

File: A112/20**Applicant:** Sylvia Graci-Mercuri**Address:** 55 Ferrari Court, Woodbridge ON**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	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
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, December 3, 2020



Minor Variance
Application

Agenda Item: 6

A112/20

Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, December 3, 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: Sylvia Graci-Mercuri

Agent: None.

Property: 55 Ferrari Court, Woodbridge ON

Zoning: The subject lands are zoned R1 and subject to the provisions of Exception 9(382) 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 cabana and shed and to permit the existing swimming pool.

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

By-law Requirement	Proposal
1) A private swimming pool shall be constructed in the rear yard only.	1) To permit a private swimming pool not located completely in the rear yard.
2) An accessory building shall be located in the rear yard (cabana).	2) To permit a 9.0 sqm accessory building (cabana) located in the interior side yard.
3) A minimum interior side yard setback of 1.5 metres is required to an accessory building (cabana).	3) To permit a 9.0 sqm accessory building (cabana) with a minimum interior side yard setback of 0.6 metres.
4) An accessory building shall be located in the rear yard (shed)	4) To permit a 9.0 sqm accessory building (shed) located in the interior side yard.

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

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will 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 November 18, 2020

Applicant confirmed posting of signage on November 11, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	1986

Applicant has advised that they cannot comply with By-law for the following reason(s): The existing pool is constructed in the interior side yard as we have an irregular lot and a pool would not fit in the back yard.

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 10m2The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

The applicant shall note that the size and height requirements were based on the metric measurements provided. 3 m by 3m = 9sqm; 10 ft by 10 ft =100 sqft or 9.29 sqm not 9 sqm. 3 metres converts to 9 ft 10 inches. There a disconnect between the metric measurements and the imperial measurements indicated. The review was based on the metric measurements only.

Also the application lists the height of the shed as 2.54 m, whereas the maximum is 2.5 metres. The site plan indicates 2.5 metre height. If applicant wants 2.54 metres another variance is required.

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is proposing permission to maintain a swimming pool and construct a cabana and shed with the above noted variances.

Development Planning staff on November 10th, 2020 attended the site and observed a swimming pool, an at-grade patio and a slab for the proposed shed. The subject property is an irregular lot shape with the dwelling generally centered in the lot, resulting in a narrow back yard and generous interior side yards.

Variances 1, 2 and 4 are considered minor in nature as they are considered a technical variance. Zoning By-law 1-88 requires the swimming pool and accessory structures to be located in the rear yard only. Rear yard is defined as “the yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of the nearest building or structure...” The swimming pool and accessory structures are not placed in the technical defined “rear yard”; however, they are placed in areas effectively used as a rear yard and have no adverse impacts on the neighbouring lots. The accessory structures comply with the maximum building height and lot coverage requirements.

As the proposed cabana maintains a minimum 0.6 m setback to the cabana to facilitate drainage, Development Engineering Department staff have no concerns with the requested variances.

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.

Cultural Heritage (Urban Design):

No comment no concerns

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A112/20

Parks, Forestry and Horticulture Operations:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No Response.

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

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 are recommended: N/A

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.

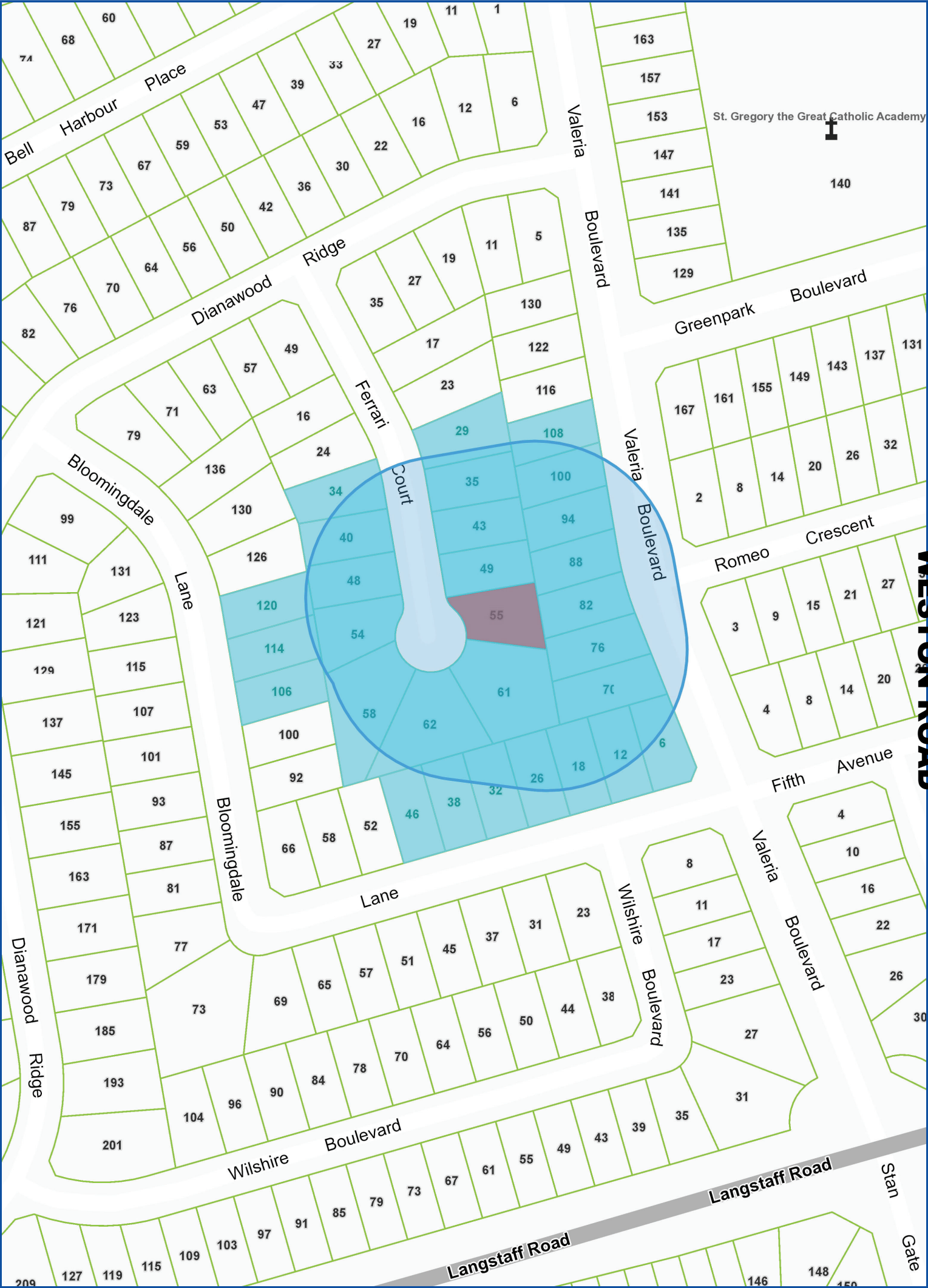
For further information please contact the City of Vaughan, Committee of Adjustment

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

Schedule A: Plans & Sketches

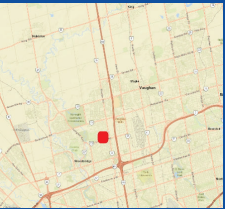
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



WESTON ROAD

Map Information:



Title:

LOCATION MAP - A112/20

55 FERRARI COURT, WOODBRIDGE

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: 1:2,257

0 0.04 km



Created By:

Infrastructure Delivery

Department

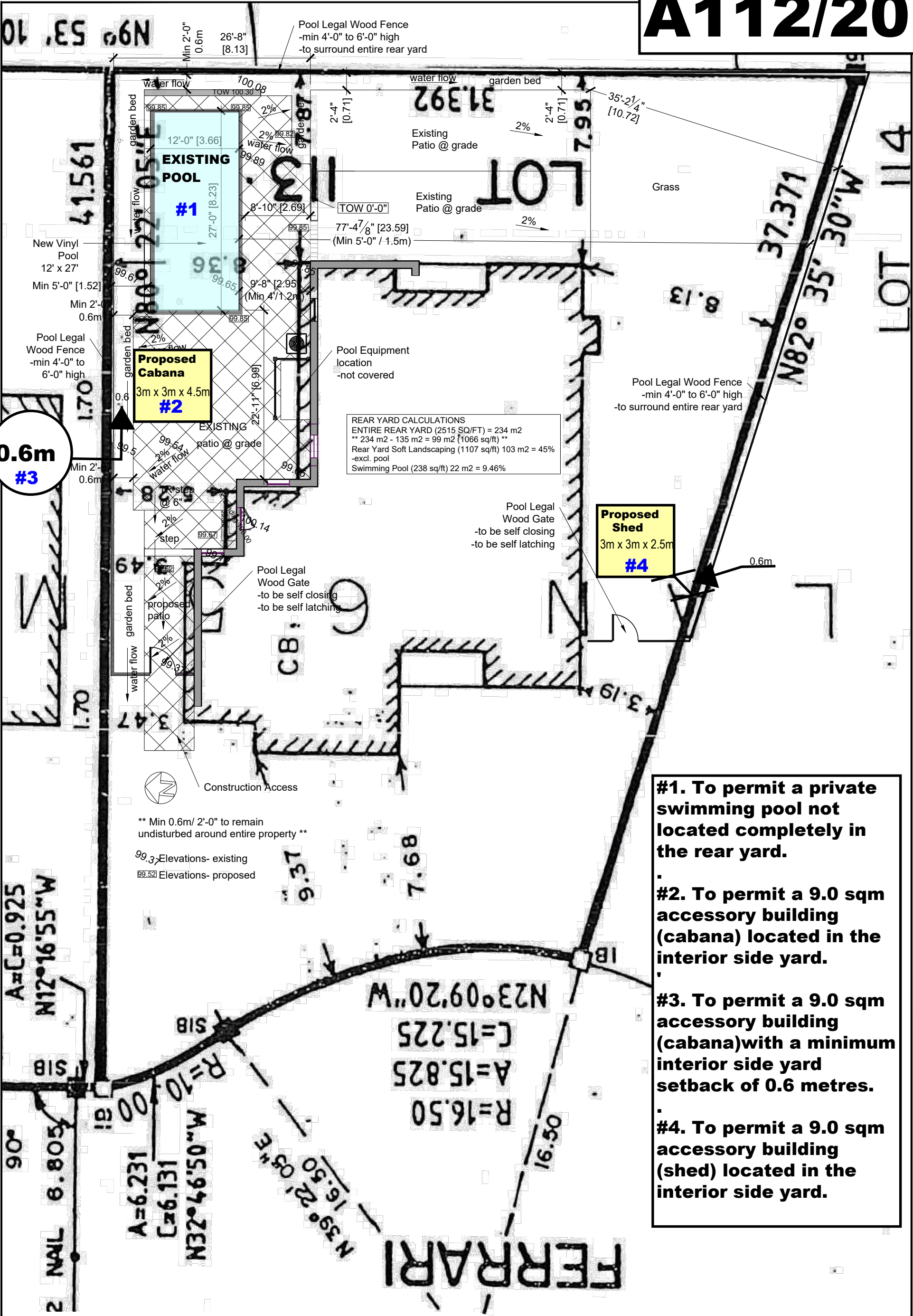
October 23, 2020 10:31 AM

Projection:

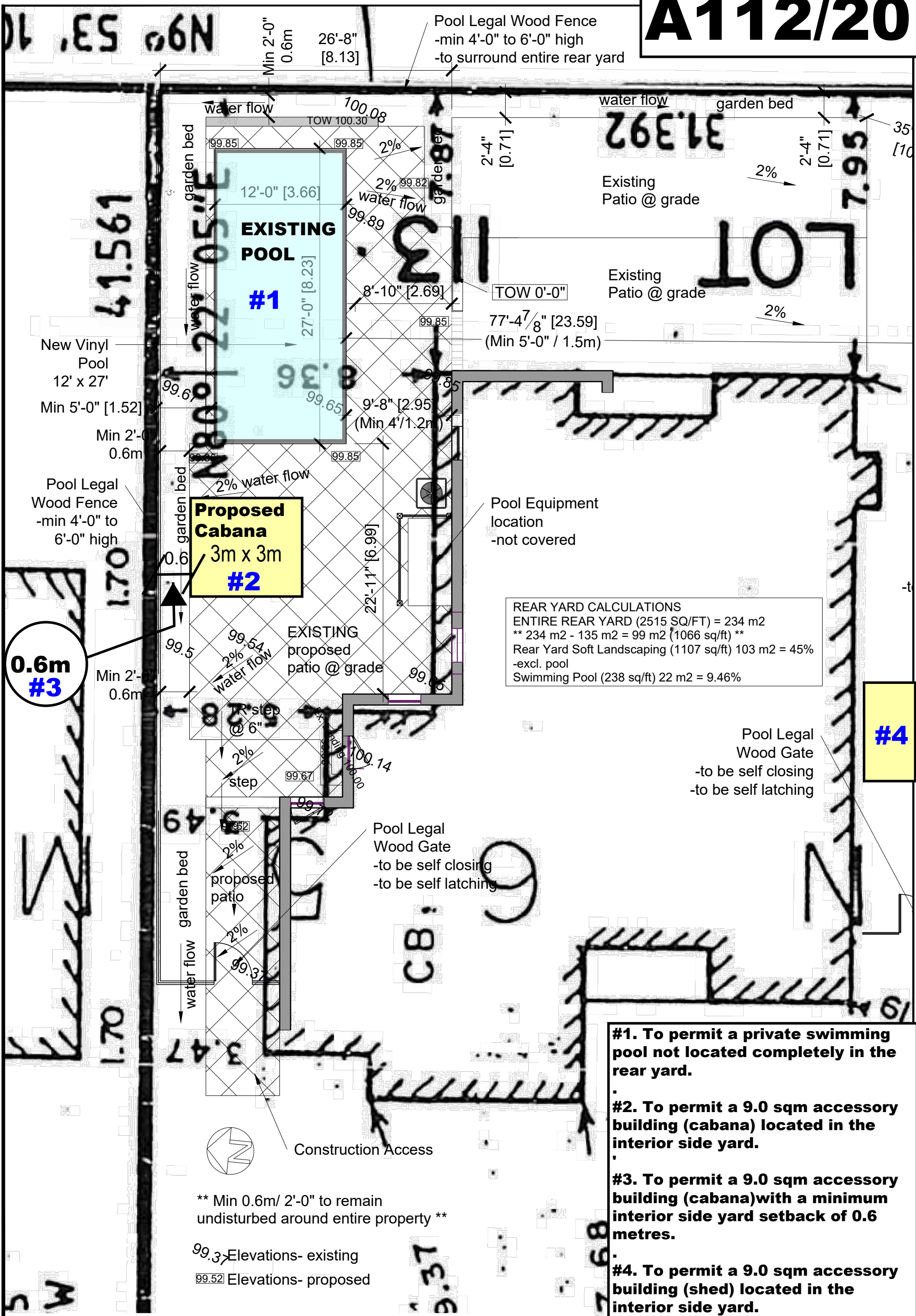
NAD 83

UTM Zone

17N



<p>NOTES:</p> <p>ZONING SEARCH RECOMMENDED PRIOR TO CONSTRUCTION</p>	<p>MANCUSO POOLS</p>	<p>0'-0" EXISTING GRADES 0'-0" PROPOSED GRADES</p> <p>* NO GRADES ARE TO BE ALTERED WITHIN 24" OF PROPERTY LINES * CONCEPTUAL DRAWING - DO NOT SCALE</p>	<p>Residence</p> <p>55 Ferrari Crt Vaughan, On</p>	<p>Designer: SB</p> <p>Date: Oct 22, 2020</p> <p>Scale: NTS</p> <p>Drawing: Permit A</p>
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- #1. To permit a private swimming pool not located completely in the rear yard.**
- #2. To permit a 9.0 sqm accessory building (cabana) located in the interior side yard.**
- #3. To permit a 9.0 sqm accessory building (cabana) with a minimum interior side yard setback of 0.6 metres.**
- #4. To permit a 9.0 sqm accessory building (shed) located in the interior side yard.**

<p>NOTES:</p> <p>ZONING SEARCH RECOMMENDED PRIOR TO CONSTRUCTION</p>	<p>MANCUSO POOLS</p>	<p>0'-0" EXISTING GRADES</p> <p>0'-0" PROPOSED GRADES</p> <p>* NO GRADES ARE TO BE ALTERED WITHIN 24" OF PROPERTY LINES</p> <p>* CONCEPTUAL DRAWING - DO NOT SCALE</p>	<p>Residence</p> <p>55 Ferrari Crt Vaughan, On</p>	<p>Designer: SB</p> <p>Date: Oct 22, 2020</p> <p>Scale: 1:100</p> <p>Drawing: Permit A</p>
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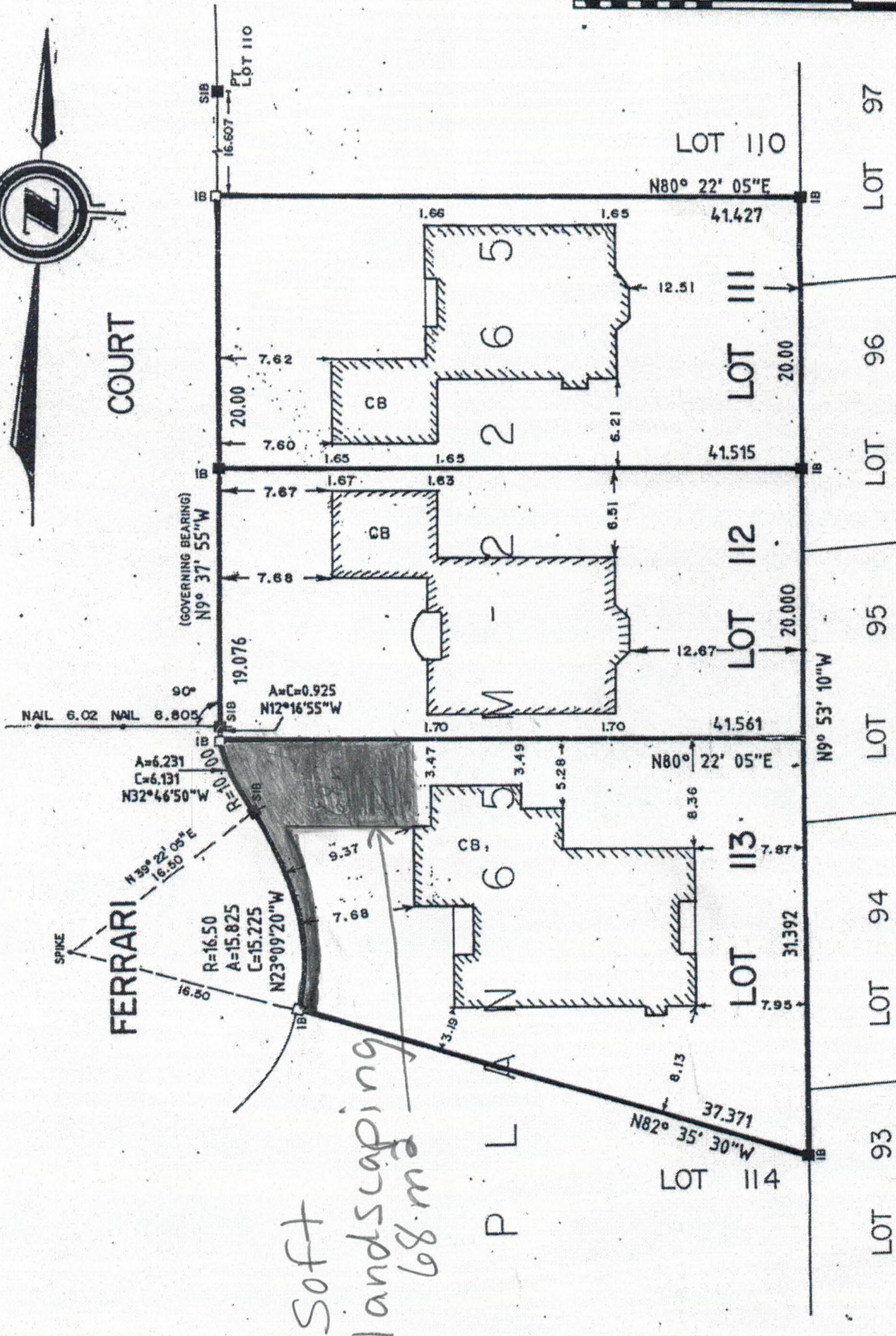
PLAN SHOWING BUILDING LOCATIONS ON
 LOTS 111, 112 and 113
 PLAN 65 M - 2265
 TOWN OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK

METRIC
 DISTANCES SHOWN ON
 THIS PLAN ARE IN METRES
 AND CAN BE CONVERTED
 TO FEET BY DIVIDING BY
 0.3048

SCALE 1:400



COURT



*Soft
 Landscaping
 68m*

ALL FOUND MONUMENTS ARE BY SCHAEFFER AND
 REINTHALER LTD. O.L.S.
 SIB DENOTES STANDARD IRON BAR
 IB DENOTES IRON BAR
 CB DENOTES CONCRETE BASEMENT

P. SALNA COMPANY LTD.
 ONTARIO LAND SURVEYOR
 10225 YONGE STREET
 RICHMOND HILL, ONT. L4C 3B 2
 PHONE: 884-3988, FILE: 85-6

NOTES AND LEGEND
 BEARINGS ARE ASTRONOMIC AND ARE
 DERIVED FROM THE EASTERLY LIMIT
 OF FERRARI COURT AS SHOWN
 ON REGISTERED PLAN 65M-2265
 HAVING A BEARING OF N9°37'55\"/>

- DENOTES SURVEY MONUMENT SET
- DENOTES SURVEY MONUMENT FOUND
- DENOTES FOUND TEMPORARY WITNESS MONUMENT
- LOTS 111 & 113 REVISED JUNE 17, 1986
- PT DENOTES POINT OF TANGENT

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY:
 THAT THE FIELD SURVEY REPRESENTED
 ON THIS PLAN WAS COMPLETED ON THE
 12 TH DAY OF JUNE, 1986

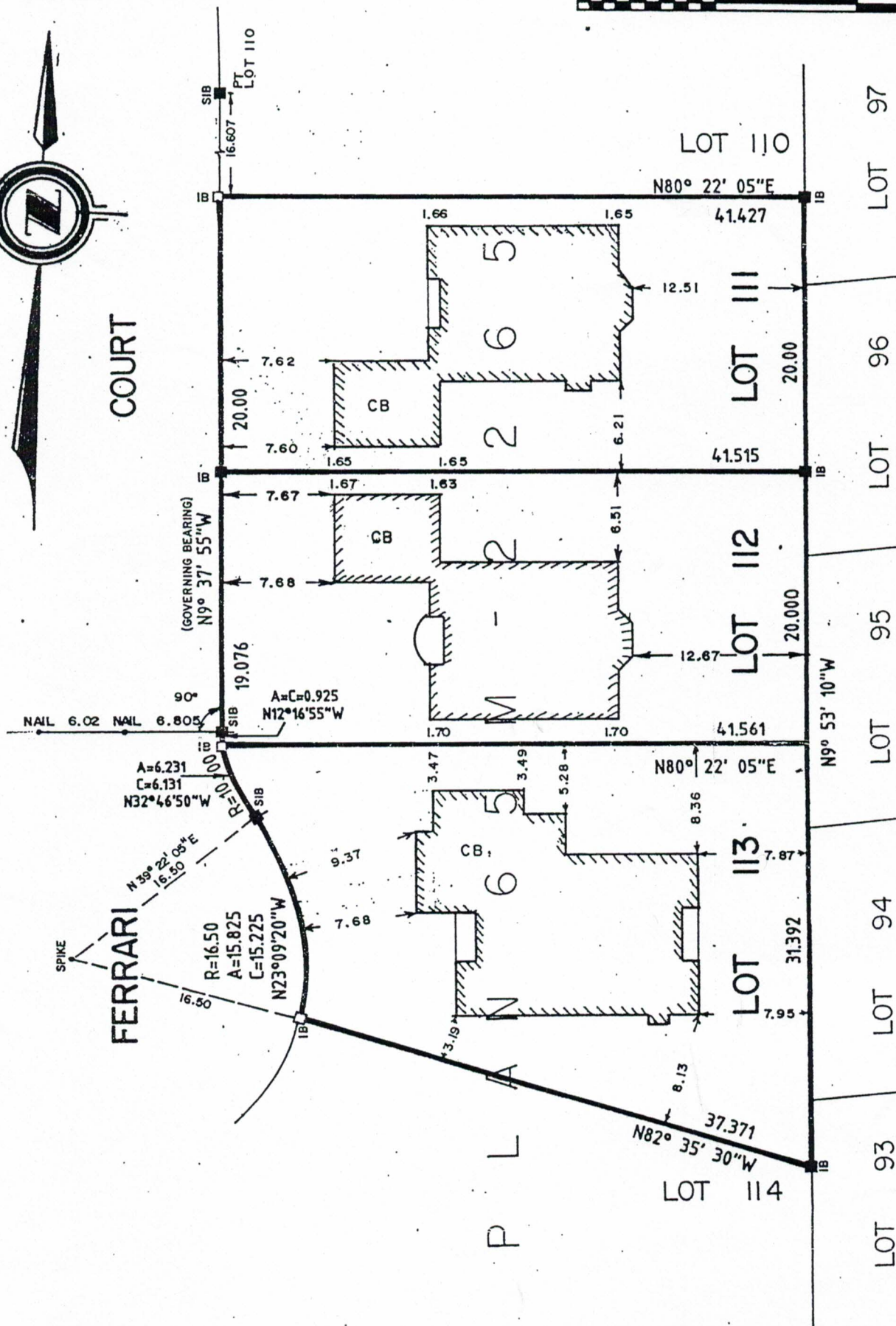
R. Salna
 R. SALNA
 ONTARIO LAND SURVEYOR
 DATE: JUNE 17, 1986

3 prints July 17/85 10 PRINTS JUNE 17/86

PLAN SHOWING BUILDING LOCATIONS ON
LOTS 111, 112 and 113
PLAN 65 M - 2265
TOWN OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

METRIC
DISTANCES SHOWN ON
THIS PLAN ARE IN METRES
AND CAN BE CONVERTED
TO FEET BY DIVIDING BY
0.3048

SCALE 1:400



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10225 YONGE STREET
RICHMOND HILL, ONT. L4C 3B2
PHONE: 884-3988, FILE: 85-6

NOTES AND LEGEND

BEARINGS ARE ASTRONOMIC AND ARE
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HAVING A BEARING OF N9°37'55"W.

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R. SALNA
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3 prints July 17/85 10 PRINTS JUNE 17/86

A112/20

RECEIVED
from Planning site visit
Nov. 16//2020
Committee of Adjustment





A112/20

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from Planning site visit
Nov. 16//2020
Committee of Adjustment





A112/20

RECEIVED
from Planning site visit
Nov. 16//2020
Committee of Adjustment





A112/20

RECEIVED
from Planning site visit
Nov. 16//2020
Committee of Adjustment

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: A112-20 - REQUEST FOR COMMENTS - 55 Ferrari Ct Woodbridge (full circulation)

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

Sent: November-11-20 2:15 PM

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

Subject: [External] RE: A112-20 - REQUEST FOR COMMENTS - 55 Ferrari Ct 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

Providence, Lenore

Subject: FW: A112-20 - REQUEST FOR COMMENTS - 55 Ferrari Ct Woodbridge (full circulation)

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

Sent: November-05-20 12:30 PM

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

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

Subject: [External] RE: A112-20 - REQUEST FOR COMMENTS - 55 Ferrari Ct Woodbridge (full circulation)

Good Afternoon Lenore,

MTO has reviewed the subject land(s) located at 55 Ferrari Ct. 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

437.833.9453

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

Sent: November 5, 2020 11:01 AM

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

Cc: Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>

Subject: FW: A112-20 - REQUEST FOR COMMENTS - 55 Ferrari Ct Woodbridge (full circulation)

Dan Della Mora

Senior Project Manager

Dan.DellaMora@ontario.ca