



**File:** A128/21

**Applicant:** Natalie Raju

**Address:** 104 Secret Garden Ct Kleinburg

**Agent:** Fausto Cortese Architects Inc.

---

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		
Development Planning	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations		
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		
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: Pravina Attwala  
Hearing Date: Wednesday, June 30, 2021

*\*Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



**Minor Variance  
Application**

Agenda Item: 16

**A128/21**

Ward: 1

**Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Wednesday, June 30, 2021 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](http://Vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

City of Vaughan  
Office of the City Clerk – Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[cofa@vaughan.ca](mailto:cofa@vaughan.ca)

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

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

**Applicant:** Natalie Raju

**Agent:** Fausto Cortese Architects Inc.

**Property:** **104 Secret Garden Ct Kleinburg**

**Zoning:** The subject lands are zoned R1 and subject to the provisions of Exception 9(1378) under By-law 1-88 as amended

**OP Designation:** City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Site Specific Policy 13.21: North Humber Extension Area 1.

**Related Files:** None

**Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed cabana and wood deck/balcony located at the rear of the existing dwelling.

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 of 7.5m is required. (Schedule 'A')	1. To permit a minimum rear yard setback of 3.70m.
2. A maximum lot coverage of 35% is permitted. (Schedule 'A')	2. To permit a maximum lot coverage of 38.89%. (35.75% dwelling; 1.9% cabana; 1.24% deck)
3. A minimum rear yard soft landscaping of 60% (48.0m <sup>2</sup> ) is required for the portion of the rear yard in excess of 135.0m <sup>2</sup> .	3. To permit a minimum rear yard soft landscaping of 53.75% (43.0m <sup>2</sup> ) for the portion of the rear yard in excess of 135.0m <sup>2</sup> .

**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](http://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, "A001/17".

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

**Adjournment History: N/A**

## Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

### Committee of Adjustment:

Public notice was mailed on June 15, 2021

Applicant confirmed posting of signage on June 15, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2017

Applicant has advised that they cannot comply with By-law for the following reason(s): Current design does not meet current by-law.

**Adjournment Request:** N/A

### 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 10m<sup>2</sup>

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

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

### Building Inspections (Septic):

No response

### Development Planning:

Official Plan: City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Site Specific Policy 13.21: North Humber Extension Area 1.

The Owner is proposing to construct a cabana in the rear yard on the subject lands.

The Development Planning Department does not object to the minimum rear yard setback to the cabana as the reduction is relatively minor with the location being relatively far from the rear lot line. The cabana complies with the height and area requirements of Zoning By-law 1-88.

The proposed maximum lot coverage of 38.89% remains consistent with similar lots in the neighbourhood. The Development Planning Department has no concern with the increase in maximum lot coverage.

The requested minimum rear yard soft landscaping reduction has been reviewed by the Development Engineering Department and have no concern with drainage on the subject lands.

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

### Development Engineering:

The Development Engineering (DE) Department does not object to variance application A128/21 subject to the following condition(s):

The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](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 Development - Forestry:

No comments received to date.

### By-Law and Compliance, Licensing and Permit Services:

No comment no concerns

**Development Finance:**

No comment no concerns

**Fire Department:**

No comments received to date

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

York Region – No concerns or objections

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:

	<b>Department/Agency</b>	<b>Condition</b>
1	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.Khan@Vaughan.ca">Farzana.Khan@Vaughan.ca</a>	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.
2	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:hamedeh.razavi@trca.ca">hamedeh.razavi@trca.ca</a>	<ol style="list-style-type: none"> <li>1. The applicant obtains an after the fact permit pursuant to Ontario Regulation 166/06 to recognize the existing swimming pool and authorize the proposed cabana, deck, and balcony at the rear yard.</li> <li>2. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.</li> </ol>

**Conditions**

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

### Please Note:

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

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

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

### Notice to the Applicant – Development Charges

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

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

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

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

### Notice to Public

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

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

City of Vaughan  
Office of the City Clerk – Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[cofa@vaughan.ca](mailto:cofa@vaughan.ca)

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

**PUBLIC RECORD:** Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

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

T 905 832 8585 Extension 8002  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

## **Schedule A: Plans & Sketches**

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

**Location Map**  
**Plans & Sketches**

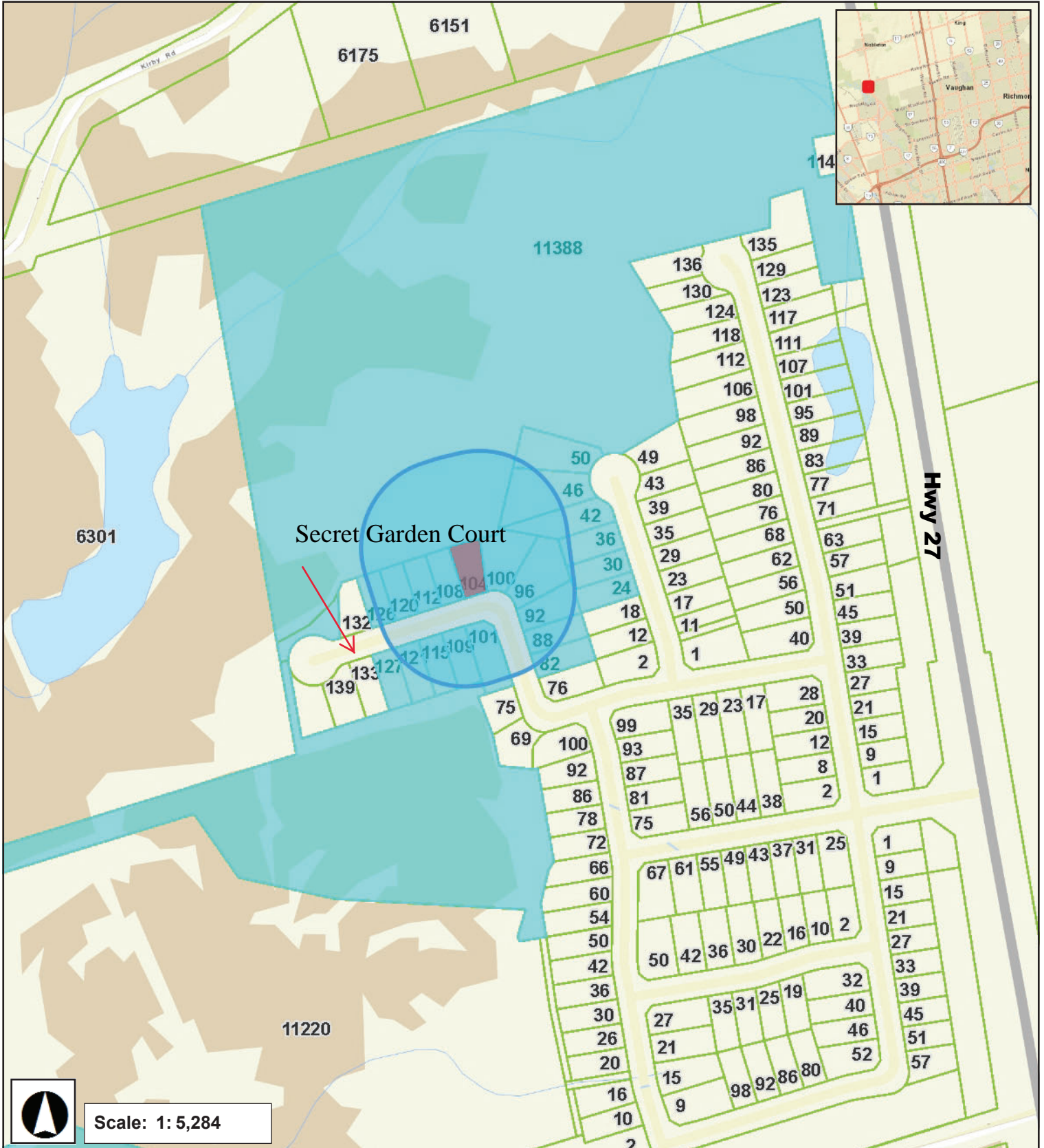




# LOCATION MAP - A128/21

104 SECRET GARDEN COURT, KLEINBURG

**Kirby Road**



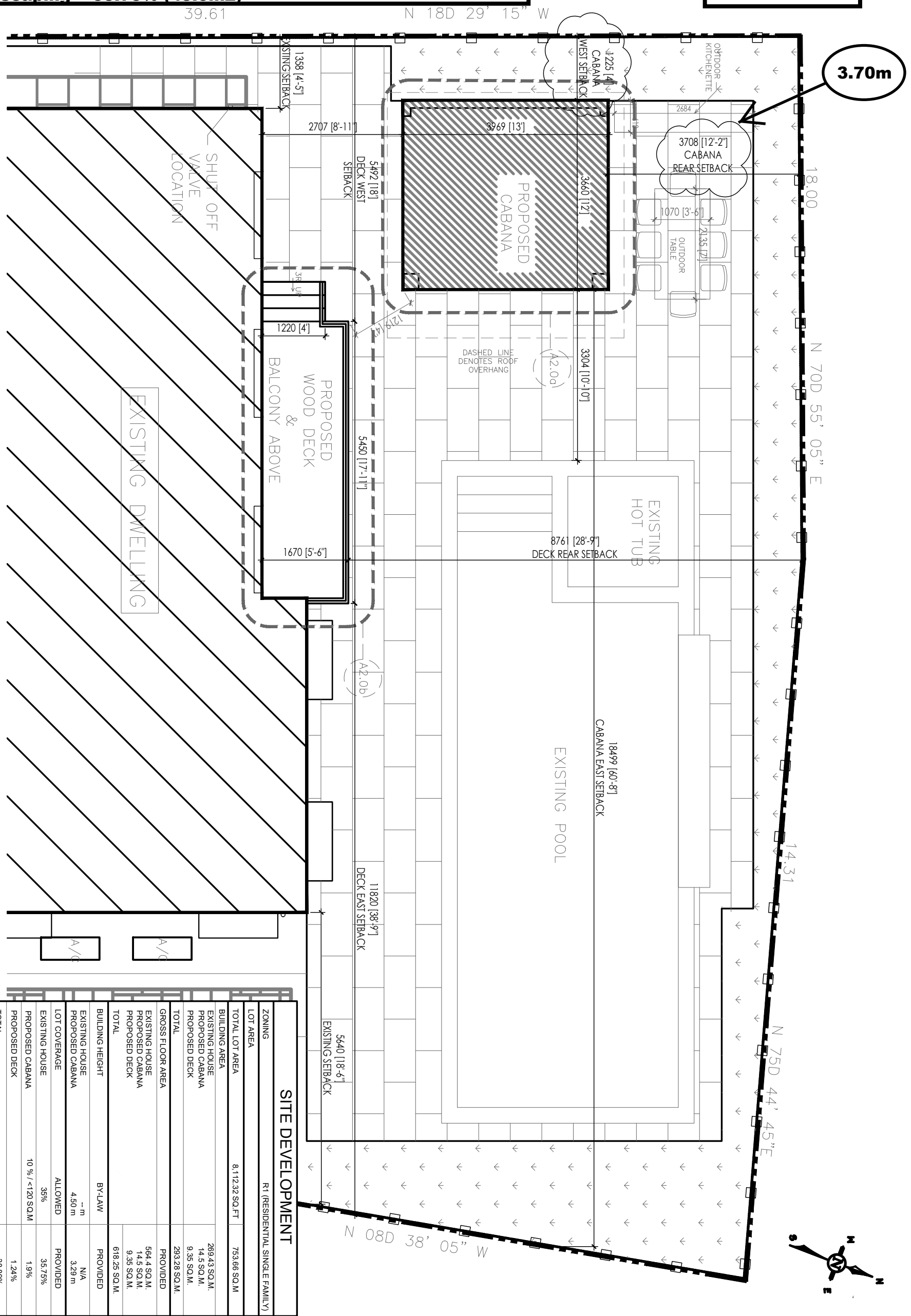
**Nashville Road**

June 16, 2021 11:23 AM

**A128/21**

**Lot Coverage = 38.89% (35.75% dwelling; 1.9% cabana; 1.24% deck)**  
**Soft Landscaping = 53.75% (43.0m<sup>2</sup>)**

1 SITE PLAN  
 A1.0 SCALE: 1/75



**SITE DEVELOPMENT**

ZONING		R1 (RESIDENTIAL SINGLE FAMILY)	
LOT AREA	8,112.32 SQ. FT.	753.66 SQ. M.	
TOTAL LOT AREA	8,112.32 SQ. FT.	753.66 SQ. M.	
BUILDING AREA	289.43 SQ. M.	14.5 SQ. M.	
EXISTING HOUSE	14.5 SQ. M.	9.35 SQ. M.	
PROPOSED CABANA	9.35 SQ. M.	293.28 SQ. M.	
PROPOSED DECK	9.35 SQ. M.	293.28 SQ. M.	
TOTAL	293.28 SQ. M.	293.28 SQ. M.	
GROSS FLOOR AREA	PROVIDED	664.4 SQ. M.	
EXISTING HOUSE	14.5 SQ. M.	14.5 SQ. M.	
PROPOSED CABANA	9.35 SQ. M.	9.35 SQ. M.	
PROPOSED DECK	9.35 SQ. M.	9.35 SQ. M.	
TOTAL	618.25 SQ. M.	618.25 SQ. M.	
BUILDING HEIGHT	BY-LAW	PROVIDED	
EXISTING HOUSE	- m	N/A	
PROPOSED CABANA	4.50 m	3.29 m	
LOT COVERAGE	ALLOWED	PROVIDED	
EXISTING HOUSE	35%	35.75%	
PROPOSED CABANA	10 % / <120 SQ.M.	1.9%	
PROPOSED DECK		1.24%	
TOTAL		38.89%	
ACCESSORY STRUCTURE SETBACKS		BY-LAW	
REAR YARD	7.5 m	3.7 m	
EAST SIDE YARD	1.5 m	1.2 m	
WEST SIDE YARD	1.5 m	1.2 m	
LANDSCAPE AREA	BY-LAW	PROVIDED	
REAR YARD	215 SQ.M.	215 SQ.M.	
SOFT LANDSCAPE (60% OF EXCESS AREA)	48 SQ.M.	43 SQ.M.	



No.	DESCRIPTION	DATE
	ISSUED FOR CONSTRUCTION	
	ISSUED FOR BID	
	ISSUED FOR BUILDING PERMIT	
	ISSUED FOR SITE PLAN APPROVAL	
	SUBMITTALS	

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER. DO NOT SCALE DRAWINGS.

**FCN**  
**FAUSTO CORTESE**  
 ARCHITECTS

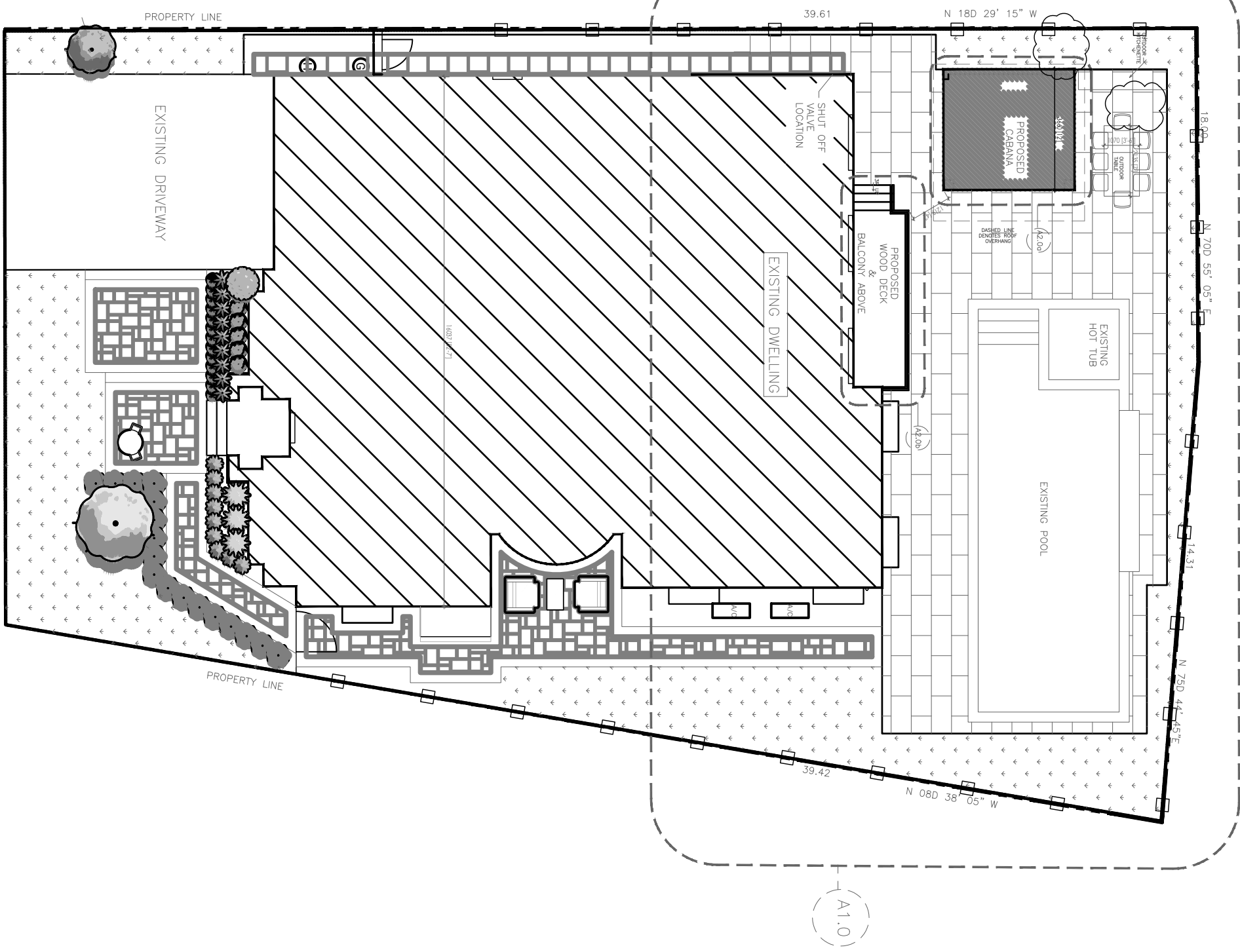
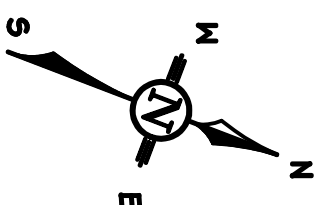
3590 RUTHERFORD RD. UNIT 7  
 VAUGHAN, ONTARIO, L4H 3T8  
 416-506-7000  
 FCORTSE@FCARCHITECTS.CA

PROJECT: PROPOSED POOL CABANA AT 104 SECRET GARDEN COURT WOODBRIDGE, ONTARIO

DRAWING: SITE PLAN

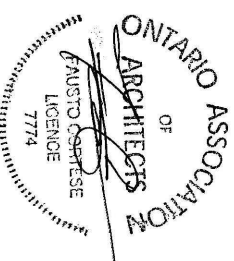
DATE:	MAR 2021	PROJECT NO.:	2021-10
SCALE:	AS NOTED	DRAWING NO.:	A1.0
DRAWN BY:	REVIEWED BY:		





A1.0

1 OVERALL SITE PLAN  
A0.0 SCALE: 1:150



No.	DESCRIPTION	DATE
	ISSUED FOR CONSTRUCTION	
	ISSUED FOR BID	
	ISSUED FOR BUILDING PERMIT	
	ISSUED FOR SITE PLAN APPROVAL	
	SUBMITTALS	

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.  
DO NOT SCALE DRAWINGS.



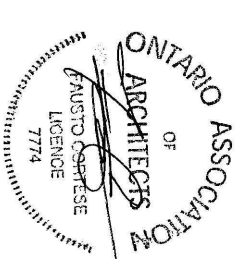
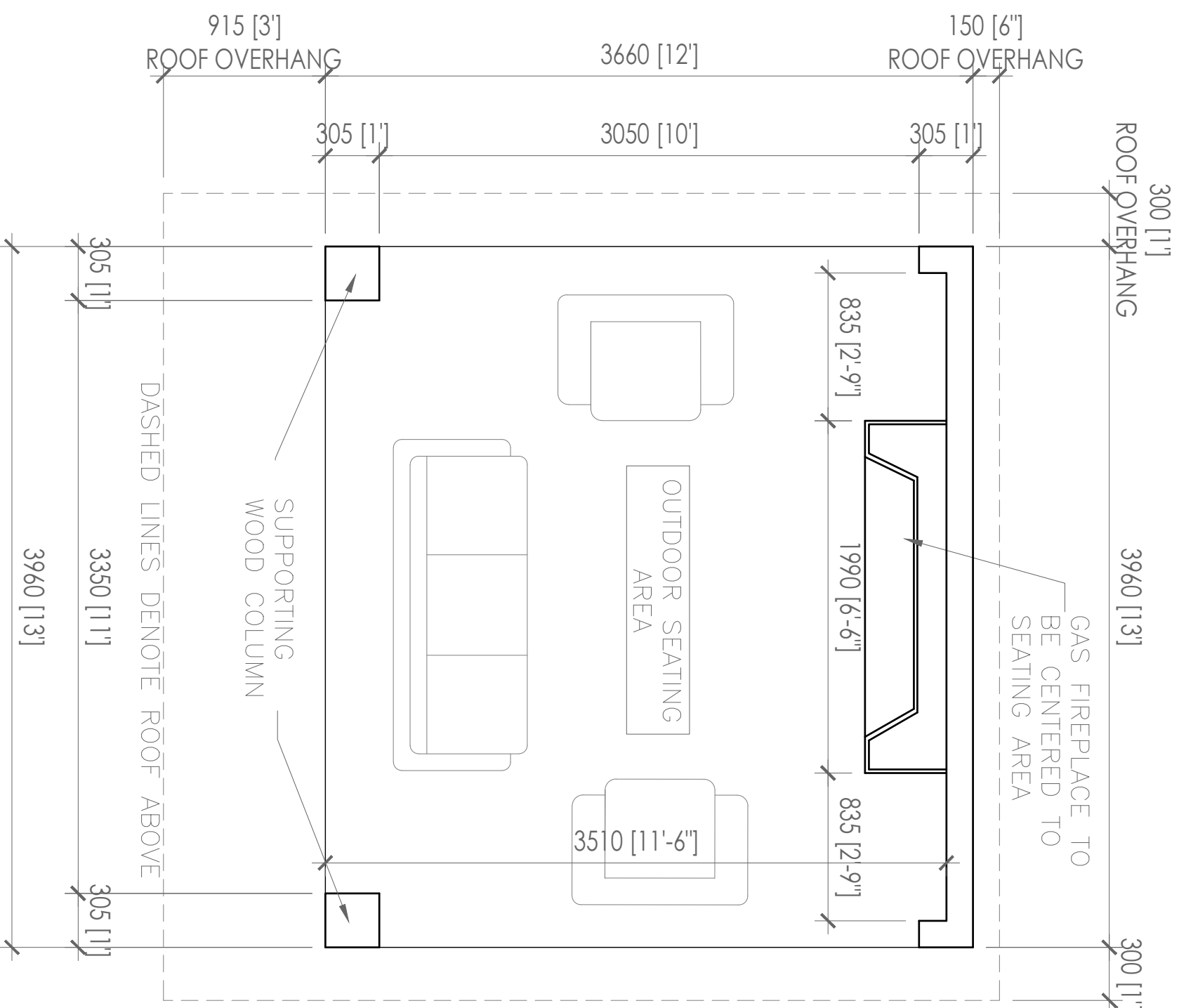
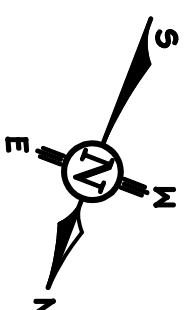
**FAUSTO CORTESE**  
ARCHITECTS

3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTSE@FCARCHITECTS.CA

PROJECT:  
PROPOSED  
POOL CABANA  
AT  
104 SECRET GARDEN COURT  
WOODBRIDGE, ONTARIO

DRAWING:  
OVERALL SITEPLAN

DATE:	MAR 2021	PROJECT No.:	2021-10
SCALE:	AS NOTED	DRAWING No.:	
DRAWN BY:		REVIEWED BY:	



No.	DESCRIPTION	DATE
	ISSUED FOR CONSTRUCTION	
	ISSUED FOR BID	
	ISSUED FOR BUILDING PERMIT	
	ISSUED FOR SITE PLAN APPROVAL	
	SUBMITTALS	

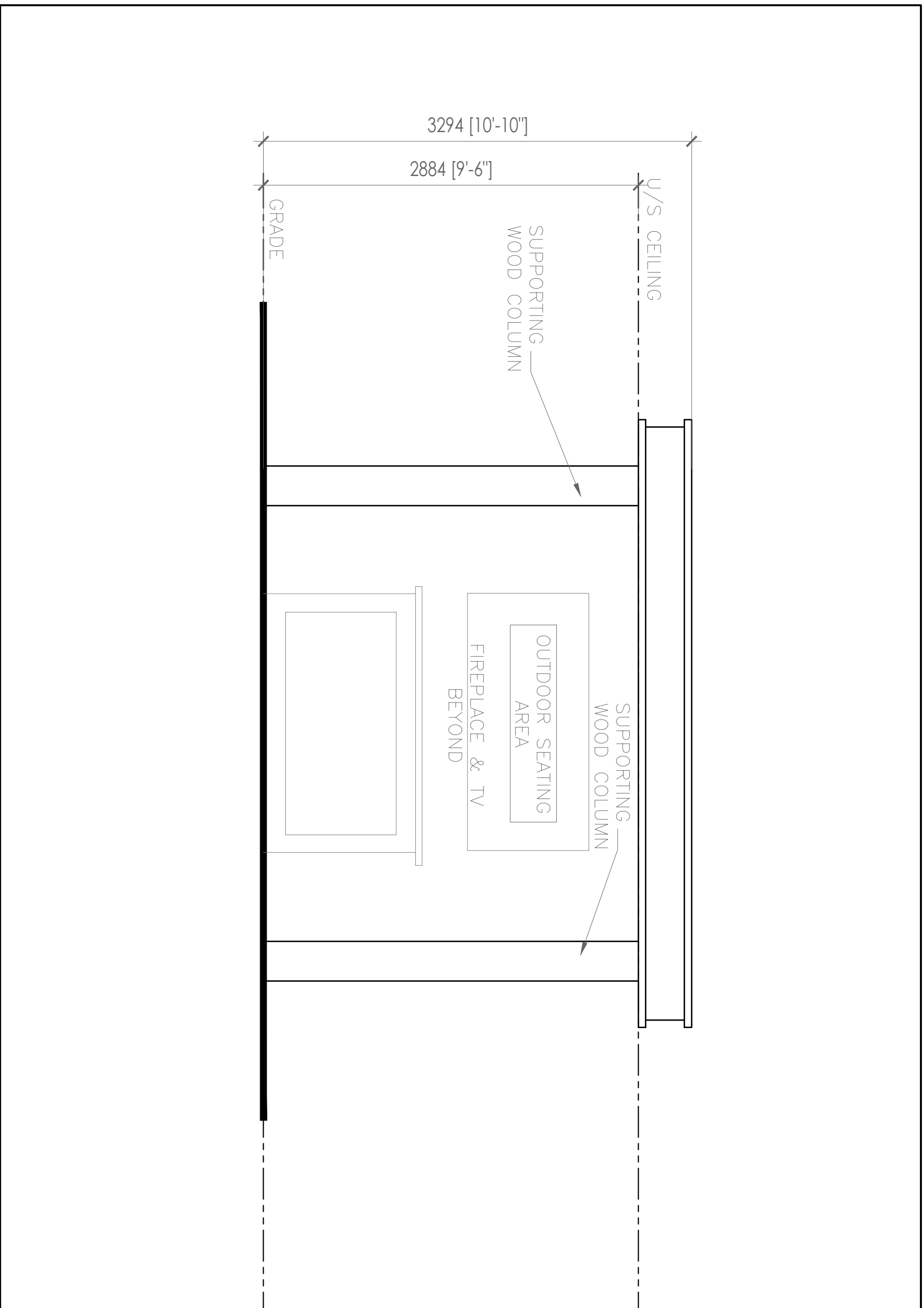
CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
 THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.  
 DO NOT SCALE DRAWINGS.



**FAUSTO CORTESE**  
 ARCHITECTS  
 3590 RUTHERFORD RD. UNIT 7  
 VAUGHAN, ONTARIO, L4H 3T8  
 416-806-7000  
 FCORTSE@FCARCHITECTS.CA

PROJECT:  
 PROPOSED POOL CABANA AT 104 SECRET GARDEN COURT  
 WOODBRIDGE, ONTARIO  
 DRAWING:  
 PROPOSED FLOOR PLAN

PLOTTED:	PROJECT No.
DATE:	2021-10
SCALE:	DRAWING No.
AS NOTED	A2.0a
DRAWN BY:	REVIEWED BY:



1 FRONT ELEVATION  
A3.0 SCALE: 1/32

No.	DESCRIPTION REVISIONS	DATE
	ISSUED FOR CONSTRUCTION	
	ISSUED FOR BID	
	ISSUED FOR BUILDING PERMIT	
	ISSUED FOR SITE PLAN APPROVAL	
	SUBMITTALS	

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.  
DO NOT SCALE DRAWINGS.



**FAUSTO CORTESE**  
ARCHITECTS

3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTESI@FCARCHITECTS.CA

PROJECT:  
FEB 2021  
POOL CABANA  
AT  
104 SECRET GARDEN COURT  
WOODBRIEGE, ONTARIO

DRAWING:  
FRONT ELEVATION

PLOTTED:  
DATE: MAR 2021  
SCALE: AS NOTED  
DRAWING No.: 2021-10  
DRAWING BY: AS NOTED  
REVIEWED BY:



No.	DESCRIPTION	DATE
	ISSUED FOR CONSTRUCTION	
	ISSUED FOR BID	
	ISSUED FOR BUILDING PERMIT	
	ISSUED FOR SITE PLAN APPROVAL	
	REVISIONS	

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER. DO NOT SCALE DRAWINGS.

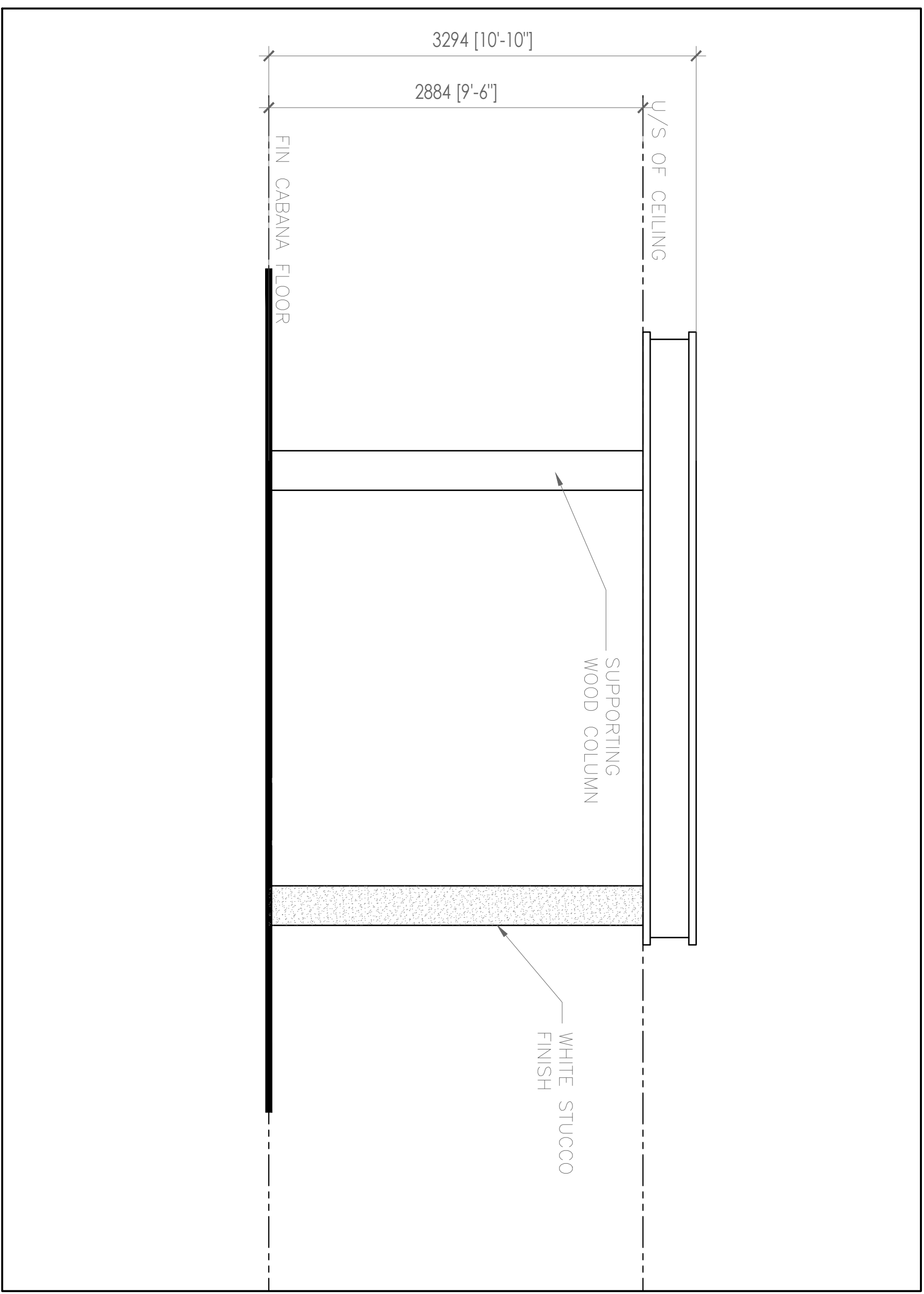


**FAUSTO CORTESE**  
ARCHITECTS  
3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTES@FCARCHITECTS.CA

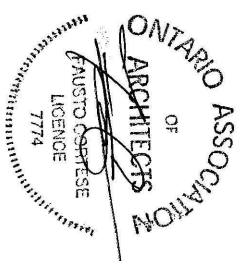
PROJECT: PROPOSED POOL CABANA AT 104 SECRET GARDEN COURT  
WOODBRIDGE, ONTARIO

DRAWING: SIDE ELEVATION

DATE: MAR 2021  
PROJECT No: 2021-10  
SCALE: AS NOTED  
DRAWING No: A3.1a



1 SIDE ELEVATION  
A3.1 SCALE: 1:30



No.	DESCRIPTION	DATE
	ISSUED FOR CONSTRUCTION	
	ISSUED FOR BID	
	ISSUED FOR BUILDING PERMIT	
	ISSUED FOR SITE PLAN APPROVAL	
	SUBMITTALS	

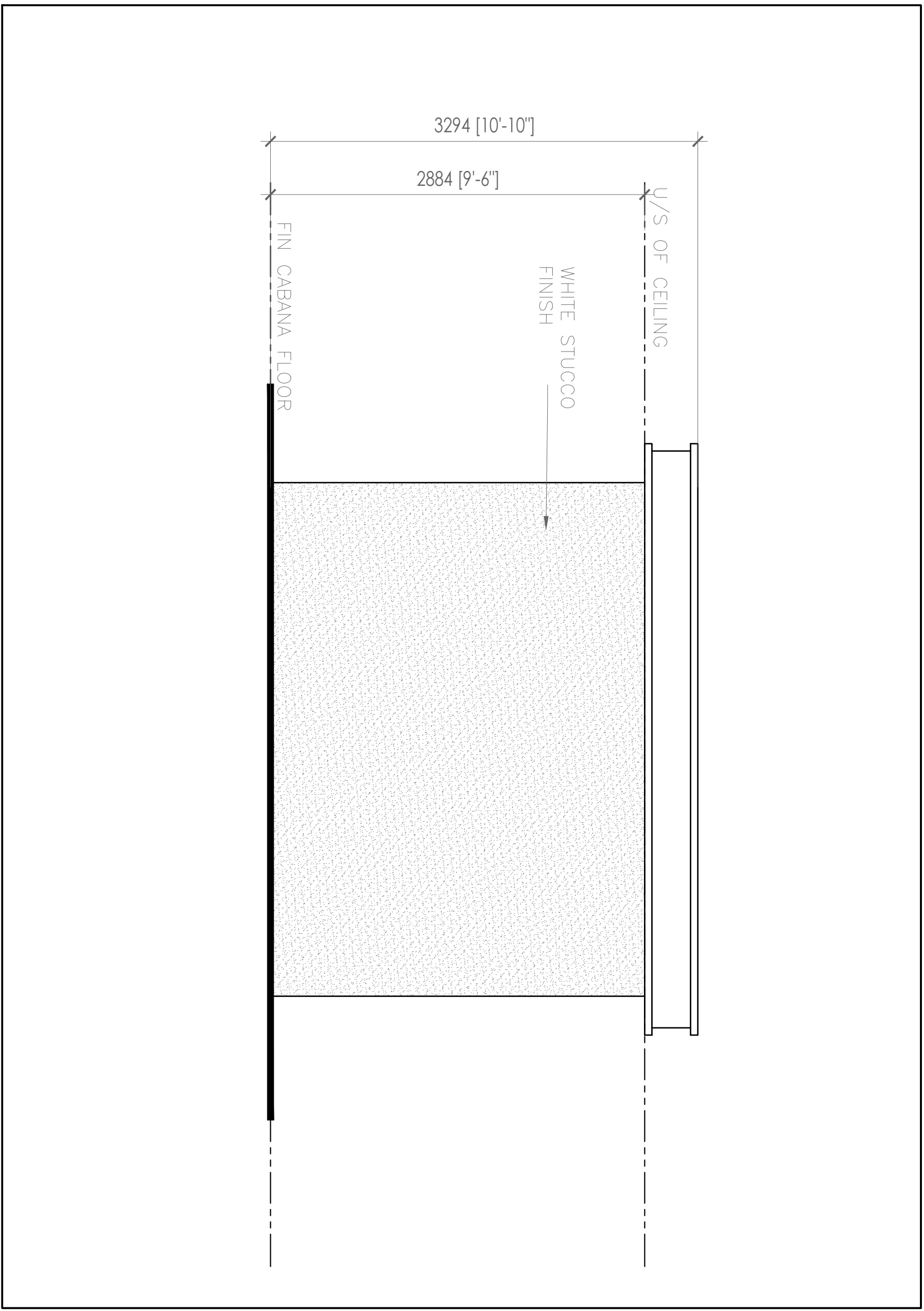
CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
 THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.  
 DO NOT SCALE DRAWINGS.



**FAUSTO CORTESE**  
 ARCHITECTS  
 3590 RUTHERFORD RD. UNIT 7  
 VAUGHAN, ONTARIO, L4H 3T8  
 416-806-7000  
 FCORTSE@FCARCHITECTS.CA

PROJECT: PROPOSED POOL CABANA AT 104 SECRET GARDEN COURT WOODBRIDGE, ONTARIO  
 DRAWING: REAR ELEVATION

DATE: MARCH 2021	PROJECT No: 2021-10
SCALE: AS NOTED	DRAWING No: A3.2a
DRAWN BY: REVIEWED BY:	







No.	DESCRIPTION REVISIONS	DATE

ISSUED FOR CONSTRUCTION  
 ISSUED FOR BID  
 ISSUED FOR BUILDING PERMIT  
 ISSUED FOR SITE PLAN APPROVAL

DATE

SUBMITTALS

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
 THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.  
 DO NOT SCALE DRAWINGS.



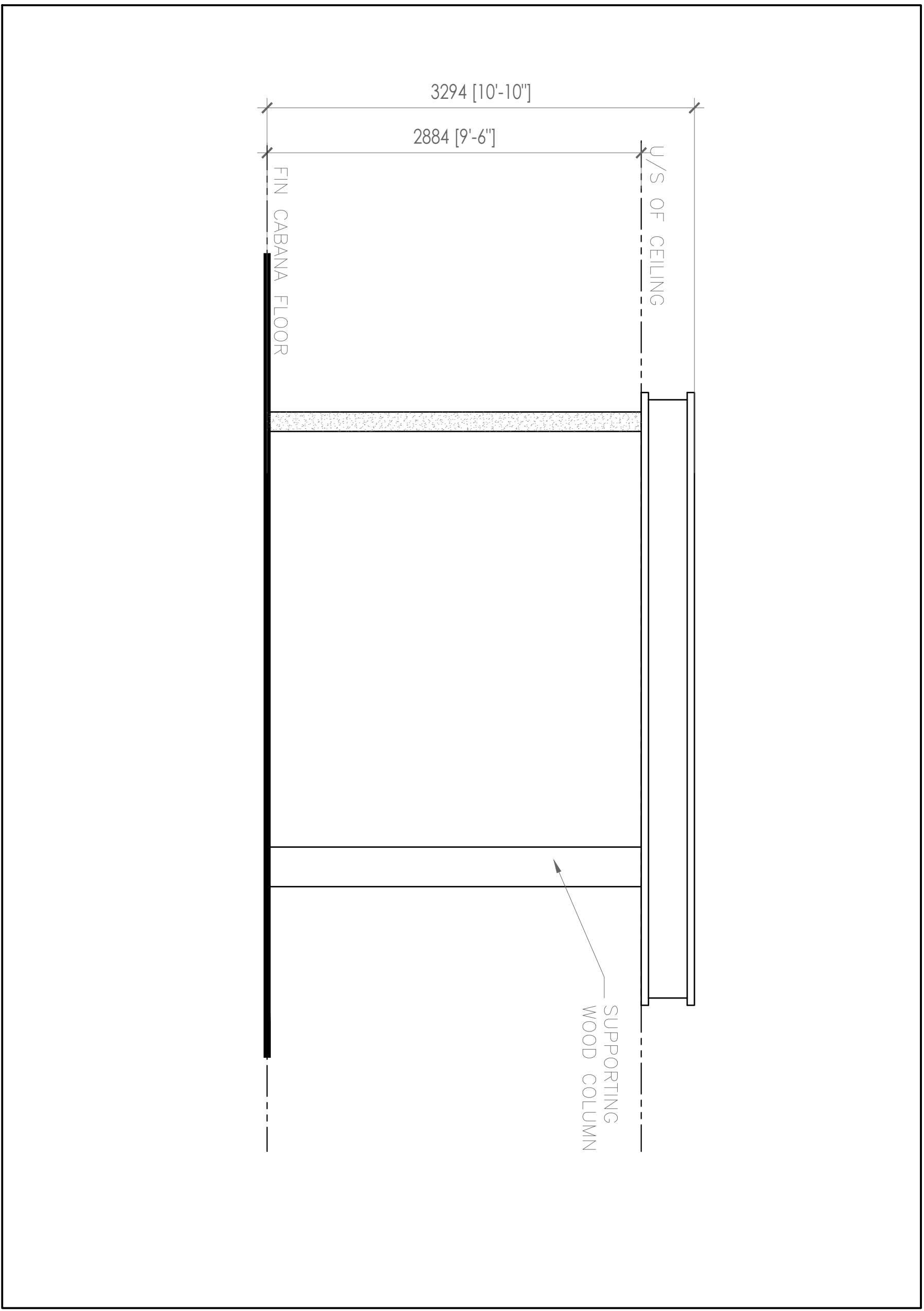
**FAUSTO CORTESE**  
 ARCHITECTS

3590 RUTHERFORD RD. UNIT 7  
 VAUGHAN, ONTARIO, L4H 3T8  
 416-806-7000  
 FCORTSE@FCARCHITECTS.CA

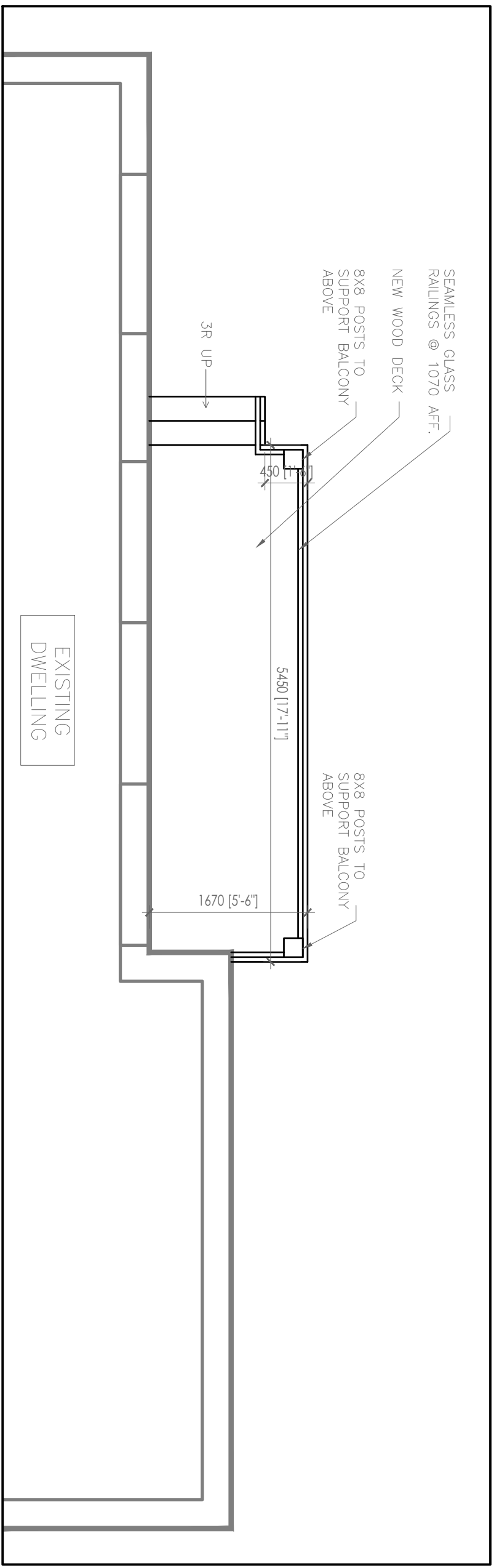
PROJECT:  
 PROPOSED POOL CABANA AT 104 SECRET GARDEN COURT  
 WOODBRIDGE, ONTARIO

DRAWING:  
 SIDE ELEVATION

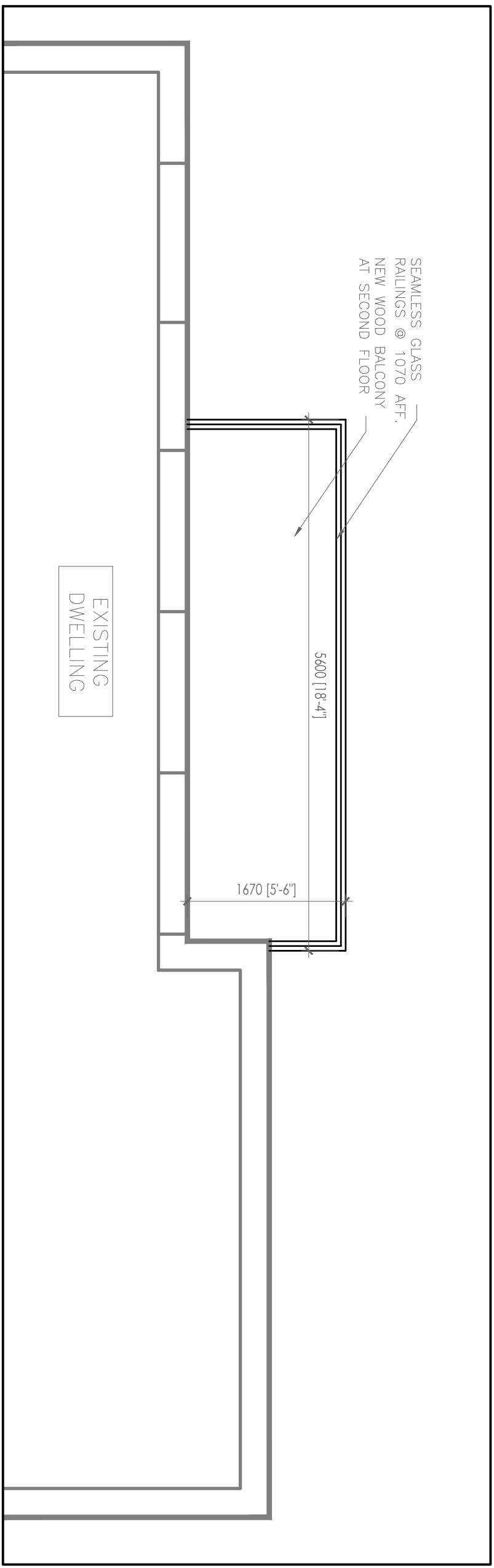
DATE: MAR 2021 PROJECT NO: 2021-10  
 SCALE: AS NOTED DRAWING NO: A3.3a  
 DRAWING BY: REVIEWED BY:



1 SIDE ELEVATION  
 A3.3 SCALE: 1:30



1  
A2.0b PROPOSED DECK FLOOR PLAN  
SCALE: 1/30



2  
A2.0b PROPOSED BALCONY AT SECOND FLOOR  
SCALE: 1/30



No.	DESCRIPTION REVISIONS	DATE

ISSUED FOR BID  
ISSUED FOR BUILDING PERMIT  
ISSUED FOR SITE PLAN APPROVAL  
SUBMITTALS

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.  
DO NOT SCALE DRAWINGS.



**FAUSTO CORTESE**  
ARCHITECTS

3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTES@FCARCHITECTS.CA

PROJECT:  
PROPOSED  
POOL CABANA  
AT  
104 SECRET GARDEN COURT  
WOODBRIEge, ONTARIO

DRAWING:  
PROPOSED DECK &  
BALCONY

DATE: MAR 2021  
PROJECT No. 2021-10

SCALE: AS NOTED  
DRAWING No. A2.0b

DRAWN BY: [REVIEWED BY]



No.	DESCRIPTION REVISIONS	DATE
	ISSUED FOR CONSTRUCTION	
	ISSUED FOR BID	
	ISSUED FOR BUILDING PERMIT	
	ISSUED FOR SITE PLAN APPROVAL	
	SUBMITTALS	

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.  
THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.  
DO NOT SCALE DRAWINGS.

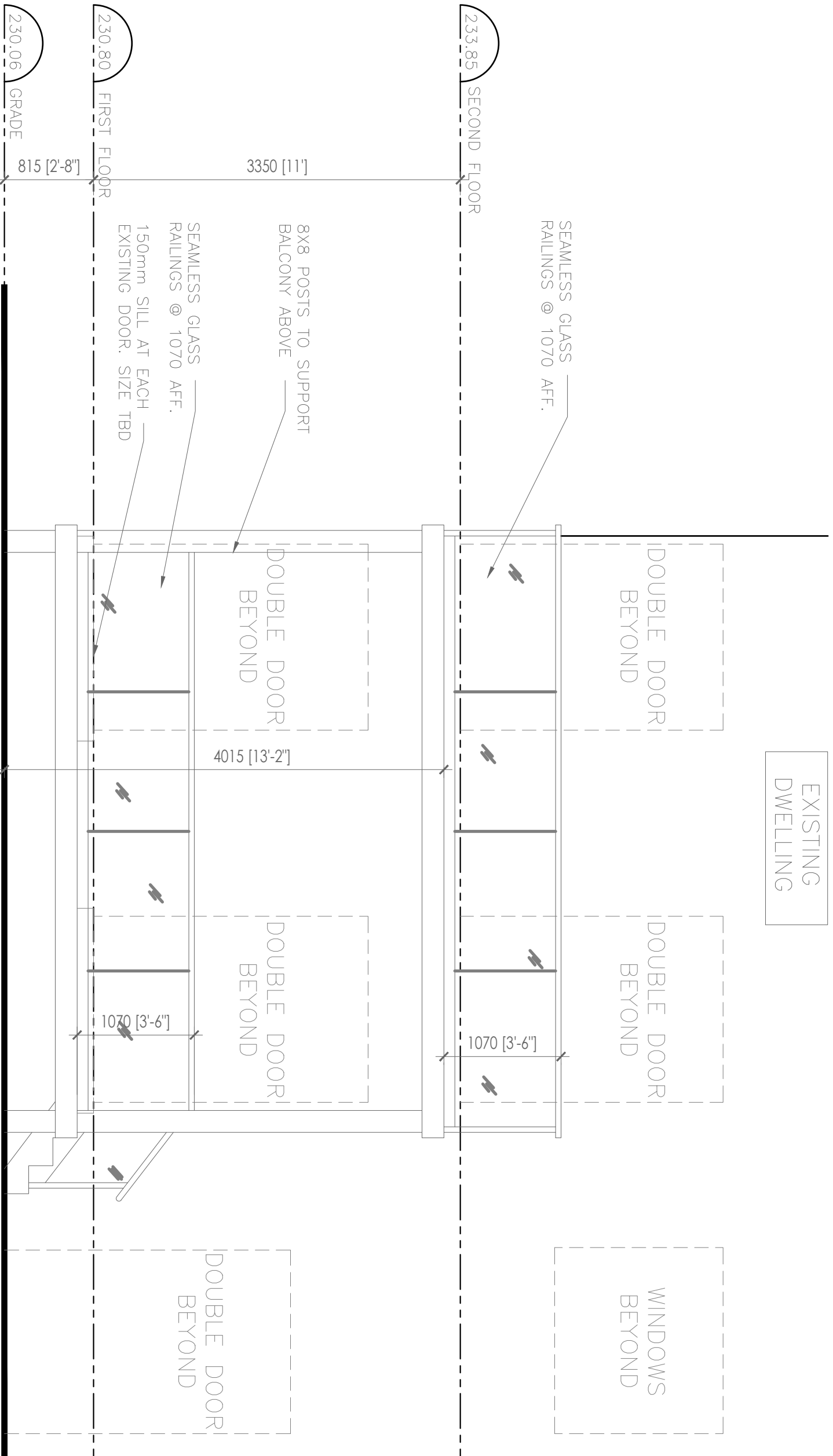
**FCM**

**FAUSTO CORTESE ARCHITECTS**

3590 RUTHERFORD RD. UNIT 7  
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000  
FCORTSE@FCARCHITCTS.CA

PROJECT:  
FEB 2021  
POOL CABANA  
AT  
104 SECRET GARDEN COURT  
WOODBRIDGE, ONTARIO

DRAWING: FRONT ELEVATION	
PLOTTED:	PROJECT No. 2021-10
DATE: MAR 2021	DRAWING No.
SCALE: AS NOTED	AS NOTED
DRAWN BY: REVIEWED BY:	A3.0b



## **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**

**York Region – No concerns or objections**

**TRCA – comments with conditions**





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](mailto:stephen.cranley@alectrautilities.com)

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

June 21, 2021

CFN 64195.19

**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 Ms. Vigneault:

**Re: Minor Variance Application A128-21**  
**104 Secret Garden Court, PLAN 65M4377 Lot 41**  
**City of Vaughan, Region of York**  
**Owner: Natalie Raju**  
**Agent: Fausto Cortese c/o Fausto Cortese Architects**

This letter acknowledges receipt of the above noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on June 15, 2021. TRCA staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*; the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of York, wherein we provide technical environmental advice related to provincial plans.

**Purpose of the Application**

It is our understanding that the purpose of the above noted application is to permit the construction of a pool cabana and a wood deck and balcony above. Staff understand that the following variances are required:

1. To permit a minimum rear yard setback of 3.70m for the proposed accessory structure (Cabana).
2. To permit a maximum lot coverage of 38.89%.
3. To permit a minimum rear yard soft landscaping of 53.75% (43.0m<sup>2</sup>) for the portion of the rear yard in excess of 135.0m<sup>2</sup>.

**Ontario Regulation 166/06**

The subject property is partially located within the TRCA's Regulated Area of the Humber River due to a valley corridor located on the adjacent lands to the north. In accordance with *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, development, interference or alteration may be permitted in the Regulated Area where

it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

### **Application-Specific Comments**

The rear of the subject property is adjacent to an Open Space block established as part of the Draft Plan of Subdivision 19T-08V04. The valley and stream corridor limits were delineated through the subdivision process, appropriate buffers were applied, and a portion of lands were conveyed to TRCA.

Based on a review of TRCA's current mapping and the submitted materials, the proposed works are located within TRCA's Regulated Area. In addition, the existing swimming pool has been recently built without the benefit of TRCA permits. TRCA policies require a minimum 6-metre setback from the top of bank (TOB) for any non-habitable development. Based on a review of the plans submitted with this variance application, TRCA is satisfied that the proposed setback to the TOB is adequate. As such, TRCA has no concerns with the proposed variances.

That being said, an after-the-fact permit under Ontario Regulation 166/06 will be required to recognize the existing swimming pool and authorize the proposed accessory structures (i.e., cabana, deck, and balcony) as part of the current application. A list of TRCA's permit requirements has been provided in Appendix 'A' for the applicant's reference.

### **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 \$610.00 (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 A128-21, subject to the following condition:

1. The applicant obtains an after the fact permit pursuant to Ontario Regulation 166/06 to recognize the existing swimming pool and authorize the proposed cabana, deck, and balcony at the rear yard.
2. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.

TRCA trusts these comments are of assistance. Should you have any questions, please contact the undersigned at extension 5256 or at [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca)

Sincerely, 

Hamedeh Razavi  
Planner I  
Development Planning and Permits

HR/sb

C: Holyday, Margaret [Margaret.Holyday@vaughan.ca](mailto:Margaret.Holyday@vaughan.ca)  
Simbana, Roberto [Roberto.Simbana@vaughan.ca](mailto:Roberto.Simbana@vaughan.ca)  
Torres, Michael [Michael.Torres@vaughan.ca](mailto:Michael.Torres@vaughan.ca)

**Appendix 'A': TRCA Permit Requirements**

In order to initiate the permit review process for the proposed minor works at the rear yard, the following materials must be submitted (digitally) to TRCA:

1. Complete Application for Development, Interference with Wetlands & Alterations to Shorelines & Watercourses (Residential/Development Projects) (Pursuant to Ontario Regulation 166/06).
2. The following plans/drawings:
  - Site Plan showing the dimensions and location (distance to the property lines) of proposed works;
  - Grading Plan showing existing and proposed grades. If grades remain unchanged, please add a note to the site plan;
  - Landscape Plan. Species should be native to TRCA's jurisdiction and compatible with adjacent forests. For native species within TRCA jurisdiction, please see species ranked L1 to L5 on the following table: [https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2019/07/08142613/2019\\_Flora\\_Ranks\\_Scores.pdf](https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2019/07/08142613/2019_Flora_Ranks_Scores.pdf); and,
  - Erosion and Sediment Control Plan.
3. The Legal Survey
4. After-the-Permit review fee of \$990.00 (double the fee for Works on Private Residential Property – Minor, to cover voluntary compliance related to the resolution of a violation of Ontario Regulation 166/06)

## Pravina Attwala

---

**Subject:** FW: A128/21 (104 SECRET GARDEN COURT, KLEINBURG) REQUEST FOR COMMENTS

---

**From:** Development Services <developmentservices@york.ca>

**Sent:** June-22-21 4:11 PM

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

**Subject:** [External] RE: A128/21 (104 SECRET GARDEN COURT, KLEINBURG) REQUEST FOR COMMENTS

Hello Pravina,

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

Many thanks,

**Christine Meehan, B.U.R.PL.** | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

---

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

1-877-464-9675 | [christine.meehan@york.ca](mailto:christine.meehan@york.ca) | [www.york.ca](http://www.york.ca)

*Our Values: Integrity, Commitment, Accountability, Respect, Excellence*



**Our Mission: Working together to serve our thriving communities – today and tomorrow**

Please consider the environment before printing this email.