

# CITY OF VAUGHAN COMMITTEE OF ADJUSTMENT AGENDA

Thursday, December 12, 2019 6:00 p.m.
Committee Rooms 242/243
2nd Floor, Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario

			Pages
1.	INTR	ODUCTION OF ADDENDUM REPORTS	
2.	DISC	LOSURE OF INTEREST	
3.		PTION OR CORRECTION OF THE MINUTES OF THE COMMITTEE (VIOUS HEARING)	
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4.	REQ	UEST FOR ADJOURNMENTS AND/OR DEFERRALS	
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#### 6. OTHER BUSINESS

**ADJOURNMENT** 

7.

ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED AND VIDEO BROADCAST

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#### **Committee of Adjustment Minutes**

Hearing Date: November 14, 2019

Location: 2141 Major Mackenzie Drive

Committee Room 242/243

Time: 6:00 p.m.

## **DRAFT**

Committee Member	& Staff Attendance
Committee Members:	Robert Buckler (Chair) Assunta (Sue) Perrella (Vice-Chair) Adolfo Antinucci Stephen Kerwin Hao (Charlie) Zheng
Secretary Treasurer: Assistant Secretary Treasurer: Zoning Staff: Planning Staff:	Christine Vigneault Lenore Providence Pia Basilone Michael Di Febo
Members / Staff Absent:	None

#### **Introduction of Addendum Reports**

Item #	File#	Address / Applicant	Commentator	Summary
6	A107/19	22 Uplands Avenue, Thornhill	Engineering	Revised comments (removal of condition relating to curb cut)
7	A139/19	38 Keeleview Court, Concord	Neighbours	Letters of Support - 34, 42, 45 & 46 Keeleview Court

Moved By: A. Perrella Seconded By: S. Kerwin

That the addendum reports be incorporated into the minutes and be on view at the back of the room in the Report Book.

**Motion Carried.** 

#### **Disclosure of Pecuniary Interest**

Member	Nature of Interest
N/A	N/A

#### **Adoption of October 31, 2019 Minutes**

Required Amendment	Page Number
N/A	N/A

Moved By: A. Perrella Seconded By: A. Antinucci

THAT the minutes of the Committee of Adjustment Meeting of Thursday, October 31, 2019, be adopted as circulated.

**Motion Carried.** 

#### **Adjournments**

None

#### **Applications Addressed by the Committee of Adjustment**

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

5. File: A092/19 Ward 1

Applicant: Yuri Siniak & Olga Klimenko

Agent: BLDG Workshop Inc. (Nathan Buhler)

Address: 24 Dew Drop Ct. Maple

**Purpose:** Relief from the by-law is being requested to permit the construction

of a proposed detached garage to be located in the northerly side

yard.

# Public Written Submissions \* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) N/A

Additional Addendum Reports received and provided to the Committee from: None.

#### Representation

Nathan Buhler, BLDG Workshop Inc.

#### Comments

Nathan Buhler explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella Seconded By: S. Kerwin

THAT Application No. A092/19 on behalf of Yuri Siniak & Olga Klimenko be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering	The Owner/applicant shall submit the final Lot
	Jason Pham	Grading Plan to the Development Inspection and
		Lot Grading division of the City's Development
	905-832-8585 x 8716	Engineering Department for final lot grading
	Jason.pham@vaughan.ca	approval prior to any work being undertaken on the
		property.
2	TRCA	That the applicant provides the required
	Hamedeh Razavi	\$580.00 review fee for Minor Variance
		Application A092/19.
	416-661-6600 x 5256	The applicant is to note that a permit from
	hamedeh.razavi@trca.ca	TRCA for the proposed detached garage will
		be required before a building permit is issued
		by the City of Vaughan.

#### For the Following Reasons:

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

Motion Carried.

Members Opposed to Motion: N/A

6. File: A107/19 Ward 5

**Applicant:** Mohammad Javad Biglar Beagi Ghajar & Soheyla Alvandi

Agent: Kourosh Kiani

Address: 22 Uplands Ave. Thornhill

**Purpose:** Relief from the by-law is being requested to permit the construction

of a proposed single family dwelling. Relief is also being requested

to permit an existing pool.

Public Written Submissions	
* Public Correspondence received and considered by the Committee	
in making this decision (received prior to 12:00 p.m. of hearing date)	
N/A	

#### Additional Addendum Reports received and provided to the Committee from:

Revised Engineering Comments - Received November 13, 2019

#### Representation

Ali Shakeri

#### **Comments**

Ali Shakeri explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application.

Moved By: A. Antinucci Seconded By: S. Kerwin

THAT Application No. A107/19 on behalf of Mohammad Javad Biglar Beagi Ghajar & Soheyla Alvandi be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following condition:

	Department/Agency	Condition
1	Development Engineering	The owner/applicant shall submit the final lot
	Jason Pham	grading plan to the Development Inspection and
		Lot Grading division of the City's Development
	905-832-8585 x 8716	Engineering Department for final lot
	Jason.pham@vaughan.ca	grading/servicing approval prior to any work being
		undertaken on the property.

#### For the Following Reasons:

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

Motion Carried.

Members Opposed to Motion: N/A

7. File: A139/19 Ward 4

**Applicant:** Josephine Palermo

Agent: Frasca Giorgio

Address: 38 Keeleview Ct. Concord

**Purpose:** Relief from the By-law is being requested to permit the construction

of a proposed one-storey rear addition located at the rear of the

existing dwelling.

#### **Public Written Submissions**

\* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)

Name: Antonio Gismondi

Address: 45 Keeleview Court, Concord Nature of Correspondence: Letter of Support

Name: Gabriele DiNorscia

Address: 46 Keeleview Court, Concord Nature of Correspondence: Letter of Support

Name: Pasquale Cuddemi

Address: 42 Keeleview Court, Concord Nature of Correspondence: Letter of Support

Name: Ivan Santilli

Address: 34 Keeleview Court, Concord Nature of Correspondence: Letter of Support

#### Additional Addendum Reports received and provided to the Committee from: None.

#### Representation

Frasca Giorgio

#### Comments

Frasca Giorgio explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Member Perrella reviewed Planning comments, highlighting that staff do not support the application.

Mr. Giorgio presented the Committee a map of the area and compared the proposal to a previous approval at 29 Keeleview Court (A053/15), noting it was approved by the Committee and supported by staff.

Member Perrella commented that she has concerns with respect to the proposed lot coverage.

Mr. Giorgio reviewed the planning comments provided for A053/15.

In response to Chairman Buckler, Michael DiFebo, Planner, advised that while discussions were had with the applicant during the review process, Development Planning support the 2004 Council resolution with respect to maintaining 23% lot coverage in R1V Zones.

Member Antinucci commented that the subject land backs onto a commercial property, does not create a negative visual impact and maintains all other setbacks.

In response to Member Perrella, Mr. Giorgio, provided examples of applications within the R1V zoning that have received approval to exceed 23% lot coverage.

In response to Member Perrella, Mr. Giorgio reiterated that the proposed 1 storey addition at the rear of the existing dwelling will not be visible from the street and will not create a negative visual impact given that it backs onto a commercial property.

In response to Member Perrella, Josephine Palermo, owner, reviewed Planning comments for 29 Keeleview Court, supporting lot coverage greater than 23%. She advised that her lot is smaller than other R1V lots in the area. She questioned why the A053/15 was supported in 2015.

In response to Ms. Palermo, Mr. DiFebo reiterated that Development Planning recommends maintaining 23% lot coverage, as supported by Council.

In response to Member Perrella, Mr. Giorgio and Ms. Palermo advised that they do not want to adjourn the application and would like the Committee to render a decision.

Member Antinucci commented that based on the history of the area, he would support 23%.

In response to Member Zheng and Member Perrella, Mr. Giorgio and Ms. Palermo agreed to stand down the application at 6:37 p.m. to consider reducing the proposed lot coverage.

The application was recalled at 6:45 p.m.

Mr. Giorgio advised that the applicant would be agreeable to reduce the lot coverage from 25.53% to 24.70% (23.92% dwelling and 0.78% covered porch).

In response to Chairman Buckler, Mr. DiFebo advised that Development Planning recommendation will remain the same.

In response to Member Kerwin, Mr. Giorgio confirmed that neighbours are aware of the proposed 1 storey addition.

Member Zheng commented that based on the revised (reduced) variance for lot coverage and the fact that the proposed single storey addition will be added to the rear of the existing dwelling, which backs onto a commercial area of Keele Street, he supports the application.

Moved By: H. Zheng Seconded By: A. Antinucci

THAT Application No. A139/19 on behalf of Josephine Palermo be **APPROVED**, **as amended** in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering	The Owner/applicant shall submit the final Lot Grading
	Jason Pham	Plan to the Development Inspection and Lot Grading
		division of the City's Development Engineering
	905-832-8585 x 8716	Department for final lot grading approval prior to any
	Jason.pham@vaughan.ca	work being undertaken on the property.

#### For the Following Reasons:

- 1. The general intent and purpose of the by-law will be maintained.
- 2. The general intent and purpose of the official plan will be maintained.
- 3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- 4. The requested variance(s) is/are minor in nature.
- 5. Single storey addition added to the rear of the existing dwelling.
- 6. Subject land backs onto commercial area of Keele Street,

Motion Carried.

Members Opposed to Motion: N/A

8. File: A142/19 Ward 1

**Applicant:** Giuseppe & Connie Nestico

Agent: Fausto Cortese

Address: 109 Spicewood Cr. Kleinburg

**Purpose:** Relief from the by-law is being requested to permit the construction

of a proposed cabana and to permit pool equipment and a

generator (uncovered, unenclosed and on a pad) to be located at

the rear of the existing dwelling.

## Public Written Submissions Independence received and considered by the Co

\* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)

N/A

Additional Addendum Reports received and provided to the Committee from: None.

#### Representation

**Fausto Cortese** 

#### Comments

Fausto Cortese explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella Seconded By: A. Antinucci

THAT Application No. A142/19 on behalf of Giuseppe & Connie Nestico be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Jason Pham  905-832-8585 x 8716  Jason.pham@vaughan.ca	<ol> <li>The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property.</li> <li>Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.</li> </ol>

#### For the Following Reasons:

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

Motion Carried.

Members Opposed to Motion: N/A

Other Business: N/A

Motion to Adjourn
Moved By: A. Perrella Seconded By: S. Kerwin
THAT the meeting of Committee of Adjustment be adjourned at 6:56 p.m., and the next regular meeting will be held on December 12, 2019.
Motion Carried.
November 14, 2019 Meeting Minutes are to be approved at the December 12, 2019 meeting:
Chair
Secretary-Treasurer



VAUGHAN Staff Report Summary

Item #05

Ward #1

File: B034/19

**Applicant:** Maria Teressa Coscarella

5623 Kirby Rd Vaughan ON Address:

Agent: Domenic Damiani - Damiani Law

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\overline{\mathbf{V}}$	$\overline{\checkmark}$
Building Standards	$\overline{\checkmark}$	$\overline{\checkmark}$
Development Planning	$\overline{\checkmark}$	
Cultural Heritage (Urban Design)	$\overline{\checkmark}$	
Development Engineering	$\overline{\checkmark}$	
Parks Department		
By-law & Compliance	$\overline{\checkmark}$	
Financial Planning & Development	$\overline{\checkmark}$	$\overline{\checkmark}$
Fire Department		
TRCA	$\overline{\checkmark}$	<b>V</b>
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\checkmark}$	
Bell	$\overline{\checkmark}$	
Public Correspondence (see Schedule B)		

Adjournment History: None
Background History: B017/10, A059/11 (see next page for details)

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019



#### **Consent Application**

Agenda Item: 05

B034/19

Ward: 1

**Prepared By: Lenore Providence Assistant Secretary Treasurer** 

Thursday, December 12, 2019 Date of Hearing:

Applicant: Maria Teressa Coscarella

Domenic Damiani - Damiani Law Agent:

**Property:** 5623 Kirby Road, Kleinburg

The subject lands are zoned RR, Rural Residential, and subject to the provisions of Zoning:

Exception 9(768) under By-law 1-88 as amended.

Natural Areas & Low Rise Residential **OP Designation:** 

**Related Files:** Minor Variance Application A152/19

Consent is being requested to sever a parcel of land for residential purposes, being Part 1 Purpose:

on Plan 65R-33024, approximately 161.00 square metres, as a lot addition, to be merged on title with the abutting lands to the west (municipally known as 5647 Kirby Road),

together with a partial discharge of mortgage over the severed lands.

The retained parcel of land is approximately 13,543.00 square metres and has frontage

onto Kirby Road. The existing dwelling on the retained lands is to remain.

\*Boundary adjustment (lot addition) being requested to facilitate the release of a mutual

right of way between the subject lands and 5647 Kirby Road).

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B017/10	The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land as an ADDITION to an existing lot taken into the title of the lands to the WEST for driveway purposes, together with all required easements and right-of-ways, if required, and retain the lands for driveway purposes. There is an existing dwelling on the retained lands.	Approved February 24/11 File Lapsed
A059/11	The applicant is requesting a variance to facilitate the retained lands (Consent B017/10 - addition to an existing lot to the WEST) as follows: 1) Minimum Lot Frontage = 54.10m	Approved February 24/11 File Lapsed

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

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

#### **Adjournment History: None**

#### **Staff & Agency Comments**

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

#### **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on December 4, 2019.

Building or Structures on the subject land: Vacant land

Recommended conditions of approval:

1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies **only** to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.

- 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.
- 3. That Minor Variance Application(s) A152/19 is approved at the same time as the Consent application and becomes final and binding.
- 4. That the severed parcel be merged on title with the abutting land to the west, municipally known as 5647 Kirby Road and that the applicant's solicitor provides an undertaking in writing that this condition will be fulfilled (please obtain standard undertaking form from Committee of Adjustment staff). Please note that Subsection 50 (3) or (5) of the Planning Act, R.S.O, 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.
- 5. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

#### Adjournment Request: N/A

#### **Building Standards (Zoning Review):**

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

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

The proposed consent is for the severance of a parcel of land identified as Part 1, Plan 65R-33024 on the attached schedule (submitted by the applicant) and is intended to be merged with the abutting property to the west identified as Part 4, 5 and 6, Plan 65R-33024.

Minor variance application A152/19 shall be considered with this application.

#### Please Note:

The subject consent shall become null and void if the parcel is not merged on title with the adjacent lands to the west identified as Parts 4, 5 and 6, 65R-33024.

#### **Development Planning:**

Vaughan Official Plan 2010 ('VOP 2010'): Natural Areas & Low-Rise Residential.

The Owner has submitted Consent Application File B034/19 to convey Part 1 on Plan 65R-33024 to the Owner of the neighbouring lot to the west (5647 Kirby Road) and to register a partial mortgage discharge. To facilitate the consent, the Owner has submitted Minor Variance Application A152/19 to permit a minimum 54.10 m lot frontage for the retained lands (5623 Kirby Road), whereas By-law 1-88 requires a minimum of 56.39 m.

The Owner is proposing to sever a 161m2 portion of the subject lands at 5623 Kirby Road (described as Part 1 on Plan 65R-33024) and merge the lands with the abutting lands to the west (5647 Kirby Road). The Owner is also requesting a partial discharge of the mortgage on the subject lands.

The purpose of the application is to abandon the existing right-of-way (mutual driveway) between the adjacent properties. Currently, both properties have direct access onto Kirby Road and the resulting minor boundary adjustment will not have adverse impacts on the lands.

On February 24, 2011, the Committee of Adjustment previously approved Consent Application File B017/10 and

Minor Variance Application A059/11 for the proposal; however, the conditions were not fulfilled and the Consent Application File B017/10 has since lapsed.

The Development Planning Department has no objection to the requested severance and is of the opinion that the proposal maintains the intent of the severance policies in VOP 2010 and the consent criteria stipulated in Section 51(24) of the *Planning Act, R.S.O. 1990, c P.13*. The Development Planning Department is also of the opinion that the requested variance for the reduced lot frontage for the retained lands 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 lands.

The Development Planning Department recommends approval of the application.

#### Cultural Heritage (Urban Design):

No Response

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to consent application B034/19.

#### **Parks Development:**

No Response.

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

No comments or concerns.

#### **Financial Planning and Development Finance:**

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.

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 Bylaws in effect at time of payment.

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

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

The following condition is recommended:

The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

#### **Fire Department:**

No Response.

#### Schedule A - Plans & Sketches

#### Schedule B – Public Correspondence

Application cover letter (agent)

#### Schedule C - Agency Comments

TRCA – comments with conditions

Bell – No concerns or objections

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

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

Consent Application B017/10, Minor Variance Application A059/11

#### **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 standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of the application considers the following:

- ✓ Conform to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conform to the City of Vaughan Official Plan.
- ✓ Conform to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Should the Committee find it appropriate to approve this application, the following conditions have been recommended:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 christine.vigneault@vaughan.ca	<ol> <li>That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.</li> <li>That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.</li> <li>That Minor Variance Application(s) A152/19 is approved at the same time as the Consent application and becomes final and binding.</li> <li>That the severed parcel be merged on title with the abutting land to the west, municipally known as 5647 Kirby Road and that the applicant's solicitor provides an undertaking in writing that this condition will be fulfilled (please obtain standard undertaking form from Committee of Adjustment staff). Please note that Subsection 50 (3) or (5) of the Planning Act, R.S.O, 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.</li> <li>Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li> </ol>
2	Building Standards Lindsay Haviland  905-832-8585 x 8655 lindsay.haviland@vaughan.ca	That minor variance A152/19 is approved and becomes final and binding.
3	Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca	The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).
4	TRCA Hamedeh Razavi 416-661-6600 x 5256  Hamedeh.Razavi@trca.ca	The applicant submits the application fee of \$580.00 payable to the Toronto and Region Conservation Authority.

#### Warning:

Conditions must be fulfilled within <u>one year</u> from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.

#### **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**

WRITTEN SUBMISSIONS: 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan Committee of Adjustment 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1 CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

For more information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394 E CofA@vaughan.ca

#### Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 



Page 17

#### Memorandum

Please read together with enclosed plan.

#### Legend



#### **SEVERED LANDS**

Lands for which application is submitted.

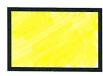
OWNER: Maria Teresa Coscarella ADDRESS: 5623 Kirby Road



#### **REMAINDER LANDS**

Lands retained following conveyance.

OWNER: Maria Teresa Coscarella ADDRESS: 5623 Kirby Road

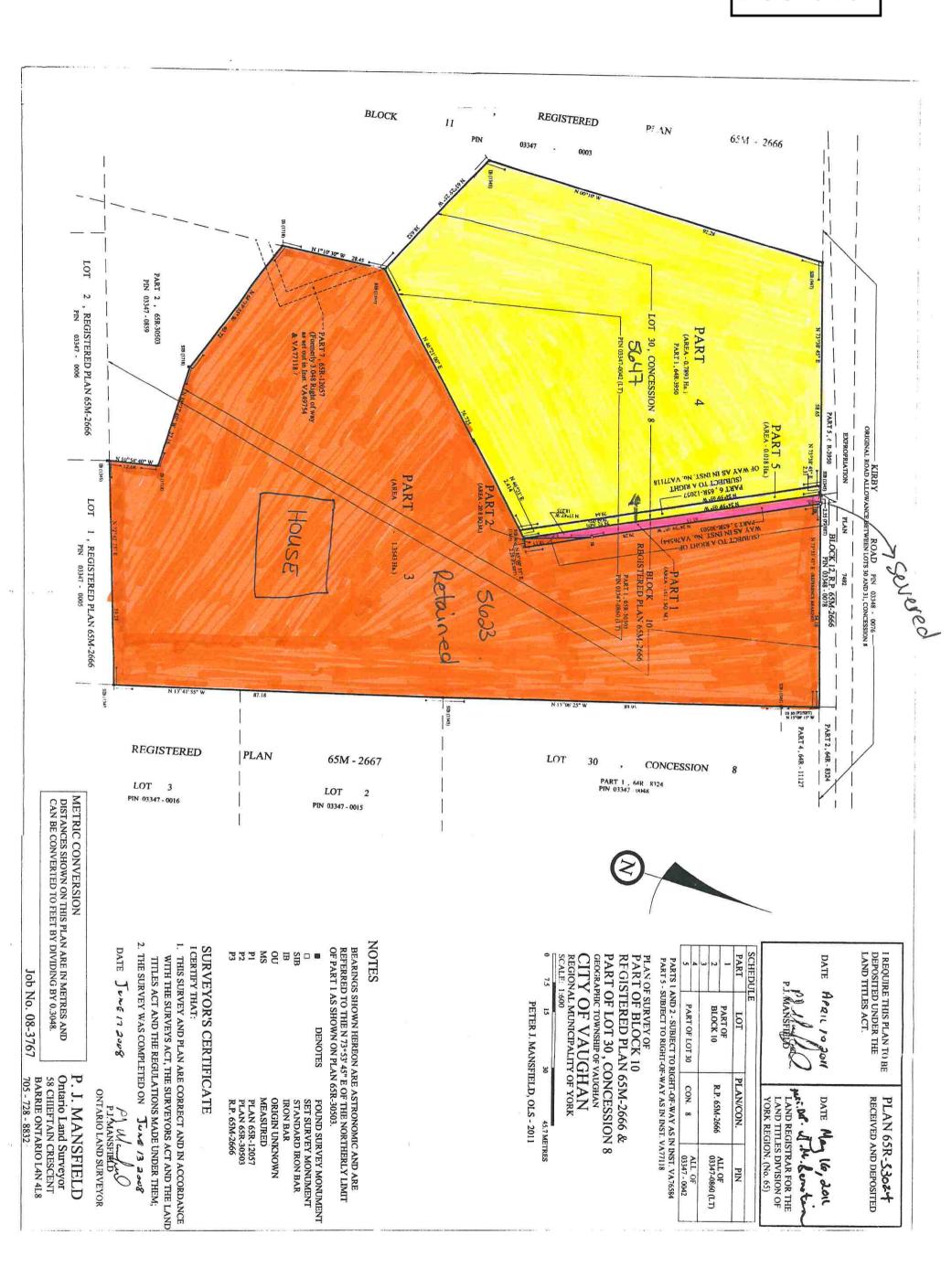


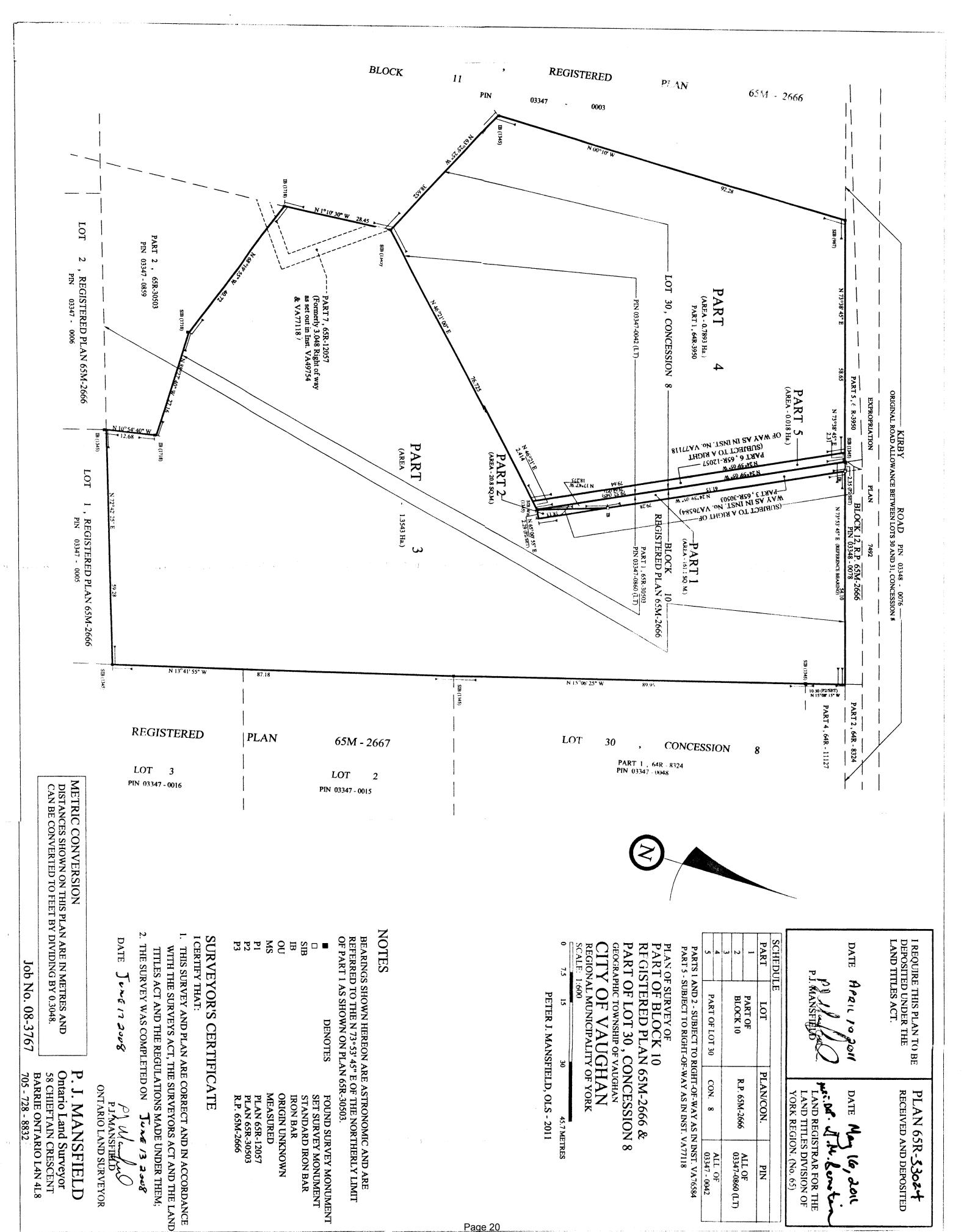
#### **ADJOINING LANDS**

Lands to which the severed lands will be added.

OWNERS: Renato & Maria Mastrantoni

ADDRESS: 5647 Kirby Road





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## **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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**Application Cover Letter (Agent)** 



October 17, 2019

HAND DELIVERED

## Received

November 4, 2019

Domenic Damiani (647) 948-6030 domenic@damianilaw.ca

B034/19

City of Vaughan Committee of Adjustment 2141 Major Mackenzie Dr.

Vaughan, Ontario

L6A 1T1

Attention: City of

City of Vaughan Committee of Adjustment Staff

Dear Sirs/Mesdames:

Re:

5623 Kirby Rd. Consent Application

I am the authorized agent on behalf of the Applicant in connection with the above-referenced matter.

Enclosed with this letter please find the following:

- Completed Consent Application;
- Plan 65R-33024;
- Colour coded sketch identifying: (i) severed lands; (ii) remainder lands; and (iii) adjoining lands;
- Table identifying various lands on colour coded sketch;
- Data stick including digital copies of the application and other enclosures;
- Cheque in the amount of \$3546.00 payable to City of Vaughan; and
- Cheque in the amount of \$309.60 payable to City of Vaughan.

Briefly, the subject application is intended to convey Part 1 on Plan 65R-33024 from the current owner, Maria Teresa Coscarella, to the owner of the property immediately west of the said parcel, owned by Renato Mastrantoni and Maria Mastrantoni, municipally known as 5647 Kirby Road.

Because the subject lands are subject to a charge in favour of HSBC Bank Canada, I am also requesting consent to the registration of a partial discharge.

Finally, the subject lands form a part of an easement in the nature of a right-of-way for a mutual driveway. Following registration of the transfer of the severed lands to the owner

Suite 133, 104-3300 Highway 7, Concord, Ontario L4K-3Y7 Fax: (647) 951-4777

of the adjoining lands, I will complete the required registrations to release and abandon the said right-of-way.

I am advised by my client, that the subject application was previously submitted, was approved, but not completed within the time limited imposed by the Committee of Adjustment approval.

If there are any questions, please don't hesitate to contact me.

Yours very truly,

DAMIANI LAW

Domenic Damiani

#### **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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

TRCA – comments with conditions
Bell – No concerns or objections
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



November 27, 2019 CFN: 60819.29

#### 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: Committee of Adjustment
Consent Application B034/19
Minor Variance Application A152/19
5623 Kirby Road
PLAN 65M2666 Block 10
City of Vaughan

**Owner: Maria Teressa Coscarella** 

This letter will acknowledge receipt of the above noted applications, received by TRCA on November 12, 2019. Toronto and Region Conservation Authority (TRCA) staff has reviewed the application and offers the following comments.

#### **Background**

#### B034/19

It is our understanding that the current application intends to facilitate the severance and conveyance of a 161.1 sq.m parcel of land from the property at 5623 Kirby Road to the adjacent property at 5647 Kirby Road. No new lot will be created as a result of the application.

#### A152/19

The purpose of the Minor Variance Application is to request the following:

1. To permit a minimum lot frontage of 54.10 metres, whereas a minimum lot frontage of 56.39 is required.

#### **Applicable Policies and Regulations**

Ontario Regulation 166/06

A portion of the subject property is located within TRCA's Regulated Area due to the presence of a valley corridor associated with a tributary of the Humber River. Under Ontario Regulation 166/06, 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. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

#### Living City Policies

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a "Natural System" made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while minimizing impacts to, maintaining, and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject applications, along with those found in other Provincial and municipal plans, documents, and guidelines.

#### **Application-Specific Comments**

As noted above, a portion of the subject property is located within TRCA's Regulated Area of the Humber River Watershed due the presence of a valley corridor associated with a tributary of the Humber River that traverses the western property at 5647 Kirby Road. TRCA has an interest in conserving, protecting, and enhancing all natural features and functions and discourages the fragmentation of ownership of valley corridors and/or hazard lands within its jurisdiction. The current eastern property bisects the 10 meter buffer from the valley at the northwestern corner of the site. Based on a review of the circulated materials, it is our understanding that the current proposal will result in a greater portion of the Natural System being retained in one ownership, thus meeting the intent of TRCA policies.

#### **Fees**

By copy of this letter, the applicant is advised that TRCA has implemented a fee schedule for our planning application review services. This application is subject to a review fee of \$580.00 (Variance Residential-Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible. This fee is separate from that requested under TRCA's permitting process.

#### **Recommendation**

Based on the above noted comments, TRCA staff provide a recommendation of **conditional approval** of consent application B034/19 and variance application A152/19, subject to the following condition:

1. The applicant submits the application fee of \$580.00 payable to the Toronto and Region Conservation Authority.

I trust these comments are of assistance. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

OLT DUM

Hamedeh Razavi Planner I Planning and Development Extension 5256

HR/cb

#### Providence, Lenore

Subject:

FW: B034-19 - REQUEST FOR COMMENTS (VAUGHAN - Committee of Adjustment) - 905-19-428

From: Gordon, Carrie <carrie.gordon@bell.ca>

#### Sent: November-18-19 2:47 PM

To: Providence, Lenore < Lenore. Providence@vaughan.ca>

Subject: RE: B034-19 - REQUEST FOR COMMENTS (VAUGHAN - Committee of Adjustment) - 905-19-428

Dear Lenore,

Re File:

- Severance
- B034-49
- 5623 Kirby Rd

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has **no concerns or objections** with the proposed Severance.

Should you have any questions or concerns regarding this response, please do not hesitate to contact me.

Thank you,

#### Carrie Gordon



External Liaison – Right of Way Control Centre 140 Bayfield St, Fl 2 Barrie ON, L4M 3B1 T: 705-722-2244/844-857-7942

F:705-726-4600



#### **COMMENTS:**

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

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Consent 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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

*E-mail*: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

#### Providence, Lenore

**Subject:** FW: (B034/19) CONS.19.V.0144 - 5623 Kirby Road

From: Skouros, Julia < Julia. Skouros@york.ca>

**Sent:** November-19-19 10:28 AM

To: Vigneault, Christine < Christine. Vigneault@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca> **Subject:** (B034/19) CONS.19.V.0144 - 5623 Kirby Road

Hi Christine,

The Regional Municipality of York has completed its review of the above mentioned Consent Application and has **no comment.** 

Should you have any questions or concerns, please contact me using the information provided below.

Best,

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | <u>Julia.Skouros@york.ca</u> | <u>york.ca</u>

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

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

Consent Application B017/10 Minor Variance Application A059/11

## VAUGHAN

#### COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

## **NOTICE OF DECISION**

#### MINOR VARIANCES

**FILE NUMBER:** 

A059/11

**APPLICANT:** 

MARIA TERESA COSCARELLA

PROPERTY:

Part of Lot 30, Concession 8, (Part of Block 10, Registered Plan No. 65M-2666, Parts

1 & 3, Plan 65R-30503, municipally known as 5623 Kirby Road, Kleinburg)

**ZONING:** 

The subject lands are zoned RR, Rural Residential under By-law 1-88 subject to

Exception 9(768) as amended.

**PURPOSE:** 

The applicant is requesting a variance to facilitate the retained lands ( Consent

B017/10 – addition to an existing lot to the WEST) as follows:

PROPOSAL:

1) Minimum Lot Frontage = 54.10m

BY-LAW REQUIREMENTS:

1) Minimum Lot Frontage = 56.390m

BACKGROUND:

The land which is subject to this application was also the subject of another application

under the Planning Act:

Consent File No. B017/10 - (To be heard in conjunction with the above minor

variance application).

A sketch is attached illustrating the request.

MOVED BY:

SECONDED BY:

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

THAT Application No. <u>A059/11 - MARIA TERESA COSCARELLA</u>, be <u>APPROVED</u>, in accordance with the sketch attached, and subject to the following conditions;

1. That the corresponding Consent File No. <u>B017/10 - MARIA TERESA COSCARELLA, be APPROVED;</u>

2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)

<u>VERY IMPORTANT</u>: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

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

CARRIED.

CHAIR:

ABSENT

Signed by all members present who concur in this decision:

L. Fluxgold,

ABSENT

Chair

J. Cesario, Vice-Chair

M. Mauti, Member

A. Perrella, Member H. Zheng, Member

#### **CERTIFICATION**

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

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

Date of Hearing:

**FEBRUARY 24, 2011** 

Last Date of Appeal:

**MARCH 16, 2011** 

#### <u>APPEALS</u>

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

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

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

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

#### **CONDITIONS**

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

**MARCH 16, 2012** 



#### **COMMITTEE OF ADJUSTMENT**

2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

## NOTICE OF DECISION

#### CONSENTS

**FILE NUMBER:** 

B017/10

**APPLICANT:** 

MARIA TERESA COSCARELLA

PROPERTY:

Part of Lot 30, Concession 8, (Part of Block 10, Registered Plan No. 65M-2666, Parts 1

& 3, Plan 65R-30503, municipally known as 5623 Kirby Road, Kleinburg)

**ZONING:** 

The subject lands are zoned RR, Rural Residential under By-law 1-88 subject to

Exception 9(768) as amended.

**PURPOSE:** 

The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the attached sketch **as an ADDITION to an existing lot taken into the title of the lands to the WEST** for driveway purposes, together with all required easements and right-of-ways, if required, and retain the lands marked "B" on the attached sketches for driveway purposes.

There is an existing dwelling on the retained lands.

BACKGROUND:

The land which is subject to these applications is/was also the subject of other

applications under the Planning Act:

Minor Variance File No. A059/11 Lot frontage for retained lands (To be heard in

conjunction with the above consent application).

A sketch is attached illustrating the request.

The above noted application was heard by the Committee of Adjustment on: FEBRUARY 24, 2011

Moved by:

Seconded by:

THAT Application No. <u>B017/10 - MARIA TERESA COSCARELLA, be APPROVED</u>, in accordance with the sketch attached and subject to the following conditions:

NOTE: All conditions below must be fulfilled and clearance letters must be received by the Secretary-Treasurer *before* any cheques can be accepted and Certificate of Official can be issued.

- 1. That the owner shall pay all taxes as levied, if required, to the satisfaction of the Reserves & Investments Department. Payment shall be made **by certified cheque**; (contact Terry Liuni in the Reserves & Investments Department to have this condition cleared).
- That the Owner confirm that the existing structures comply with By-law 1-88. If the structures do not comply, the Owner shall submit a Minor Variance Application to address any deficiencies, if required, to the satisfaction of the Development Planning Department;
- 3. That the corresponding Minor Variance File No. <u>A059/11 MARIA TERESA COSCARELLA, be APPROVED;</u>
- 4. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands;
- 5. That the applicant provide to the Secretary Treasurer a letter of undertaking, stating that the lands in question are in favour of or taken into the title of the lands to the **WEST**;

6. Submission to the Secretary-Treasurer of **FOUR (4)** white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;

- 7. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter and three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes the "Schedule Page" will be an attachment to the Certificate. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
- 8. A fee of \$190.00 made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to <a href="three">three (3)</a> working days after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of \$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day;
- 9. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions;

#### **IMPORTANT:**

Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfil and comply with all of the (above-noted) conditions of Consent. Failing to comply with this requirement will result in the application to be deemed to be refused.

#### ALL CONDITIONS MUST BE FULFILLED.

Please contact each Agency and/or Department listed above whether "if required" appears in the condition or not.

#### PLEASE NOTE:

- 1. That the payment of the Regional Development Charge 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 Bylaw in effect at the time of payment.
- 2. That the payment of the City Development Charge 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.
- 3. That the payment of the Education Development Charge 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
- 4. That the payment of Special Area Development charge 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, if required, to the satisfaction of the Reserves/Capital Department;

CARRIED.

CHAIR:

Signed by all members present who concur in this decision:

ABSENT

L. Fluxgold, Chair ABSENT

J. Cesario, Vice-Chair M. Mauti, Member

H. Zheng, Member

#### **CERTIFICATION**

A. Perrella, Member

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

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

**FEBRUARY 24, 2011** 

**Date of Notice:** 

MARCH 4, 2011

Last Date of Appeal:

MARCH 24, 2011

#### **APPEALS**

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

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

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

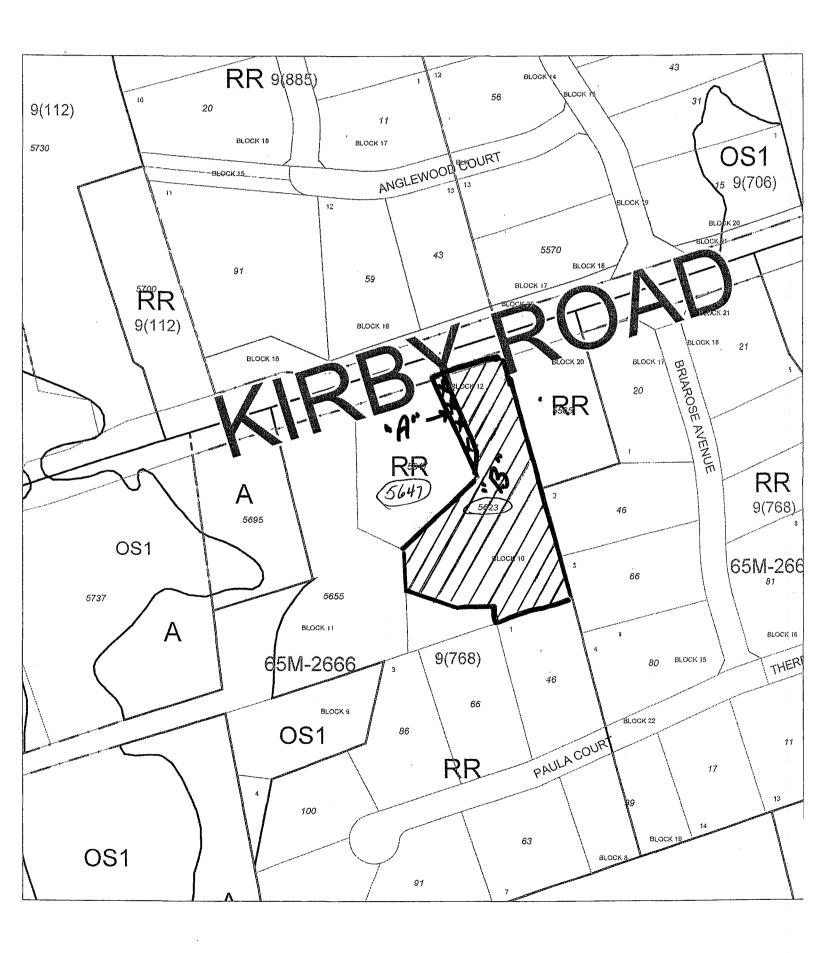
Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

#### **NOTES**

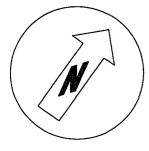
- 1. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.
- 2. A Certificate pursuant to Subsection 53(21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.



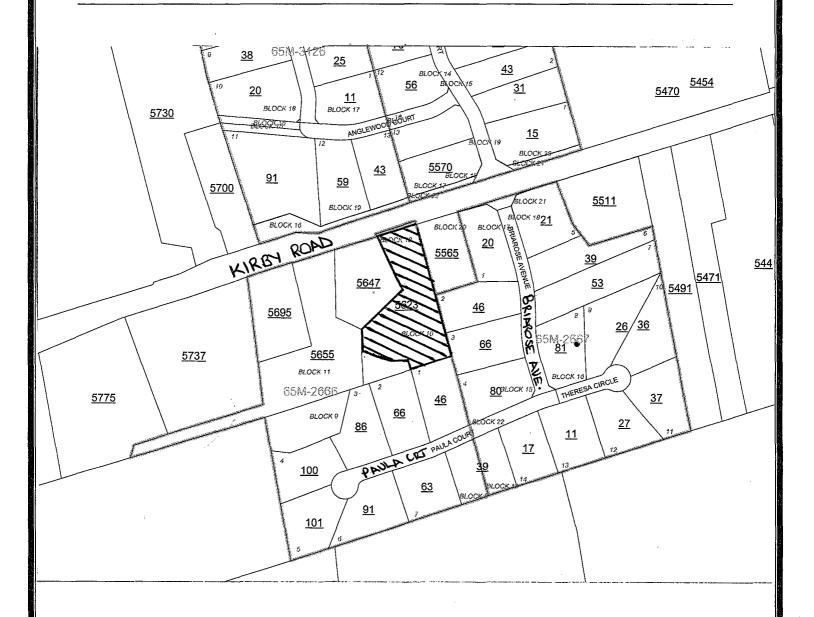
# B017/10



# COMMITTEE OF ADJUSTMENT



File Nos: B017/10, A059/11
Applicant: MARIA TERESA
COSCARELLA
Subject Area:
5623 Kirby Road, Kleinburg



## VAUGHAN

#### COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

### **NOTICE OF DECISION**

#### MINOR VARIANCES

**FILE NUMBER:** 

A059/11

**APPLICANT:** 

MARIA TERESA COSCARELLA

PROPERTY:

Part of Lot 30, Concession 8, (Part of Block 10, Registered Plan No. 65M-2666, Parts

1 & 3, Plan 65R-30503, municipally known as 5623 Kirby Road, Kleinburg)

**ZONING:** 

The subject lands are zoned RR, Rural Residential under By-law 1-88 subject to

Exception 9(768) as amended.

**PURPOSE:** 

The applicant is requesting a variance to facilitate the retained lands ( Consent

B017/10 – addition to an existing lot to the WEST) as follows:

PROPOSAL:

1) Minimum Lot Frontage = 54.10m

**BY-LAW** 

1) Minimum Lot Frontage = 56.390m

BACKGROUND:

**REQUIREMENTS:** 

The land which is subject to this application was also the subject of another application

under the Planning Act:

Consent File No. B017/10 - (To be heard in conjunction with the above minor

variance application).

A sketch is attached illustrating the request.

MOVED BY:

SECONDED BY:

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

THAT Application No. <u>A059/11 - MARIA TERESA COSCARELLA</u>, be <u>APPROVED</u>, in accordance with the sketch attached, and subject to the following conditions;

1. That the corresponding Consent File No. <u>B017/10 - MARIA TERESA COSCARELLA, be APPROVED;</u>

2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)

<u>VERY IMPORTANT</u>: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

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

CARRIED.

CHAIR:

Signed by all members present who concur in this decision:

L. Fluxgold.

ABSENT

L. Huxgold, Chair ABSENT J. Cesario,

Vice-Chair

Member

H. Zheng, Member

A. Perrella, Member

#### **CERTIFICATION**

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

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

Date of Hearing:

**FEBRUARY 24, 2011** 

Last Date of Appeal:

**MARCH 16, 2011** 

#### <u>APPEALS</u>

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

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

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

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

#### CONDITIONS

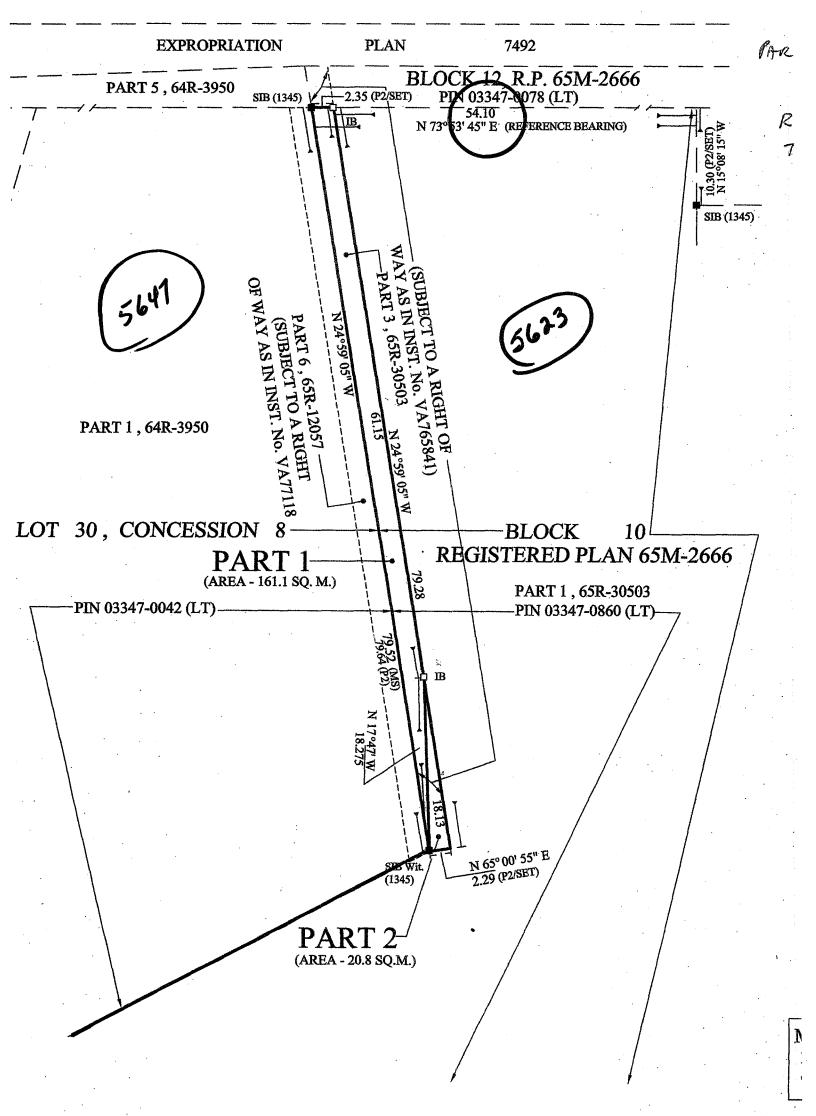
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:

**MARCH 16, 2012** 

A059/11

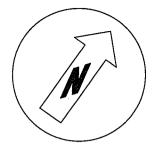
KIRBY ROAD
ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 30 AND 31, CONCESSION 8

PARTI



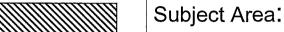
Page 40

## COMMITTEE OF ADJUSTMENT

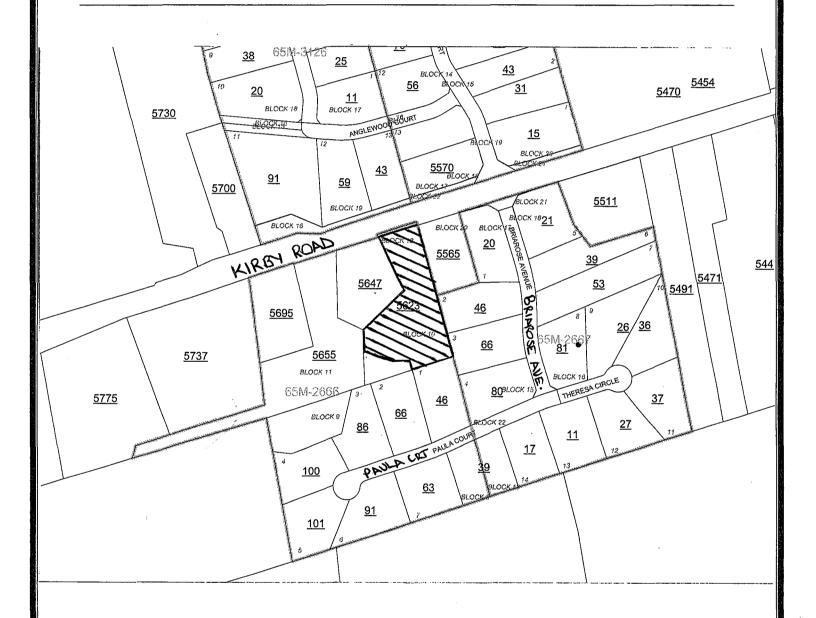


File Nos: B017/10, A059/11
Applicant: MARIA TERESA

COSCARELLA



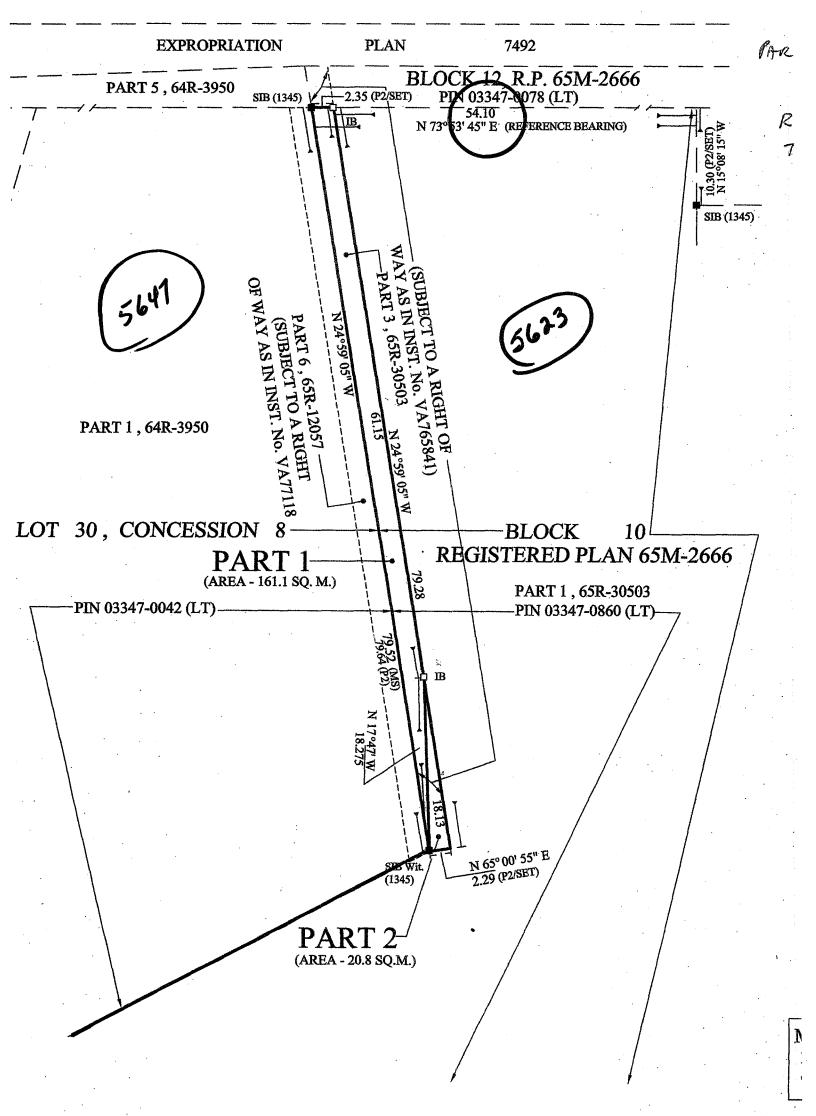
5623 Kirby Road, Kleinburg



A059/11

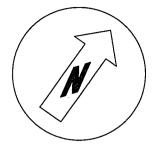
KIRBY ROAD
ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 30 AND 31, CONCESSION 8

PARTI



Page 42

## COMMITTEE OF ADJUSTMENT

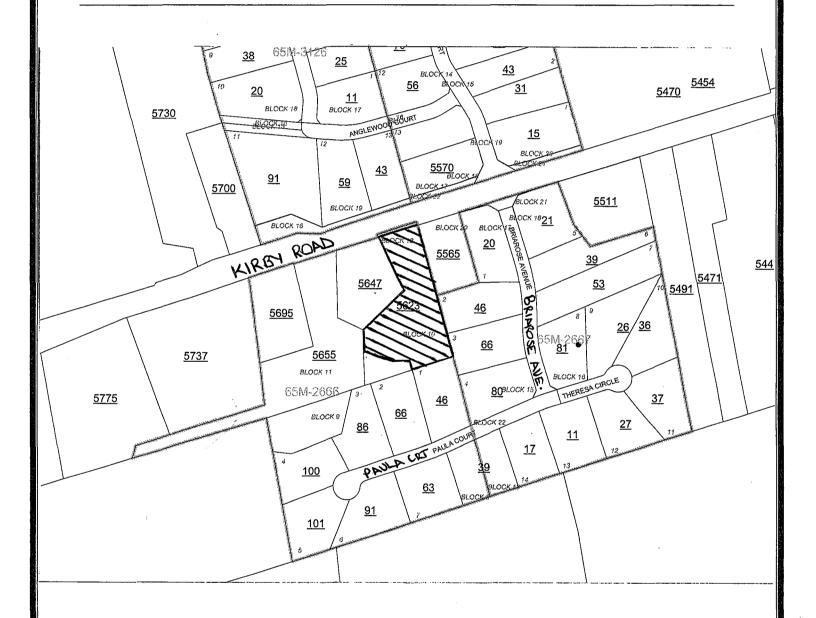


File Nos: B017/10, A059/11
Applicant: MARIA TERESA

COSCARELLA

Subject Area:

5623 Kirby Road, Kleinburg





VAUGHAN Staff Report Summary Item #06

Ward #1

File: A152/19

Applicant: Maria Teressa Coscarella

5623 Kirby Road, Vaughan Address:

Domenic Damiani - Damiani Law Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\square$	$\overline{\checkmark}$
Building Standards	$\square$	
Building Inspection	$\overline{\square}$	
Development Planning	$\overline{\square}$	
Cultural Heritage (Urban Design)	$\overline{\checkmark}$	
Development Engineering	$\overline{\checkmark}$	
Parks Department		
By-law & Compliance		
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA	$\overline{\checkmark}$	$\overline{\checkmark}$
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\square$	
Public Correspondence (see Schedule B)		

Adjournment History: None
Background History: B017/10, A059/11 (see next page for details)
Staff Report Prepared By: Lenore Providence

Hearing Date: Thursday, December 12, 2019



#### Minor Variance Application

Agenda Item: 06

**A152/19** Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Maria Teressa Coscarella

Agent: Domenic Damiani - Damiani Law

Property: 5623 Kirby Road, Kleinburg

**Zoning:** The subject lands are zoned RR, Rural Residential, and subject to the provisions of

Exception 9(768) under By-law 1-88 as amended.

**OP Designation:** Natural Areas & Low Rise Residential

Related Files: Consent Application B034/19

**Purpose:** Relief from the by-law is being requested to permit reduced lot frontage on the

retained land to facilitate Consent Application B034/19.

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

By-law Requirement	Proposal
A minimum Lot frontage of 56.39 metres is required.	To permit a minimum Lot Frontage of 54.10 metres.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B017/10	The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land as an ADDITION to an existing lot taken into the title of the lands to the WEST for driveway purposes, together with all required easements and right-of-ways, if required, and retain the lands for driveway purposes. There is an existing dwelling on the retained lands.	Approved February 24/11 File Lapsed
A059/11	The applicant is requesting a variance to facilitate the retained lands (Consent B017/10 - addition to an existing lot to the WEST) as follows: 1) Minimum Lot Frontage = 54.10m	Approved February 24/11 File Lapsed

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

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

#### **Adjournment History: None**

#### **Staff & Agency Comments**

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

#### **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on December 4, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	2007

Applicant has advised that they cannot comply with By-law for the following reason(s): The reduced frontage does not conform to the by-law.

Recommended condition of approval:

That Consent Application B034/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.

Adjournment Request: N/A

#### **Building Standards (Zoning Review):**

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

This application is to facilitate the severance under application B034/19.

#### **Building Inspections (Septic):**

No comments or concerns

#### **Development Planning:**

Vaughan Official Plan 2010 ('VOP 2010'): Natural Areas & Low-Rise Residential.

The Owner has submitted Consent Application File B034/19 to convey Part 1 on Plan 65R-33024 to the Owner of the neighbouring lot to the west (5647 Kirby Road) and to register a partial mortgage discharge. To facilitate the consent, the Owner has submitted Minor Variance Application A152/19 to permit a minimum 54.10 m lot frontage for the retained lands (5623 Kirby Road), whereas By-law 1-88 requires a minimum of 56.39 m.

The Owner is proposing to sever a 161m2 portion of the subject lands at 5623 Kirby Road (described as Part 1 on Plan 65R-33024) and merge the lands with the abutting lands to the west (5647 Kirby Road). The Owner is also requesting a partial discharge of the mortgage on the subject lands.

The purpose of the application is to abandon the existing right-of-way (mutual driveway) between the adjacent properties. Currently, both properties have direct access onto Kirby Road and the resulting minor boundary adjustment will not have adverse impacts on the lands.

On February 24, 2011, the Committee of Adjustment previously approved Consent Application File B017/10 and

Minor Variance Application A059/11 for the proposal; however, the conditions were not fulfilled and the Consent Application File B017/10 has since lapsed.

The Development Planning Department has no objection to the requested severance and is of the opinion that the proposal maintains the intent of the severance policies in VOP 2010 and the consent criteria stipulated in Section 51(24) of the *Planning Act, R.S.O. 1990, c P.13*. The Development Planning Department is also of the opinion that the requested variance for the reduced lot frontage for the retained lands 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 lands.

The Development Planning Department recommends approval of the application.

#### Cultural Heritage (Urban Design):

No Response.

#### **Development Engineering:**

The Development Enginnering (DE) Department does not object to variance application A152/19.

#### **Parks Development:**

No Response.

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

No Response.

#### **Financial Planning and Development Finance:**

No comment no concerns

#### **Fire Department:**

No Response.

Schedule A – Plans & Sketches

#### Schedule B - Public Correspondence

Application Cover Letter (Agent)

#### **Schedule C - Agency Comments**

TRCA – comments with conditions
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

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

Consent Application B017/10, Minor Variance Application A059/11

#### **Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Committee of Adjustment	1. That Consent Application B034/19 receive final certification
	Christine Vigneault	from the Secretary Treasurer and be registered on title. A
		copy of the registered transfer confirming registration of the
	905-832-8585 x 8332	Certificate of Official must be provided to the Secretary
	christine.vigneault@vaughan.ca	Treasurer to satisfy this condition.
2	TRCA	The applicant submits the application fee of \$580.00 payable to
	Hamedeh Razavi	the Toronto and Region
	416-661-6600 x 5256	Conservation Authority.
	Hamedeh.Razavi@trca.ca	

#### **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.

#### **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.

#### **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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

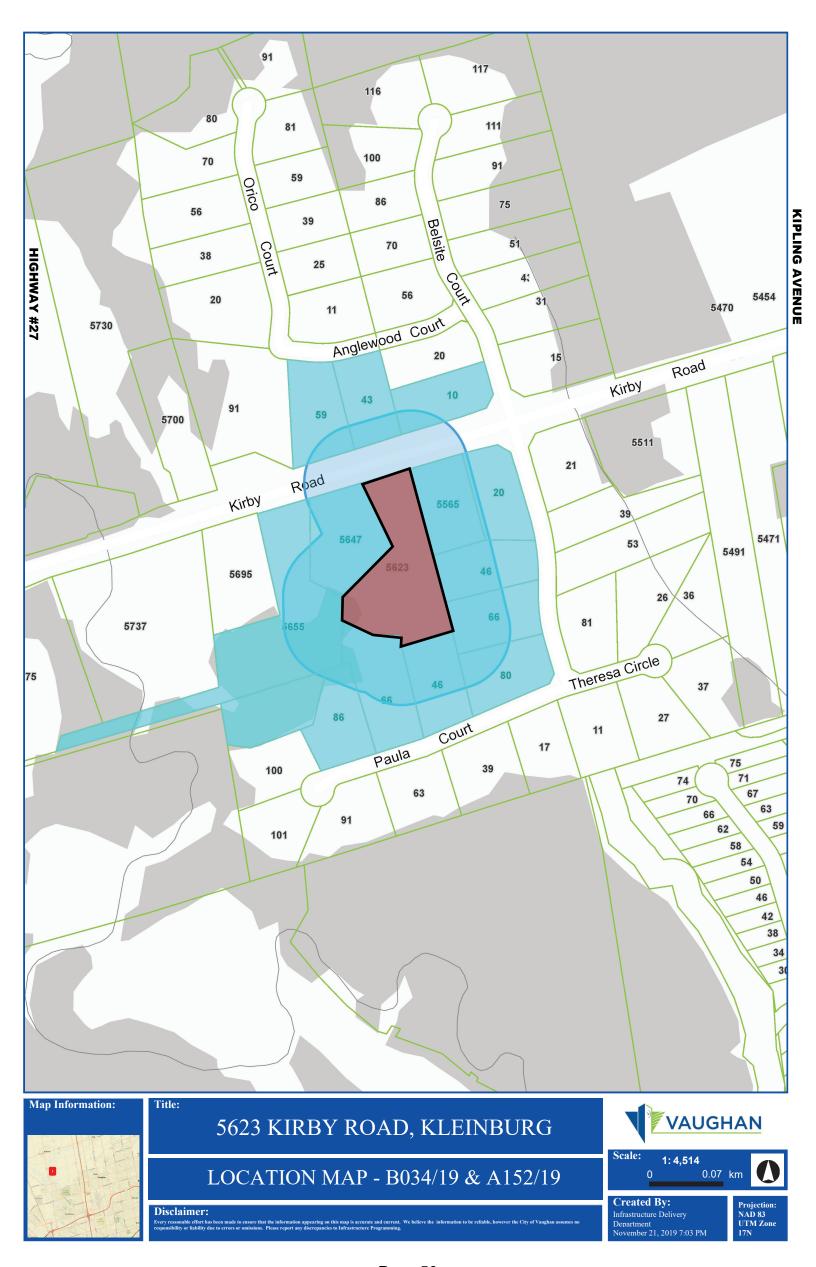
For further information please contact the City of Vaughan, Committee of Adjustment Lenore Providence

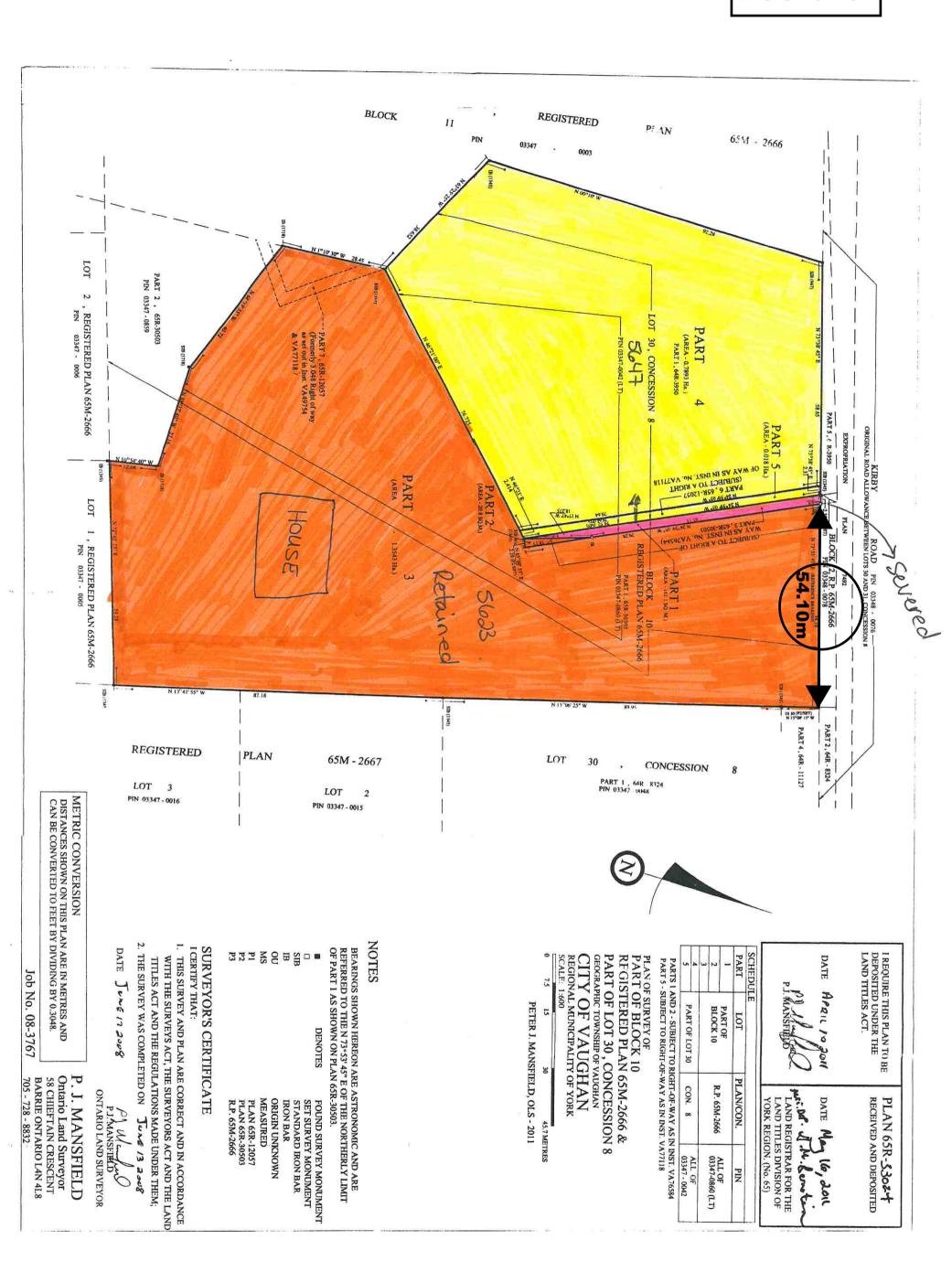
T 905 832 8585 Extension 8394 E CofA@vaughan.ca

#### Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 





WI

KIRBY ROAD
ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 30 AND 31, CONCESSION 8

Di

EXPROPRIATION PLAN 7492 BLOCK 12 R.P. 65M-2666 PART 5, 64R-3950 STB (1345) PDA 03347-0078 (LT) 54.10 3° 13' 45" E (REFERENCE B. 2.35 (P2/SET) SIB (1345) OF WAY AS IN INST. No. VA77118, PART 1, 64R-3950 LOT 30, CONCESSION 8 BLOCK 10 REGISTERED PLAN 65M-2666 PART 1 (AREA - 161.1 SQ. M.) PART 1, 65R-30503 PIN 03347-0042 (LT) PIN 03347-0860 (LT) N 65° 00' 55" E 2.29 (P2/SET) (AREA - 20.8 SQ.M.)

### 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**Application Cover Letter (Agent)** 



October 17, 2019

#### Received

November 4, 2019

Domenic Damiani (647) 948-6030 domenic@damianilaw.ca

A152/19

#### HAND DELIVERED

City of Vaughan Committee of Adjustment 2141 Major Mackenzie Dr. Vaughan, Ontario L6A 1T1

Attention: City of Vaughan Committee of Adjustment Staff

Dear Sirs/Mesdames:

Re: 5623 Kirby Rd. Minor Variance Application

I am the authorized agent on behalf of the Applicant in connection with the above-referenced matter.

Enclosed with this letter please find the following:

- Completed Minor Variance Application;
- Plan 65R-33024;
- Sketch identifying: (i) severed lands; (ii) remainder lands; and (iii) adjoining lands;
- Data stick including digital copies of the application and other enclosures;
- Cheque in the amount of \$2,287.00 payable to City of Vaughan.
- Arborist report

Briefly, the subject application is intended to convey Part 1 on Plan 65R-33024 from the current owner, Maria Teresa Coscarella, to the owner of the property immediately west of the said parcel, owned by Renato Mastrantoni and Maria Mastrantoni, municipally known as 5647 Kirby Road.

Because the subject lands are subject to a charge in favour of HSBC Bank Canada, I am also requesting consent to the registration of a partial discharge.

Finally, the subject lands form a part of an easement in the nature of a right-of-way for a mutual driveway. Following registration of the transfer of the severed lands to the owner

Suite 133, 104-3300 Highway 7, Concord, Ontario L4K-3Y7 Fax: (647) 951-4777 I am advised by my client, that the subject application was previously submitted, was approved, but not completed within the time limited imposed by the Committee of Adjustment approval.

If there are any questions, please don't hesitate to contact me.

Yours very truly,

**DAMIANI LAW** 

Domenic Damiani

### **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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

TRCA – comments with conditions
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



November 27, 2019 CFN: 60819.29

#### 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: Committee of Adjustment
Consent Application B034/19
Minor Variance Application A152/19
5623 Kirby Road
PLAN 65M2666 Block 10
City of Vaughan

**Owner: Maria Teressa Coscarella** 

This letter will acknowledge receipt of the above noted applications, received by TRCA on November 12, 2019. Toronto and Region Conservation Authority (TRCA) staff has reviewed the application and offers the following comments.

#### **Background**

#### B034/19

It is our understanding that the current application intends to facilitate the severance and conveyance of a 161.1 sq.m parcel of land from the property at 5623 Kirby Road to the adjacent property at 5647 Kirby Road. No new lot will be created as a result of the application.

#### A152/19

The purpose of the Minor Variance Application is to request the following:

1. To permit a minimum lot frontage of 54.10 metres, whereas a minimum lot frontage of 56.39 is required.

#### **Applicable Policies and Regulations**

Ontario Regulation 166/06

A portion of the subject property is located within TRCA's Regulated Area due to the presence of a valley corridor associated with a tributary of the Humber River. Under Ontario Regulation 166/06, 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. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

#### Living City Policies

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a "Natural System" made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while minimizing impacts to, maintaining, and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject applications, along with those found in other Provincial and municipal plans, documents, and guidelines.

#### **Application-Specific Comments**

As noted above, a portion of the subject property is located within TRCA's Regulated Area of the Humber River Watershed due the presence of a valley corridor associated with a tributary of the Humber River that traverses the western property at 5647 Kirby Road. TRCA has an interest in conserving, protecting, and enhancing all natural features and functions and discourages the fragmentation of ownership of valley corridors and/or hazard lands within its jurisdiction. The current eastern property bisects the 10 meter buffer from the valley at the northwestern corner of the site. Based on a review of the circulated materials, it is our understanding that the current proposal will result in a greater portion of the Natural System being retained in one ownership, thus meeting the intent of TRCA policies.

#### **Fees**

By copy of this letter, the applicant is advised that TRCA has implemented a fee schedule for our planning application review services. This application is subject to a review fee of \$580.00 (Variance Residential-Minor). The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible. This fee is separate from that requested under TRCA's permitting process.

#### Recommendation

Based on the above noted comments, TRCA staff provide a recommendation of **conditional approval** of consent application B034/19 and variance application A152/19, subject to the following condition:

1. The applicant submits the application fee of \$580.00 payable to the Toronto and Region Conservation Authority.

I trust these comments are of assistance. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

OLT DUM

Hamedeh Razavi Planner I Planning and Development Extension 5256

HR/cb



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 *Phone*: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

 $\textbf{\textit{E-mail}}: \underline{\text{stephen.cranley@alectrautilities.com}}$ 

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

#### Providence, Lenore

**Subject:** FW: (A152/19) MVAR.19.V.0462 - 5623 Kirby Road

From: Skouros, Julia < Julia. Skouros@york.ca>

**Sent:** November-19-19 10:26 AM

To: Vigneault, Christine < Christine. Vigneault@vaughan.ca>

**Cc:** Committee of Adjustment < CofA@vaughan.ca> **Subject:** (A152/19) MVAR.19.V.0462 - 5623 Kirby Road

Hi Christine,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has **no comment.** 

Should you have any questions or concerns, please contact me using the information provided below.

Best,

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | <u>Julia.Skouros@york.ca</u> | <u>york.ca</u>

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

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

Consent Application B017/10 Minor Variance Application A059/11

## VAUGHAN

#### COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

## NOTICE OF DECISION

#### MINOR VARIANCES

**FILE NUMBER:** 

A059/11

**APPLICANT:** 

MARIA TERESA COSCARELLA

PROPERTY:

Part of Lot 30, Concession 8, (Part of Block 10, Registered Plan No. 65M-2666, Parts

1 & 3, Plan 65R-30503, municipally known as 5623 Kirby Road, Kleinburg)

**ZONING:** 

The subject lands are zoned RR, Rural Residential under By-law 1-88 subject to

Exception 9(768) as amended.

**PURPOSE:** 

The applicant is requesting a variance to facilitate the retained lands ( Consent

B017/10 – addition to an existing lot to the WEST) as follows:

**PROPOSAL:** 

1) Minimum Lot Frontage = 54.10m

BY-LAW REQUIREMENTS:

1) Minimum Lot Frontage = 56.390m

BACKGROUND:

The land which is subject to this application was also the subject of another application

under the Planning Act:

Consent File No. B017/10 - (To be heard in conjunction with the above minor

variance application).

A sketch is attached illustrating the request.

MOVED BY:

SECONDED BY:

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

THAT Application No. <u>A059/11 - MARIA TERESA COSCARELLA</u>, be <u>APPROVED</u>, in accordance with the sketch attached, and subject to the following conditions;

1. That the corresponding Consent File No. <u>B017/10 - MARIA TERESA COSCARELLA, be APPROVED;</u>

2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)

<u>VERY IMPORTANT</u>: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

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

CARRIED.

**CHAIR:** 

Signed by all members present who concur in this decision:

L. Fluxgold.

Chair

ABSENT

J. Cesario. Vice-Chair

A. Perrella.

ABSENT

Member

H. Zheng Member

Member

#### **CERTIFICATION**

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

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

Date of Hearing:

**FEBRUARY 24, 2011** 

Last Date of Appeal:

MARCH 16, 2011

#### **APPEALS**

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

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

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

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

#### **CONDITIONS**

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

**MARCH 16, 2012** 



#### **COMMITTEE OF ADJUSTMENT**

2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

### NOTICE OF DECISION

#### CONSENTS

**FILE NUMBER:** 

B017/10

**APPLICANT:** 

MARIA TERESA COSCARELLA

PROPERTY:

Part of Lot 30, Concession 8, (Part of Block 10, Registered Plan No. 65M-2666, Parts 1

& 3, Plan 65R-30503, municipally known as 5623 Kirby Road, Kleinburg)

**ZONING:** 

The subject lands are zoned RR, Rural Residential under By-law 1-88 subject to

Exception 9(768) as amended.

**PURPOSE:** 

The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the attached sketch as an ADDITION to an existing lot taken into the title of the lands to the WEST for driveway purposes, together with all required easements and right-of-ways, if required, and retain the lands

marked "B" on the attached sketches for driveway purposes.

There is an existing dwelling on the retained lands.

**BACKGROUND:** 

The land which is subject to these applications is/was also the subject of other

applications under the Planning Act:

Minor Variance File No. A059/11 Lot frontage for retained lands (To be heard in

conjunction with the above consent application).

A sketch is attached illustrating the request.

The above noted application was heard by the Committee of Adjustment on: FEBRUARY 24, 2011

Moved by:

Seconded by:

THAT Application No. <u>B017/10 - MARIA TERESA COSCARELLA, be APPROVED</u>, in accordance with the sketch attached and subject to the following conditions:

NOTE: All conditions below must be fulfilled and clearance letters must be received by the Secretary-Treasurer *before* any cheques can be accepted and Certificate of Official can be issued.

- 1. That the owner shall pay all taxes as levied, if required, to the satisfaction of the Reserves & Investments Department. Payment shall be made **by certified cheque**; (contact Terry Liuni in the Reserves & Investments Department to have this condition cleared).
- 2. That the Owner confirm that the existing structures comply with By-law 1-88. If the structures do not comply, the Owner shall submit a Minor Variance Application to address any deficiencies, if required, to the satisfaction of the Development Planning Department;
- 3. That the corresponding Minor Variance File No. <u>A059/11 MARIA TERESA COSCARELLA, be APPROVED;</u>
- 4. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands;
- 5. That the applicant provide to the Secretary Treasurer a letter of undertaking, stating that the lands in question are in favour of or taken into the title of the lands to the **WEST**;

6. Submission to the Secretary-Treasurer of **FOUR (4)** white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;

- Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter and three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes the "Schedule Page" will be an attachment to the Certificate. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
- A fee of \$190.00 made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary 8. Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to three (3) working days after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of \$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day;
- Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the 9. above noted consent conditions;

#### IMPORTANT:

Pursuant to Section 53(41) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfil and comply with all of the (above-noted) conditions of Consent. Failing to comply with this requirement will result in the application to be deemed to be refused.

#### ALL CONDITIONS MUST BE FULFILLED.

Please contact each Agency and/or Department listed above whether "if required" appears in the condition or not.

#### PLEASE NOTE:

- That the payment of the Regional Development Charge is payable to the City of Vaughan before issuance of a 1. building permit in accordance with the Development Charges Act and the Regional Development Charges Bylaw in effect at the time of payment.
- That the payment of the City Development Charge is payable to the City of Vaughan before issuance of a 2. 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 is payable to the City of Vaughan before issuance of a 3. 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 is payable to the City of Vaughan before issuance of a 4. 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, if required, to the satisfaction of the Reserves/Capital Department;

CARRIED.

CHAIR:

Signed by all members present who concur in this decision:

ABSENT

L. Fluxgold, Chair

ABSENT

J. Cesario. Vice-Chair M. Mauti, Member

#### **CERTIFICATION**

Perrella, Member

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

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

Date of Hearing:

**FEBRUARY 24, 2011** 

**Date of Notice:** 

MARCH 4, 2011

Last Date of Appeal:

MARCH 24, 2011

#### **APPEALS**

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

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

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

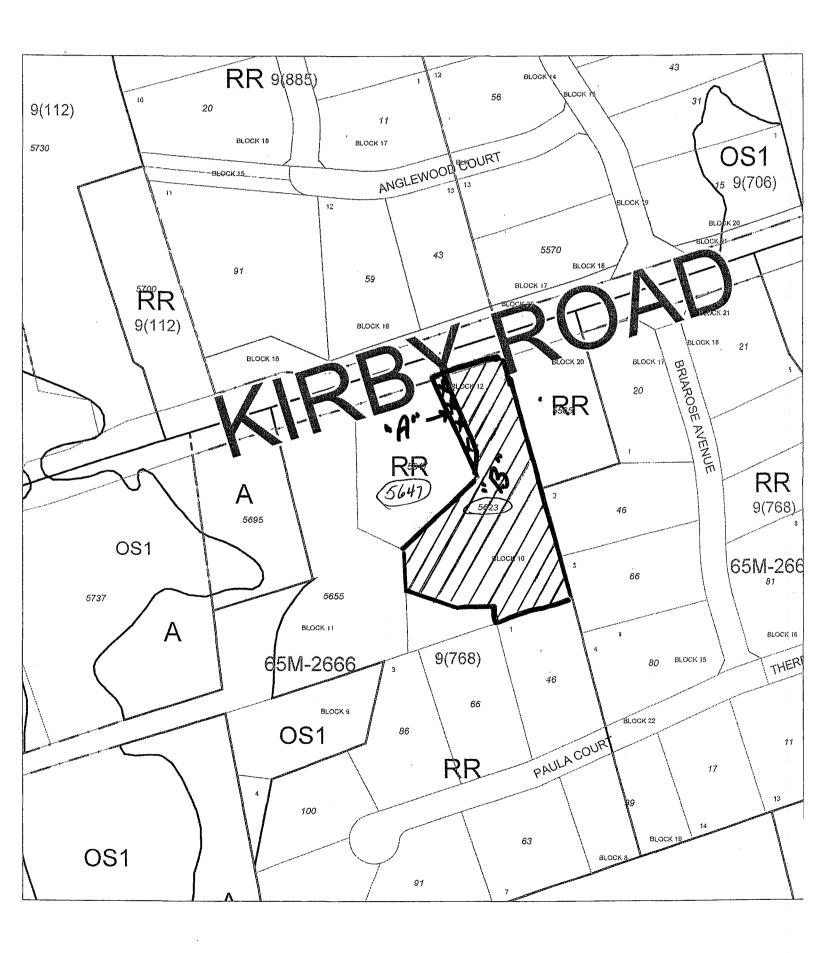
Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

#### **NOTES**

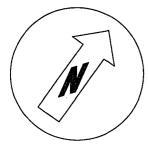
- 1. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.
- 2. A Certificate pursuant to Subsection 53(21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.



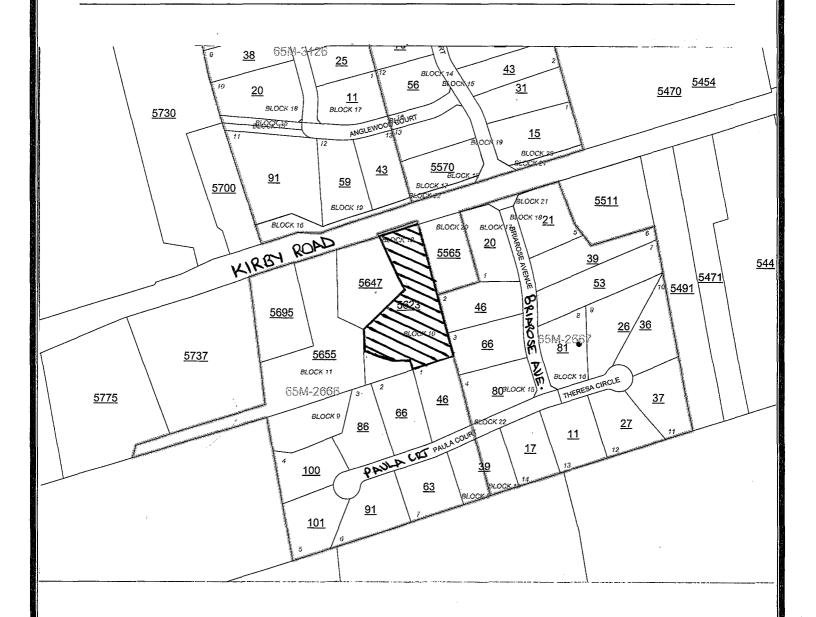
## B017/10



# COMMITTEE OF ADJUSTMENT



File Nos: B017/10, A059/11
Applicant: MARIA TERESA
COSCARELLA
Subject Area:
5623 Kirby Road, Kleinburg



## VAUGHAN

#### COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

## **NOTICE OF DECISION**

MINOR VARIANCES

**FILE NUMBER:** 

A059/11

**APPLICANT:** 

**MARIA TERESA COSCARELLA** 

PROPERTY:

Part of Lot 30, Concession 8, (Part of Block 10, Registered Plan No. 65M-2666, Parts

1 & 3, Plan 65R-30503, municipally known as 5623 Kirby Road, Kleinburg)

**ZONING:** 

The subject lands are zoned RR, Rural Residential under By-law 1-88 subject to

Exception 9(768) as amended.

**PURPOSE:** 

The applicant is requesting a variance to facilitate the retained lands ( Consent

B017/10 – addition to an existing lot to the WEST) as follows:

PROPOSAL:

1) Minimum Lot Frontage = 54.10m

BY-LAW REQUIREMENTS:

1) Minimum Lot Frontage = 56.390m

BACKGROUND:

The land which is subject to this application was also the subject of another application

under the Planning Act:

Consent File No. B017/10 - (To be heard in conjunction with the above minor

variance application).

A sketch is attached illustrating the request.

MOVED BY:

SECONDED BY:

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

THAT Application No. <u>A059/11 - MARIA TERESA COSCARELLA</u>, be <u>APPROVED</u>, in accordance with the sketch attached, and subject to the following conditions;

1. That the corresponding Consent File No. <u>B017/10 - MARIA TERESA COSCARELLA, be APPROVED;</u>

2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)

<u>VERY IMPORTANT</u>: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

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CARRIED.

CHAIR:

Signed by all members present who concur in this decision:

L. Fłuxgold,

ABSENT

Chair

J. Cesario, Vice-Chair

ABSENT seario,

M. Mauti, Member

A. Perrella, Member H. Zheng, Member

#### **CERTIFICATION**

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

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

Date of Hearing:

**FEBRUARY 24, 2011** 

Last Date of Appeal:

**MARCH 16, 2011** 

#### <u>APPEALS</u>

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#### **CONDITIONS**

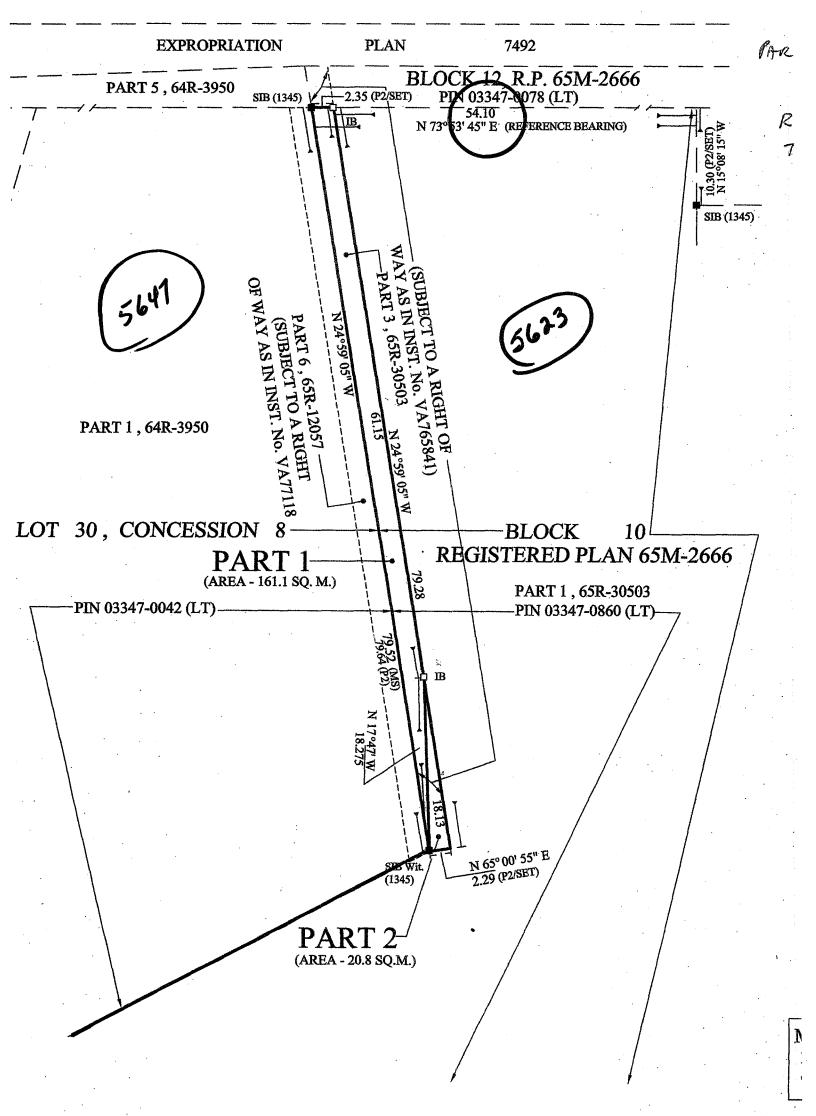
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:

**MARCH 16, 2012** 

A059/11

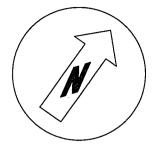
KIRBY ROAD
ORIGINAL ROAD ALLOWANCE BETWEEN LOTS 30 AND 31, CONCESSION 8

PARTI



Page 71

# COMMITTEE OF ADJUSTMENT

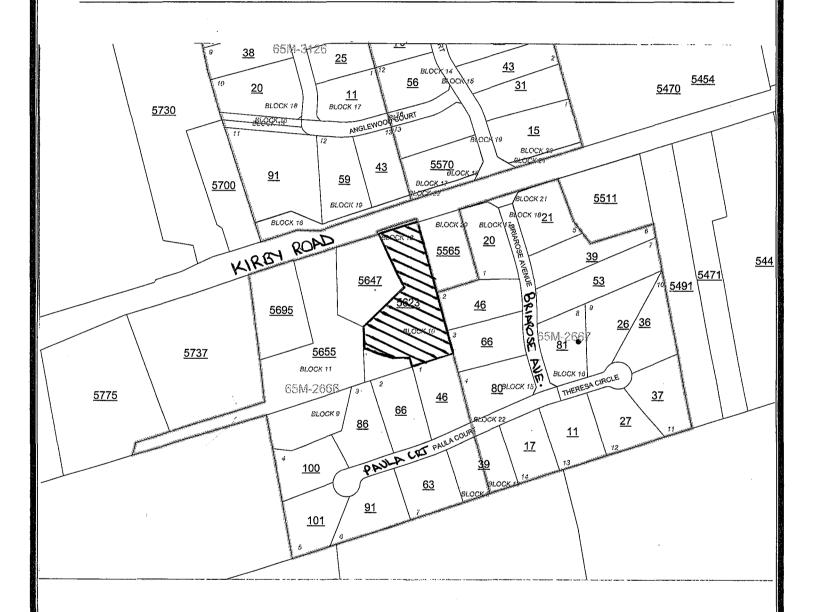


File Nos: B017/10, A059/11
Applicant: MARIA TERESA

COSCARELLA

Subject Area:

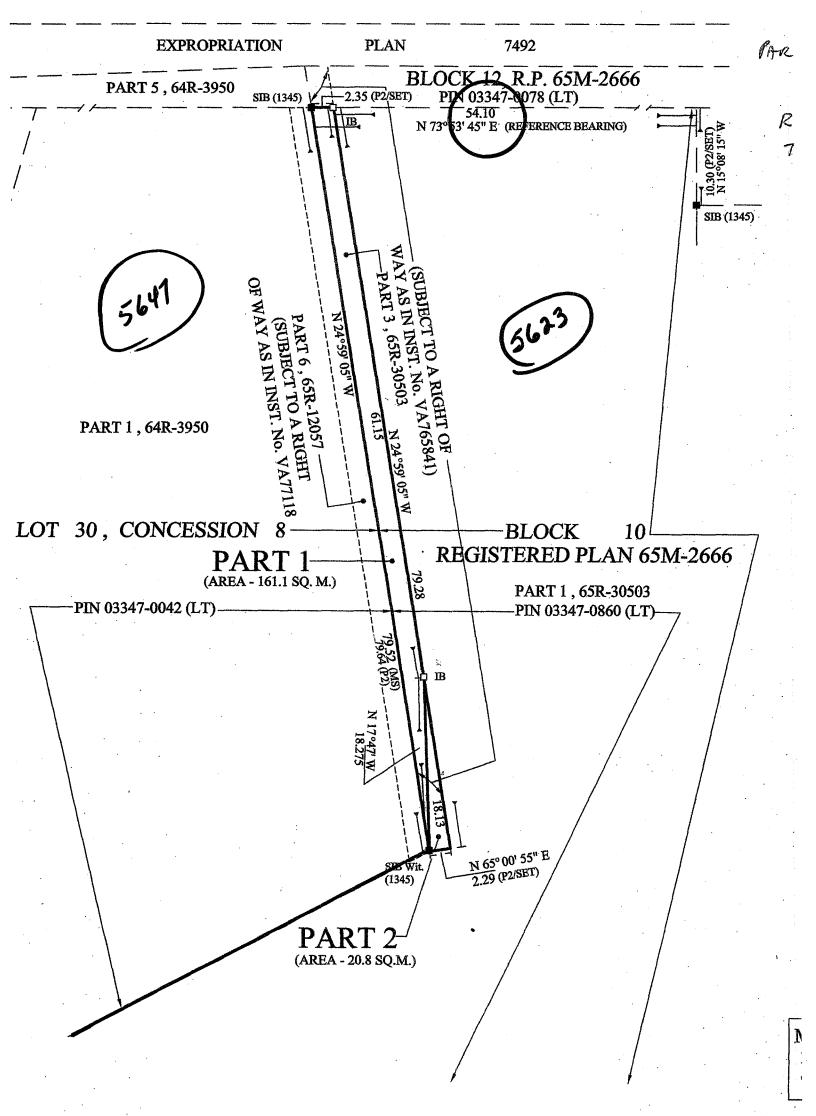
5623 Kirby Road, Kleinburg



A059/11

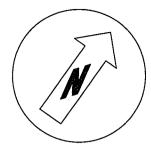
KIRBY ROAD
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PARTI



Page 73

# COMMITTEE OF ADJUSTMENT

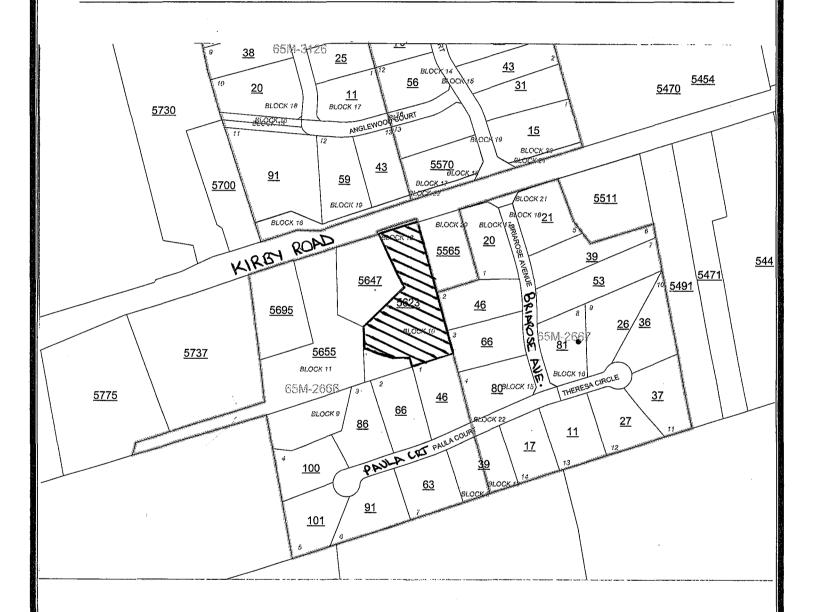


File Nos: **B017/10**, **A059/11** 

Applicant: MARIA TERESA COSCARELLA

Subject Area:

5623 Kirby Road, Kleinburg





# VAUGHAN Staff Report Summary

# Item 7

Ward 1

File: A115/19

Applicant: Courtney Lynn Petrachek

98 Endless Crcl Kleinburg Address:

Paul Guest Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\square$	
Building Standards	$\square$	
Building Inspection		
Development Planning	$\square$	
Cultural Heritage (Urban Design)	$\square$	
Development Engineering	$\overline{\checkmark}$	$\overline{\checkmark}$
Parks Department		
By-law & Compliance	$\overline{\checkmark}$	
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	$\square$	
Alectra (Formerly PowerStream)	$\square$	
Public Correspondence (see Schedule B)		

Aujournment history, N/A	
Background History: N/A	

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday, December 12, 2019



Minor Variance Application

Agenda Item: 7

**A115/19** Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Courtney Lynn Petrachek

Agent: Paul Guest

Property: 98 Endless Circle, Kleinburg

**Zoning:** The subject lands are zoned R1, Residential Detached Zone One, and subject to the

provisions of Exception 9(1378) under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010: "Low-Rise Residential", subject to Site Specific Policy

13.21: North Humber Extension Area 1.

Related Files: None

**Purpose:** Relief from the by-law is being requested to permit the construction of a proposed

swimming pool, cabana, upper and lower deck and sports court to be located in the

rear yard.

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

By-law Requirement	Proposal
A minimum of 60% soft landscaping area in excess of	To permit minimum of 42 % soft landscaping area in the
135m2 is required.	rear yard in excess of 135 m2.

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

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

#### **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 25, 2019

Property I	nformation
Existing Structures	Year Constructed
Dwelling	2017

Applicant has advised that they cannot comply with By-law for the following reason(s): The design of the backyard will include pool, decking, cabana & sports court.

Adjournment Request: N/A

#### **Building Standards (Zoning Review):**

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

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 note Section 4.1.1(b) that states the maximum height of an accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three (3) metres above finished grade.

#### **Building Inspections (Septic):**

No comments or concerns

#### **Development Planning:**

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

The Owner is requesting permission to construct a pool, cabana, patio and sports court on the subject lands with the above-noted variance. Development Planning staff conducted a site visit on the property on August 9, 2019.

At the request of the Development Planning Department, the Owner has increased the amount of soft landscaping in the rear yard. The revised reduction in the rear yard soft landscaping is considered minor in nature as the proposal provides a more appropriate balance between soft and hard landscaping in the rear yard.

Toronto and Region Conservation Authority staff have confirmed that the subject property is located outside of the regulated area.

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

The Development Planning Department recommends approval of the application.

#### **Development Engineering:**

The Development Engineering Department does not object to variance application A115/19 subject to the following condition(s):

#### **Parks Development:**

No comment no concerns

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

No comment no concerns

# Financial Planning and Development Finance:

No comment no concerns

#### **Fire Department:**

No Response.

Schedule A – Plans & Sketches

#### Schedule B - Public Correspondence

None

#### Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

# Schedule D - Previous Approvals (Notice of Decision)

None

#### **Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Development Engineering	1. The owner/applicant shall submit the final lot grading plan to
	Jason Pham	the Development Inspection and Lot Grading division of the
	905-832-8585 x 8716 <u>Jason.pham@vaughan.ca</u>	City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading 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 and approval (letter or email) of minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.

#### **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.

#### 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.

#### **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;

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

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

T 905 832 8585 Extension 8002 E CofA@vaughan.ca

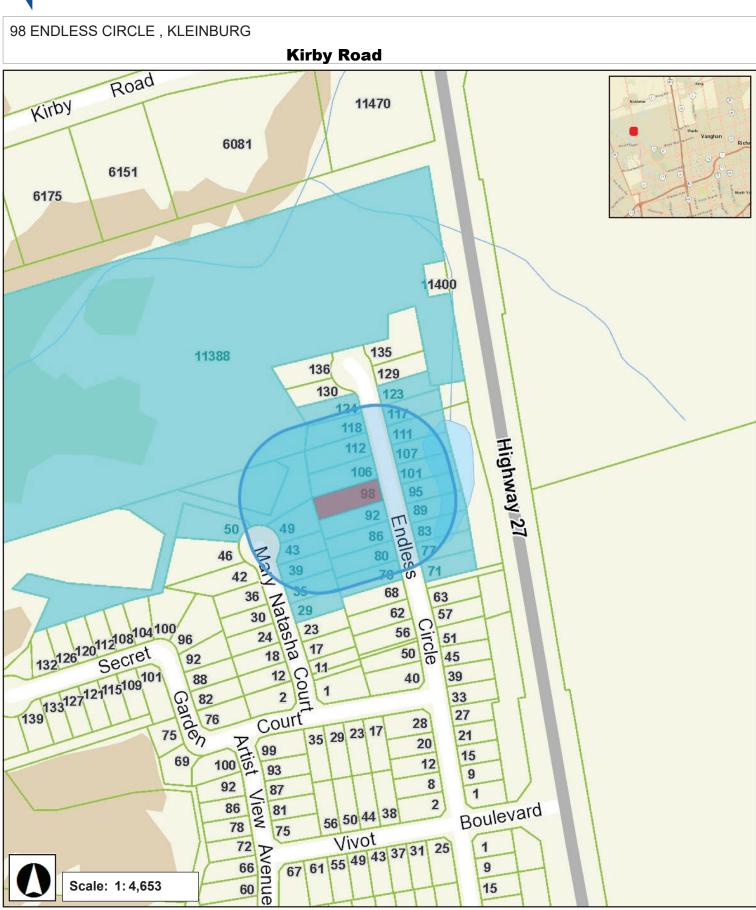
# Schedule A: Plans & Sketches

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 

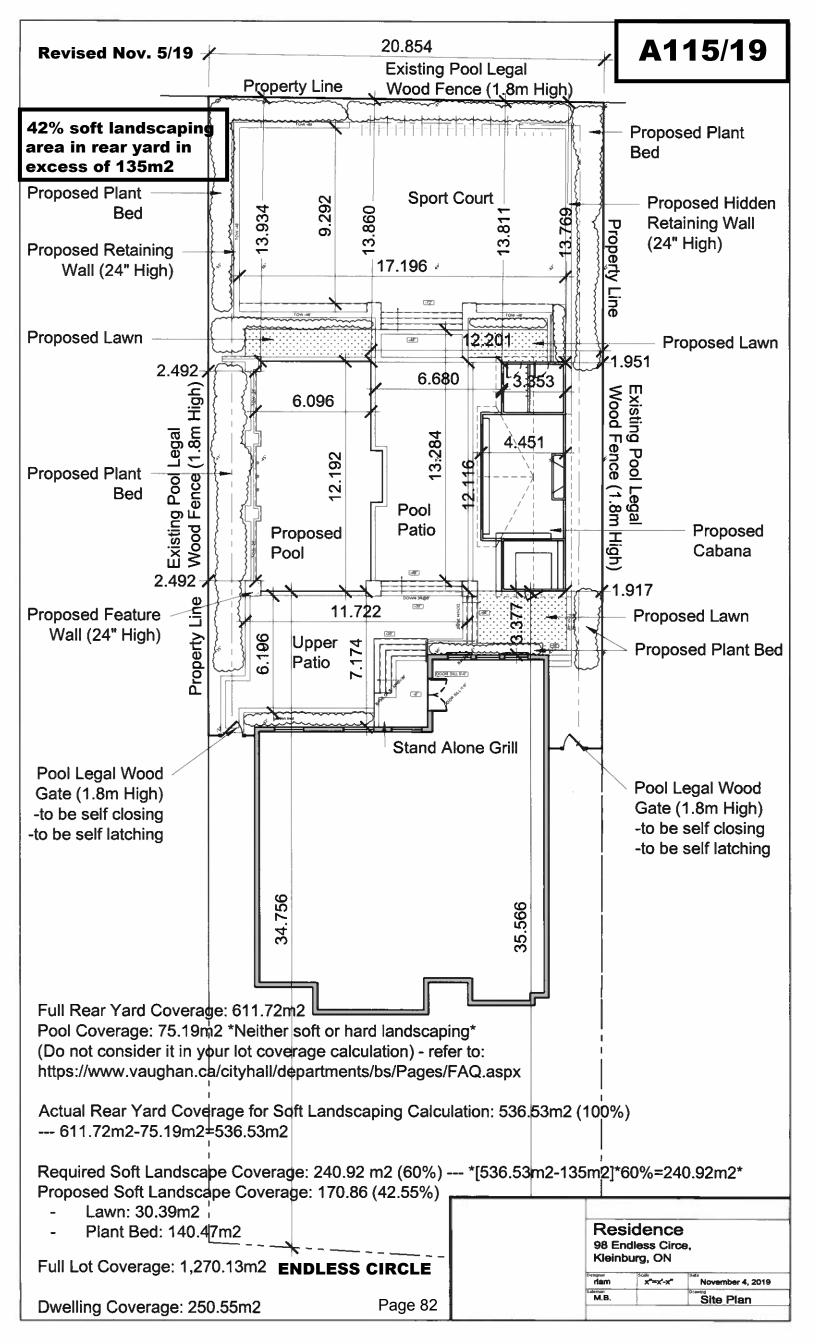


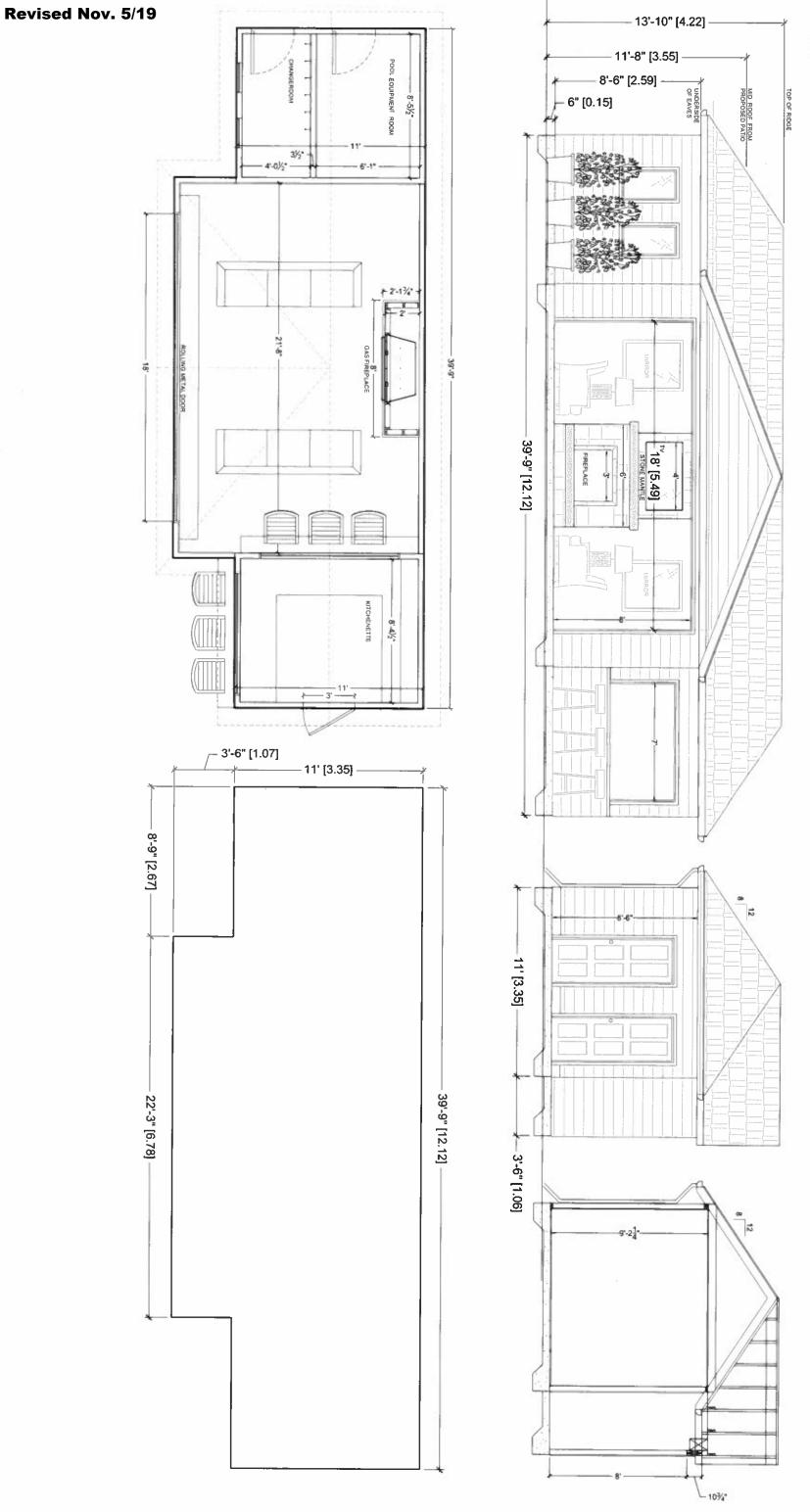
# **LOCATION MAP - A115/19**



**Nashville Road** 

November 20, 2019 11:02 AM





Page 83

# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections





#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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, 03-9), 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 *Phone*: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

*E-mail*: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

## Attwala, Pravina

**Subject:** FW: MVAR.19.V.0458 (A115/19) - 98 Endless Circle

From: Candy, Grace < Grace. Candy@york.ca>

**Sent:** November-18-19 8:43 AM

**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca> **Subject:** MVAR.19.V.0458 (A115/19) - 98 Endless Circle

Hi Pravina,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Should you have any questions or concerns, please contact Gabrielle Hurst, Associate Planner at ext. 71538 or by email at <a href="mailto:gabrielle.hurst@york.ca">gabrielle.hurst@york.ca</a>.

Best,

**Grace Candy** | Assistant Planner – Co-op Student, Community Planning, Corporate Services

\_\_\_\_\_

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 73012 | <a href="mailto:grace.candy@york.ca">grace.candy@york.ca</a> | <a href="mailto:york.ca">york.ca</a> | <a h

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



VAUGHAN Staff Report Summary

Item #8

Ward # 5

File: A116/19

Lousia Benoliel-Benitah **Applicant:** 

2 Forest Lane Drive, Thornhill Address:

Paul Guest Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment		
Building Standards	$\square$	
Building Inspection	$\square$	
Development Planning	$\square$	
Cultural Heritage (Urban Design)	$\square$	
Development Engineering	$\square$	$\overline{\checkmark}$
Parks Department		
By-law & Compliance		
Financial Planning & Development	$\square$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	$\square$	
Alectra (Formerly PowerStream)	$\square$	
Public Correspondence (see Schedule B)		
Adjournment History: None		
Background History: None		

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, December 12, 2019



# Minor Variance Application

Agenda Item: 8

**A116/19** Ward: 5

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Lousia Benoliel-Benitah

Agent: Paul Guest

Property: 2 Forest Lane Drive, Thornhill

**Zoning:** The subject lands are zoned R3 Residential Zone Three, and subject to the

provisions of Exception No. 9(641) under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010: Low-rise Residential

Related Files: None

**Purpose:** Relief from the By-Law is being requested to permit the construction of a proposed

inground pool and shed to be located in the exterior side yard.

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

By-law Requirement	Proposal
A minimum of 50% front yard landscaping is required, 60% of which shall be comprised of soft landscaping.	To permit a minimum of 45.79% front yard landscaping.
2. The accessory building shall be located in the rear yard only.	2. To permit the accessory structure (shed) not to be located in the rear yard only.
3. A minimum exterior side yard setback of 4.5 metres is required to the accessory structure (shed).	To permit a minimum exterior side yard setback of 1.63 metres to the accessory structure (shed).
4. A private swimming pool shall be located entirely in the rear yard.	4. To permit a private swimming pool not to be located entirely in the rear yard.
5. A minimum rear yard setback of 1.5 metres is required to the swimming pool.	5. To permit a minimum rear yard setback of 1.22 metres to the swimming pool.
6. A minimum exterior side yard setback of 4.5 metres is required to the swimming pool.	6. To permit a minimum exterior side yard setback of 3.09 metres to the swimming pool.

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

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

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

#### Adjournment History: None

## **Staff & Agency Comments**

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

#### **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 25, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	Approx. 2008
Shed	TBC

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

It is a corner lot and there is not enough room behind the house for a pool and a cabana.

Adjournment Request: N/A

#### **Building Standards (Zoning Review):**

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

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

## **Building Inspections (Septic):**

No comments or concerns.

#### **Development Planning:**

Vaughan Official Plan 2010: Low-rise Residential.

The Owner is proposing the construction of a swimming pool and shed in the side yard of the Subject Lands that are situated on a corner lot.

Variance #1 and #2 requests minimum front yard landscaping of 45.79% and minimum exterior side yard soft landscaping of 49.83%. The proposed variances are existing conditions. The requested variances are minor in nature and appropriate for the Subject Lands.

Variance #3 proposes the accessory structure not be located entirely in the rear yard. The variance is minor in nature and appropriate for the neighborhood provided the Subject Lands are situated on a corner lot.

Variance #4 proposes an exterior side yard setback of 1.375 metres where 4.5 metres is required. The Development Planning Department has supported further reductions in the side yard setback to accessory structure and finds it minor in nature. The Development Engineering Department has identified no concerns with the proposed variance.

Variance #5 proposes a private swimming pool not be located entirely in the rear yard. The variance is minor in nature and appropriate for the neighborhood provided the Subject Lands are situated on a corner lot.

Variance #6 proposes a reduction in the rear yard setback from 1.5 metres to 1.222 metres. This variance is considered minor in nature and have been historically supported through the neighborhood. Variance #6 is appropriate for the neighborhood. The Development Engineering Department has identified no concerns with the proposed variance.

Variance #7 proposes an exterior side yard of 3.096 metres were 4.5 metres is required. The proposed setback setback of 3.096 metres minor in nature and appropriate is for the neighborhood. The Development Planning Department has historically been supportive of this type of reduction in the side yard setback to the swimming pool. The Development Engineering Department has identified no concerns with the proposed variance.

The Owner submitted an Arborist Report prepared by Centre Tree Care Ltd on July 24, 2019, and amended August 30, 2019. The Urban Design and Cultural Heritage Division of the Development Planning Department and Parks, Forestry and Horticulture Operations has reviewed the submitted Arborist Report and is satisfied.

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

The Development Planning Department recommends approval of the minor variances.

## **Development Engineering:**

Additional Comments:

The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

The Development Engineering (DE) Department does not object to variance application A116/19 subject to the following conditions:

#### **Parks Development:**

No Response.

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

No Response.

#### **Financial Planning and Development Finance:**

No comment, no concerns.

#### **Fire Department:**

No Response.

Schedule A - Plans & Sketches

#### Schedule B - Public Correspondence

None

#### **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

#### **Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Development Engineering	The Owner/applicant shall submit the final Lot Grading and/or
	Jason Pham	Servicing Plan to the Development Inspection and Lot Grading
		division of the City's Development Engineering Department for
	905-832-8585 x 8716	final lot grading and/or servicing approval prior to any work being
	Jason.pham@vaughan.ca	undertaken on the property. Please visit or contact Development
		Engineering's front desk on the 2nd floor of City Hall to apply for
		lot grading and/or servicing approval.

#### **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.

#### **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.

# 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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

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

T 905 832 8585 Extension 8360 E CofA@vaughan.ca

# Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 

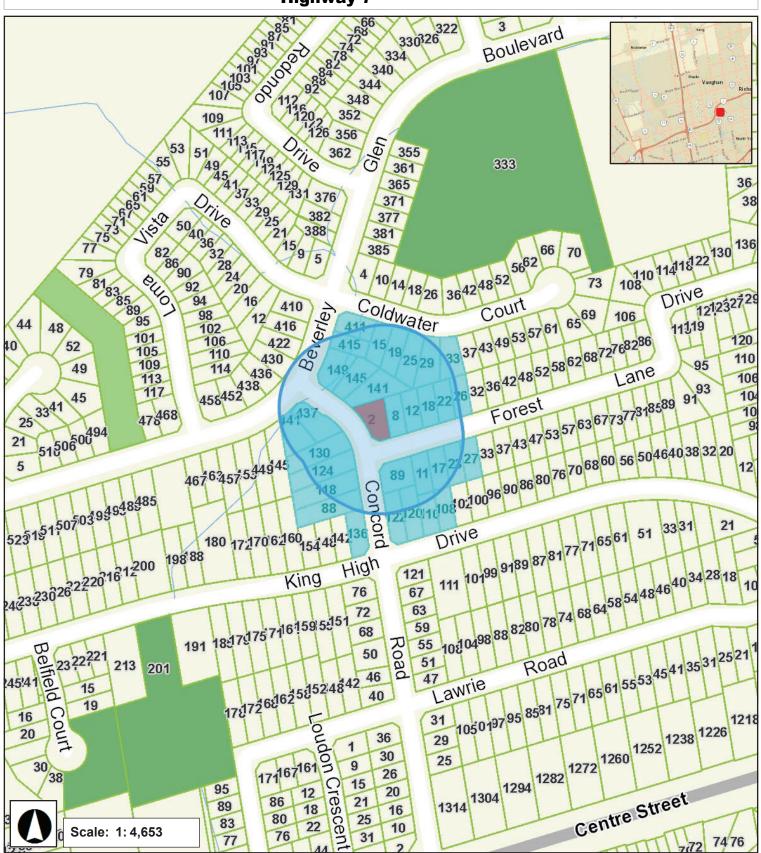


**Dufferin Street** 

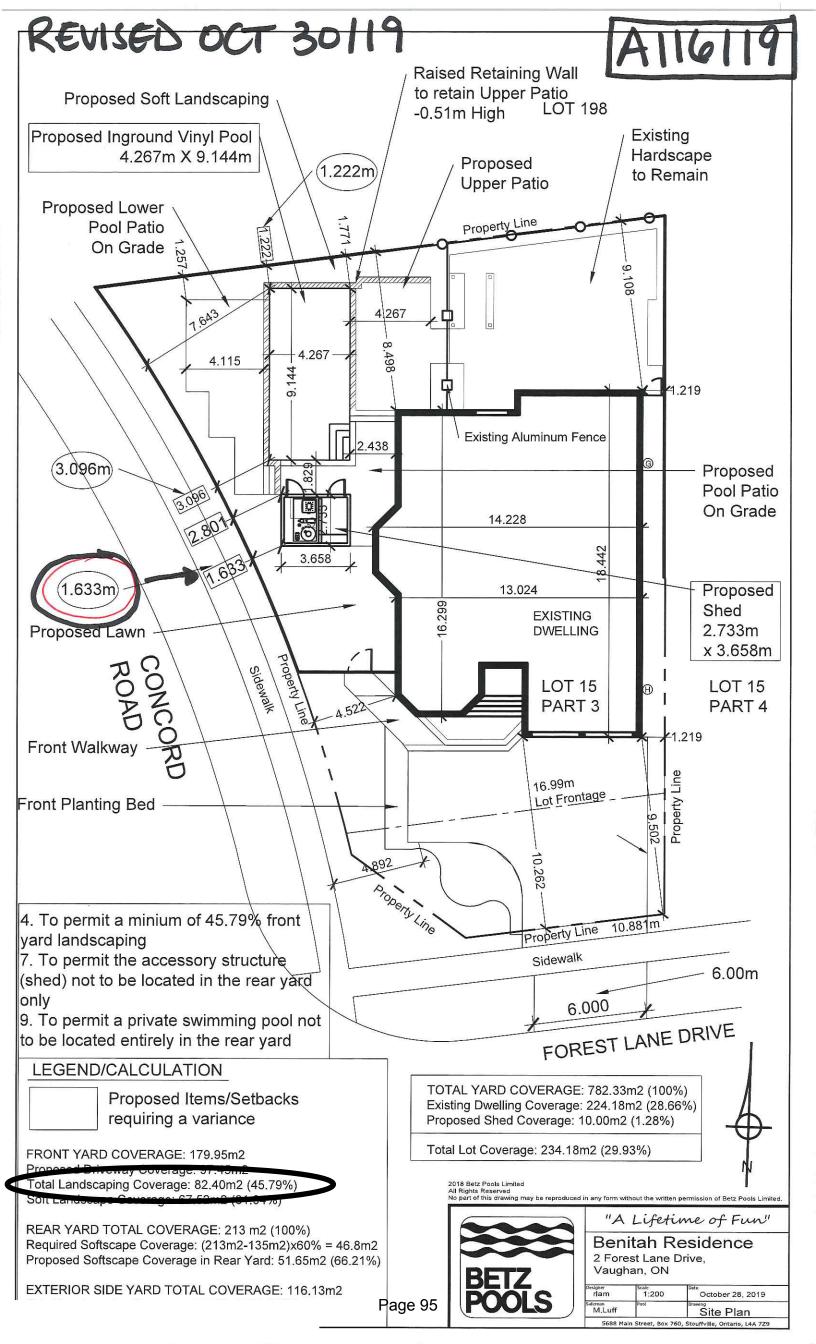
# LOCATION MAP = A116/19

2 FOREST LANE DRIVE, THORNHILL

## Highway 7



August 29, 2019 3:17 PM



# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 *Phone*: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

# Vigneault, Christine

From: Skouros, Julia < Julia. Skouros@york.ca>
Sent: Monday, November 18, 2019 11:05 AM

**To:** Vigneault, Christine

**Subject:** (A116/19) MVAR.19.V.0340 - 2 Forest Lane Drive

Hi Christine,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Should you have any questions or concerns, please contact me using the information provided below.

**Best** 

Julia Elena

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | Julia.Skouros@york.ca | <u>york.ca</u>

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## Attwala, Pravina

**Subject:** FW: A116/19 - REQUEST FOR COMMENTS

From: Scholz, Kevin (MTO) < Kevin. Scholz@ontario.ca>

Sent: September-03-19 2:49 PM

**To:** Attwala, Pravina < Pravina. Attwala@vaughan.ca> **Subject:** RE: A116/19 - REQUEST FOR COMMENTS

#### Hi Pravina,

The MTO has no comments or concerns regarding the subject Minor Variance Application at this time.

# Regards,

#### KEVIN SCHOLZ

Corridor Management Officer | Ministry of Transportation | Central Region | Corridor Management P: (416) 235-5383 | F: (416) 235-4267 | Kevin.Scholz@Ontario.ca
159 Sir William Hearst Ave. - Building D M3M 0B7

# Item 9

Ward 4

File:	4128/19
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Applicant: Abraham Simach

28 Asner Ave Maple Address:

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Ag	CI	IL	•

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment		
Building Standards		
Building Inspection		
Development Planning		
Cultural Heritage (Urban Design)		
Development Engineering		
Parks Department		
By-law & Compliance		
Financial Planning & Development		
Fire Department		
TRCA		
Ministry of Transportation		
Region of York		
Alectra (Formerly PowerStream)		
Public Correspondence (see Schedule B)		

# **REQUEST TO ADJOURN TO FEBRUARY 6, 2020**

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday December 12, 2019

Item # 10

Ward #1

File: A136/19

**Applicant:** Gramoz Mulla

42 Elena Cr Maple ON L6A 2J4 Address:

Agent: None.

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	V	
Building Standards		
Building Inspection	V	
Development Planning	$\overline{\checkmark}$	
Cultural Heritage (Urban Design)	$\overline{\mathbf{V}}$	
Development Engineering	$\overline{\checkmark}$	
Parks & Forestry Department	$\overline{\checkmark}$	
By-law & Compliance		
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department	$\overline{\checkmark}$	
TRCA		
CN Rail	V	
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\mathbf{V}}$	
Public Correspondence (see Schedule B)		

Adjournment History: None	
Background History: None	

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019



Minor Variance Application

Agenda Item: 10

**A136/19** Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Gramoz Mulla

Agent: None.

Property: 42 Elena Crescent, Maple ON

**Zoning:** The subject lands are zoned R4, Residential and subject to the provisions of

Exception 9(893) under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010: "Low-Rise Residential"

Related Files: None

**Purpose:** Relief from the by-law is being requested to permit the existing deck located in the

rear yard and to permit the construction of a proposed cover (roof) over a portion of

the existing deck.

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

By-law Requirement	Proposal
A minimum rear yard setback of 9.0 metres is required.	To permit a minimum rear yard setback of 7.26 metres to a covered portion of a deck.
A minimum rear yard setback of 7.2 metres is required.	To permit a minimum rear yard setback of 6.0 metres to an uncovered portion of a deck.
A minimum interior side yard setback of 1.2 metres is required.	<u>'</u>

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

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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

#### Committee of Adjustment:

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 25, 2019

Property Information		
Existing Structures	Year Constructed	
Dwelling	1997	

Applicant has advised that they cannot comply with By-law for the following reason(s): It is not possible to comply with the provisions of the by-law because of the lack of adequate space available for the table during the summer to enjoy it.

Adjournment Request: N/A

#### **Building Standards (Zoning Review):**

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

Building Permit Application No. 19-001467 for covered deck (Not Yet Issued)

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

#### **Building Inspections (Septic):**

No comments or concerns

#### **Development Planning:**

Vaughan Official Plan 2010: Low-Rise Residential.

The Owner is requesting permission to construct a covered rear yard porch with the above variances.

The proposed rear yard setback of 7.26 metres to the covered portion of a deck where 9.0 metres is required (Variance #1) and proposed rear yard setback of 6.0 metres to an uncovered portion of a deck where 7.2 metres is required (Variance #2) is consistent with other approvals in the area and an appropriate building type for the neighbourhoods' built form. The proposed covered porch and deck meet both side yard setback and height requirements minimum the impacts to neighbours.

The Owner submitted an Arborist Letter prepared by Ash Urban Forestry dated September 25, 2019, and amended October 18, 2019. The Urban Design and Cultural Heritage Division of the Development Planning Department and Parks, Forestry and Horticulture Operations has reviewed the submitted Arborist Report and is satisfied.

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

The Development Planning Department recommends approval for the minor variance application.

## Cultural Heritage (Urban Design):

No Response.

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A136/19.

#### **Parks Development:**

There is no significant woody vegetation that would warrant the need for a Tree Removal & Protection Permit pursuant to Municipal By-law 052-2018 within the development site; Forestry has no further comments.

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

No Response.

## **Financial Planning and Development Finance:**

No comment no concerns

#### **Fire Department:**

No comments or concerns

Schedule A - Plans & Sketches

#### Schedule B - Public Correspondence

None.

#### **Schedule C - Agency Comments**

CN Rail – No concerns or objections Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

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

None.

#### **Staff Recommendations:**

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

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

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

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.

#### **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.

## **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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

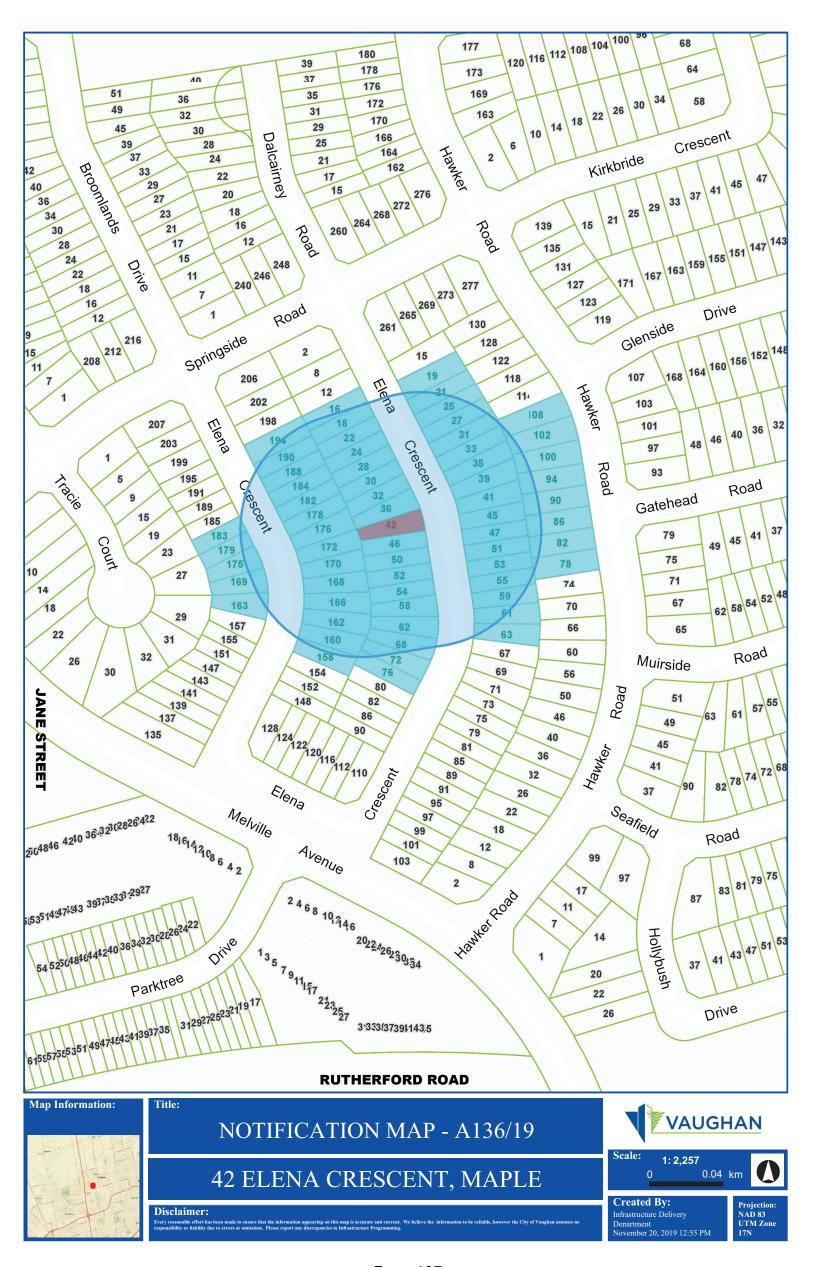
For further information please contact the City of Vaughan, Committee of Adjustment

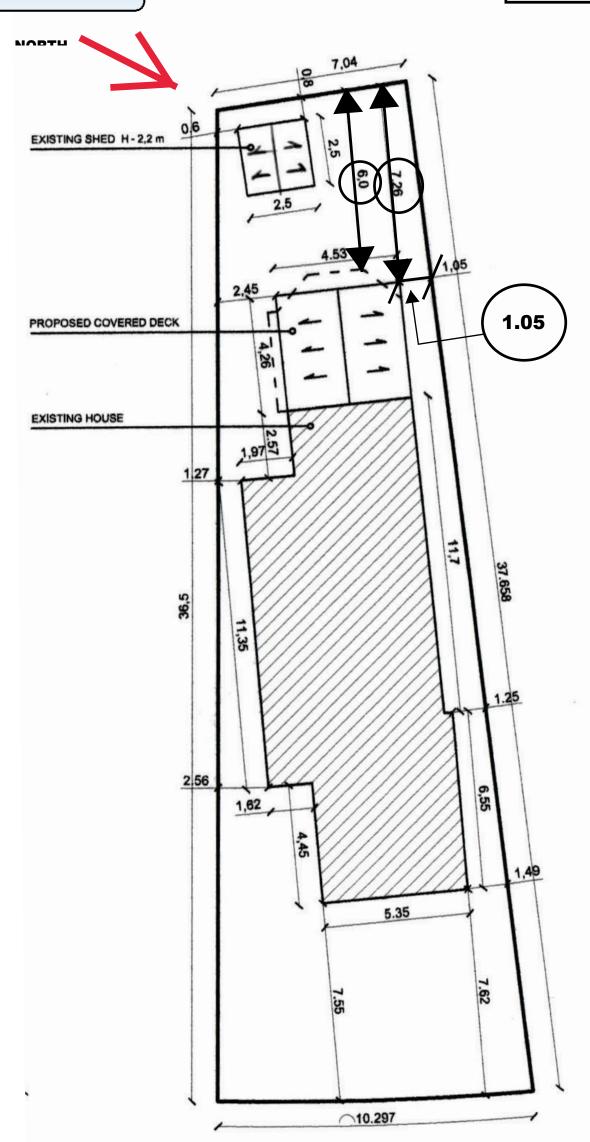
T 905 832 8585 Extension 8394 E <u>CofA@vaughan.ca</u>

# Schedule A: Plans & Sketches

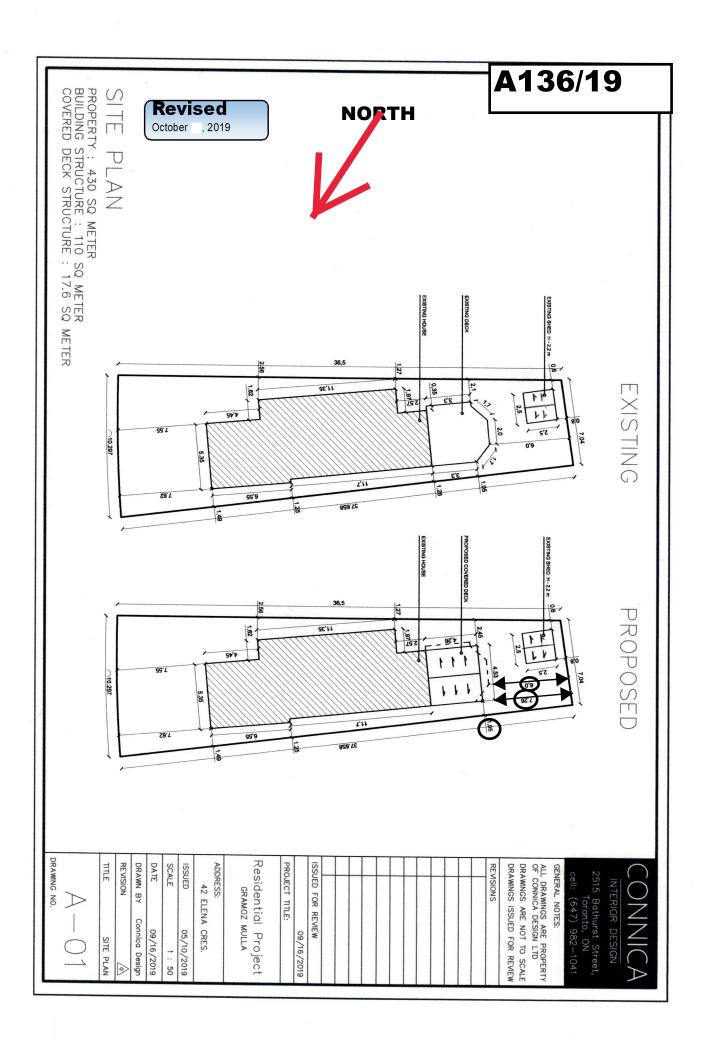
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

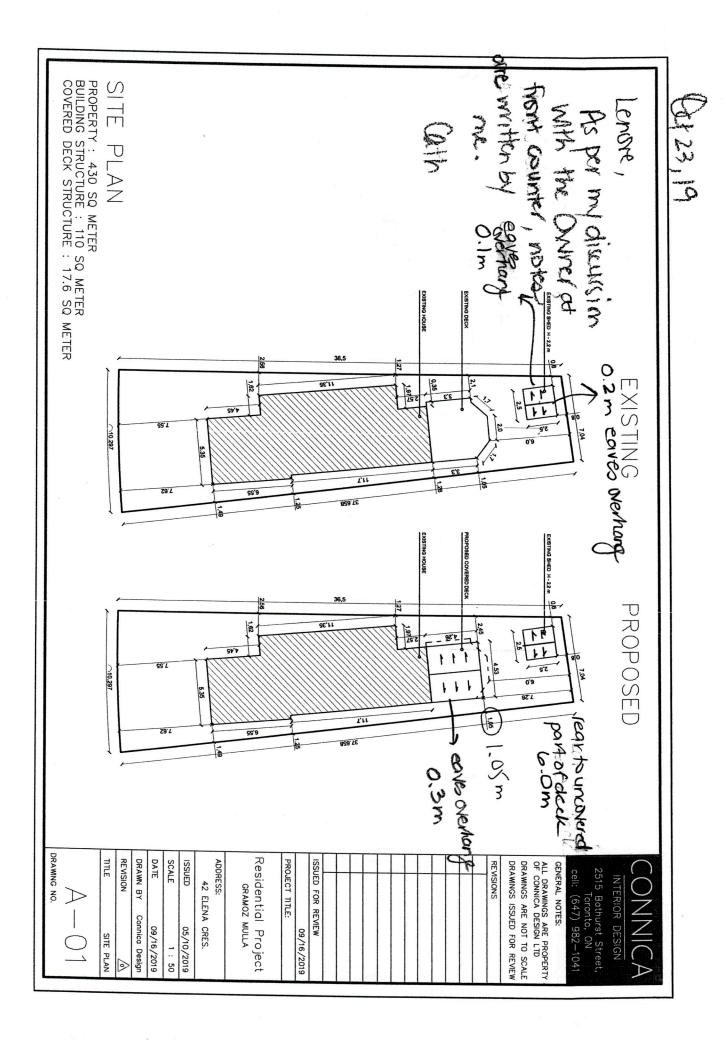
**Location Map Sketches** 

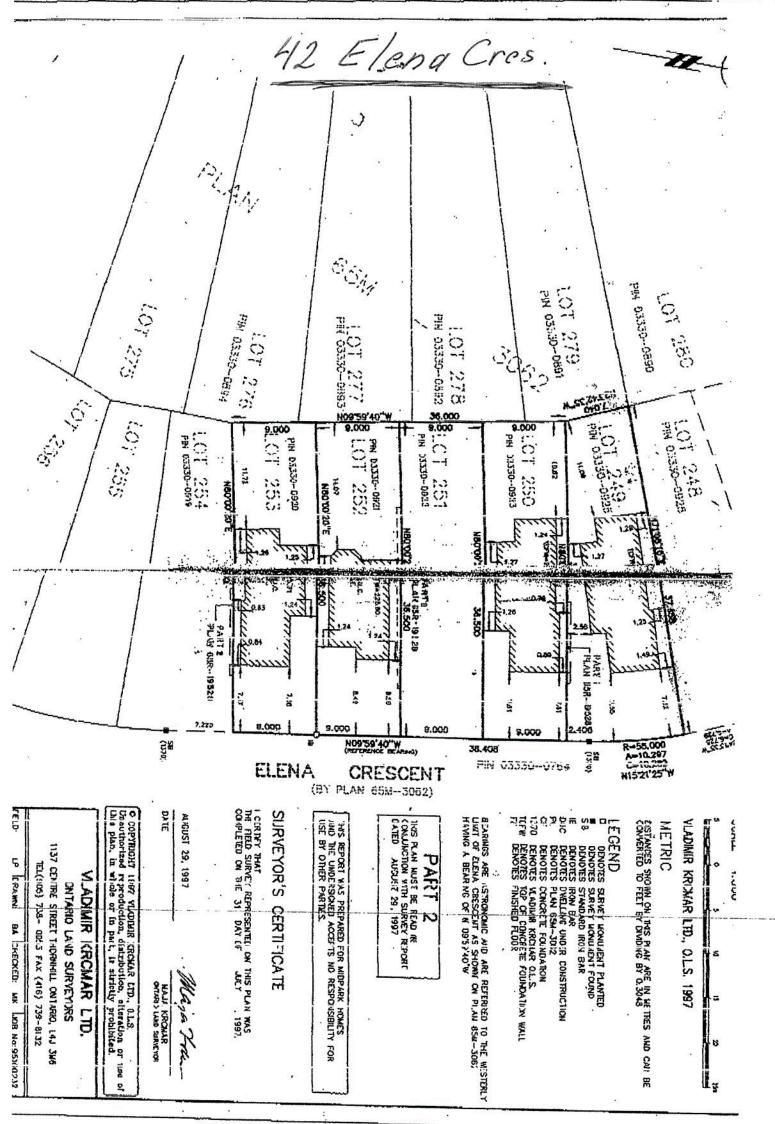




**ELENA CRESCENT** 







# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

CN Rail – No concerns or objections Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

# Providence, Lenore

**Subject:** FW: A136/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

**Attachments:** ATT00001.txt

From: Proximity proximity@cn.ca>

**Sent:** November-29-19 7:03 PM

To: Providence, Lenore < Lenore. Providence@vaughan.ca>

Subject: RE: A136/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Good afternoon Lenore

# No comments from CN on this application.

Regards

Susanne





#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

 $\textit{\textbf{E-mail}}: \underline{\text{stephen.cranley@alectrautilities.com}}$ 

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

# Providence, Lenore

**Subject:** FW: MVAR.19.V.0480 (A136/19) - 42 Elena Crescent

From: Candy, Grace < Grace. Candy@york.ca>

**Sent:** November-26-19 9:45 AM

**To:** Providence, Lenore < Lenore. Providence@vaughan.ca > **Subject:** MVAR.19.V.0480 (A136/19) - 42 Elena Crescent

Hi Lenore,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has **no comment.** 

Should you have any questions or concerns, please contact Gabrielle Hurst, Associate Planner at ext. 71538 or by email at <a href="mailto:gabrielle.hurst@york.ca">gabrielle.hurst@york.ca</a>.

Best,

Grace Candy | Assistant Planner – Co-op Student, Community Planning, Corporate Services

\_\_\_\_\_\_

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 73012 | grace.candy@york.ca | york.ca

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

# Item # 11

Ward #5

File:	A141/19

Devorah & Yehuda Eizicovics Applicant:

525 Spring Gate Boulevard, Thornhill Address:

Richard Idels Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	V	<b>▼</b>
Building Standards		
Building Inspection		
Development Planning		
Cultural Heritage (Urban Design)	$\overline{\mathbf{V}}$	
Development Engineering	$\overline{\mathbf{V}}$	
Parks Department		
By-law & Compliance		
Financial Planning & Development		
Fire Department		
Forestry Department	$\overline{\mathbf{V}}$	
TRCA		
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\mathbf{V}}$	
Public Correspondence (see Schedule B)		

Adjournment History: None.	
Background History: None.	

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019



Minor Variance Application

Agenda Item: 11

**A141/19** Ward: 5

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Devorah and Yehuda Eizicovics

Agent: Richard Idels

Property: 525 Spring Gate Boulevard, Thornhill ON

**Zoning:** The subject lands are zoned R3 9(471) and subject to the provisions of Exception

under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2020: Low-Rise Residential

Related Files: None.

**Purpose:** Relief from the by-law is being requested to permit the construction of a proposed

second storey addition over the existing garage and a proposed two-storey addition

to the front of the existing dwelling.

Relief is also being requested to permit the existing dwelling, deck and driveway.

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 setback from a Sight Triangle of 4.5	1. To permit a minimum setback from a Sight Triangle
metres is required.	of 3.7 metres.
2. A minimum Exterior Side Yard setback of 4.5	2. To permit a minimum Exterior Side Yard setback of
metres is required.	3.7 metres.
3. A minimum Rear Yard setback of 5.7 metres is	3. To permit a Rear Yard setback of 0.9 metres to a
required.	deck.
4. A minimum Interior Side Yard setback of 1.2 metres	4. To permit an Interior Side Yard setback of 0.85
is required.	metres to a deck.
5. A minimum Interior Side Yard setback of 1.2 metres	5. To permit an Interior Side Yard setback of 0.98
is required.	metres to a Side door Entrance landing and steps.
6. A maximum width of a driveway at the street curb	6. To permit a driveway width at the street curb and
and a curb cut shall be 6.0 metres.	curb cut of 6.1 metres.
7. The portion of the driveway between the street line	7. To permit the portion of the driveway between the
and the street curb shall not exceed 6.0 metres in	street line and the street curb to be 6.1 metres in
width.	width.

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

#### 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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

## **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 25, 2019

Property Information		
Existing Structures	Year Constructed	
Dwelling	1975	

Applicant has advised that they cannot comply with By-law for the following reason(s): The large family and religious traditions require a large dining room and bedrooms which are located in the corner where the projection into site triangle happens. The style of the existing house limits design measures for shaping of the building envelope. The porch enclosure on the East side creates a canopy protection and facilitates space for the door opening at the entrance point.

**Adjournment Request:** The applicant was provided an opportunity to adjourn the application prior to public notice in order to accommodate Planning & Forestry comments.

Applicant to provide payment of Adjournment Fee (see Fee Schedule) prior to rescheduling of Application A141/19, if required.

#### **Building Standards (Zoning Review):**

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

Building Permit No. 19-001618 for Single Detached Dwelling - Addition, Issue Date: (Not Yet Issued)

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

#### **Building Inspections (Septic):**

No comments or concerns

#### **Development Planning:**

Application is under review.

#### Cultural Heritage (Urban Design):

No Response.

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A141/19.

#### **Forestry Development:**

Tree protection has not been installed as outlined in the arborist report. Tree #8 is the only tree being protected at this time.

Hoarding on tree #8 is undersized. 2.4m required (where possible). Existing hoarding is between 1.2m-1.8m.

Hoarding on tree #8 is light duty (ULA 110B). Arborist report states heavy duty (ULA 110A) hoarding shall be used for tree #8 and #7.

Complete and upgrade (where applicable) hoarding as per arborist report. Additional inspection shall be required.

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

No comment no concerns

## **Financial Planning and Development Finance:**

No comment no concerns

#### **Fire Department:**

No comment no concerns

# Schedule A - Plans & Sketches

#### Schedule B - Public Correspondence

None.

#### **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

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

None.

#### **Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Committee of Adjustment	Applicant to provide payment of Adjournment Fee (see Fee
	Christine Vigneault	Schedule) prior to rescheduling of Application A141/19, if required.
	905-832-8585 x 8332	
	christine.vigneault@vaughan.ca	

#### 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.

#### **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.

# **Notice to the Applicant – Development Charges**

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Written submissions can be mailed and/or emailed to:

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Committee of Adjustment
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CofA@vaughan.ca

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

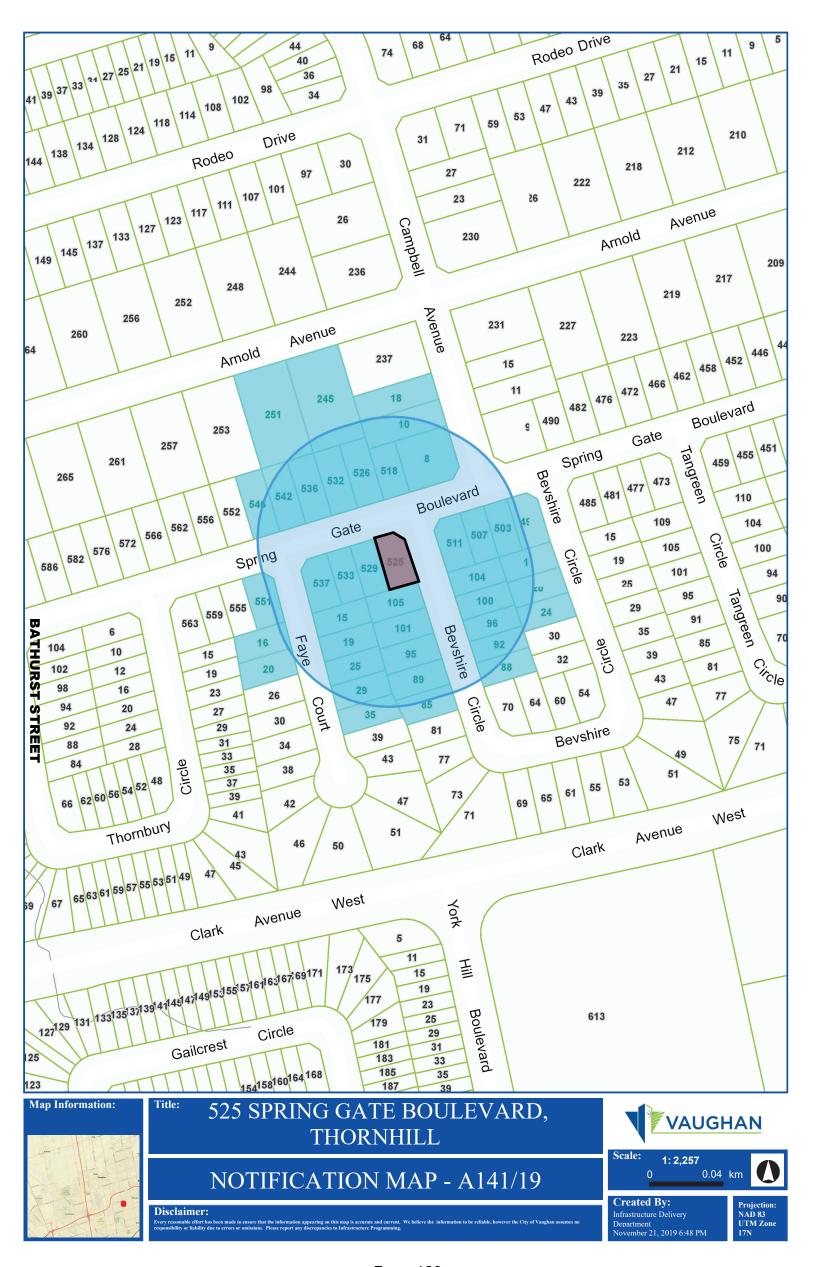
For further information please contact the City of Vaughan, Committee of Adjustment

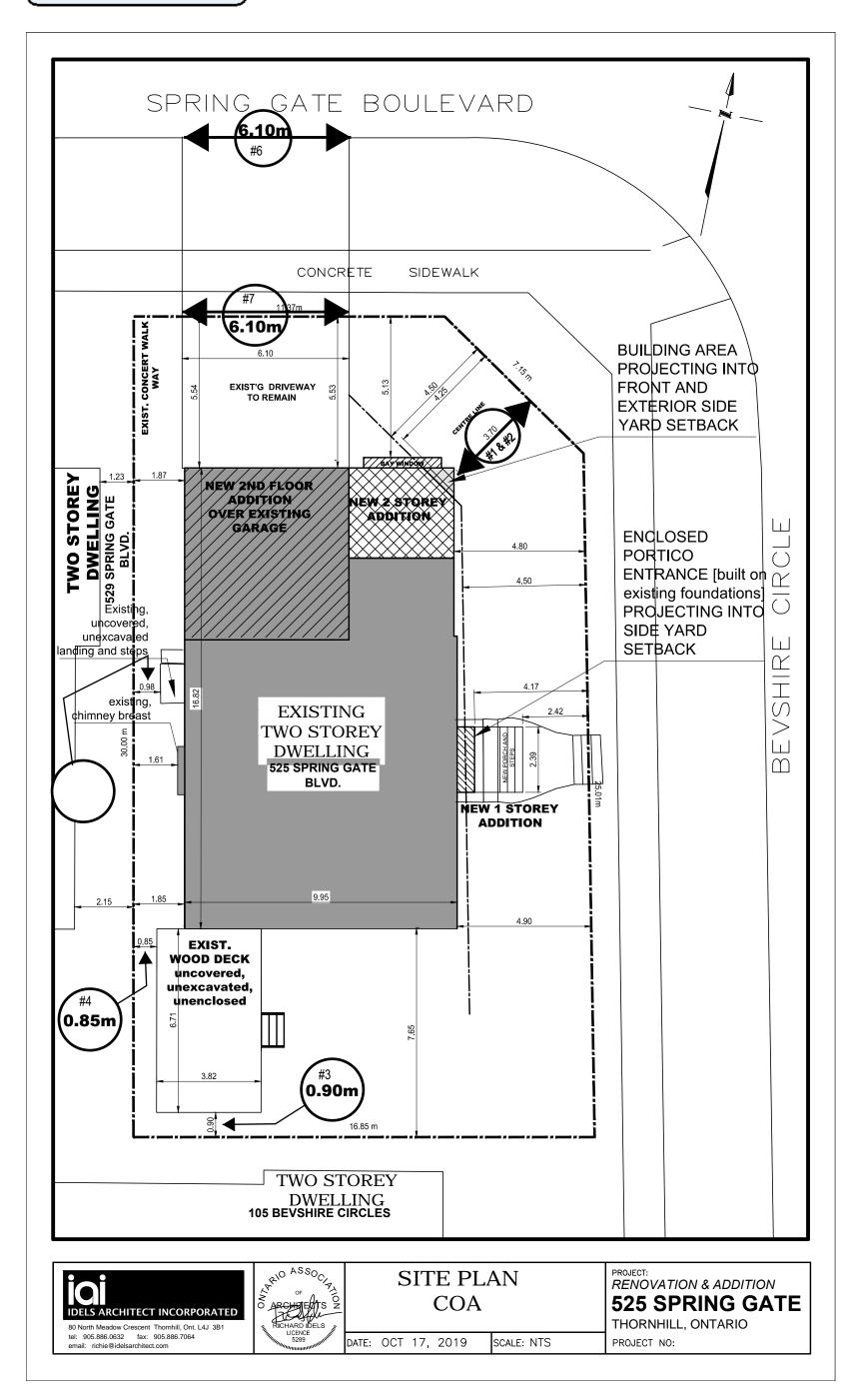
T 905 832 8585 Extension 8394 E CofA@vaughan.ca

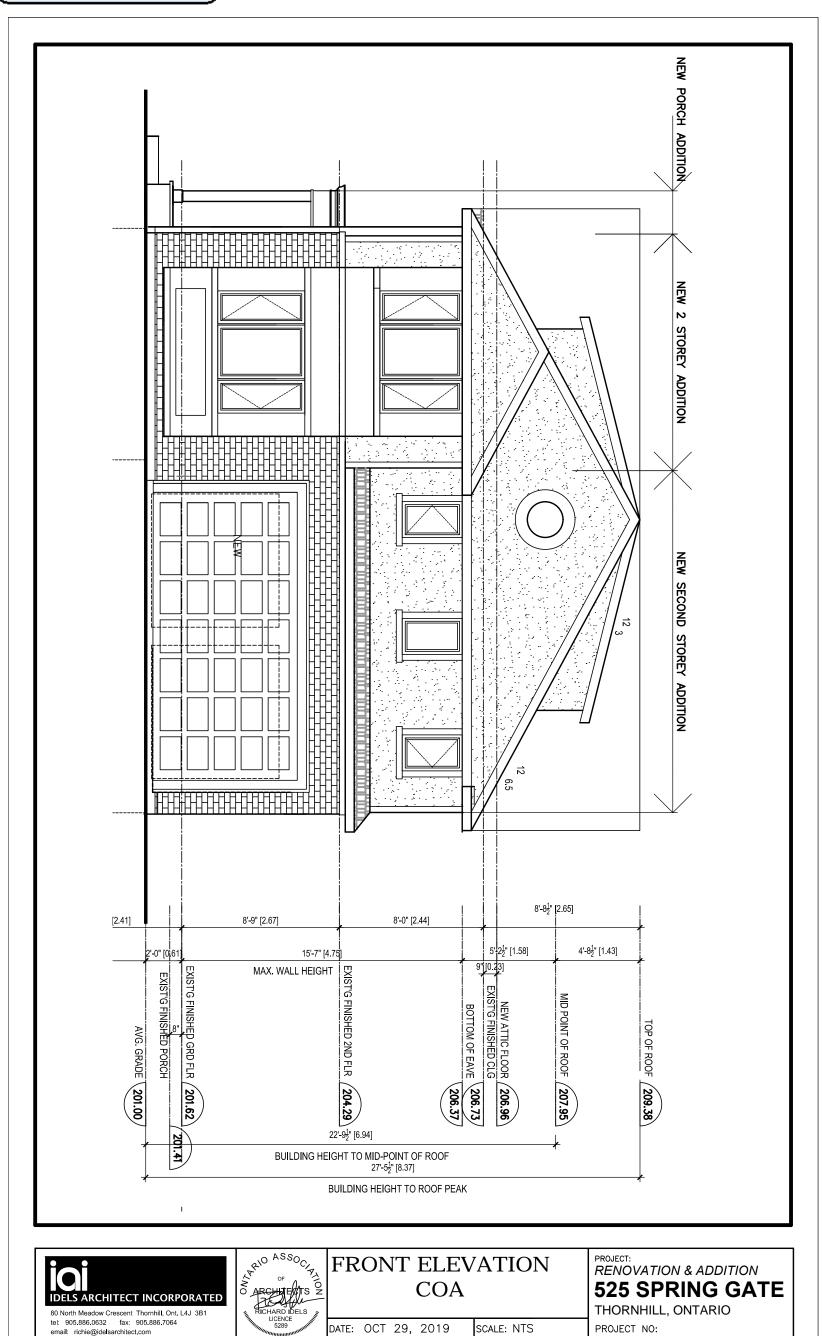
# Schedule A: Plans & Sketches

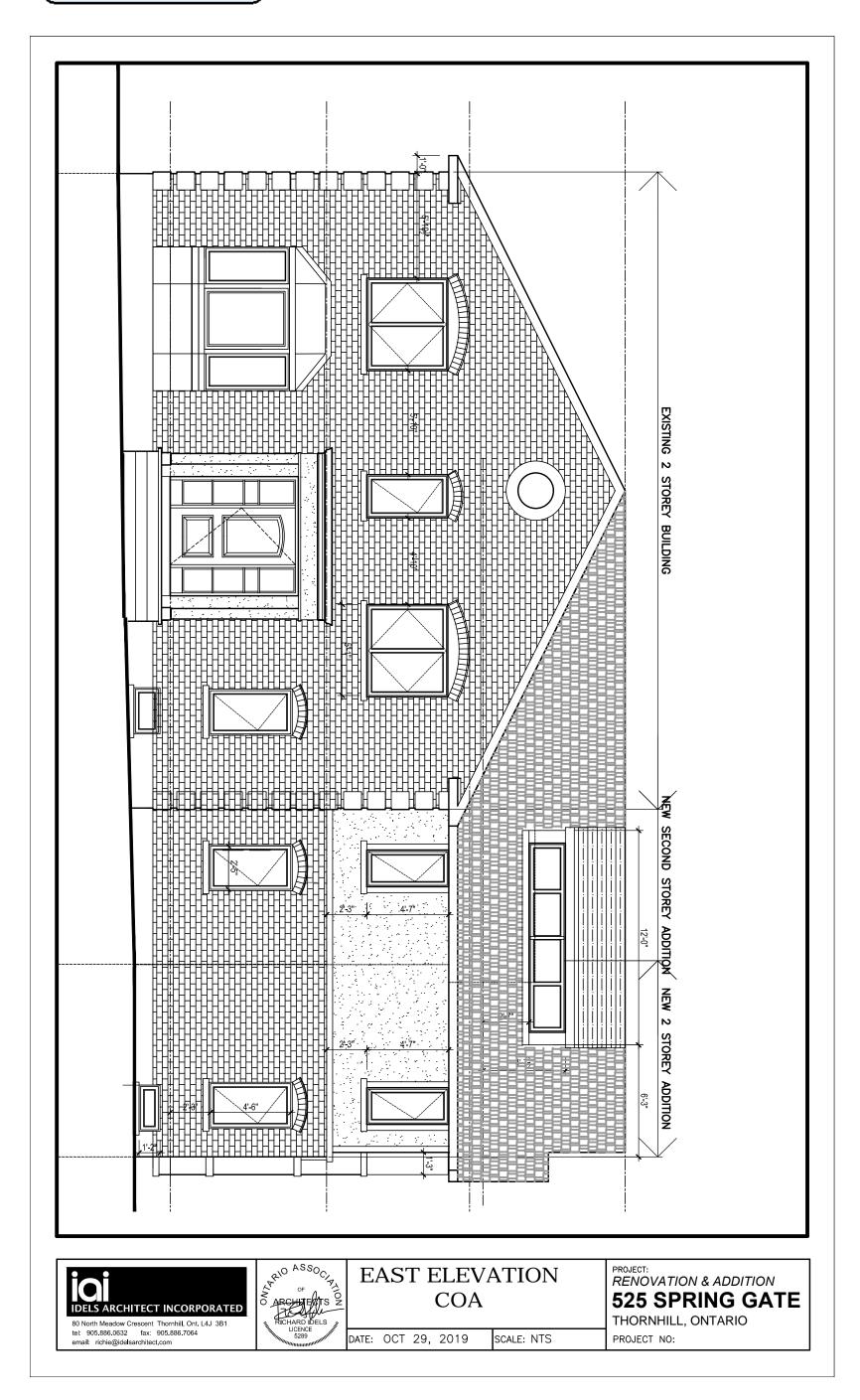
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

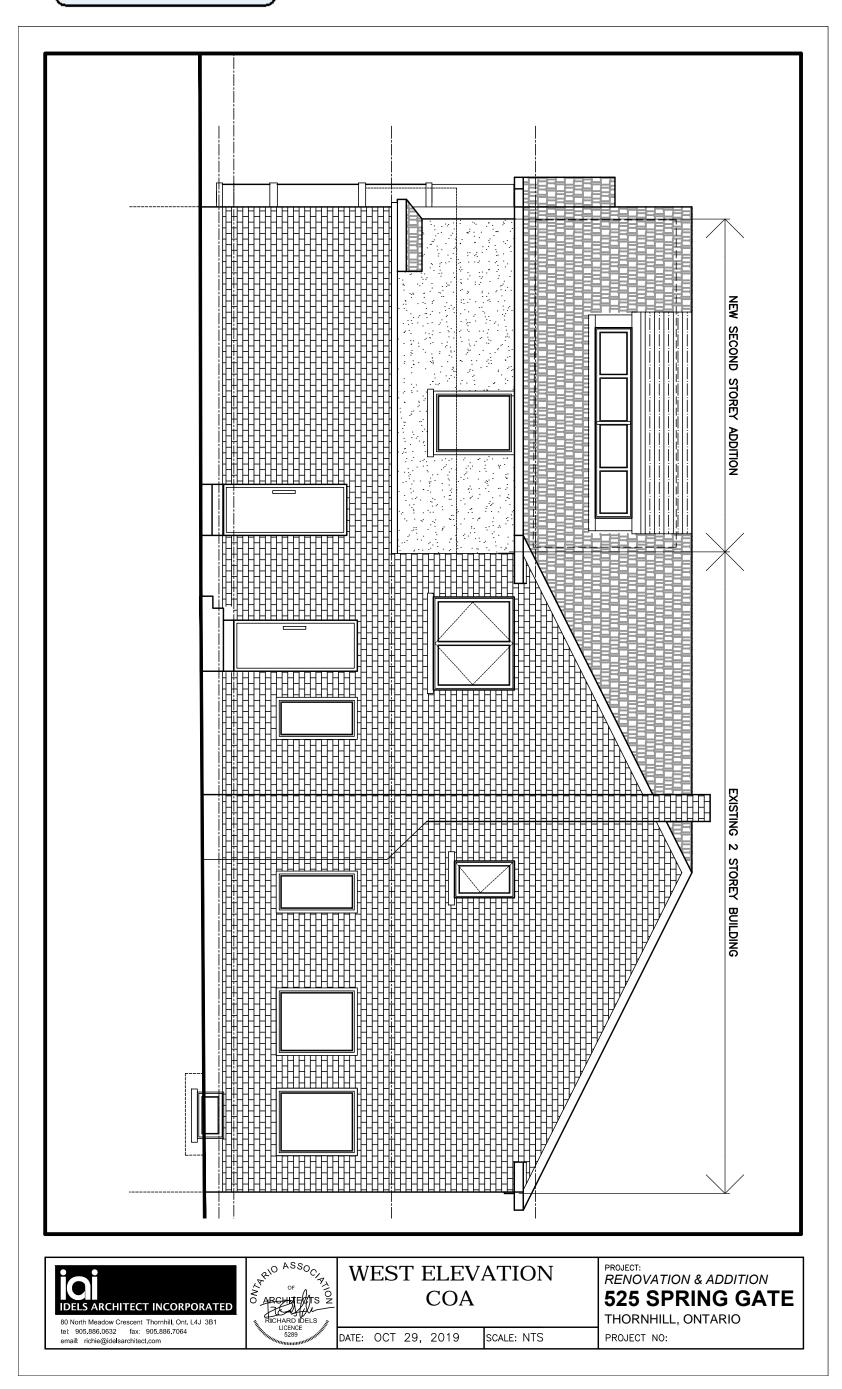
**Location Map Sketches** 

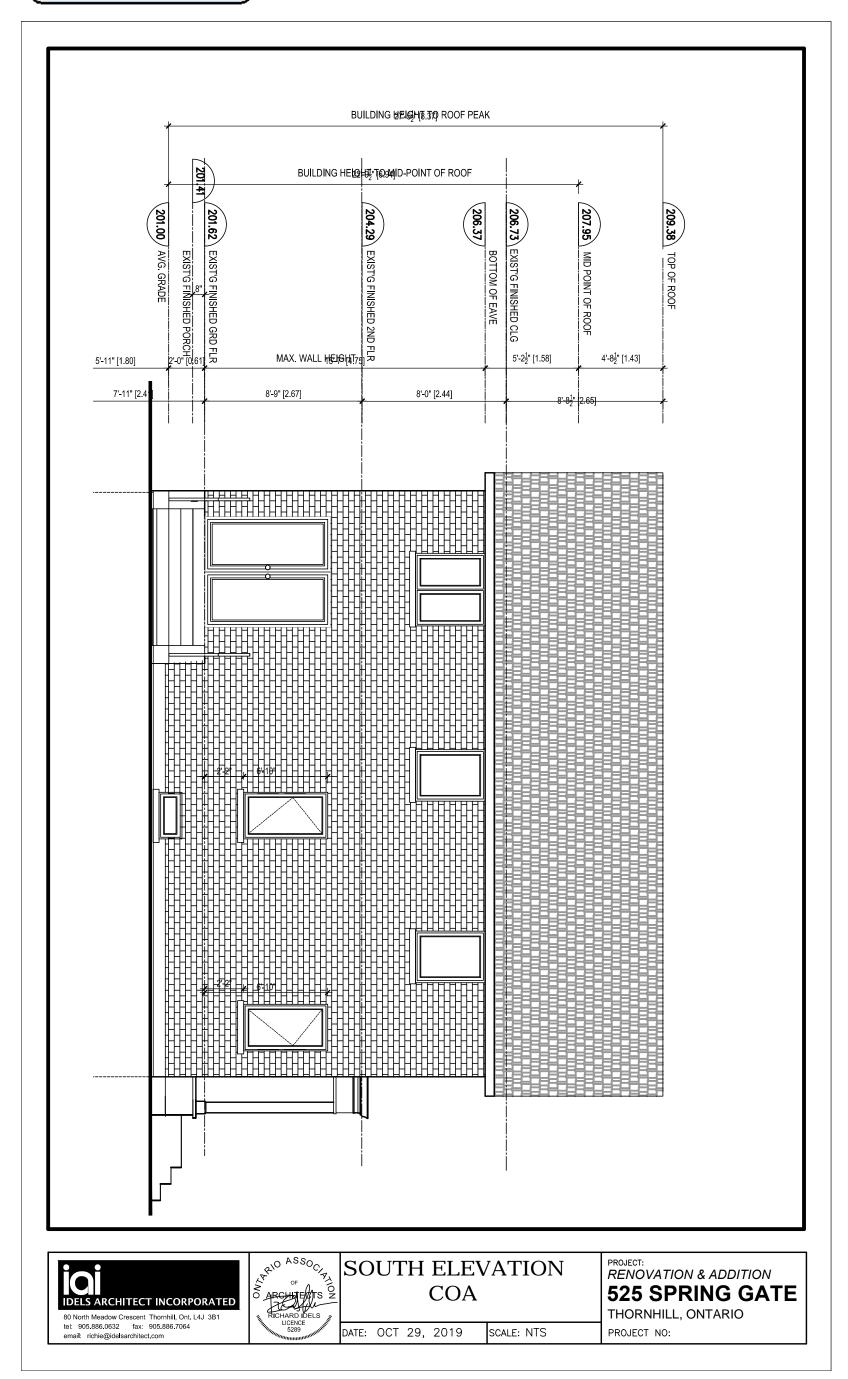


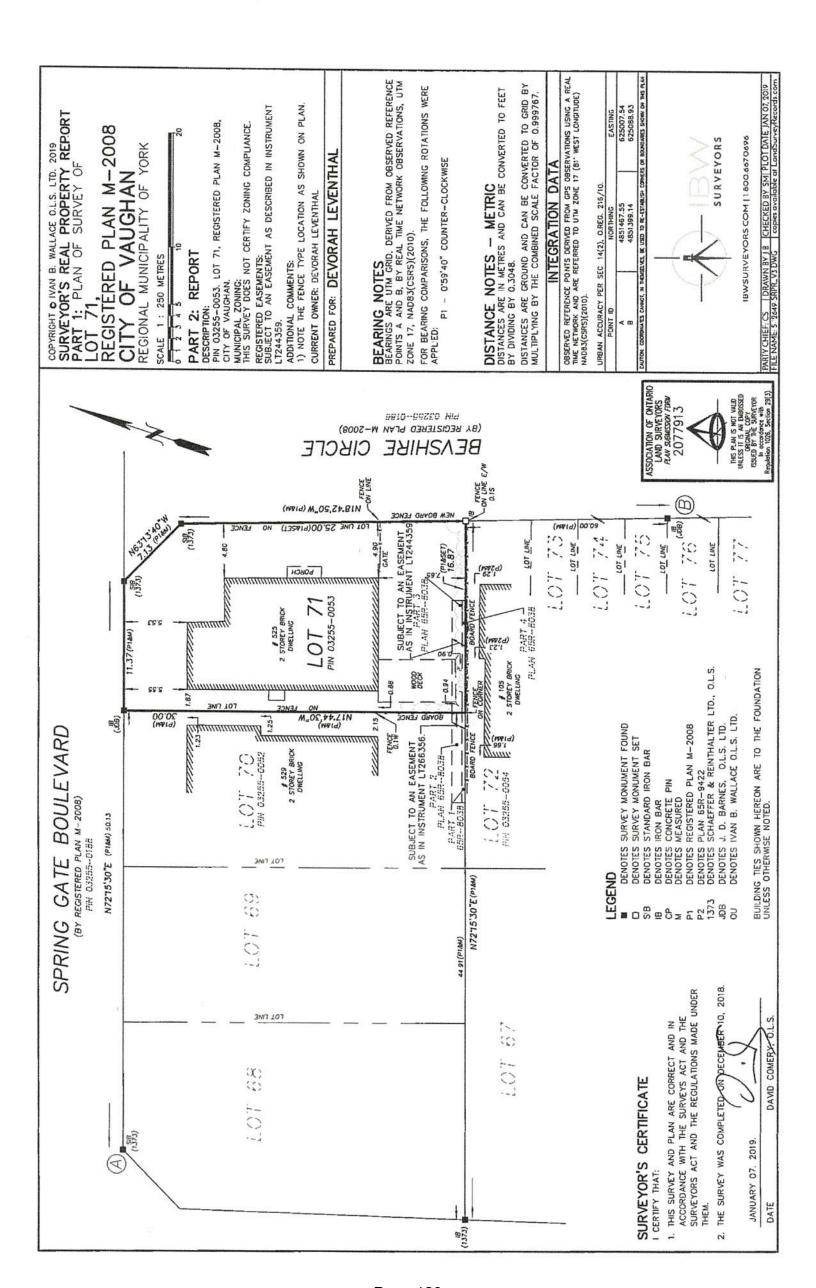












# Schedule B: Public Correspondence Received

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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

# Providence, Lenore

Subject: FW: (A141-19) MVAR.19.V.0466 - 525 Spring Gate Boulevard

From: Skouros, Julia < <u>Julia.Skouros@york.ca</u>>

Sent: November-22-19 1:23 PM

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

**Cc:** Vigneault, Christine < <a href="mailto:Christine.Vigneault@vaughan.ca">Christine.Vigneault@vaughan.ca</a>; Committee of Adjustment < <a href="mailto:CofA@vaughan.ca">CofA@vaughan.ca</a>

Subject: (A141-19) MVAR.19.V.0466 - 525 Spring Gate Boulevard

Hi Pravina,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has **no comment.** 

Should you have any questions or concerns, please contact me using the information provided below.

Best,

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | <u>Julia.Skouros@york.ca</u> | <u>york.ca</u>

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#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com



# VAUGHAN Staff Report Summary Item # 12

Ward #3

File: A143/19

Applicant: Pietro Paglia

22 Pine Meadow Drive, Woodbridge Address:

Tina Ranieri - D'Ovidio Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\overline{\checkmark}$	
Building Standards	V	
Building Inspection	V	
Development Planning	V	
Cultural Heritage (Urban Design)	$\overline{\checkmark}$	
Development Engineering	$\overline{\checkmark}$	$\overline{\checkmark}$
Parks Department		
By-law & Compliance		
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\checkmark}$	
Public Correspondence (see Schedule B)	$\overline{\checkmark}$	
Adjournment History: None		

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Background History: None		

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, December 12, 2019



# Minor Variance Application

Agenda Item: 12

**A143/19** Ward: 3

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Pietro Paglia

**Agent:** Tina Ranieri - D'Ovidio

Property: 22 Pine Meadow Drive, Woodbridge

**Zoning:** The subject lands are zoned R1, Residential under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "Low-Rise Residential"

Related Files: None

**Purpose:** Relief from the By-law is being requested to permit the construction of a proposed 1

storey addition to the existing single family dwelling and covered patio (including exterior fireplace, barbeque counter and 2 columns) to be located at the rear of the

existing dwelling.

Relief is also being sought to permit the existing shed located in the rear year and to

permit an expansion of the existing driveway.

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

By-law Requirement		Proposal
ximum lot coverage of 35% is permitted.	1.	To permit a maximum lot coverage of 43.66%
		(dwelling 32.33%, covered patio 11.33%).
•		To permit a maximum height of 3.0 metres from
to the highest point is permitted.		finished grade to the highest point of an accessory
		structure (9.03 m2 shed).
imum interior side yard setback of 0.6 metres	3	To permit a minimum interior side yard setback
uired.		(easterly) of 0.56 metres for an accessory structure
		(9.03 m2 shed).
ximum width of the driveway at the street	4.	To permit a maximum width of driveway at the
		street curb and a curb cut of 7.5 metres.
ortion of the driveway between the street line	5.	To permit the portion of the driveway between the
ne street curb shall not exceed 6.0 metres in		street line and the street curb to be 7.5 metres in
		width.
	Eximum lot coverage of 35% is permitted.  Eximum height of 2.5 metres from finished to the highest point is permitted.  Eximum interior side yard setback of 0.6 metres uired.  Eximum width of the driveway at the street and a curb cut of 6.0 metres is permitted.  Eximum of the driveway between the street line are street curb shall not exceed 6.0 metres in	ximum lot coverage of 35% is permitted.  2. ximum height of 2.5 metres from finished to the highest point is permitted.  3 minum interior side yard setback of 0.6 metres uired.  2 ximum width of the driveway at the street and a curb cut of 6.0 metres is permitted.  3 portion of the driveway between the street line and street curb shall not exceed 6.0 metres in

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

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

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

Adjournment History: None

## **Staff & Agency Comments**

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

## **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 25, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1999
Shed	1999

Applicant has advised that they cannot comply with By-law for the following reason(s): We feel the proposed lot coverage is minor and that the existing minor variances regarding the existing driveway and shed are minor. We are requesting consideration of approval from the Committee for these minor variances.

Adjournment Request: N/A

#### **Building Standards (Zoning Review):**

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

Building Permit No. 19-001403 for Single Detached Dwelling - Addition (Not Yet Issued)

Please contact the Public Works Department with respect to driveway widening and curb cut applications.

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

The Applicant shall be advised that the Office, as shown on the Ground Floor Plan, shall not be used a Home Occupation, as defined in Section 2.0 of Zoning By-law 1-88.

The Applicant shall be advised that drawings previously submitted for building permit application (19-1403) shall match those submitted for Minor Variance Application.

## **Building Inspections (Septic):**

No comments or concerns

## **Development Planning:**

VOP 2010: "Low-Rise Residential"

The Owner is requesting permission to make alterations to the driveway, construct a covered patio and to maintain an existing shed in the rear yard.

The Development Planning Department has no concerns with the alterations of the driveway as the variances requested (#4 and #5) are minor in nature and have no adverse impacts to the streetscape. The proposed rear covered patio constitutes 11.33% of the total 43.66% lot coverage on the subject lands. The covered patio is not enclosed and meets all required setbacks to the lot lines. The existing dwelling has a lot coverage of 32.33% which is under the zone requirement of 35%. As such, the Development Planning Department has no concerns with Variance #1 as the requested increase for lot coverage is for the covered patio in the rear which has no impact to the streetscape and continues to provide adequate open space and amenity area.

The existing shed located in the rear yard has an interior side yard setback of 0.569m and a maximum height of 3.0m, which is 0.5m above the maximum height for an accessory structure. The Development Planning Department has no objections to the requested variances (#2 and #3) for the existing shed as they are considered minor and have no adverse impacts to the neighbouring lots.

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

The Development Planning Department recommends approval of the application.

# Cultural Heritage (Urban Design):

No comments.

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A143/19 subject to the following condition(s):

The owner/applicant shall demonstrate appropriate LID (Low-Impact Development) measures to the satisfaction of DE to address the increased lot coverage area from 35% to 44% in order to mitigate potential impacts on the municipal stormwater system.

#### **Parks Development:**

No Comment.

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

No Response.

#### **Financial Planning and Development Finance:**

No comment, no concerns

#### **Fire Department:**

No Response.

#### Schedule A - Plans & Sketches

#### Schedule B - Public Correspondence

Application Cover Letter – Ward 99 Architects (Agent) Letter of Support – 18 Pine Meadow Drive Letter of Support – 25 Deer Run Court

#### **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

#### **Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Development Engineering	The owner/applicant shall demonstrate appropriate LID (Low-
	Jason Pham	Impact Development) measures to the satisfication of DE to address the increased lot coverage area from 35% to 44% in
	905-832-8585 x 8716 <u>Jason.pham@vaughan.ca</u>	order to mitigate potential impacts on the municipal stormwater system.

#### **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.

#### **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.

# **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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

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

T 905 832 8585 Extension 8360 E CofA@vaughan.ca

# Schedule A: Plans & Sketches

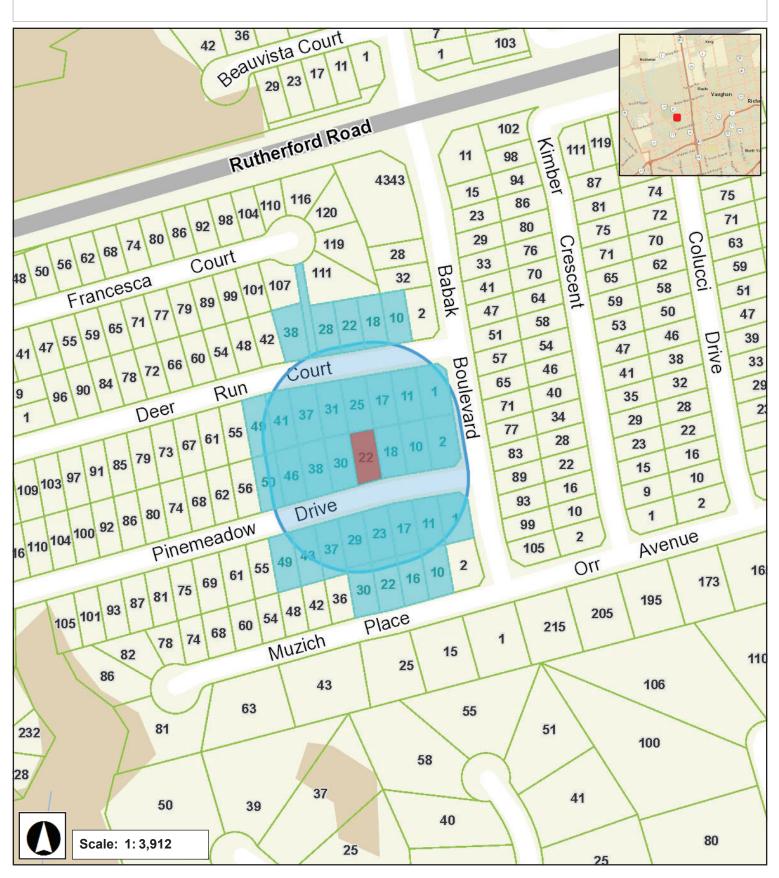
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 



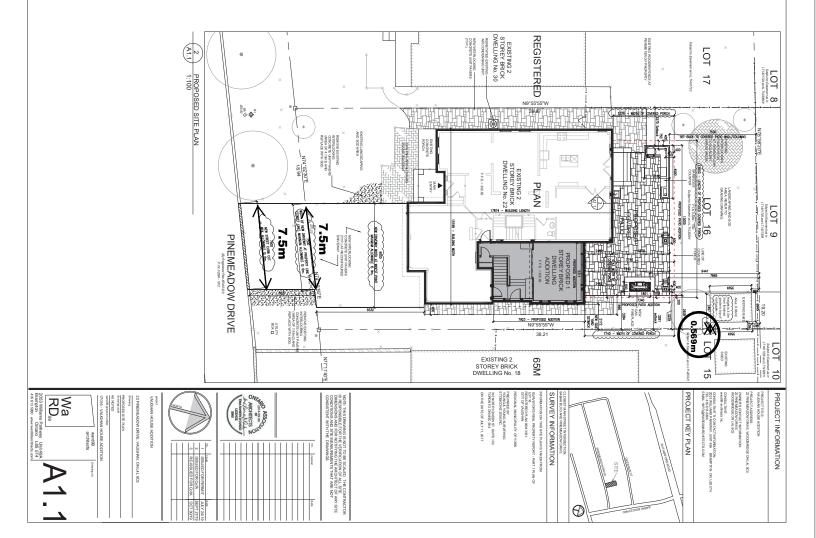
# VAUGHAN A143/19 - Notification Map

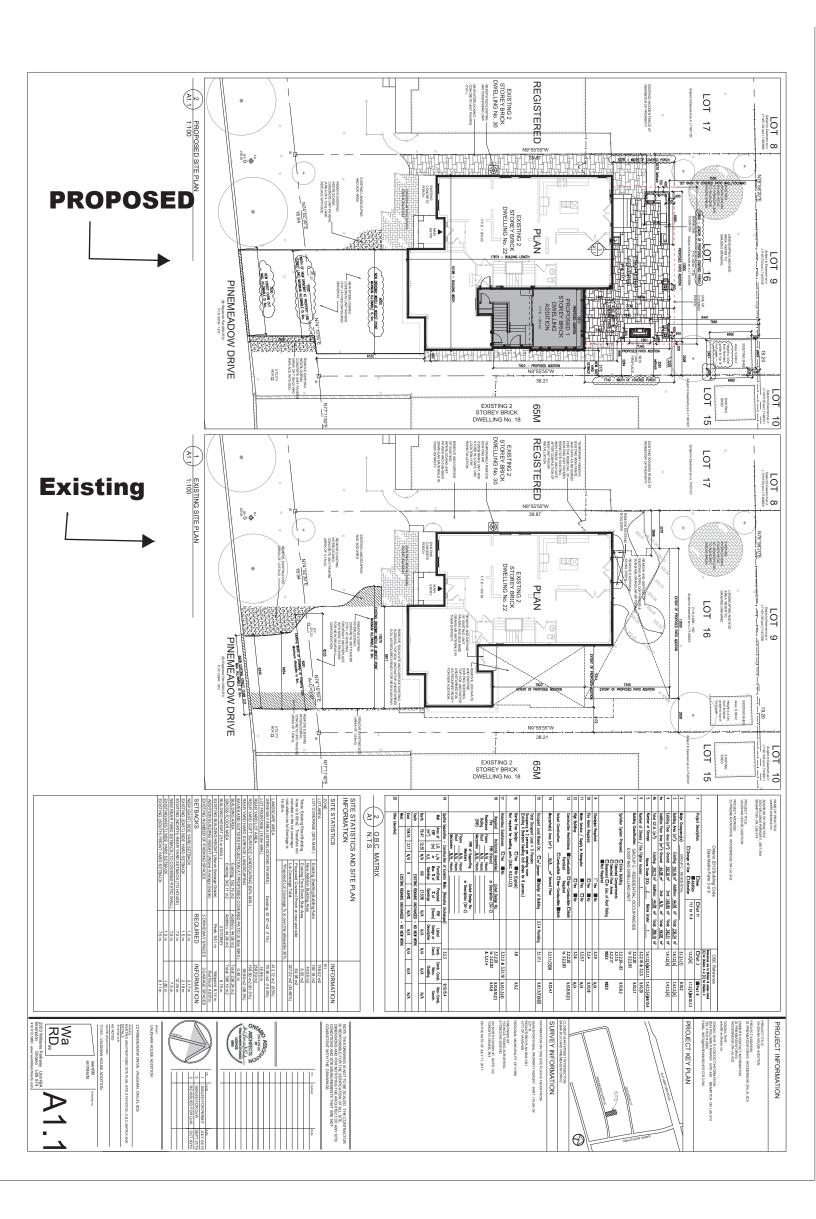
# 22 Pinemeadow Drive, Woodbridge

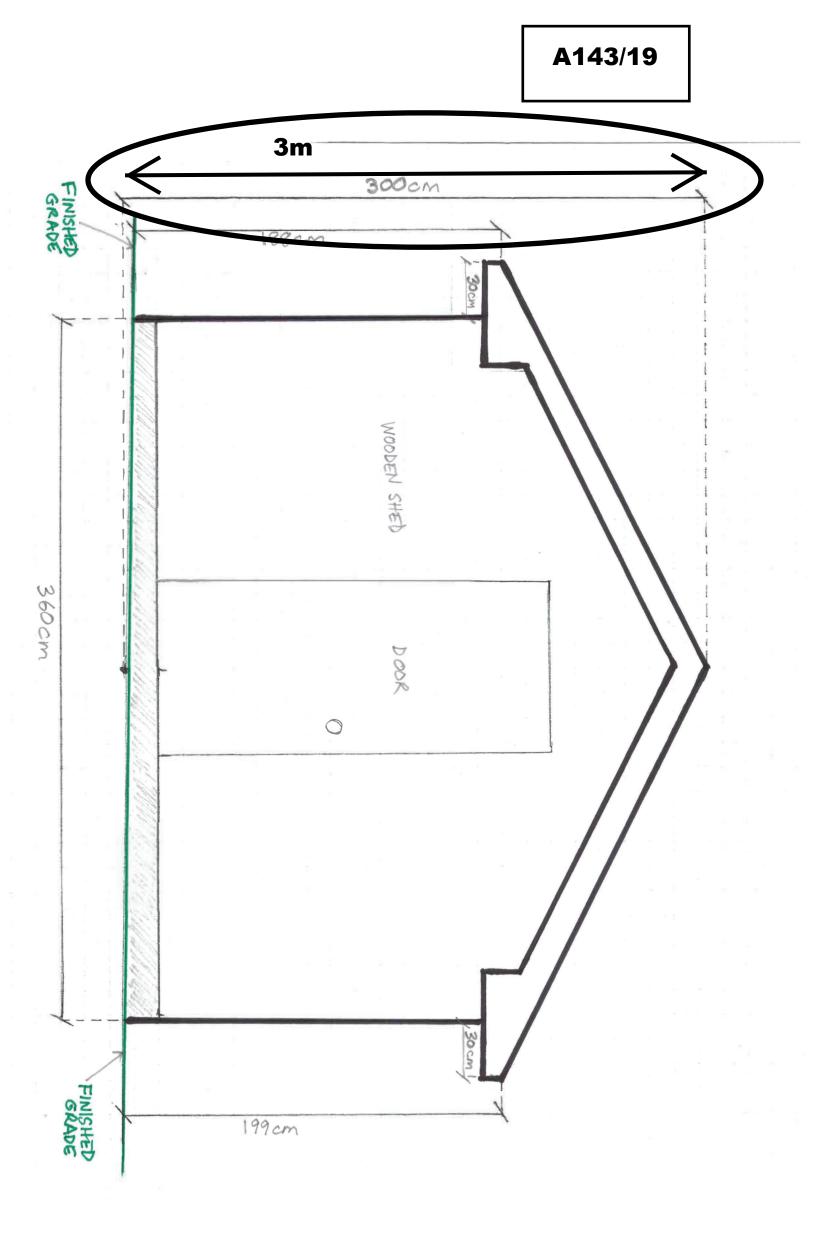


November 27, 2019 10:04 AM

- \_ 43.66% Lot Coverage (32.33% Dwelling, 11.33 Covered Rear Yard Porch)
- Height of Shed 3.0m







# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

Application Cover Letter – Ward 99 Architects (Agent) Letter of Support – 18 Pine Meadow Drive Letter of Support – 25 Deer Run Court



October 29, 2019

Company: City of Vaughan

**Committee of Adjustment** 2141 Major Mackenzie Drive

Vaughan ON L6A 1T1

**Project:** 22 Pinemeadow Drive

Vaughan ON L4L 9C5

Attention: Committee of Adjustment Committee

Consideration for approval of the following minor variances are requested:

- 1- Lot Coverage: Maximum allowable lot coverage is 35%. Proposed lot coverage requested is 43.66%. The proposed development includes a new one storey building addition and a covered rear and side porch. The existing lot coverage with the introduction of only the proposed building addition provides a lot coverage of 32.33% (242.24m2), which is less than the maximum allowable 35%. The Owners of 22 Pinemeadow Drive would like to request additional lot coverage in the form of a covered rear/side porch. The request is for minimal lot coverage as additional building coverage is not being requested. The additional lot coverage is for a roof only.
- 2- **Existing Stand Alone Shed:** The property provides for an existing stand alone shed. With the submission for building permit for the new building addition, it was discovered that the existing stand alone shed does not comply with all zoning by-laws. The Owners of 22 Pinemeadow Drive are requesting relief to keep their existing stand alone shed. In such, approval of the following existing conditions are requested:
  - a. Existing east side yard: 0.569m instead of the maximum allowable of 0.6m.
  - b. Existing height of shed: 3.00m instead of the maximum allowable of 2.5m.
- **3- Existing Driveway:** 
  - a. Width of the existing driveway at the widest point is 10.57m. The maximum allowable driveway width is 9m. The Owners of 22 Pinemeadow Drive will be reconfiguring the driveway to comply with the maximum allowable 9m width.
  - b. Width of the existing driveway street curb is 6.908m. The maximum allowable width of a street curb is 6m.
  - c. Maximum width of the existing driveway between the street curb and the property line is 8.281m. Maximum allowable width of an existing driveway between the street curb and the property line is 6m.

Regarding items b and c above, the Owners of 22 Pinemeadow Drive would like to request relief to permit the construction of a new street curb width of 7.5m and a 7.5m driveway width between the street curb and the property line, to align their driveway width more closely with the existing garage width. Several properties in the neighbourhood shared by 22 Pinemeadow Drive, have requested and been granted permission to construct street curbs and driveway widths wider than 7.0m. Examples of the above-mentioned properties include 65 Siderno Crescent, 15 Siderno Crescent, 83 Siderno Crescent, 186 Columbus Avenue and 43 Pinemeadow Drive.

We feel the proposed lot coverage is minor and that the minor variances regarding the driveway and existing shed are minor. We are requesting consideration of approval from the Committee for these minor variances.

Regards, In famus Cha

Tina Ranieri-D'Ovidio, Principal

B. Arch, OAA, MRAIC, LEED AP BD+C ward99 architects inc.

tr@ward99architects.com

416-660-6322

September 27, 2019

Hand Delivered

Company:

City of Vaughan

Committee of Adjustment 2141 Major Mackenzie Drive

Vaughan ON L6A 1T1

Project:

22 Pinemeadow Drive Vaughan ON L4L 9C5

Attention:

Committee of Adjustment

We have no concerns with the one storey addition and rear/side covered porch proposed at 22 Pinemeadow Drive and are pleased to provide support for our neighbour at 22 Pinemeadow Drive in their request for approval of the following minor variances:

- 1- Lot Coverage: Maximum allowable lot coverage is 35%. Proposed lot coverage requested is 43.66%. The proposed development includes a new one storey building addition and a covered rear and side porch. The proposed covered rear and side porch will result in the minor increase in lot coverage.
- 2- Existing Stand Alone Shed: The property provides for an existing stand alone shed. The Owners of 22 Pinemeadow Drive are requesting relief to keep their existing stand alone shed. In such, approval of the following existing conditions are requested:
  - a. Existing east side yard: 0.569m instead of the maximum allowable of 0.6m.
  - b. Existing height of shed: 3.00m instead of the maximum allowable of 2.5m.
- 3- Existing Driveway: The Owners of Pinemeadow Drive are requesting relief to keep the existing driveway in the condition provided to them by the Builder who constructed their house. In such, approval of the following existing conditions are requested:
  - Width of the existing driveway at the widest point is 10.57m. The maximum allowable driveway width is 9m.
  - b. Width of the existing driveway street curb is 6.908m. The maximum allowable width of a street curb is 5m.
  - c. Maximum width of the existing driveway between the street curb and the property line is 8.281m. Maximum allowable width of an existing driveway between the street curb and the property line is 6m.

Regards,	
Neighbour's Name: 51110 Vefty;	
Neighbour's Address: 18 PINE WEADOW Dr	
Neighbour's Signature:	

September 27, 2019

Hand Delivered

Company:

City of Vaughan

Committee of Adjustment 2141 Major Mackenzie Drive

Vaughan ON L6A 1T1

Project:

22 Pinemeadow Drive Vaughan ON L4L 9C5

Attention:

Committee of Adjustment

We have no concerns with the one storey addition and rear/side covered porch proposed at 22 Pinemeadow Drive and are pleased to provide support for our neighbour at 22 Pinemeadow Drive in their request for approval of the following minor variances:

- 1- Lot Coverage: Maximum allowable lot coverage is 35%. Proposed lot coverage requested is 43.66%. The proposed development includes a new one storey building addition and a covered rear and side porch. The proposed covered rear and side porch will result in the minor increase in lot coverage.
- 2. Existing Stand Alone Shed: The property provides for an existing stand alone shed. The Owners of 22 Pinemeadow Drive are requesting relief to keep their existing stand alone shed. In such, approval of the following existing conditions are requested:
  - a. Existing east side yard: 0.569m instead of the maximum allowable of 0.6m.
  - b. Existing height of shed: 3.00m instead of the maximum allowable of 2.5m.
- 3- Existing Driveway: The Owners of Pinemeadow Drive are requesting relief to keep the existing driveway in the condition provided to them by the Builder who constructed their house. In such, approval of the following existing conditions are requested:
  - a. Width of the existing driveway at the widest point is 10.57m. The maximum allowable driveway width is 9m.
  - b. Width of the existing driveway street curb is 6.908m. The maximum allowable width of a street curb is 6m.
  - c. Maximum width of the existing driveway between the street curb and the property line is 8.281m. Maximum allowable width of an existing driveway between the street curb and the property line is 6m.

Regards,

Neighbour's Name:

Nawhthair's Andress

Neighbour's Signature:

1

# **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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

## MacPherson, Adriana

From: Skouros, Julia < Julia. Skouros@york.ca>

**Sent:** November-19-19 10:23 AM

To: Vigneault, Christine
Cc: Committee of Adjustment

**Subject:** (A143/19) MVAR.19.V.0459 - 22 Pinemeadow Drive

Hi Christine,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Should you have any questions or concerns, please contact me using the information provided below.

Best,

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | Julia.Skouros@york.ca | <u>york.ca</u>

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

Ward #1

File: A147/19

Ali Farahmand Farzaneh **Applicant:** 

10 Weller Crescent, Maple Address:

**Hamid Behesht** Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	V	
Building Standards		
Building Inspection	V	
Development Planning	V	
Cultural Heritage (Urban Design)	V	
Development Engineering	$\overline{\mathbf{V}}$	$\overline{\checkmark}$
Parks Department	$\overline{\mathbf{V}}$	
By-law & Compliance		
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA	$\overline{\checkmark}$	
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\checkmark}$	
Public Correspondence (see Schedule B)		
Adjournment History: None		

Background History: None

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, December 12, 2019



# Minor Variance Application

Agenda Item: 13

**A147/19** Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Ali Farahmand Farzaneh

Agent: Hamid Behesht

Property: 10 Weller Crescent, Maple

**Zoning:** The subject lands are zoned R1V, Old Village Residential Zone, under By-law 1-88

as amended.

**OP Designation:** Vaughan Official Plan 2010: Low-rise Residential

Related Files: None

**Purpose:** Relief from the By-law is being requested to permit the construction of a proposed

single family dwelling.

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

By-law Requirement	Proposal
1. A minimum lot frontage of 30 metres is required.	1. To permit a minimum Lot Frontage of 21.34 metres (existing lot frontage).
2. A minimum Front yard setback of 9 metres is required.	To permit a minimum Front Yard setback of 6.26 metres to a dwelling.
3. A maximum Lot coverage of 20% is required.	3. To permit a maximum Lot coverage of 24% (23% - Dwelling, 1% Covered Porch).
A maximum Building height of 9.5 metres is required.	To permit a maximum Building Height of 10.87 metres.
5. A maximum driveway width of 9 metres is required.	5. To permit a maximum driveway width of 9.5 metres.

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

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

#### **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 28, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1950 (to be demolished and new dwelling to be built)

Applicant has advised that they cannot comply with By-law for the following reason(s): Relatively shallow lot (compared to frontage) triggered lot coverage, interior space designed with proper proportions. Extra height triggered due to interpretation of roof type, Building Height complies to midpoint of roof.

#### **Adjournment Request:**

Applicant was provided an opportunity to adjourn prior to the issuance of public notice to address Forestry review and comment.

#### **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 10m2.

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

The applicant shall be advised that the maximum encroachment of Eaves and gutters into the required minimum interior side yard is 0.5 metres.

An A/C unit and/or pool equipment shall be setback a minimum of 1.2 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

### **Building Inspections (Septic):**

No comments or concerns

#### **Development Planning:**

Vaughan Official Plan 2010: Low-rise Residential

The Owner is requesting permission to construct a 2-storey single-detached dwelling unit with the above variances. The Owner is seeking permission to maintain the existing lot frontage of 21.34 metres where 30 metres is required (Variance #1). This is considered technical in nature and seeks to maintain an existing condition. The proposed height of the single-detached dwelling is 10.87 metres to the highest point of the roof (Variance #4) and lot coverage of 24.0% (23.0 main dwelling, 0.5% porches) (Variance #3), which is an appropriate built form for the neighborhoods' existing built form. The proposed building height is consistent with approvals experienced throughout the neighborhood.

The proposed front yard setback of 6.26 metres(Variance #2) is to the front walkway and is considered minor in nature. The main wall of the dwelling is consistent with the adjoining parcel and respects the adjoining lot's front yard setbacks. The proposed maximum driveway width of 9.5 metres where 9.0 metres is required is considered minor in nature. The Development Engineering Department has reviewed above noted variances and recommend approval.

The Owner submitted an Arborist Letter prepared by Ash Urban Forestry dated October 16, 2019. The Urban Design and Cultural Heritage Division of the Development Planning Department and Parks, Forestry and Horticulture Operations has reviewed the submitted Arborist Report and is satisfied.

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

The Development Planning Department recommends approval of the minor variance application.

#### Cultural Heritage (Urban Design):

No comments

#### **Development Engineering:**

Additional Comments:

When the owner/applicant plans on constructing the pool within the rear yard, the owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

The Development Engineering (DE) Department does not object to variance application A147/19 subject to the following condition(s):

The owner/applicant shall submit the final Lot Grading Plan to Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval.

#### **Parks Development:**

No comments, no concerns.

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

No Response.

#### **Financial Planning and Development Finance:**

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.

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 Bylaws in effect at time of payment.

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

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

#### **Fire Department:**

No Response.

Schedule A - Plans & Sketches

#### Schedule B - Public Correspondence

N/A

#### **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections TRCA - No concerns or objections

#### **Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Development Engineering	The owner/applicant shall submit the final Lot Grading Plan to
	Jason Pham	Development Inspection and Lot Grading division of the City's
		Development Engineering Department for final lot grading
	905-832-8585 x 8716	approval prior to any work being undertaken on the property.
	Jason.pham@vaughan.ca	Please visit or contact Development Engineering's front desk on
		the 2nd floor of City Hall to apply for lot grading approval.

### **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.

#### **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.

# **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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

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

T 905 832 8585 Extension 8360 E CofA@vaughan.ca

# Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

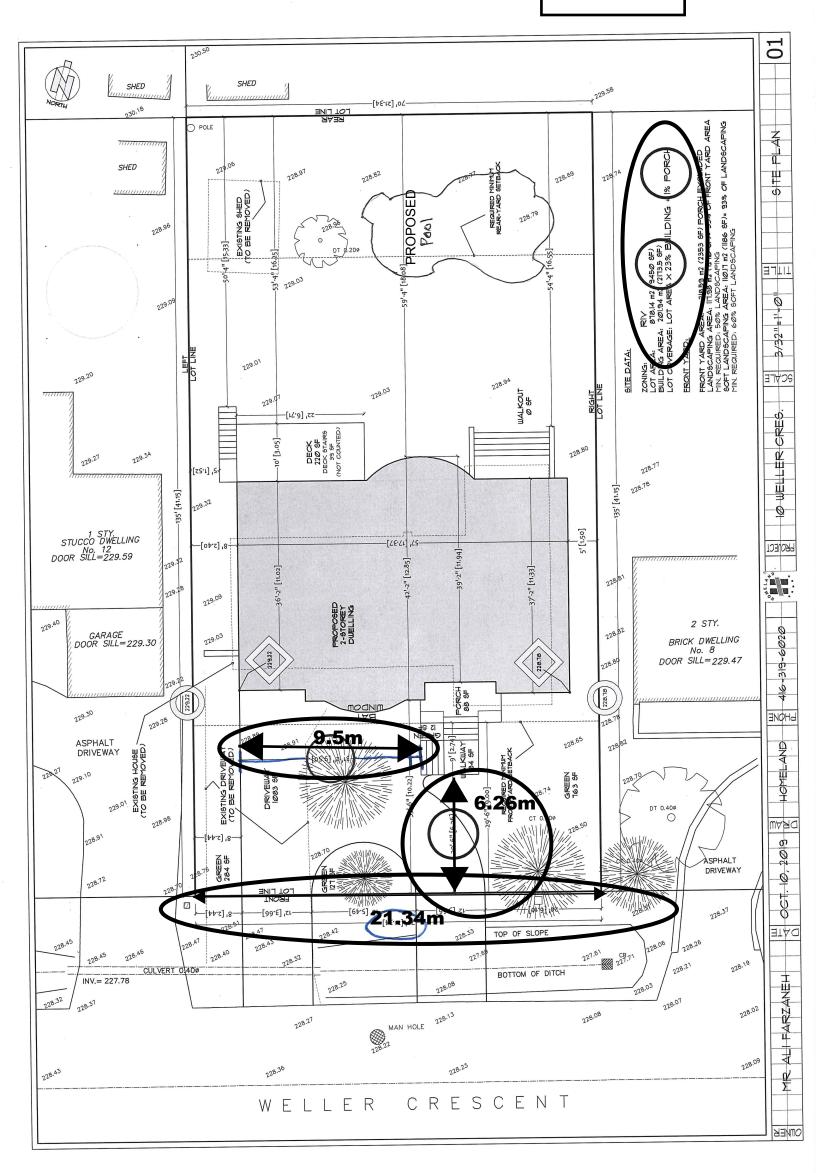
**Location Map Sketches** 

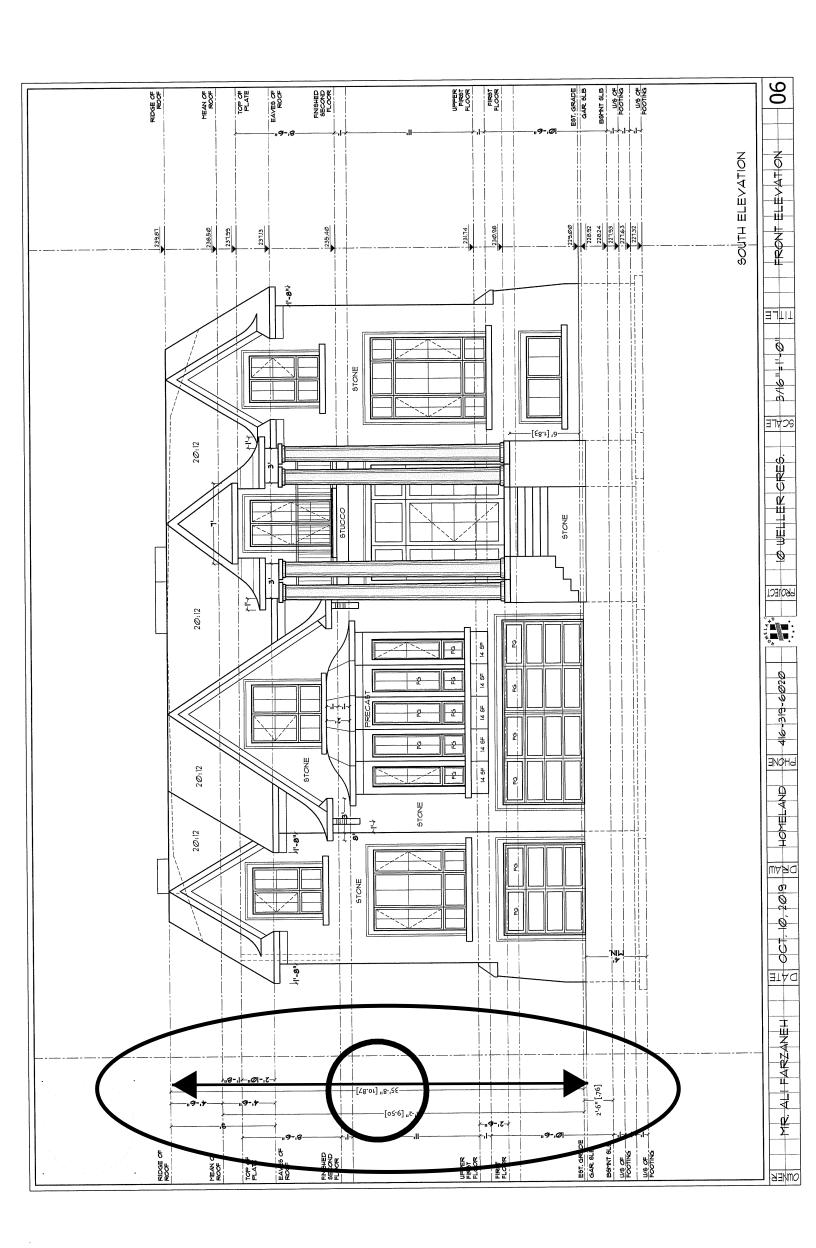


# VAUGHAN A147/19 - Notification Map

November 20, 2019 1:39 PM

# A147/19





# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections TRCA – No concerns or objections



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 *Phone*: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

# Vigneault, Christine

From: Skouros, Julia < Julia. Skouros@york.ca>
Sent: Monday, November 18, 2019 11:07 AM

**To:** Vigneault, Christine

**Subject:** (A147/19) MVAR.19.V.0455 - 10 Weller Crescent

Hi Christine,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Should you have any questions or concerns, please contact me using the information provided below.

Best,

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

\_\_\_\_\_\_

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | Julia.Skouros@york.ca | <u>york.ca</u>

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

### MacPherson, Adriana

**Subject:** FW: A147/19 - TRCA Comments

From: Hamedeh Razavi < Hamedeh . Razavi@trca.ca>

Sent: November-04-19 10:11 AM

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

**Subject:** RE: A147/19 - TRCA Comments

Good morning Adriana,

Thank you for sending the request. The property located on lands known municipally as **10 Weller Cr, Maple, ON** is not within TRCA Regulated Area, therefore, we do not have any concerns in this regard.

Please contact me if you have any questions.

Regards,

#### Hamedeh Razavi MURP

Planner I

Development Planning and Permits | Development and Engineering Services

T: (416) 661-6600 ext. 5256 E: <u>Hamedeh.Razavi@trca.ca</u>

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca



# Item # 14

Ward # 1

A148/19 File:

**Applicant:** Mattamy (Monarch) Limited, 2509923

Ontario Inc. and 2509924 Ontario Inc.

59 Klein Mills Rd Kleinburg ON Address:

Charlie Frise - Mattamy (Monarch) Limited Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\overline{\checkmark}$	
Building Standards	$\overline{\checkmark}$	
Building Inspection	$\square$	
Development Planning	$\square$	
Cultural Heritage (Urban Design)	$\overline{\checkmark}$	
Development Engineering	$\overline{\checkmark}$	
Parks Department		
By-law & Compliance	$\overline{\checkmark}$	
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York		
Alectra (Formerly PowerStream)		
Public Correspondence (see Schedule B)		

Adjournment history, None.	
Background History: None.	

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019



Minor Variance Application

Agenda Item: 14

**A148/19** Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

**Applicant:** Mattamy (Monarch) Limited, 2509923 Ontario. Inc. and 2509924 Ontario. Inc.

Agent: Charlie Frise - Mattamy (Monarch) Limited

Property: 59 Klein Mills Road, Kleinburg ON

**Zoning:** The subject lands are zoned RD2 9(1413) and subject to the provisions of Exception

under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "KN Low Rise Residential I", Volume 2, Section 11.8 North Kleinburg-

Nashville Secondary Plan

Related Files: None

**Purpose:** Relief from the by-law is being requested to permit the construction of a proposed

deck to be located at the rear of the proposed dwelling.

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

By-law Requirement	Proposal
1. A minimum Rear Yard setback of 5.7 metres is	1. To permit a minimum a Rear Yard setback of 4.95
required.	metres to a deck.

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

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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

#### **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 21, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	Proposed

Applicant has advised that they cannot comply with By-law for the following reason(s): Should this application be denied, we would be unable to meet the obligations as per our agreement with the homeowners

#### Adjournment Request: N/A

### **Building Standards (Zoning Review):**

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

Building Permit No. 19-001855 for Single Detached Dwelling - New (Repeat Housing) (No Arch. Exam), Issue Date: (Not Yet Issued)

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

### **Building Inspections (Septic):**

No comments or concerns

#### **Development Planning:**

Vaughan Official Plan 2010 ('VOP 2010'): "KN Low Rise Residential I", Volume 2, Section 11.8 North Kleinburg-Nashville Secondary Plan

The Owner is proposing to build a deck in the rear yard with the above-noted variance.

The proposed deck is not covered and/or enclosed and is appropriately sized as adequate open space in the rear yard remains. The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

#### Cultural Heritage (Urban Design):

No Response.

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A148/19.

#### **Parks Development:**

No comments or concerns

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

No comments or concerns

#### **Financial Planning and Development Finance:**

No comments or concerns

#### **Fire Department:**

No Response.

Schedule A - Plans & Sketches

#### Schedule B - Public Correspondence

None

#### **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

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

None.

#### Staff Recommendations:

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

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

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

#### **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.

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.

### **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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

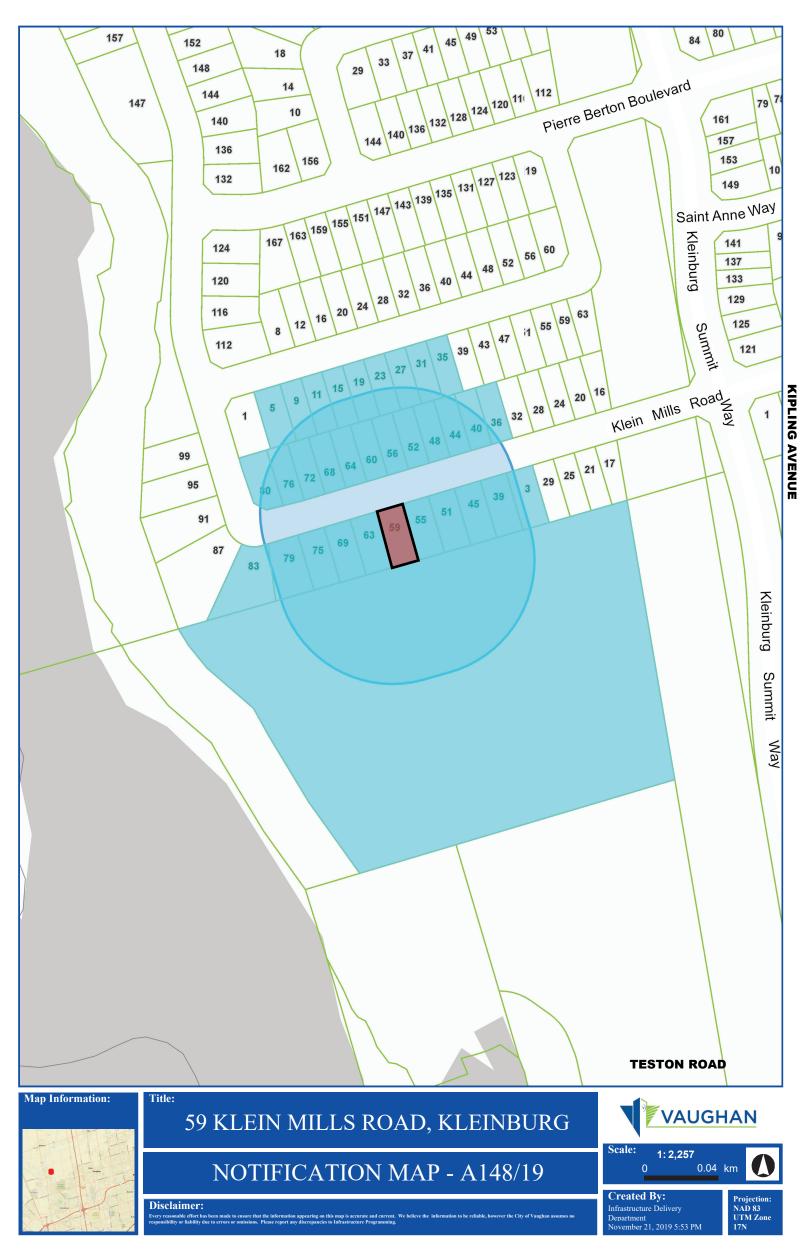
For further information please contact the City of Vaughan, Committee of Adjustment

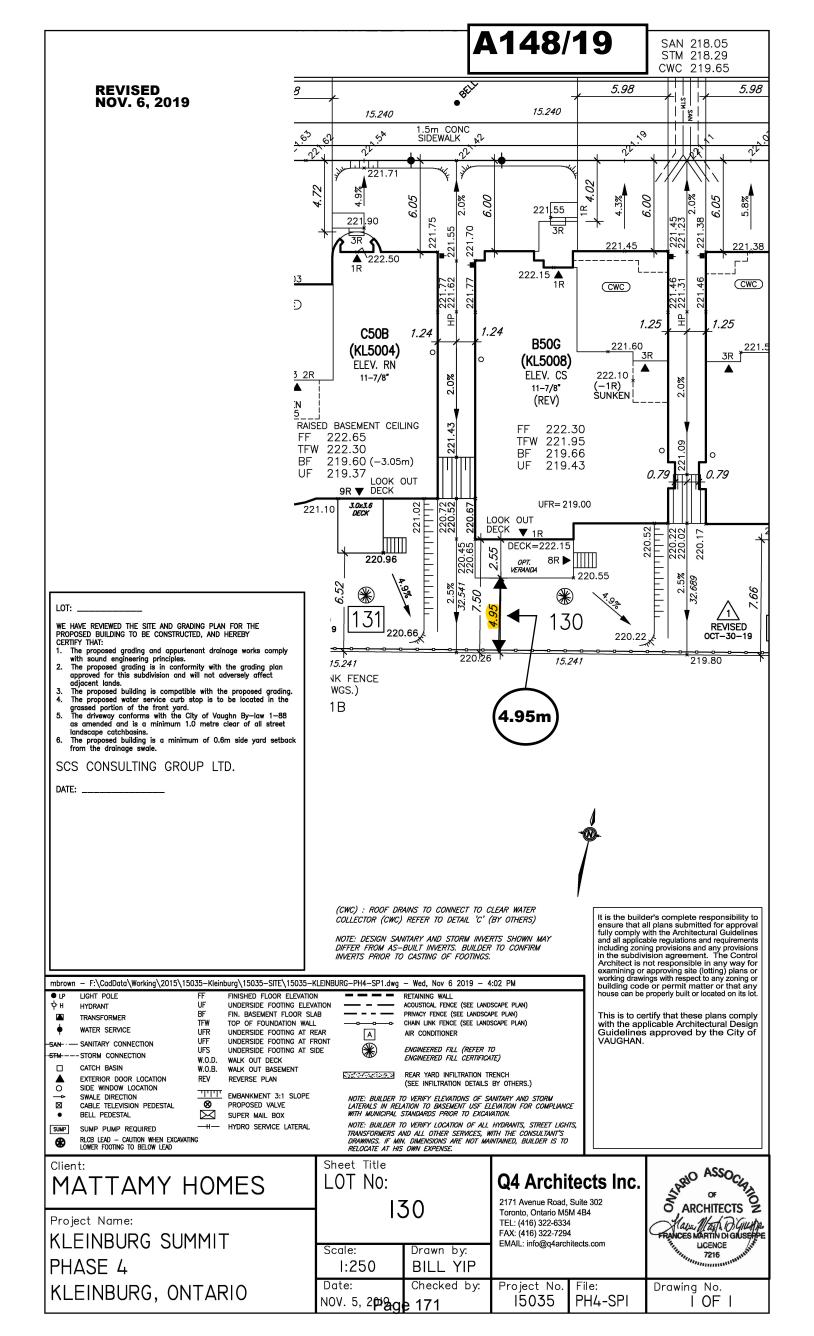
T 905 832 8585 Extension 8394 E CofA@vaughan.ca

# Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 





# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com



# VAUGHAN Staff Report Summary

# Item # 15

Ward # 4

<b>File:</b> A149/19

Applicant: Philip and Ilona Milman

35 Perrigo Court, Maple Address:

**Curtis Nooyen** Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\overline{\mathbf{V}}$	
Building Standards	V	
Building Inspection	$\overline{\checkmark}$	
Development Planning		
Cultural Heritage (Urban Design)	$\overline{\checkmark}$	
Development Engineering	$\overline{\checkmark}$	$\overline{\checkmark}$
Parks Department		
By-law & Compliance		
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department	$\overline{\checkmark}$	
TRCA		
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\checkmark}$	
Public Correspondence (see Schedule B)	V	
Adjournment History: None.		

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Background History: None.	
Staff Danart Drangrad Duy Langra Dravidance	

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019



Minor Variance Application Agenda Item: 15

**A149/19** Ward: 4

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

**Applicant:** Philip and Ilona Milman

Agent: Curtis Nooyen

Property: 35 Perrigo Court, Maple ON

**Zoning:** The subject lands are zoned RD3, Residential Detached Zone 3, and subject to the

provisions of Exception 9(1385) under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010: Low-Rise Residential.

Related Files: None

**Purpose:** Relief from the by-law is being requested to permit the construction of a proposed

accessory structure (cabana) to be located in the rear yard.

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

By-law Requirement	Proposal
1. A minimum Rear yard setback of 7.5 metres is	1. To permit a minimum Rear yard setback of 2.16
required.	metres to a cabana.

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

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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

# **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 22, 2019

Property Information			
Existing Structures	Year Constructed		
Dwelling	2016		

Applicant has advised that they cannot comply with By-law for the following reason(s): The design that has been put together and agreed on for my pool and backyard cabana structure(s) make it impossible for me to comply with the legal provisions the By-Law currently states in Vaughn. It is also important to note that given the shape of my lot there is not an alternative that would work for me to carry out any other design that would have everything comply with the provisions of the By-Law. Therefore, I would like to proceed with a committee of adjustment hearing to allow my family and I to have the design agreed to and completed as planned.

#### Adjournment Request: N/A

#### **Building Standards (Zoning Review):**

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

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

The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

Please note Section 4.1.1(b) that states the maximum height of an accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three(3) metres above finished grade.

#### **Building Inspections (Septic):**

No comments or concerns

## **Development Planning:**

Under review.

#### Cultural Heritage (Urban Design):

No Response.

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A149/19 subject to the following condition(s):

- 1. The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval.
- 2. Staff have confirmed that the property is located within an unassumed subdivision. The owner/applicant shall provide satisfactory notification to the development/builder and approval (later or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department

#### **Forestry Development:**

Under review.

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

No Response.

#### **Financial Planning and Development Finance:**

No comment no concerns

#### **Fire Department:**

No comment no concerns

#### Schedule A - Plans & Sketches

#### Schedule B - Public Correspondence

Letter of Support - 171 Farrell Road, Maple

## **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

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

None

#### Staff Recommendations:

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

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

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

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

	Department/Agency		Condition
1	Development Engineering	1.	The Owner/applicant shall submit the final Lot Grading Plan to
	Jason Pham		the Development Inspection and Lot Grading division of the
			City's Development Engineering Department for final lot
	905-832-8585 x 8716		grading approval prior to any work being undertaken on the
	Jason.pham@vaughan.ca		property. Please visit or contact Development Engineering's
			front desk on the 2nd floor of City Hall to apply for lot grading
			approval.
		2.	Staff have confirmed that the property is located within an
			unassumed subdivision. The owner/applicant shall provide
			satisfactory notification to the development/builder and
			approval (later or email) of the minor variance and proposed
			work to the property in question and provide a copy of the
			notification and approval to the City's Development
			Engineering Department

#### **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.

#### **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.

#### **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;

# Staff Report A149/19 Page 5 Notice to Public

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

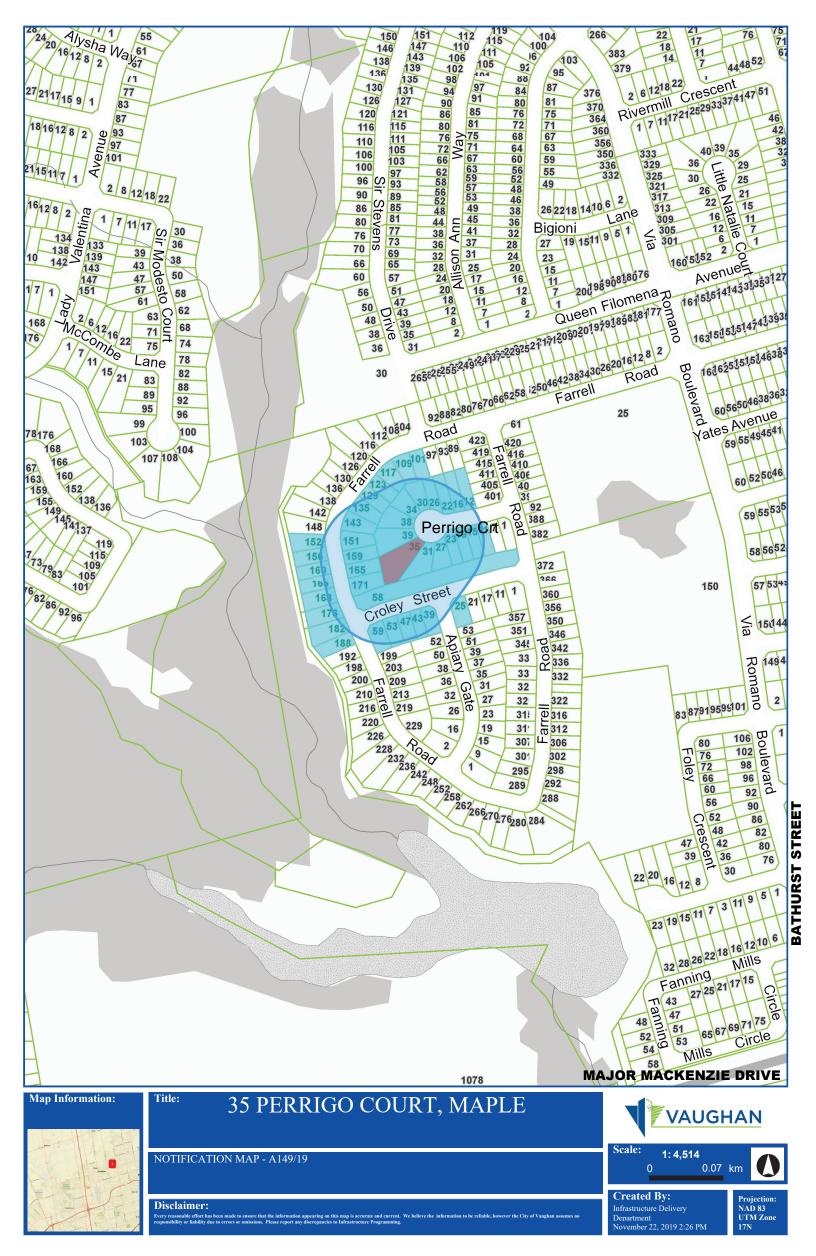
For further information please contact the City of Vaughan, Committee of Adjustment

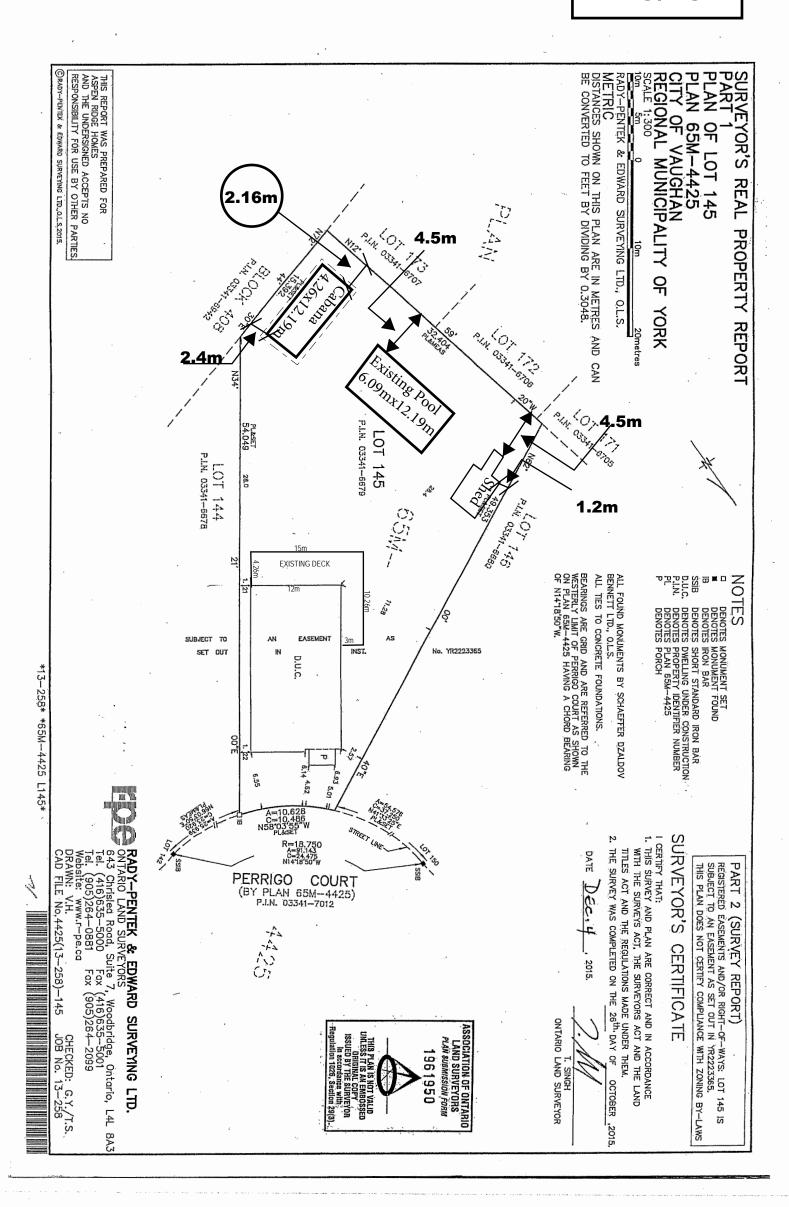
T 905 832 8585 Extension 8394 E CofA@vaughan.ca

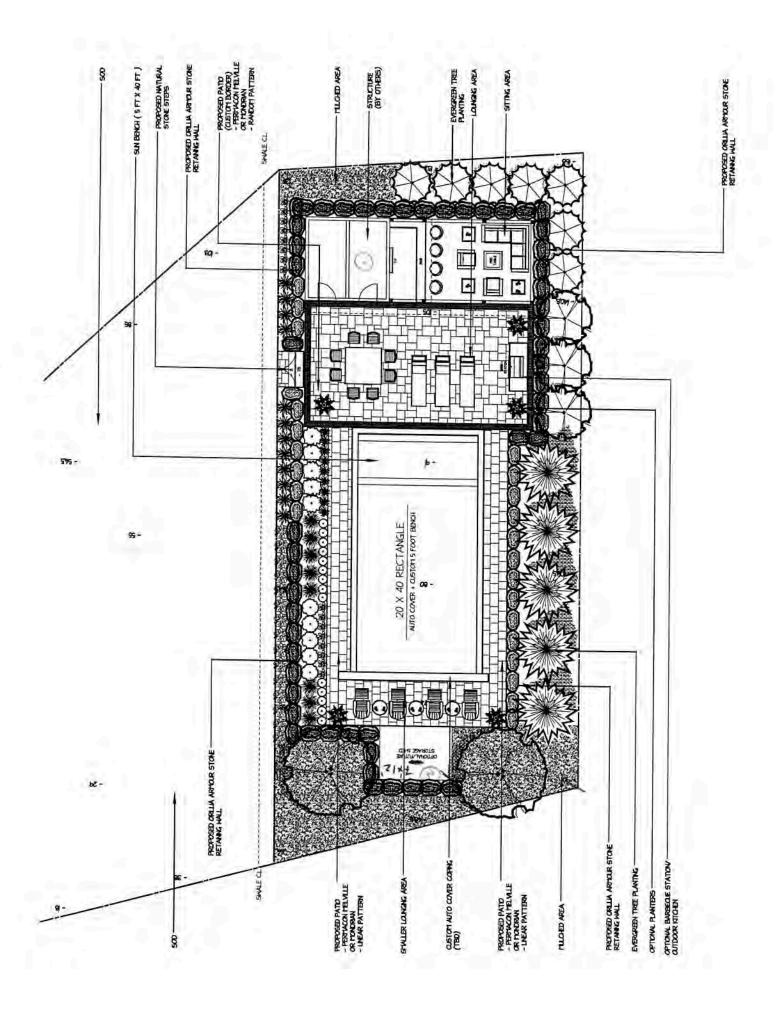
# Schedule A: Plans & Sketches

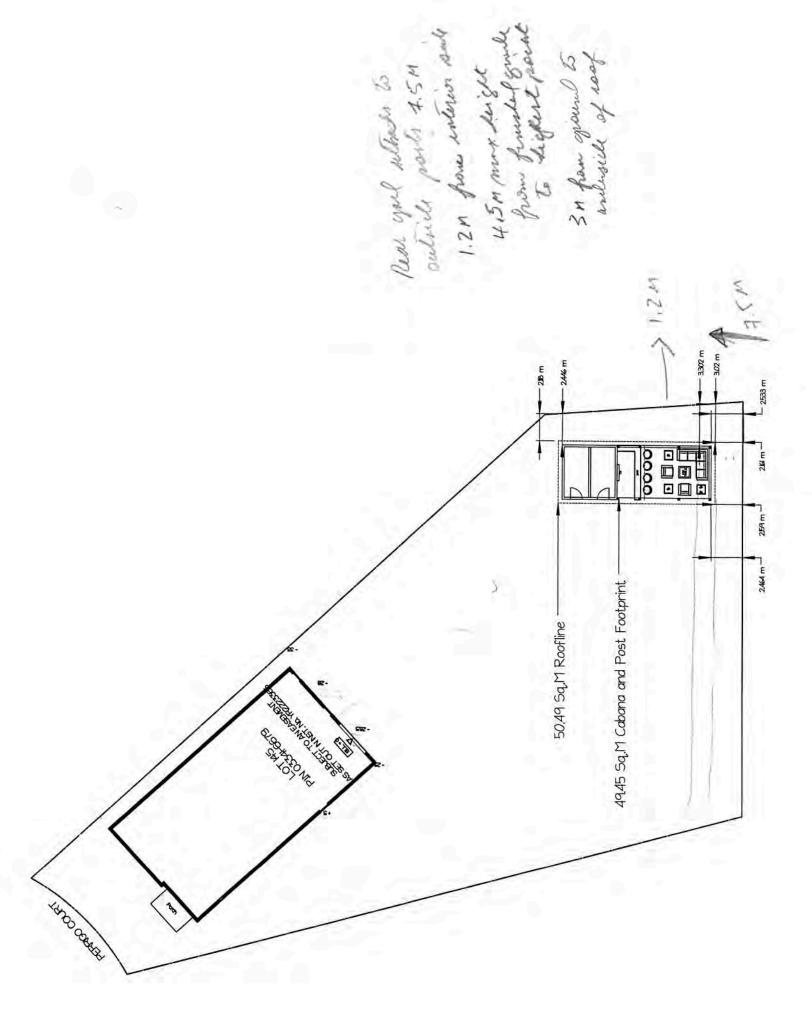
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 









# PLACEMENT DRAWINGS

PROJECT: 7' x 12' SONOMA

CUSTOMER: MR. PHILIP MILMAN

ADDRESS: 35 PERRIGO COURT, MAPLE,
ON, CANADA, LOK 1EO

DATE: OCTOBER 15, 2019

VERSION: V1.01

Summerwood PLACEMENT DRAWINGS

51539

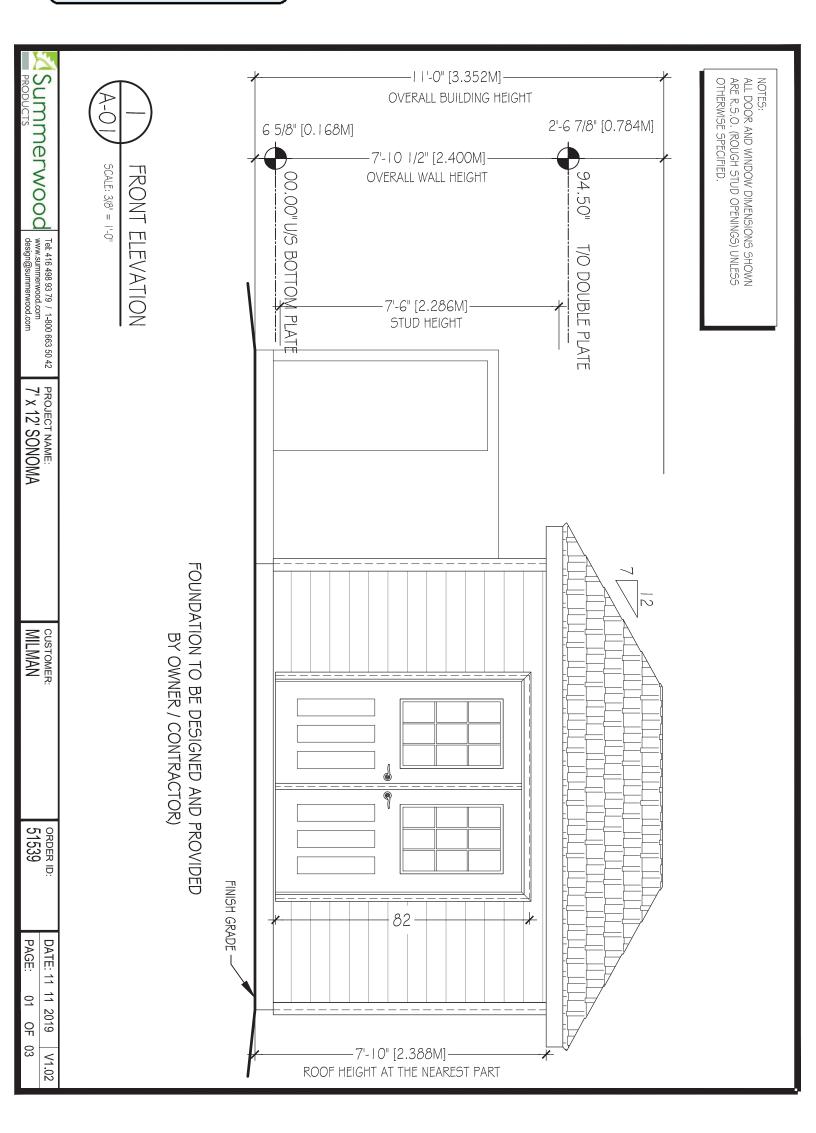
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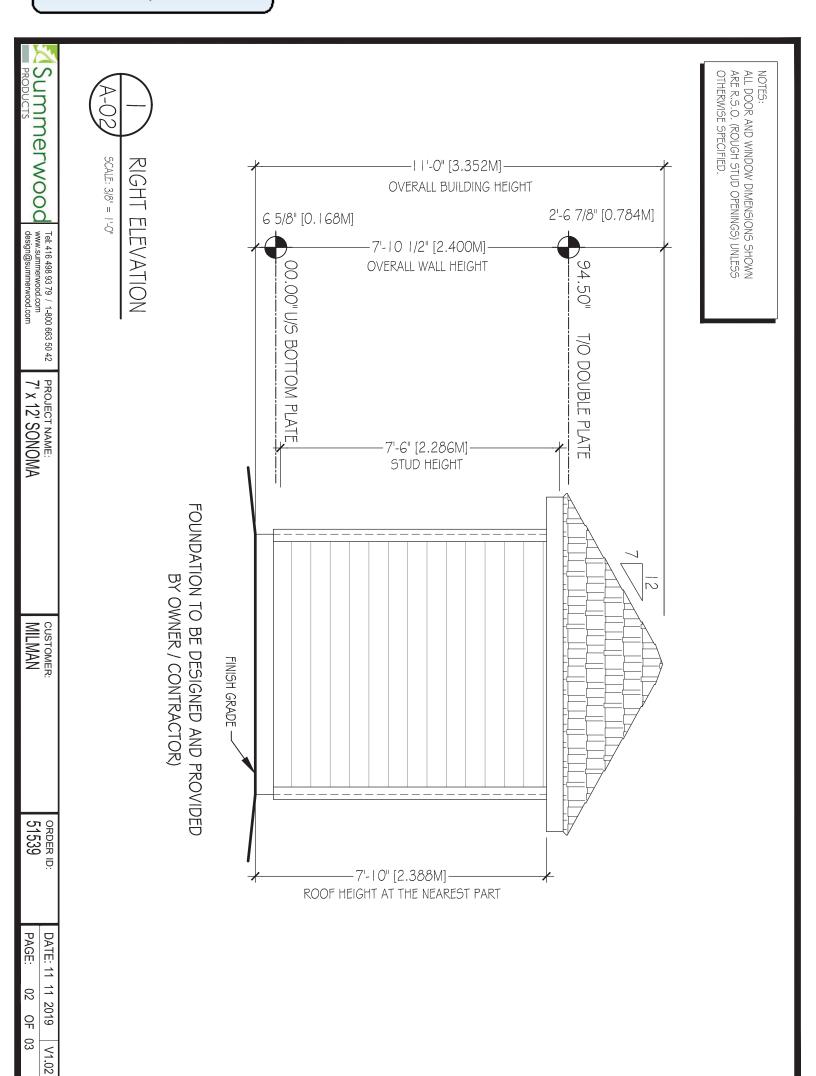
JIM HICKEY **CURTIS NOOYEN** 

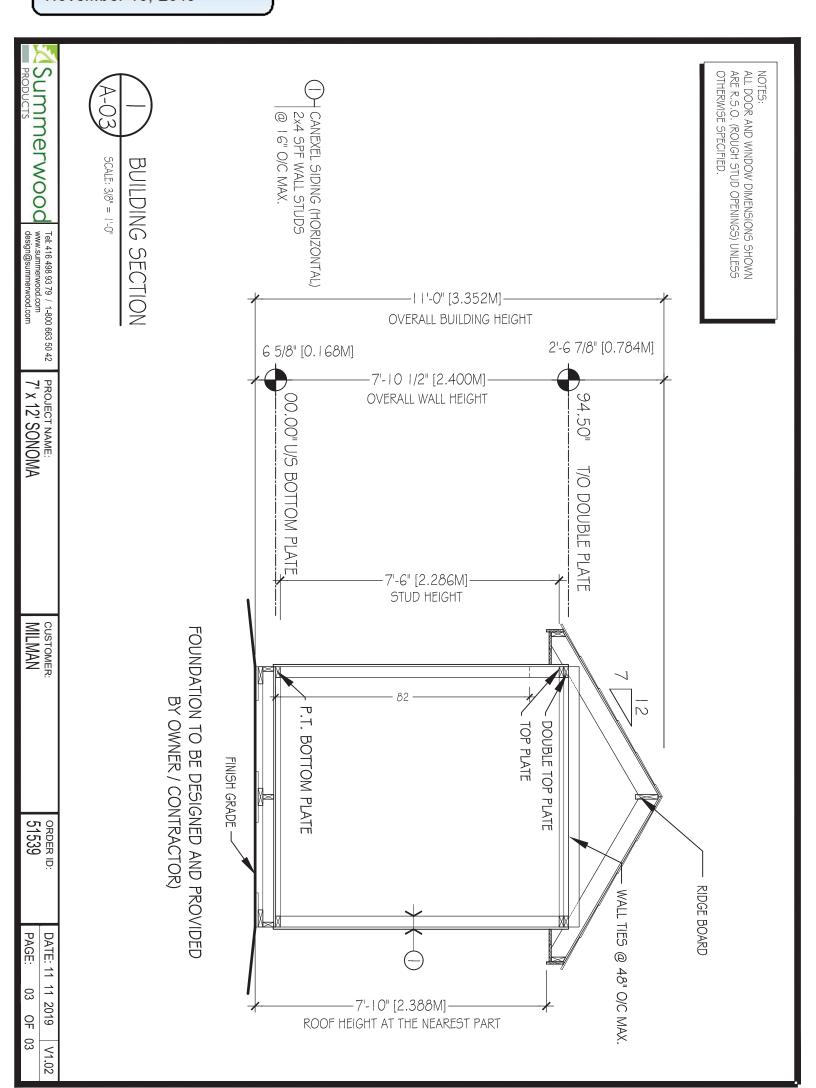
/ design@summerwood.com

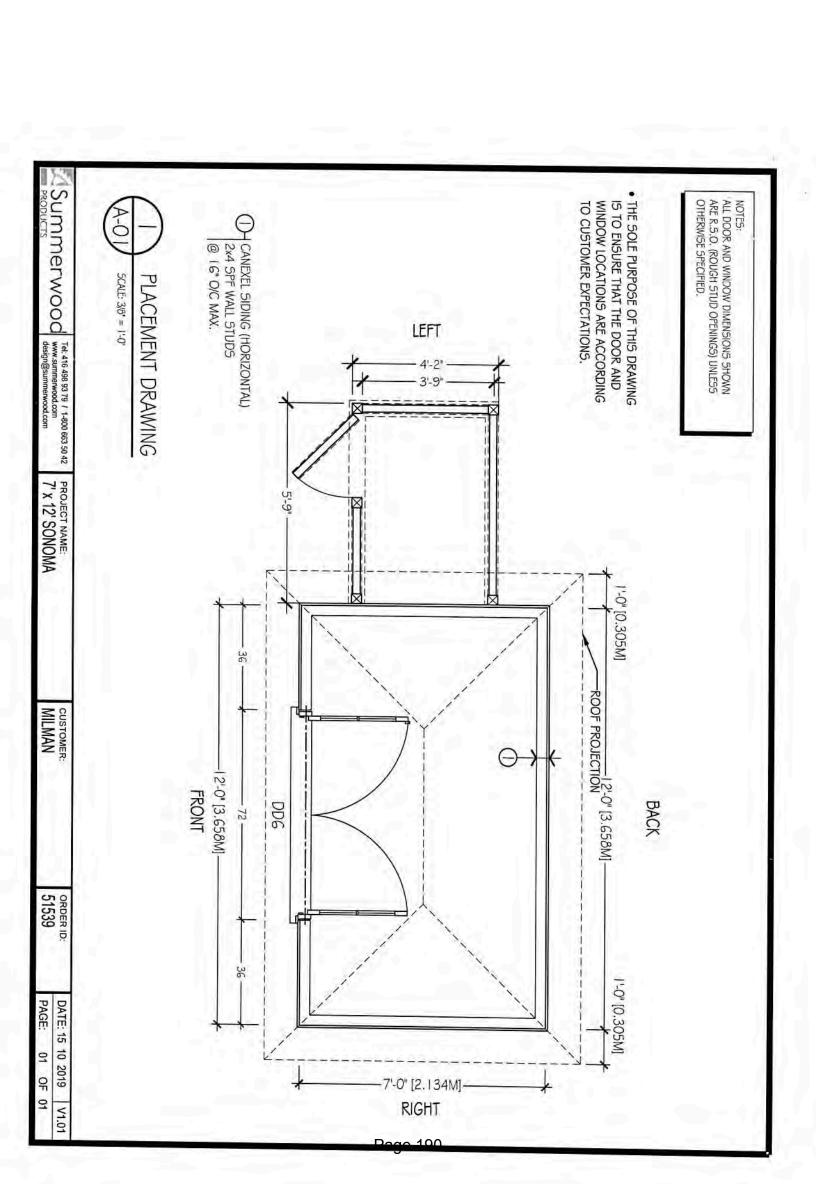
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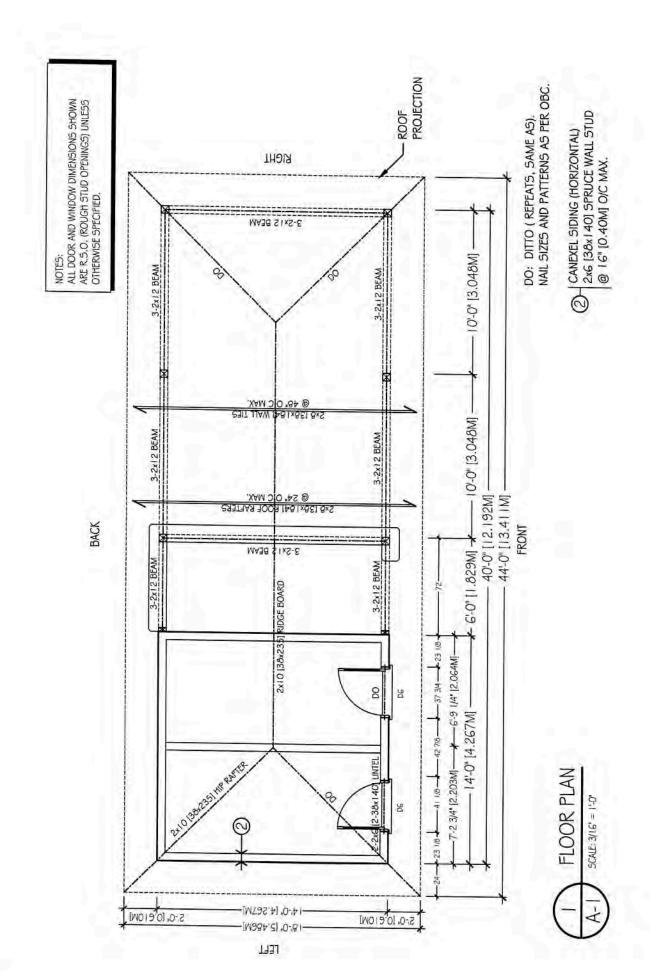
Page 186











# PERMIT DRAWINGS

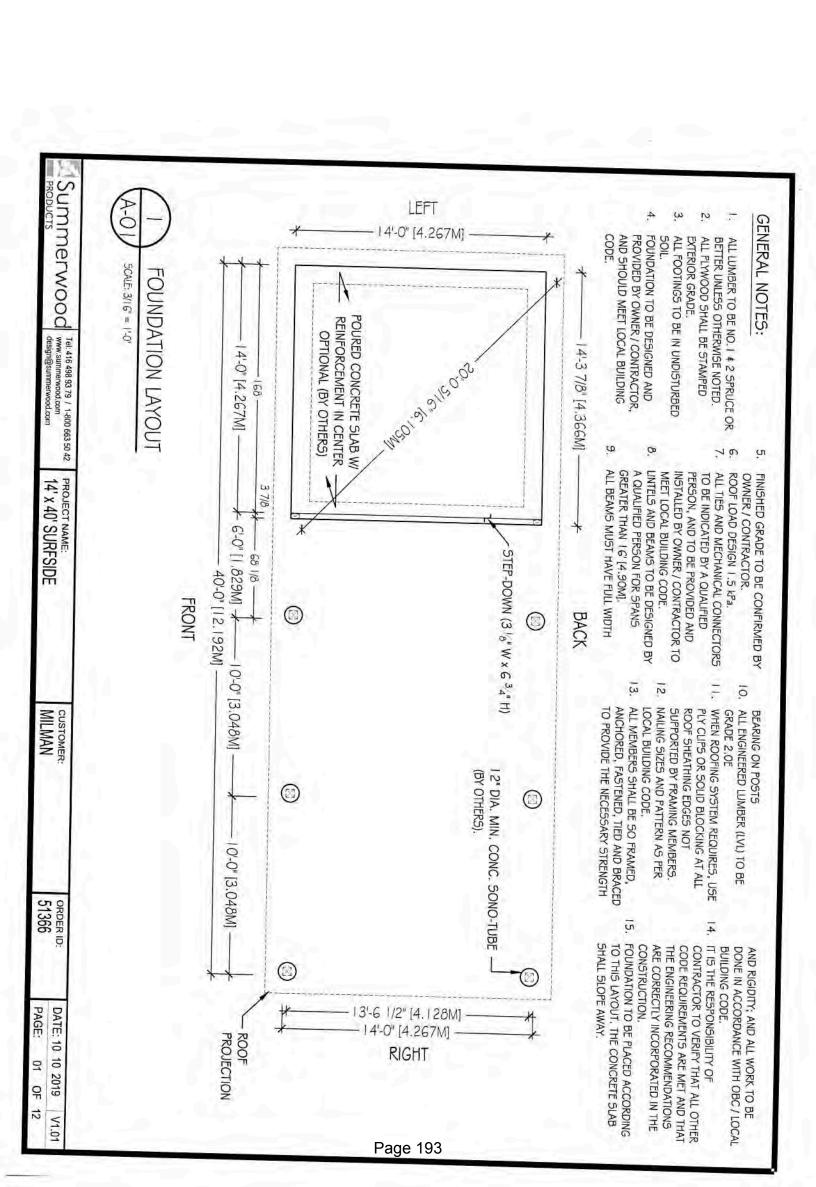
Summerwood PERMIT DRAWINGS

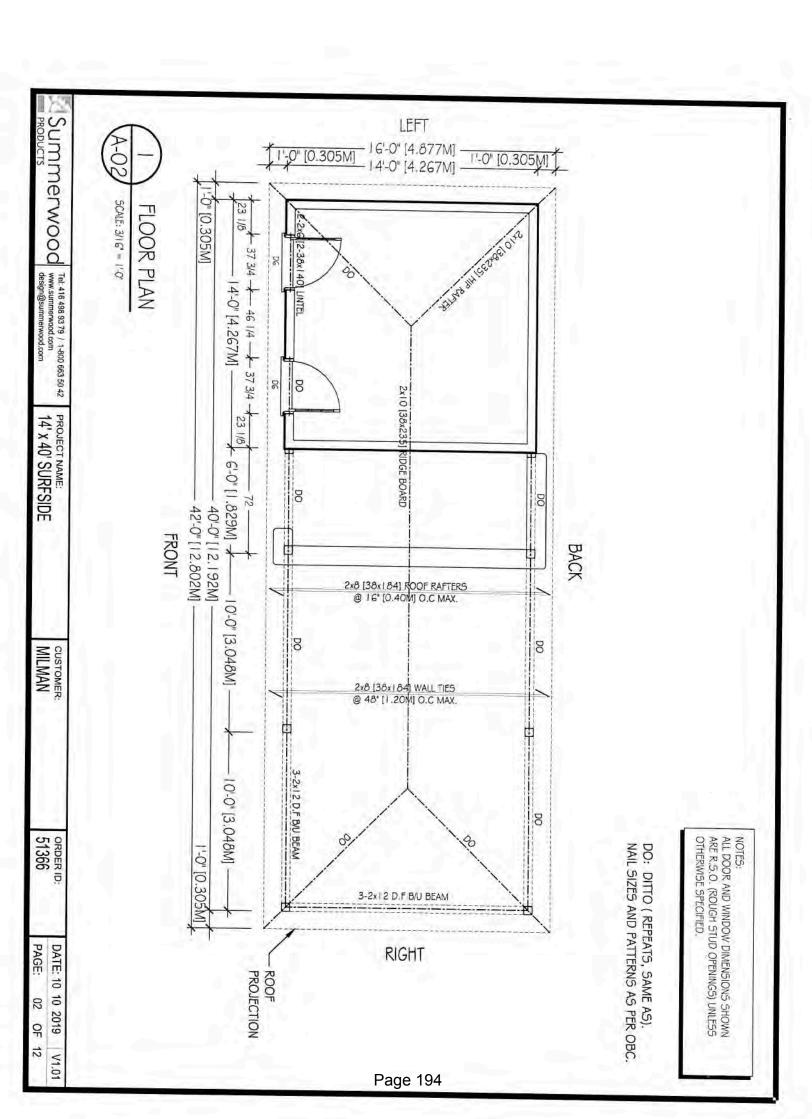
PROJECT: 14' x 40' SURFSIDE CUSTOMER: MR. PHILIP MILMAN ADDRESS: 35 PERRIGO COURT, MAPLE, ON, CANADA, LGA OH9
DATE: OCTOBER 10, 2019
VERSION: V1.01

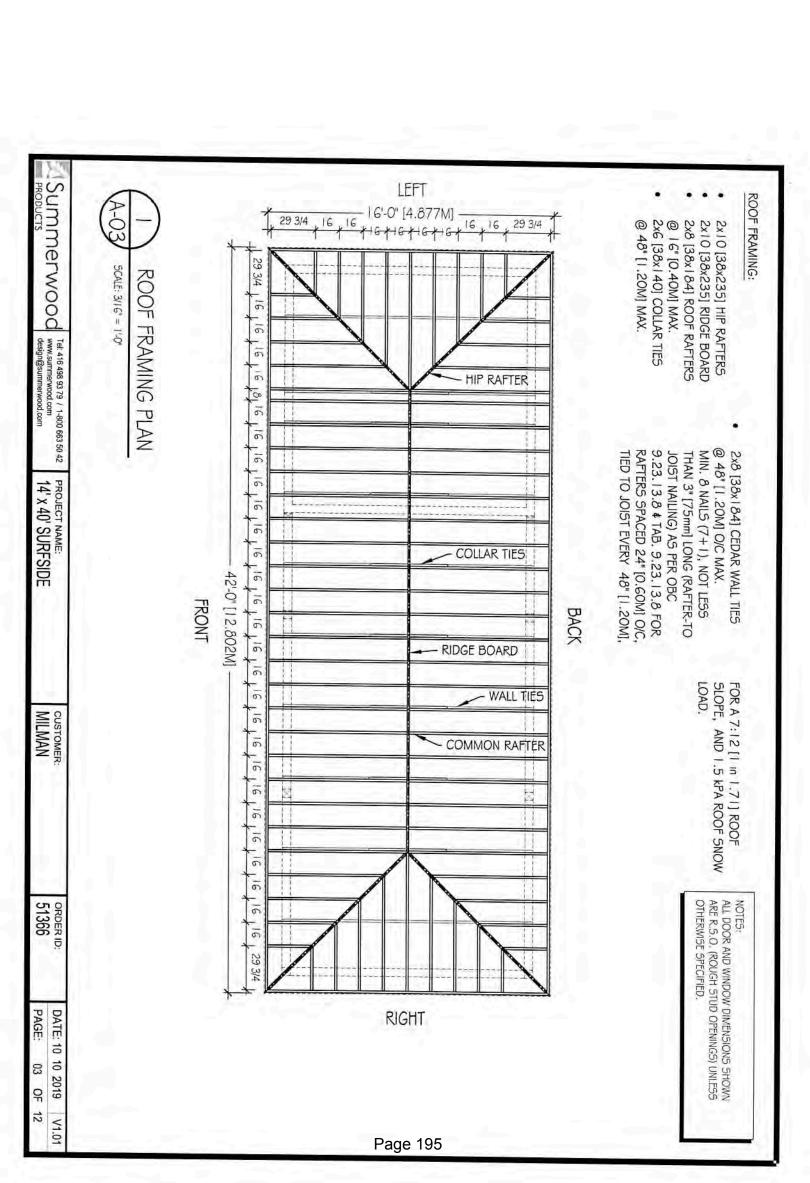
/ www.summerwood.com / design@summerwood.com PROD. APPROVAL: SALES APPROVAL: JIM HICKEY CURTIS NOOYEN

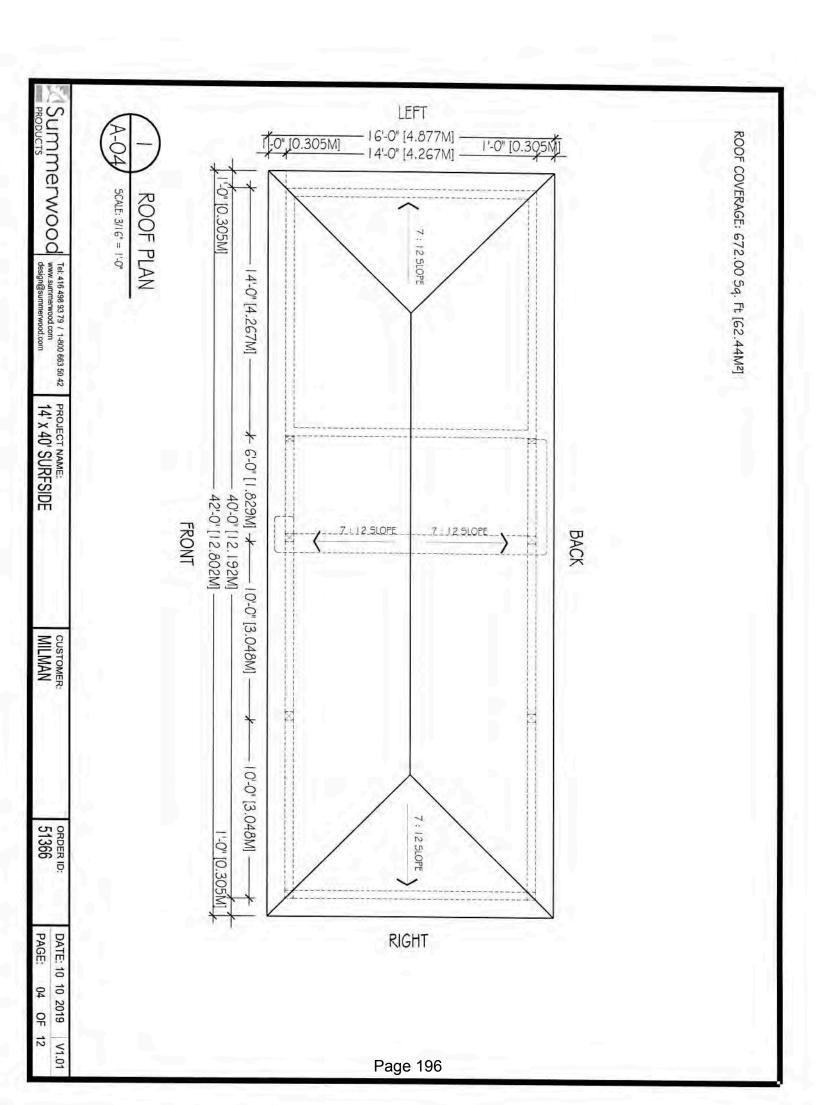
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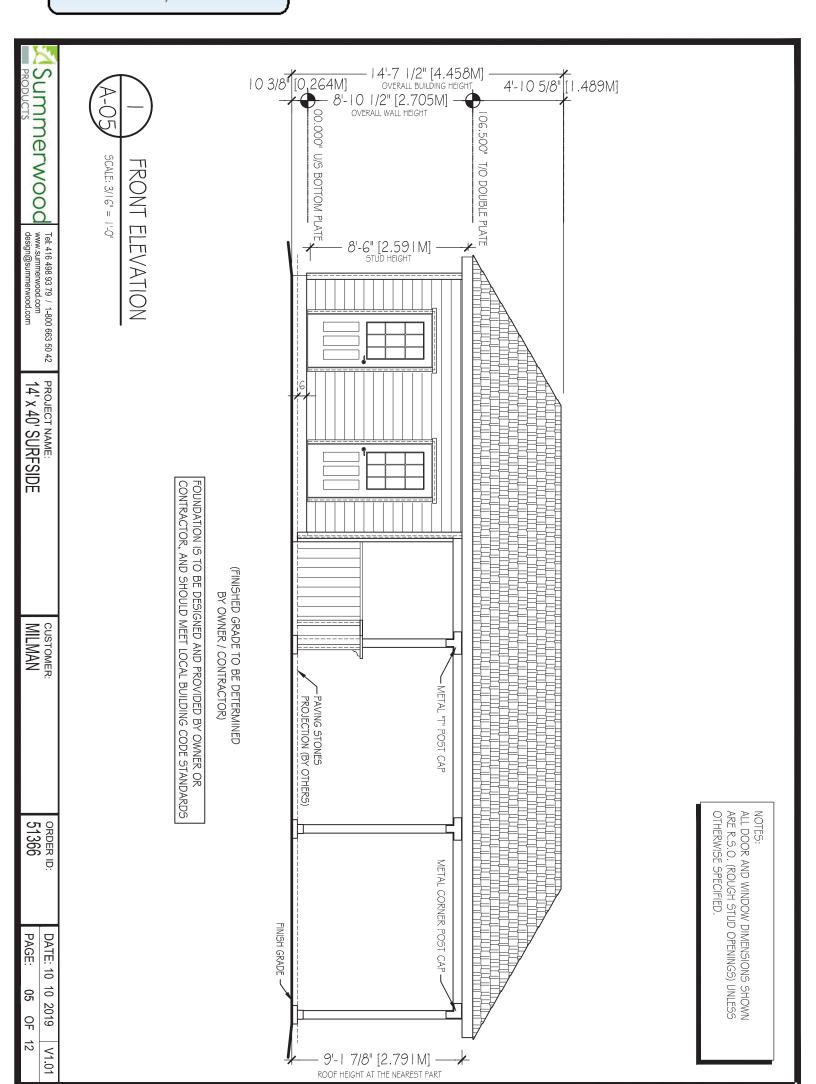
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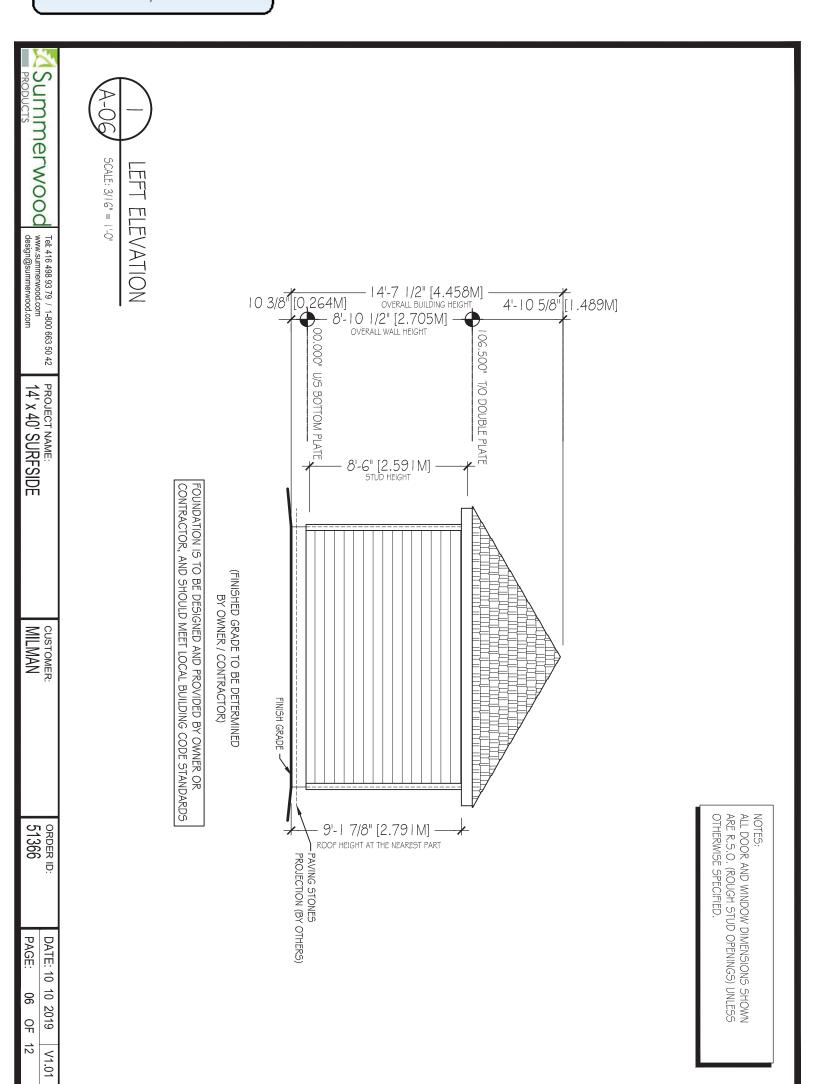


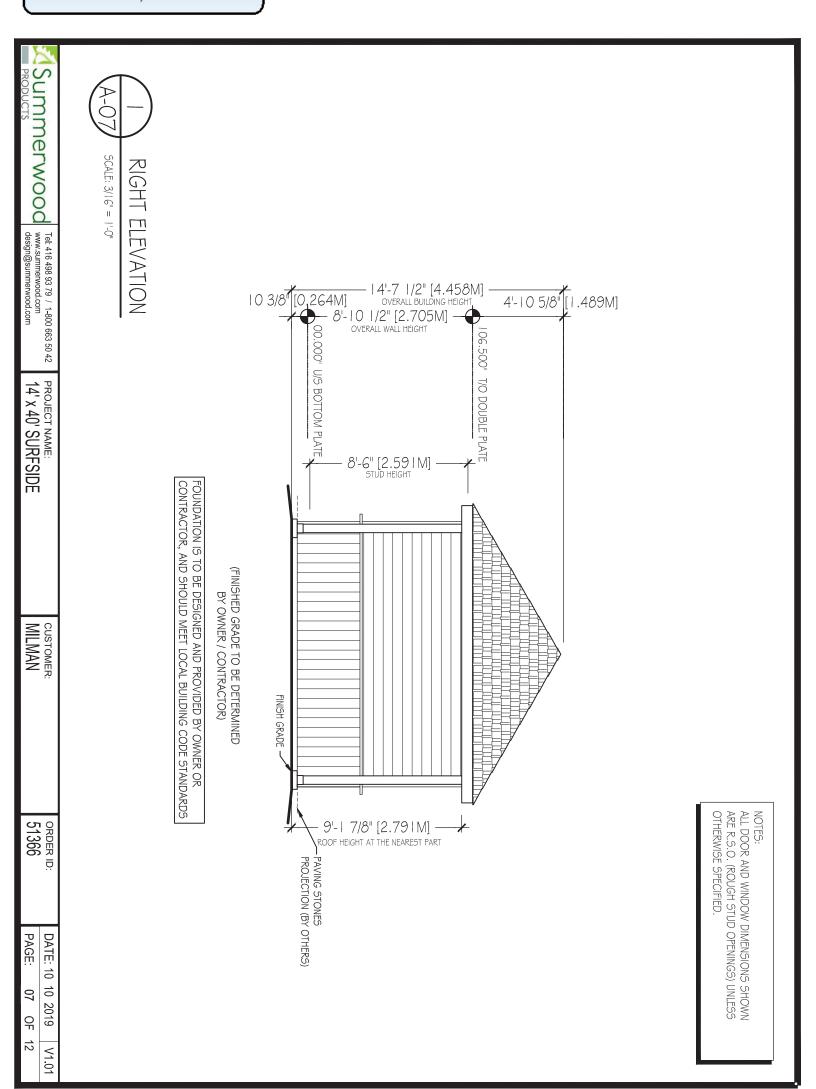






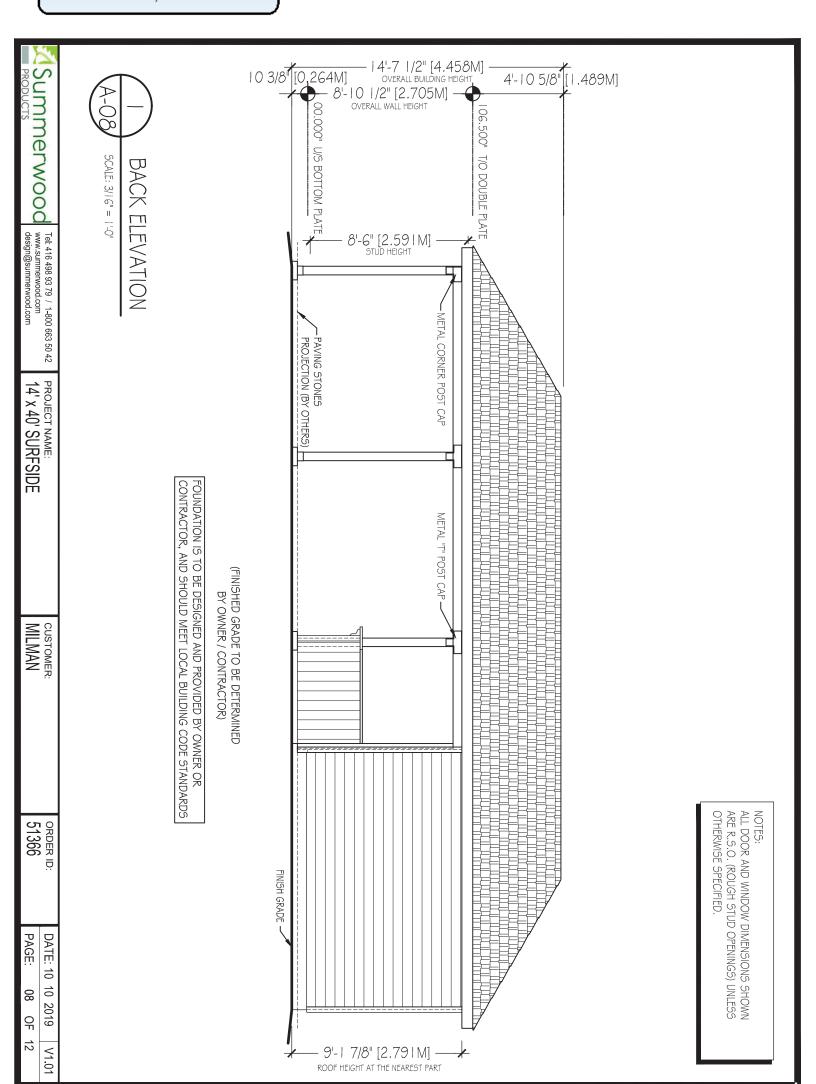


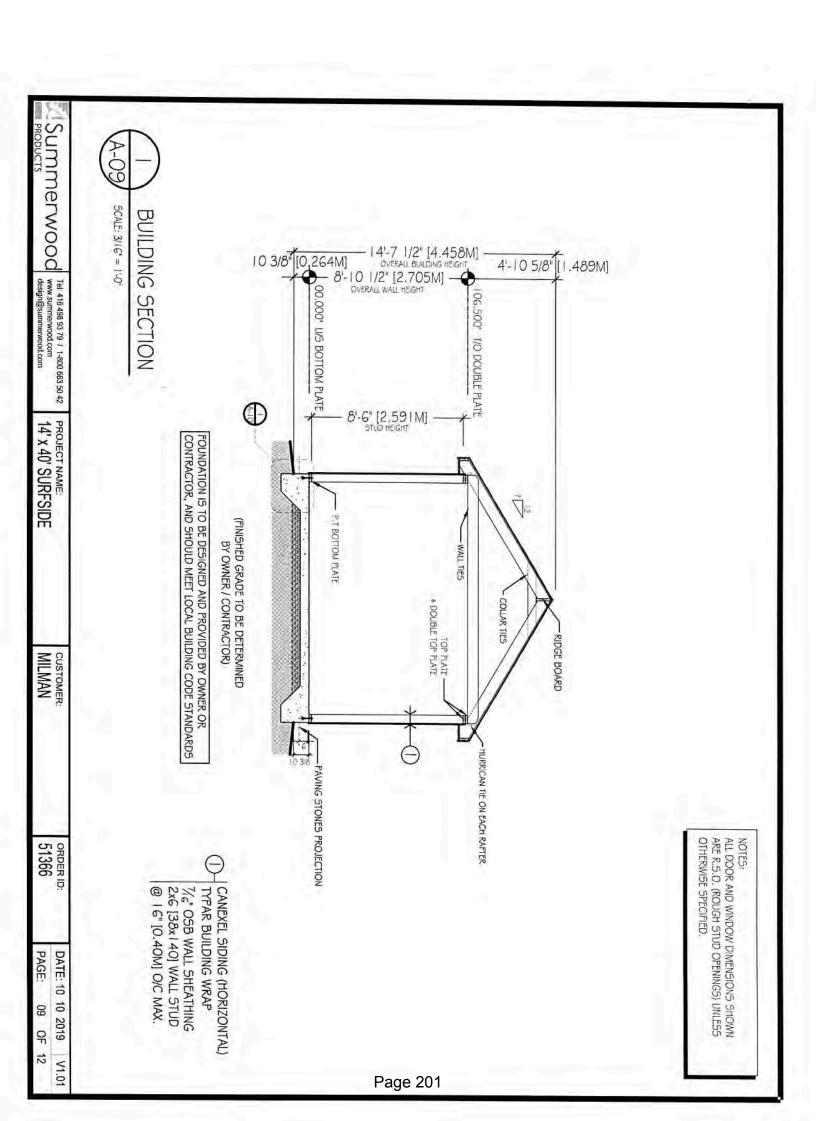


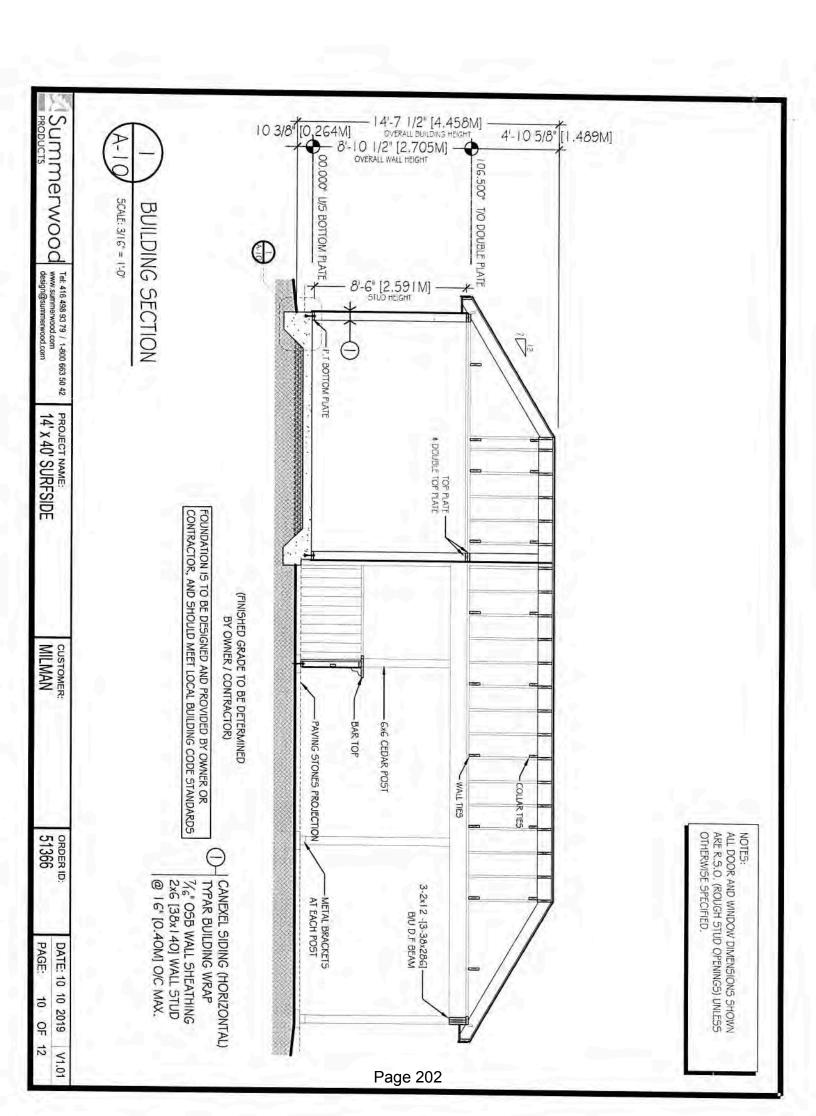


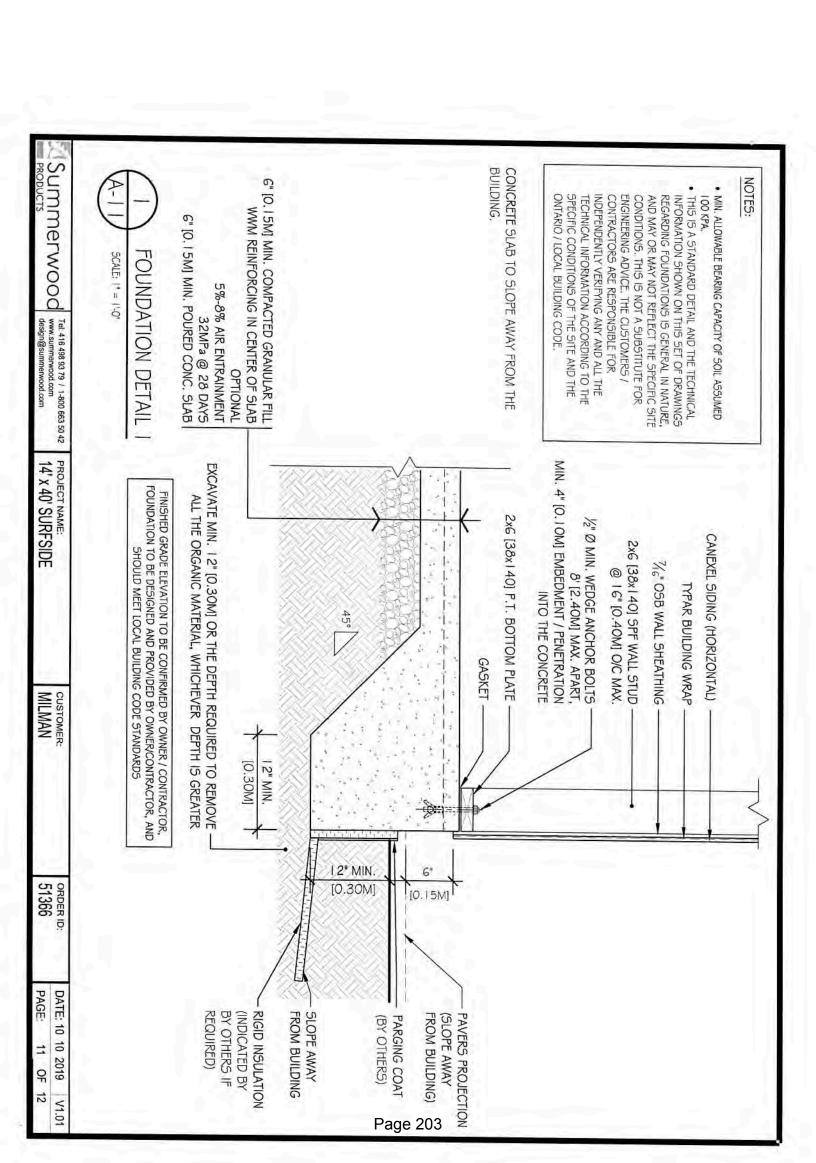
November 15, 2019

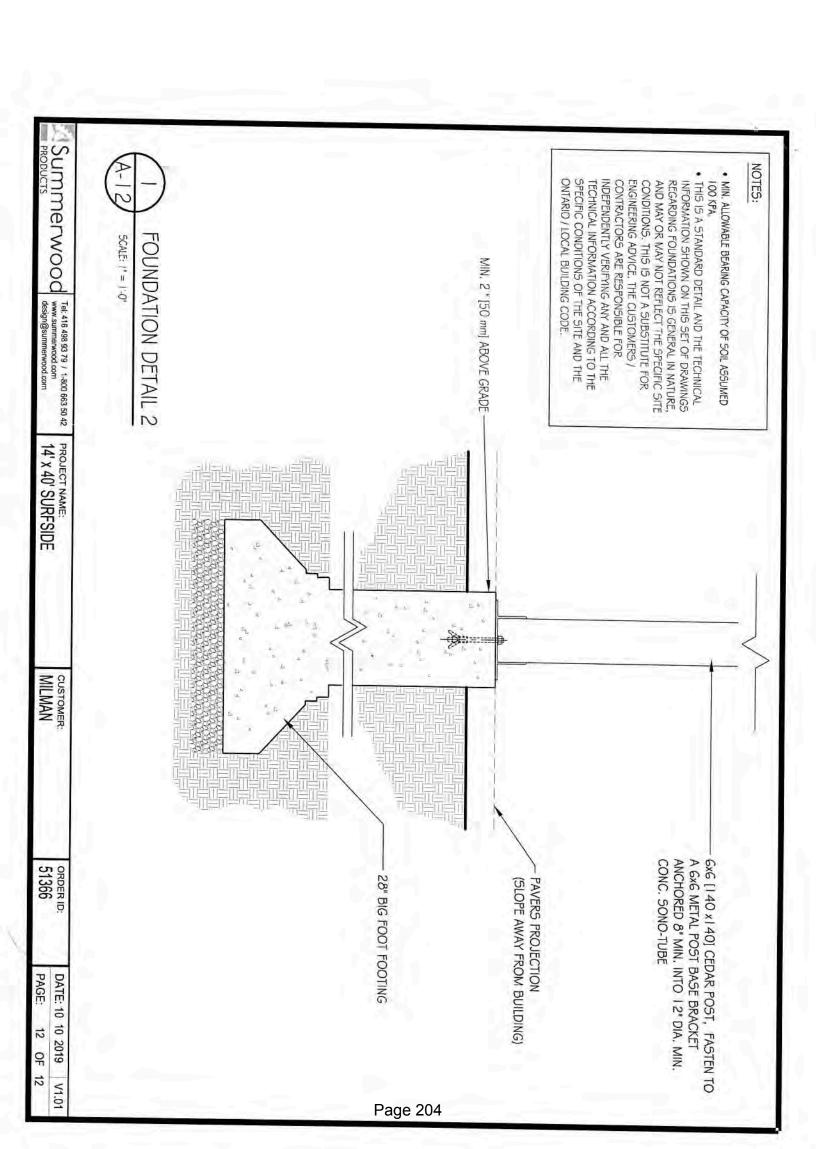
# A149/19







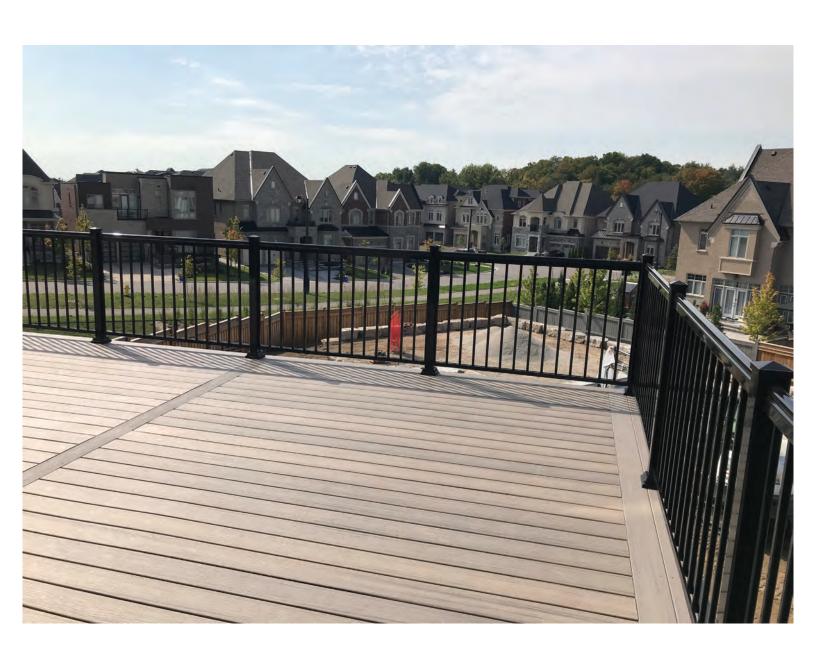


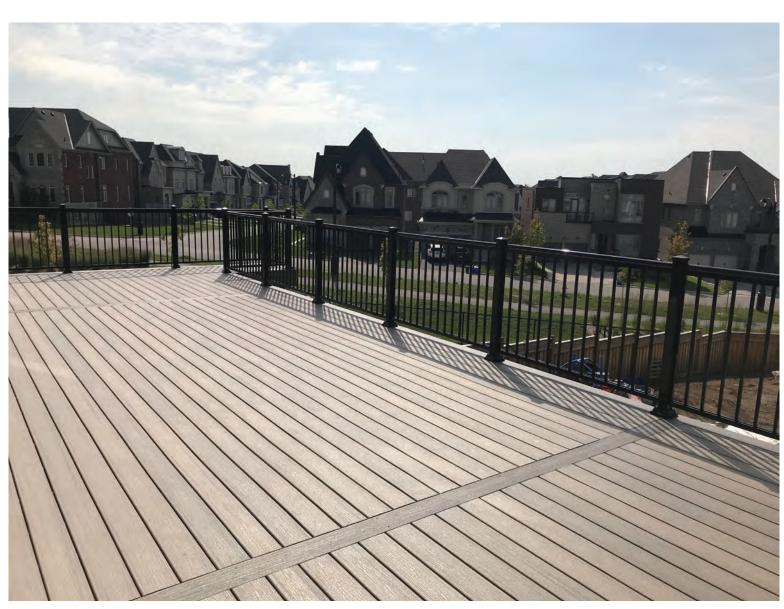




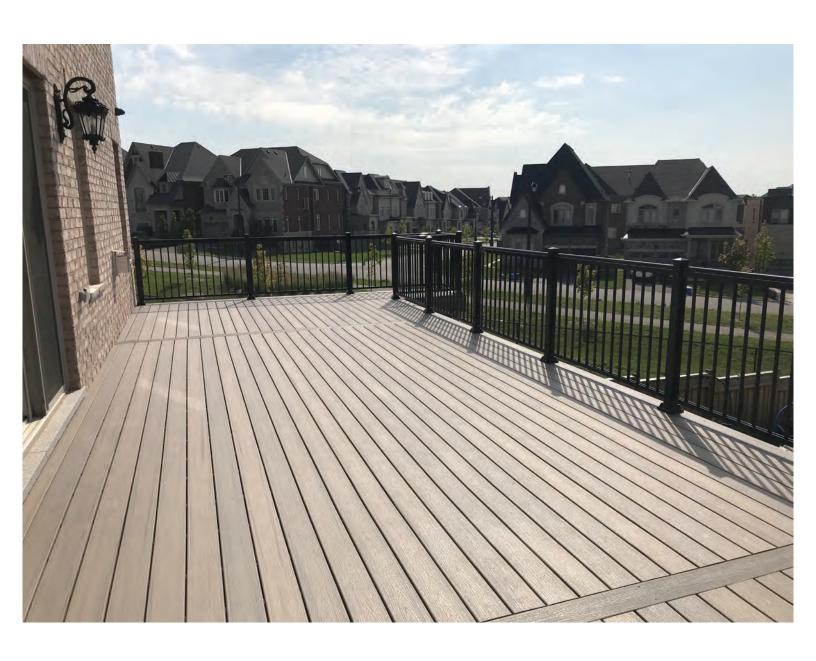


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Staff Report A149/19 Page 7

## **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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

Letter of Support - 171 Farrell Road, Maple

### PRIVATE & CONFIDENTIAL

Lenore Providence
Assistant Secretary Treasurer to Committee of Adjustment
City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Dr.
Vaughan, ON
L6A 1T1

Tel: 905-832-8585, ext. 8394 Lenore.providence@yaughan.ea

Dear Ms. Providence.

My name is Alex Kernitzman, and I reside at 171 Farrell Road Maple ON L6A 4W6.

I am aware of the Minor Variance Application A149 19 at 35 Perrigo Court Maple ON L6A 4W8 for 2.16M rear yard setback and I have no issue with it.

Thanks in advance,



Staff Report A149/19 Page 8

# **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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections



### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

### Providence, Lenore

**Subject:** FW: (A149-19) MVAR.19.V.0468 - 35 Perrigo Court

From: Skouros, Julia < Julia. Skouros@york.ca >

### **Sent:** November-22-19 1:20 PM

To: Attwala, Pravina < <a href="mailto:Pravina.Attwala@vaughan.ca">Pravina.Attwala@vaughan.ca</a>>

Cc: Vigneault, Christine < <a href="mailto:Christine.Vigneault@vaughan.ca">Christine.Vigneault@vaughan.ca</a>; Committee of Adjustment < <a href="mailto:CofA@vaughan.ca">CofA@vaughan.ca</a>

Subject: (A149-19) MVAR.19.V.0468 - 35 Perrigo Court

Hi Pravina,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has **no comment.** 

Should you have any questions or concerns, please contact me using the information provided below.

Best,

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | <u>Julia.Skouros@york.ca</u> | <u>york.ca</u>

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

Item 16

Ward 3

File: A151/19

Applicant: 2603774 Ontario Inc.

3812 Major Mackenzie Dr Woodbridge Address:

Design Plan Services inc. Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)		
	Negative Comment	<b>√</b> ×		
Committee of Adjustment	$\square$	$\square$		
Building Standards	$\square$			
Building Inspection	$\square$			
Development Planning				
Cultural Heritage (Urban Design)				
Development Engineering	$\square$			
Parks Department				
By-law & Compliance	$\overline{\checkmark}$			
Financial Planning & Development	$\square$			
Fire Department				
TRCA				
Ministry of Transportation				
Region of York	$\square$			
Alectra (Formerly PowerStream)	$\square$			
Public Correspondence (see Schedule B)	$\square$			
Adjournment History: N/A				
Background History: N/A				

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday, December 12, 2019 Staff Report A151/19 Page 2



Minor Variance Application Agenda Item: 16

**A151/19** Ward: 3

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing: Thursday, December 12, 2019

**Applicant:** 2603774 Ontario Inc.

Agent: Design Plan Services inc.

Property: 3812 Major Mackenzie Dr Woodbridge

**Zoning:** The subject lands are zoned RA3 (H) Residential Apartment Zone Three, and subject

to the provisions of Exception No. 9(1351), under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "Mid-Rise Mixed-Use" with a Maximum Building Height of 12 storeys and

a Maximum Floor Space Index of 1.581.

Related Files: None

**Purpose:** Relief from the by-law is being requested to permit increased maximum floor space

index (FSI).

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

By-law Requirement	Proposal
A maximum Floor Space Index (FSI) of 1.57 (net) is	To permit a maximum Floor Space Index (FSI) of 2.15
permitted.	(net).

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

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

### **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 28, 2019

Property Information				
Existing Structures	Year Constructed			
Building	TBD			

Applicant has advised that they cannot comply with By-law for the following reason(s): Additional GFA has been added and variance for net FSI is required.

**Adjournment Request:** Applicant was provided with an opportunity to adjourn the application prior to the public notice to address the requirement of an Official Plan Amendment.

Applicant to provide payment of Adjournment Fee (see Fee Schedule) prior to rescheduling of Application A151/19, if required.

Staff Report A151/19 Page 3

### **Building Standards (Zoning Review):**

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

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval. The drawings and statistics submitted are not sufficient to complete a full and detailed review of the development. Please submit a complete site plan, drawings, elevations and statistics to the Development Planning Department so that the same may be circulated for review by the various departments.

### **Building Inspections (Septic):**

No comments or concerns

### **Development Planning:**

Application under review

### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A151/19.

### **Parks Development:**

No Response.

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

No comments or concerns

### **Financial Planning and Development Finance:**

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.

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 Bylaws in effect at time of payment.

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

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

### **Fire Department:**

No Response.

### Schedule A - Plans & Sketches

### Schedule B - Public Correspondence

Application Cover Letter (agent)

### **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

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

None

### **Staff Recommendations:**

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

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

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

Staff Report A151/19 Page 4

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 are recommended:

	Department/Agency	Condition
1	Committee of Adjustment	Applicant to provide payment of Adjournment Fee (see
	Christine Vigneault	Fee Schedule) prior to rescheduling of Application A151/19, if required.
	905-832-8585 x 8332 christine.vigneault@vaughan.ca	

### **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.

### **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.

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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.

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Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

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

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

T 905 832 8585 Extension 8002 E CofA@vaughan.ca

Staff Report A151/19 Page 6

# Schedule A: Plans & Sketches

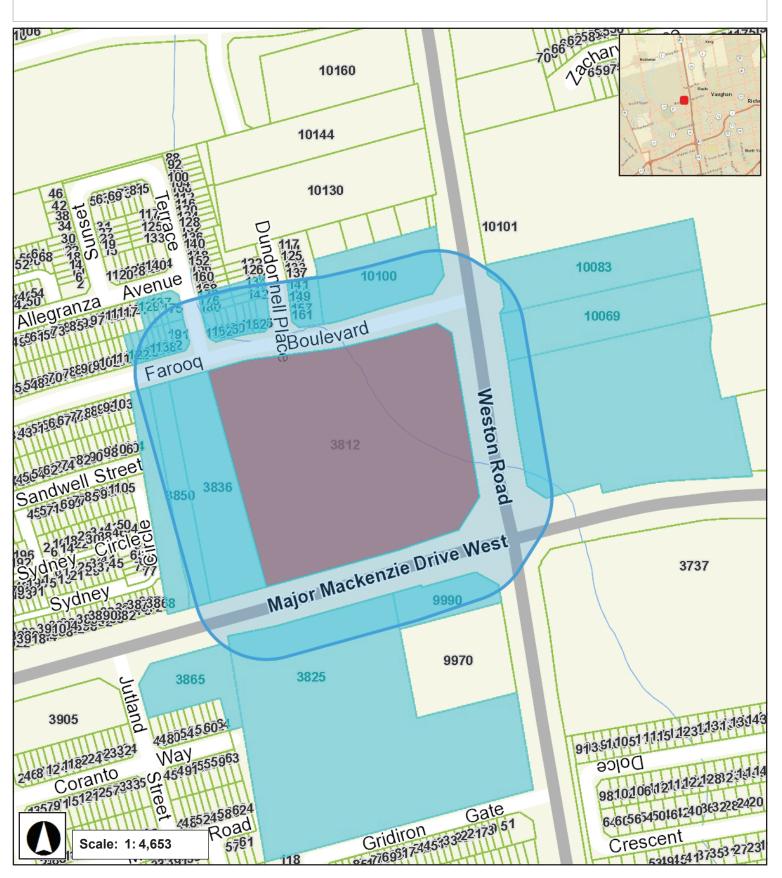
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 



# **LOCATION MAP - A151/19**

3812 MAJOR MACKENZIE DRIVE, VAUGHAN



November 20, 2019 2:42 PM



# LALU TOWNHOMES 10/29/2019

204 +/- STACKED BACK-TO-

19,100m<sup>2</sup> / 1.91 HA

147,500ft<sup>2</sup> 0.72

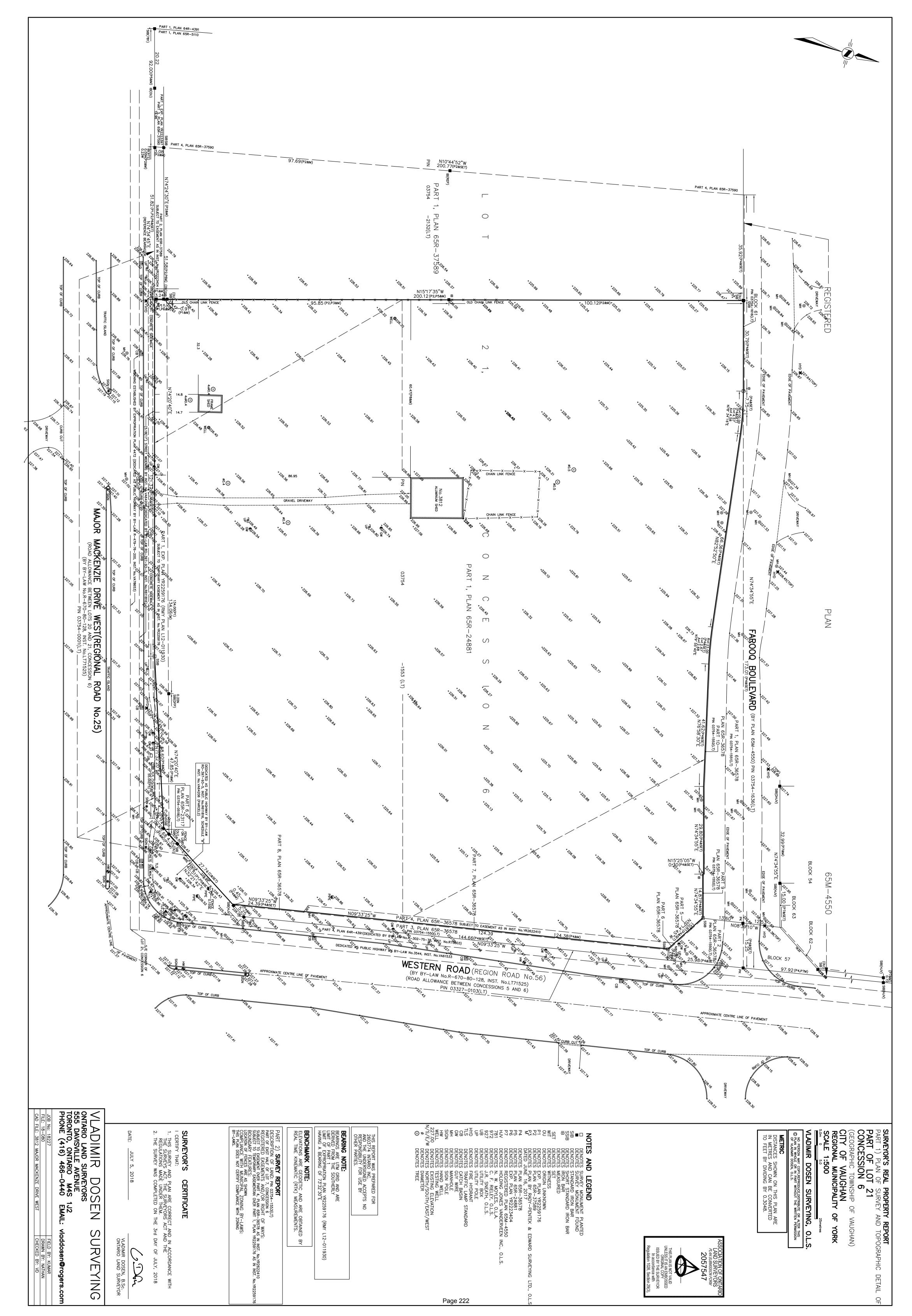
40,000ft² 187,500ft² 0.91

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# 204 +/- STACKED BACK-TO-BACK UNITS

3812 MAJOR MACKENZIE
LALU TOWNHOMES
10/29/2019
KIRKOR ARCHITECTS + PLANNERS



Staff Report A151/19 Page 7

# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**Application Cover Letter (Agent)** 



DESIGN PLAN SERVICES

Christine Vigneault, ACST Manager of Development Services & Secretary-Treasurer to Committee of Adjustment City of Vaughan 2141 Major Mackenzie Dr., Vaughan, Ontario L6A 1T1

Thursday November 28th, 2019

DPS File: 19100

RE: Minor Variance Application A151/19 (3812 Major Mackenzie Dr Vaughan)

This cover letter has been prepared in response to the Adjournment Request from the City of Vaughan dated Tuesday, November 26, 2019.

We and the owner of the subject property acknowledge the request for adjournment, however we would still like to proceed to the Thursday, December 12, 2019 Committee of Adjustment hearing. We are aware that an Adjournment Fee will be applicable (per application) should this/these application(s) be adjourned after the issuance of public notice.

The purpose of the minor variance application is to increase the net FSI of the subject lot from 1.57 to 2.15. Please note, the net FSI applies to the entire lot and it does not regulate individual buildings.

As requested by the City, the following information/materials are submitted with this cover letter:

Revised Sketch (indicating boundary of land)

Should you have any questions or concerns please do not hesitate to contact the undersigned.

Sincerely,

**DESIGN PLAN SERVICES INC.** 

T.J. Cieciura, MSc MCIP RPP

**PRESIDENT** 

Himm

Staff Report A151/19 Page 8

# **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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

# Attwala, Pravina

Subject: FW: MVAR.19.V.0476 (A151/19) - 3812 Major Mackenzie Drive West

From: Candy, Grace <Grace.Candy@york.ca>

Sent: November-25-19 4:08 PM

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

Subject: MVAR.19.V.0476 (A151/19) - 3812 Major Mackenzie Drive West

Hi Pravina,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Should you have any questions or concerns, please contact Gabrielle Hurst, Associate Planner at ext. 71538 or by email at <a href="mailto:gabrielle.hurst@york.ca">gabrielle.hurst@york.ca</a>.

Best,

Grace Candy | Assistant Planner - Co-op Student, Community Planning, Corporate Services

\_\_\_\_\_\_

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 73012 | <a href="mailto:grace.candy@york.ca">grace.candy@york.ca</a> | <a href="mailto:york.ca">york.ca</a> | <a h

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



VAUGHAN Staff Report Summary

Item #17

Ward #5

File: A156/19

Neeraj & Marilyn Singh Applicant:

98 Pico Crescent, Thornhill Address:

Lifestyle Sunrooms Inc. **Agent:** 

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Positive Comment	Condition(s)
	<b>√</b> ×
$\overline{\checkmark}$	
$\square$	
$\square$	
$\overline{\checkmark}$	
$\overline{\checkmark}$	
$\overline{\checkmark}$	
	Negative Comment  Negative Comment  Negative Comment  Negative Comment  Negative Comment

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, December 12, 2019

Staff Report A156/19 Page 2



# Minor Variance Application

Agenda Item: 17

**A156/19** Ward: 5

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Neeraj & Marilyn Singh

**Agent:** Lifestyle Sunrooms Inc.

Property: 98 Pico Crescent, Thornhill

**Zoning:** The subject lands are zoned R3 Residential Zone Three, under By-law 1-88 as

amended.

**OP Designation:** Vaughan Official Plan 2010: Low-Rise Residential

Related Files: None

**Purpose:** Relief from the By-Law is being requested to permit the addition of a proposed one

storey sunroom (unheated) with attached stairs and landing. The proposed sunroom

is to be constructed at the rear of the existing dwelling.

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

By-law Requirement	Proposal
1. A minimum rear yard setback of 7.5 metres is	To permit a minimum rear yard setback of 4.27
required to the addition (sunroom).	metres to the addition (sunroom).
2. A minimum rear yard setback of 5.7 metres is	2. To permit a minimum rear yard setback of 3.43
required to an open and unenclosed deck.	metres to the open and unenclosed deck and
	stairs

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

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

# **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 26, 2019

Property Information			
Existing Structures Year Constructed			
Dwelling	2017		
Sunroom	TBC		

Applicant has advised that they cannot comply with By-law for the following reason(s): The proposed sunroom doesn't meet the minimum rear yard setback of 7.5m, the proposed stair doesn't meet the minimum rear yard setback of 5.7m

Adjournment Request: N/A

Staff Report A156/19 Page 3

# **Building Standards (Zoning Review):**

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

Building Permit No. 00-001577 for Single Detached Dwelling - New, Issue Date: May 23, 2000

Building Permit No. 19-001622 for Single Detached Dwelling - Addition not yet issued

# **Building Inspections (Septic):**

No comments or concerns.

# **Development Planning:**

Vaughan Official Plan 2010: Low-Rise Residential

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

The Development Planning Department recommends approval of the above noted minor variances.

# Cultural Heritage (Urban Design):

No Response

# **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A156/19.

#### **Parks Development:**

No Response.

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

No Response.

# **Financial Planning and Development Finance:**

No comment no concerns

# **Fire Department:**

No Response.

Schedule A - Plans & Sketches

# Schedule B - Public Correspondence

None

# Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

# **Staff Recommendations:**

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

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

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

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96.

#### 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.

# **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.

# **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**

WRITTEN SUBMISSIONS: 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan Committee of Adjustment 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1 CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

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

Staff Report A156/19 Page 5

# Schedule A: Plans & Sketches

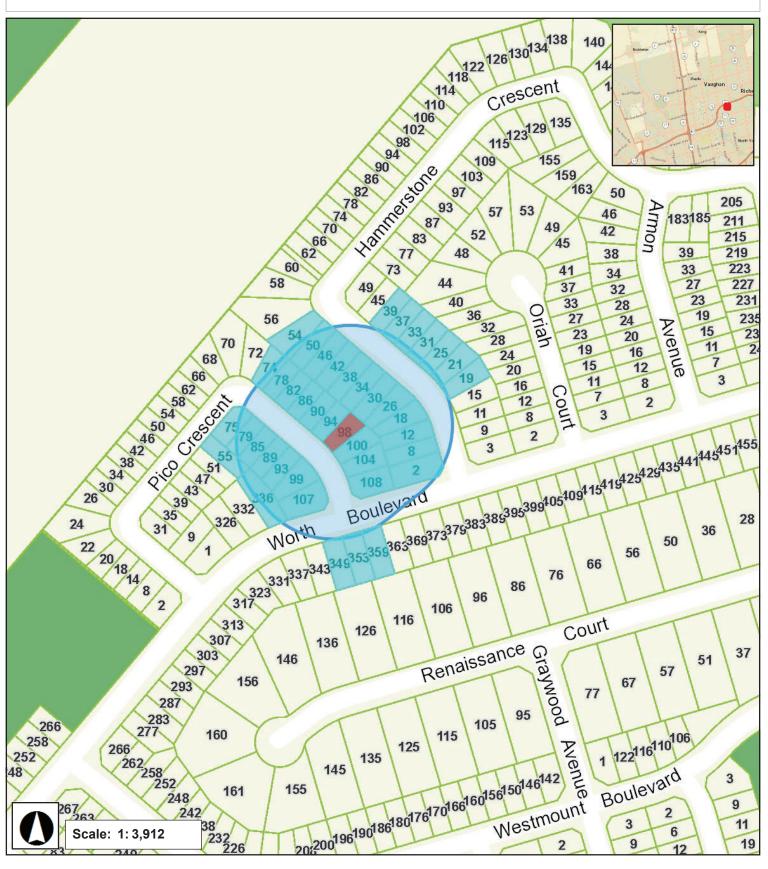
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 

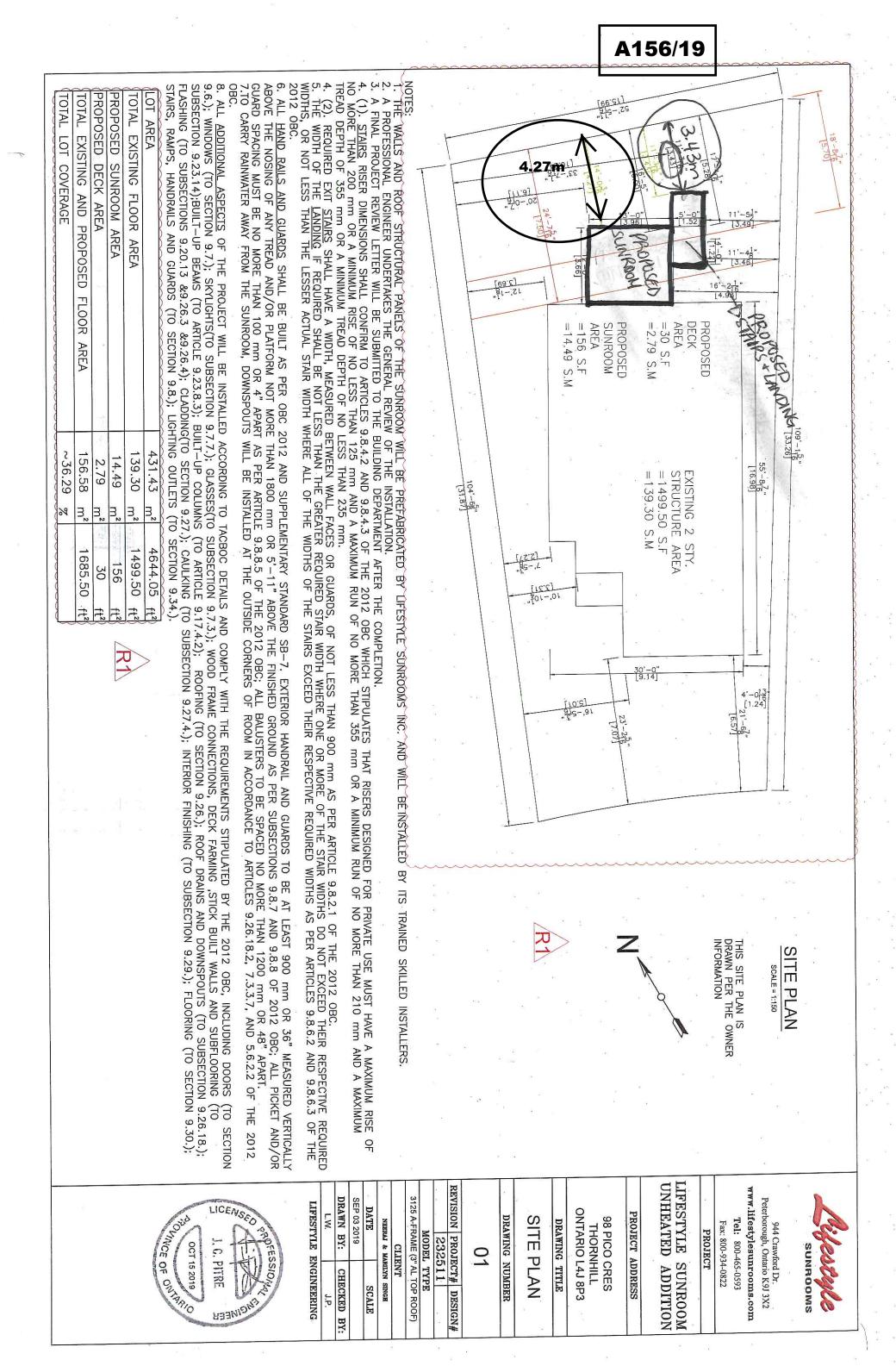


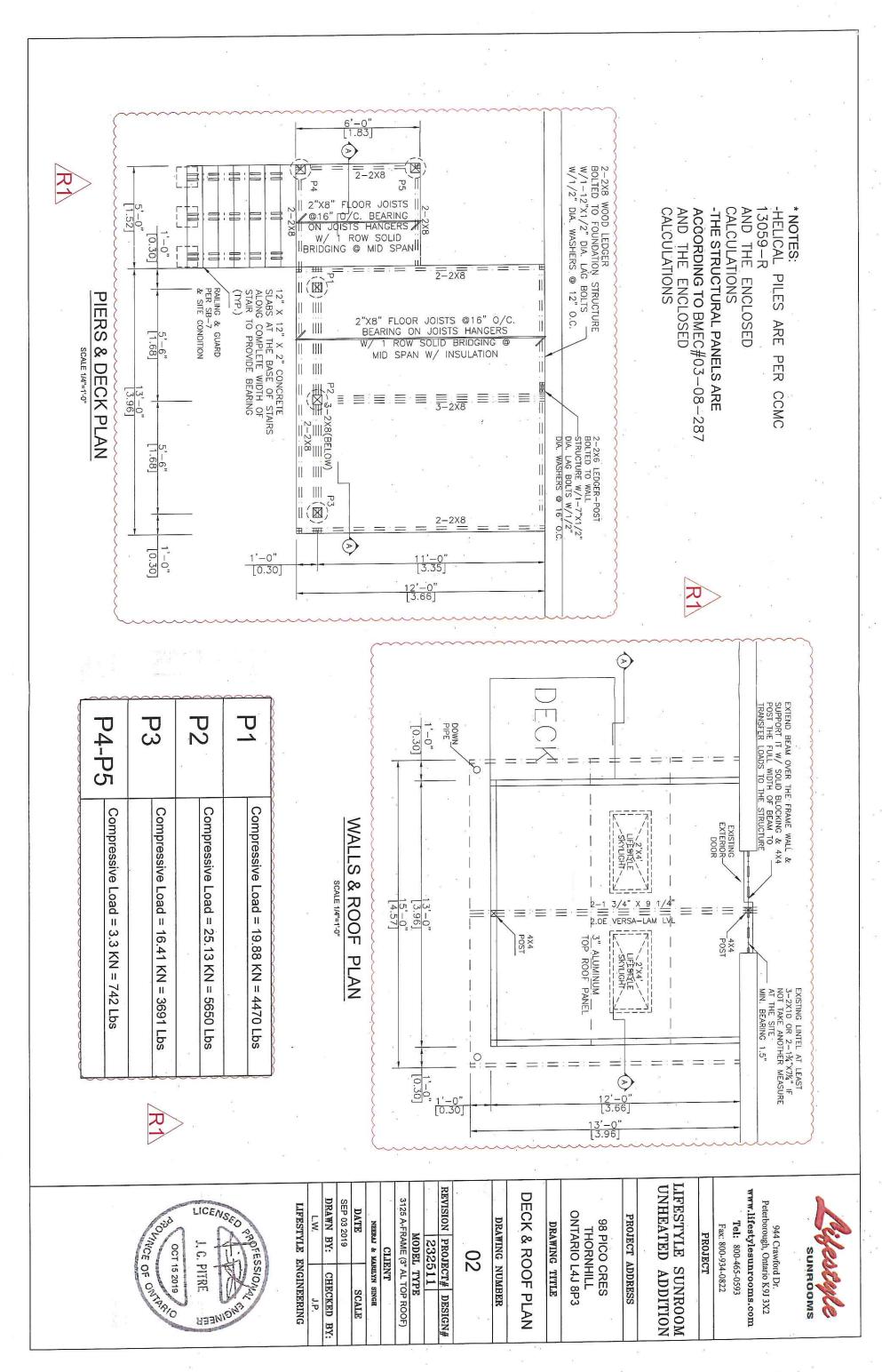
# VAUGHAN A156/19 - Notification Map

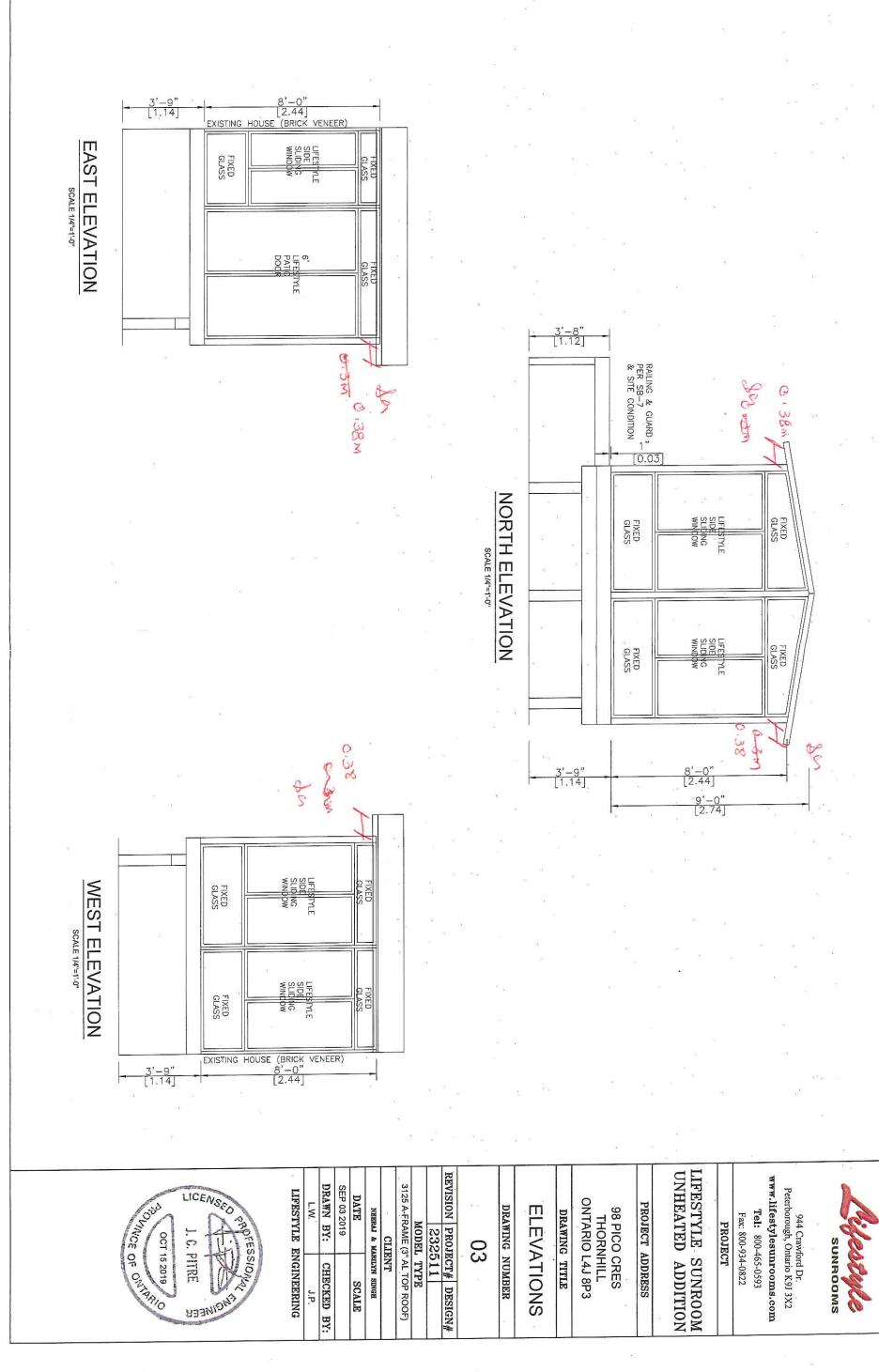
98 Pico Crescent, Thornhill



November 20, 2019 10:22 AM







RAILING & GUARD
PER SB-7
& SITE CONDITION
2×8 P.T. METAL POST (TYP.) 2X6 P.T DECK JOISTS DECKING 4X4 POST (BEYOND) 5/8" PLYWOOD 2x8 WOOD FLOOR FINISHED FLOC 8'-0"
[2.44]
9'-0"
[2.74] SUBFLOOR

EXTEND BEAM OVER THE FRAME WALL & SUPPORT IT W/ SOLID BLOCKING & 6X6 POST THE FULL WIDTH OF BEAM TO TRANSFER. LOADS TO THE STRUCTURE

ALUMINUM ROOF PANEL

GE BEAM 2-1 3/4" X 9 1/4" 2.0E

A-A SECTION

# SNOW ACCUMULATION

REFER TO ATTACHED CALCULATION

NOTE:

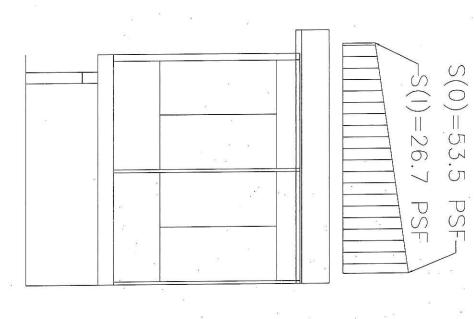
-HELICAL PILES MADE OF STEEL IN ACCORDANCE WITH ASTM A500 GRADE C AND CAN/CSA-G40.21-97 HEAT GALVANIZED WITH A GALVANIZATION RATING OF AT LEAST 610 g/m² ACCORDING TO THE CSA-G164M-92 STANDARDS. ALL HELICAL PILES MUST BE INSTALLED TO A DEPTH OF AT LEAST 48" OR GREATER BELOW GRADE LEVEL AND IN ACCORDANCE WITH THE TORQUE SPECIFICATIONS. (REFER TO STRUCTURAL CALCULATION) -ALL CONCRETE PIER DESIGNS BASED ON SOIL BEARING CAPACITY OF 1500 P.s.f. (REFER TO STRUCTURAL CALCULATIONS)

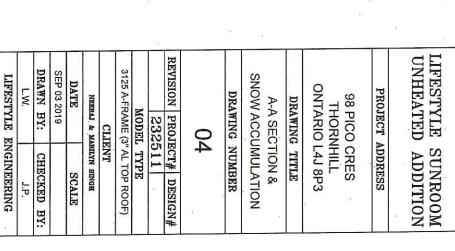
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OCT 15 2019

C. PITRE

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SUNDOOMS

www.lifestylesunrooms.com

Tel: 800-465-0593

Fax: 800-934-0822

PROJECT

944 Crawford Dr. Peterborough, Ontario K9J 3X2

Staff Report A156/19 Page 6

# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None

Staff Report A156/19 Page 7

# **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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

*E-mail*: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

# MacPherson, Adriana

Subject: FW: MVAR.19.V.0469 (A156/19) - 98 Pico Crescent

From: Candy, Grace <Grace.Candy@york.ca>

Sent: November-21-19 11:25 AM

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

Subject: MVAR.19.V.0469 (A156/19) - 98 Pico Crescent

Hi Adriana,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Should you have any questions or concerns, please contact Gabrielle Hurst, Associate Planner at ext. 71538 or by email at gabrielle.hurst@york.ca.

Best,

Grace Candy | Assistant Planner - Co-op Student, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 73012 | grace.candy@york.ca | york.ca

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



# VAUGHAN Staff Report Summary

# Item # 18

**Ward # 3** 

File: A158/19

Applicant: Graciano and Carla Da Ponte

27 Antorisa Ave Woodbridge ON Address:

Agent: None

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\square$	
Building Standards	$\square$	
Building Inspection	$\square$	
Development Planning	$\overline{\checkmark}$	
Cultural Heritage (Urban Design)	$\overline{\checkmark}$	
Development Engineering	$\overline{\checkmark}$	
Parks Department		
By-law & Compliance	$\square$	
Financial Planning & Development	$\square$	
Fire Department		
TRCA		
Ministry of Transportation	$\square$	
Region of York	$\square$	
Alectra (Formerly PowerStream)	$\square$	
Public Correspondence (see Schedule B)		

Adjournment History: None.		
Background History: None.		

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019 Staff Report A158/19 Page 2



Minor Variance Application

Agenda Item: 15

**A158/19** Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Graciano and Carla Da Ponte

Agent: None.

Property: 27 Antorisa Avenue, Woodbridge ON

**Zoning:** The subject lands are zoned RD3 Residential Detached Zone Three, and subject to the

provisions of Exception No. 9(1291) under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010: "Low-Rise Residential"

Related Files: None.

**Purpose:** Relief from the bylaw is being requested to permit the construction of a proposed

inground swimming pool to be located at the rear of the existing dwelling and a pool

equipment pad to be located in the interior side yard (north).

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 side yard setback of 0.60	1. To permit a minimum interior side yard setback of	
metres is required to the pool equipment.	0.35 metres to the pool equipment.	
2. A minimum interior side yard setback of 1.5 metres	2. To permit a minimum interior side yard setback of	
is required to the inground swimming pool.	1.2 metres to the inground swimming pool.	
2. A minimum rear yard setback of 1.5 metres is	3. To permit a minimum rear yard setback of 1.2	
required to the inground swimming pool.	metres to the inground swimming pool.	

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

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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

# Committee of Adjustment:

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 26, 2019

Property Information			
Existing Structures	Year Constructed		
Dwelling	2012		

Applicant has advised that they cannot comply with By-law for the following reason(s): To permit construction of in ground pool in the rear year and pool equipment at the side of the house, allowing us to maximize the enjoyment and use of the back yard for entertaining family

**Adjournment Request:** Applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to address Development Engineering comments. Please note that comments have been addressed.

Staff Report A158/19 Page 3

# **Building Standards (Zoning Review):**

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

Exception No. 9(1291) allows the encroachment of the covered rear patio up to 1.8 metres; therefore, a minor variance is not required.

The water feature is 1.0 metre in height; therefore, a minor variance is not required.

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

Lot coverage is not required under the above-noted zoning designation.

# **Building Inspections (Septic):**

No comments or concerns

# **Development Planning:**

Vaughan Official Plan 2010: Low-Rise Residential.

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

The Development Planning Department recommends approval of the application.

# Cultural Heritage (Urban Design):

No Response.

# **Development Engineering:**

Please note: The owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

The Development Engineering (DE) Department does not object to variance application A158/19.

# **Parks Development:**

No Response.

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

No comment or concerns

# **Financial Planning and Development Finance:**

No comment or concerns

# **Fire Department:**

No Response.

Schedule A - Plans & Sketches

# Schedule B - Public Correspondence

None.

# **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

# Schedule D - Previous Approvals (Notice of Decision)

None.

# **Staff Recommendations:**

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

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

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

#### 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.

# 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.

# 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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan Committee of Adjustment 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1 CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

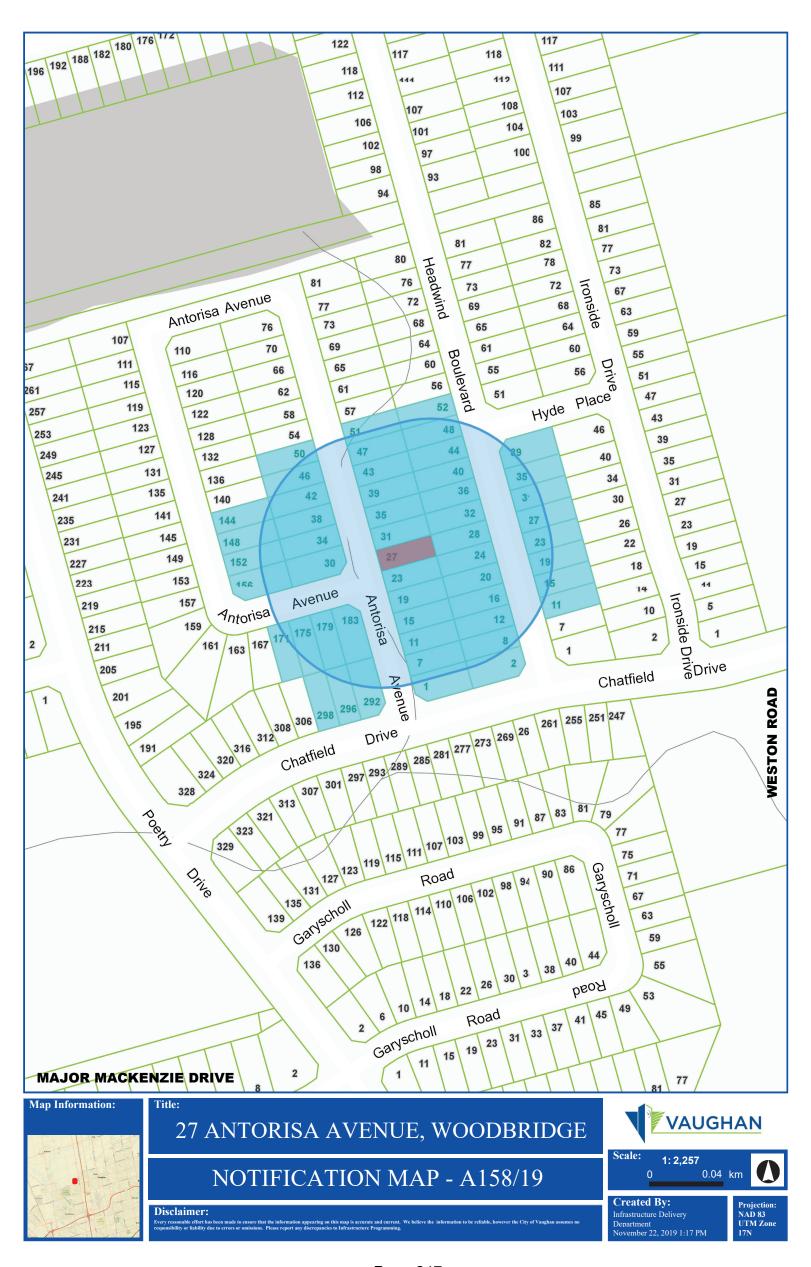
For further information please contact the City of Vaughan, Committee of Adjustment

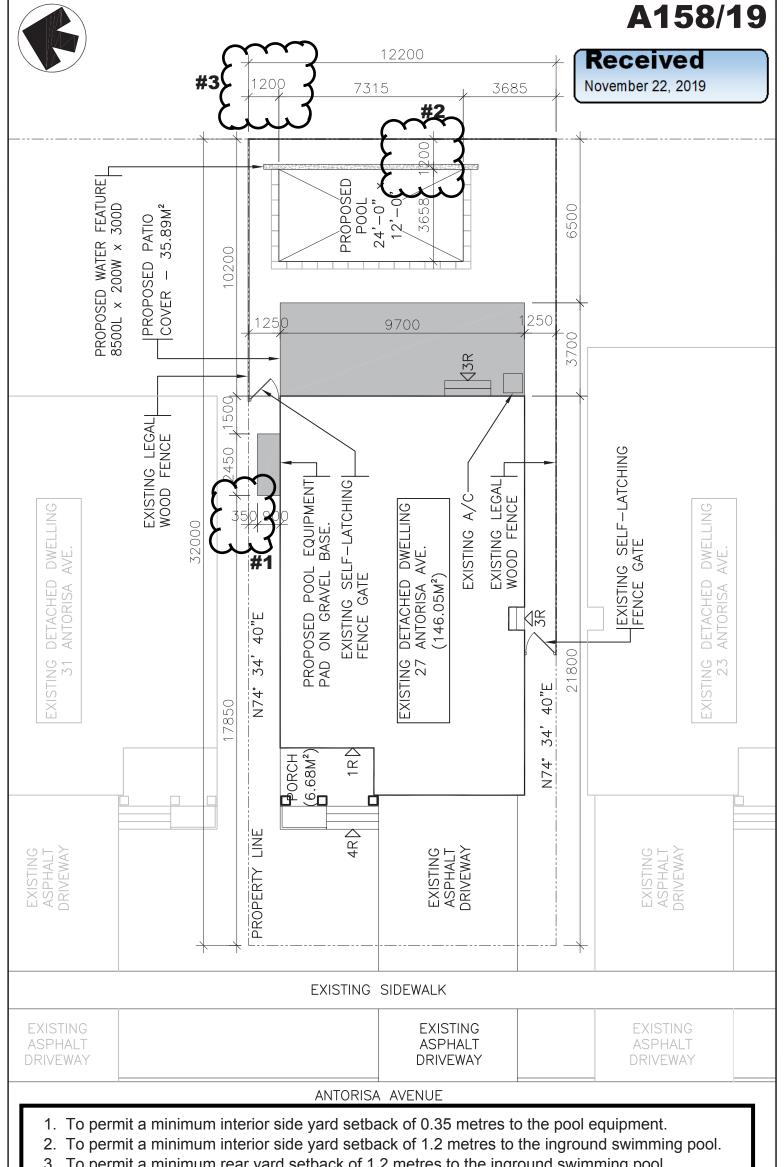
Staff Report A158/19 Page 5

# 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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

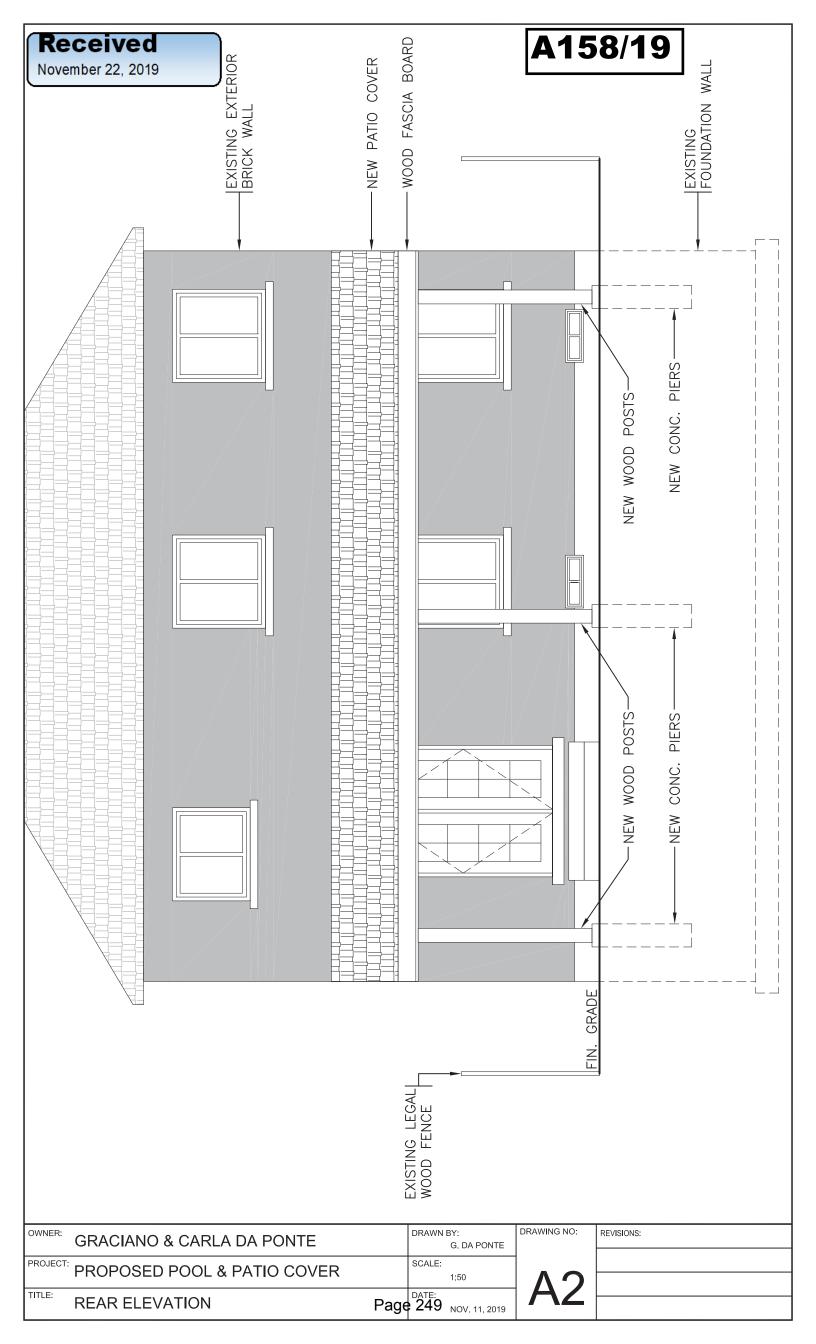
**Location Map Sketches** 

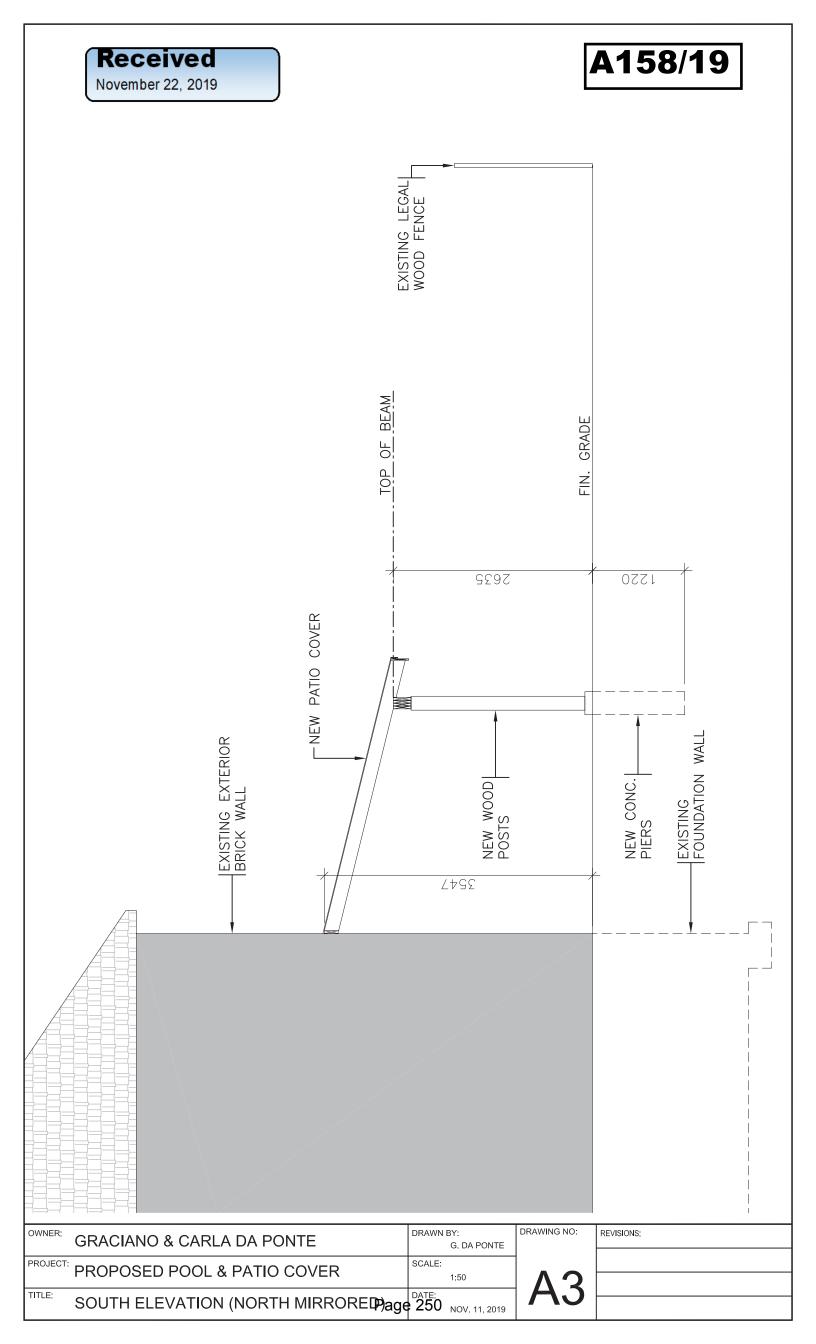


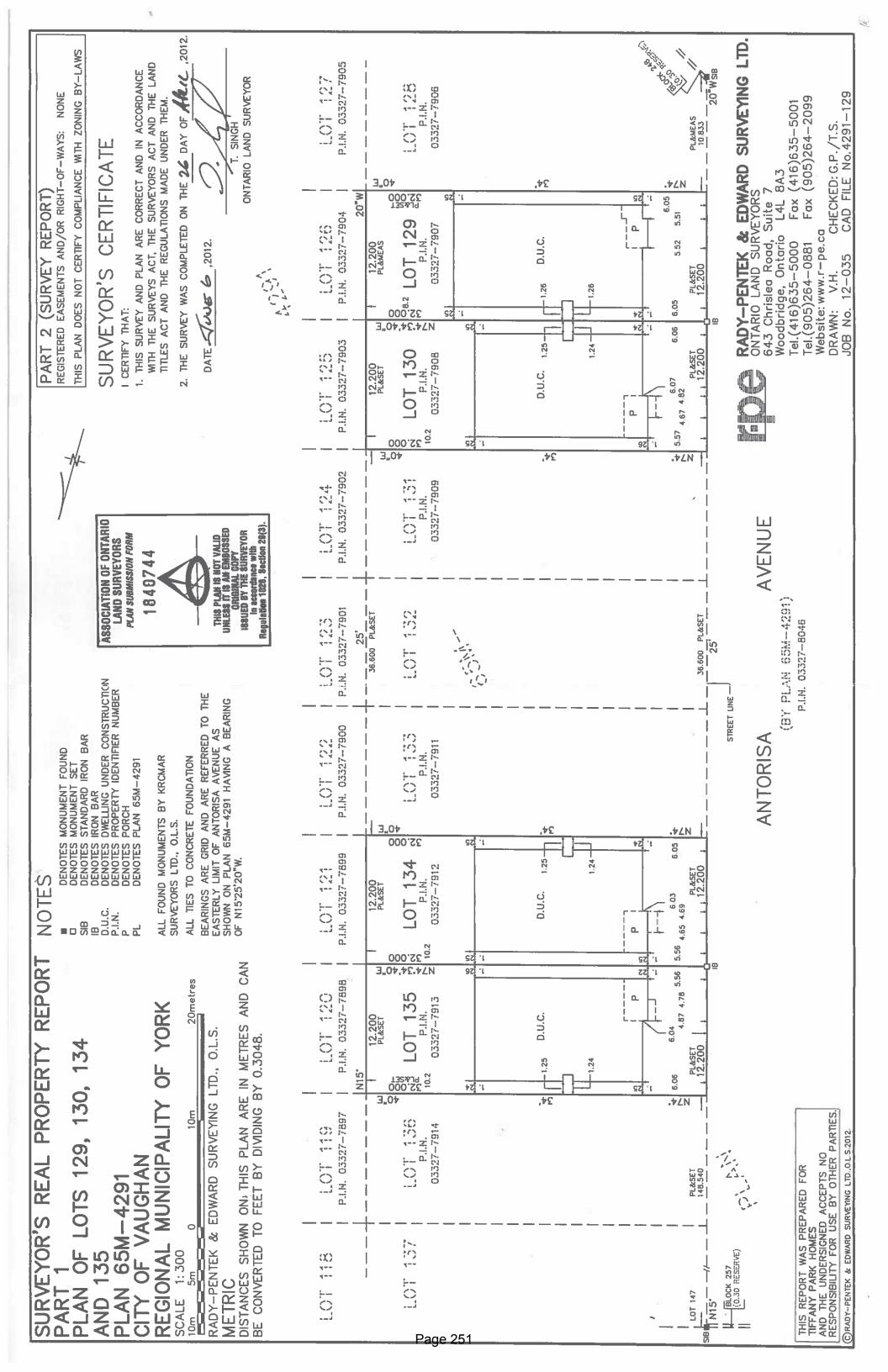


To permit a minimum rear yard setback of 1.2 metres to the inground swimming pool.

OWNER:	GRACIANO & CARLA DA PONTE	DRAWN BY: G. DA PONTE	DRAWING NO:	REVISIONS:
PROJECT	PROPOSED POOL & PATIO COVER	SCALE: 1:150		R1: NOV. 22, 2019
TITLE:	PROPOSED SITE PLAN Pa	ge 248 <sub>NOV. 11, 2019</sub>	AT	







Staff Report A158/19 Page 6

# 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

# Providence, Lenore

**Subject:** FW: MVAR.19.V.0465 (A158/19) - 27 Antorisa Avenue

From: Candy, Grace < Grace. Candy@york.ca>

**Sent:** November-21-19 11:31 AM

**To:** Providence, Lenore < Lenore. Providence@vaughan.ca> **Subject:** MVAR.19.V.0465 (A158/19) - 27 Antorisa Avenue

Hi Lenore,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has **no comment.** 

Should you have any questions or concerns, please contact Gabrielle Hurst, Associate Planner at ext. 71538 or by email at <a href="mailto:gabrielle.hurst@york.ca">gabrielle.hurst@york.ca</a>.

Best,

Grace Candy | Assistant Planner – Co-op Student, Community Planning, Corporate Services

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

1-877-464-9675 ext. 73012 | grace.candy@york.ca | york.ca

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# **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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, 03-9), 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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

*E-mail*: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

Ward 2

<b>File:</b> A159/19

**Applicant:** Roman Catholic Episcopal Corporation for

the Diocese of Toronto in Canada

100 Bainbridge Ave Woodbridge Address:

Baldassarra Architects Inc. Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\overline{\mathbf{V}}$	
Building Standards	$\overline{\mathbf{V}}$	
Building Inspection	$\overline{\checkmark}$	
Development Planning	$\overline{\mathbf{V}}$	$\overline{\checkmark}$
Cultural Heritage (Urban Design)		
Development Engineering	$\overline{\checkmark}$	$\overline{\checkmark}$
Parks Department	$\overline{\checkmark}$	
By-law & Compliance	$\overline{\checkmark}$	
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\mathbf{V}}$	
Public Correspondence (see Schedule B)		

Adjournment History: N/A
Background History: B90/96, A28/85, A31/84 (see next page for details)

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday, December 12, 2019



Minor Variance Application

Agenda Item: 19

**A159/19** Ward: 2

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Roman Catholic Episcopal Corporation for the Diocese of Toronto in Canada

Agent: Baldassarra Architects Inc.

Property: 100 Bainbridge Ave Woodbridge

**Zoning:** The subject lands are zoned R4, Residential Zone, and subject to the provisions of

Exception 9(723) under By-law 1-88 as amended.

**OP Designation:** Low Rise Residential

Related Files: None

**Purpose:** Relief from the By-law is being requested to permit the construction of three (3)

proposed additions to the existing church and to permit the reconfiguration of the existing driveway fronting onto Bainbridge Avenue to facilitate Site Plan Application

DA.19.045.

Three additions are comprised of a new storage room, expansion of rear entrance

with washroom facilities and expansion to narthex and new bell tower.

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

By-law Ro	equirement	Proposal
A minimum of 180 parking	spaces are required.	To permit a minimum of 152 parking spaces.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B96/90	Lease for shared access driveway and parking purposes	Approved November 15, 1990
A28/85	Two storey building (church) – exterior side yard 13.8m; 126 parking spaces	Approved April 2, 1985
A31/84	Two storey building (institutional) exterior side yard 13.8m; lot coverage 26%	Approved March 22, 1984

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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 **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

# **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 27, 2019

Property Information			
Existing Structures	Year Constructed		
Church	Lands purchase approximately 1983		
	Church built approximately 1984		

Applicant has advised that they cannot comply with By-law for the following reason(s): Site Plan cannot accommodate any further parking space allocation.

Adjournment Request: N/A

# **Building Standards (Zoning Review):**

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

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

Please note as of January 1, 2015 Accessible Parking Spaces are subject to the provisions of Ontario Regulation - O.Reg.413/12, Subsections 80.32 through 80.39, which supersede the current by-law requirements in By-law 1-88 as amended.

# **Building Inspections (Septic):**

No comments or concerns

### **Development Planning:**

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

The Owner is requesting permission to construct additions to the existing place of worship and revisions to the driveway, parking and landscaped areas.

Site Development Application File DA.19.045 is scheduled for Committee of the Whole on January 14th, 2020. Development Engineering (DE) has reviewed the parking provided on site and have no objections as the increase of gross floor area does not facilitate additional worship space. Based on DE's approval, the Development Planning considers the requested parking variance to be minor in nature.

Accordingly, the Development Planning Department is of the opinion that the requested variance for reduced parking spaces on site is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

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

That Site Development Application DA.19.045 be approved by Vaughan Council.

# **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A159/19 subject to the following condition:

The owner/applicant shall obtain approval for the related Site Development Application (DA.19.045) from the Development Engineering (DE) Department.

# **Parks Development:**

No comments or concerns.

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

No comments or concerns.

# **Financial Planning and Development Finance:**

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.

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 Bylaws in effect at time of payment.

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

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

### **Fire Department:**

No Response.

Schedule A - Plans & Sketches

# Schedule B – Public Correspondence

None

# **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

# Schedule D - Previous Approvals (Notice of Decision)

B96/90, A28/85, A31/84

# **Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Development Engineering	The owner/applicant shall obtain approval for the related Site
	Jason Pham	Development Application (DA.19.045) from the Development
		Engineering (DE) Department.
	905-832-8585 x 8716	
	Jason.pham@vaughan.ca	
2	Development Planning	That Site Development Application DA.19.045 be approved by
	Brandon Bell	Vaughan Council.
	905-832-8585 x 8112	
	Brandon.bell@vaughan.ca	

# **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.

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.

# **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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

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

T 905 832 8585 Extension 8002 E CofA@vaughan.ca

# 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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 

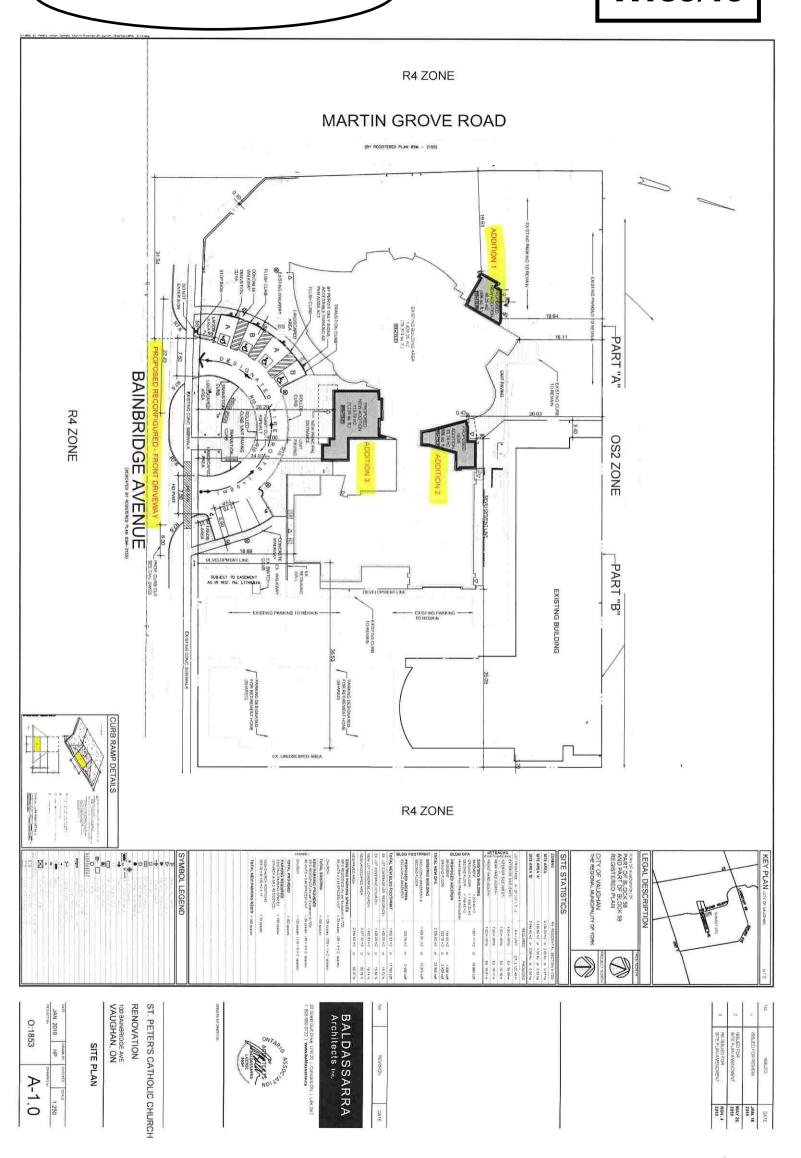


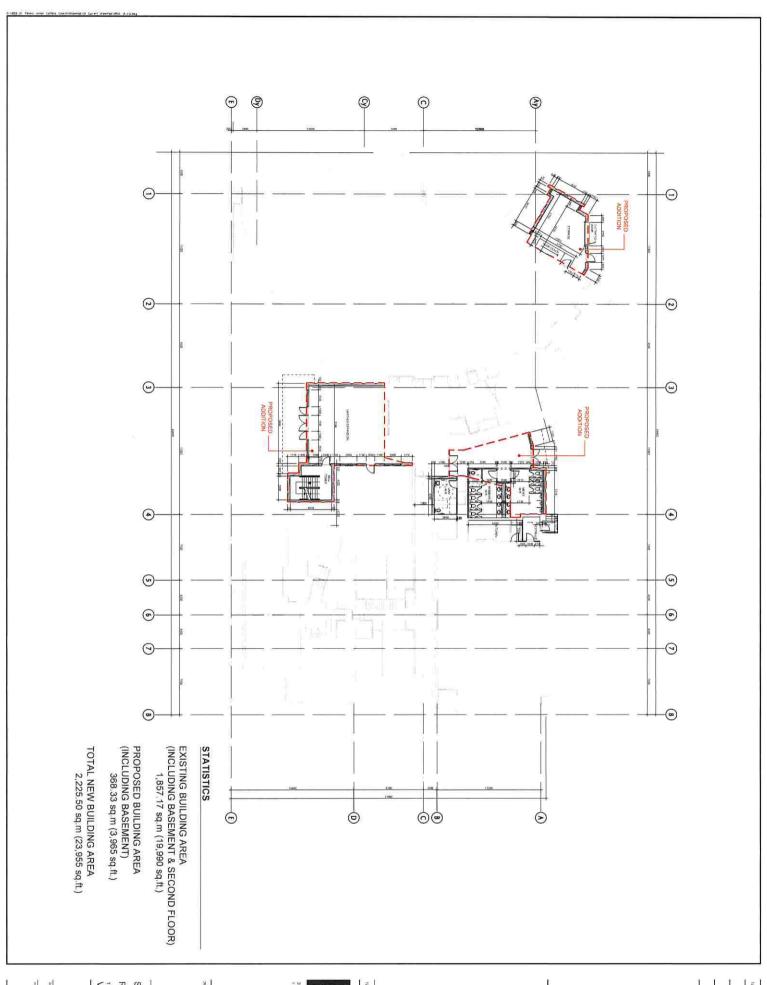
# LOCATION MAP - A159/19

Highway 7

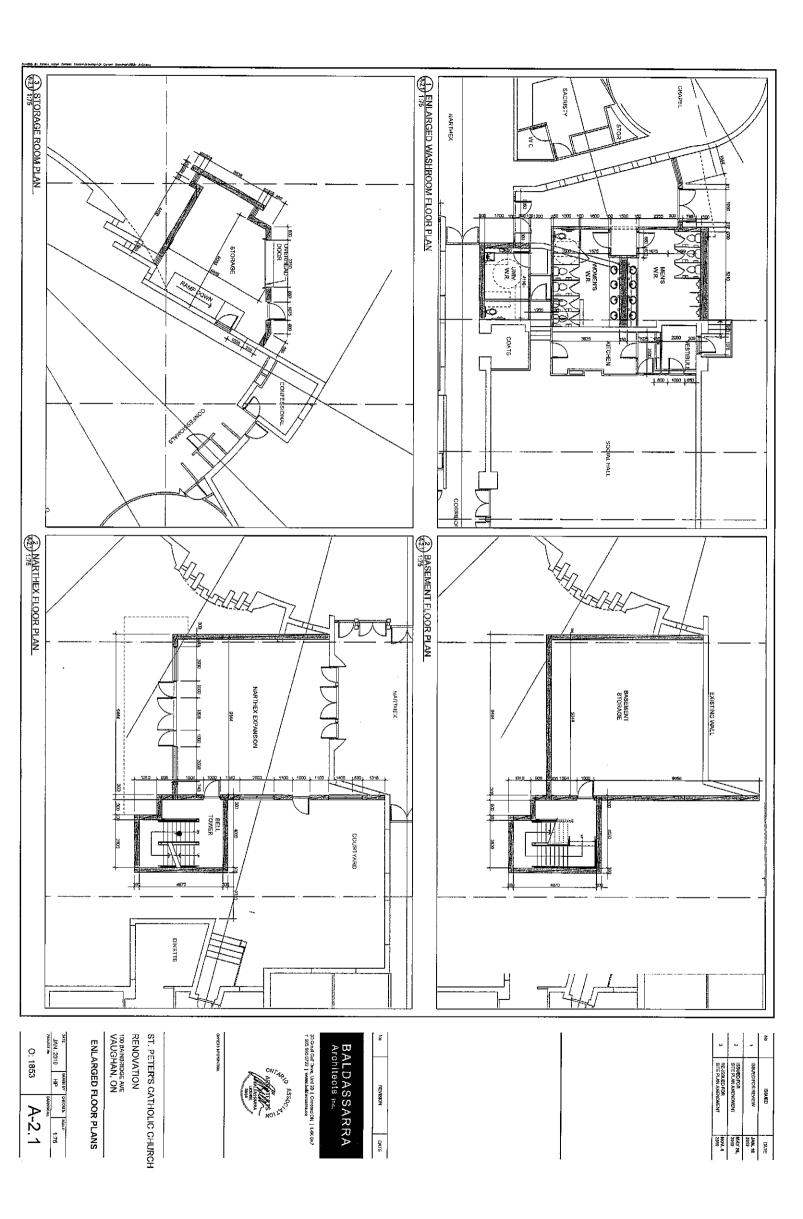
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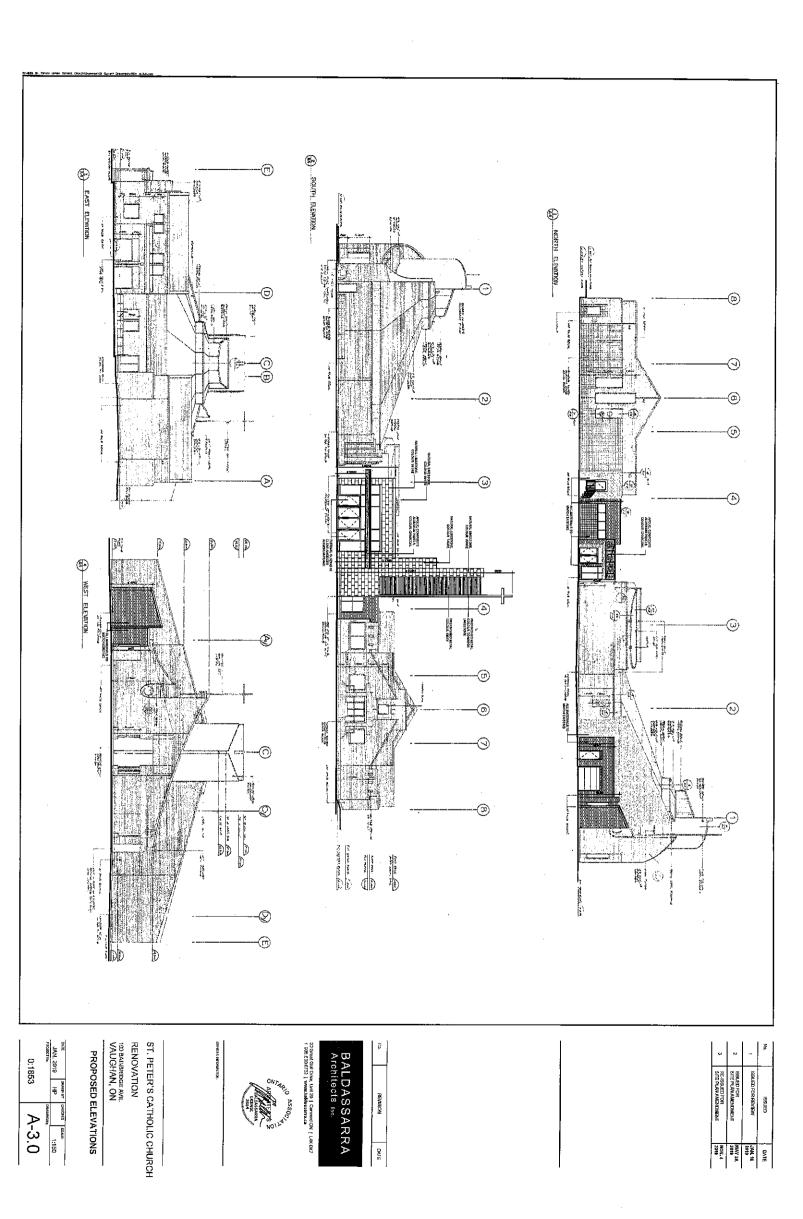
# **TO PERMIT 152 PARKING SPACES**

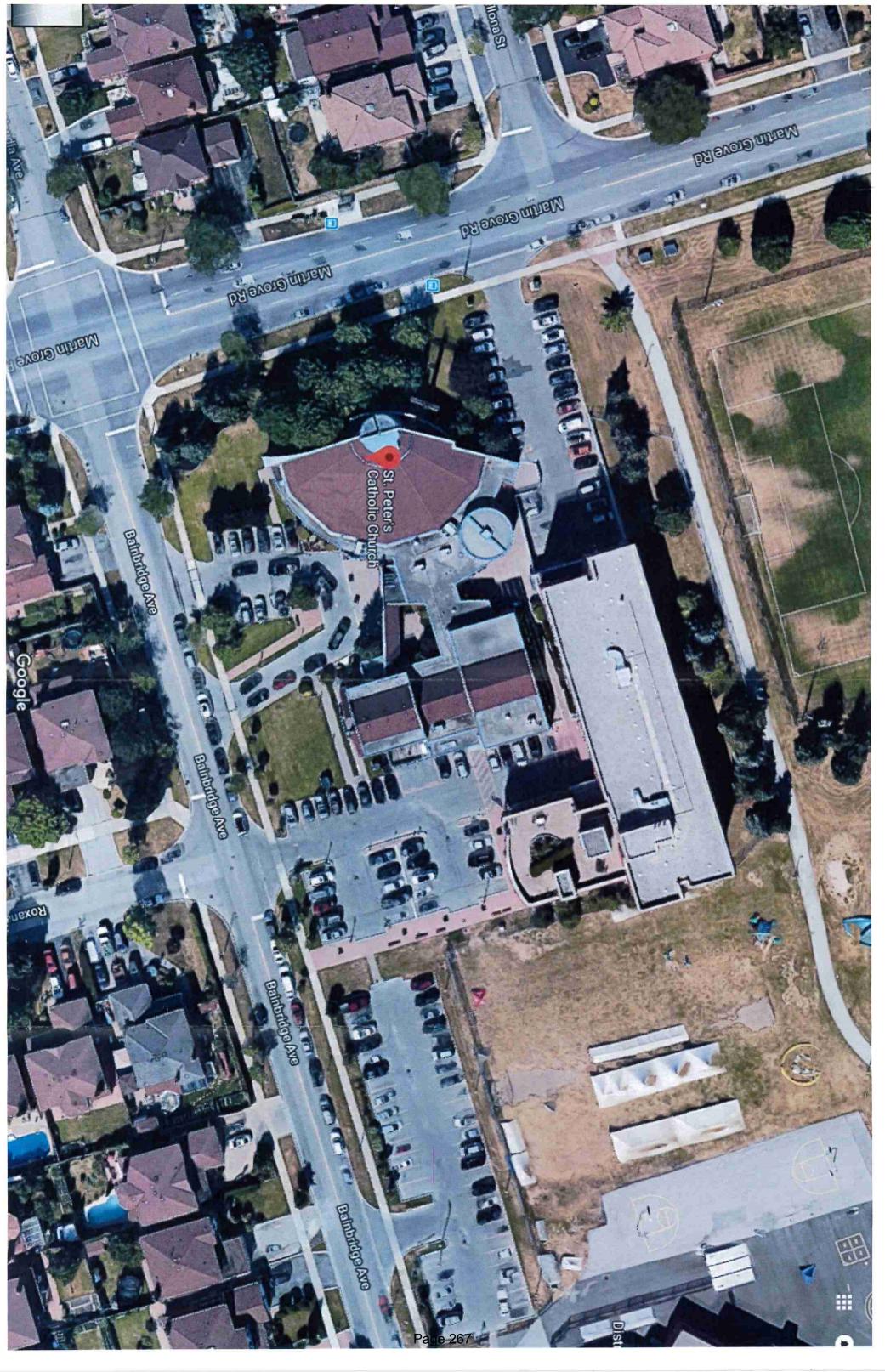


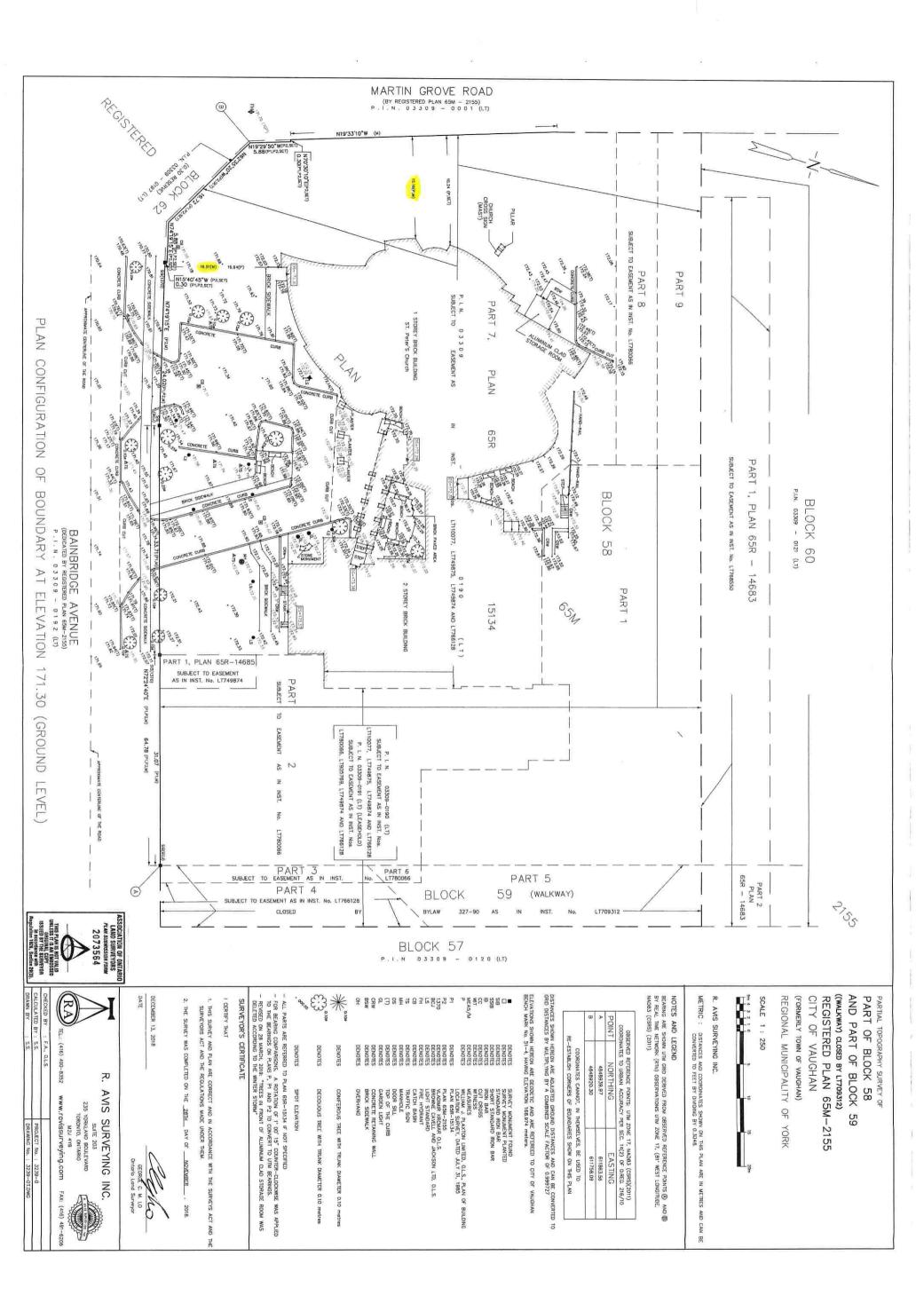


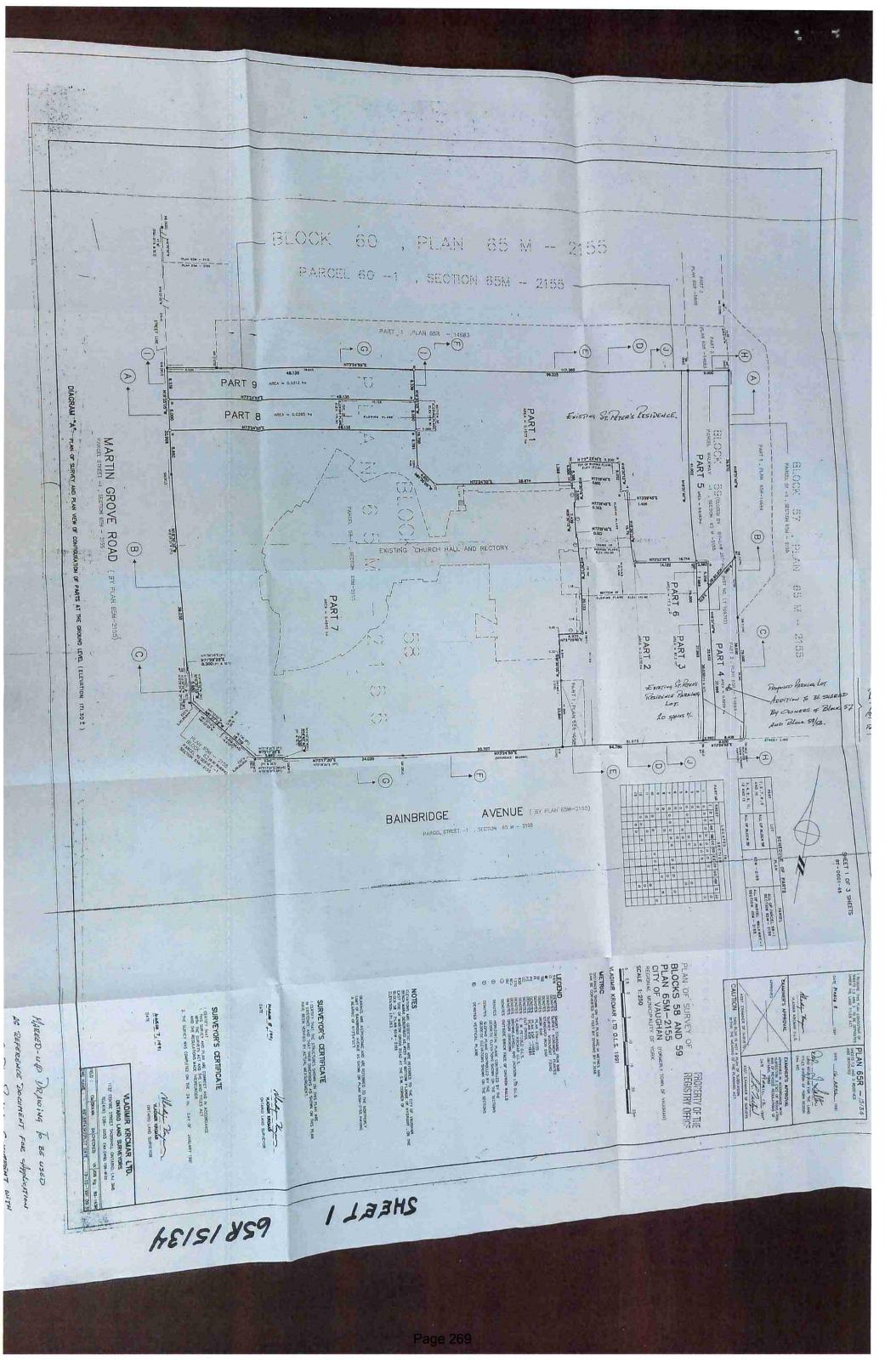
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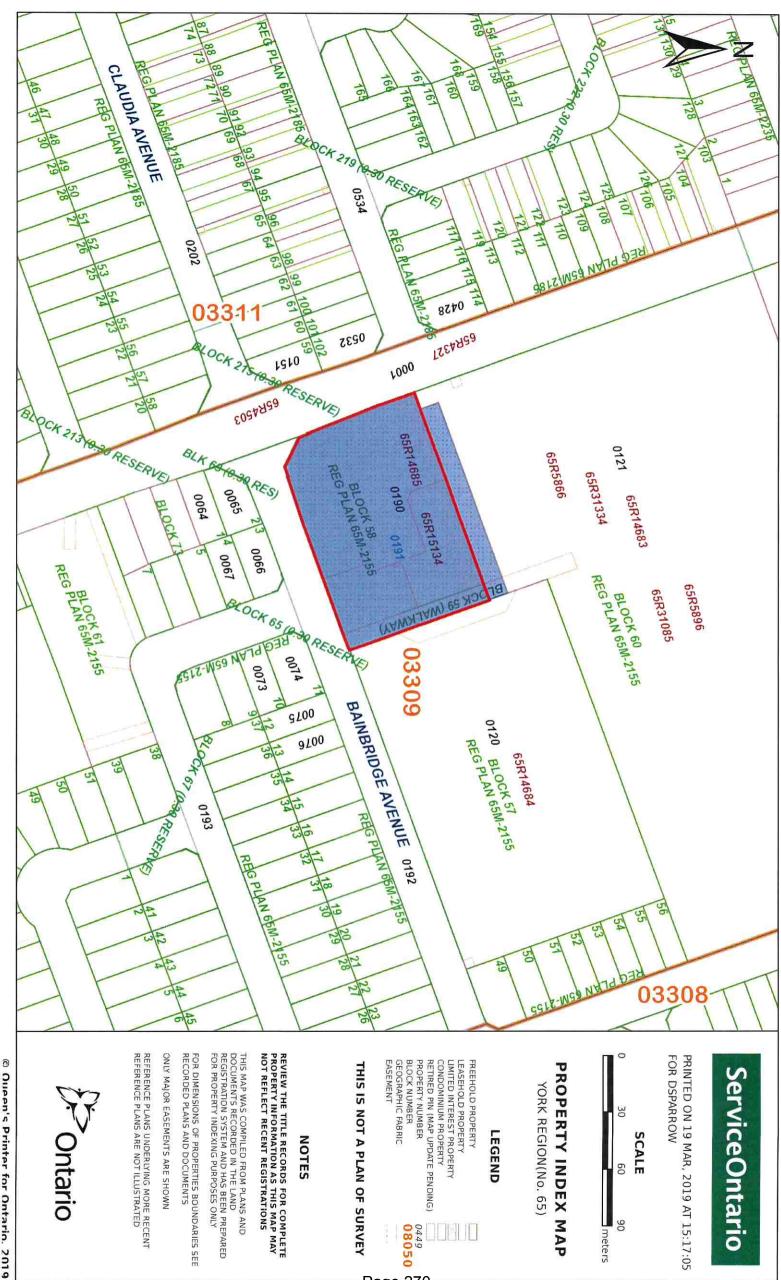












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FOR DSPARROW PRINTED ON 19 MAR, 2019 AT 15:17:05

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# PROPERTY INDEX MAP YORK REGION(No. 65)



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NOTES

# **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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections



### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 **Phone**: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

# Attwala, Pravina

**Subject:** FW: (A159-19) MVAR.19.V.0471 - 90 & 100 Bainbridge Avenue

From: Skouros, Julia < Julia. Skouros@york.ca>

Sent: November-22-19 1:18 PM

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

Cc: Vigneault, Christine < Christine. Vigneault@vaughan.ca>; Committee of Adjustment < CofA@vaughan.ca>

Subject: (A159-19) MVAR.19.V.0471 - 90 & 100 Bainbridge Avenue

Hi Pravina,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Should you have any questions or concerns, please contact me using the information provided below.

Best,

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | <u>Julia.Skouros@york.ca</u> | <u>york.ca</u>

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# Schedule D: Previous Approvals (Notice of Decision)

Consent Application B96/90 Minor Variance Applications A28/85, A31/84



CIVIC CENTRE 2141 MAJOR MACKENZIE DRIVE, MAPLE, ONTARIO L6A 1T1 TELEPHONE (416) 832-2281

# Address all Correspondence to the Secretary-Treasurer

# NOTICE OF DECISION

Application No: B96/90

Date of Decision:

November 15th, 1990

Name:

Roman Catholic Episcopal Corporation for the

Diocese of Toronto, in Canada

Address:

355 Church Street

Toronto, Ontario

M5B 1Z8

Property:

Block's 58 & 59, Registered Plan 65M-2155 (Part of Lot 8, Concession 8), municipally

known as 100 Bainbridge Avenue.

The owner proposes to lease the subject lands marked "A" on the attached sketches for senior citizen residence purposes together with required right-of-ways in favour of the subject and retained lands for shared access driveway and parking purposes.

There is a proposed 65 unit senior citizen residence building to be built on the subject land. There is an existing church hall and rectory located on the land to be retained.

The above noted application was heard by the Committee of Adjustment on: November 15th, 1990.

It is the decision of the Committee that the consent to lease the parcel of land shown as "Subject Lands" on Schedule "A" attached hereto, be APPROVED, subject to fulfillment of the following conditions:

- Payment to the Town of Vaughan of a Lot Levy if required, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to 1. the satisfaction of the Treasury Department;
- to the Town of Vaughan of a Tree Fee if required, Pavment 2. approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the Treasury Department;
- That the amending zoning By-Law for the subject site be in full force and effect, to the satisfaction of the 3. Building Standards Department;
- That all agreements effecting spatial separation requirements of the Ontario Building Code be approved and be registered on title to the satisfaction of the 4. Building Standards Department;
- The Owners are required to pay for 100% of the cost to have Vaughan Hydro extend hydro facilities to the subject land in order to provide hydro servicing, to the 5. satisfaction of Vaughan Hydro;
- That Block 59, Plan 65M-2155, be transferred to the applicant registered on title, to the satisfaction of the 6. Planning Department.

# NOTICE OF DECISION

Name: Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada

Application No. <u>B96/90</u>

- 7. Payment of the applicable Regional Development Charge if required, to be determined at time of payment for each conveyance, to the Regional Municipality of York, payable by certified cheque only;
- 8. submission to the Secretary-Treasurer of written confirmation by the Town of Vaughan that the subject land has frontage on a public road to the satisfaction of the Public Works Department and/or Development Engineering Department;
- 9. Submission to the Secretary-Treasurer of three (3) white prints of a registered deposited reference plan of survey showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;
- fulfilling and complying with all of the above-noted 10. conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with three (3) copies of the Transfer/Deed of Land for the subject land to be stamped provide a Certificate to or may accordingly; Applicant stating the Consent has been given in certain cases:
- 11. Prior to the issuance of a building permit, the applicant shall fulfill and comply with all of the above noted consent conditions;
- Pursuant to Section 52(20) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfill and comply with all of the (above-noted) conditions of Consent, failing which the application for consent shall thereupon deem to be refused 12. deem to be refused.

Members concurring in this decision:

K. Fass, Chairman R. Luciani, Vice Chairman

B. DiVona, Member

M. Ferri Member

V. Primucci, Member

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

Dianne E.L. Grout, A.M.C.T., Secretary-Treasurer

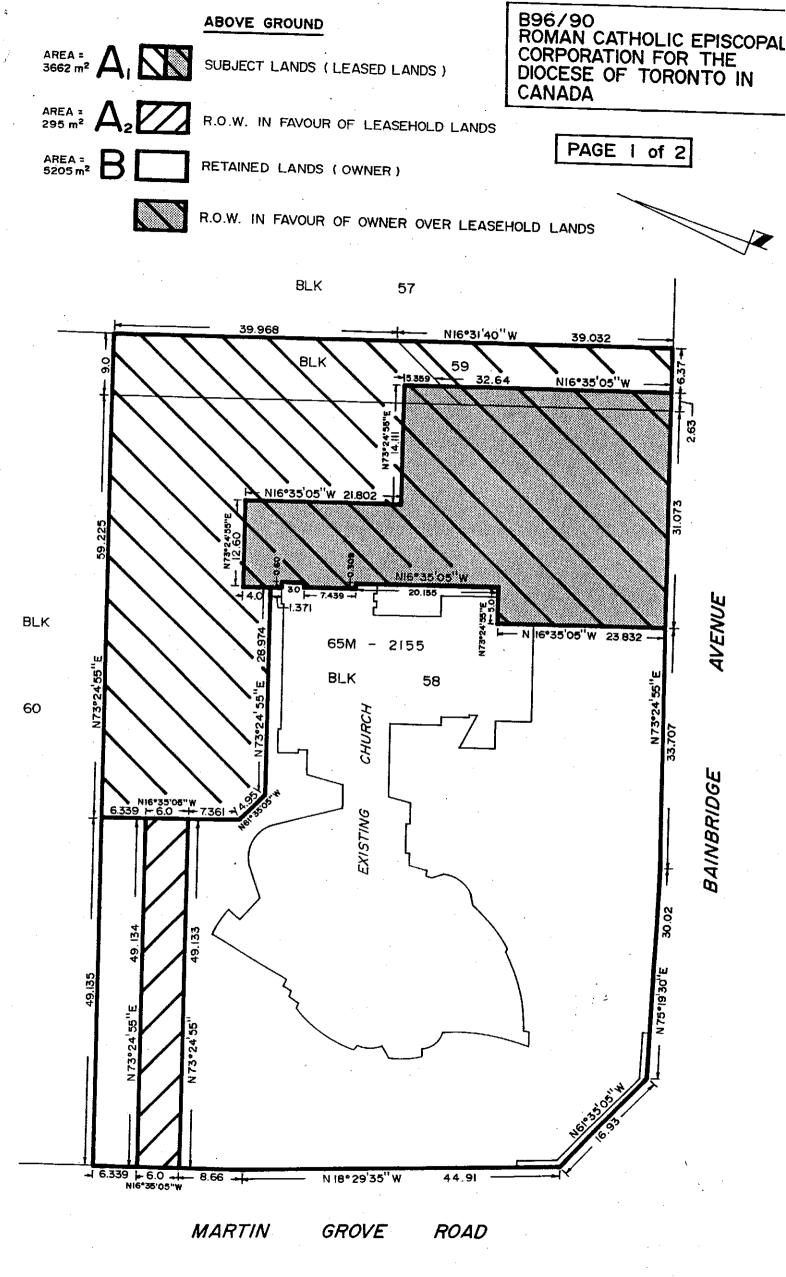
Konne

Vaughan Committee of Adjustment

A Certificate pursuant to Subsection 52(21) Planning Act (RSO 1983, c.1) cannot be given until all conditions of consent have been fulfilled.

Date of this notice was sent: November 23rd, 1990

The last date for appealing the decision is: December 14th, 1990



B96/90 ROMAN CATHOLIC EPISCOPAL CORPORATION FOR THE DIOCESE OF TORONTO IN CANADA

# UNDERGROUND PARKING

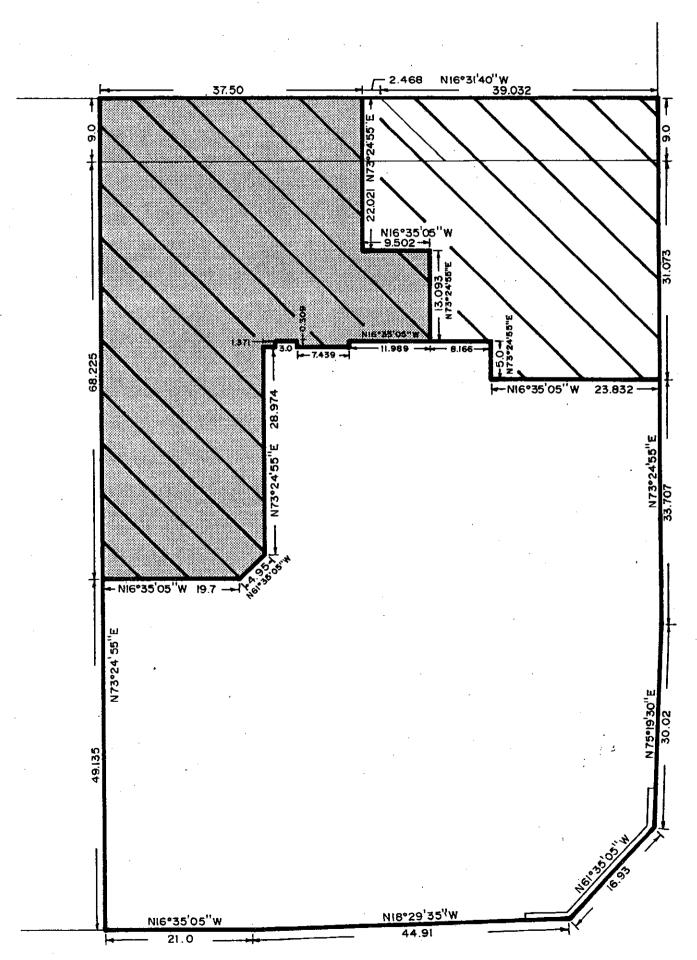
RETAINED LANDS (OWNER)

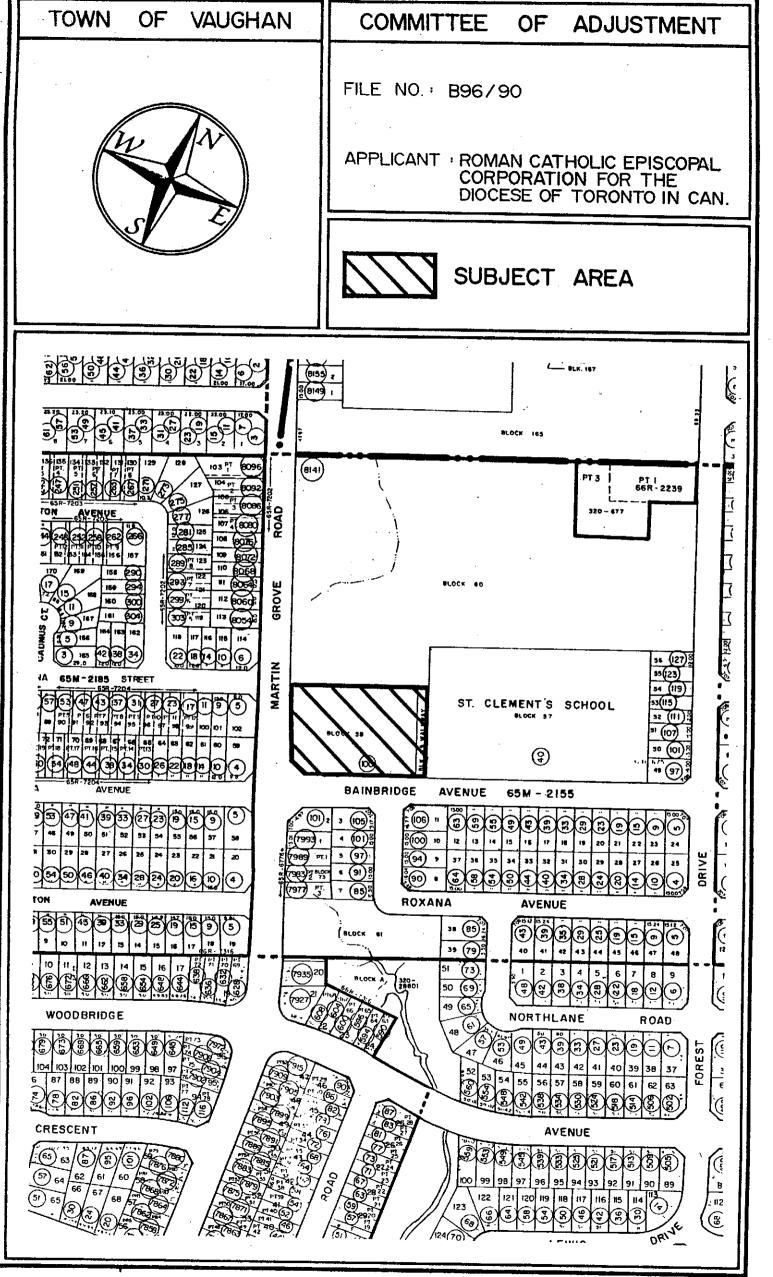
AREA: 3662 m2 A SUBJECT LANDS ( LEASED LANDS )

PAGE 2 of 2



R.O.W. IN FAVOUR OF OWNER OVER LEASEHOLD LANDS





Please refer to file number . B96/90

# NOTICE TO THE OWNER

The Committee of Adjustment has approved your application for consent, subject to certain conditions.

A copy of the "notice of decision" is attached, together with relevant information concerning appeal of the decision.

If the decision is not appealed, you will receive a notice that it is "final and binding", in due course. It will then be in order for you to fulfill the conditions of approval.

 $\overline{\text{All}}$  conditions must be fulfilled before a Certificate can be issued by the Secretary-Treasurer certifying that consent has been given. These conditions must be fulfilled not later than the date set out in the decision.

The period for fulfilling conditions cannot be extended.

Although you may have appointed an agent to act on your behalf in the application, it is your responsibility, as owner, to ensure that all conditions are fulfilled in time. Failure to do so will result in the decision being deemed to have been refused, pursuant to subsection 52(20) of The Planning Act, and your application file will be closed.

NO FURTHER NOTICE OF THE LAST DAY FOR FULFILLING CONDITIONS WILL BE GIVEN.

Respectfully,

Dianne E. L. Grout, A.M.C.T.

Secretary-Treasurer,

Vaughan Committee of Adjustment

E. d. mi



# COMMITTEE OF ADJUSTMENT (CONSENTS)

CIVIC CENTRE 2141 MAJOR MACKENZIE DRIVE, MAPLE, ONTARIO L6A 1T1 TELEPHONE (416) 832-2281

TO:

OWNER/AGENT/SOLICITOR

SUBJECT:

Fulfilling Conditions of Consent

# Please Note:

- 1. The enclosed decision of the Land Division Committee is subject to an appeal period. Caution should, therefore, be exercised in fulfilling any conditions of consent prior to being notified in writing that no appeal has been taken against the decision and that the decision is final and binding. In this way, unnecessary costs will be avoided, should the decision be appealed.
- 2. The decision, including any conditions of approval set out, cannot be varied except as may be allowed by the Ontario Municipal Board, on appeal.

PLEASE READ REVERSE SIDE ALSO

- The applicant, the Minister and every agency or other person to whom notice of the decision was sent may within thirty days of the making of the decision appeal to the Municipal Board against the decision by filing with the Secretary-Treasurer of the Committee of Adjustment, a notice of appeal setting out written reasons in support of the appeal and accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Board under The Ontario Municipal Board Act.\*
- Where the applicant, the Minister or any agency or other person to whom notice of the decision was sent, is not satisfied as to the conditions or any of the conditions imposed by the Committee of Adjustment, he or it may within thirty days of the making of the decision appeal in respect of the conditions or any of the conditions by filing with the Secretary-Treasurer of the Committee of Adjustment, a notice of appeal specifying the condition or conditions appealed and setting out written reasons in support of the appeal, accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Board under The Ontario Municipal Board Act.\*
- (9) The Secretary-Treasurer of Committee of Adjustment upon receipt of a notice of appeal filed under subsection (7) or (8) shall forthwith forward the notice of appeal and the amount of the fee mentioned in subsection (7) or (8) to The Municipal Board by registered mail together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Board.
- (15) On an appeal to the Municipal Board under subsection (7) or where conditions are appealed under subsection (8), the Board shall hold a Hearing of which notice shall be given to such agencies or persons and in such manner as the Board may determine.
- (16) Despite subsection (15), the Municipal Board may, where it is of the opinion that the reasons in support of an appeal under subsection (7) or (8) are insufficient, dismiss the appeal without holding a full Hearing, but before so dismissing the appeal, shall notify the appellant and afford him an opportunity to make representations as to the merits of the appeal.
- (17) Following the Hearing on an appeal under subsection (7) the Municipal Board may make any decision that the Committee of Adjustment could have made on the original application and on a referral of conditions under subsection (8) the Board shall determine the question as to the condition or conditions referred to it.
- (18) Where under subsection (17) the decision of the Municipal Board is that a consent be given, the Committee of Adjustment shall thereupon give the consent, except that where conditions have been imposed the consent shall not be given until the Committee of Adjustment is satisfied that the conditions have been fulfilled.
- (19) Where the decision of the Committee of Adjustment on an application is to give a consent and there has been no appeal under subsection (7) or (8), the consent shall be given, except that where conditions have been imposed the consent shall not be given until the Committee of Adjustment is satisfied that the conditions have been fulfilled.
- (20) Where conditions have been imposed and the applicant has not, within a period of one year from the giving of the notice of decision, fulfilled the conditions, the application for consent shall thereupon be deemed to be refused.
- When a consent has been given under this Section, the Secretary-Treasurer of the Committee of Adjustment shall give a certificate to the applicant stating that the consent has been given and the certificate is conclusive evidence that the consent was given and that the provisions of this Act leading to the consent have been complied with and that, despite any other provision of this act, the Committee of Adjustment had jurisdiction to grant the consent and after the Certificate no action may be maintained to question the validity of the consent.
- (22) A consent given under this Section lapses at the expiration of two years from the date of the certificate given under subsection (21), if the transaction in respect of which the consent was given is not carried out within the two-year period, by the Committee of Adjustment in giving the consent may provide for an earlier lapsing of the consent.
- \$125.00 for primary consent appeal, by cheque, payable to the <u>Treasurer of Ontario</u> and \$25.00 for each related appeal.

TO:

OWNER/AGENT/SOLICITOR

SUBJECT:

FULFILLMENT OF CONDITIONS OF APPROVAL

# Please note carefully the following:

- All conditions of approval must be fulfilled before a Certificate of Consent pursuant to subsection 21 of section 49 of The Planning Act can be issued. Unnecessary delay in the issue of the Certificate can be avoided by observing the following procedures:
  - (a) CONDITIONS CONCERNING THE MUNICIPALITY IN WHICH THE SUBJECT LAND IS LOCATED:

Payment of a lot levy, fees, deed for road widening, requests for written advice, agreements, etc., must be forwarded <u>directly</u> to the Municipality, together with a request that a certificate that such conditions have been fulfilled, be forwarded to the Secretary-Treasurer (standard certificate forms have been provided to the Municipality for the purpose).

- (b) CONDITIONS CONCERNING THE REGIONAL MUNICIPALITY OF YORK:
  - (i) Deed for road widening must be forwarded directly to the Regional Solicitors, 62 Bayview Avenue, Box 147, Newmarket, Ontario, together with necessary certification that the land described in the deed is free of all encumbrances. The deed must be accompanied by a white print of the deposited Reference Plan referred to in the deed.
  - (ii) Payment of a Regional Development Charge must be forwarded <u>directly</u> to the Regional Treasurer, 62 Bayview Avenue, Box 147, Newmarket, Ontario. Cheques should be certified.
  - (iii) Water wells and private waste disposal systems required information or requests for information
    must be submitted <u>directly</u> to the Regional Health
    Department, 22 Prospect Street, Newmarket, Ontario,
    together with a request that the information
    required by the Committee be forwarded to the
    Secretary-Treasurer.
- (c) CONDITIONS CONCERNING OTHER AGENCIES:

(i.e. Conservation Authorities, Ministry of Transportation and Communications, etc.) - requests for written advice, permits, etc., must be forwarded directly to the Agency concerned, together with a request that the information required by the Committee be forwarded to the Secretary-Treasurer.

PLEASE INCLUDE OWNER'S NAME AND APPLICATION NUMBER WITH ANY MATERIAL FORWARDED TO THE ABOVE MUNICIPALITIES AND AGENCIES.

2. It is the owner's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision not later than the date set out in the decision. Failure to do so will result in a lapse of the consent and the file will be closed. Time limits set out in the decision CANNOT be extended. NO FURTHER NOTICE WITH REGARD TO THE LAST DAY FOR FULFILLING CONDITIONS OF APPROVAL WILL BE

# IMPORTANT NOTICE.

Examination of the document to which Certificate of Consent is to be affixed will not be commenced until all conditions of approval have been fulfilled and necessary documentation has been filed with the Secretary-Treasurer. The Certificate cannot be issued the same day as the document is presented and/or all conditions have been fulfilled. It will be necessary to allow up to three (3) working days after all conditions have been fulfilled and documentation filed, for issue of the Certificate. The owner is cautioned not to make arrangements for completion of the transaction until the Certificate has been issued, in order to avoid possible inconvenience.





CIVIC CENTRE
2141 MAJOR MACKENZIE DRIVE, MAPLE. ONTARIO LOJ 1E0 TELEPHONE (416) 832-2281

### COMMITTEE OF ADJUSTMENT FILE NO. A 28/85 SUBMISSION NO. V.85.28

# DECISION

DATE:

April 2nd, 1985

NAME:

Roman Catholic Episcopal Church, Archdiocese

of Toronto,

ADDRESS:

355 Church Street, Toronto, Ontario.

PROPERTY:

Block 58, Registered Plan M-2155 (Part Lot

8, Concession 3)

IN THE MATTER OF Subsection 44 (1) and (2) of the Planning Act, S.O. 1983, c. 1,

### AND

IN THE MATTER OF an application by Roman Catholic Episcopal Church, Archdiocese of Toronto, 355 Church Street, Toronto, Ontario, owners of Block 58, Registered Plan M-2155 (Part Lot 8, Concession 3), known as the subject property for variances to the provisions of By-law 2523, as amended by By-laws 226-82 and 53-84, with respect to use and minimum exterior side yard setback and parking requirements for an Institutional use in a Fourth Density Residential (R4) Zone.

> BEFORE: M. Zuccaro (Chairman),

G. Thompson, W. H. Young,

being all members of the Committee of Adjustment on Tuesday, April 2nd, 1985.

Mr. R. Maragna appeared on behalf of the applicant.

The applicant is requesting variances to permit the construction of a proposed two-storey building to be used for institutional (church) purposes, notwithstanding, Section 1 (b) of By-law 226-82 and 53-84 requires that lands shown as Fourth Density Residential on Schedule 2 (b) shall be used only for the purposes of single family detached dwellings. The proposed church will also have a minimum exterior side yard setback of 13.8m (45'4") rather than the required 15m (49.2') and have 126 parking spaces. ing spaces rather than the required 140 parking spaces.

Draft approval of the plan of subdivision states the following:

Section 21.8 - The Owner shall set aside Block 58 of Schedule "Al", located on the northeast corner of Martin Grove Road and Bainbridge Avenue as a future church site.

...cont'd...

Section 21.10 - Prior to the final approval of the Plan, the Owner shall have entered into a satisfactory agreement with the York Region Roman Catholic Separate School Board for the conveyance of a school site located on the north side of Bainbridge Avenue known as Block 57 of Schedule "Al."

Therefore, bearing the above in mind, Committee is of the opinion that it was always the intent to use this land for the purposes of a church and that the appropriate zoning was unintentionally omitted from the finalized zoning by-law. It was verbally reaffirmed that additional parking would be provided by St. Clement School, which is located immediately to the east of the subject property. Committee is also of the opinion that the variances sought are minor in nature and are desirable for the appropriate development and use of the land. The general intent and purpose of the Official Plan will be maintained.

It is, therefore, the decision of the Committee of Adjustment, that Application No. A 28/85, Archdiocese of Toronto, be and the same is hereby APPROVED, subject to the following conditions:

- 1. That the applicant enter into a Site Plan Agreement with the Town;
- 2. That if this decision of the Committee of Adjustment is not acted upon within twelve (12) months of the date hereof, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.

Members concurring in this decision:

M. Zuccaro, Chairman,

G. Thompson.

W. H. Young

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

Dianne E. L. Grout, A.M.C.T.(A),

Secretary-Treasurer,

Vaughan Committee of Adjustment.

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Page 287





CIVIC CENTRE
2141 MAJOR MACKENZIE DRIVE, MAPLE, ONTARIO LOJ 1E0 TELEPHONE (416) 832-2281

# COMMITTEE OF ADJUSTMENT

FILE NO. A 31/84 SUBMISSION NO. V.84.31

# DECISION

DATE:

March 22nd, 1984

NAME:

Archdiocese of Toronto

ADDRESS:

355 Church Street, Toronto, Ontario.

PROPERTY:

Block 58, Registered Plan M-2155 (Part Lot

8, Concession 8)

IN THE MATTER OF Subsection 44 (2) of the Planning Act, S.O. 1983, c. 1,

# AND

IN THE MATTER OF an application by the Archdiocese of Toronto, 355 Church Street, Toronto, Ontario, owners of Block 58, Registered Plan M-2155 (Part Lot 8, Concession 8), known as the subject property, for variances to the provisions of By-law 2523, as amended by By-law 226-82, with respect to minimum exterior side yard setback, maximum lot coverage and parking requirements for an Institutional use in a Fourth Density Residential (R4) Zone.

> G. Thompson (Madam Chairman),
> W. H. Young, BEFORE:

M. Zuccaro,

being all members of the Committee of Adjustment on Thursday, March 22nd, 1984.

Mr. Rocco Maragna appeared on behalf of the applicants. Father Bulfon Pastor of the Church was also present.

The applicants are requesting variances to permit the construction of a proposed two-storey building to be used for institutional purposes (outlined on sketch attached), notwithstanding, the minimum exterior side yard setback will be 13.8m (45'4") rather than the required 15m (49.27), the maximum lot coverage will be 26% rather than the required 20% and there Will be 126 parking spaces rather than the required 140.

Committee notes that the landscaping provided is in excess of the requirements and that the placement of this landscaping along with the Church will be aesthetically pleasing to the adjacent residential area. During the submission, a letter was submitted from the York Region Roman Catholic Separate School Board stating that additional parking would be provided by St. Clement School, which is located immediately to the

...cont'd...

east of the subject property. A copy of this letter and site plan of the school are attached. Committee is, therefore, of the opinion that the variances sought are minor in nature and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

It is, therefore, the decision of the Committee of Adjustment that Application No. A 31/84, be and the same is hereby APPROVED, subject to the following conditions:

- That the applicants enter into a Site Plan Agreement with the Town;
- That if authorization of this request is not acted upon within twelve (12) months of the date hereof, the said authorization shall expire and shall be deemed to have been annulled and rescinded by the Com-

Members concurring in this decision:

G. Thompson, Madam Chairman,

W. H. Young,

M. Zuccaro

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

Dianne E. L. Grout, A.M.C.T. (A),

I sonnie E. L. Grow

Secretary-Treasurer, Vaughan Committee of

Adjustment.

V.84.31

suвміssі Page



# THE YORK REGION ROMAN CATHOLIC SEPARATE SCHOOL BOARD LE CONSEIL DES ÉCOLES SÉPARÉES CATHOLIQUES DE LA RÉGION DE YORK

February 22, 1984

John Zupancic, B.A., M.Ed. Director of Education and Secretary-Treasurer: Directeur de l'éducation et secrétaire-trésorier:

> TRUSTEES CONSEILLERS

Elio Bellon

Father Ermanno Bulfon

Pat F. Burzillo

Roberto D'Alessandro

Joyce Frustaglio

Frank E. Kelly

June M. Mallon

Garry D. Marsh

Ernest F. Nyitrai

John L. O'Mahony

R. Celeste Pelliccione

Luigi Rosati

Terrance G. Ryan

Leo H. Wigglesworth

R. James Wilson

Rita Zanatta

Father E. Bulfon Pastor St. Peter's Church 513 Woodbridge Avenue Woodbridge, Ontario L4C 2T6

Dear Father Bulfon:

I am pleased to inform you that the regular meeting of February 21, the Board passed the following motion:

THAT the Board give formal permission for St. Peter's Parish to use the parking facilities at St. Clement School on Saturdays and Sundays.

Yours sincerely,

T. E. Joyce

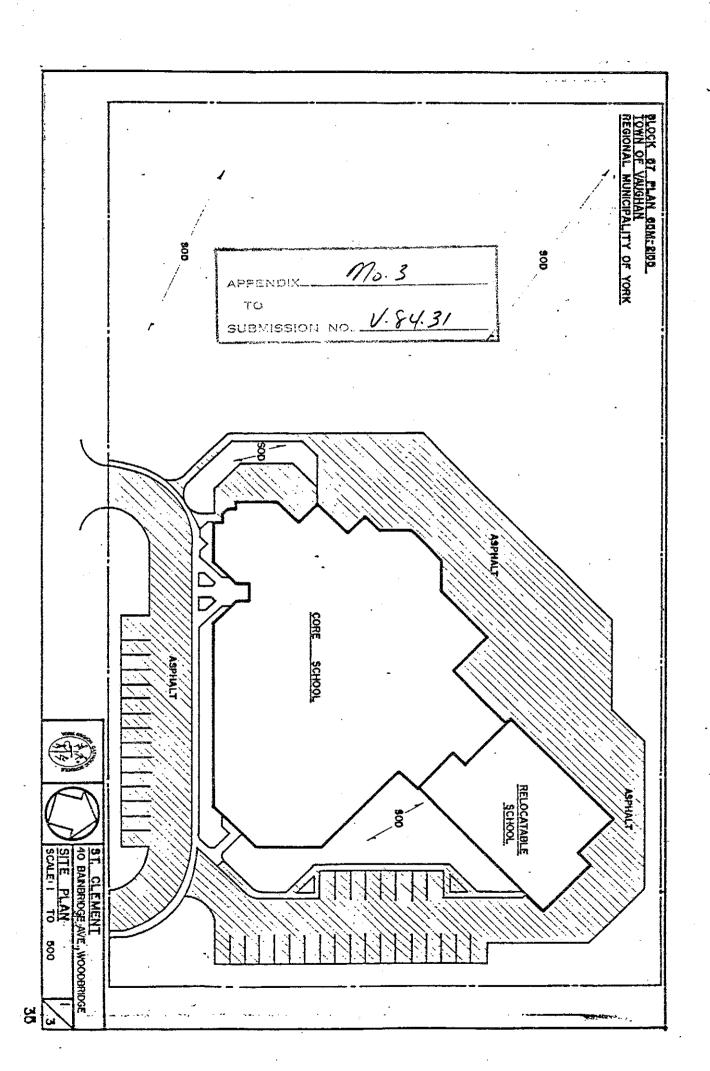
Superintendent of Business and Finance

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TEJ/dj

APPENTY 00.2

TO V.84.3/



Ward #5

File: A164/19

Applicant: Vogue Investments Limited

1118 Centre Street, Unit 19, Thornhill Address:

Joanne Fast - Evans Planning Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\overline{\mathbf{V}}$	
Building Standards	V	
Building Inspection	V	
Development Planning	V	<b>V</b>
Cultural Heritage (Urban Design)	$\overline{\mathbf{V}}$	
Development Engineering	$\overline{\checkmark}$	
Parks Department		
By-law & Compliance		
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\mathbf{V}}$	
Public Correspondence (see Schedule B)	$\overline{\checkmark}$	

Adjournment History: None
Background History: A198/18, A138/11, A061/10 (see next page for details)

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019



### Minor Variance Application

Agenda Item: 20

**A164/19** Ward: 5

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

Applicant: Vogue Investments Limited

**Agent:** Joanne Fast - Evans Planning

Property: #19 - 1118 Centre Street, Thornhill ON

**Zoning:** The subject lands are zoned C1, Restricted Commercial and subject to the

provisions of Exception 9(578) under By-law 1-88 as amended.

**OP Designation:** VOP 2010: 'Community Commercial Mixed-Use' with a maximum permitted height

of 3-storeys and Floor Space Index (FSI) of 0.8 times the area of the lot.

Related Files: None.

**Purpose:** Relief from the by-law is being requested to permit the expansion of an existing

Daycare into Unit 19.

Note: The daycare currently operates in Units 16, 17 & 18 and the daycare use is

permitted in Unit 20A as per Minor Variance approval A198/18.

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

By-law Requirement	Proposal
The use of a Day Nursery is not permitted.	To permit the use of a Day Nursery in Units 16, 17,
	18 and 19.

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

Application No.:	Description:	Status of Approval:
		Approved/Refused/Withdrawn/
		OMB/Concurrent
A198/18	To permit a Day Nursery in Unit 20	Approved
A138/11	To permit a Day Nursery in Units 16-18	Approved
A061/10	To permit increased maximum GFA for eating establishment.	Approved

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

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

#### Adjournment History: None

#### **Staff & Agency Comments**

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

#### **Committee of Adjustment:**

Public notice was mailed on November 27, 2019

Applicant confirmed posting of signage on November 25, 2019

Property Information	
Existing Structures	Year Constructed
Building	1987

Applicant has advised that they cannot comply with By-law for the following reason(s): In 2011 application A138/11, permitted the day nursery use on the subject lands within units 16, 17 and 18. In 2019, application A198/18 allowed for the expansion of the day nursery into unit 20A. The Day Nursery would prefer to expand into unit 19 (rather than 20A). A Minor Variance is required to permit the use in unit 19.

#### Adjournment Request: N/A

#### **Building Standards (Zoning Review):**

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

The Day Nursery currently occupies Units 16, 17 and 18. A building permit application has not been submitted for the expansion of the existing Day Nursery into Unit 19. Please contact an Applications Expeditor at (905) 832-8565 to establish building permit requirements.

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

Site Plan Approval from the Development Planning Department may be required if it is determined that the existing outdoor play must be enlarged, as per regulations under the Child Care and Early Years Act.

Site Plan Approval from the Development Planning Department may be required for the conversion of the landscaped area into new parking spaces, as shown in the location on the Site Plan.

#### **Building Inspections (Septic):**

No comments or concerns

#### **Development Planning:**

VOP 2010: 'Community Commercial Mixed-Use' with a maximum permitted height of 3-storeys and Floor Space Index (FSI) of 0.8 times the area of the lot.

The Owner is requesting permission to expand the operation of a Day Nursery that currently occupies Units #16, 17 and 18 of the existing multi-unit building on the subject lands into Unit #19 with the above noted variance.

Minor Variance File A198/18 approved a Day Nursery use in Unit 20A. The Owner is not requesting, through File A164/19 that Unit 19 be used for expansion due to its proximity to the existing units currently occupied by the Owner, Units 16, 17, and 18.

Vaughan Committee of Adjustment approved Minor Variance Application A138/11 on May 26, 2011 to permit the use of a Day Nursery in Units #16, 17 and 18. Site Development Application DA.11.091 was subsequently approved to permit the associated outdoor play area. The Owner has indicated that an expansion to the existing outdoor play area will not be required to accommodate the Day Nursery use expansion into Unit #19; however, the Ministry of Education shall confirm such in writing as a condition of approval. If an expansion to the outdoor play area is required, the Owner shall apply for an amending Site Development Application to file DA.11.091 to facilitate the expansion.

The Development Planning Department has no objection to the use of a Day Nursery in Unit #19 as the use is already established in Units #16, 17 and 18, and no additional parking is required on site to accommodate the proposal.

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

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

That the Owner shall provide confirmation from the Ministry of Education that an expansion to the associated existing outdoor play area is not required to accommodate the expansion of the Day Nursery. If an expansion to the outdoor play area is required, the Owner shall apply for an amending Site Development Application to file DA.11.091.

#### Cultural Heritage (Urban Design):

No comments

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A169/19.

#### **Parks Development:**

No Comments

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

No Response.

#### **Financial Planning and Development Finance:**

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.

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 Bylaws in effect at time of payment.

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

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

#### **Fire Department:**

No Response.

#### Schedule A - Plans & Sketches

#### Schedule B - Public Correspondence

Email from Agent addressing Zoning comments, including Additional Sketches

#### **Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

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

Minor Variance Application A198/18 Minor Variance Application A138/11 Minor Variance Application A061/10

#### **Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Development Planning	That the Owner shall provide confirmation from the Ministry of
	Michael Di Febo	Education that an expansion to the associated existing outdoor
		play area is not required to accommodate the expansion of the
	905-832-8585 x 8990	Day Nursery. If an expansion to the outdoor play area is
	michaeldifebo@vaughan.ca	required, the Owner shall apply for an amending Site
		Development Application to file DA.11.091.

#### 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.

#### **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.

#### **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**

**WRITTEN SUBMISSIONS:** 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

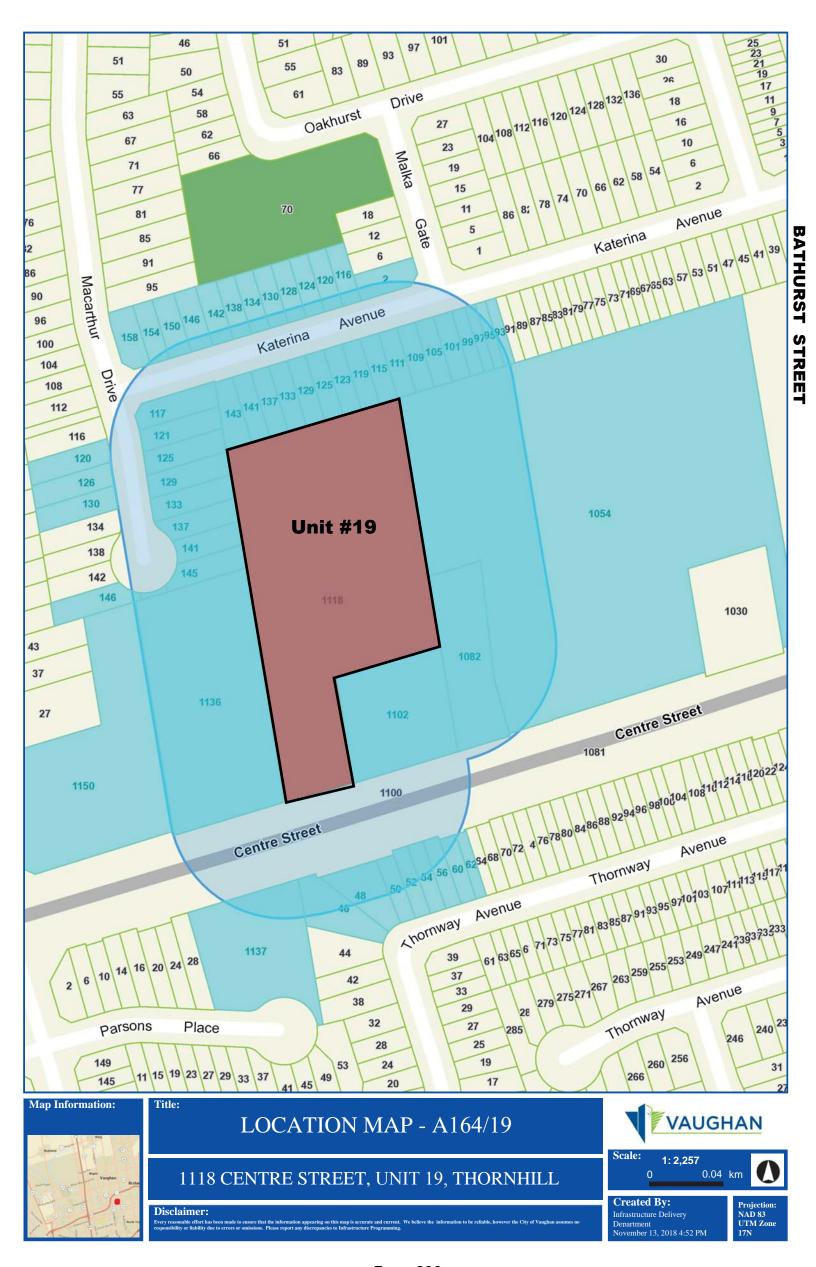
**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request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

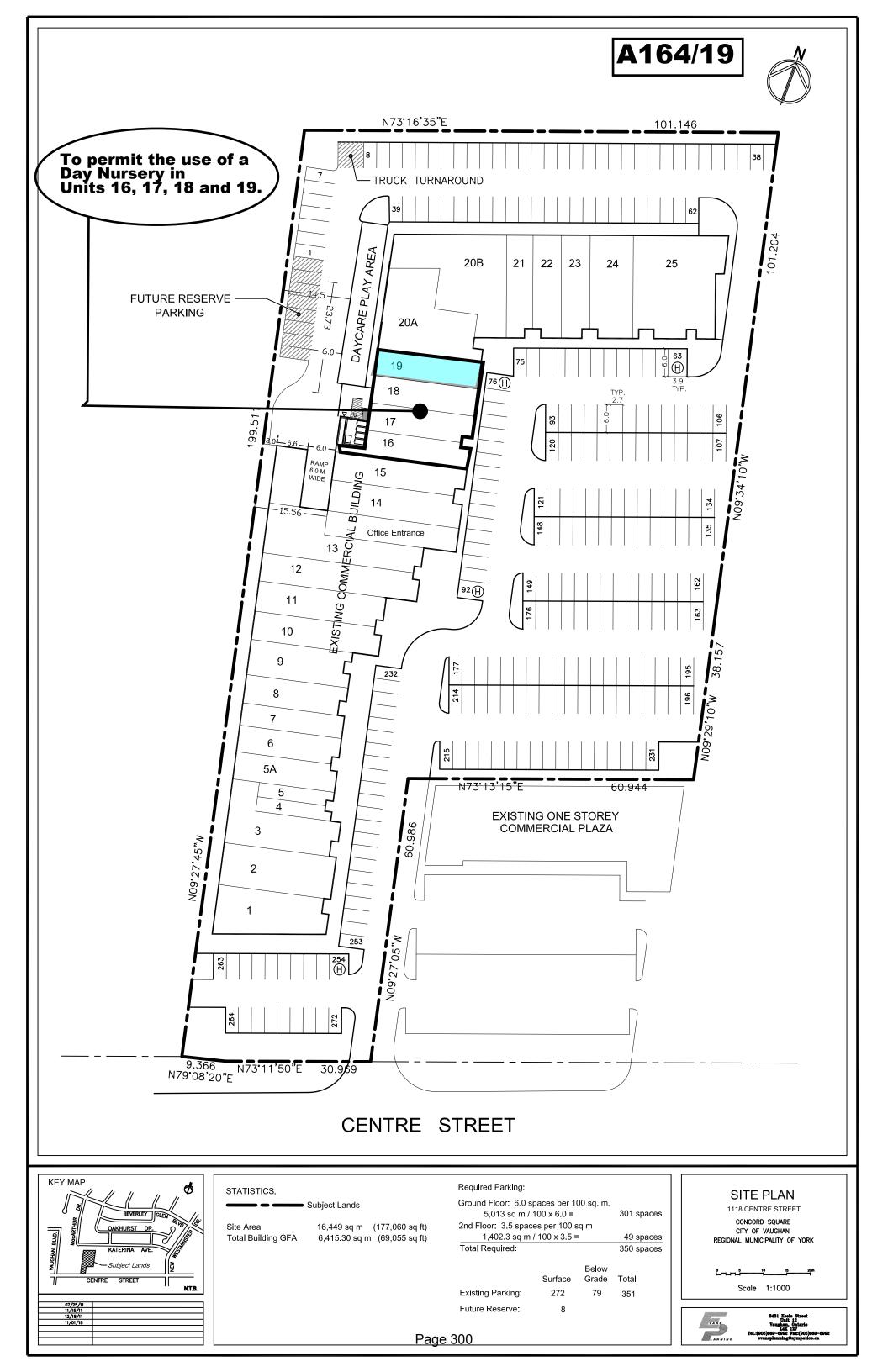
For further information please contact the City of Vaughan, Committee of Adjustment Lenore Providence

### 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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

**Location Map Sketches** 





## 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**Email from Agent addressing Zoning comments and Additional Sketches** 

#### Providence, Lenore

From: Joanna Fast <jfast@evansplanning.com>

Sent: November-20-19 4:15 PM

To: Providence, Lenore; Saluri, Catherine
Subject: A164/19 1118 Centre Street, Unit 19
Attachments: Original Site Plan.pdf; Landscape Area.pdf

Hi Lenore and Catherine,

Further to the comments from Building Standards, the following is a response to each comment:

- 1. The Applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
  - Noted
- 2. Future reserve parking spaces are shown on the Site Plan. A parking space shall measure at least 2.7 metres x 6.0 metres. Applicant to please confirm dimensions for said parking spaces.
  - A copy of the original Site Plan for the building is attached. The Site Plan identifies that the typical parking stall size is 2.75m x 6.0m. See circled area in red.
- 3. As per Exception No. 9(563) the use of the second floor shall be limited to Business and Professional Offices and a Laboratory. Other than a Site Plan, no additional drawings have been provided. Applicant to please confirm in writing that the Day Nursery will be located on the ground floor only.
  - The Day Nursery will be located on the ground floor only. Unit 19 is a ground floor unit with no second storey.
- 4. As per Exception No. 9(563), no less than thirteen percent (13%) of the area of the Subject Lands shall be used for any purpose other than landscaping. Applicant to please provide landscape calculations for current conditions, and for future reserve parking, as they have advised that the future reserve parking area is currently a landscaped area.
  - The 13% landscape area was a site-specific exception tailored to the existing development. The landscape area has not changed since the building was constructed. However, we had John Shank of Landscape Planning to prepare a landscape plan which calculates the existing landscape area on site. The total amount of landscape area is 15.9% (see attached plan).

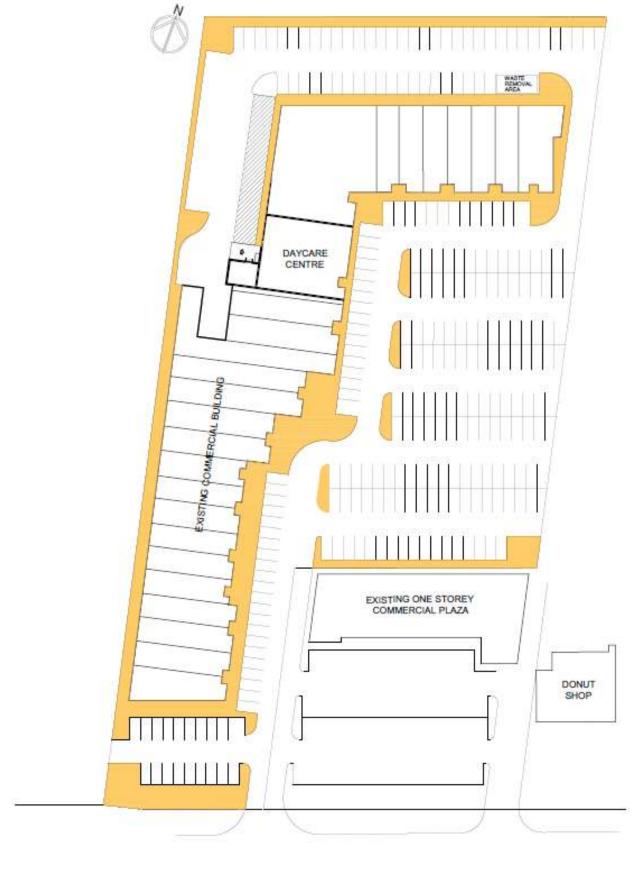
In addition, future reserve parking area abuts lands zoned Residential. The Applicant shall be advised that as per Exception No. 9(563), the minimum width of a landscaping strip along a boundary between a Commercial and a Residential Zone shall be 1.0 metre.

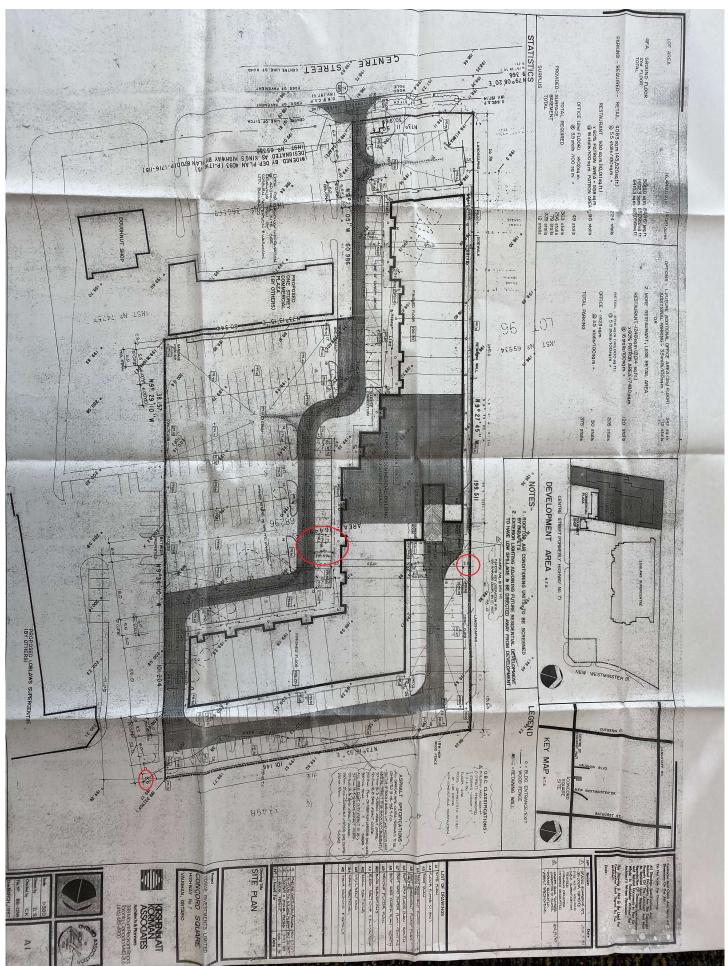
- The original Site Plan for the site identifies that a landscaping strip of 2.5 metres is provided along a boundary between the Commercial and Residential Zone.
- 5. Site Plan Approval from the Development Planning Department may be required if it is determined that the existing outdoor play must be enlarged, as per regulations under the Child Care and Early Years Act.
  - Noted
- 6. Site Plan Approval from the Development Planning Department may be required for the conversion of the landscaped area into new parking spaces, as shown in the location on the Site Plan.
  - Noted

I trust that this information is sufficient to allow the application to move forward. Let me know if you have any questions.

Regards,

Joanna Fast Senior Associate Planner Evans Planning Inc. 8481 Keele Street, Unit 12 Vaughan, Ontario L4K 1Z7 Tel: (905) 669-6992 x105 Landscape Area = 2,621 sq.m (15.9%)





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## **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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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 *Phone*: 1-877-963-6900 ext. 31297

*Fax*: 905-532-4401

**E-mail**: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com

#### Providence, Lenore

**Subject:** FW: (A164-19) MVAR.19.V.0479 - 1118 Centre Street

From: Skouros, Julia < Julia. Skouros@york.ca>

## Sent: November-25-19 3:56 PM

To: Vigneault, Christine < Christine. Vigneault@vaughan.ca>

Cc: Attwala, Pravina < Pravina. Attwala@vaughan.ca>; Committee of Adjustment < CofA@vaughan.ca>

Subject: (A164-19) MVAR.19.V.0479 - 1118 Centre Street

Hi Christine,

The Regional Municipality of York has completed its review of the above mentioned Consent Application and has **no comment.** 

Should you have any questions or concerns, please contact me using the information provided below.

Best,

Julia Elena Skouros | Assistant Planner, Community Planning, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 74886 | <u>Julia.Skouros@york.ca</u> | <u>york.ca</u>

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

# Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A198/18 Minor Variance Application A138/11 Minor Variance Application A061/10

### Committee of Adjustment

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1 T 905 832 8585

E CofA@vaughan.ca

### NOTICE OF DECISION

### Minor Variance Application A198/18

Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing:

Thursday, December 6, 2018

Applicant:

Vogue Investments Limited

Agent:

Joanna Fast - Evans Planning

Property:

1118 Centre Street, Units 16-18 and 20A, Thornhill.

Zoning:

The subject lands are zoned C1, Restricted Commercial and subject to the provisions of Exception 9(578) under By-law 1-88 as amended.

**OP Designation:** 

VOP 2010: 'Community Commercial Mixed-Use' with a maximum height

of 3-storeys and Floor Space Index (FSI) of 0.8 times the area of the lot.

Related Files:

None

Purpose:

Relief from the by-law is being requested to permit the expansion of an

existing Daycare into Unit 20A.

Note: The Daycare currently exists in Units 16, 17 & 18.

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

By-law Requirement	Proposal	
The use of a Day Nursery is not permitted.	1. To permit the use of a Day Nursery in Units 16, 17, 18 and 20A.	

Sketch:

A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A198/18 on behalf of Vogue Investments Limited, be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Planning Christopher Cosentino  905-832-8585 x 8215 christopher.cosentino@vaughan.ca	That the Owner shall provide confirmation from the Ministry of Education that an expansion to the associated existing outdoor play area is not required to accommodate the expansion of the Day Nursery. If an expansion to the outdoor play area is required, the Owner shall apply for an amending Site Development Application to file DA.11.091.

#### For the following reasons:

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

File No: A198/18

#### 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.

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.

# Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions  * Public Correspondence received and considered by the Committee in making this decision	Public Oral Submissions  *Please refer to the approved Minutes of the Thursday , December 06, 2018 meeting for submission details.
Name:	Name:
Address:	Address:
Nature of Correspondence:	· · · · · · · · · · · · · · · · · · ·
Name:	Name:
Address:	Address:
Nature of Correspondence:	d weekshirid seksold
Name:	Name:
Address:	Address:
Nature of Correspondence:	

#### SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

H. Zheng	J. Cesario	/R. Buckler
Member	Chair	Vice Chair
M. Mauti Member	D	A. Perrella Member

DATE OF HEARING:	Thursday, December 6, 2018
DATE OF NOTICE:	December 14, 2018
LAST DAY FOR *APPEAL:  *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	December 26, 2018 4:30 p.m.
CERTIFICATION:  I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.	
<u>al</u>	
Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

# Appealing to The Local Planning Appeal Tribunal The Planning Act, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

#### Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at <a href="https://www.elto.gov.on.ca">www.elto.gov.on.ca</a> or by visiting our office.

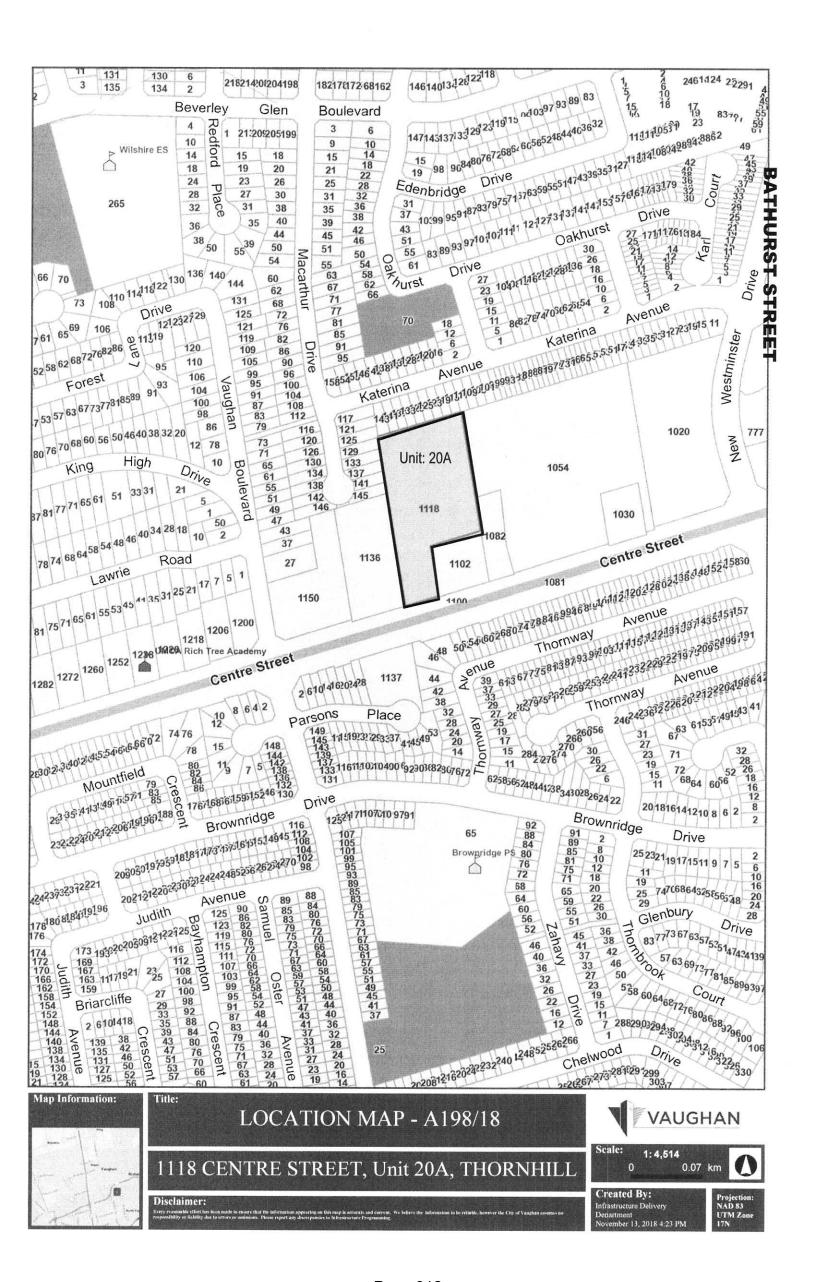
City of Vaughan LPAT Processing Fee: \$817.00 per application

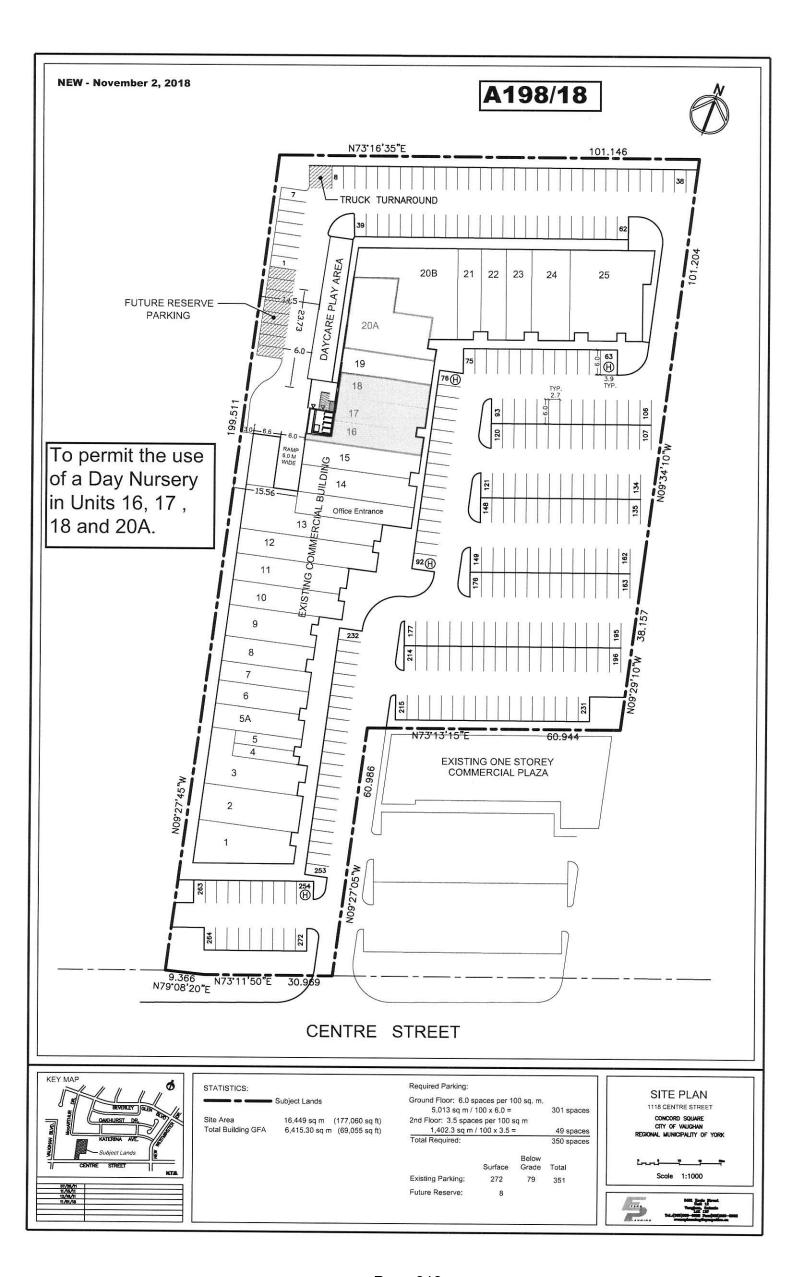
\*Please note that all fees are subject to change.

#### Conditions

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

File No: A198/18







#### COMMITTEE OF ADJUSTMENT

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

# NOTICE OF DECISION

#### MINOR VARIANCES

FILE NUMBER:

A138/11

**APPLICANT:** 

**VOGUE INVESTMENTS LIMITED** 

**PROPERTY:** 

Part of Lot 6, Concession 2, (municipally known as 1118 Centre Street, Unit #'s 16,

17 & 18, Thornhill).

**ZONING:** 

The subject lands are zoned C1, Restricted Commercial, under By-law 1-88 subject to

Exception 9(578) as amended.

**PURPOSE:** 

To permit the maintenance of an existing two-storey commercial building.

**PROPOSAL:** 

1. To permit a Day Nursery in Units 16, 17, 18.

**BY-LAW** 

**REQUIREMENT:** 

1. Day Nursery is not a permitted use

BACKGROUND **INFORMATION:**  The land which is subject to this application was also the subject of another application under the Planning Act:

Consent Application:

File **B007/88 APPROVED**  JAN 20/88 easements in favour of the south-east (Deeds

Stamped Jan. 24/89).

Minor Variance Application:

File **A061/10** APPROVED MAR 25/10 To permit an eating establishment to occupy up to

25% of the gross floor area.

Zoning By-Law Amendment File Z.08.066 INACTIVE

To expand range of permitted uses.

A sketch is attached illustrating the request.

MOVED BY:

**SECONDED BY:** 

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

THAT Application No. A138/11, VOGUE INVESTMENTS LIMITED, be APPROVED, in accordance with the attached sketch and subject to the following conditions:

That the Owner amend the existing Site Plan Agreement/Letter of Undertaking to permit an outdoor play area for the proposed day nursery, if required, to the satisfaction of the Development Planning Department;

2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)

**VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN** AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

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

CARRIED.

CHAIR:

Signed by all members present who concur in this decision:

CONFLICT OF

E. Fluxgold, Chair

A. Perrella, Member

Chair

M. Mauti, Member

H. Zheng, Member

**CERTIFICATION** 

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

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

Date of Hearing:

MAY 26, 2011

Last Date of Appeal:

**JUNE 15, 2011** 

#### **APPEALS**

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

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

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

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

CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING **JUNE 15, 2012** THEM IS:

LEGEND

AREA OF WORK

PROPOSED OUTDOOR PLAYGROUND

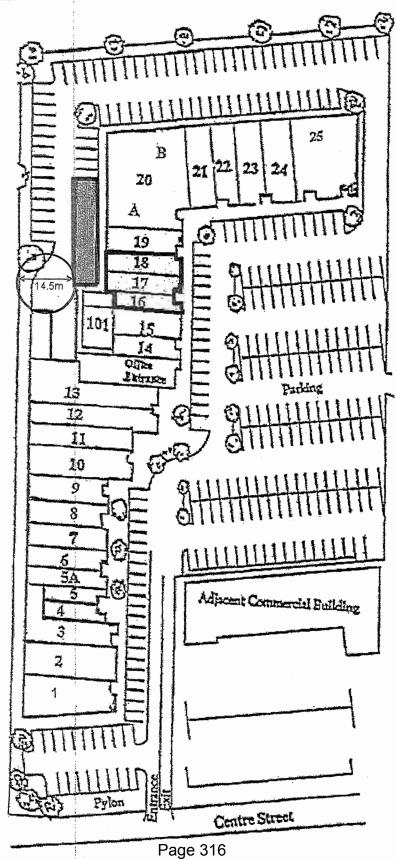
CHÁINLINK FENCE

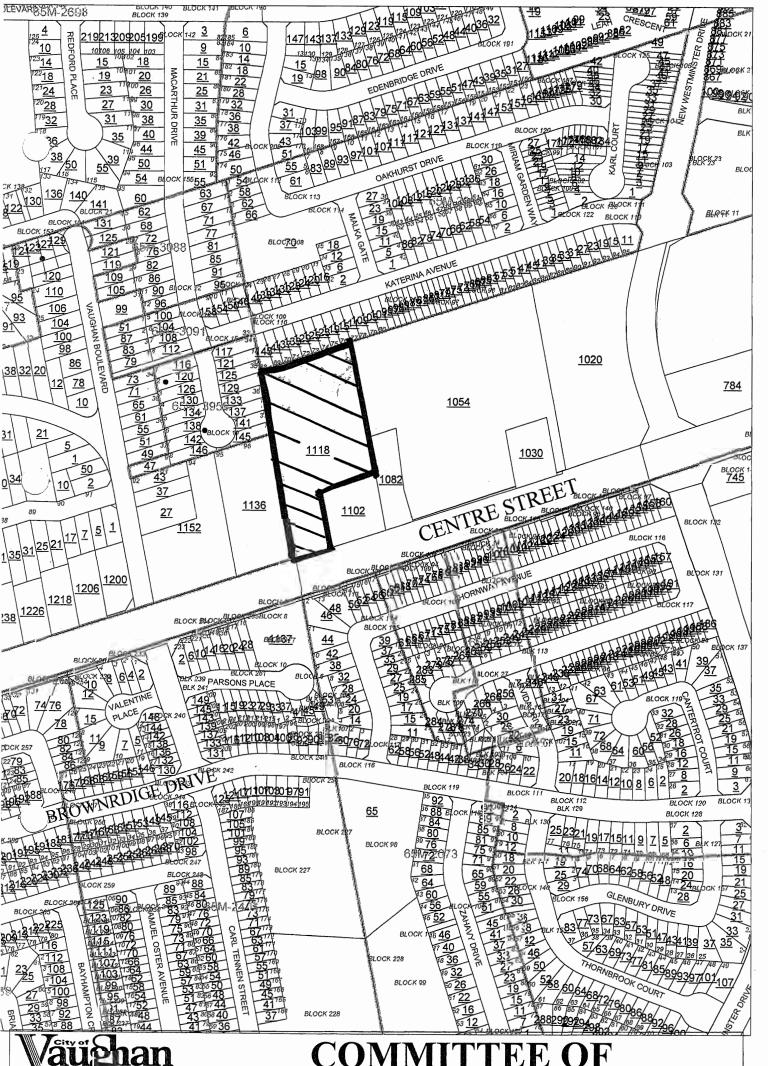
BOLARD

CONCORD SQUARE 1118 CENTRE STREET THORNHILL SITE PLAN

A138/11

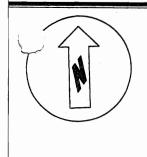
**PRELIMINARY** 







# COMMITTEE OF ADJUSTMENT



FILE NUMBER:

A138/11

**APPLICANT:** 

**VOGUE INVESTMENTS INC.** 

**Subject Area** 

Municipally known as 1118 Centre Street Unit #16-18 Thornhill

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# COMMITTEE OF ADJUSTMENT (VARIANCES)

2141 Major Mackenzie Drive Vaughan, Ontario L6A 1T1 Tel [905] 832-2281 Fax [905] 832-8535

# **NOTICE OF DECISION**

**FILE NUMBER:** 

A061/10

**APPLICANT:** 

**VOGUE INVESTMENTS LIMITED** 

PROPERTY:

Part of Lot 6, Concession 2, (municipally known as 1118 Centre Street, Unit #1,

Thornhill).

**ZONING:** 

The subject lands are zoned C1, Restricted Commercial Zone and subject to the

provisions of Exception 9(578) under By-law 1-88 as amended.

**PURPOSE:** 

To permit the maintenance of the existing two-storey commercial building.

PROPOSAL:

1. To permit Eating Establishments to occupy a maximum of 24% of the total gross

floor area of the building.

BY-LAW REQUIREMENT:

1. The gross floor area of all Eating Establishments shall not exceed 20% of the total

gross floor area of the building.

BACKGROUND INFORMATION:

The land which is subject to this application was also the subject of another application under

the Planning Act:

Consent Application:

File B007/88 APPROVED

JAN 20/88 easements in favour of the south-east (Deeds

Stamped Jan. 24/89).

Zoning By-Law Amendment

File Z.08.066 INACTIVE

To expand range of permitted uses.

A sketch is attached illustrating the request.

MOVED BY:

**SECONDED BY:** 

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

THAT Application No. A061/10, VOGUE INVESTMENTS LIMITED, be APPROVED, in accordance with the attached sketch

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

**CHAIR:** 

Signed by all members present who concur in this decision:

L. Fluxgold,

Chair,

Joe þ Cesario Vi**se** Chair,

S. Krcmar, Member,

M. Mauti, Member,

S. Panicali, Member,

#### **CERTIFICATION**

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

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

**Date of Hearing:** 

MARCH 25, 2010

Last Date of Appeal:

**APRIL 14, 2010** 

#### **APPEALS**

APPEAL NOTED ABOVE.

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

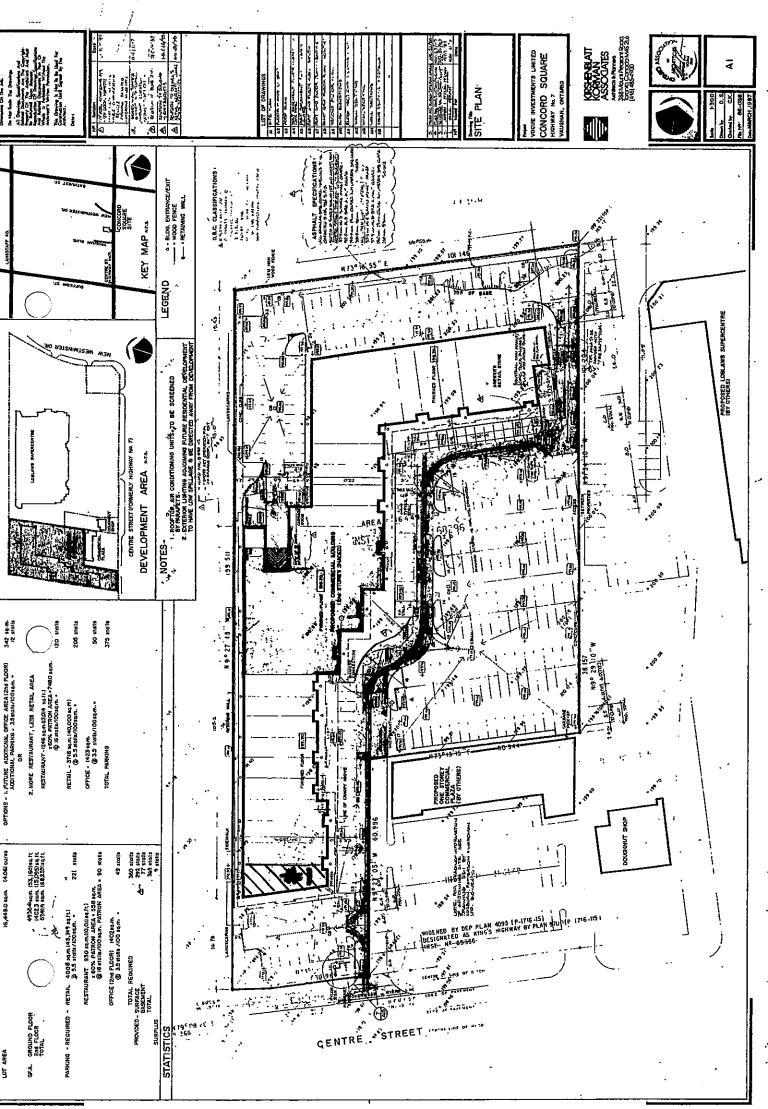
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by certified <u>cheque</u> or <u>money order</u>, made payable to the "ONTARIO MINISTER OF FINANCE".
<u>NOTE</u>: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as

residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

#### **CONDITIONS**

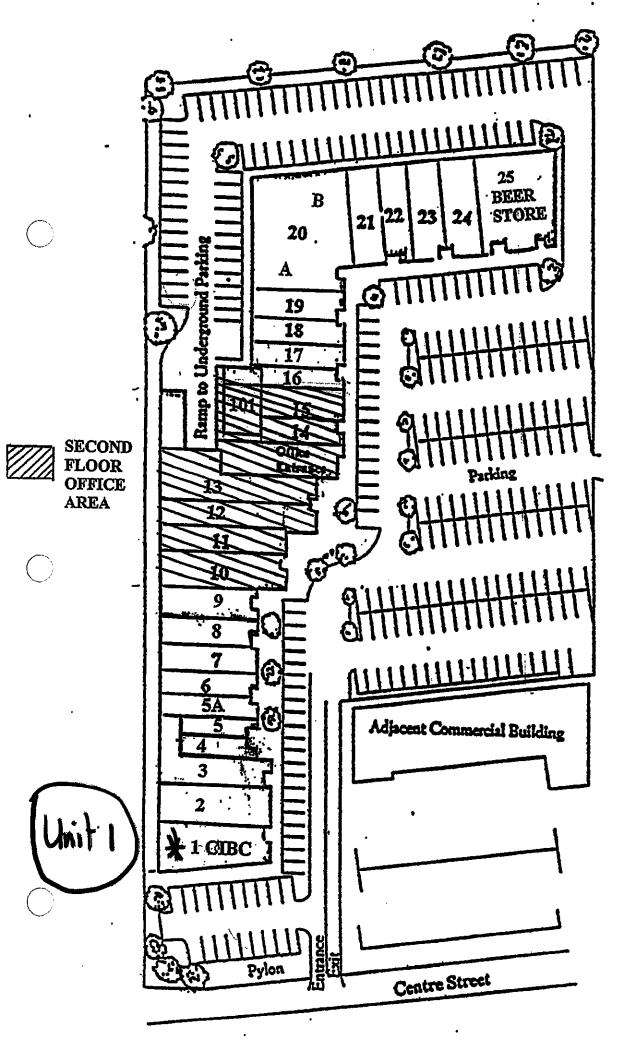
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING **APRIL 14, 2011** THEM IS:

# A061/10

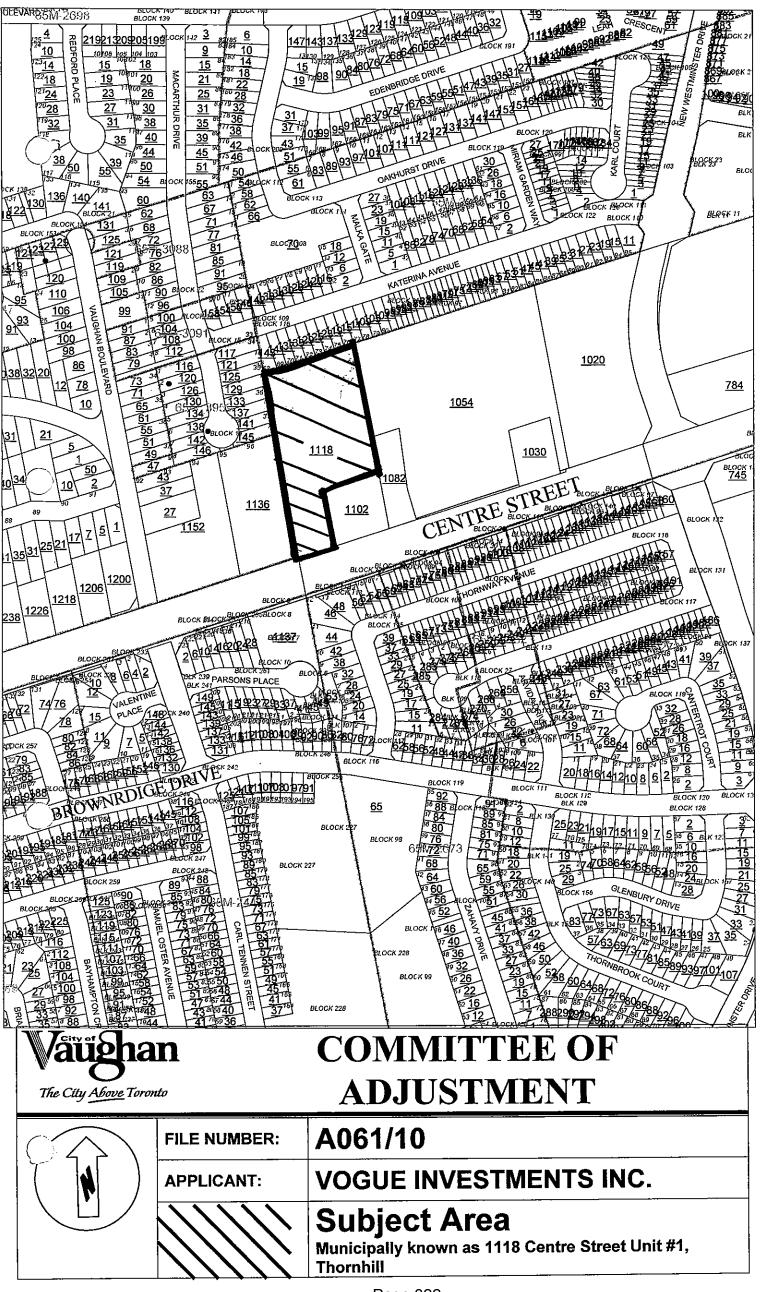


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## CONCORD SQUARE 1118 CENTRE STREET THORNHILL SITE PLAN



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VAUGHAN Staff Report Summary

Item # 21

Ward #2

A135/19 File:

**Applicant:** Aldo Mirigello

176 Davidson Drive, Woodbridge ON Address:

Sabrina Sgotto - Weston Consulting Agent:

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)	
	Negative Comment	<b>√</b> ×	
Committee of Adjustment			
Building Standards			
Building Inspection			
Development Planning			
Cultural Heritage (Urban Design)			
Development Engineering			
Parks Department			
By-law & Compliance			
Financial Planning & Development			
Fire Department			
TRCA			
Ministry of Transportation			
Region of York			
Alectra (Formerly PowerStream)			
Public Correspondence (see Schedule B)			

REQUEST	FOR ADJO	URNMENI -	April 2, 20	20 OR SO	ONER

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019