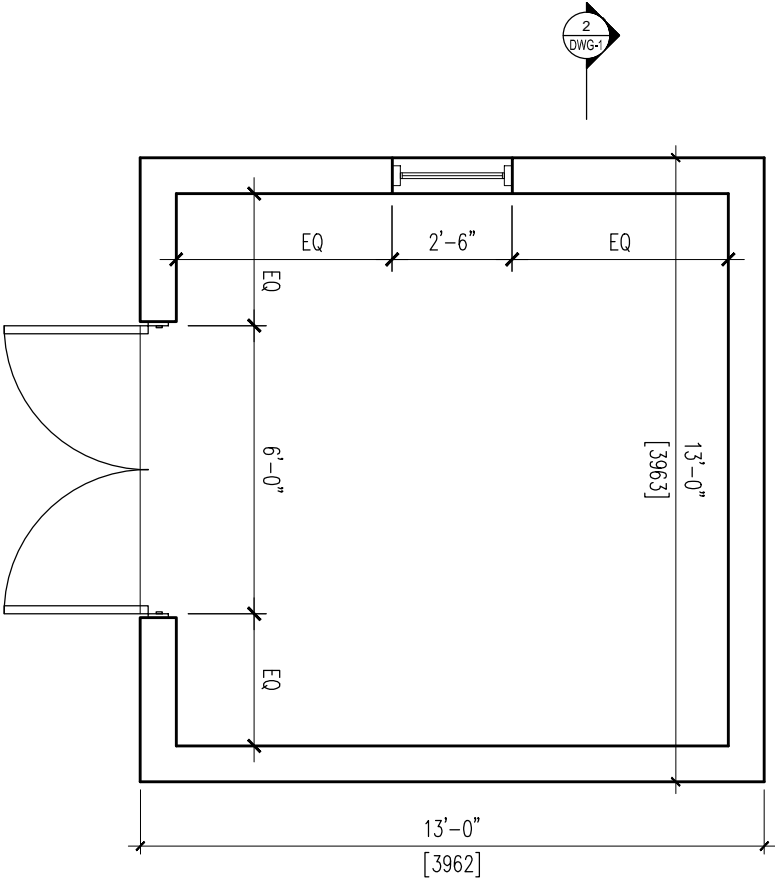


LOCATION MAP - A072/20

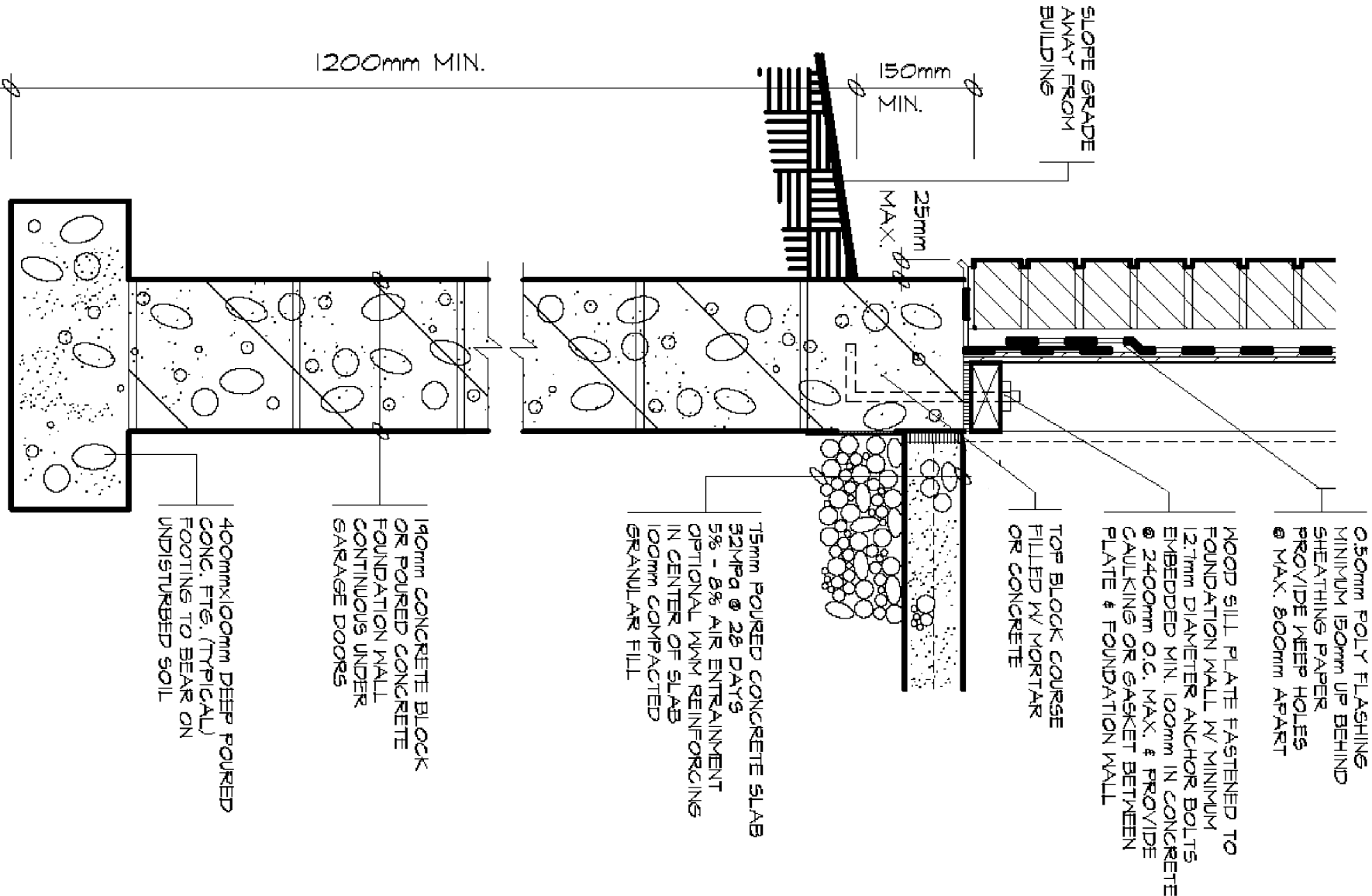
21 LACROSSE TRAIL, KLEINBURG

Kirby Road





File:			Address:		
Rev. #	Revision	Date	Project:		
1	Issued for Permit	Jun 16-20	21 Lacrosse Trail, Vaughan, Ontario		
2	Committee of Adjustment	Oct 5-20			
			Drawing:	Floor Plan, Section, Exterior Elevations	
			Dr./By:	Scale:	Drawing #
			V.G.	1/4" = 1'-0"	SK-01
			ARCHITECTURE INC. www.vjarchitecture.com 647.987.4904		
			V&J		



1 FOUNDATION DETAIL
SCALE: N.T.S.

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



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.

- Public Correspondence (16 Lacrosse Trail)**
- Public Correspondence (17Lacrosse Trail)**
- Public Correspondence (28 Lacrosse Trail)**
- Application Correspondence – Justification Letter**

From: [Vigneault, Christine](#)
To: [Attwala, Pravina](#)
Subject: A072/20 - Addendum
Date: Monday, September 28, 2020 9:02:33 AM

From: Elizabeth Perri-Bisnauth [REDACTED]
Sent: Friday, September 25, 2020 10:59 PM
To: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] 21 Lacrosse Trail Kleinburg Summit Rear Gazebo and Shed

To whom this letter concerns,

My husband and I are in favour of the Silva's family request to maintain their outdoor shed and gazebo in its current size despite the city of Vaughan's opposition due to the by laws currently in place.

We reside across the street at 16 Lacrosse Trail. Our encounter with the Silva family thus far has been very pleasant as they are very kind, generous, and responsible members of the Kleinburg Summit neighbourhood.

I would like to indicate the following points of view that should be taken into consideration.

Firstly, as a neighbour we walk by the family's home in the nearby ravine often. The shed and gazebo are aesthetically pleasing and adds dimension to the surrounding open area. It does not interfere with the walkway path nor the situated park adjacent to their property. The workmanship and construction of the shed and gazebo appear to be very good quality and in good shape.

Secondly, the Kleinburg Summit neighbourhood is supposedly referred to as a prestigious and elegant place to reside. Which is why a lot of York Region residents visit the Kleinburg village and surrounding areas of interest. We hope that with further development our home investment will reflect these ideals. Therefore, residents such as Natalia and Raphael Silva, at their own expense are emphasizing what it feels like and looks like to reside in Kleinburg.

Thirdly, any opposing views from other neighbours should be taken lightly as I strongly believe these residents may be arguing for the wrong reasons and not from a sincere stand point.

Lastly, we believe that in these difficult times the city of Vaughan should focus on issues that concern the health and well-being of its residents. With that being said, our concerns are the following

1. There should be speed bumps as drivers are speeding which endangers the community
2. The Lane way adjacent to lacrosse trail often has vehicles parked in non parking zones which is also a concern
3. Residents who care for their lawns are being incorrectly billed for water waste during summer months when the majority of water is used to maintain the property and soft landscaping.

I thank you kindly for taking the time to read our opinion in regards to this matter. I sincerely hope that the Silva family does not need to waste any valuable time or money to destroy something that was built to improve their home.

Kind Regards,

Elizabeth and Mohendra Bisnauth
16 Lacrosse Trail
Kleinburg, Ontario
L4H4S8

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Kind Regards,

Elizabeth Perri-Bisnauth



From: [Vigneault, Christine](#)
To: [Attwala, Pravina](#)
Subject: A072/20 - Addendum (Letter of Support)
Date: Monday, September 28, 2020 9:06:11 AM

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

From: Yuriy Lee [REDACTED]
Sent: Sunday, September 27, 2020 3:38 PM
To: Committee of Adjustment <CofA@vaughan.ca>
Cc: [REDACTED]
Subject: [External] Oct 01, 2020 Hearing shed and gazebo, 21 Lacrosse Trail, Kleinburg, ON

To whom this letter concerns,

We are Yuriy and Natalia Li, residing at 17 Lacrosse Trail, are direct neighbors of the Silva's family residing at 21 Lacrosse Trail. We have no objection in their request to maintain outdoor shed and gazebo in its current size, despite the city of Vaughan's opposition due to the by laws currently in place. We are certain that their investments in home improvement will positively impact our neighborhood.

If you have any further questions, please call us at [REDACTED].

Regards,

Yuriy and Natalia Li

Subject: FW: [External] 21 lacrosse trail kleinburg committee of ajustment letter

From: rafael silva

Sent: September-29-20 2:46 PM

To: V&J Architecture [REDACTED]; Committee of Adjustment <CofA@vaughan.ca>

Cc: Natália Silva

Subject: [External] 21 lacrosse trail kleinburg committee of ajustment letter

I To whom it may concern ,

My name is Rafael Martins Silva, I am the owner and resident of the 21 Lacrosse Trail home.

Firstly, I would like to apologize for building the shed and gazebo.

Secondly, we had applied for the second legal basement unit and my understanding was back then that I didn't need a permit to build a shed and gazebo, also, I decided to enlarge the shed due to the fact that I have too many tools, without consulting anyone. That was a mistake and I apologize for that.

However, the real intention to me was that the shed should be able to keep my equipment organized and protected from the weather variances and have my work being done under the submitted drawings to the city.

The gazebo was built last minute so we could celebrate my daughter's first very birthday in order to respect the indoor's gathering restriction in place back in June/2020.

I've meant no disrespect neither to the city or to my neighbors. My wife and I care about the overall layout and well being/maintenance of the community and I have used first-class material and workmanship to ensure we maintain the beauty of Kleinburg and its high end well-known style.

Please dear Vaughan committee, allow me to keep this shed and gazebo as is.

As a contractor, I'm forced to carry many different tools with variables sizes and on top of that, the whole world has been doomed to socially gather outdoors.

As a father and a husband, the mental health of my family is one of my top priorities and having my beautiful daughter happy as we celebrate her very first birthday was a big sacrifice I had to make.

As the committee can see I have asked my neighbors for support since we get along and have a good relationship.

Please consider my request with kindness.

Rafael Silva

Get [Outlook for iOS](#)

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

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

Email: tony.donofrio@alectrautilities.com

October 28, 2020

CFN 62574.20
X-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, Part of lot 28, Concession 2
City of Vaughan, Region of York
Owner: Rafael and Natalia Silva**

This letter acknowledges receipt of the above noted application, received by the Toronto and Region Conservation Authority (TRCA) on October 15, 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).

The purpose of the noted variances is to recognize the existing gazebo with open wood trellis and a storage shed.

Applicable TRCA Policies and Regulations

Living City Policies (LCP):

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long-term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for

ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Ontario Regulation 166/06:

The subject property is partially within TRCA's Regulated Area due to the presence of a stream corridor associated with a tributary of the Humber River located on the adjacent lands to the south. 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

TRCA previously issued a permit on July 28, 2020 (Permit No. C-200585) to facilitate the construction of an uncovered wood frame deck and to recognize an existing shed, an existing patio and an existing gazebo. Based on a review of the plans submitted with this variance application, TRCA is satisfied that the proposal is consistent with the plans approved by this office. As such, TRCA has no objection to the proposed variances.

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 conditions:

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

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

Sincerely,



Hamedeh Razavi
Planner I,
Development Planning and Permits

HR/sb

C: Bell, Brandon Brandon.Bell@vaughan.ca

Attwala, Pravina

Subject: FW: A072/20 - REQUEST FOR COMMENTS

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 | www.york.ca

Attwala, Pravina

Subject: FW: A072/20 - REQUEST FOR COMMENTS

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