



**File:** A178/21

**Applicant:** Sophia Konivitis and Theodoros Bouzoukis

**Address:** 49 Foxhunt Drive, Woodbridge

**Agent:** None

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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		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: None

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Background History: None

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Staff Report Prepared By: Adriana MacPherson  
Hearing Date: Thursday, September 30, 2021

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



**Minor Variance  
Application**

Agenda Item: 16

**A178/21**

Ward: 3

**Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday, September 30, 2021 at 6:00 p.m.

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

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

Please submit written comments by mail or email to:

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

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

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

**Applicant:** Sophia Konivitis and Theodoros Bouzoukis

**Agent:** None

**Property:** **49 Foxhunt Drive, Woodbridge**

**Zoning:** The subject lands are zoned RV4(WS), Residential Urban Village Zone Four on a Wide and Shallow lot, and subject to the provisions of Exception 9(1019) under By-law 1-88 as amended.

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

**Related Files:** None

**Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed cabana to be located in the rear yard.

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

By-law Requirement	Proposal
1. A minimum Rear yard setback of 6.0 metres is required (Schedule A1).	1. To permit a minimum Rear yard setback of 0.8 metres to an Accessory structure.
2. A maximum area of 35.7m2 is permitted (Section 4.1.1 a)).	2. To permit a maximum area of 37.47 m2 for an Accessory structure.
3. A maximum height of 3.0 metres is permitted (Section 4.1.1 b)).	3. To permit a maximum height of 3.41 metres to the nearest point of the roof to an Accessory structure.

**Background (previous applications approved by the Committee on the subject land):** None

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

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

**Adjournment History:** 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 15, 2021

Applicant confirmed posting of signage on September 14, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2001
Cabana	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s):

We would like to construct a cabana to enjoy a covered outdoor eating and sitting area in our yard. Having a corner lot our "rear" yard is long but shallow and the overall size and placement of the desired cabana was designed to enhance and compliment our home and community. The most impacting zoning requirement is the rear yard setback of 0.6m, given that the entire rear yard setback we have to our home is 6.7m.

**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(s) Issued: Building Permit No. 21-110871 for Shed/Gazebo - New, Issue Date: (Not Yet Issued).

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:

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

The Owner is proposing to construct an accessory structure (cabana) in the rear yard with the above-noted variances. At the request of the Development Planning Department, the Owner has revised the application to reduce the overall size of the structure. The interior side yard setback has increased from 0.71 m to 1.24 m, which has removed a previously identified variance, and the rear yard setback to the structure has been increased from 0.61 m to 0.8 m. The increase in setbacks has resulted in a reduction in the size of the structure, from 41.63 m<sup>2</sup> to 37.47 m<sup>2</sup>.

The proposed accessory structure is situated on-top of a raised wooden deck. The wooden deck, at a height of 0.36 m above-grade is considered landscaping under the Zoning By-law, and the zoning on the subject property does not have any requirements for rear yard landscaping, therefore no variances are associated with the deck. The Development Planning Department has no objection to the reduced rear yard setback to the accessory structure. The structure is unenclosed and faces the entire sidewall of the adjacent dwelling to the rear, thereby any impacts to adjacent properties as a result of the reduced rear yard setback is limited. The increase in maximum area of 37.47 m<sup>2</sup> for the accessory structure is slightly above the required 35.7 m<sup>2</sup> and represents a minor deviation from the requirements of the Zoning By-law.

The rear yard also maintains an appropriate amount of useable amenity space. With regards to the requested variance for the height of the cabana, the maximum height of 3.41 m is measured to the nearest point of the roof. Due to the flat design of the roof, the overall height of the structure remains below the maximum allowed 4.5 m. Accordingly, the Development Planning Department has no concern with Variances 2 and 3.

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 (DE) Department does not object to variance application A178/21.

### Additional Comments:

The proposed work by the owner is increasing the lot coverage in the subject property. This added hardscape may have impact on City's Storm Water management system. The owner/applicant is advised to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts.

**Parks Development - Forestry:**

No comments received to date.

**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**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

**Schedule D - Previous Approvals (Notice of Decision)**

None

**Staff Recommendations:**

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

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

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

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

**Conditions**

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

**Please Note:**

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

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

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

**Notice to the Applicant – Development Charges**

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

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

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

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

### Notice to Public

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

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

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

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit [www.vaughan.ca](http://www.vaughan.ca)

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related 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](mailto:CofA@vaughan.ca)

## Schedule A: Plans & Sketches

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

Location Map  
Plans & Sketches

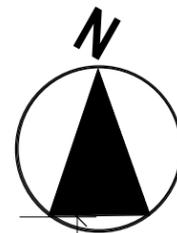


**Proposal:**

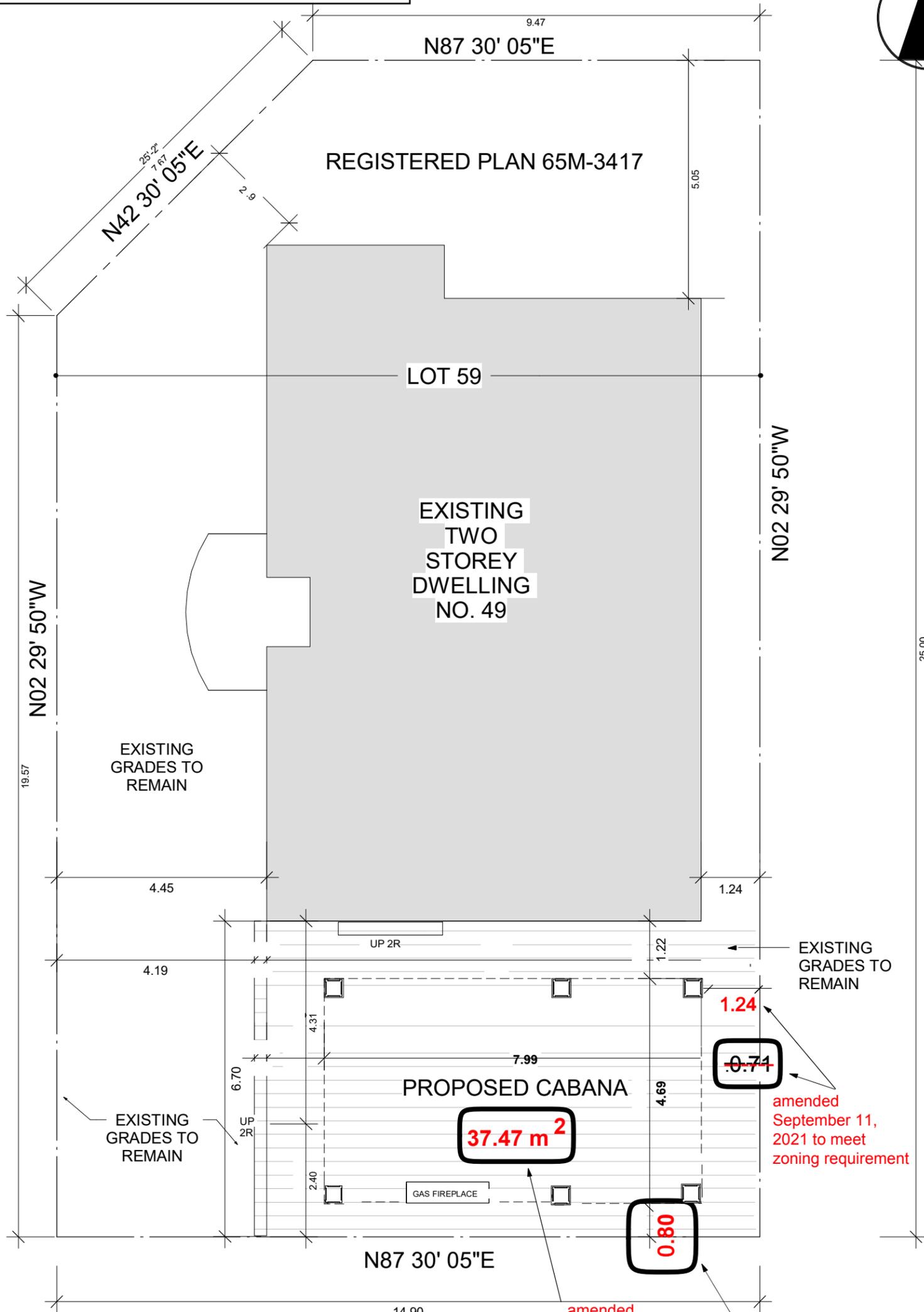
1. To permit a minimum Rear yard setback of 0.8 metres to an Accessory structure.
2. To permit a maximum area of 37.47 m<sup>2</sup> for an Accessory structure.
3. To permit a maximum height of 3.41 metres to the nearest point of the roof to an Accessory structure.

**Amended - September 11, 2021**

**FOXHUNT DRIVE**



**JOHNCREST WAY**



**1 SITE PLAN**  
**A1 SCALE: 1/8" = 1'-0"**

EXISTING GRADES TO REMAIN

EXISTING GRADES TO REMAIN

EXISTING GRADES TO REMAIN

amended September 11, 2021 to meet zoning requirement

amended September 11, 2021 from 41.63m<sup>2</sup> to 37.47m<sup>2</sup>

amended September 11, 2021 from 0.61m to 0.80m

**MS HOME DESIGNS**  
Micaela@mshomedesigns.com  
647.217.1184  
MSHOMEDESIGNS.COM

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

Required unless design is exempt under 3.2.4.3.(5) Division C of the building code

**QUALIFICATION INFORMATION**

MICAELA SILVA  
NAME  43172  
BCIN

**REGISTRATION INFORMATION**

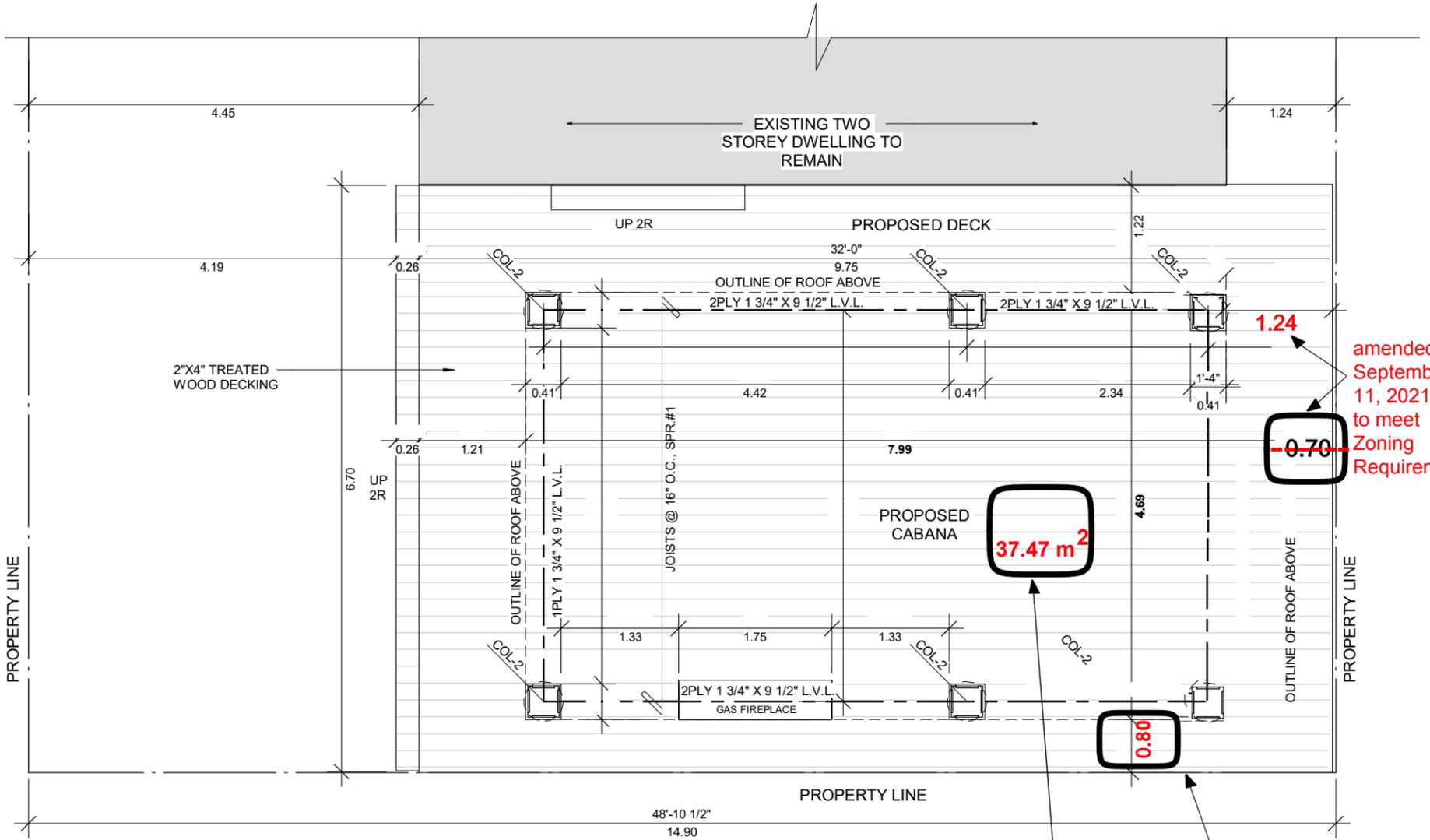
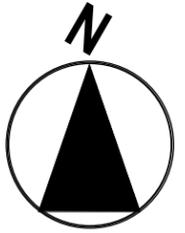
Required unless design is exempt under 3.2.4.7. Division C of the building code

MS HOME DESIGNS  
FIRM NAME 101941  
BCIN

**SCOPE OF WORK:**  
PROPOSED OUTDOOR CABANA AND WOOD DECK AT

49 FOXHUNT DRIVE  
CITY OF VAUGHAN

SITE PLAN	
SCALE	1/8" = 1'-0"
DATE	APRIL 26, 2021
PROJECT No.	DRAWING No.
2021-05	A1



**1**  
**A2** **CABANA PLAN**  
SCALE: 1:64

amended  
September 11,  
2021  
from 41.63m<sup>2</sup>  
to 37.47m<sup>2</sup>

amended  
September  
11, 2021  
from 0.61m  
to 0.80m

amended  
September  
11, 2021  
to meet  
Zoning  
Requirements

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Micaela@mshomedesigns.com  
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QUALIFICATION INFORMATION

MICAELA SILVA  
NAME  43172  
BCIN

REGISTRATION INFORMATION

Required unless design is exempt under 3.2.4.7. Division C of the building code

MS HOME DESIGNS  
FIRM NAME 101941  
BCIN

**SCOPE OF WORK:**  
PROPOSED OUTDOOR CABANA AND WOOD DECK AT

49 FOXHUNT DRIVE  
CITY OF VAUGHAN

CABANA PLAN

SCALE  
3/16" = 1'-0"

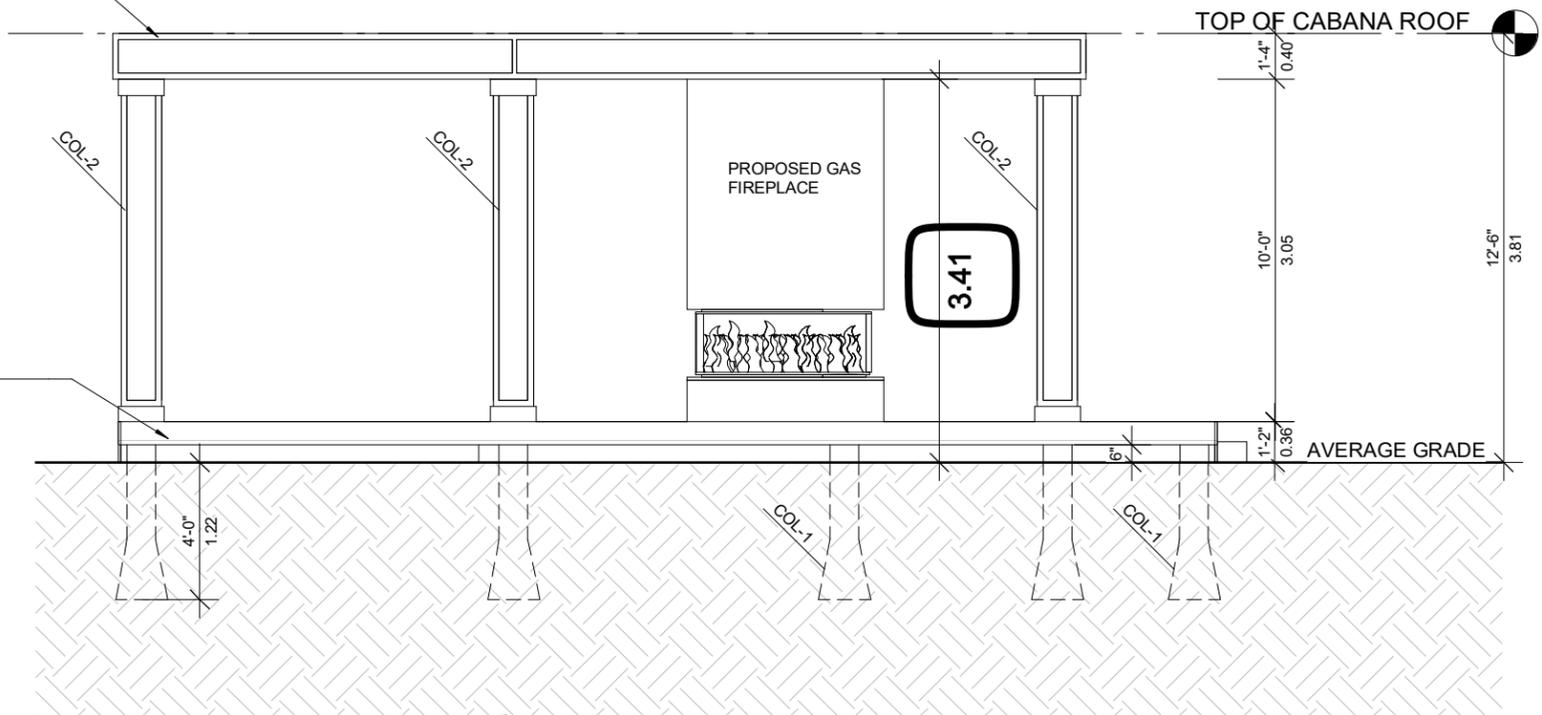
PROJECT No.  
2021-05

DRAWING No.  
**A2**

PRE-PAINTED GALV.  
METAL FLASHING

P.T. WOOD DECK

TOP OF CABANA ROOF



**1**  
**A3** **SOUTH ELEVATION**  
SCALE: 1:64

**MS HOME DESIGNS**  
Micaela@mshomedesigns.com  
647.217.1184  
MSHOMEDESIGNS.COM

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QUALIFICATION INFORMATION

MICAELA SILVA  
NAME  43172  
BCIN

REGISTRATION INFORMATION

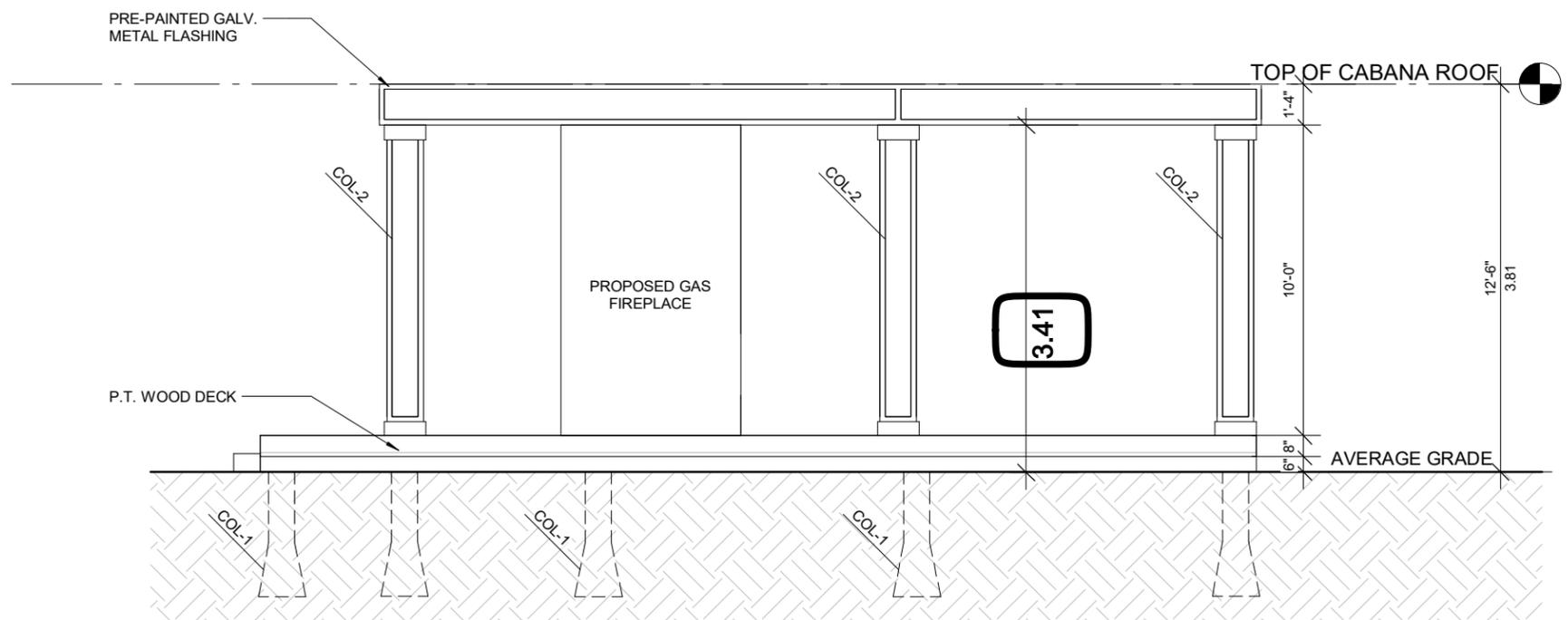
Required unless design is exempt under 3.2.4.7. Division C of the building code

MS HOME DESIGNS  
FIRM NAME 101941  
BCIN

SCOPE OF WORK:  
PROPOSED OUTDOOR CABANA AND WOOD DECK AT

49 FOXHUNT DRIVE  
CITY OF VAUGHAN

SOUTH ELEVATION	
SCALE 3/16" = 1'-0"	
PROJECT No. 2021-05	<b>A3</b>



**1** NORTH ELEVATION  
**A4** SCALE: 1:64

**MS HOME DESIGNS**  
 Micaela@mshomedesigns.com  
 647.217.1184  
 MSHOMEDESIGNS.COM

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Required unless design is exempt under 3.2.4.3.(5) Division C of the building code

QUALIFICATION INFORMATION

MICAELA SILVA  
 NAME  43172  
 BCIN

REGISTRATION INFORMATION

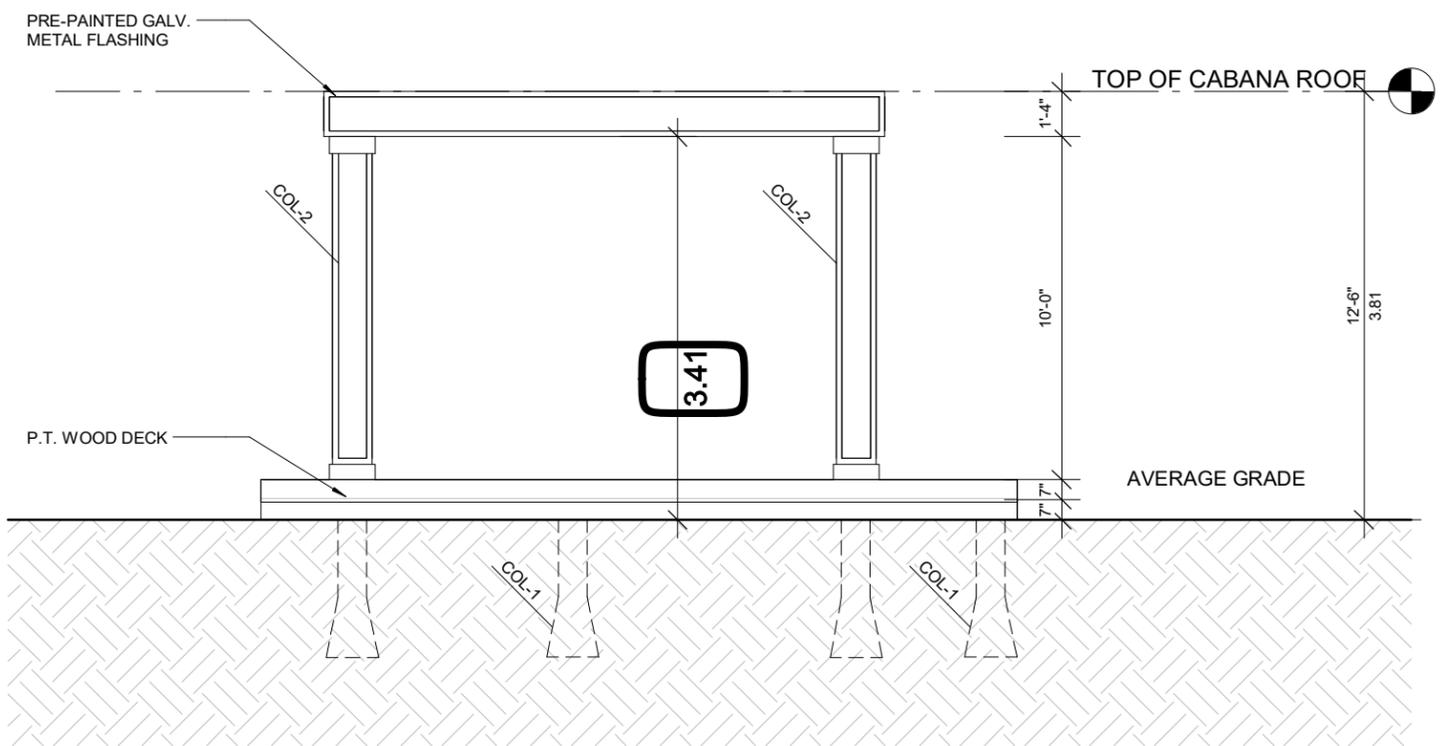
Required unless design is exempt under 3.2.4.7. Division C of the building code

MS HOME DESIGNS  
 FIRM NAME 101941  
 BCIN

**SCOPE OF WORK:**  
 PROPOSED OUTDOOR CABANA AND WOOD DECK AT

49 FOXHUNT DRIVE  
 CITY OF VAUGHAN

NORTH ELEVATION	
SCALE 3/16" = 1'-0"	
PROJECT No. 2021-05	DRAWING No. <b>A4</b>



**1 EAST ELEVATION**  
**A5 SCALE: 1:64**

**MS HOME DESIGNS**  
Micaela@mshomedesigns.com  
647.217.1184  
MSHOMEDESIGNS.COM

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Required unless design is exempt under 3.2.4.3.(5) Division C of the building code

QUALIFICATION INFORMATION

MICAELA SILVA  
NAME  43172  
BCIN

REGISTRATION INFORMATION

Required unless design is exempt under 3.2.4.7. Division C of the building code

MS HOME DESIGNS  
FIRM NAME 101941  
BCIN

PROPOSED OUTDOOR CABANA AND WOOD DECK AT

49 FOXHUNT DRIVE  
CITY OF VAUGHAN

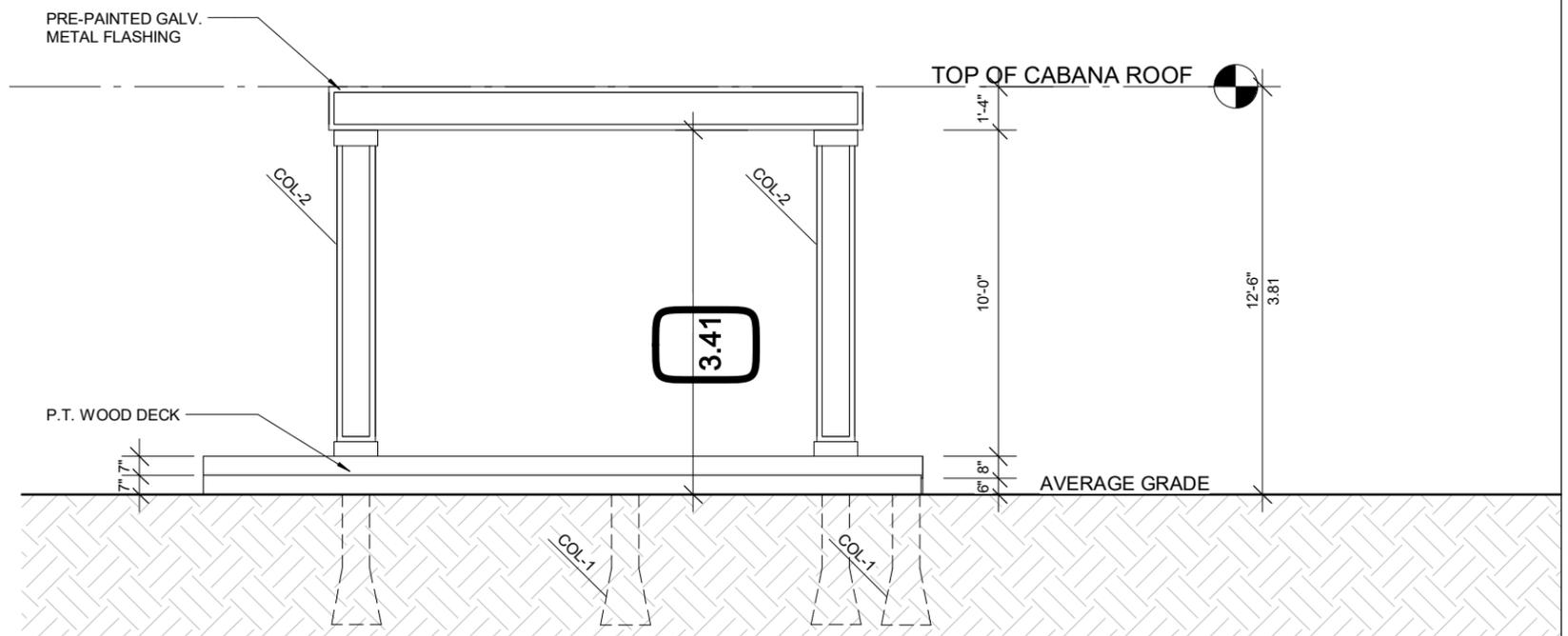
EAST ELEVATION

SCALE  
3/16" = 1'-0"

DATE  
APRIL 26, 2021

PROJECT No.  
2021-05

DRAWING No.  
**A5**



**1** WEST ELEVATION  
**A6** SCALE: 1:64

**MS HOME DESIGNS**  
 Micaela@mshomedesigns.com  
 647.217.1184  
 MSHOMEDESIGNS.COM

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Required unless design is exempt under 3.2.4.3.(5) Division C of the building code

QUALIFICATION INFORMATION

MICAELA SILVA  
 NAME  43172  
 BCIN

REGISTRATION INFORMATION

Required unless design is exempt under 3.2.4.7. Division C of the building code

MS HOME DESIGNS  
 FIRM NAME 101941  
 BCIN

**SCOPE OF WORK:**  
 PROPOSED OUTDOOR CABANA AND WOOD DECK AT

49 FOXHUNT DRIVE  
 CITY OF VAUGHAN

WEST ELEVATION	
SCALE 3/16" = 1'-0"	
DATE APRIL 26, 2021	
PROJECT No. 2021-05	DRAWING No. <b>A6</b>

## **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



Discover the possibilities

### COMMENTS:

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

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

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

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

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

### References:

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

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

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

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

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

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

## Adriana MacPherson

---

**Subject:** FW: A178/21 - Request for Comments (49 Foxhunt Drive)

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

**Sent:** September-03-21 3:39 PM

**To:** Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A178/21 - Request for Comments (49 Foxhunt Drive)

Good afternoon Adriana,

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

*Gabrielle*

**Gabrielle Hurst mcip rpp** | Community Planning and Development Services | The Regional Municipality of York | 1-877  
464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

## Schedule D: Previous Approvals (Notice of Decision)

None