



File: A083/20

Applicant: Anna Cardwell

Address: 2 Winterlude Court, Kleinburg

Agent: Ian Robertson Design

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<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)	<input checked="" type="checkbox"/>	

Adjournment History: October 1, 2020

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

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, September 9, 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: 18

A083/20

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, September 9, 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

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:** Anna Cardwell
- Agent:** Ian Robertson Design
- Property:** 2 Winterlude Court, Kleinburg
- Zoning:** The subject lands are zoned R1 and subject to the provisions of Exception 9(1162) under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
- Related Files:** None
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit reduced minimum soft landscaping to accommodate the existing Bocce Court located in the rear/exterior side yard.

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

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

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

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

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

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

Adjournment History:

Hearing Date:	Members Absent from Hearing:	Status of Adjournment: (i.e. date/sine die)	Reason for Adjournment:
Oct 1 2020	None	Sine Die	To permit time for the applicant to obtain approval from the developer. *Subdivision has now been assumed as confirmed by Development Engineering.

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 August 25, 2021

Applicant confirmed posting of signage on August 25, 2021

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

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

Adjournment Request: None

Building Standards (Zoning Review):

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

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

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is requesting permission to maintain an existing bocce court in the rear yard. The Committee of Adjustment previously approved Minor Variance File A206/16 to facilitate a generator in the side yard and File A092/15 to facilitate the existing accessory structures and hot tub. The variance for the reduction in soft landscaped area is considered minor in nature as the surface of the bocce court is pervious and will allow for drainage. While the bocce court does not meet the definition of "soft landscaping" by Zoning By-law 1-88, it will contribute to the overall drainage capacity of the rear yard thereby, mitigating any drainage impacts potentially caused by reduced soft landscaping in the rear yard. Development Engineering staff have reviewed the materials used in the construction of the bocce court and have no objections. Accordingly, 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.

The Development Planning Department recommends approval of the application.

Development Engineering:

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

Development Engineering has also confirmed with the Inspection and Lot Grading Team of Development Engineering that Winterlude Court is now assumed by the City. Also identified in this tracking list by Development Engineering:

<https://vol.vgn.cty/departments/ipcam/Shared%20Documents/Engineering%20Street%20Index.pdf> (See By-law 43-2021)

In addition, the applicant had submitted a Stormwater Drainage Assessment which clearly identifies that the Bocce Court has provided a reduced Storm Discharge Rate when compared to sod. In the event, that the Bocce Court cannot be deemed soft landscaping it has been proven to have reduce stormwater surface discharge which eliminates the concerns of additional stormwater entering into the storm system. With this information, Development Engineering Department has no concerns or objections to minor variance application A083/20.

Parks Development - Forestry:

The applicant is to confirm with Forestry if they are using the boulevard as an access point to their property. If access over the boulevard is required, the applicant will be required to enter into an access agreement.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date

Development Finance:

No comment no concerns

Fire Department:

No comments received to date

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Public Correspondence (Anthony Simone, Parente, Borean LLP) – September 30, 2020

Applicant Correspondence (Includes: Property Survey, Lot Grading Certificate, Soft Landscaping Calculation, Stormwater Drainage Assessment, Staff Report – October 1, 2020).

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/Background (Notice of Decision)

Committee of Adjustment Minutes - October 1, 2020

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

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended: None

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. 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.

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 Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

For further information please contact the City of Vaughan, Committee of Adjustment
Adriana MacPherson
T 905 832 8585 Extension 8360
E CofA@vaughan.ca

Schedule A: Plans & Sketches

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

Location Map

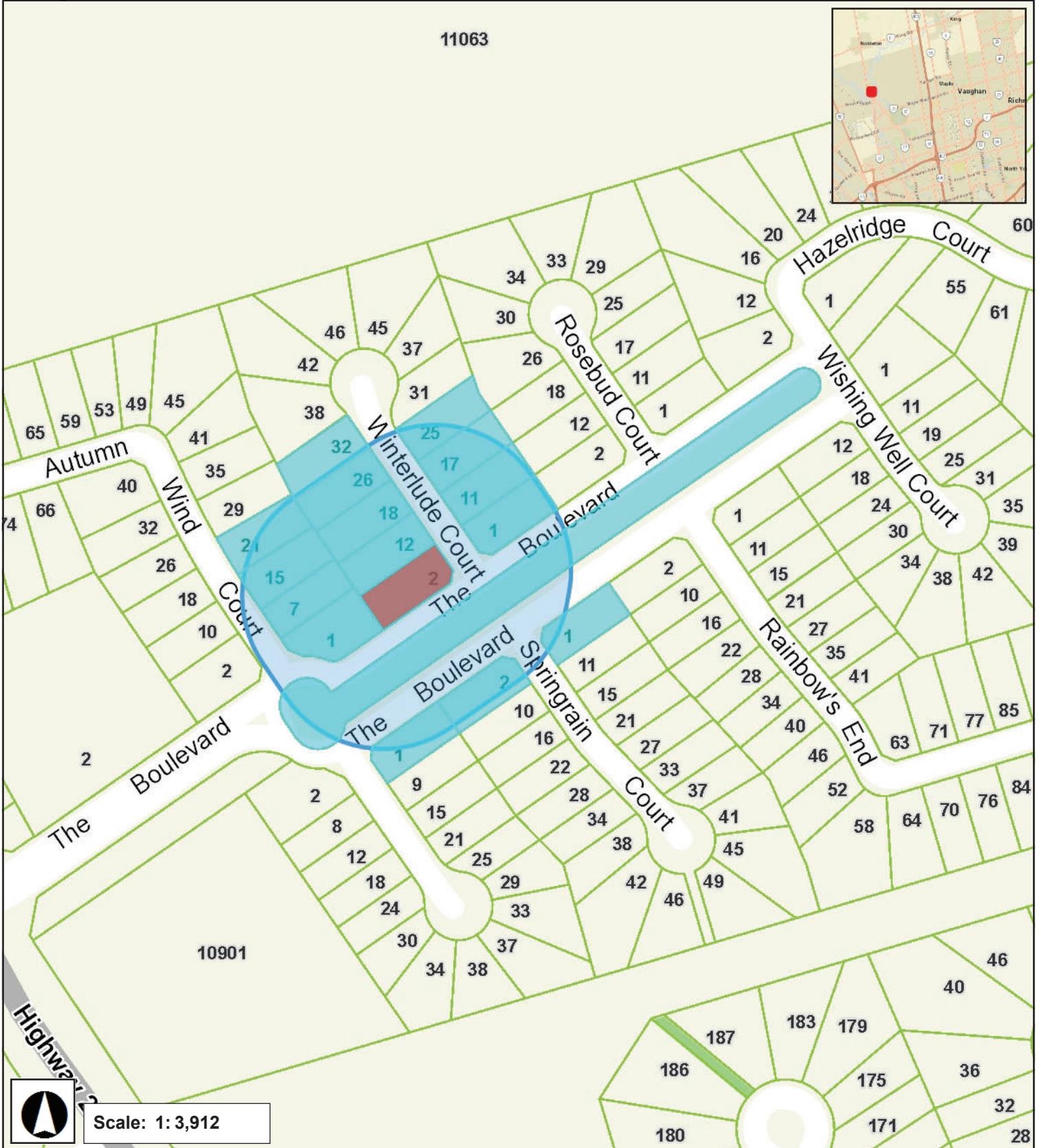
Plans & Sketches

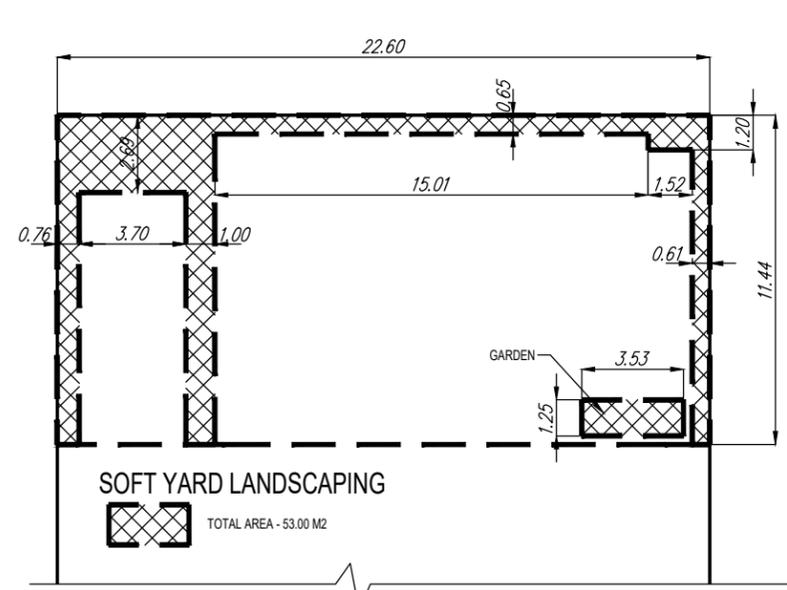
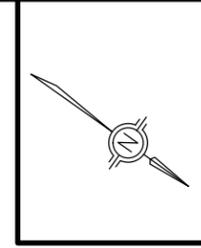


A083/20- Notifiction Map

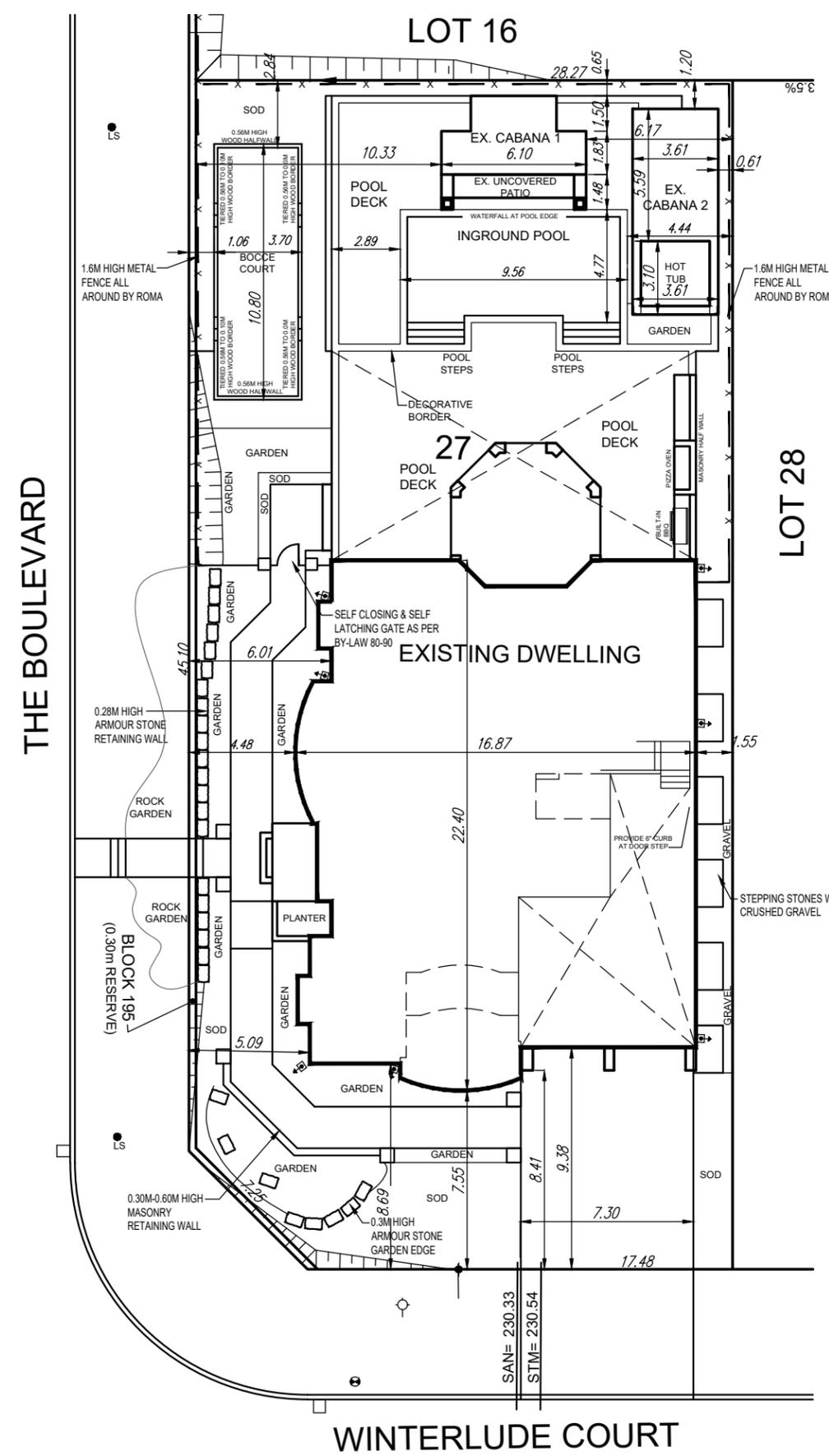
2 Winterlude Court, Kleinburg

Kirby Road





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



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

BUILDING HEIGHT (FROM AVERAGE GRADE)						
LOT No.	AVERAGE GRADE	O/A HEIGHT (10.50 MAX)				
27	233.80	13.40				
LOT No.	HOUSE TYPE	FRONT YARD AREA m2	50% MIN. LANDSCAPE AREA m2	TOTAL LANDSCAPE AREA - DRIVEWAY	% LANDSCAPE AREA	
27	CUSTOM	187.72	(187.72 X 50%) = 93.86 m2	(187.72-68.13) = 119.59	63.70%	
			60% MIN. SOFT LANDSCAPE AREA m2	(93.86 X 60%) = 56.31 m2	(119.59-28.15) = 91.44	97.42%
			50% MIN. LANDSCAPE AREA m2	(104.80 X 50%) = 52.40 m2	(104.80-0.00) = 104.80	63.70%
FLANKAGE YARD AREA m2	104.80	60% MIN. SOFT LANDSCAPE AREA m2	(52.40 X 60%) = 31.44 m2	(104.80-48.62) = 56.18	107.2%	
		60% MIN. LANDSCAPE AREA m2 (OVER 135M2)	(258.45-135) =123.45 (123.45 X 60%) = 74.07 m2	53.00	42.93%	
		REAR YARD AREA m2	258.45			

IAN ROBERTSON DESIGN GENERAL NOTES

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

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

SITE GRADING PLAN
2 WINTERLUDE COURT

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 2.2.5 OF THE BUILDING CODE
IAN ROBERTSON 27816
REGISTRATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 2.2.4 OF THE BUILDING CODE
1RISER DESIGNS Inc. 32026

Client: **MATTHEW AQUINO**
Project: **2 WINTERLUDE COURT CITY OF VAUGHAN**

Plan #: 65M-3895 Lot #: 27
Drawn by: IR/BM Checked by: IR
Scale: 1:250 Date: 07/11/19
Project #: 11-55

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 (Anthony Simone, Parente, Borean LLP) – September 30, 2020
Applicant Correspondence (Includes: Property Survey, Lot Grading Certificate, Soft Landscaping Calculation, Stormwater Drainage Assessment, Staff Report – October 1, 2020).



PARENTE • BOREAN ^{LLP}
BARRISTERS AND SOLICITORS

September 30, 2020
File No. 20-0417

Lawyer Direct Dial: (905) 850-6068
Email: gborean@parenteborean.com
Associate: (905) 850-6066 ext. 247
Email: asimone@parenteborean.com

DELIVERED VIA EMAIL: cofa@vaughan.ca

City of Vaughan
Office of the City Clerk – Committee of Adjustment
Vaughan City Hall, Level 100
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Secretary Treasurer, Committee of Adjustment,

Re: Committee of Adjustment File No. A083/20
Hearing Date: Thursday, October 1, 2020; Item No. 20
Address: 2 Winterlude Court, Kleinburg (the “Property”)
Notice of Objection

Please be advised that we are the lawyers for Humberplex Developments Inc. (“Humberplex”) regarding the application by Matthew Aquino (the “Applicant”) for a minor variance for the Property.

Humberplex opposes and objects to the Applicant’s application for a minor variance for the Property as set out in File No. A083/20 (the “Application”).

The Parties

Humberplex is a residential property developer of a subdivision in the City of Vaughan, Ontario, which subdivision includes the Property.

The City of Vaughan is the municipality having jurisdiction for subdivision control and property standards with respect to the Property, and the City of Vaughan has not yet assumed the subdivision within which the Property is located.

The Applicant, as purchaser, purchased the Property from Humberplex, as vendor, pursuant to an agreement of purchase and sale dated July 21, 2009 (the “APS”). In the APS, Humberplex is referred to as the “Vendor” and the Applicant is referred to as the “Purchaser”.

The APS

The APS includes, among other things, the following provisions:

- (i) 3.7 “...The Purchaser covenants and agrees not to commence construction or building operations for the dwelling to be constructed on the lot **until it has obtained approval from the Vendor’s Architect** as provided for in Section 3.8 and covenants and agrees to construct the dwelling in accordance with said approval. ...” [emphasis added]
 - The Applicant has not obtained the approval of Humberplex’s Architect; see the attached letter of Studio tla, dated September 29, 2020.

- (ii) 3.8 “The Purchaser covenants and agrees that the dwelling and/or driveway to be erected on the lot will be planned and sited in conformity with the service lateral locations at the lot line designated by the appropriate authorities and/or Vendor’s Architect or Vendor’s Consulting Engineer. In order to ensure that any building to be erected on the lands is in conformity with the overall grading and slope stability plan(s) and service lateral locations and architectural design criteria for the Plan of Subdivision, **the Purchaser covenants and agrees not to commence construction or building operations until it has obtained for each part of the lands the approval of the Vendor’s Architect and the Vendor’s Consulting Engineer to three (3) sets of drawings and site plans which shall include locations of building(s), walkway(s), driveways(s), easement(s), fencing, walls, grading, architectural features of the site, surface drainage, landscaping proposals, ... and the Purchaser covenants and agrees to construct in accordance with these approvals, the provisions hereof and the provisions of the Subdivision Agreement, and in accordance with all other applicable requirements. ...**” [emphasis added]
 - The Applicant has not obtained the approval of Humberplex’s Architect nor Consulting Engineer for the surface drainage and landscaping proposals; see the attached letters of Studio tla and Condeland Engineering Ltd., both dated September 29, 2020.

- (iii) 3.14 “**The Purchaser covenants to apply for and obtain lot grading plan approval from the Vendor’s Consulting Engineer** before building permit application and to adhere to the same, and be responsible for completing and maintaining the grades and drainage of the lands and adjacent boulevards in accordance with the municipally approved grades, elevation, and levels required. ...” [emphasis added]
 - The Applicant has not obtained lot grading plan approval of Humberplex’s Consulting Engineer; see the attached letter of Condeland Engineering Ltd., dated September 29, 2020.

- (iv) 3.15 **“...The Purchaser covenants to topsoil and sod with No. 1 nursery sod the entire lot and the area from the front, rear and/or side of the lot line to the curb, excluding the sidewalk area. ...”** [emphasis added]
- The Applicant’s proposed variance conflicts with the Applicant’s covenants in the APS.
- (v) 5.9 **“The Purchaser covenants and agrees not to make any application for minor variance...without the written consent thereof of the Vendor, which consent may unreasonably and arbitrarily be withheld. This covenant may be pleaded by the Vendor as an estoppel to any such application by the Purchaser. ...”** [emphasis added]
- The Applicant has not obtained Humberplex’s consent to its Application.

The Applicant’s proposed variance, and the Application itself, is in direct conflict with numerous terms and provisions of the APS between the parties, which impose strict obligations and covenants on the Applicant in favour of Humberplex. The Application should therefore be denied, or in the alternative, adjourned until such time as the Applicant is in compliance with its obligations and covenants under the APS.

The Proposed Variance

The variance being sought, if granted, shall reduce the soft landscaping for the area of the rear yard greater than 135 square metres from 60% (being 74.1 square metres required for the Property) to 42.9% (being 53.0 square metres proposed for the Property). Among other things, this reduction in the soft landscaping is not minor in nature and accordingly, should not be granted by the Committee of Adjustment.

Humberplex has concerns about existing landscaping in the rear yard of the Property, specifically, the excessive amount of hard landscaping which taxes the stormwater management system design for the entire subdivision. The stormwater management system for the subdivision has been designed based on a runoff coefficient factor of 0.50, or a ratio of 50% impermeable surface to permeable surface coverage. By reducing the soft landscape areas (permeable surfaces), and correspondingly increasing the hard surface areas (impermeable surfaces), the Applicant will significantly increase the volume of runoff from the Property, far exceeding the allowable runoff for the subdivision. The Application is therefore unacceptable, as it may damage the stormwater management system for the entire subdivision.

The Bocce Court is Not a Soft Landscape Area

The Applicant has submitted to City of Vaughan staff that the Bocce Court at the rear of the Property is pervious and allows for drainage. Based on such submissions, the City of Vaughan’s Development Engineering Department has determined that the Bocce Court is permeable and allows for drainage, and has accordingly included same as a soft landscaping calculation. Humberplex has not been provided with any details regarding the construction and alleged permeability of the Bocce Court and requests same for its review and consideration.

Notwithstanding this, Humberplex maintains that the Bocce Court is not a soft landscape area and should not be included in the calculation of same.

Soft landscape areas are intended to retain runoff and slow the discharge of same to surrounding areas. Though Humberplex does not have any details regarding the construction of the Bocce Court, it is typical that bocce courts are constructed using sand, or such similar materials, which do not require water and therefore do not retain water like natural vegetation such as grass. The Bocce Court, if permeable as alleged by the Applicant, is likely too permeable and will not retain runoff as is typical of soft landscape areas; in this way, notwithstanding the alleged permeability of the Bocce Court, it will contribute to excessive runoff into the subdivision's stormwater management system. The Bocce Court is therefore not a soft landscape area and should not be included as such in any calculation of soft landscape areas.

In any event, if the Bocce Court is a soft landscape area, which Humberplex expressly denies, the reduction of the remainder of the soft landscape areas for the Property is nevertheless excessive and will result in a significant increase in the volume of runoff from the Property, far exceeding the allowable runoff for the subdivision.

The Proposed Variance is Not Minor in Nature

Given the significant proposed reduction in soft landscaping for the Property, and the adverse impacts of same on the stormwater management system for the entire subdivision, the variance sought by the Applicant is not minor in nature. The Application should therefore be denied by the Committee.

Additionally, the Applicant has failed to comply with its obligations and covenants in the APS, most notably, failing to obtain Humberplex's consent to the Application in question. Should the Committee intend to proceed with hearing the Application, it should, at the very least, adjourn this matter to allow the Applicant to seek Humberplex's consent and ensure that the Applicant is in compliance with his obligations and covenants under the APS.

Lastly, please find enclosed hereto letters of objection regarding the Application from Humberplex's consulting engineer, Condeland Engineering Ltd., and Humberplex's architect, Studio tla, both of which are dated September 29, 2020.

All of which is respectfully submitted on behalf of Humberplex this 30th day of September, 2020.

Yours truly,

PARENTE, BOREAN LLP

Per:



Anthony J. Simone

Encl.

cc: client

CONDELAND

CONSULTING ENGINEERS & PROJECT MANAGERS

September 29th, 2020

Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON, L6A 1T1

Attention: Secretary Treasurer, Committee of Adjustment

**Re: 2 Winterlude Court, Kleinburg
File A083/20
Lot 27 , 65M-3895
C. E. File No: 20-035**

We are the consulting engineers with respect to the Humberplex Development lands which includes the property noted as 2 Winterlude Court.

We have reviewed the aforementioned application seeking a reduction of the required soft landscaped areas, as it relates to the Storm Water Management system in place.

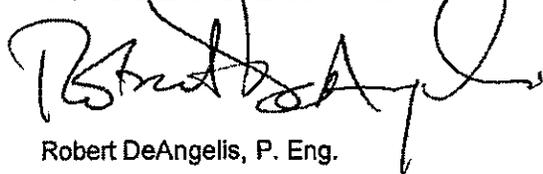
The subdivision has been designed based on a surface coverage of 50% impermeable or hard surface area of the entire lot area. By increasing the area of hard surface, the applicant is increasing the volume of rainwater runoff for the lot, exceeding the allowable volume.

Similar plans for the development have been reviewed by our firm and have been refused, we do not see an exception with this application.

Condeland Engineering is not prepared to approve a reduction of the required soft landscaped areas.

Yours very truly,

CONDELAND ENGINEERING LIMITED



Robert DeAngelis, P. Eng.

Cc: Parente Borean, Lawyers

(File: V:\ENGINEERING\General Correspondence\20035\2 winterlude.docx)

STUDIO



September 29, 2020

Mr. Tony DeCicco
Humberplex Developments Inc.

Dear Tony:

Re: lot 27, 2 Winterlude Court, Kleinburgh, ON

Please be advised we have not seen any prepared landscape plans, reviewed or approved any for this property.

Yours truly,

Paul Marsala

Paul Marsala, B.L.Arch., OALA, CSLA, ASLA, GRP, LEED Green Associate

20 CHAMPLAIN BLVD., Suite 102
TORONTO, ONTARIO
M3H 2Z1 CANADA

t: 416.638.4911
f: 416.638.4261
w: www.terrapien.ca

City of Vaughan

Committee of Adjustment - Minor Variance Application

File No. A083/20

Address: 2 Winterlude Court, Kleinburg, Ontario

Owner: Matthew Peter Aquino

Index of Documents

1	Tab 1 – Property Survey dated August 28, 2015 from Valerio Papa of Guido Papa Surveying Ltd.
2	Tab 2 – Lot Grading Certificate dated July 22, 2019 from A.A. Maurizio of Condeland Engineering Limited
3	Tab 3 – Soft Landscaping Calculation dated July 16, 2021 from Ian Robertson of Ian Robertson Design
4	Tab 4 – Stormwater Drainage Assessment dated July 21, 2021 from Paolo F. Albanese of Fabian Papa and Partners
5	Tab 5 – Staff Report from the City of Vaughan Item # 20 File No. A083/20

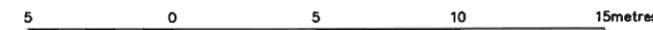
TAB 1

Property Survey dated August 28, 2015
from Valerio Papa of Guido Papa
Surveying Ltd.



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR

In accordance with
Regulation 1026, Section 29(3)



SCALE = 1:250m

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 21st DAY OF AUGUST, 2015

DATE: AUGUST 28, 2015

(Signature)
VALERIO G. PAPA
ONTARIO LAND SURVEYOR

NOTE:

GUIDO PAPA SURVEYING LTD. is not liable for use of this REPORT by any party or parties for FUTURE TRANSACTIONS or for any unrelated purposes.

This REPORT reflects conditions at time of survey. UPDATING may be required to issue ADDITIONAL COPIES subsequent to DATE of the SURVEYOR'S CERTIFICATE.

NOTE:

BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY LIMIT OF THE BOULEVARD AS SHOWN ON REGISTERED PLAN 65M-3895, HAVING A BEARING OF N54°33'30"E.

DENOTES	
■	SURVEY MONUMENT FOUND
□	SURVEY MONUMENT PLANTED
SIB	STANDARD IRON BAR
IB	IRON BAR
CC	CUT CROSS
WT	WITNESS
OU	ORIGIN UNKNOWN
Ms	MEASURED
PCF	POURED CONCRETE FOUNDATION
BY	BENNETT YOUNG LIMITED, O.L.S.
GP	GUIDO PAPA SURVEYING LTD., O.L.S.
PL	REGISTERED PLAN 65M-3895

© COPYRIGHT 2015 Guido Papa Surveying Ltd.

GUIDO PAPA SURVEYING Ltd.

ONTARIO LAND SURVEYORS
216 Chrislea Road • Suite 505
Woodbridge • Ontario • L4L 8S5
Tel: 905.264.2727 • Fax: 905.264.2728



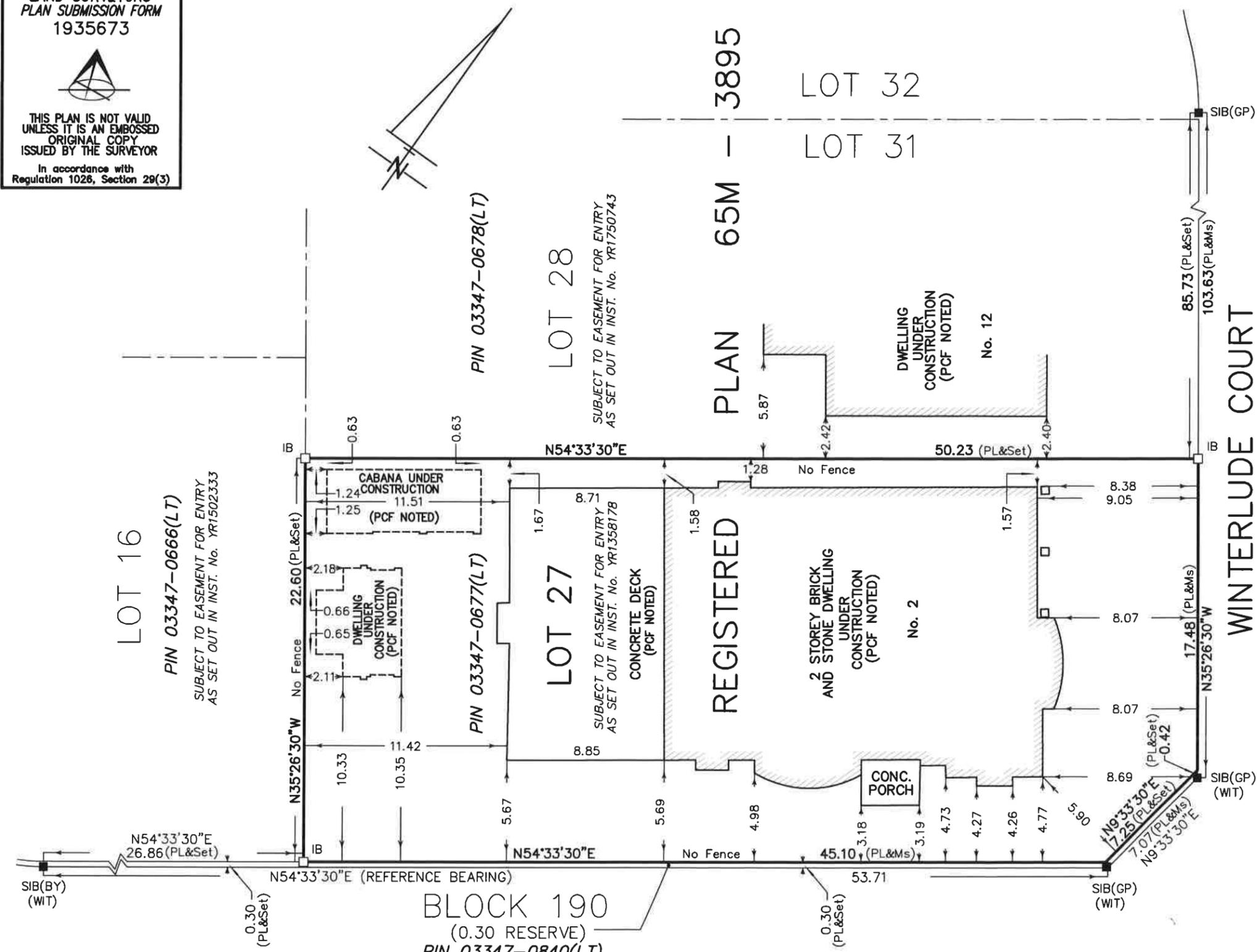
www.g-p-s.ca

DRAWN V.G.P.	CHECKED V.G.P.	REF. NO. 15-213
-----------------	-------------------	--------------------

PART 2 THIS PLAN MUST BE READ IN CONJUNCTION WITH REPORT DATED AUGUST 28, 2015

METRIC: DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

THIS REPORT HAS BEEN PREPARED FOR "MR. MATTHEW AQUINO" AND GUIDO PAPA SURVEYING LTD. ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

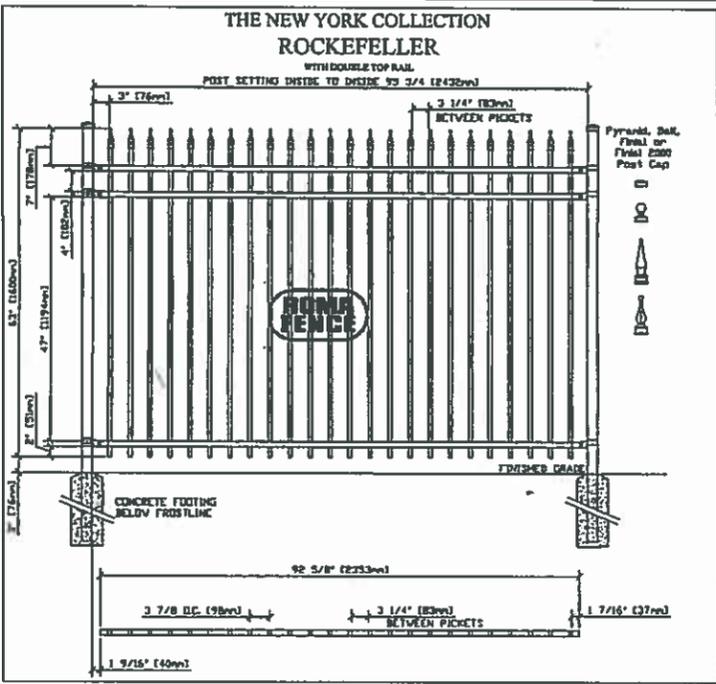


BLOCK 190
(0.30 RESERVE)
PIN 03347-0840(LT)

THE BOULEVARD
(DEDICATED BY REGISTERED PLAN 65M-3895)

TAB 2

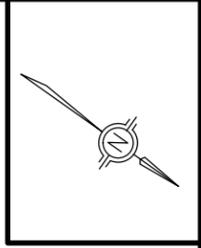
Lot Grading Certificate
dated July 22, 2019 from
A.A. Maurizio of Condeland
Engineering Limited



LICENSED PROFESSIONAL ENGINEER
A.A. MAURIZIO
 29726502
July 22 / 2019
PROVINCE OF ONTARIO

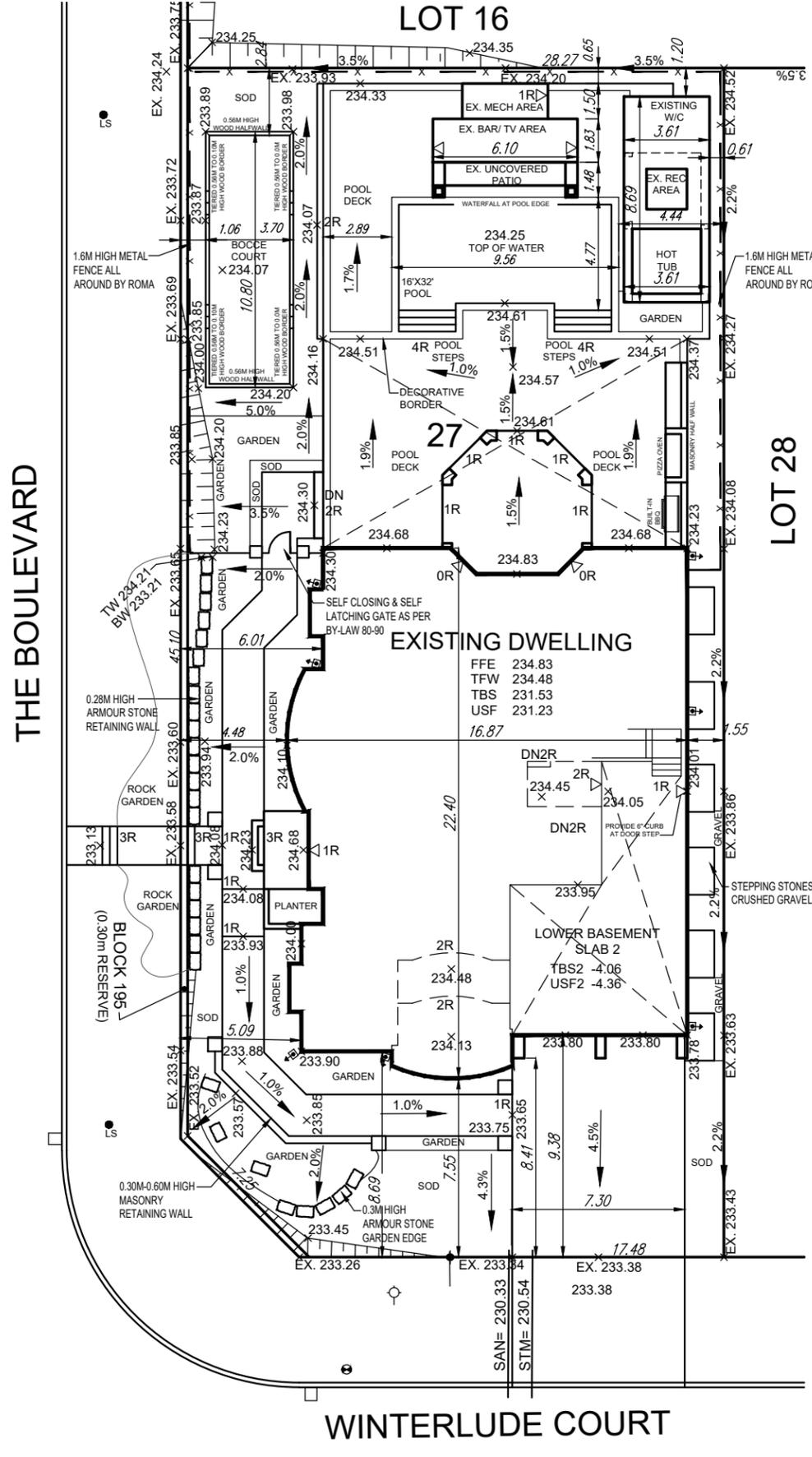
CONDELAND ENGINEERING LIMITED
 CONSULTING ENGINEERS, PLANNERS, PROJECT MANAGERS

APPROVED FOR LOT GRADING ONLY



**CITY OF VAUGHAN
 RESIDENTIAL LOT GRADING NOTES**

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



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

LOT No.	HOUSE TYPE	FRONT YARD AREA m2	50% MIN. LANDSCAPE AREA m2		TOTAL LANDSCAPE AREA - DRIVEWAY		% LANDSCAPE AREA
			(187.72 X 50%)	93.86 m2	(187.72-68.13=)	119.59	
27	CUSTOM	187.72	60% MIN. SOFT LANDSCAPE AREA m2		TOTAL HARDSCAPE AREA m2		% SOFT LANDSCAPE AREA
			(93.86 X 60%)	56.31 m2	(119.59-28.15=)	91.44	97.42%
27	CUSTOM	187.72	50% MIN. LANDSCAPE AREA m2		TOTAL LANDSCAPE AREA - DRIVEWAY		% LANDSCAPE AREA
			(104.80 X 50%)	52.40 m2	(104.80-0.00=)	104.80	63.70%
			60% MIN. SOFT LANDSCAPE AREA m2		TOTAL HARDSCAPE AREA m2		% SOFT LANDSCAPE AREA
27	CUSTOM	187.72	50% MIN. LANDSCAPE AREA m2		TOTAL LANDSCAPE AREA - DRIVEWAY		% LANDSCAPE AREA
			(52.40 X 60%)	31.44 m2	(104.80-48.62=)	56.18	107.2%
27	CUSTOM	187.72	60% MIN. LANDSCAPE AREA m2 (OVER 135M2)		ACTUAL LANDSCAPE AREA m2		% LANDSCAPE AREA
			(258.45-135=123.45)	123.45 m2	(123.45 X 60%=)	74.07 m2	79.10%

IAN ROBERTSON DESIGN GENERAL NOTES

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

#	REVISION	DATE
1	REVISED AS PER AS-BUILT CONDITIONS	JULY 11/19
2	ISSUED FOR CLIENT/ ENG. REVIEW	JULY 11/19
3	ISSUED FOR POOL ENCLOSURE PERMIT	JULY 19/19
4	REVISED AS PER CITY COMMENTS	AUG. 07/19

SITE GRADING PLAN
2 WINTERLUDE COURT

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 2.2.5 OF THE BUILDING CODE

IAN ROBERTSON 27816
 REGISTRATION INFORMATION
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 2.2.4 OF THE BUILDING CODE
 1RISER DESIGNS Inc. 32026

MATTHEW AQUINO

Project:
2 WINTERLUDE COURT
CITY OF VAUGHAN

Plan #: 65M-3895 Lot #: 27
 Drawn by: IR/BM Checked by: IR
 Scale: 1:250 Date: 07/11/19
 Project #: 11-55

TAB 3

Soft Landscaping Calculation

dated July 16, 2021

from Ian Robertson of

Ian Robertson Design

July 16, 2021

Sutherland Law
3300 Highway No. 7 Suite 904
Vaughan ON, L4K 4M3

Re: Matthew Aquino
A083/20 2 Winterlude Court

Address: 2 Winterlude Court – Lot 27
Vaughan ON, L4H 3N5

Dear Mr. Jonathan Frustaglio,

A grading plan for 2 Winterlude Court was designed by Ian Robertson Design and reviewed/ approved by Condeland Engineering on July 22, 2019. The City of Vaughan Zoning department interpreted the bocce court to be part of the hardscape calculations because the materials used do not fall under the definition of 'soft' landscaping as set out in the zoning by-law 1-88. The City of Vaughan Engineering department determined that the materials used in the construction of the bocce are indeed permeable and should not be included as part of the hardscape calculations.

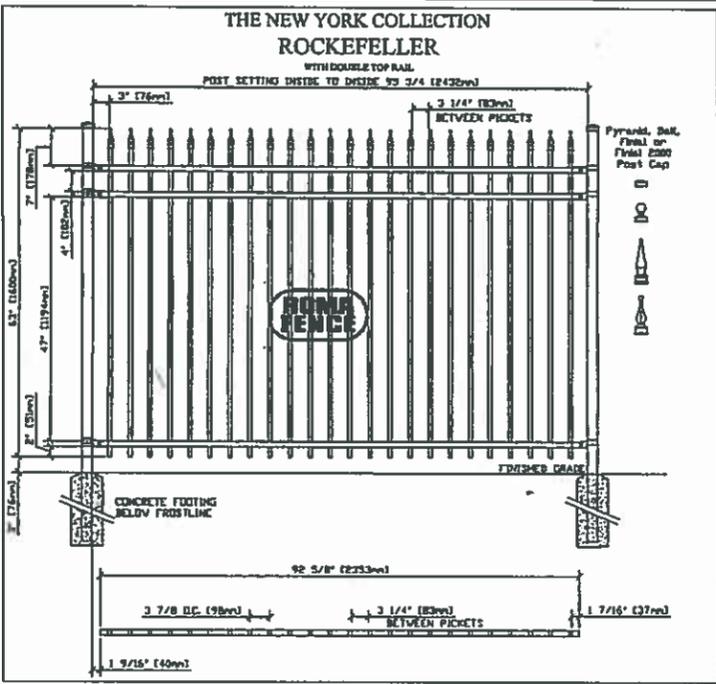
The minimum landscape requirement for a rear yard in excess of 135m² is 60%. The soft landscaping calculation as determined by the zoning department is 42.9%. This is excluding the bocce court. The soft landscaping calculation as determined by the Engineering department is 69% as they are including the bocce court in this calculation.

We can confirm that the landscaping at the above-noted address has been completed as per the attached drawings and conforms with all applicable standards.

Sincerely,



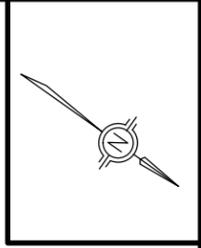
Ian Robertson,
President



LICENSED PROFESSIONAL ENGINEER
A.A. MAURIZIO
 29726502
July 22 / 2019
PROVINCE OF ONTARIO

CONDELAND ENGINEERING LIMITED
 CONSULTING ENGINEERS, PLANNERS, PROJECT MANAGERS

APPROVED FOR LOT GRADING ONLY

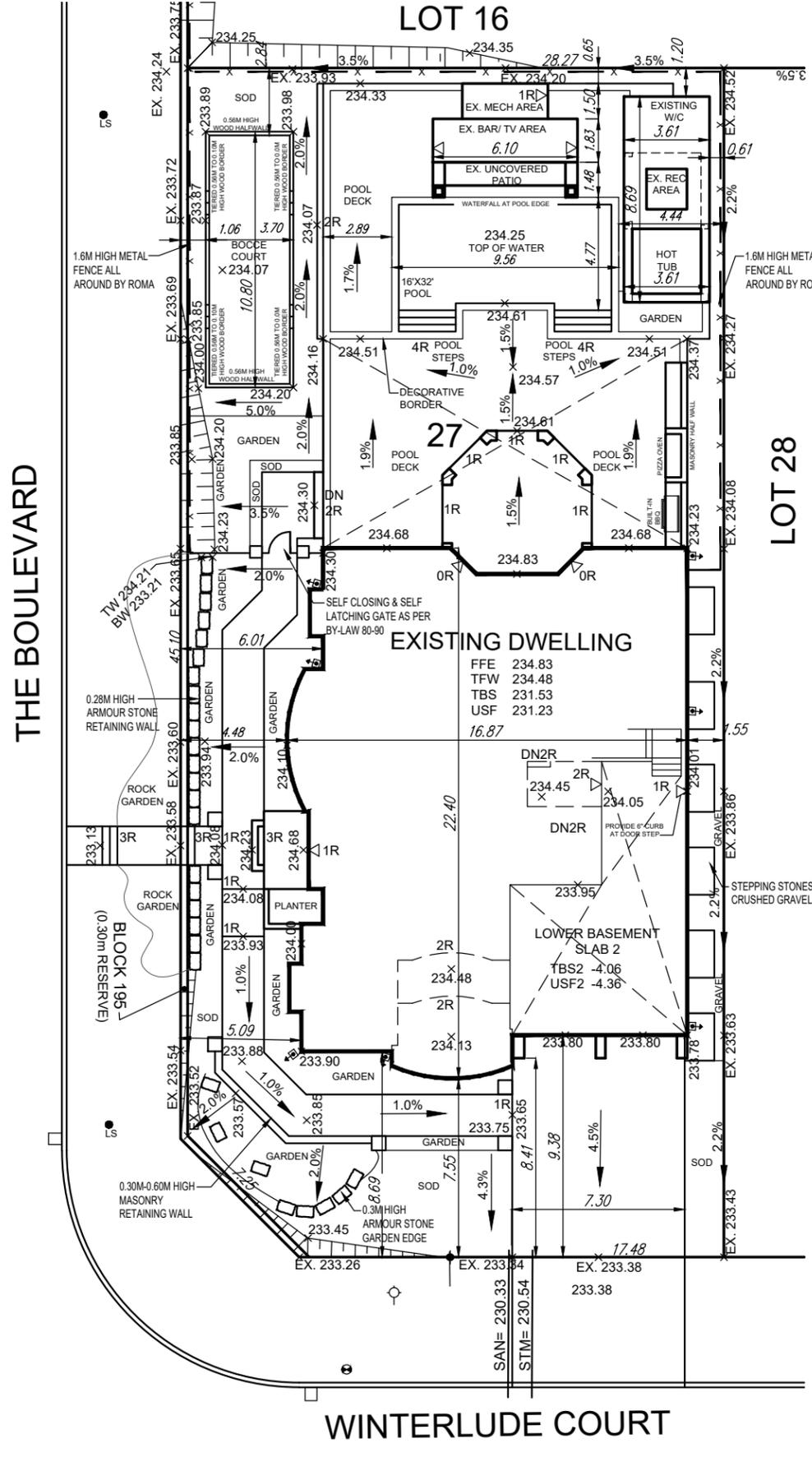


**CITY OF VAUGHAN
 RESIDENTIAL LOT GRADING NOTES**

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

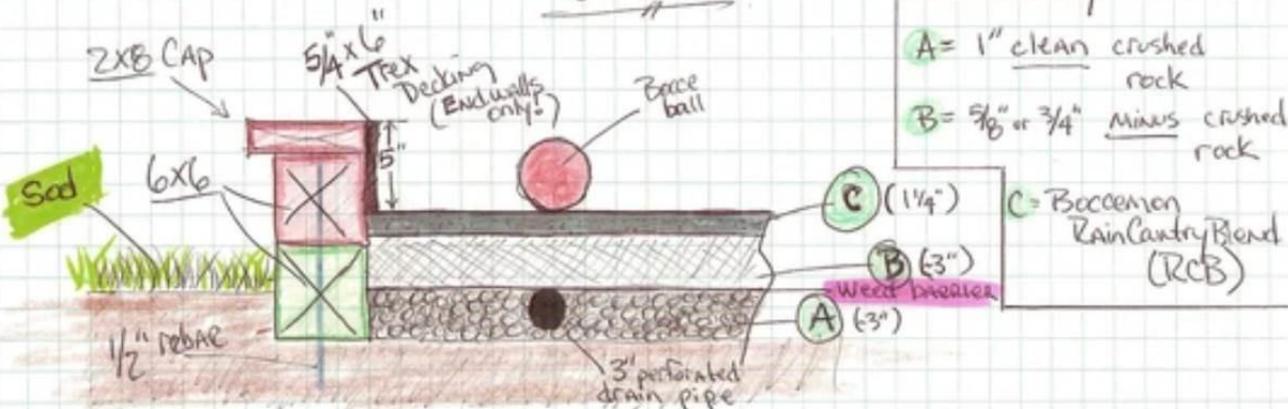
NOTES

1. Downspouts shall discharge to the ground surface via splash pads to the front of the house.
2. Service connection backfill to be discussed with the City.
3. The as-constructed sewer inverts are not available at this time of approval.
4. The builder must measure the invert elevations and verify that adequate fill is available for the storm and sanitary sewer pipes prior to the pouring of footings. Builder to verify adequacy of founding soils with project geotechnical consultant adjacent to rear lot catch basin and lead prior to pouring footings.
5. Extend footings for raised units: extended footings to be extended to engineered fill or suitable native material to be approved by project geotechnical engineer.



Boccemon
Cross Section
 JAN 2011

Key



- A = 1" clean crushed rock
- B = 5/8" or 3/4" minus crushed rock
- C = Boccemon RainCountry Blend (RCB)

Step #1 Cut out 3"-6" for drain rock layer. If wet environment put drain conduit in this layer. Use 1" clean crushed rock if available.

Step #2 Cover with weed barrier or geo-textile fabric to prevent "fines" from the 5/8" or 3/4" minus from dropping out.

Step #3 Fill with 3" to 4" of 5/8" or 3/4" minus crushed rock. Some refer to this as "commercial road base". California it's called "Class 2" or "AB" base rock. Limestone is great where available.

Step #4 Cover with 3/4" to 1 1/4" compacted RainCountry Blend exclusively from Boccemon

TAB 4

Stormwater Drainage Assessment
dated July 21, 2021 from
Paolo F. Albanese of
Fabian Papa and Partners



Memorandum

File: 21130
Date: 21 July 2021
From: Paolo F. Albanese (P: 905-264-2420 ext. 420, palbanese@fabianpapa.com)
To: Matthew Aquino, Homeowner
Copies: N/A
Re: Stormwater Drainage Assessment – Bocce Court in Rear Yard
Residential Dwelling at 2 Winterlude Court
City of Vaughan

Introduction

fabian papa & partners has been retained by Mr. Matthew Aquino, the homeowner at 2 Winterlude Court, to prepare this stormwater drainage assessment within the area of the bocce court in the rear yard, in order to compare the drainage characteristics of a sodded surface versus the bocce court surface with respect to surface stormwater runoff. A copy of the architectural site grading plan illustrating the bocce court location can be found appended to this memorandum for reference.

Stormwater Drainage Condition

The existing condition consist of a 10.8 m long × 3.7 m wide bocce court, constructed of approx. 200 mm (8”) depth of compacted crushed limestone granular material (of varying gradation), and enclosed by an elevated timber border/wall around its perimeter. A specification sketch from the manufacturer can be found appended to this memorandum, and a photo of the existing bocce court can be found in Figure 1 below for reference.



Figure 1: Bocce Court in Rear Yard

A crushed granular surface would typically carry a run-off coefficient of about 0.45, and a sodded surface would typically carry a run-off coefficient of about 0.25. The minor 5-year storm intensity for the City of Vaughan is calculated to be 137.2 mm/hr using a time of concentration of 7 min. The calculation can be found below:

$$I_{5\text{-yr}} = \frac{929.6}{(T+4)^{0.798}} = \frac{929.6}{(7+4)^{0.798}} = 137.2 \text{ mm / hr}$$

The corresponding minor 5-Year peak stormwater flow for each surface type (sod vs crushed granular as a comparison) is calculated as follows:

Sodded Surface:

$$Q_{5\text{-yr}} = \frac{(A \times R) \times I_5}{360} = \frac{(0.0040 \text{ ha} \times 0.25) \times 137.2 \text{ mm / hr}}{360} \times \left(\frac{1000 \text{ L}}{\text{m}^3}\right) = 0.38 \text{ L/s}$$

Crushed Granular (Bocce Court) Surface:

$$Q_{5\text{-yr}} = \frac{(A \times R) \times I_5}{360} = \frac{(0.0040 \text{ ha} \times 0.45) \times 137.2 \text{ mm / hr}}{360} \times \left(\frac{1000 \text{ L}}{\text{m}^3}\right) = 0.69 \text{ L/s}$$

However, it is important to re-emphasize that the existing Bocce Court has an enclosed elevated timber border/wall around its perimeter. The minimum border height above the granular surface is 50 mm (2”) at the center, and it goes even higher at the ends. This means that the perimeter timber border will block and trap all minor stormwater discharge and force it to infiltrate the granular layers into the ground, and thus have a reduced, or eliminated minor surface stormwater discharge when compared to a traditionally sloped sodded surface.

For example, assuming a minimum native soil infiltration rate of 15 mm/hr, and “full stormwater capture” within the bocce court area (for conservatism), the required and provided total storage volume for ground infiltration is summarized as follows:

Soil Percolation Rate – T-time (assumed): 15 mm/hr

$$Q = f \times \frac{P}{3,600,000} \times \text{Infiltration Area} = 0.75 \times \frac{15 \text{ mm/hr}}{3,600,000} \times 40.0 \text{ m}^2 = 0.000125 \text{ m}^3/\text{s} = 0.125 \text{ L/s}$$

* *f* is a longevity factor of 0.75 applied to the flow calculation per the MECP SWM Design Manual Table 4.12 of Section 4.9.3.

5-Year Stormwater Storage Required (see attached calculation sheet): **0.9 m³**

Bocce Court Stormwater Storage Provided: **2.8 m³**

Granular Bedding Storage Provided: 0.8 m³
 (40.0m² × 0.2m depth × 10% void space ratio)

Surface Storage Provided: 2.0 m³
 (40.0m² × 0.05m depth of lowest elevated border)

Therefore, since the stormwater storage volume provided is larger than what is required, then it is confirmed that there will not be any surface stormwater discharge off of the bocce court area during (and slightly beyond) a minor 5-year storm event.

Conclusion

Although a sodded surface will traditionally have less stormwater surface runoff than a crushed granular surface (based solely on their accepted run-off coefficients), it can be clearly seen in the previous sections that this particular bocce court, with the enclosed elevated timber border/wall around its perimeter, will discharge less stormwater than a sodded surface. This bocce court goes even one step further and has no discharge during a minor 5-year storm event as it will block and trap all stormwater discharge and force it to infiltrate the granular layers into the native soil.

The minor 5-year storm event surface stormwater discharge rate for a sodded surface versus the bocce court can be summarized in the following table for clarity:

Sodded Surface – Stormwater Surface Discharge Rate:	0.38 L/s
Bocce Court – Stormwater Surface Discharge Rate:	0.0 L/s

We trust this stormwater drainage assessment satisfies your current needs. Please feel free to contact our office if you have any questions or concerns.

Respectfully Submitted,

fabian papa & partners

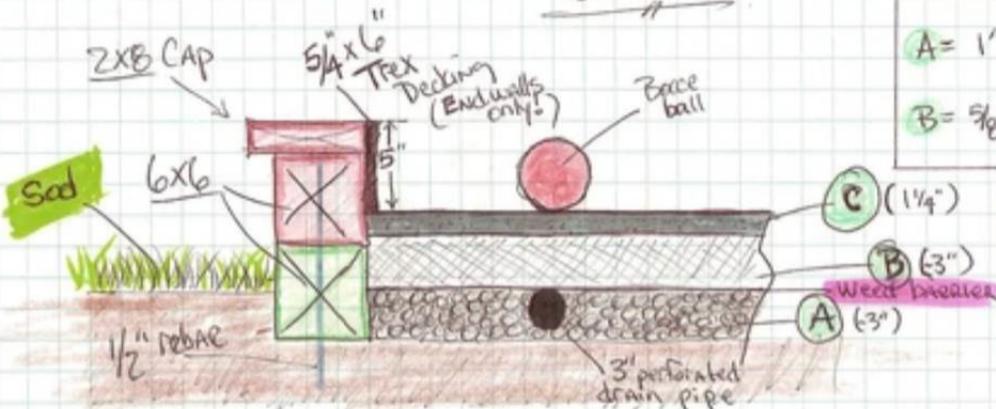
A Division of FP&P HydraTek Inc.



Paolo F. Albanese, P.Eng.
PEO Designated Consulting Engineer
Partner

(905) 264-2420 x 420
palbanese@fabianpapa.com

Boccemon
Cross Section
JAN 2011



Key

- A = 1" clean crushed rock
- B = 3/8" or 3/4" minus crushed rock
- C = Boccemon RainCountry Blend (RCB)

Step #1 Cut out 3"-6" for drain rock layer. If wet environment put drain conduit in this layer. Use 1" clean crushed rock if available.

Step #2 Cover with weed barrier or geo-textile fabric to prevent "fines" from the 3/8" or 3/4" minus from dropping out.

Step #3 Fill with 3" to 4" of 3/8" or 3/4" minus crushed rock. Some refer to this as "commercial road base". California it's called "Class 2" or "AB" base rock. Limestone is great where available.

Step #4 Cover with 3/4" to 1 1/4" compacted RainCountry Blend exclusively from Boccemon

2 Winterlude Court - Bocce Court City of Vaughan



Bocce Court Infiltration Storage Sizing - 5Yr (Modified Rational Method)

Project No.	21130	Area (ha)	0.0040		
Analysis By:	Paolo Albanese	Total Runoff Coefficient	1.00		
Last Revised:	21 July 2021	Infiltration Rate (L/s)	0.125		
Time (min)	Intensity (mm/hr)	Q-100 (m ³ /s)	Q-stored (m ³ /s)	Storage Volume (m ³)	
0	0.0	0.000	0.000	0.000	
7	137.2	0.002	0.001	0.588	
8	128.0	0.001	0.001	0.623	
9	120.1	0.001	0.001	0.653	
10	113.2	0.001	0.001	0.679	
15	88.7	0.001	0.001	0.774	
20	73.6	0.001	0.001	0.832	
30	55.7	0.001	0.000	0.890	
40	45.4	0.001	0.000	0.910	
50	38.5	0.000	0.000	0.910	
60	33.6	0.000	0.000	0.896	
70	30.0	0.000	0.000	0.874	
80	27.1	0.000	0.000	0.845	
90	24.8	0.000	0.000	0.811	
100	22.8	0.000	0.000	0.773	
110	21.2	0.000	0.000	0.732	
120	19.8	0.000	0.000	0.689	
130	18.7	0.000	0.000	0.643	
140	17.6	0.000	0.000	0.595	
150	16.7	0.000	0.000	0.546	
160	15.9	0.000	0.000	0.495	
170	15.1	0.000	0.000	0.443	
180	14.5	0.000	0.000	0.390	
190	13.9	0.000	0.000	0.336	
200	13.3	0.000	0.000	0.280	
210	12.8	0.000	0.000	0.224	
220	12.4	0.000	0.000	0.168	
230	12.0	0.000	0.000	0.110	
240	11.6	0.000	0.000	0.052	
250	11.2	0.000	0.000	0.000	
260	10.9	0.000	0.000	0.000	
270	10.5	0.000	0.000	0.000	
280	10.2	0.000	0.000	0.000	
290	10.0	0.000	0.000	0.000	
300	9.7	0.000	0.000	0.000	
310	9.5	0.000	0.000	0.000	
320	9.2	0.000	0.000	0.000	

Storage Volume Required (m ³)	0.9
Storage Volume Provided (m ³)	2.8

TAB 5

Staff Report from
The City of Vaughan Item # 20
File No. A083/20



File: A083/20

Applicant: Matthew Aquino

Address: 2 Winterlude Court, Kleinburg

Agent: Ian Robertson Design

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

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

Adjournment History: None

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

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



Minor Variance Application

Agenda Item: 20

A083/20

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, October 1, 2020 at 6:00 p.m.

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

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

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

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

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

- Applicant:** Matthew Aquino
- Agent:** Ian Robertson Design
- Property:** 2 Winterlude Court, Kleinburg
- Zoning:** The subject lands are zoned R1 and subject to the provisions of Exception 9(1162) under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
- Related Files:** None
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit reduced minimum soft landscaping to accommodate the existing Bocce Court located in the rear/exterior side yard.

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

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

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

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

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

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

Adjournment History: None

Staff & Agency Comments

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

Committee of Adjustment:

Public notice was mailed on September 16, 2020

Applicant confirmed posting of signage on September 15, 2020

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

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

Adjournment Request: None

Building Standards (Zoning Review):

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

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

Other Comments:

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

Application under review.

Cultural Heritage (Urban Design):

No Response.

Development Engineering:

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

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

Parks, Forestry and Horticulture Operations:

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

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

By-Law and Compliance, Licensing and Permit Services:

No comments.

Financial Planning and Development Finance:

No comment no concerns.

Fire Department:

No comments.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

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

Schedule D - Previous Approvals (Notice of Decision)

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

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

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

Conditions

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

Please Note:

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

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

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

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

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

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

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

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](https://www.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
Adriana MacPherson
T 905 832 8585 Extension 8360
E CofA@vaughan.ca**

Schedule A: Plans & Sketches

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

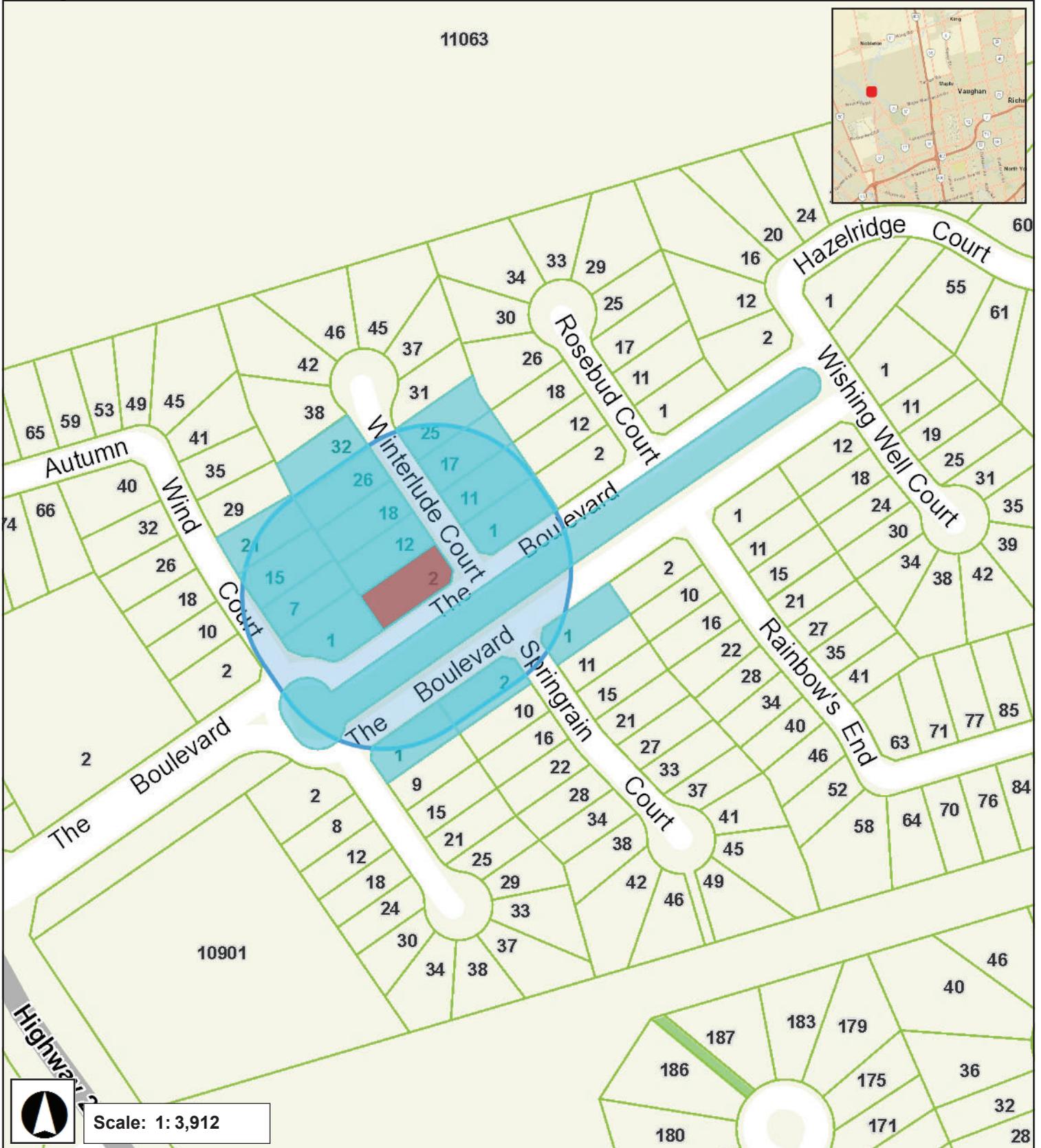
Location Map
Plans & Sketches

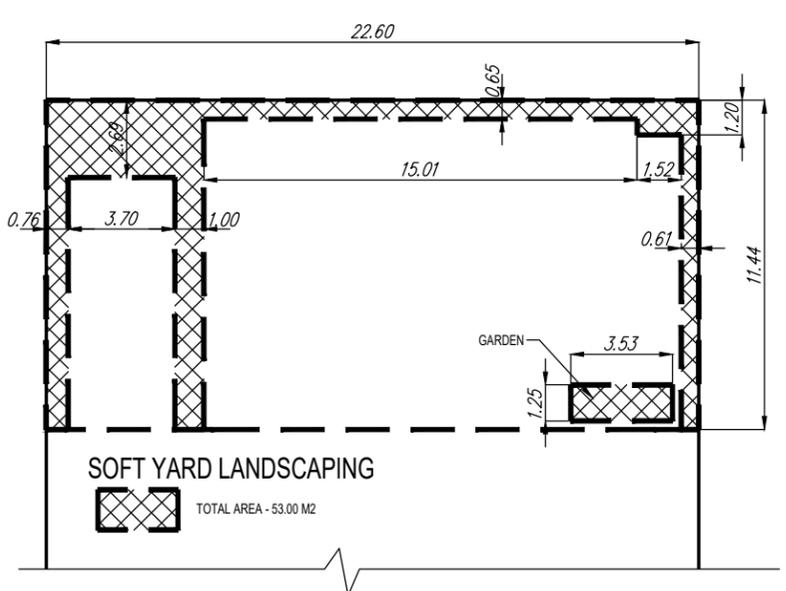
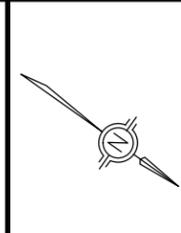


A083/20- Notifiction Map

2 Winterlude Court, Kleinburg

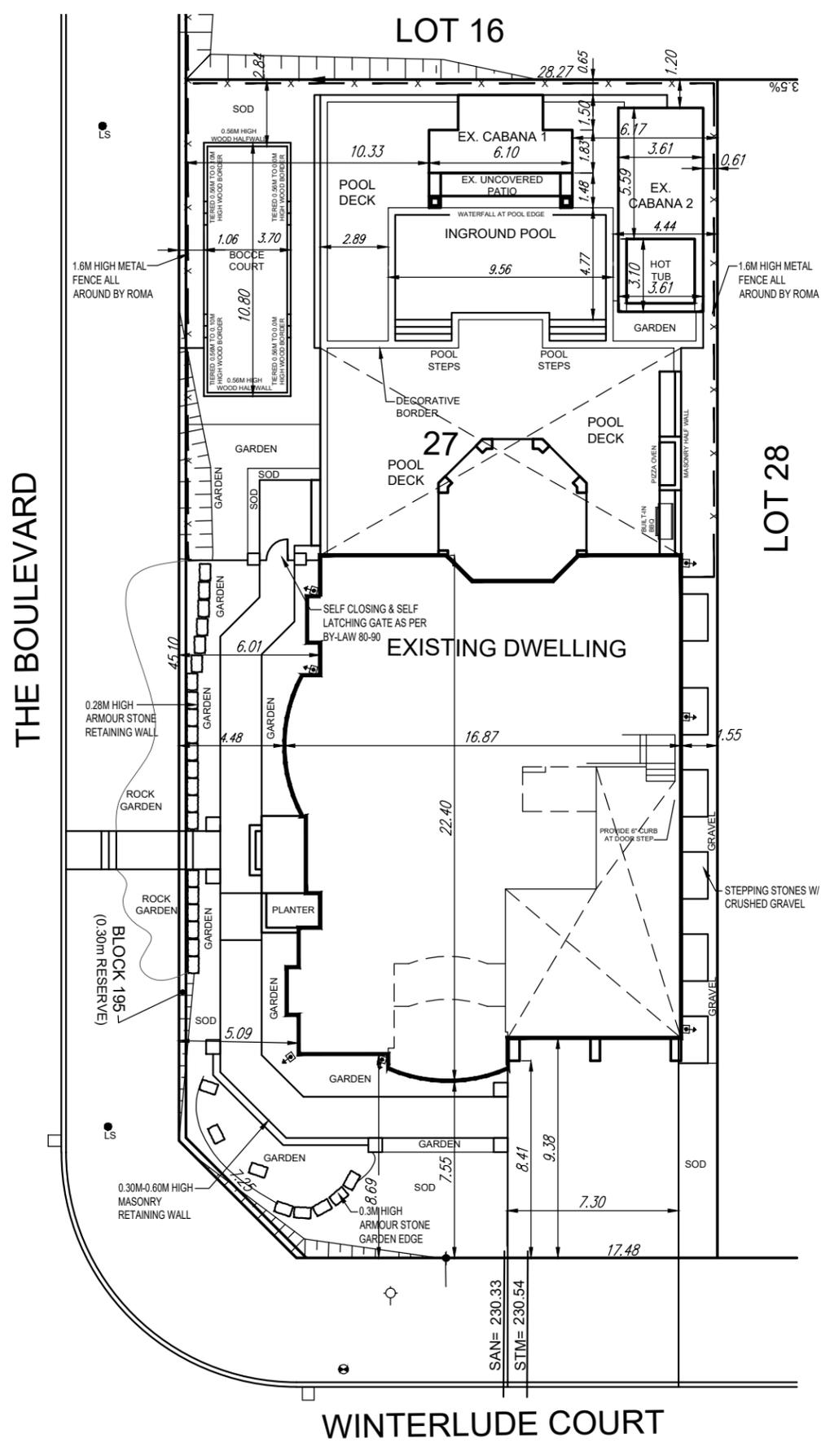
Kirby Road





**CITY OF VAUGHAN
RESIDENTIAL LOT GRADING NOTES**

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



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

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

LOT No.	HOUSE TYPE	FRONT YARD AREA m2	50% MIN. LANDSCAPE AREA m2	TOTAL LANDSCAPE AREA - DRIVEWAY	% LANDSCAPE AREA
27	CUSTOM	187.72	(187.72 X 50%)= 93.86 m2	(187.72-68.13)= 119.59	63.70%
			60% MIN. SOFT LANDSCAPE AREA m2 56.31 m2	(119.59-28.15)= 91.44	97.42%
27	FLANKAGE YARD	104.80	50% MIN. LANDSCAPE AREA m2 (104.80 X 50%)= 52.40 m2	(104.80-0.00)= 104.80	63.70%
			60% MIN. SOFT LANDSCAPE AREA m2 (52.40 X 60%)= 31.44 m2	(104.80-48.62)= 56.18	107.2%
			60% MIN. LANDSCAPE AREA m2 (OVER 135M2) (258.45-135 =123.45) (123.45 X 60%)= 74.07 m2	53.00	42.93%

**IAN ROBERTSON DESIGN
GENERAL NOTES**

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

- ST — STORM CONNECTION
- SA — SANITARY CONNECTION
- W — WATER CONNECTION
- H — HYDRO CONNECTION
- — DOUBLE CATCH BASIN
- — CATCH BASIN
- ⊙ — HYDRANT
- ⊗ — VALVE AND CHAMBER
- ⊙ — STREET LIGHT
- ⊗ — VALVE AND BOX
- — SANITARY MANHOLE
- ⊙ — STORM MANHOLE
- ✉ — COMMUNITY MAIL BOX
- ⬇ — DOWNSPOUT LOCATION
- 2.0% PROP. SWALE
- ▨ — PROPOSED 3:1 SLOPE
- * — ENGINEERED FILL LOT
- ⊠ — TRANSFORMER
- ⊠ — CABLE TV PEDESTAL
- ⊠ — BELL PEDESTAL
- ⊠ — HYDRO METER
- ⊠ — GAS METER
- ☒ — AIR-CONDITIONING UNIT
- ☒ — TELECOM. JUNCTION BOX
- ☒ — SUMP PUMP
- ▲ — EXTERIOR DOOR LOCATION
- △ — EXTERIOR DOOR LOCATION GRADE PERMITTING
- — WINDOWS PERMITTED
- FF — FINISHED FLOOR ELEVATION
- TW — TOP OF FOUNDATION WALL
- FS — FINISHED BASEMENT SLAB
- U/F — UNDERSIDE OF FOOTING
- U/F-R — UNDERSIDE OF FOOTING @ REAR
- REV. — REVERSE PLAN
- WOB — WALK-OUT BASEMENT
- WOD — WALK-OUT DECK
- x 100.00 — PROPOSED GRADE
- EX.100.00 — EXISTING GRADE

#	REVISION	DATE
1	REVISED AS PER AS-BUILT CONDITIONS	JULY 11/19
2	ISSUED FOR CLIENT/ ENG. REVIEW	JULY 11/19
3	ISSUED FOR POOL ENCLOSURE PERMIT	JULY 19/19
4	REVISED AS PER CITY COMMENTS	AUG. 07/19

**SITE GRADING PLAN
2 WINTERLUDE COURT**

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.

QUALIFICATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 2.2.5 OF THE BUILDING CODE
IAN ROBERTSON 27816
REGISTRATION INFORMATION
REQUIRED UNLESS DESIGN IS EXEMPT UNDER DIVISION 2.2.4 OF THE BUILDING CODE
1RISER DESIGNS Inc. 32026

MATTHEW AQUINO

Project:
**2 WINTERLUDE COURT
CITY OF VAUGHAN**

Plan #: 65M-3895 Lot #: 27
Drawn by: IR/BM Checked by: IR
Scale: 1:250 Date: 07/11/19
Project #: 11-55

Schedule B: Public Correspondence Received

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

None

Schedule C: Agency Comments

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

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Located outside of MTO permit control area



Discover the possibilities

COMMENTS:

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A083/20 - Request for Comments

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

Sent: August-26-20 3:04 PM

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

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

Good afternoon Adriana

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

Regards,

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | 1-877 464 9675 ext 71538 |
Gabrielle.hurst@york.ca | www.york.ca

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

Good Afternoon Adriana,

MTO has reviewed the subject land(s) located at 2 Winterlude Court in the City of Vaughan. The subject lands are outside the MTO permit control area and therefore do not require a permit from this office.

Best Regards,

Alexander Hajjar

Transportation Technician

Highway Corridor Management Section

Ministry of Transportation, MTO

416.235.4504

Schedule D: Previous Approvals (Notice of Decision)

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

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A206/16

APPLICANT: MATTHEW AQUINO

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

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

PURPOSE: To permit a generator located in side yard.

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

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

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

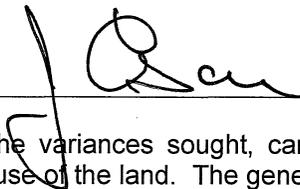
Minor Variance Application:
A092/15 - Approved- March 26, 2015- To permit to construction of two accessory bldgs
A007/12 - Approved January 12, 2012 (bldg height=13.61m; ext. side yard=3.22m).

A sketch is attached illustrating the request.

MOVED BY:



SECONDED BY:



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

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

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

CARRIED.

CHAIR: Mary Mauti

Signed by all members present who concur in this decision:

~~ABSENT~~
H. Zheng,
Chair

Mary Mauti
M. Mauti,
Vice Chair

~~ABSENT~~
R. Buckler,
Member

J. Cesario
J. Cesario,
Member

A. Perrella
A. Perrella,
Member

CERTIFICATION

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

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

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

APPEALS

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

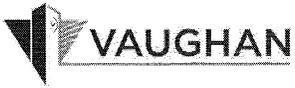
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$708.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

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

CONDITIONS

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



Location Map- A206/16

Kirby Road

2 Winterlude Court, Kleinburg



City of Vaughan

0 0.05 0.1 0.2 Kilometers

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

NOTICE OF DECISION

MINOR VARIANCES

FILE NUMBER: A007/16

APPLICANT: MATTHEW PETER AQUINO

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

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

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

PROPOSAL:

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

BY-LAW REQUIREMENT:

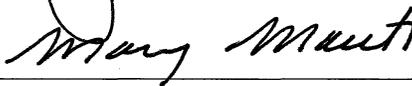
1. The maximum width of driveway at the street curb and curb cut shall be 6.0m.
2. The portion of the driveway between the street line and the street curb shall not exceed 6.0m in width.

Sketches are attached illustrating the request.

MOVED BY:



SECONDED BY:



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

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

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

CARRIED.

CHAIR: Perrella

Signed by all members present who concur in this decision:

Perrella
A. Perrella,
Chair

Zheng
H. Zheng,
Vice Chair

Buckler
R. Buckler,
Member

Cesario
J. Cesario,
Member

Mauti
M. Mauti,
Member

CERTIFICATION

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

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

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

APPEALS

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$690.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

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

CONDITIONS

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

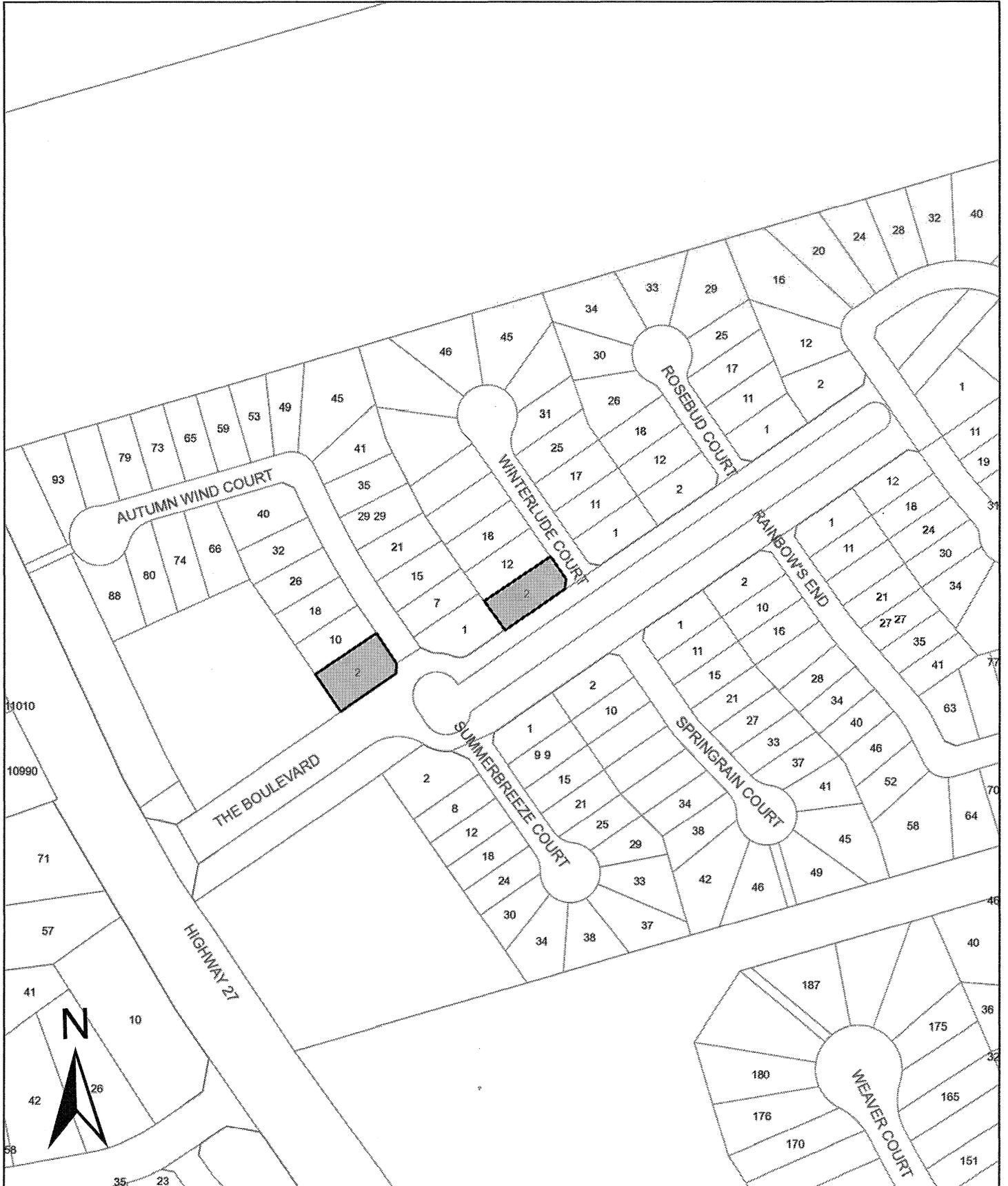


VAUGHAN

Location Map - A005/16 & A007/16

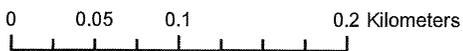
KIRBY ROAD

2 Autumn Wind Court & 2 Winterlude Court, Kleinburg



TESTON ROAD

City of Vaughan



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

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A092/15

APPLICANT: MATTHEW AQUINO

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

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

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

PROPOSAL:

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

BY-LAW REQUIREMENT:

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

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

A sketch is attached illustrating the request.

MOVED BY: 

SECONDED BY: 

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

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

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

CARRIED.

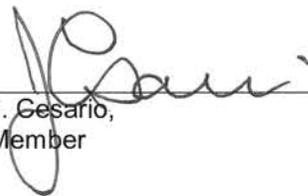
CHAIR: 

Signed by all members present who concur in this decision:


A. Perrella,
Chair


H. Zheng,
Vice Chair


R. Buckler,
Member


J. Cesario,
Member


M. Mauti,
Member

CERTIFICATION

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


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

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

APPEALS

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

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

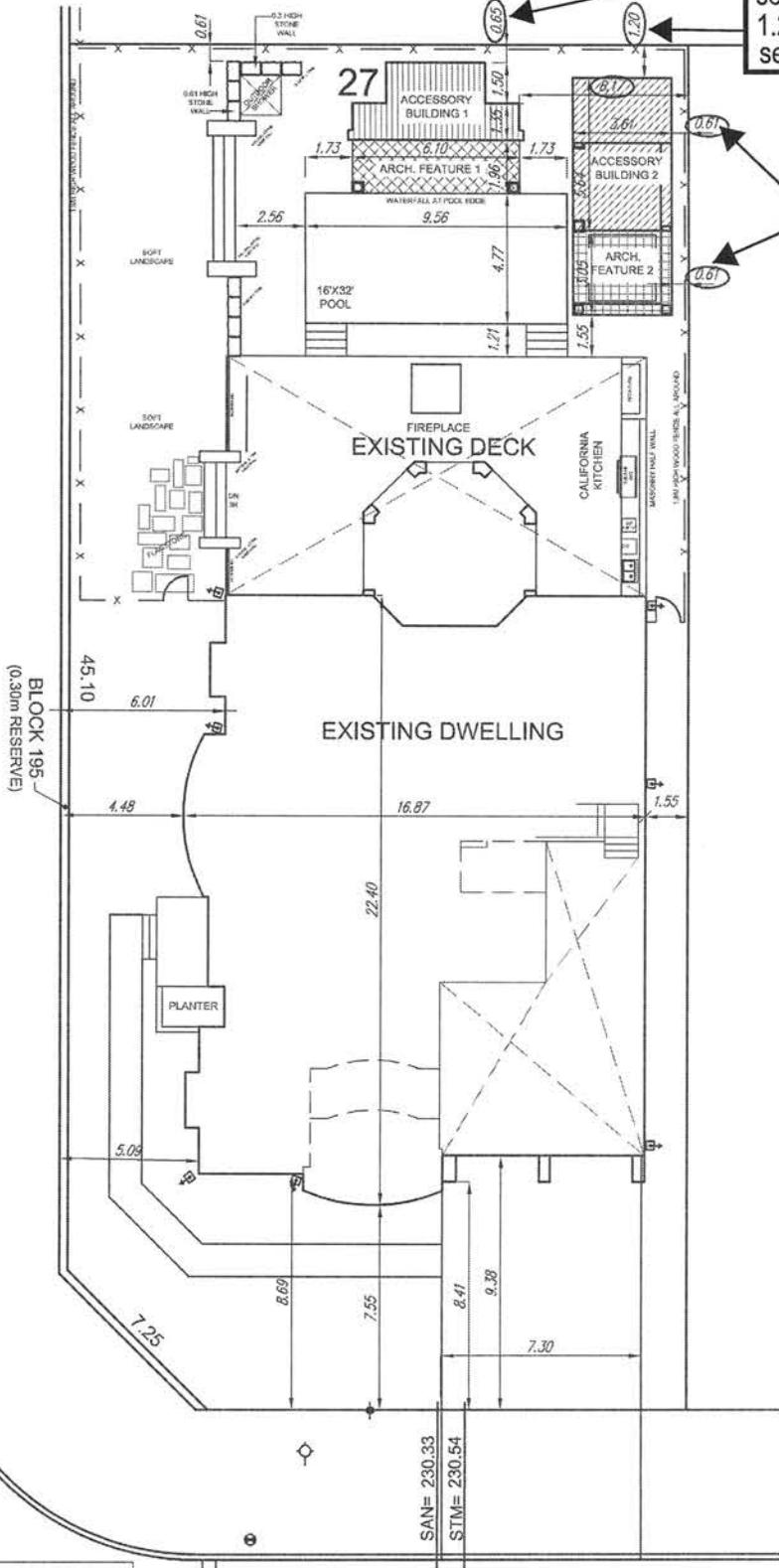
CONDITIONS

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

LOT 27 - 2 WINTERLUDE COURT
CITY OF VAUGHAN

**Lot Coverage
= 37%**

THE BOULEVARD



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

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

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

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

WINTERLUDE COURT

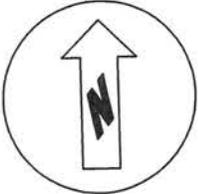


KIRBY ROAD



COMMITTEE OF ADJUSTMENT

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

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

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A007/12

APPLICANT: MATTHEW AQUINO

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

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

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

PROPOSAL:

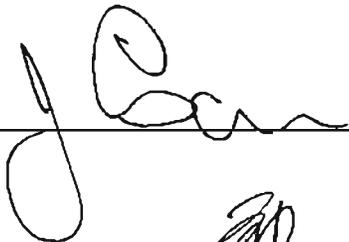
1. Maximum building height 13.61m.
2. Minimum exterior sideyard 3.22m.

BY-LAW REQUIREMENT:

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

A sketch is attached illustrating the request.

MOVED BY:



SECONDED BY:



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

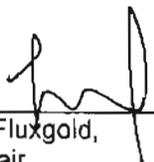
1. THAT Application No. **A007/12, MATTHEW AQUINO,** be **APPROVED,** in accordance with the attached sketch and

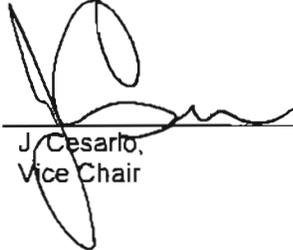
THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

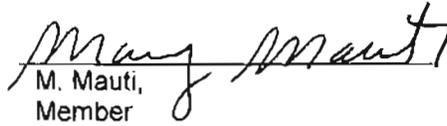
CARRIED.

CHAIR: 

Signed by all members present who concur in this decision:


L. Fluxgold,
Chair


J. Cesario,
Vice Chair


M. Mauti,
Member


A. Perrella,
Member


H. Zheng,
Member

CERTIFICATION

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


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

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

APPEALS

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

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

CONDITIONS

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

N35°26'30"W

22.60

A007/12
NEW
RECEIVED
DEC. 8/11



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

LOT 27

Building height = 13.61m²

THE BOULEVARD

45.10

N54°33'30"E

4.50 (4.50) (M)

4.13 (4.50) (M)

3.32

2.71

1.79

0.21

4.50

N09°33'30"E
7.25

7.50

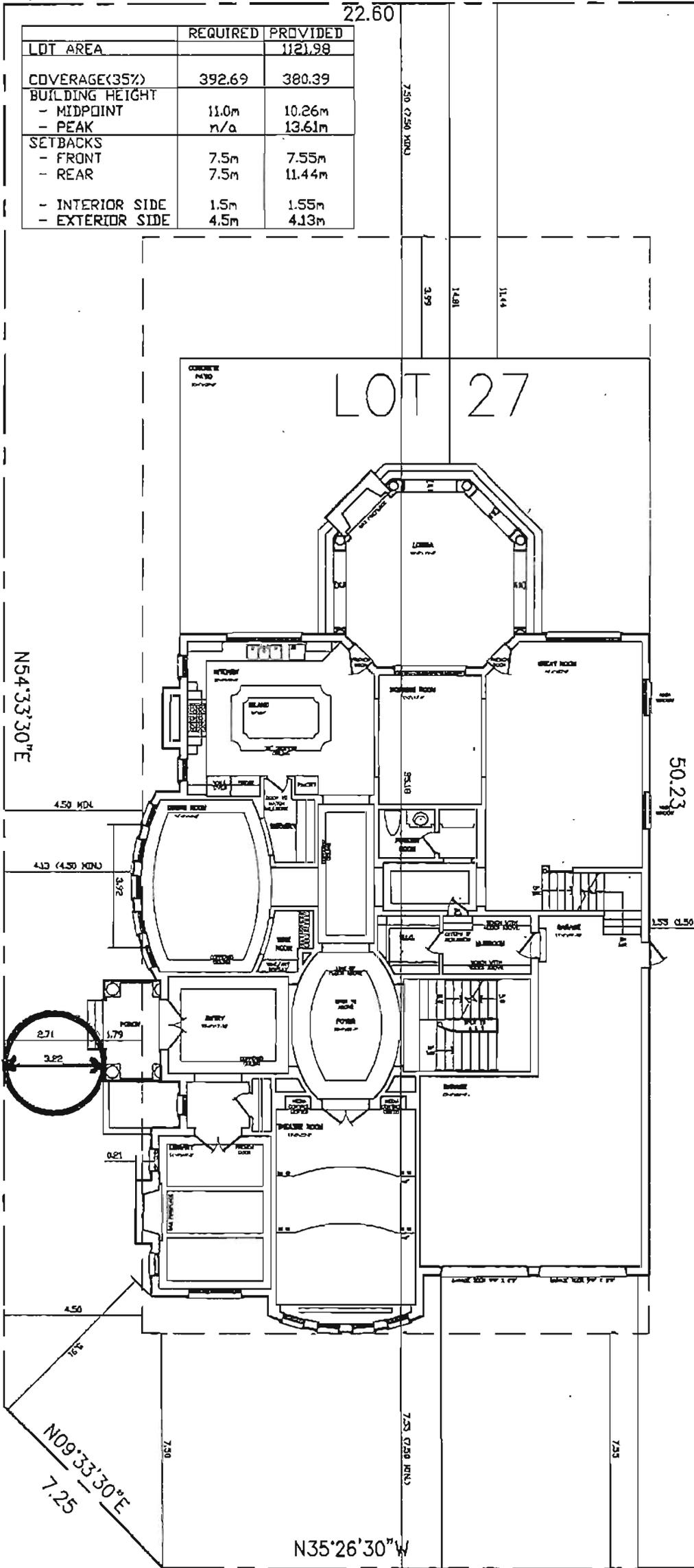
7.50 (7.50) (M)

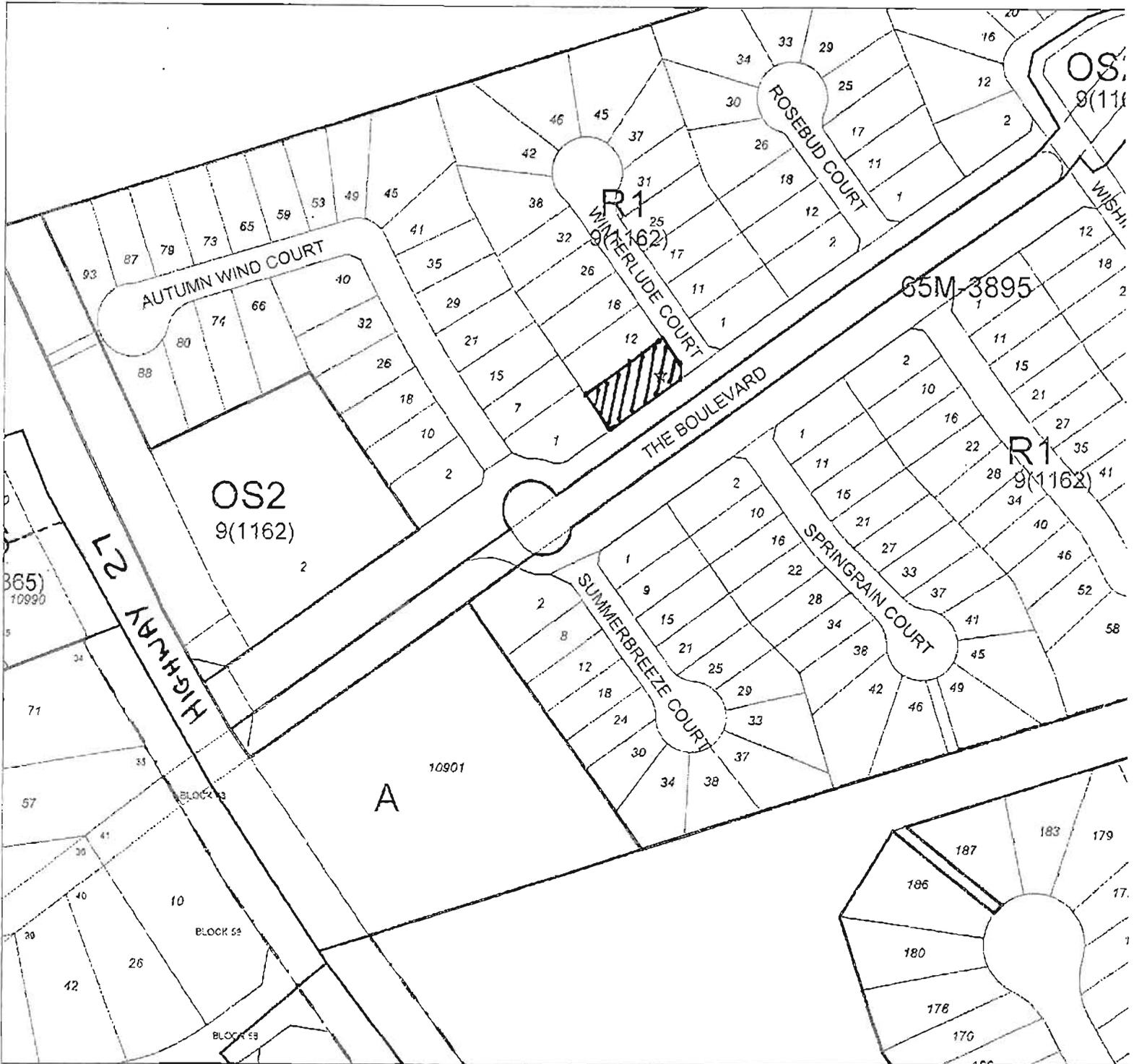
7.25

N35°26'30"W

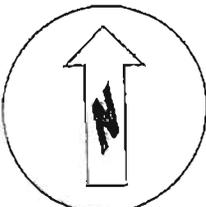
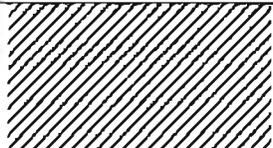
17.48

WINTERLUDE COURT





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

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

Schedule C: Agency Comments

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

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Located outside of MTO permit control area



Discover the possibilities

COMMENTS:

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A083/20 - Request for Comments

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

Sent: August-26-20 3:04 PM

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

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

Good afternoon Adriana

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

Regards,

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | 1-877 464 9675 ext 71538 |
Gabrielle.hurst@york.ca | www.york.ca

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

Good Afternoon Adriana,

MTO has reviewed the subject land(s) located at 2 Winterlude Court in the City of Vaughan. The subject lands are outside the MTO permit control area and therefore do not require a permit from this office.

Best Regards,

Alexander Hajjar

Transportation Technician

Highway Corridor Management Section

Ministry of Transportation, MTO

416.235.4504

Schedule D: Previous Approvals (Notice of Decision) / Background

Committee of Adjustment Minutes - October 1, 2020

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

Applications Addressed by the Committee of Adjustment

Please Note: For complete application details please reference the Notice of Decision issued for each respective application. A copy can be obtained by submitting a written request to the Secretary Treasurer.

20.	File:	A083/20	Ward 1
	Applicant:	Matthew Aquino	
	Agent:	Ian Robertson Design (Bobbi-Jo Mackinnon)	
	Address:	2 Winterlude Ct. Kleinburg	
	Purpose:	Relief from By-law 1-88, as amended, is being requested to permit reduced minimum soft landscaping to accommodate the existing Bocce Court located in the rear/exterior side yard.	

Additional Addendum Reports received and provided to the Committee from:
 Planning Comments – Received September 25, 2020

Representation

Ian Robertson, Ian Robertson Design

Comments

In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, confirmed public written submissions, deputations and recommended conditions of approval.

Ian Robertson, Ian Robertson Design explained the nature of the application. He opined that the variance is minor and noted that a permeable surface was used to ensure no effect on drainage and grading. He advised that Development Engineering provided approval for the construction in 2019.

Anthony Simone, Parente Borean LLP, addressed the Committee on behalf of Humberplex Developments (“Humberplex”). He noted that the subdivision has not been assumed by the City of Vaughan and the lot was sold as a vacant lot, subject to conditions that require consent from Humberplex and its consulting architect and engineer prior to the submission of an application. He reviewed the condition recommended from Development Engineering staff and requested that approval be obtained from Humberplex prior to the Committee rendering a decision. Without this approval the application should be denied. He expressed concern regarding the reduction in soft landscaping and opined that this may create a significant increase in water run off which may adversely impact the storm water management system for the entire subdivision. He advised that the Committee adjourned a similar matter (A085/18) until there was an agreement between the owner and the developer with respect to the soft landscaping and opined that the relief before the Committee is not minor.

In response to Chair Perrella, Mr. Robertson advised that there is no evidence of objection from Humberplex’s consulting engineers (Condeland). The applicant did obtain an approved grading plan from Condeland on July 22, 2019. There have been no notes with respect to adverse drainage impacts on the site and the bocce court is existing so there has been time to determine if the reduction in soft landscaping created any negative impact. Consulting architect (Studio TLA) was consulted with respect to the design of the bocce court. He reviewed the condition from development engineering requiring that the applicant obtain the developers approval, and opined that this is a viable solution to the issue.

Member Buckler commented that it is difficult to put a condition in place that may not be satisfied. He stated that he would not be in a position to render a decision.

In response to Member Buckler, Mr. Robertson advised that the bocce court was installed a couple of years ago. When it came time to close the permit it was identified that a variance was required.

Member Buckler suggested that the application be adjourned sine die to permit discussion with the developer.

In response to Member Kerwin, Mr. Robertson advised that the A085/18 commenced in 2017 and was approved in 2019 after a number of adjournments to address a similar issue.

Chair Perrella confirmed that A085/18 was adjourned until there was approval from the developer. She noted that in addition to the condition of sale the subdivision has not been assumed by the City.

Moved By: R. Buckler
Seconded By: S. Kerwin

THAT Application No. A083/20 on behalf of Matthew Aquino be **ADJOURNED SINE DIE** to permit time for the applicant to obtain approval from the developer.

Motion Carried.

Members Opposed to Motion: None

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A206/16

APPLICANT: MATTHEW AQUINO

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

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

PURPOSE: To permit a generator located in side yard.

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

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

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

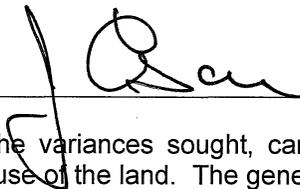
Minor Variance Application:
A092/15 - Approved- March 26, 2015- To permit to construction of two accessory bldgs
A007/12 - Approved January 12, 2012 (bldg height=13.61m; ext. side yard=3.22m).

A sketch is attached illustrating the request.

MOVED BY:



SECONDED BY:



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

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

COMMITTEE OF ADJUSTMENT VARIANCE
REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT
YOU REQUIRE FURTHER CLARIFICATION.

A206/16

CARRIED.

CHAIR: Mary Mauti

Signed by all members present who concur in this decision:

~~ABSENT~~
H. Zheng,
Chair

Mary Mauti
M. Mauti,
Vice Chair

~~ABSENT~~
R. Buckler,
Member

J. Cesario
J. Cesario,
Member

A. Perrella
A. Perrella,
Member

CERTIFICATION

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

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

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

APPEALS

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$708.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

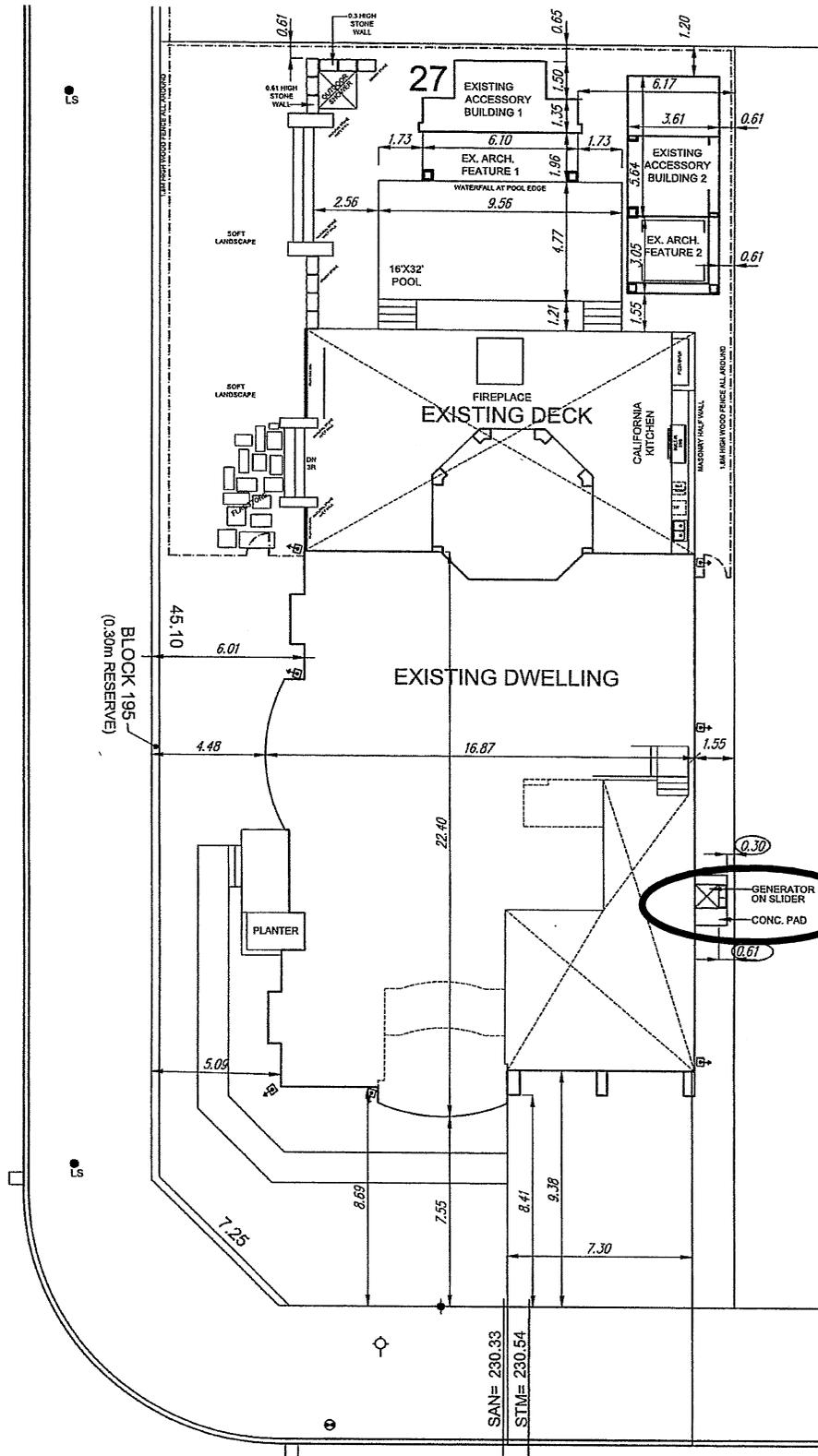
NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of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

CONDITIONS

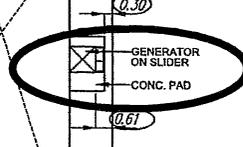
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:
JUNE 22, 2017

LOT 27 - 2 WINTERLUDE COURT

THE BOULEVARD



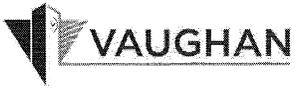
WINTERLUDE COURT



To permit generator as shown

Client:	MATTHEW AQUINO	
Lot:	LOT 27	
Address:	2 WINTERLUDE COURT CITY OF VAUGHAN	
Sheet Title:	SITE PLAN	
Drawn By:	BM	Date: MAY 2/16
Project No:	11-55	Page: 1 OF 1
Scale:	1:200	

20 RIVERMEDE ROAD, UNIT 101, VAUGHAN, ONTARIO, L4K 3N3
PHONE: (905) 882-1111 FAX: (905) 882-1152 www.ianrobertsondesign.ca



Location Map- A206/16

Kirby Road

2 Winterlude Court, Kleinburg



City of Vaughan

0 0.05 0.1 0.2 Kilometers

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

NOTICE OF DECISION

MINOR VARIANCES

FILE NUMBER: A007/16

APPLICANT: MATTHEW PETER AQUINO

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

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

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

PROPOSAL:

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

BY-LAW REQUIREMENT:

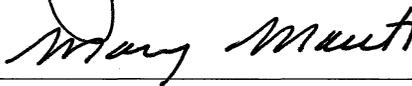
1. The maximum width of driveway at the street curb and curb cut shall be 6.0m.
2. The portion of the driveway between the street line and the street curb shall not exceed 6.0m in width.

Sketches are attached illustrating the request.

MOVED BY:



SECONDED BY:



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

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

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

CARRIED.

CHAIR: Perrella

Signed by all members present who concur in this decision:

Perrella
A. Perrella,
Chair

Zheng
H. Zheng,
Vice Chair

Buckler
R. Buckler,
Member

Cesario
J. Cesario,
Member

Mauti
M. Mauti,
Member

CERTIFICATION

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

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

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

APPEALS

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$690.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

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

CONDITIONS

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

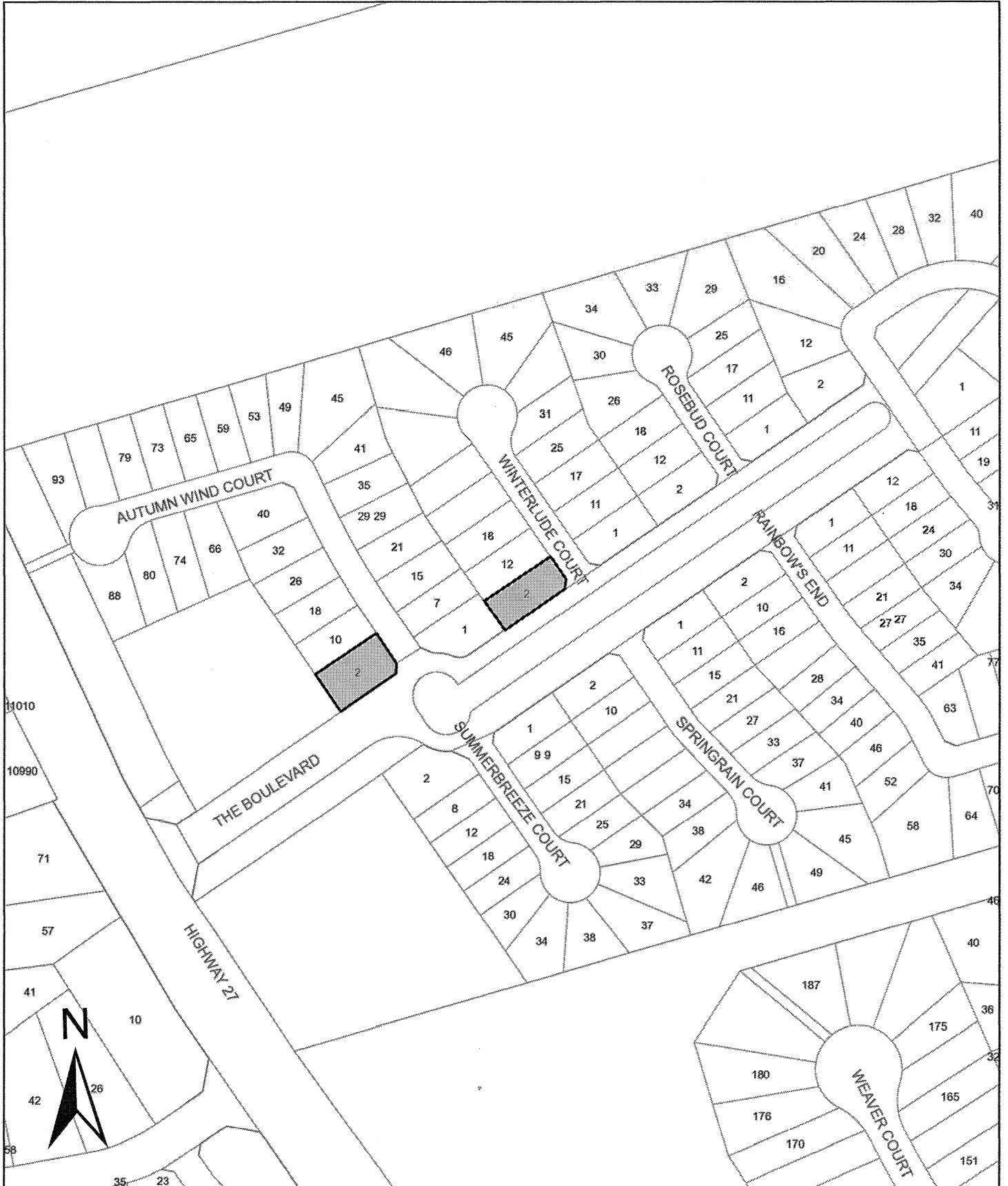


VAUGHAN

Location Map - A005/16 & A007/16

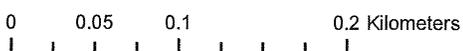
KIRBY ROAD

2 Autumn Wind Court & 2 Winterlude Court, Kleinburg



TESTON ROAD

City of Vaughan



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

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A092/15

APPLICANT: MATTHEW AQUINO

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

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

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

PROPOSAL:

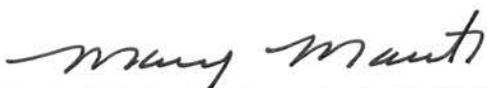
1. To permit a minimum rear yard setback of 0.65m to Accessory Building 1.
2. To permit a minimum rear yard setback of 1.2m to Accessory Building 2.
3. To permit a minimum interior side yard setback of 0.61m to Accessory Building 2.
4. To permit a minimum interior side yard setback of 0.61m to Architectural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

BY-LAW REQUIREMENT:

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

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

A sketch is attached illustrating the request.

MOVED BY: 

SECONDED BY: 

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

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

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

CARRIED.

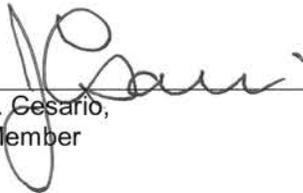
CHAIR: 

Signed by all members present who concur in this decision:


A. Perrella,
Chair


H. Zheng,
Vice Chair


R. Buckler,
Member


J. Cesario,
Member


M. Mauti,
Member

CERTIFICATION

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


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

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

APPEALS

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

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

CONDITIONS

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

KIRBY ROAD



COMMITTEE OF ADJUSTMENT

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

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

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A007/12

APPLICANT: MATTHEW AQUINO

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

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

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

PROPOSAL:

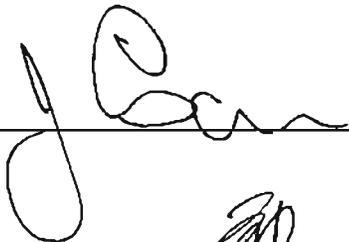
1. Maximum building height 13.61m.
2. Minimum exterior sideyard 3.22m.

BY-LAW REQUIREMENT:

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

A sketch is attached illustrating the request.

MOVED BY:



SECONDED BY:



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

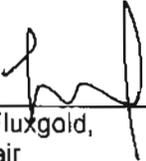
1. THAT Application No. **A007/12, MATTHEW AQUINO,** be **APPROVED,** in accordance with the attached sketch and

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

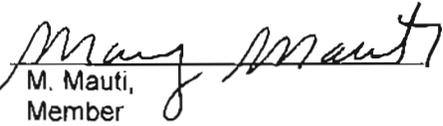
CARRIED.

CHAIR: 

Signed by all members present who concur in this decision:


L. Fluxgold,
Chair


J. Cesario,
Vice Chair


M. Mauti,
Member


A. Perrella,
Member


H. Zheng,
Member

CERTIFICATION

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


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

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

APPEALS

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

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

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

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

CONDITIONS

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

N35°26'30"W

22.60

A007/12
NEW
RECEIVED
DEC. 8/11



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

LOT 27

Building height = 13.61m²

THE BOULEVARD

45.10

N54°33'30"E

4.50 (4.50) (4.50)

4.13 (4.50) (4.13)

3.32

2.71

1.79

0.21

4.50

N09°33'30"E
7.25

7.50

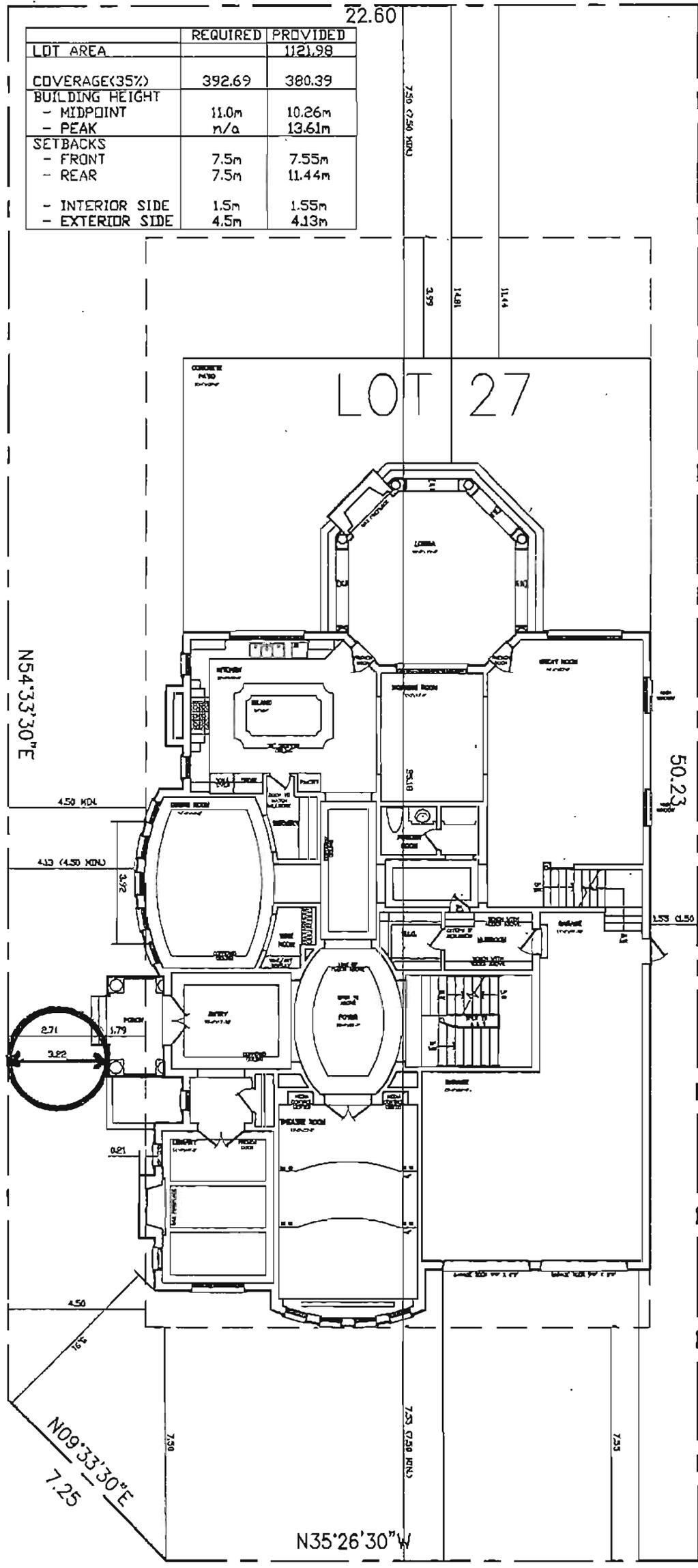
7.50 (7.50) (7.50)

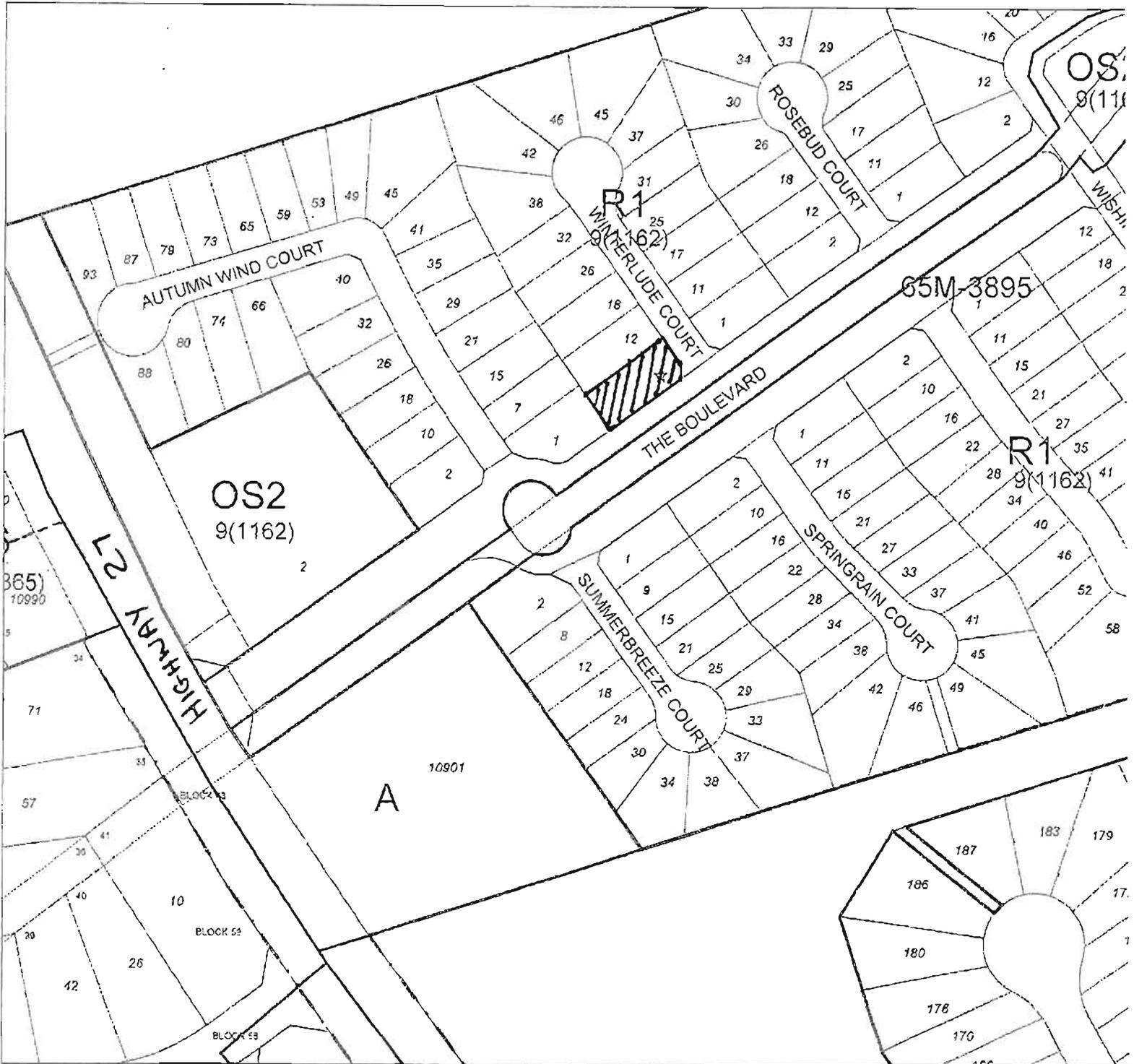
7.50

N35°26'30"W

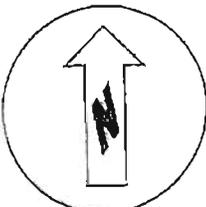
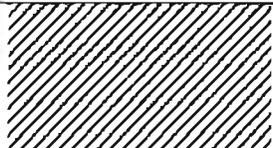
17.48

WINTERLUDE COURT





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

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