



**COMMITTEE OF ADJUSTMENT
REPORT SUMMARY
MINOR VARIANCE APPLICATION
FILE NUMBER A225/21**

AGENDA ITEM NUMBER: 8	CITY WARD #: 2
APPLICANT:	Daniela Conti
AGENT:	In Roads Consultants
PROPERTY:	11 Rossmull Crescent, Woodbridge
ZONING DESIGNATION:	See below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS: <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
PURPOSE OF APPLICATION:	Relief from the By-law is being requested to permit a proposed rear yard cabana.

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Development Finance	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Choose an item.
Fire Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

All personal information collected because of this public meeting (including both written and oral submissions) 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.

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None



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ZONING DESIGNATION:	See below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS: <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
PURPOSE OF APPLICATION:	Relief from the By-law is being requested to permit a proposed rear yard cabana.

The following variances have been requested from the City's Zoning By-law:

The subject lands are zoned R1B(EN) – First Density Residential Zone (Established Neighbourhood) and EP- Environmental Protection Zone subject to the provisions of Exception 14.134 under Zoning By-law 01-2021.

#	Zoning By-law 01-2021	Variance requested
1	Any residential accessory structure with a height greater than 2.8 m shall not to be located closer than 2.4 m to any lot line. Section 4.1.2.1. b	To permit an interior side yard setback of 1.25m to the residential accessory structure (cabana).
2	The maximum height of a residential accessory structure shall be 3.0 m. Section 4.1.4.1	To permit a maximum height of 4.08 m for the residential accessory structure (cabana).
3	Access stairs, open, unenclosed may encroach a maximum of 0.3m in interior side yard. Section 4.13 Table 4-1	To permit an exterior stairway (uncovered)to encroach into the interior side yard to a distance of 0.48m and to build on the zoning boundary at the rear yard as shown in the attached sketch.
4	Any portion of a yard in excess of 135.0 m2 shall be comprised of a minimum 60% soft landscape. Section 4.19.1.1	To permit a minimum 43.3% soft landscape for the portion of the yard in excess of 135m2.

The subject lands are zoned R1 – R1 Residential Zone as well as OS1- Open Space Conservation Zone and subject to the provisions of Exception 9(263) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
5	The rear yard setback from the OS1 zone shall be a minimum of 7.5m. Section 7.2.3	To permit a rear yard setback of 0.47m from the OS1 Zone.
6	The interior side yard setback from the OS1 zone shall be a minimum of 1.5m. Section 7.2.3	To permit the interior side yard setback of 1.25m.
7	An uncovered exterior stairway may encroach maximum of 0.3m into a required interior side yard. Section 3.14.c	To permit an exterior stairway (uncovered)to encroach into the interior side yard to a distance of 0.48m and to build on the zoning boundary at the rear yard as shown in the attached sketch.
8	The maximum height of an accessory building measured from the average finished grade to the nearest part of the roof shall not exceed three (3) metres. Section 4.1.1 b)	To permit a maximum height of 3.11m measured from the finished grade to the nearest part of the roof.
9	Any portion of the rear yard in excess of 135.0 m2 shall be comprised of a minimum 60% soft landscape. Section 4.1.2. b)	To permit a minimum 43.3% soft landscape for the portion of the yard in excess of 135m2.

HEARING INFORMATION

DATE & TIME OF HEARING: Thursday, January 20, 2022 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.

PUBLIC PARTICIPATION

You can watch a live stream of the hearing at Vaughan.ca/LiveCouncil

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Public Deputation Form](#) to cofa@vaughan.ca by **noon** on the last business day prior to the hearing.

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 must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to cofa@vaughan.ca

[For more information, please visit the City of Vaughan website.](#)

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider 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.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:	January 6, 2022	
Date Applicant Confirmed Posting of Sign:	January 5, 2022	
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	Irregular shaped lot.	
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. *A revised submission may be required to address staff / agency comments received as part of the application review process. *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No	
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:	None	

BUILDING STANDARDS (ZONING) COMMENTS

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

The rear portion of subject lands is subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

BUILDING STANDARDS (ZONING) COMMENTS

The existing concrete patio appears to be encroaching into the OS1 Zone. Additional approvals may be required.

Building Standards Recommended Conditions of Approval:	None
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DEVELOPMENT PLANNING COMMENTS

**See Schedule C for Development Planning Comments.

Development Planning Recommended Conditions of Approval:	None
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DEVELOPMENT ENGINEERING COMMENTS

As the proposed cabana in the subject property is 55.53 m², 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 m² requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition #1 is attached)

The proposed work by the owner is increasing the lot coverage in the subject property. The added hardscape may have impact on City's Storm Water management system. Stuff requires the owner/applicant to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts. Please provide DE with a LID brief explaining the measures taken prior to clearing the condition. (Condition #2 is attached)

The drawing shows there is an existing pool in the property but our records don't show any permit for that. 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 or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for the pool permit.

Development Engineering Recommended Conditions of Approval:	<ol style="list-style-type: none">1. The Owner/applicant shall submit the revised Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit 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. The owner/applicant shall provide a brief to demonstrate the appropriate LID (Low-impact Development) measures and show the measures taken in the drawing to the satisfaction of DE to address the reduced soft landscaping coverage in the rear yard from 60% to 43.3% in order to mitigate potential impacts on the municipal storm water system.
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

No comment no concerns

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE COMMENTS

No comment no concerns

Development Finance Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comment no concerns

BCLPS Recommended Conditions of Approval:	None
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BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT COMMENTS

No comment no concerns

Fire Department Recommended Conditions of Approval:

None

SCHEDULES TO STAFF REPORT

*See Schedule for list of correspondence

Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

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:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “**if required**”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Engineering farzana.khan@vaughan.ca	<ol style="list-style-type: none"> 1. The Owner/applicant shall submit the revised Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit 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. The owner/applicant shall provide a brief to demonstrate the appropriate LID (Low-impact Development) measures and show the measures taken in the drawing to the satisfaction of DE to address the reduced soft landscaping coverage in the rear yard from 60% to 43.3% in order to mitigate potential impacts on the municipal storm water system.
2	TRCA hamedeh.razavi@trca.ca	That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.

IMPORTANT INFORMATION – PLEASE READ

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 (**see condition chart above for contact**). 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.

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.

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.

IMPORTANT INFORMATION – PLEASE READ

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 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.

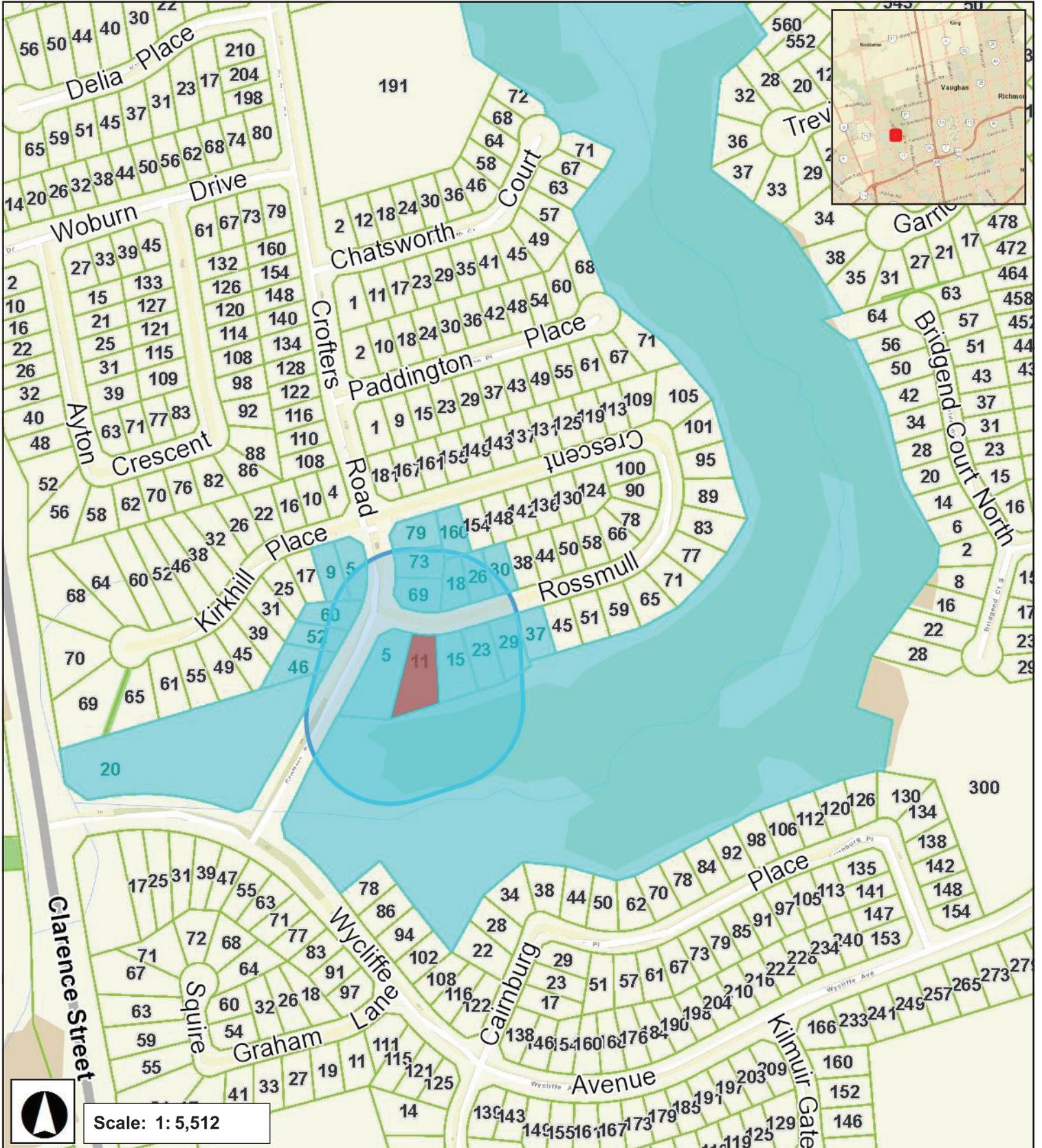
SCHEDULE A: DRAWINGS & PLANS



A225/21 - Notification Map

11 Rossmull Crescent, Woodbridge

Rutherford Rd.



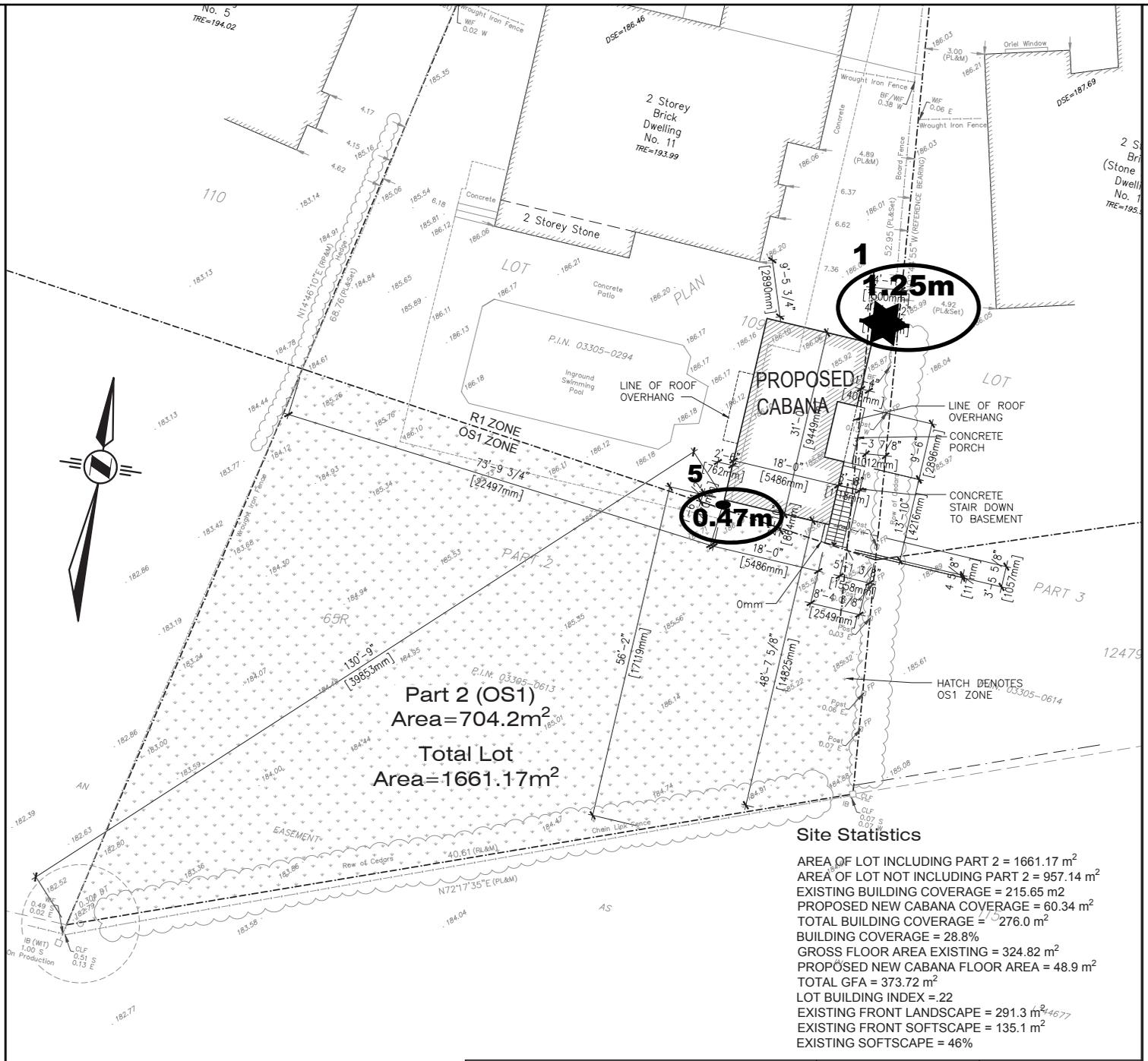
PROPOSAL:

Zoning By-law 01-2021

1. To permit an interior side yard setback of 1.25m to the residential accessory structure (cabana).
2. To permit a maximum height of 4.08 m for the residential accessory structure (cabana).
3. To permit an exterior stairway (uncovered)to encroach into the interior side yard to a distance of 0.48m and to build on the zoning boundary at the rear yard as shown in the attached sketch.
4. To permit a minimum 43.3% soft landscape for the portion of the yard in excess of 135m2.

Zoning By-law 1-88

5. To permit a rear yard setback of 0.47m from the OS1 Zone.
6. To permit the interior side yard setback of 1.25m.
7. To permit an exterior stairway (uncovered)to encroach into the interior side yard to a distance of 0.48m and to build on the zoning boundary at the rear yard as shown in the attached sketch.
8. To permit a maximum height of 3.11m measured from the finished grade to the nearest part of the roof.
9. To permit a minimum 43.3% soft landscape for the portion of the yard in excess of 135m2.



A SITE PLAN
SCALE: 1:225

THE GENERAL CONTRACTOR SHALL REPORT AND VERIFY ALL DIMENSIONS AND REPORT ERRORS AND OMISSIONS TO THE ARCHITECT. DRAWINGS MUST NOT BE SCALED.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY:

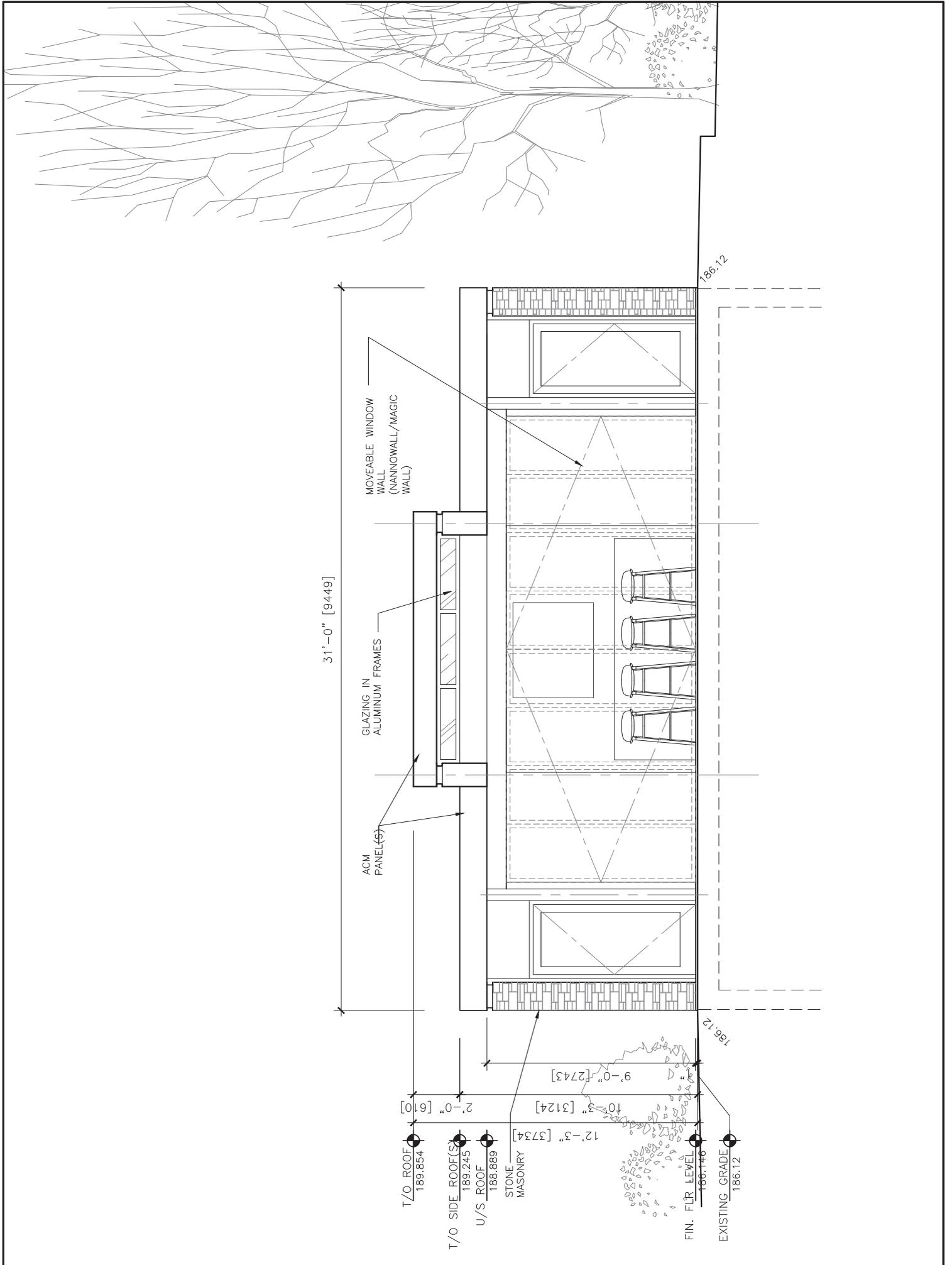


GIANCARLO GAROFALO ARCHITECT
943 ST. CLAIR AVE. WEST
TORONTO, ON. M6C 1C7
Tel: 416 531-1265 Fax: 416 531-4733
Email: info@ggarofalo.ca

Title:
**11 Rossmull Cres
Cabana**

Sheet Title:

No.	Revision	Date	Drawn:	Scale:
03	ISSUED FOR REVIEW	31 AUG 2021	Staff	AS INDICATED
04	ISSUED FOR REVIEW	18 NOV 2021	Checked: G.G.	Dwg. No. A1
05	ISSUED FOR REVIEW	03 DEC 2021		
06	ISSUED FOR REVIEW	13 DEC 2021	Date:	
07	ISSUED FOR REVIEW	16 DEC 2021	JULY 2017	



A
A5

WEST ELEVATION

SCALE : 1/4" = 1'-0"

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Sheet Title:

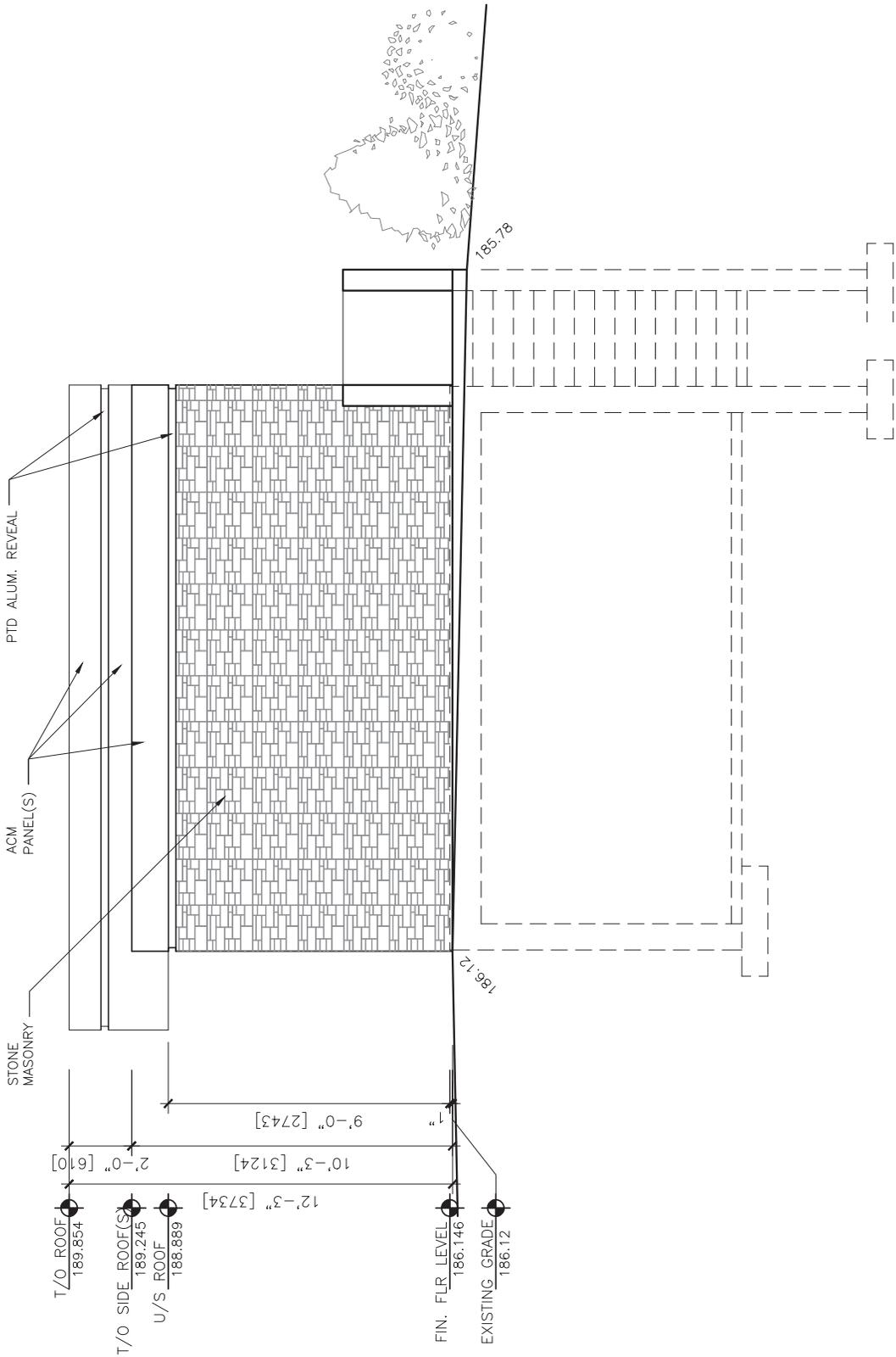
No.	Revision	Date
03	ISSUED FOR REVIEW	JUN 12 2017
04	ISSUED FOR REVIEW	JUN 13 2017
05	ISSUED FOR REVIEW	03 DEC 2021
06	ISSUED FOR REVIEW	13 DEC 2021
07	ISSUED FOR REVIEW	16 DEC 2021

Drawn:
Staff
Checked:
G.G.
Date:
JULY 2017

Scale:
AS INDICATED

Dwg. No.

A5



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A6

SOUTH ELEVATION

SCALE : 1/4" = 1'-0"

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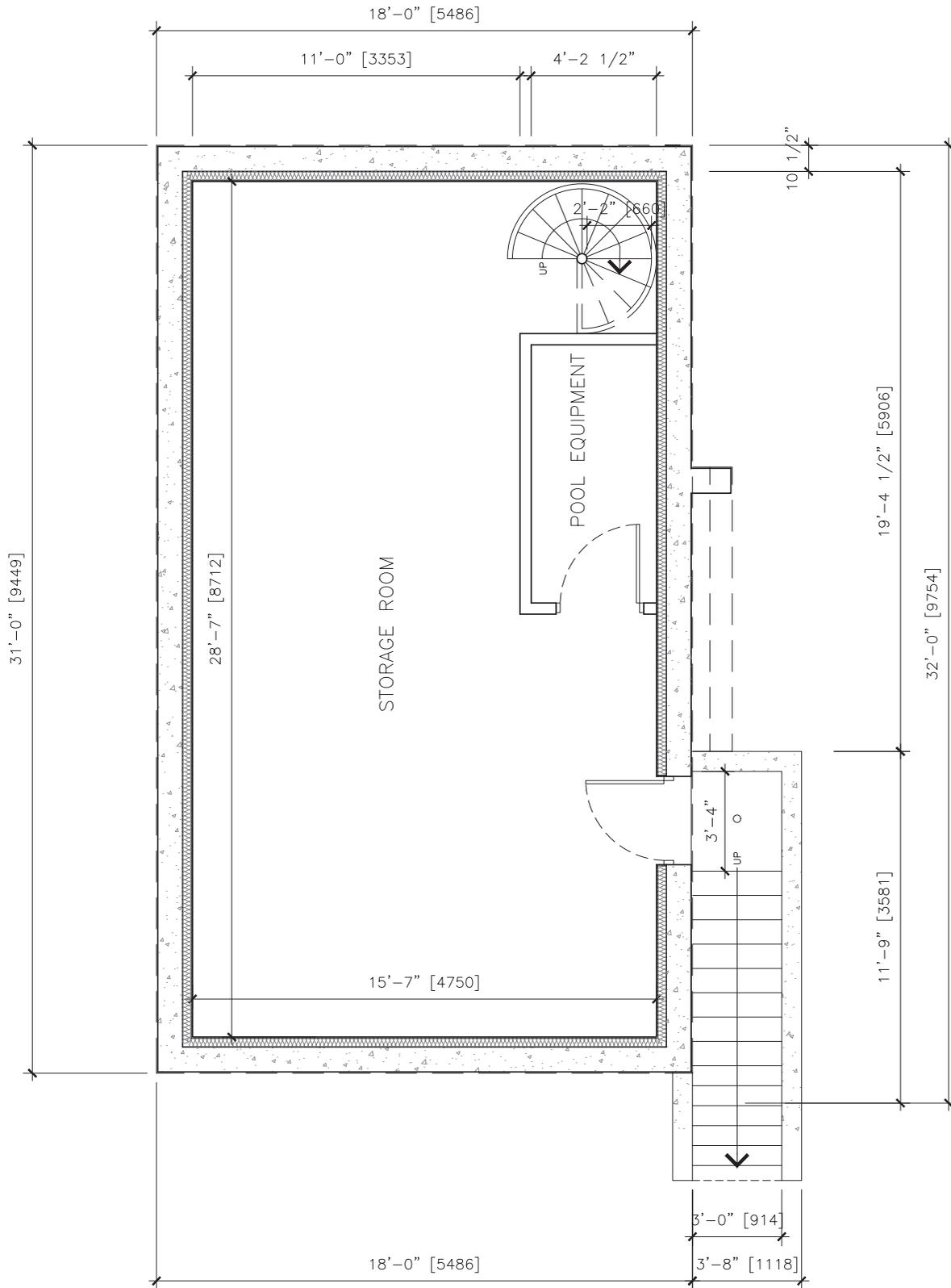
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07	ISSUED FOR REVIEW	16 DEC 2021

Drawn: Staff	Checked: G.G.
Date: JULY 2017	

Scale:
AS INDICATED

Dwg. No.

A6



A
A2

BASEMENT PLAN

SCALE : 1/4" = 1'-0"

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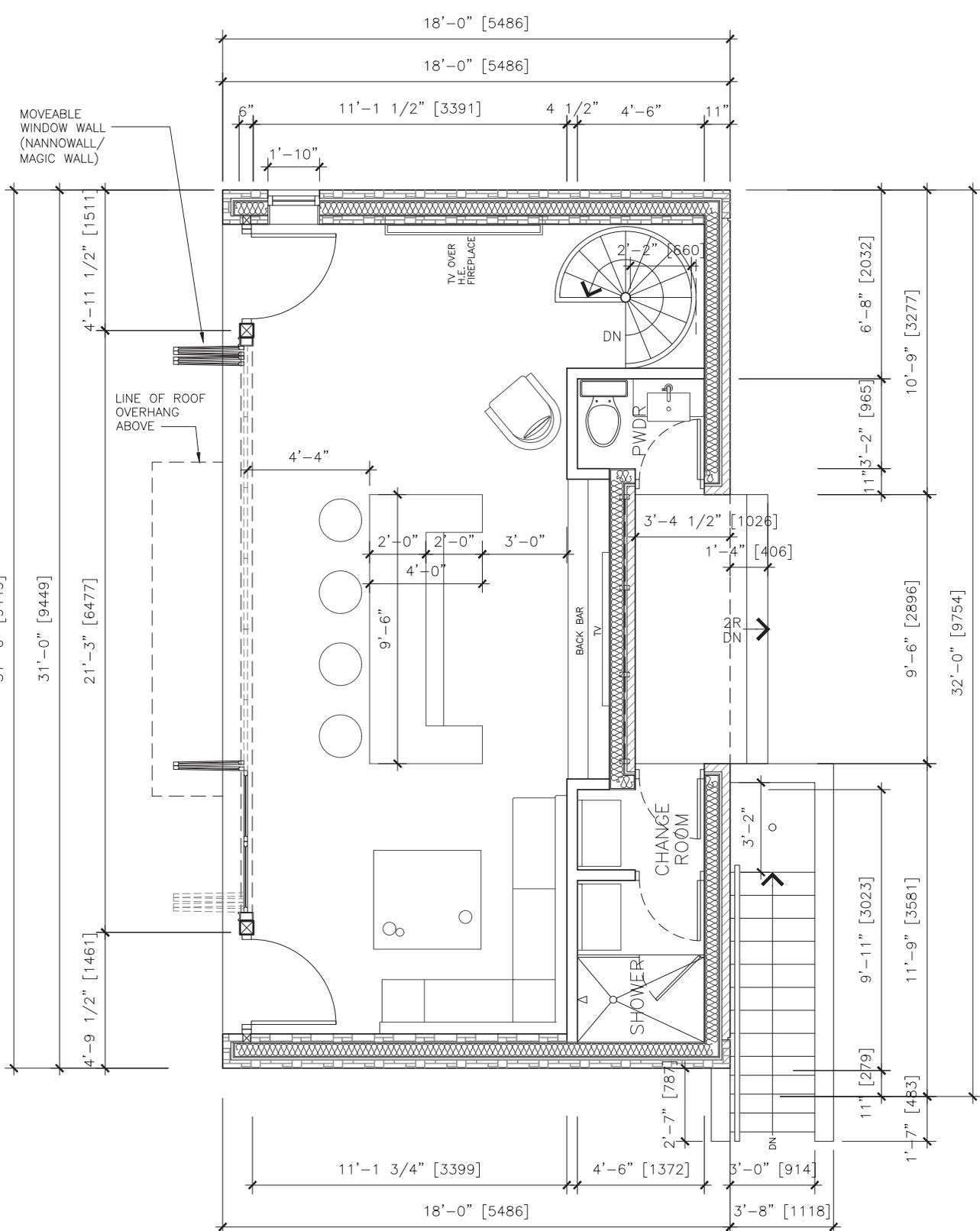
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Drawn: Staff	Checked: G.G.
Date: JULY 2017	

Scale:
AS INDICATED

Dwg. No.
A2



FLOOR PLAN
 SCALE : 1/4" = 1'-0"

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 Email: info@ggarchitect.ca

Title:
**11 Rossmull Cres
 Cabana**

Sheet Title:

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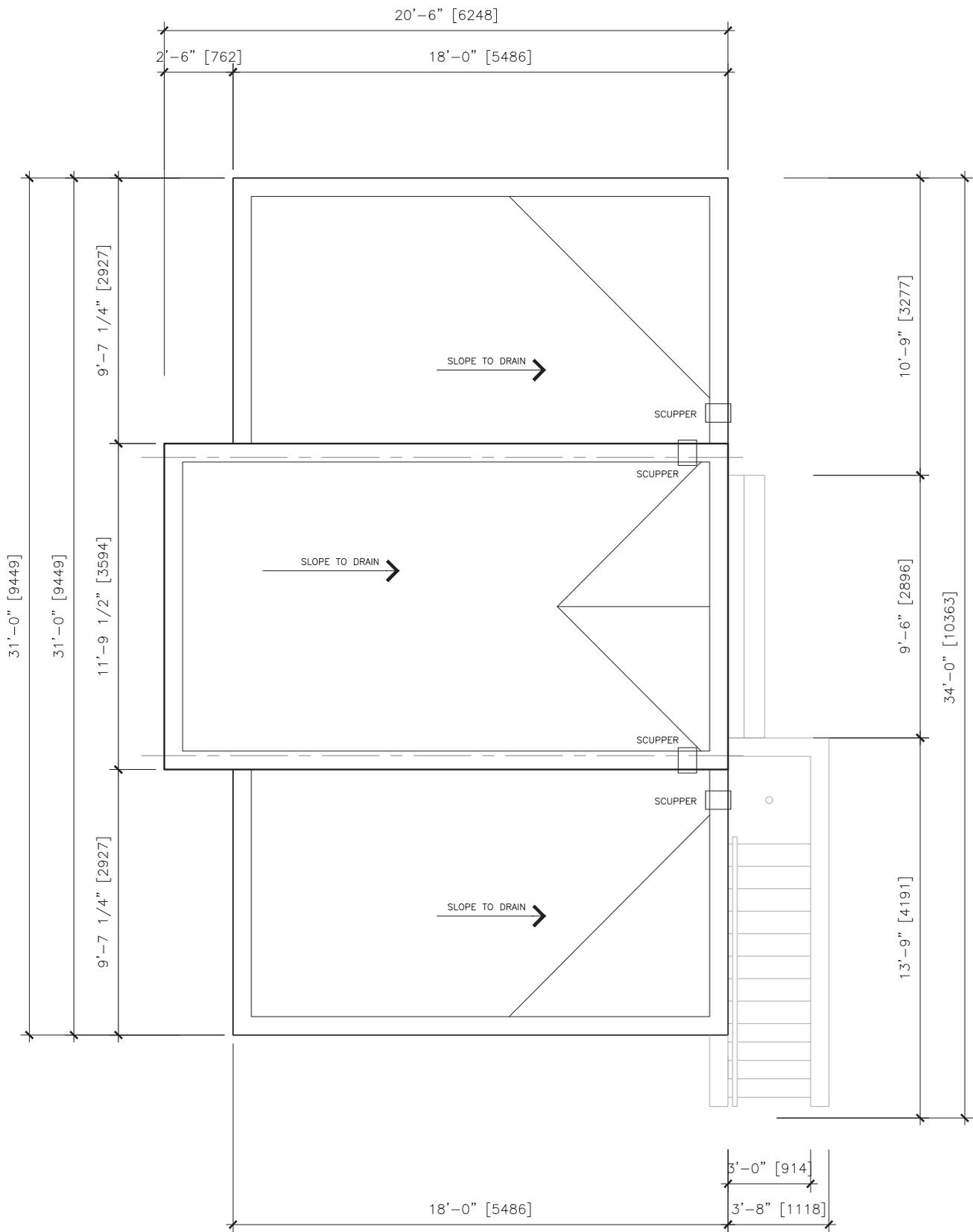
Drawn:
Staff

Checked:
G.G.

Date:
JULY 2017

Scale:
AS INDICATED

Dwg. No.
A3



A
A4

ROOF PLAN

SCALE : 1/4" = 1'-0"

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**11 Rossmull Cres
Cabana**

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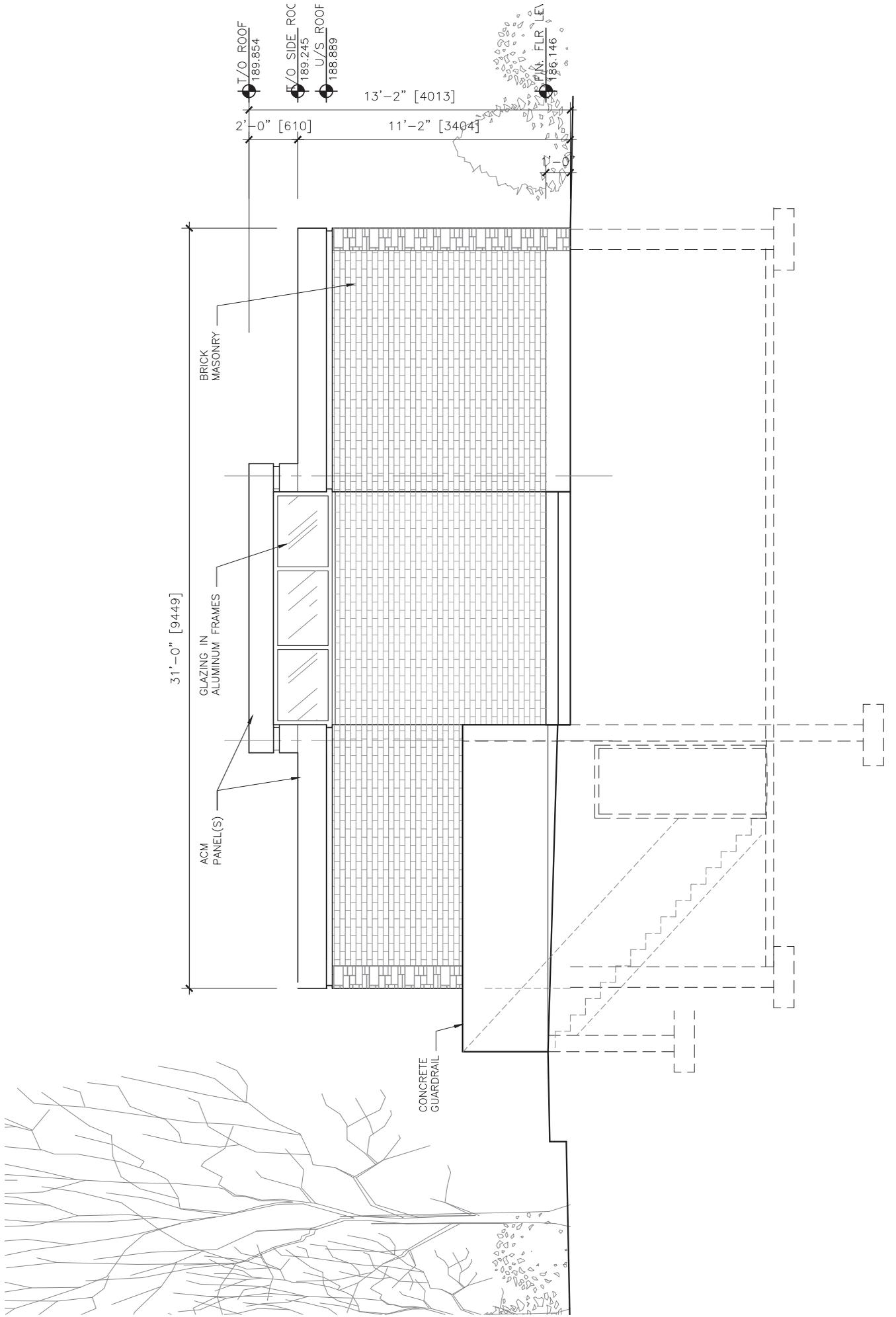
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Drawn: Staff	Checked: G.G.
Date: JULY 2017	

Scale:
AS INDICATED

Dwg. No.

A4



A
A7

EAST ELEVATION

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GIANCARLO GAROFALO ARCHITECT
943 ST. CLAIR AVE. WEST
TORONTO, ON. M6C 1C7
Tel: 416 531-1265 Fax: 416 531-4733
Email: info@ggarchitect.ca

Title:
**11 Rossmull Cres
Cabana**

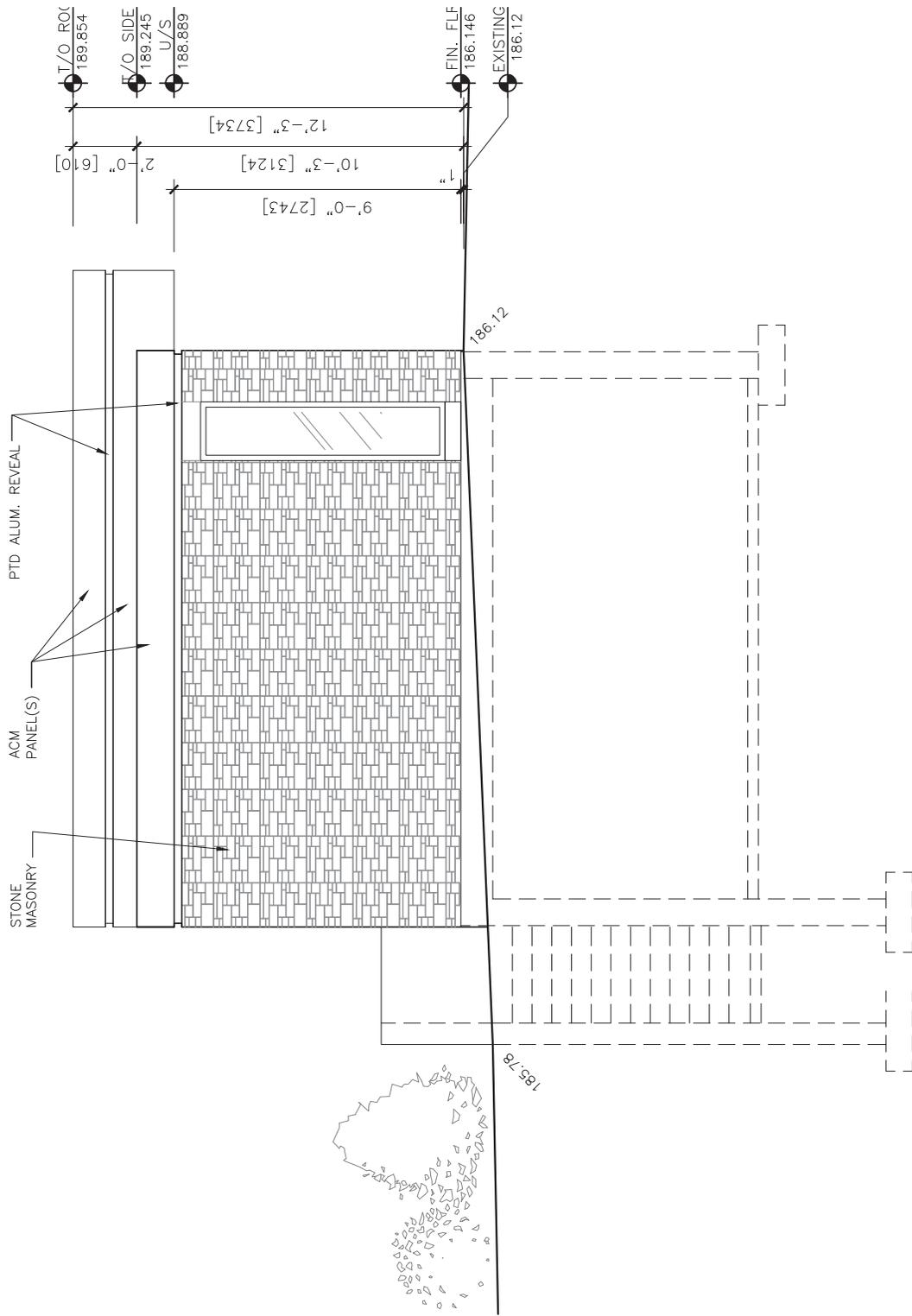
Sheet Title:

No.	Revision	Date
03	ISSUED FOR REVIEW	31 AUG 2021
04	ISSUED FOR REVIEW	18 NOV 2021
05	ISSUED FOR REVIEW	03 DEC 2021
06	ISSUED FOR REVIEW	13 DEC 2021
07	ISSUED FOR REVIEW	16 DEC 2021

Drawn: Staff	Checked: G.G.
Date: JULY 2017	

Scale:
AS INDICATED

Dwg. No.
A7



A
A6

NORTH ELEVATION

SCALE : 1/4" = 1'-0"

THE GENERAL CONTRACTOR SHALL REPORT AND VERIFY ALL DIMENSIONS AND REPORT ERRORS AND OMISSIONS TO THE ARCHITECT. DRAWINGS MUST NOT BE SCALED.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY:



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Scale:
AS INDICATED

Dwg. No.

A8

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Propane Operator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Planning Department	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions



Discover the possibilities

COMMENTS:

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

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

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

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

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

References:

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

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

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

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

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Adriana MacPherson

Subject: FW: [External] RE: A225/21 - Request for Comments (11 Rossmull Crescent, Vaughan)

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

Sent: December-14-21 8:24 AM

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

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

Subject: [External] RE: A225/21 - Request for Comments (11 Rossmull Crescent, Vaughan)

Good morning 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 | www.york.ca

January 12, 2022

CFN 64195.39

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

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

Dear Christine:

**Re: Minor Variance Application A225.21
Part of Lot 13, Concession 7
11 Rossmull Crescent
City of Vaughan, Region of York
Owner: Anthony and Daniela Conti
Agent: In Roads Consultants Ltd. c/o Ida Evangelista**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on December 2, 2021. TRCA staff has reviewed the above noted application, and as per the “Living City Policies for Planning and Development within the Watersheds of the TRCA” (LCP), provides the following comments as part of TRCA’s commenting role under the *Planning Act*; the Authority’s delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA’s Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of York, wherein we provide technical environmental advice related to provincial plans.

Purpose of the Application

It is our understanding that the purpose of the above noted application is to request the following variances under both Zoning By-Law 01-2021 and By-Law 1-88:

By-Law 01-2021

1. To permit an interior side yard setback of 1.25m to the residential accessory structure (cabana), whereas any residential accessory structure with a height greater than 2.8 m shall not to be located closer than 2.4 m to any lot line.
2. To permit a maximum height of 4.08 m for the residential accessory structure (cabana), whereas the maximum height of a residential accessory structure shall be 3.0 m.
3. To permit an exterior stairway (uncovered) to encroach into the interior side yard to a distance of 0.48m and to build on the zoning boundary at the rear yard as shown in the attached sketch, whereas access stairs, open, unenclosed may encroach a maximum of 0.3m in interior side yard.

4. To permit a minimum 43.3% soft landscape for the portion of the yard in excess of 135 m², whereas any portion of a yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape.

By-Law 1-88

5. To permit a rear yard setback of 0.47m from the OS1 Zone, whereas the rear yard setback from the OS1 zone shall be a minimum of 7.5 m.
6. To permit the interior side yard setback of 1.25m, whereas the interior side yard setback from the OS1 zone shall be a minimum of 1.5 m.
7. To permit an exterior stairway (uncovered) to encroach into the interior side yard to a distance of 0.48m and to build on the zoning boundary at the rear yard as shown in the attached sketch, whereas an uncovered exterior stairway may encroach maximum of 0.3m into a required interior side yard.
8. To permit a maximum height of 3.11m measured from the finished grade to the nearest part of the roof, whereas the maximum height of an accessory building measured from the average finished grade to the nearest part of the roof shall not exceed three metres.
9. To permit a minimum 43.3% soft landscape for the portion of the yard in excess of 135m², whereas any portion of the rear yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape

The noted variances are being requested to permit the construction of a pool cabana at the rear yard.

Ontario Regulation 166/06

A portion of the subject lands are located within TRCA's Regulated Area due to a valley corridor associated with a tributary of the Humber River. 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

Based on a review of the submitted materials, the proposed works are not located within TRCA's Regulated Area. As such, it is the opinion of TRCA staff that the current proposal will not impact any natural features or associated hazards and TRCA's policy interests are not affected. TRCA staff have no concerns with the proposed variances.

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.

Recommendations

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A225.21 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.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at Hamedeh.Razavi@trca.ca

Sincerely,



Hamedeh Razavi
Planner I
Development Planning and Permits

HR/mh

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: January 20, 2022
Name of Owner: Anthony and Daniela Conti
Location: 11 Rossmull Crescent
File No.(s): A225/21

Proposed Variance(s) (By-law 001-2021):

1. To permit an interior side yard setback of 1.25 m to the residential accessory structure (cabana).
2. To permit a maximum height of 4.08 m for the residential accessory structure (cabana).
3. To permit an exterior stairway (uncovered) to encroach into the interior side yard to a distance of 0.48 m and to build on the zoning boundary at the rear yard as shown in the attached sketch.
4. To permit a minimum 43.3% soft landscape for the portion of the yard in excess of 135 m².

By-Law Requirement(s) (By-law 001-2021):

1. Any residential accessory structure with a height greater than 2.8 m shall not to be located closer than 2.4 m to any lot line. Section 4.1.2.1. b
2. The maximum height of a residential accessory structure shall be 3 m. Section 4.1.4.1
3. Access stairs, open, unenclosed may encroach a maximum of 0.3 m in the interior side yard. Section 4.13 Table 4-1
4. Any portion of a yard in excess of 135 m² shall be comprised of a minimum 60% soft landscape. Section 4.19.1.1

Proposed Variance(s) (By-law 1-88):

5. To permit a rear yard setback of 0.47 m from the OS1 Zone.
6. To permit the interior side yard setback of 1.25 m.
7. To permit an exterior stairway (uncovered) to encroach into the interior side yard to a distance of 0.48 m and to build on the zoning boundary at the rear yard as shown in the attached sketch.
8. To permit a maximum height of 3.11 m measured from the finished grade to the nearest part of the roof.
9. To permit a minimum 43.3% soft landscape for the portion of the yard in excess of 135 m².

By-Law Requirement(s) (By-law 1-88):

5. The rear yard setback from the OS1 zone shall be a minimum of 7.5 m. Section 7.2.3
6. The interior side yard setback from the OS1 zone shall be a minimum of 1.5 m. Section 7.2.3
7. An uncovered exterior stairway may encroach maximum of 0.3 m into a required interior side yard. Section 3.14.c
8. The maximum height of an accessory building measured from the average finished grade to the nearest part of the roof shall not exceed three (3) m. Section 4.1.1 b)
9. Any portion of the rear yard in excess of 135.0 m² shall be comprised of a minimum 60% soft landscape. Section 4.1.2. b)

Official Plan:

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

Comments:

The Owner is proposing to construct a cabana in the rear yard with the above-noted variances.

The Development Planning Department has no objection to Variances 4, 5 and 9. A 704.2 m² portion of the rear yard of the subject lands is zoned OS1 Open Space

Conservation under Zoning By-law 1-88, and EP Environmental Protection Zone under Zoning By-law 001-2021, and is not counted towards the Zoning calculations for minimum landscape area or setbacks. The subject lands, inclusive of the area zoned OS1/EP, would meet the minimum soft landscape requirements of the Zoning By-law. The rear yard setback to the cabana is being measured to the OS1/EP zone line; however, the cabana is setback approximately 14.8 m from the rear lot line. The cabana is not located within the portion of the property zoned OS1/EP.

The interior side yard setback to the cabana is measured at a pinch-point and expands to 2.55 m at its greatest extent. A row of cedars along the east interior lot line of the property shared between the Owner and the neighbouring property will mitigate the visual impact associated with the reduction in interior yard setback and height of the cabana. As such, the Development Planning Department has no objection to Variances 1, 2, 3, 6, 7 and 8, as the visual impact of the proposed cabana on the surrounding area is minimal and the proposed structure will be located outside the OS1/EP zoned area.

In support of the application, the Owner has submitted an Arborist Report and Tree Protection Plan prepared by Al Miley & Associates, dated September 27, 2021, which identified no trees to be removed, and the existing cedar hedge row to be protected. Urban Design staff have reviewed the Arborist Report and concur with its recommendations.

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 cabana, 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.

Conditions of Approval:

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

Comments Prepared by:

Michael Torres, Planner I

Chris Cosentino, Senior Planner

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND

None