



**File:** A109/21

**Applicant:** Adrienne Di Benedetto

**Address:** 76 Creedmore Ct Kleinburg

**Agent:** Ian Robertson Design

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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		
Development Planning	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CPR	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

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Background History: N/A

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Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday , November 18, 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: 1

**A109/21**

Ward: 1

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

**Date & Time of Live Stream Hearing:** Thursday , November 18, 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:** Adrienne Di Benedetto
- Agent:** Ian Robertson Design
- Property:** **76 Creedmore Court Kleinburg**
- Zoning:** The subject lands are zoned RD1 Residential Detached Zone One, and subject to the provisions of Exception No. 9(1316) 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 single family dwelling, detached garage, cabana and hot tub enclosure.

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 interior garage width shall be 5.5 metres. (Schedule A3)	1. To permit a minimum garage width of 5.18 metres in the accessory building (garage on the east side).
2. No garage shall project into the front yard more than 1.0 metre beyond the most distant point of any wall of the dwelling facing the street on the ground level and 2.0 metres where there is a covered and unenclosed porch. (Schedule A3)	2. To permit a maximum projection of 3.35 metres into the front yard for the accessory building (garage on the east side).
3. A maximum of 67.0m2 of total floor area is permitted for all accessory buildings. (S.4.1.1.)	3. To permit a total floor area of 89.68m2 for all accessory buildings (cabana and hot tub enclosure).
4. A minimum rear yard setback of 7.5 metres is required to the accessory building. (S.4.1.1.)	4. To permit a minimum setback of 6.17 metres from the rear lot line to the nearest part of the accessory building (cabana).
**5. A maximum building height of 4.5 metres is permitted to the highest point of the accessory building. (S. 4.1.1.)	**5. To permit a maximum building height of 5.05 metres to the highest point of the accessory building (cabana). <b>*Variance confirmed using Zoning Review Waiver</b>
**6. A maximum building height of 3.0 metres is permitted to the nearest part of the roof. (S.4.1.1.)	**6. To permit a maximum building height of 3.94 metres to the nearest part of the roof of the accessory building (cabana). <b>*Variance confirmed using Zoning Review Waiver</b>
**7. A maximum building height of 4.5 metres is permitted to the highest point of the accessory building. (S. 4.1.1.)	**7. To permit a maximum building height of 5.13 metres to the highest point of the accessory building (hot tub structure). <b>*Variance confirmed using Zoning Review Waiver</b>

By-law Requirement	Proposal
**8. A maximum building height of 3.0 metres is permitted to the nearest part of the roof. (S.4.1.1.)	**8. To permit a maximum building height of 4.01 metres to the nearest part of the roof for the accessory building (hot tub structure). *Variance confirmed using Zoning Review Waiver

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

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

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

**Adjournment History: N/A**

### Staff & Agency Comments

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

**Committee of Adjustment:**

Revised Public notice was mailed on November 5, 2021

Applicant confirmed posting of signage on October 25, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	Vacant Lot (Purchased 2018)

Applicant has advised that they cannot comply with By-law for the following reason(s):  
The garage projection does not comply due to the shape of the lot. The reason for the tandem garage not complying with the interior width is that this is not the primary parking space and the other garages far exceed the minimum width required for parking. The area of all accessory buildings does not comply because the client requires additional outdoor space to accommodate his family and to enclose the hot tub.

Committee of Adjustment recommended conditions of approval: None

**Adjournment Request / File Review History:**

The applicant submitted a revised application and Zoning Waiver Form (to address Development Planning comments) to proceed to the November 18, 2021 Committee of Adjustment hearing.

Zoning confirmed requested variances on November 4, 2021.

**Building Standards (Zoning Review):**

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m<sup>2</sup>

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

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

Please be aware that an a/c unit shall setback a minimum of 0.6 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard.

**Building Inspections (Septic):**

No comments received to date

**Development Planning:**

Please see Schedule C for Development Planning comments/conditions..

**Development Engineering:**

The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for the pool permit.

As the proposed structures in the subject property is more than 10 m<sup>2</sup>, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering Department. Please note any in ground structure over 10 m<sup>2</sup> requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition.

The Development Engineering (DE) Department does not object to variance application A109/21. subject to the following condition(s):

1. The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for lot grading and/or servicing approval.
2. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder about the proposed work to the subject property and provide a copy of the acknowledgement letter/email from the developer/builder to the City's Development Engineering Department.

**Parks Development - Forestry:**

Creedmore Court is not yet assumed by the City.

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

No comments no concerns

**Development Finance:**

1. That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.
2. That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.
3. That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment
4. That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

**Fire Department:**

No comments received to date

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

None

**Schedule C - Development Planning & Agency Comments**

Development Planning Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

CPR – comments with guidelines

TRCA – comments with conditions

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

None

**Staff Recommendations:**

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

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

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

✓ That the requested variance(s) is/are minor in nature.

Should the Committee **adjourn** this application the following condition(s) is required: None

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

	Department/Agency	Condition
1	Development Planning Michael Torres  905-832-8585 x 8933 <a href="mailto:Michael.Torres@vaughan.ca">Michael.Torres@vaughan.ca</a>	The Owner shall submit a Landscape Plan to the satisfaction of the Development Planning Department.
2	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.Khan@Vaughan.ca">Farzana.Khan@Vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.</li> <li>2. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder about the proposed work to the subject property and provide a copy of the acknowledgement letter/email from the developer/builder to the City's Development Engineering Department.</li> </ol>
7	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:hamedeh.razavi@trca.ca">hamedeh.razavi@trca.ca</a>	That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority

**Conditions**

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

**Please Note:**

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

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

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

**Notice to the Applicant – Development Charges**

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

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

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

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

## Notice to Public

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

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

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

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

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

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

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

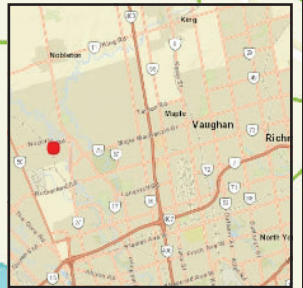
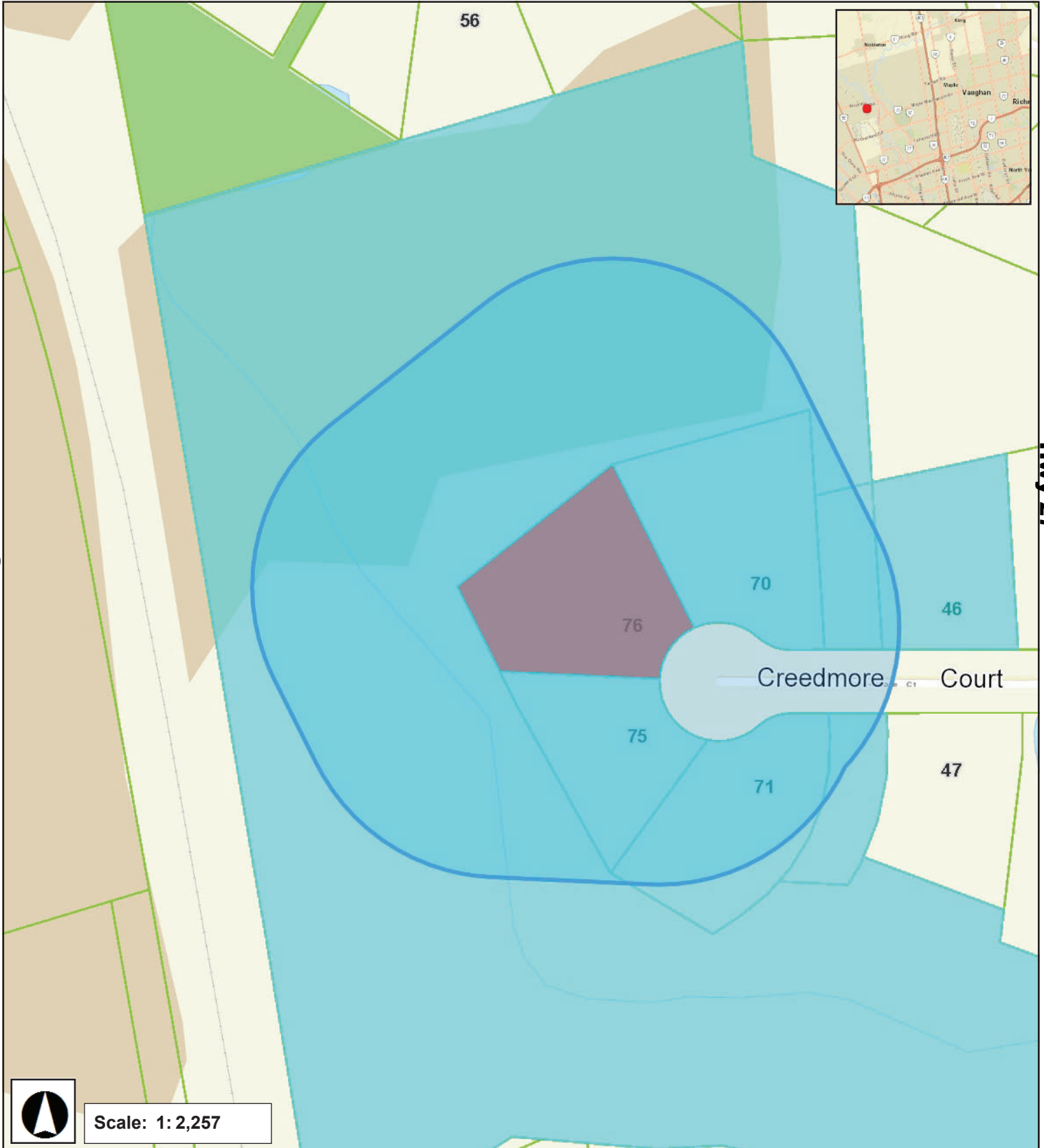




# LOCATION MAP - A109/21

76 CREEDMORE COURT, KLEINBURG

**Nashville Road**



Scale: 1:2,257

**Major Mackenzie Drive**

June 8, 2021 12:27 PM

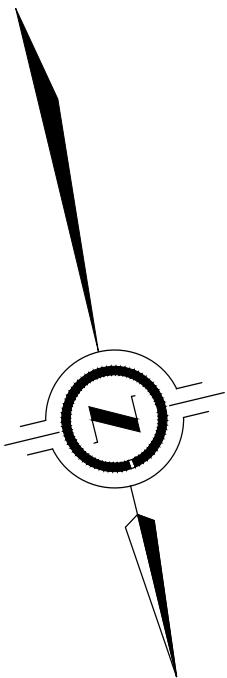
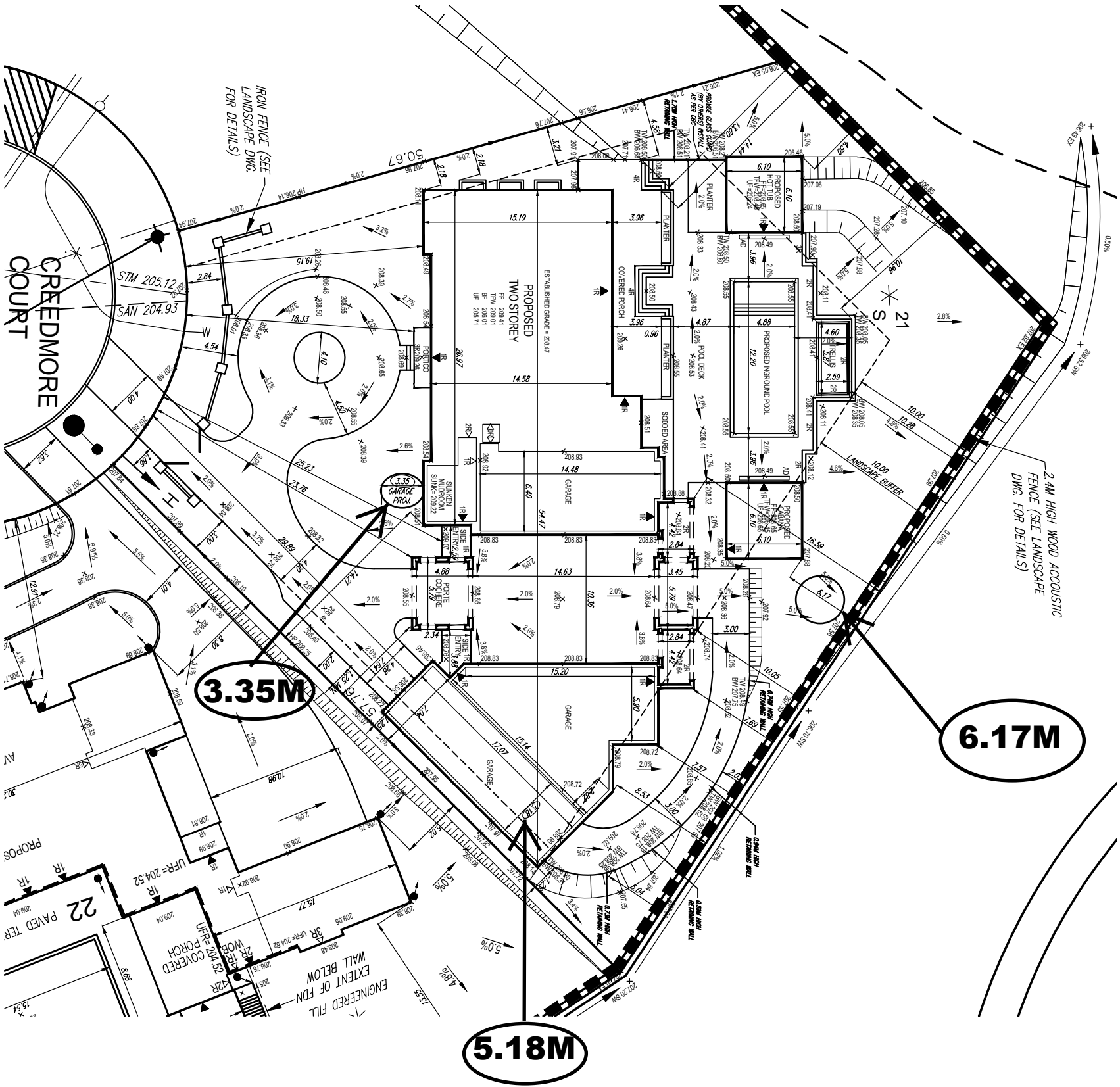
**RECEIVED**

By RECEIVED at 9:34 am, Oct 15, 2021

**A109/21**

**Total GFA of all accessory buildings  
(cabana & hot tub enclosure) = 89.68m<sup>2</sup>**

**LOT 21 - 76 CREEDMORE COURT**



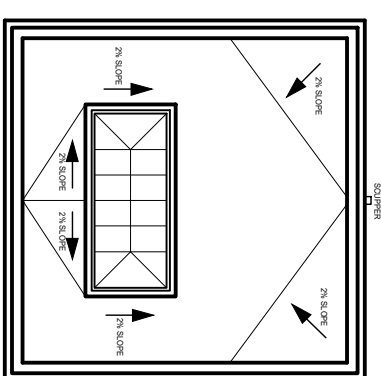
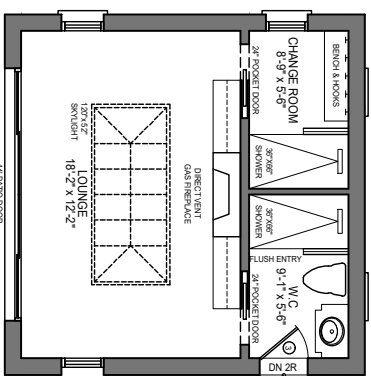
SITE DATA	ZONING	PROPOSED
ZONE	BY-LAW 1-88 RD-1	
LOT FRONTAGE	18.0 M	30.92 M
LOT AREA	540 M <sup>2</sup>	3075.05 M <sup>2</sup>
FRONT YARD SETBACK	4.50 M (HOUSE)	19.15 M (HOUSE)
SIDE YARD SETBACK SOUTH	6.0 M (GARAGE)	18.33 M (HOUSE)
NORTH	1.20 M	29.89 M (GARAGE)
REAR YARD SETBACK	7.50 M	2.18 M
REAR YARD SETBACK	1.20 M	1.25 M
GROUND FLOOR AREA	N/A	4.90 M (HOT TUB BLDG)
GROSS FLOOR AREA	N/A	6.17 M (CABANA)
AREA OF ACCESSORY BLDGS	67 M <sup>2</sup>	345.97 M <sup>2</sup>
GARAGE PROTECTION	2.0 M (MAIN WALL)	943.24 M <sup>2</sup>
INTERIOR GARAGE WIDTH	5.5 M	5.18 M
DRIVEWAY WIDTH	9.0 M	4.60 M
LOT COVERAGE & GARAGES	N/A	668.34 M <sup>2</sup> (21.73%)
NET COVERING OF PORCHES & FRONT COCHERE	N/A	164.90 M <sup>2</sup> (5.36%)
LOT COVERAGE OF ACCESSORY BLDG (CABANA & HOT TUB)	N/A	74.32 M <sup>2</sup> (2.42%)
LOT COVERAGE OF TRELLIS	N/A	15.24 M <sup>2</sup> (0.59%)
TOTAL COVERAGE	N/A	922.80 M <sup>2</sup> (30.01%)
BLDG HEIGHT TO PEAK	11.0 M (FEEL)	10.47 M
BLDG HEIGHT TO MIDPOINT	4.50 M (HOT TUB BLDG)	4.42 M (HOT TUB BLDG)
ACCESSORY BLDG HEIGHT	3.00 M (HOUSE)	4.42 M (CABANA)
EAVE PROJECTION	0.60 M	3.45 M (TRELLIS)
FRONT YARD AREA	0.21 M	756.70 M <sup>2</sup>
DRIVEWAY AREA	344.20 M <sup>2</sup>	392.50 M <sup>2</sup> (53.78%)
FRONT YARD LANDSCAPING	50% (3988.35 M <sup>2</sup> )	1277.81 M <sup>2</sup> - 135 M <sup>2</sup> =
FRONT YARD SOFT	75% (294.38 M <sup>2</sup> )	1142.81 M <sup>2</sup>
LANDSCAPING		89.68 M <sup>2</sup>
REAR YARD AREA		70.14 M <sup>2</sup>
BUILDING AREA (HOT TUB/CABANA/TRELLIS)		297.37 M <sup>2</sup>
LANDSCAPE (STEPS/DRIVEWAY/RET. WALLS/POOL DECK)		457.19 M <sup>2</sup>
TOTAL IMPERVIOUS		1277.81 - 457.19 =
REAR YARD SOFT	60% OF 1142.81	820.62 M <sup>2</sup> (71.81%)
LANDSCAPING		

Client: **TONY DI BENEDETTO**  
 Address: **76 CREEDMORE COURT**  
 City: **CITY OF VAUGHAN**  
 Lot: **LOT 21**  
 Date: **09/29/21**  
 Project: **MG**  
 Sheet: **20-37**  
 Scale: **1:400**  
 Page: **1 OF 1**

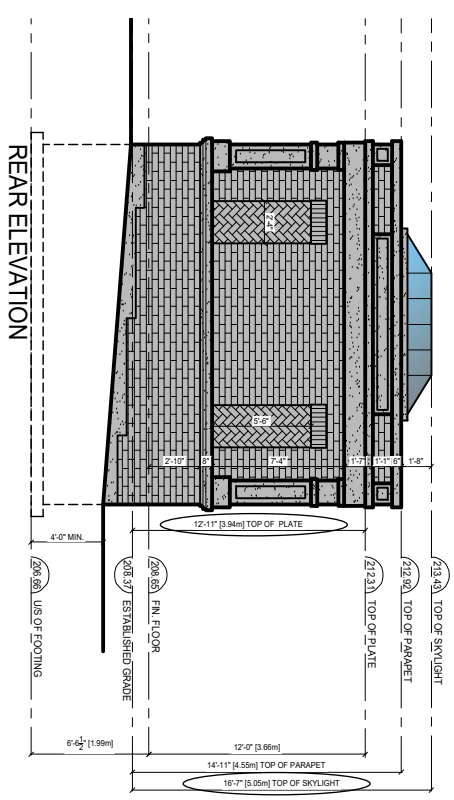
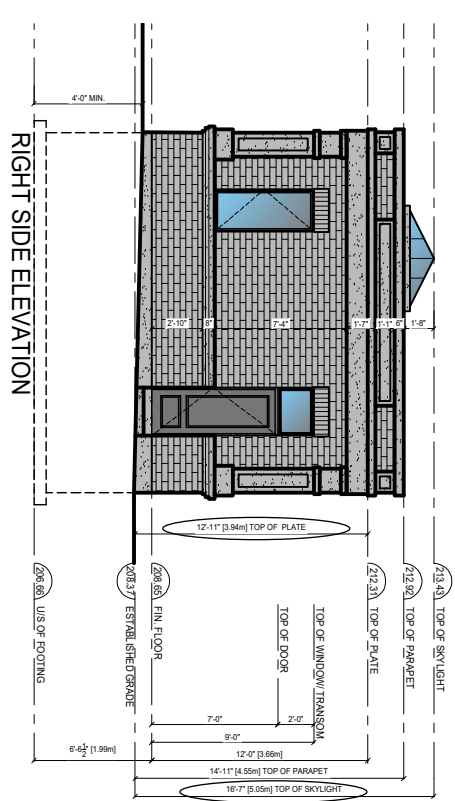
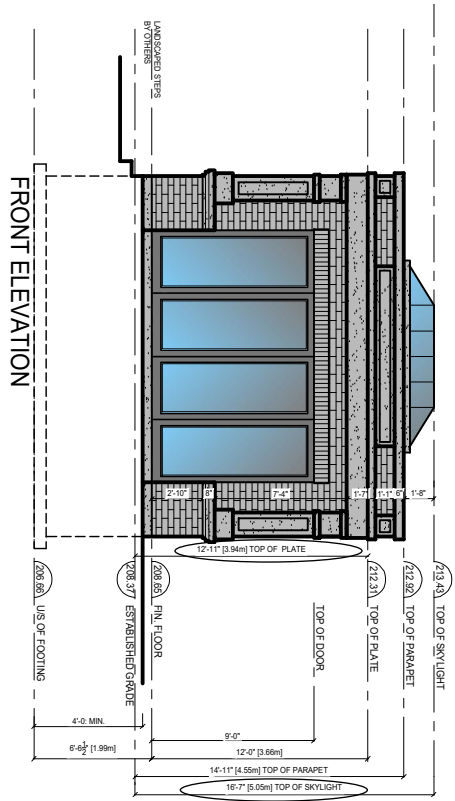
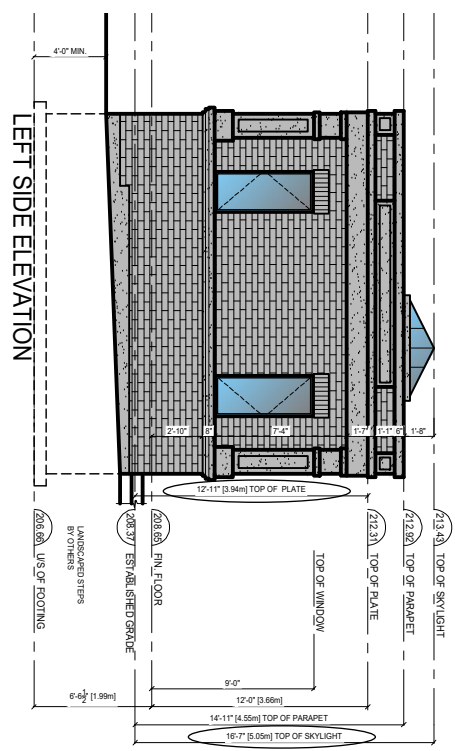
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By RECEIVED at 11:39 am, Nov 04, 2021

# LOT 21 - 76 CREEDMORE COURT



ROOF PLAN

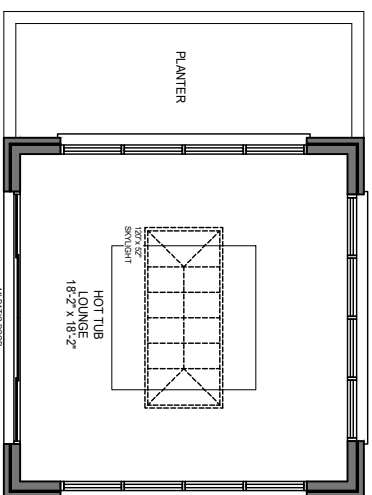


Client:	TONY DI BENEDETTO		
Lot:	LOT 21		
Address:	76 CREEDMORE COURT CITY OF VAUGHAN		
Sheet Title:	CABANA		
Drawn by:	MG/IBM	Date:	11/04/21
Project No.:	20-37	Page:	14 OF 16
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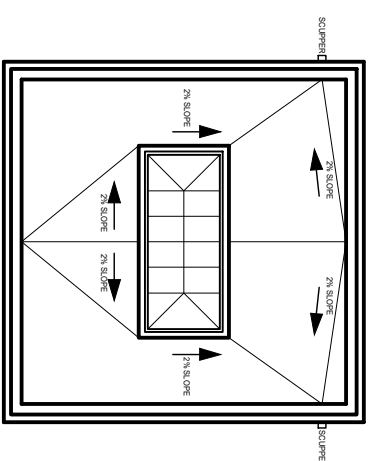
**RECEIVED**

By RECEIVED at 11:39 am, Nov 04, 2021

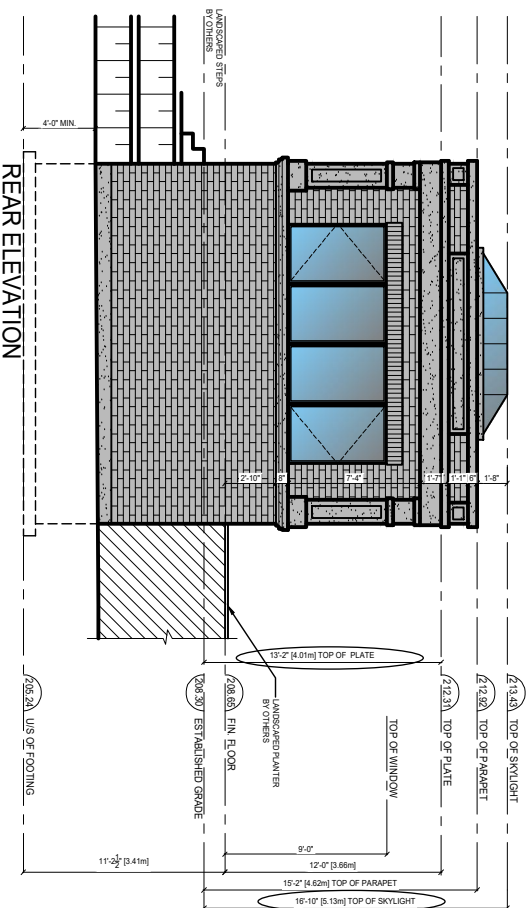
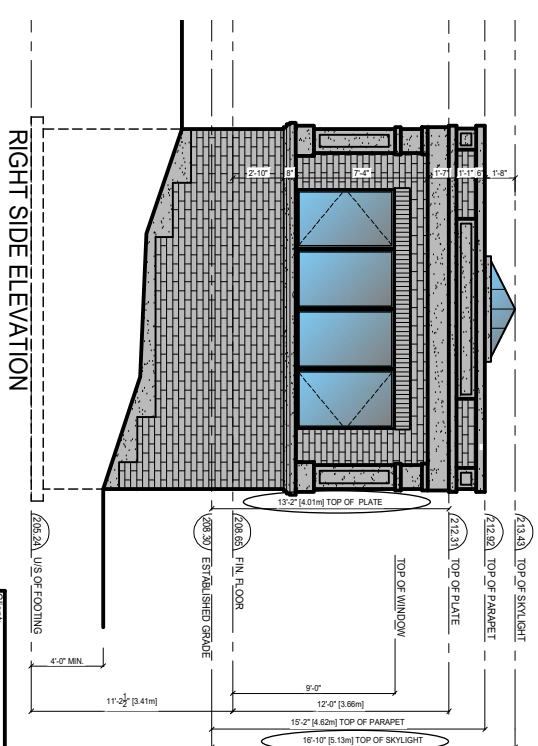
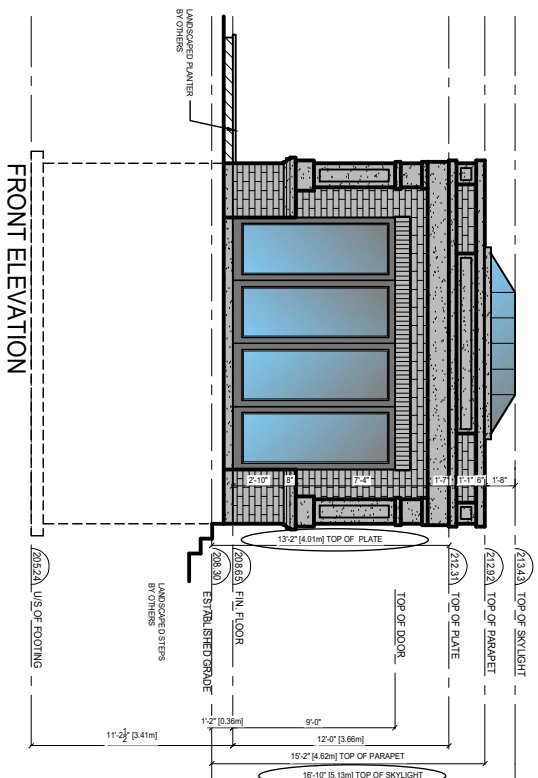
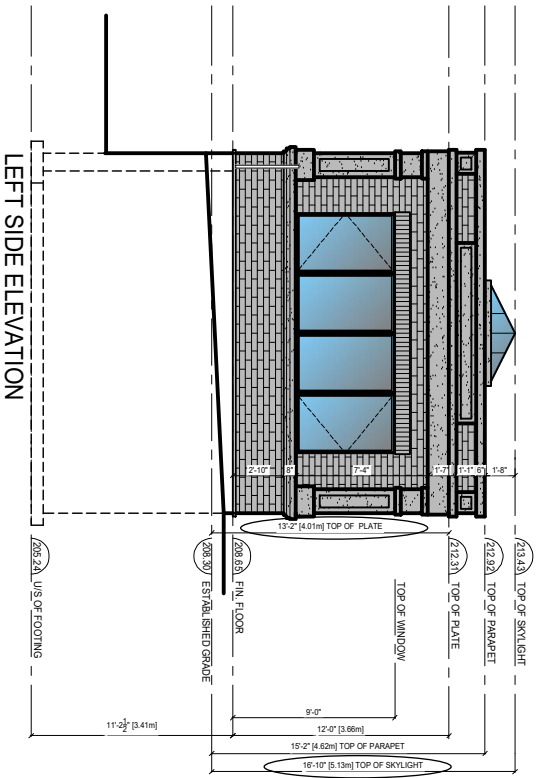
# LOT 21 - 76 CREEDMORE COURT



GROUND FLOOR PLAN

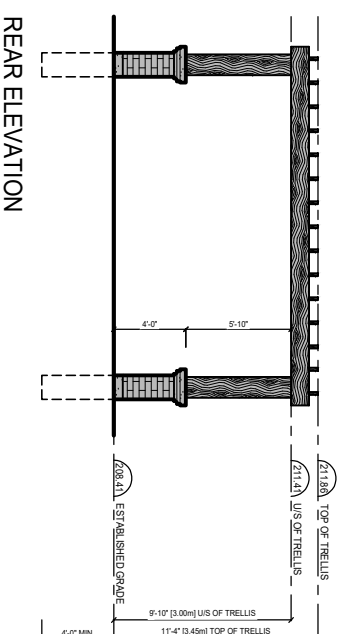
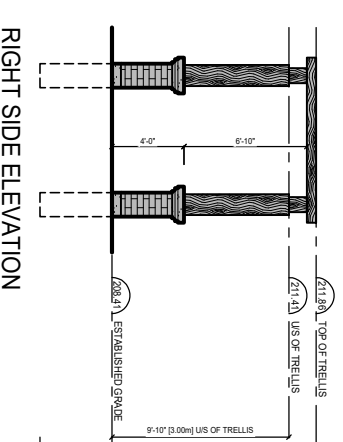
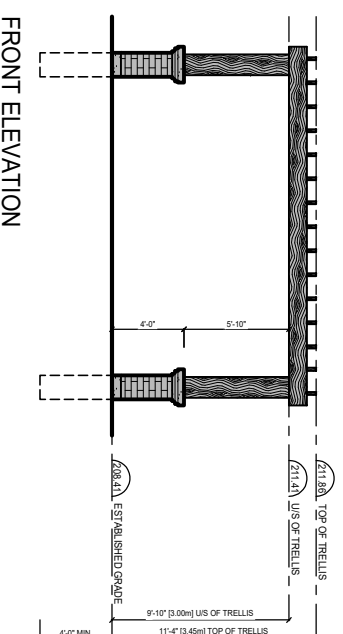
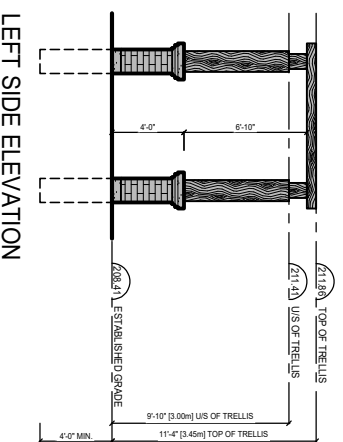
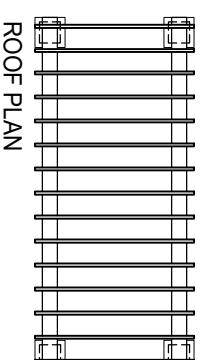
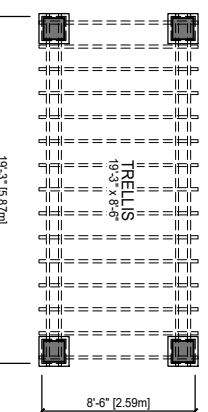


ROOF PLAN



Client:	
TONY DI BENEDETTO	
Lot:	LOT 21
Address:	76 CREEDMORE COURT CITY OF VAUGHAN
Sheet Title:	
HOT TUB STRUCTURE	
Drawn by:	MG/BM
Project No.:	20-37
Date:	11/04/21
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Page:	15 OF 16

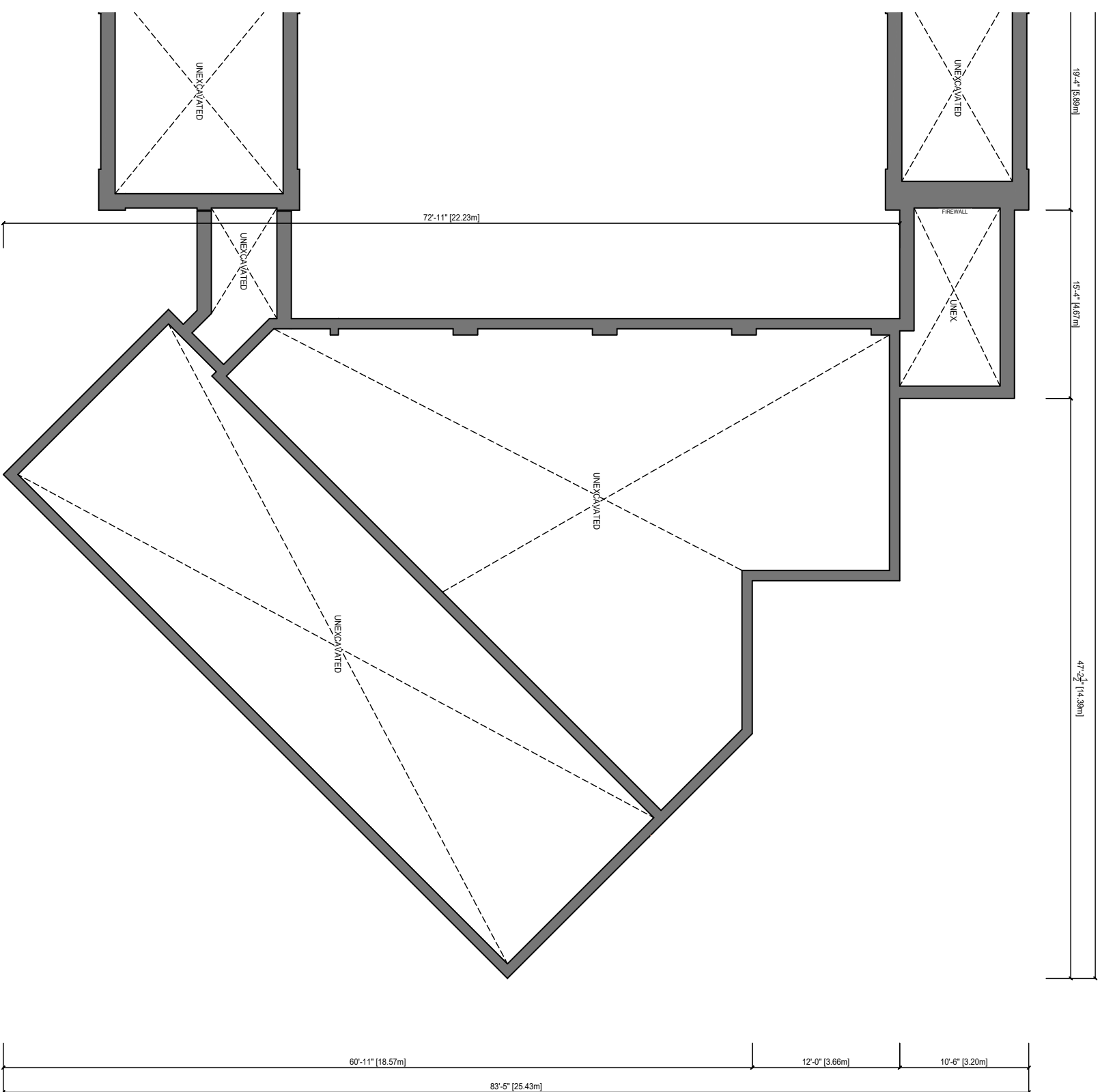
# LOT 21 - 76 CREEDMORE COURT



RECEIVED OCTOBER 13, 2021

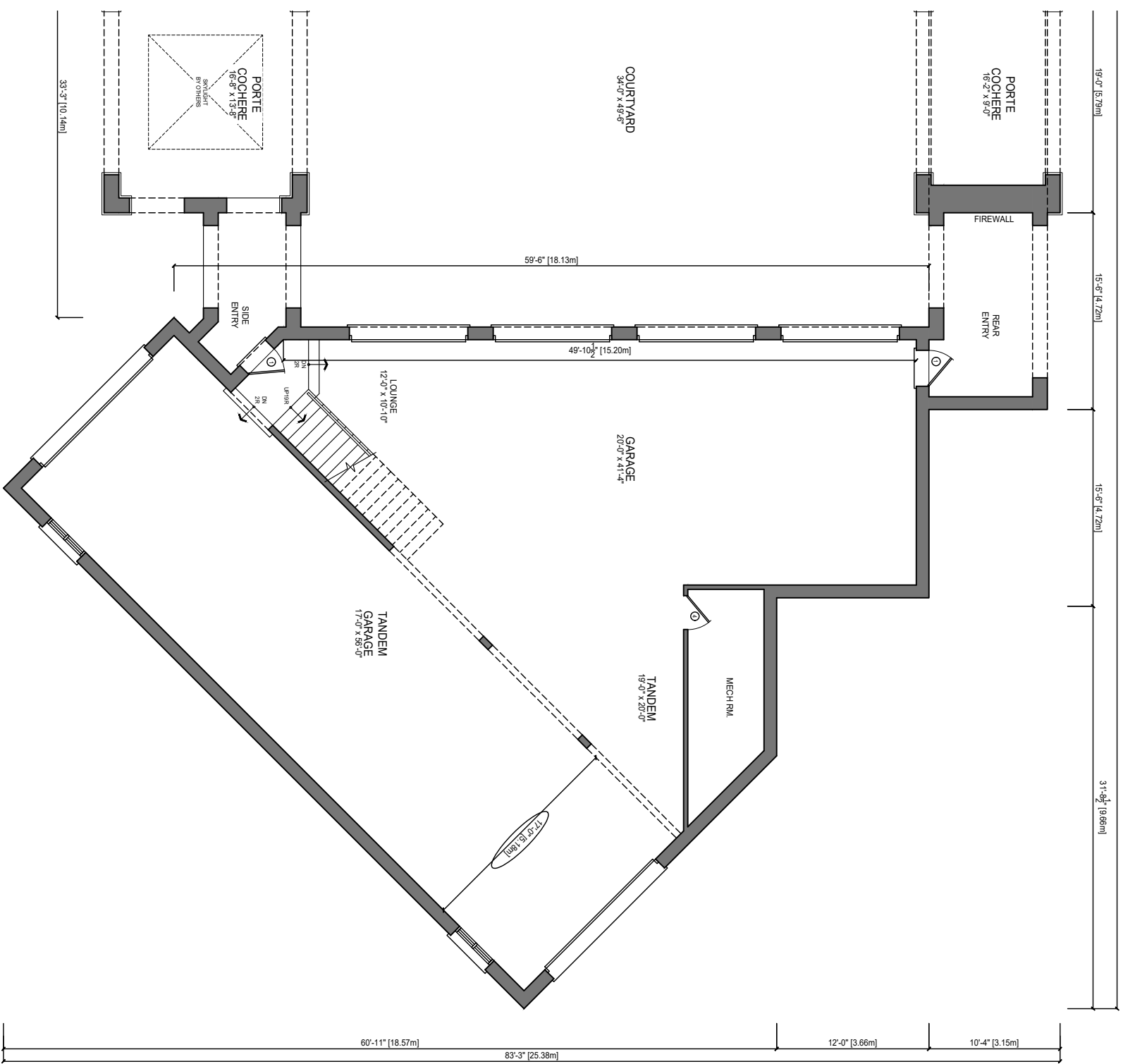
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Lot:		LOT 21	
Address:		76 CREEDMORE COURT CITY OF VAUGHAN	
Sheet Title:		TRELLIS	
Drawn by:	MG	Date:	09/29/21
Project No.:	20-37	Page:	16 OF 16
Scale:	3/32" = 1'0"		

# LOT 21 - 76 CREEDMORE COURT



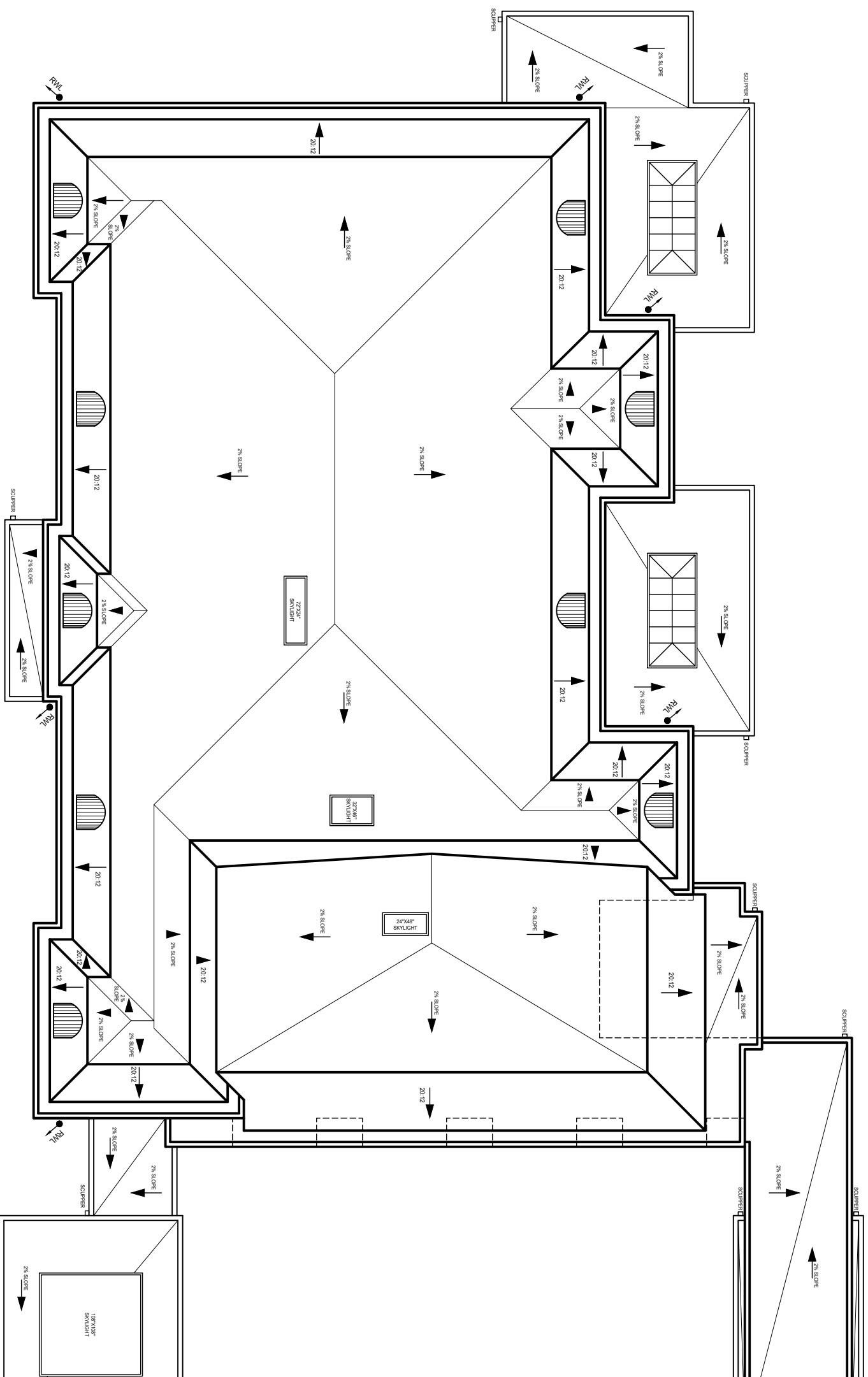
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Lot:	LOT 21		
Address:	76 CREEDMORE COURT CITY OF VAUGHAN		
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Drawn by:	MG	Date:	09/29/21
Project No:	20-37	Page:	2 OF 15
Scale:	3/32" = 1'0"		

# LOT 21 - 76 CREEDMORE COURT



Client:		TONY DI BENEDETTO	
Lot:		LOT 21	
Address:		76 CREEDMORE COURT CITY OF VAUGHAN	
Sheet Title:			
GROUND FLOOR PLAN (ATTACHED GARAGE)			
Drawn by:	MG	Date:	09/29/21
Project No.:	20-37	Page:	4 OF 15
Scale:	3/32" = 1'-0"		

# LOT 21 - 76 CREEDMORE COURT

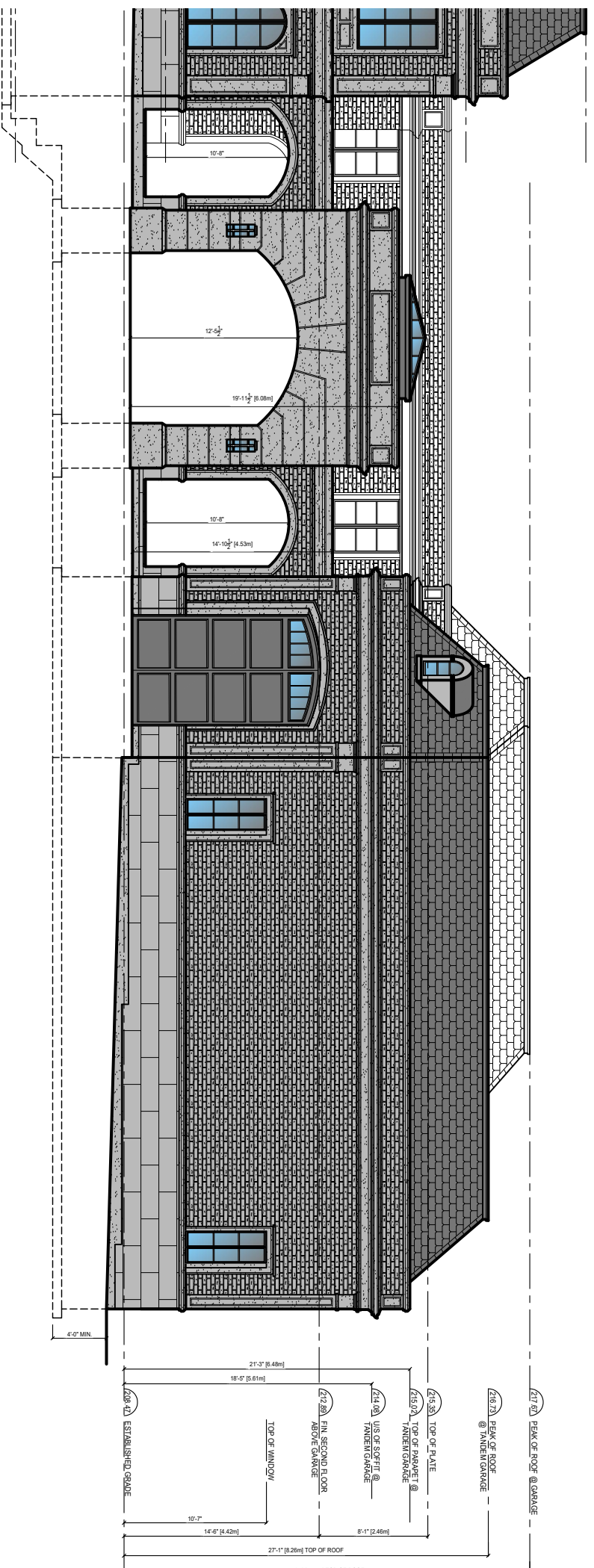
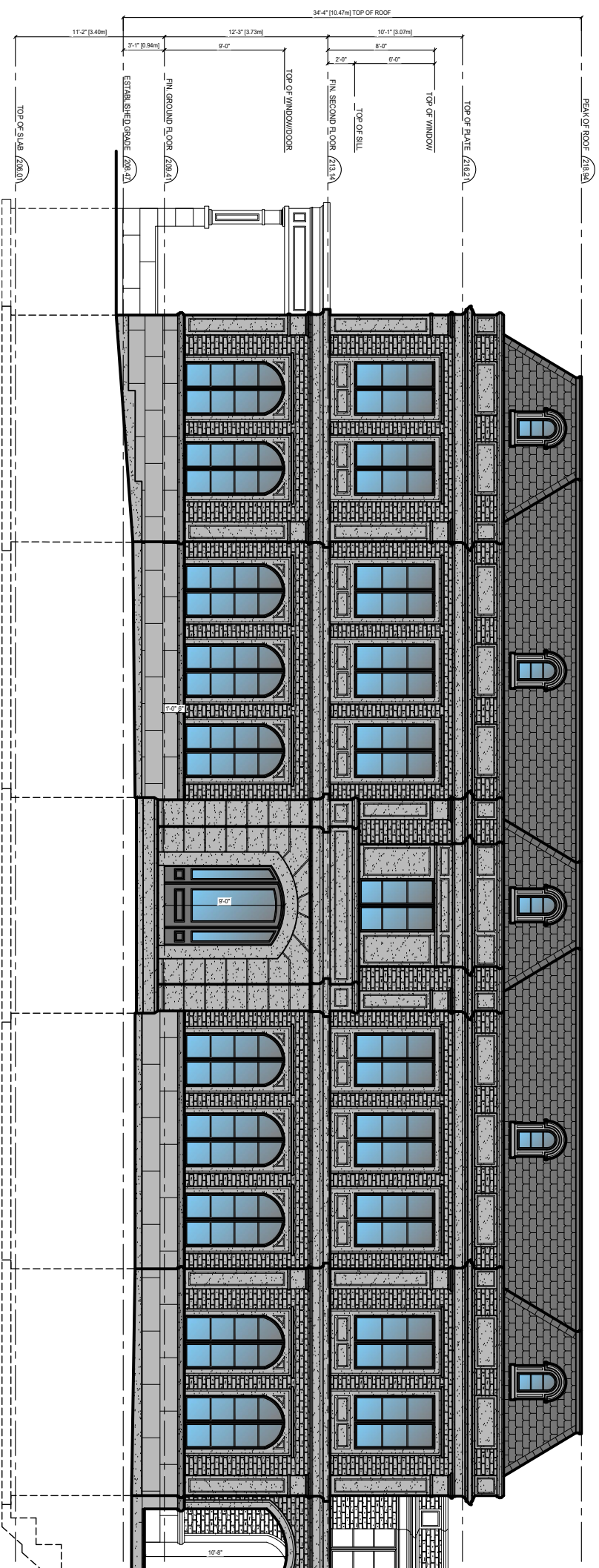


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Lot:		LOT 21	
Address:		76 CREEDMORE COURT CITY OF VAUGHAN	
Sheet No.			
ROOF PLAN (MAIN DWELLING)			
Drawn by:	MG	Date:	09/29/21
Project No.:	20-37	Page:	7 OF 15
Scale:	3/32" = 10'		



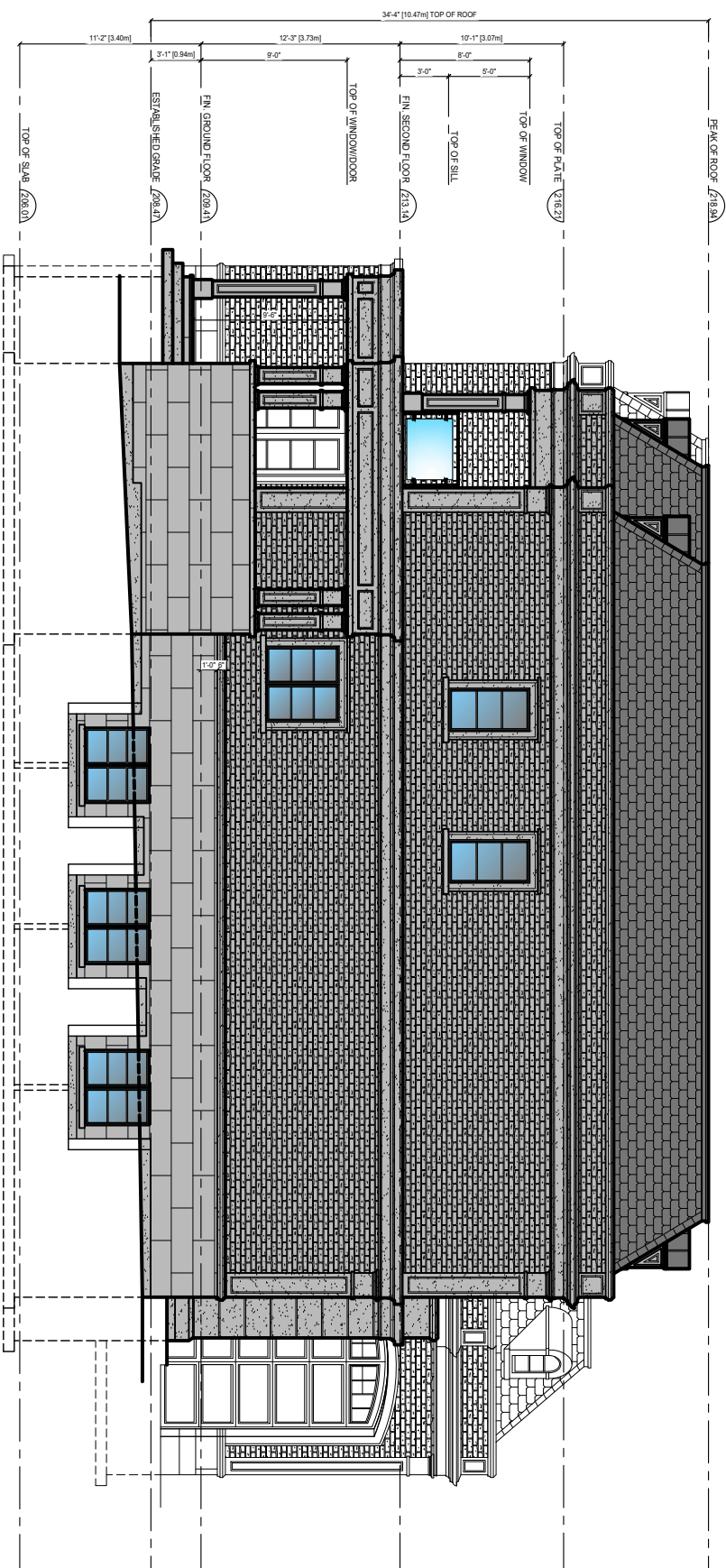


# LOT 21 - 76 CREEDMORE COURT



Client:		TONY DI BENEDETTO	
Lot:		LOT 21	
Address:		76 CREEDMORE COURT CITY OF VAUGHAN	
Sheet Title:			
FRONT ELEVATION			
Drawn by:	MG	Date:	09/29/21
Project No.:	20-37	Page:	9 OF 15
Scale:	3/32" = 10"		

# LOT 21 - 76 CREEDMORE COURT



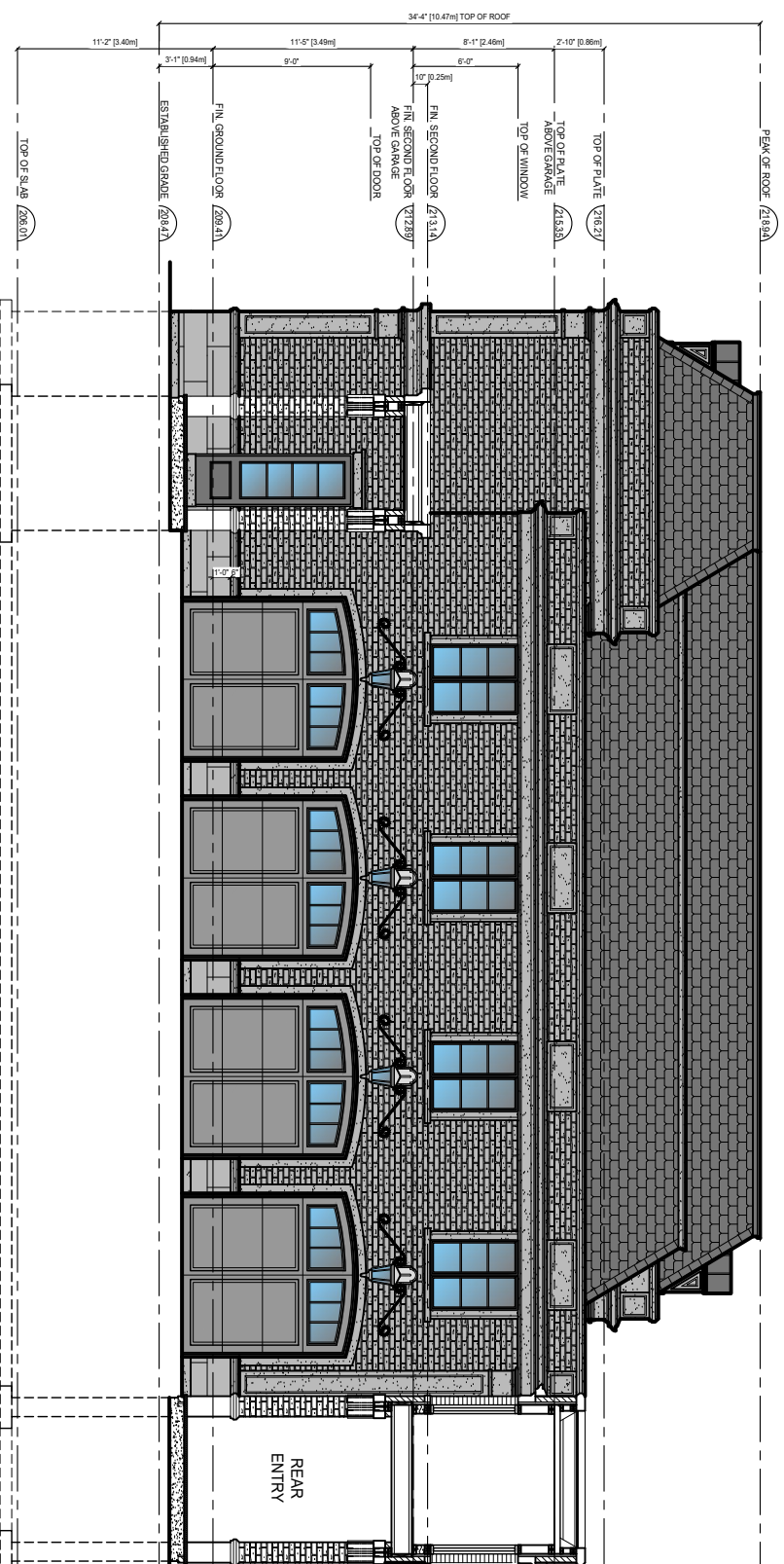
Client: TONY DI BENEDETTO  
 Lot: LOT 21  
 Address: 76 CREEDMORE COURT  
 CITY OF VAUGHAN

Sheet No: 10 OF 15

LEFT SIDE ELEVATION

Drawn by: MG  
 Project No: 20-37  
 Date: 09/29/21  
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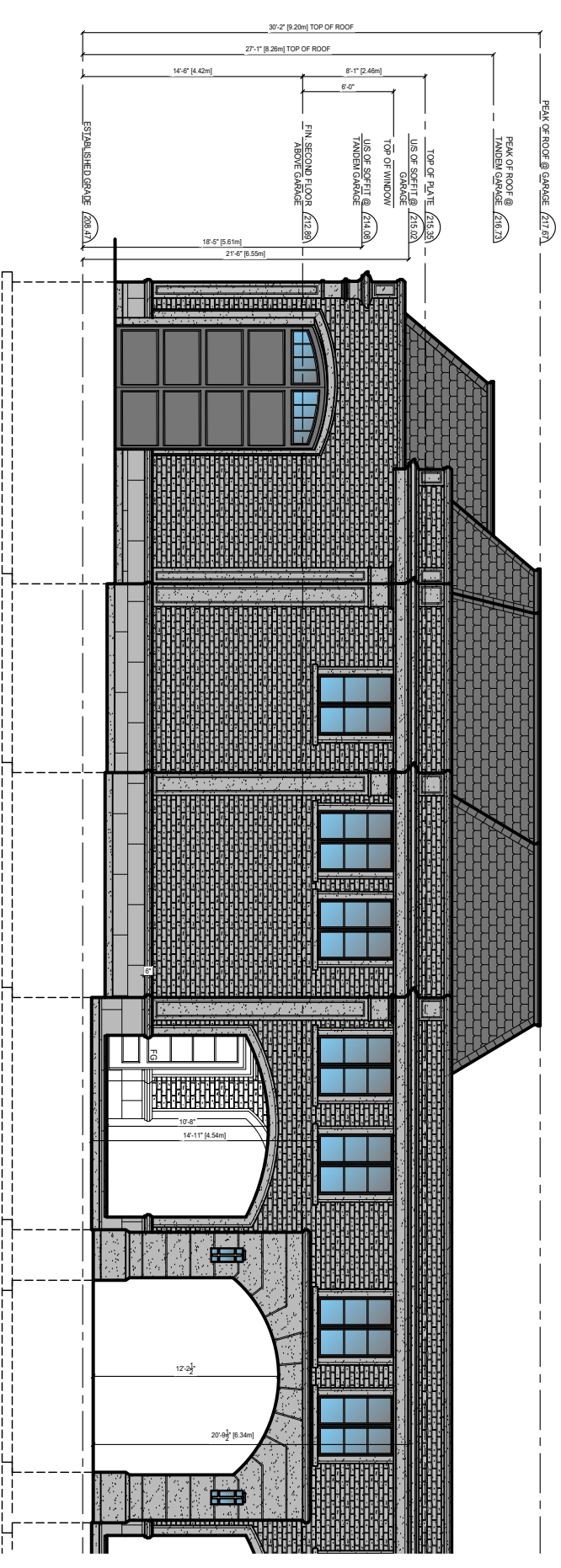
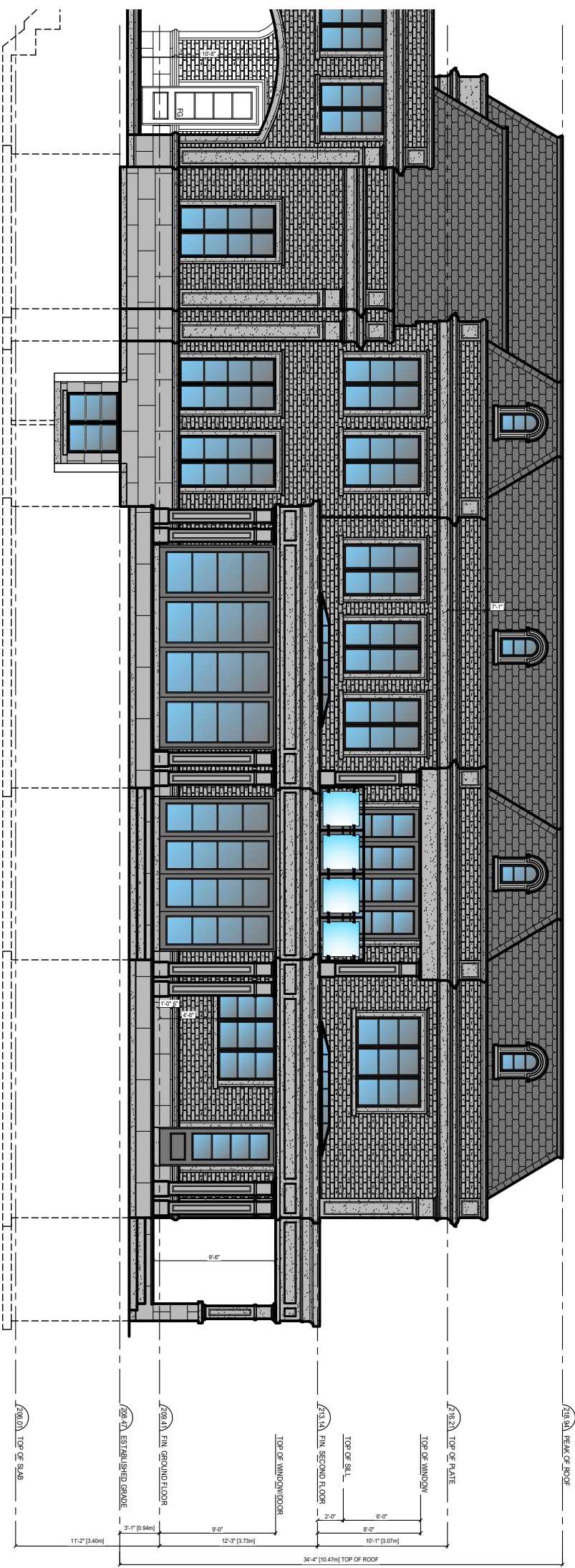
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Address:	76 CREEDMORE COURT CITY OF VAUGHAN		
Drawn by:	MG	Date:	09/29/21
Project No.:	20-37	Page:	11 OF 15
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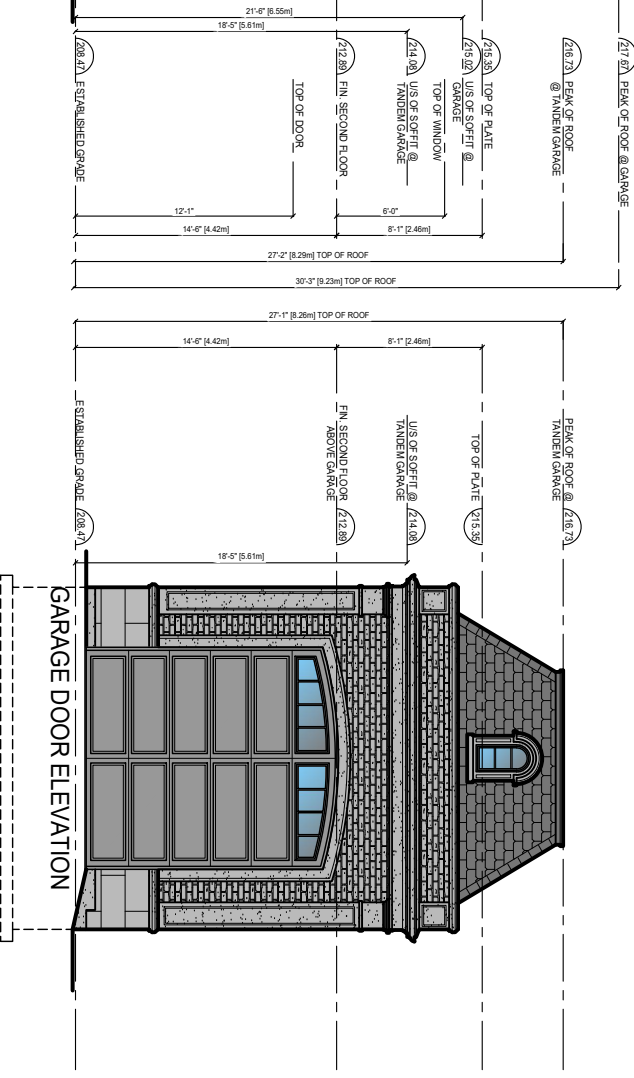
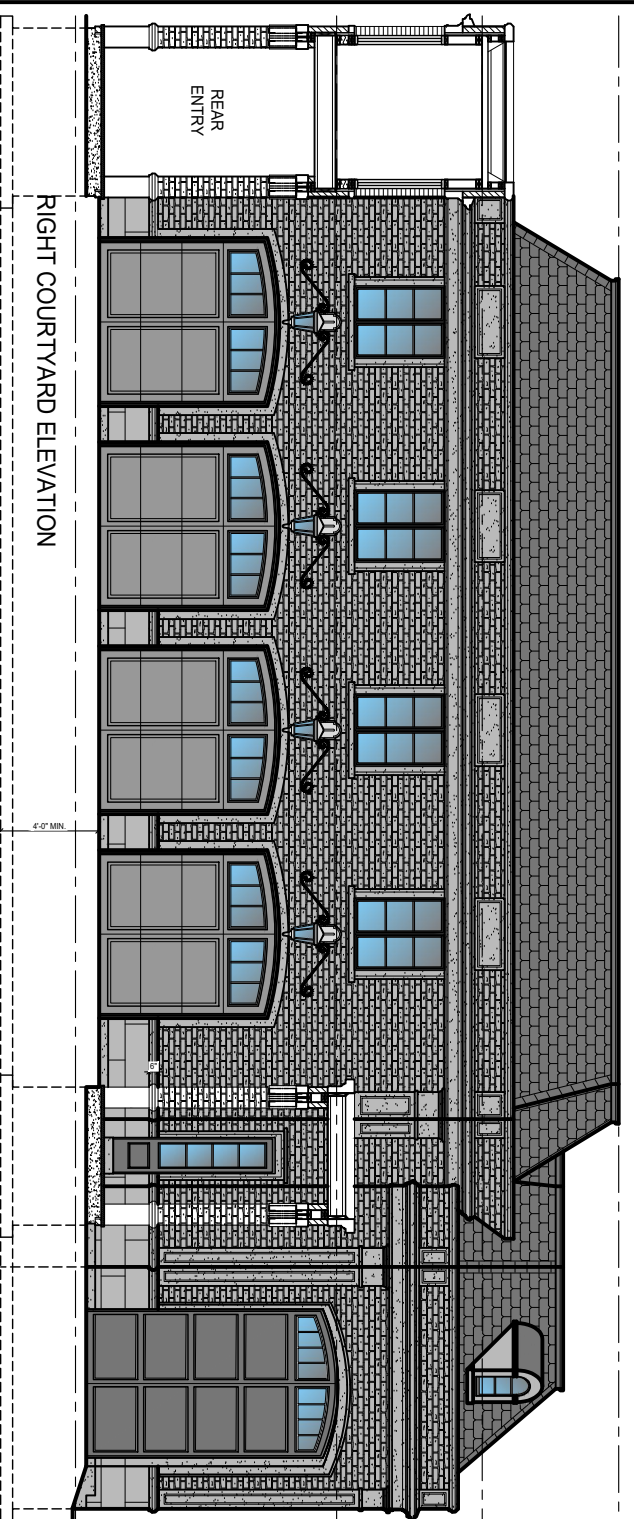
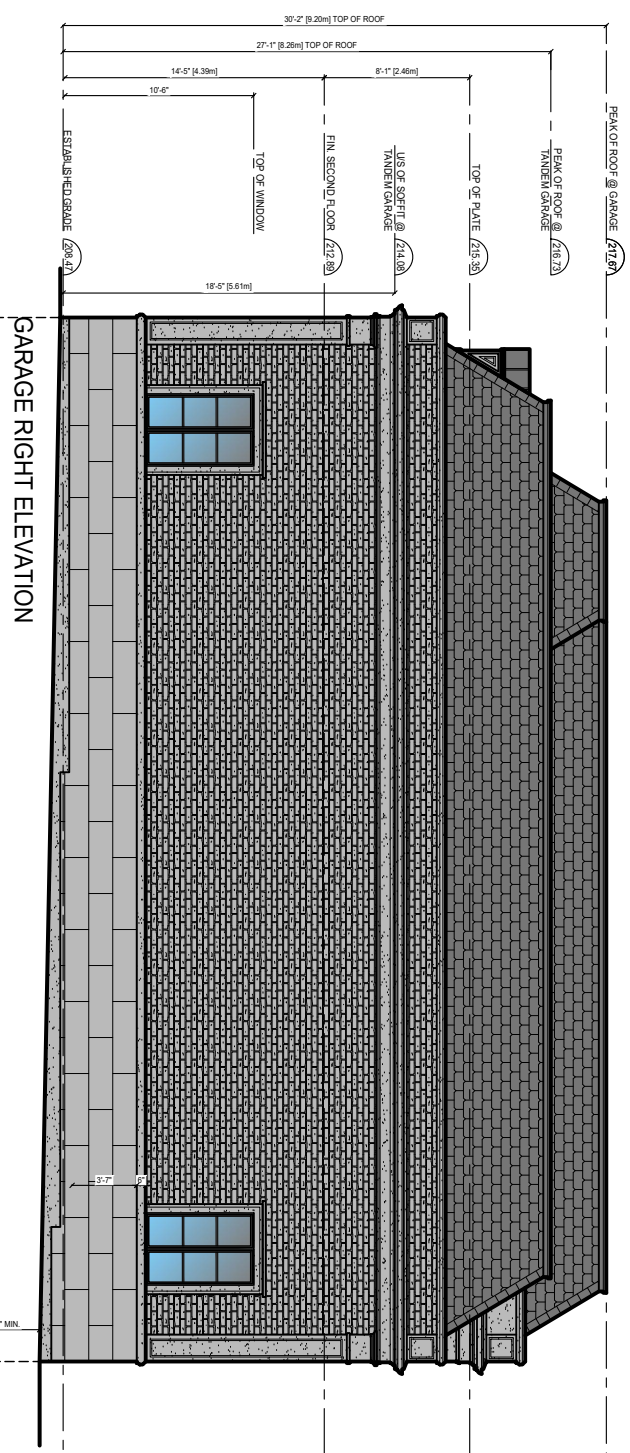
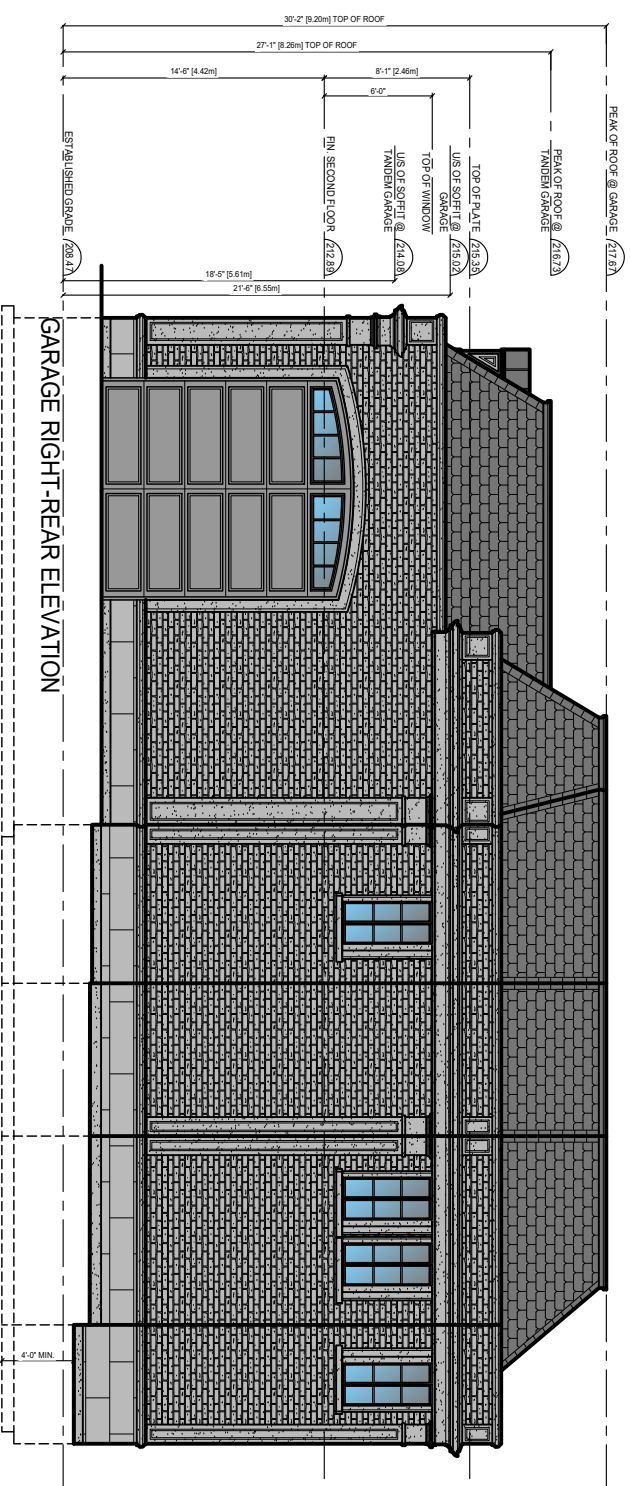
RIGHT SIDE ELEVATION

# LOT 21 - 76 CREEDMORE COURT



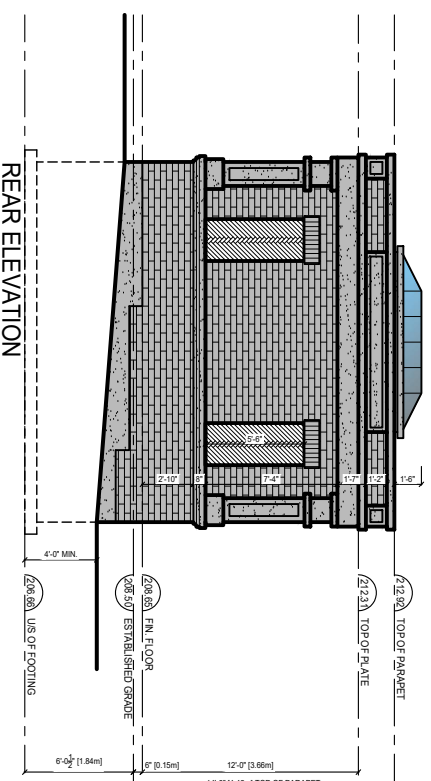
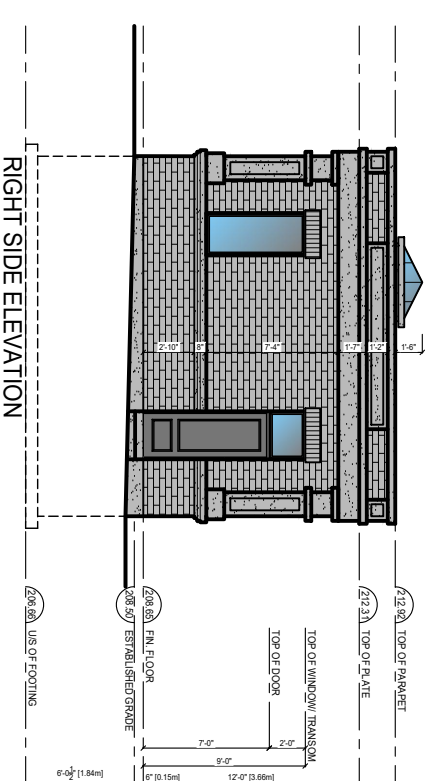
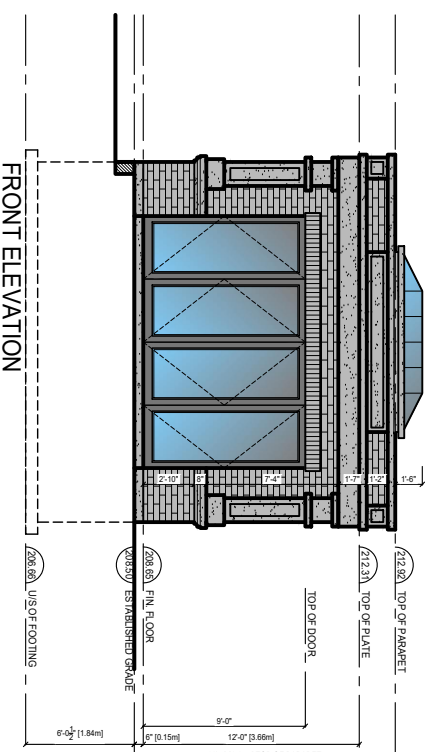
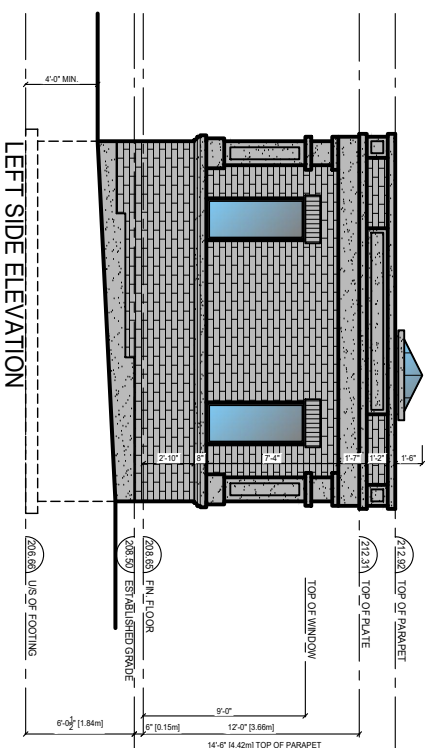
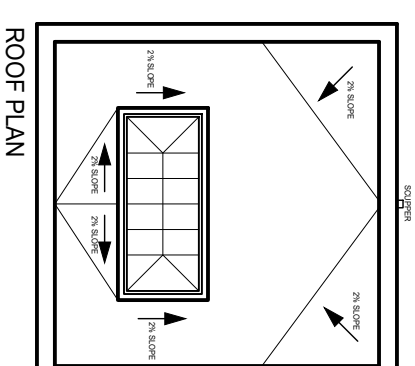
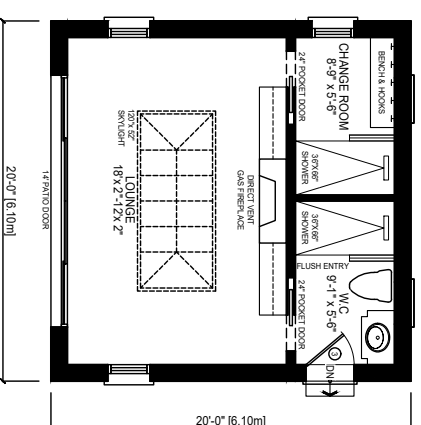
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Address:	76 CREEDMORE COURT CITY OF VAUGHAN	
Sheet Title:	REAR ELEVATION	
Drawn by:	MG	Date: 09/29/21
Project No.:	20-37	Page: 12 OF 15
Scale:	3/32" = 1'0"	

# LOT 21 - 76 CREEDMORE COURT



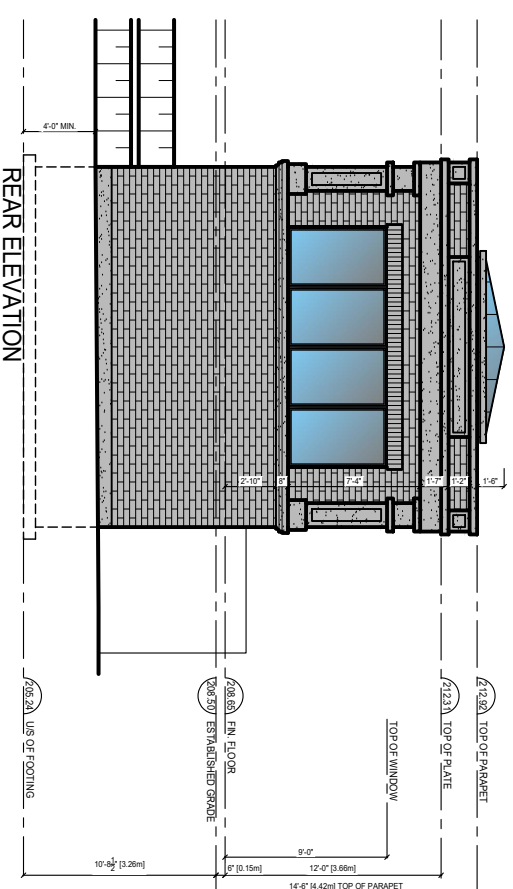
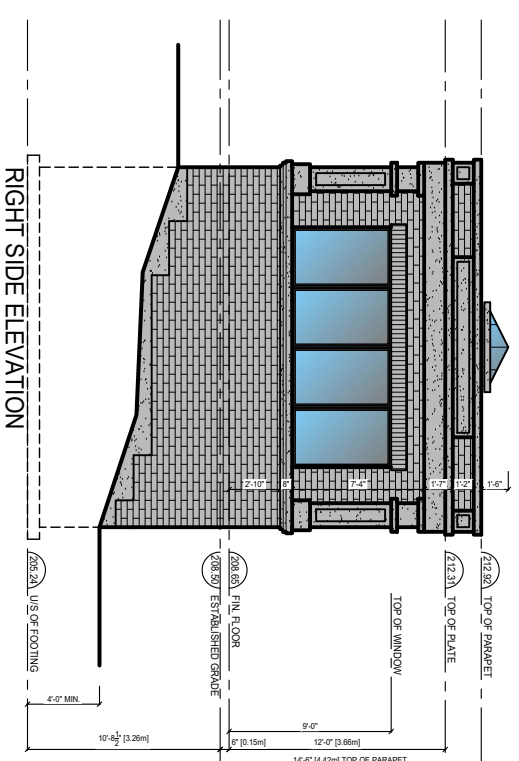
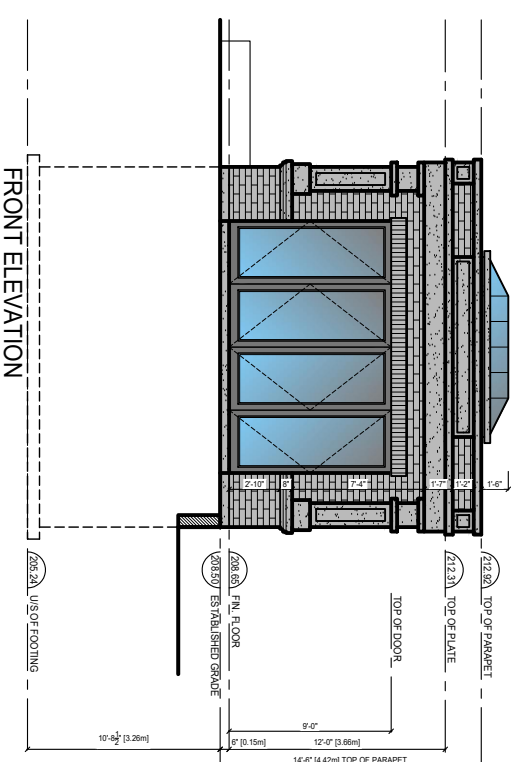
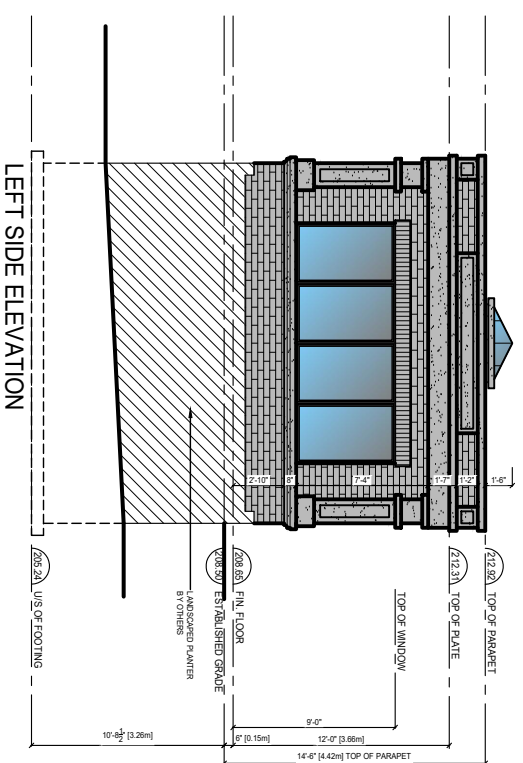
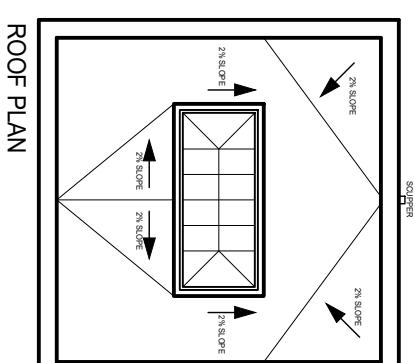
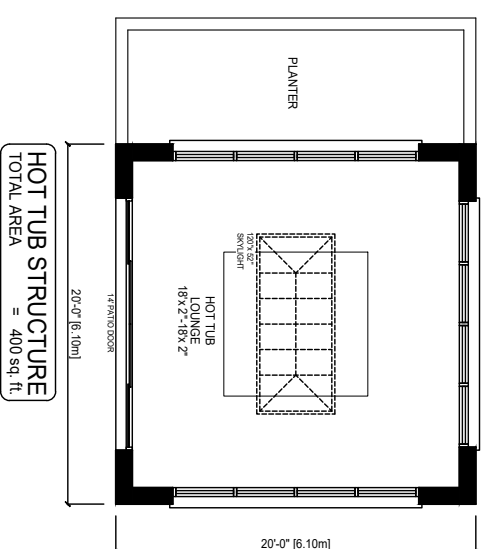
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Drawn by:	MG	Date:	09/29/21
Project No.:	20-37	Page:	13 OF 15
Scale:	3/32" = 1'0"		

# LOT 21 - 76 CREEDMORE COURT



Client:		TONY DI BENEDETTO	
Lot:		LOT 21	
Address:		76 CREEDMORE COURT CITY OF VAUGHAN	
Sheet Title:			
CABANA			
Drawn by:	MG	Date:	09/29/21
Project No.:	20-37	Page:	14 OF 15
Scale:	3/32" = 1'0"		

# LOT 21 - 76 CREEDMORE COURT



Client:		TONY DI BENEDETTO	
Lot:		LOT 21	
Address:		76 CREEDMORE COURT CITY OF VAUGHAN	
Sheet No.			
HOT TUB STRUCTURE			
Drawn by:	MG	Date:	09/29/21
Project No.:	20-37	Page:	15 OF 15
Scale:	3/32" = 1'-0"		



## **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.-

### **Development Planning Comments**

**Alectra (Formerly PowerStream) – No concerns or objections**

**Region of York – No concerns or objections**

**CPR – comments with guidelines**

**TRCA – comments with conditions**

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** November 18, 2021  
**Name of Owner:** Adrienne Di Benedetto  
**Location:** 76 Creedmore Court  
**File No.(s):** A109/21

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**Proposed Variance(s):**

1. To permit a minimum garage width of 5.18 m in the accessory building (garage on the east side).
2. To permit a maximum projection of 3.35 m into the front yard for the accessory building (garage on the east side).
3. To permit a total floor area of 89.68 m<sup>2</sup> for all accessory buildings (cabana and hot tub enclosure).
4. To permit a minimum setback of 6.17 m from the rear lot line to the nearest part of the accessory building (cabana).
5. To permit a maximum building height of 5.05 m to the highest point of the accessory building (cabana).
6. To permit a maximum building height of 3.94 m to the nearest part of the roof of the accessory building (cabana).
7. To permit a maximum building height of 5.13 m to the highest point of the accessory building (hot tub structure).
8. To permit a maximum building height of 4.01 m to the nearest part of the roof for the accessory building (hot tub structure).

**By-Law Requirement(s):**

1. A minimum interior garage width shall be 5.5 m. (Schedule A3)
2. No garage shall project into the front yard more than 1 m beyond the most distant point of any wall of the dwelling facing the street on the ground level and 2 m where there is a covered and unenclosed porch. (Schedule A3)
3. A maximum of 67 m<sup>2</sup> of total floor area is permitted for all accessory buildings. (S.4.1.1.)
4. A minimum rear yard setback of 7.5 m is required to the accessory building. (S.4.1.1.)
5. A maximum building height of 4.5 m is permitted to the highest point of the accessory building. (S. 4.1.1.)
6. A maximum building height of 3 m is permitted to the nearest part of the roof. (S.4.1.1.)
7. A maximum building height of 4.5 m is permitted to the highest point of the accessory building. (S. 4.1.1.)
8. A maximum building height of 3 m is permitted to the nearest part of the roof. (S.4.1.1.)

**Official Plan:**

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

**Comments:**

The Owner is proposing to construct a two-storey single detached dwelling, cabana, and hot tub structure with the above-noted variances.

The Development Planning Department has no objection to Variance 1, as the requested minimum interior garage width is associated with the attached tandem garage, where sufficient width is provided for vehicles that will be parking end to end.

The Development Planning Department has no objection to Variance 2. Due to the location of the lot at the end of a cul-de-sac, the attached garage structure is angled inward in relation to the front wall of the dwelling. The result is that the attached garage maintains a greater front yard setback than the front wall of the dwelling, thereby having minimal impact on the streetscape.

The requested variances for the total floor area for all accessory buildings, rear yard setback, and height for the proposed cabana and hot tub structure are considered minor. The size of both accessory buildings is considered appropriate as they are relatively small in comparison to the size of the estate lot and the proposed dwelling. The reduction in rear yard setback to the cabana, and the requested increase in height for both the cabana and hot tub structure will not have any visual impacts on neighbouring properties, as the rear of the subject lands abut an Open Space Zone, and both accessory buildings are setback at a sufficient distance to adjacent properties on the cul-de-sac.

Urban Design staff have reviewed the application and have recommended that a Landscape Plan be provided to ensure appropriate screening of the dwelling. A condition to this effect has been included in the Conditions of Approval. Urban Design staff are also satisfied that the Owner has received confirmation from the Control Architect of the subdivision that there are no concerns with the proposed development.

The subject property is partially located within the Toronto and Region Conservation Authority ('TRCA') Regulated Area. The TRCA has reviewed the application and have no concerns with the proposed works, as it is not located within the area of the subject property regulated by the TRCA.

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.

**Recommendation:**

The Development Planning Department recommends approval of the application, subject to the following condition:

**Conditions of Approval:**

If the Committee finds merit in the application, the following condition(s) of approval are recommended:

1. The Owner shall submit a Landscape Plan to the satisfaction of the Development Planning Department.

**Comments Prepared by:**

Michael Torres, Planner I  
Chris Cosentino, Senior Planner

**Date:** May 31<sup>st</sup> , 2021

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **A109-21**

**Related Files:**

**Applicant** Addiranne Di Benedetto

**Location** 76 Creedmore Court



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)

## Pravina Attwala

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**Subject:** FW: A109/21 (76 CREEDMORE COURT) - REQUEST FOR COMMENTS

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**From:** CP Proximity-Ontario <CP\_Proximity-Ontario@cpr.ca>

**Sent:** October-29-21 5:09 PM

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

**Subject:** [External] RE: A109/21 (76 CREEDMORE COURT) - REQUEST FOR COMMENTS

Good Afternoon,

**RE: A109/21, 76 Creedmore Court, Vaughan, within 500m of CP Rail line**

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>.

Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Thank you,

CP Proximity Ontario



**CP Proximity Ontario**

**[CP\\_Proximity-Ontario@cpr.ca](mailto:CP_Proximity-Ontario@cpr.ca)**

7550 Ogden Dale Road SE, Building 1  
Calgary AB T2C 4X9

November 8, 2021

CFN 64195.17

**SENT BY E-MAIL: Christine.Vigneault@vaughan.ca**

Ms. Christine Vigneault, Secretary Treasurer  
Committee of Adjustment, City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Ms. Vigneault:

**Re: Minor Variance Application A109-21**  
**76 Creedmore Court, LOT 21, 65M-4336**  
**City of Vaughan, Region of York**  
**Owner: Adrienne Di Benedetto**  
**Agent: Bobbi-Jo Mackinnon C/O IANROBERTSONDESIGN**

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

### **Background**

It is our understanding that the purpose of the above noted application is to permit the construction of a single detached dwelling, detached garage, covered porch, porte-cochere, swimming pool, pool deck, cabana, hut tub, and trellis. Staff understand that the following variances are required:

1. To permit a minimum garage width of 5.18 metres in the accessory building (garage on the east side).
2. To permit a maximum projection of 3.35 metres into the front yard for the accessory building (garage on the east side).
3. To permit a total floor area of 89.68m<sup>2</sup> for all accessory buildings (cabana and hot tub enclosure).
4. To permit a minimum setback of 6.17 metres from the rear lot line to the nearest part of the accessory building (cabana).
6. To permit a maximum building height of 6.40 metres, measured from the average finished grade to the nearest part of the roof for the accessory building (garage on the east side and porte-cochere).



**Ontario Regulation 166/06**

The subject property is partially located within the TRCA's Regulated Area of the Humber River due to a stream corridor located on the adjacent lands to the west. In accordance with *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

**Application-Specific Comments**

The rear of the subject property is adjacent to an Open Space block that was established as a part of Draft Plan of Subdivision 19T-06V14. Through the subdivision process the limits of the valley and stream corridors were delineated, appropriate buffers were applied and then the lands were conveyed into public ownership. As noted above, the subject property is partially located within TRCA Regulated Area; however, the proposed works are not located within the regulated area. As such, TRCA has no concerns with the proposed variance.

**Fees**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$610.00 (Variance-Residential-Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

**Recommendation**

Based on the above, TRCA staff have **no objection** to the approval of Minor Variance Application A109-21, subject to the following condition:

1. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.

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

Sincerely,



Hamedeh Razavi  
Planner I  
Development Planning and Permits

HR/mh

## Pravina Attwala

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**Subject:** FW: A109/21 (76 CREEDMORE COURT) - REQUEST FOR COMMENTS

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

**Sent:** October-18-21 1:33 PM

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

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

**Subject:** [External] RE: A109/21 (76 CREEDMORE COURT) - REQUEST FOR COMMENTS

Good afternoon Pravina,

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)