



File: A131/19

Applicant: Zahra Sheikhghassemi

Address: 9 Vistaview Boulevard, Thornhill

Agent: Shahram Rashvand

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

Adjournment History: None

Background History: None



Minor Variance
Application

Agenda Item: 06

A131/19

Ward: 5

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, January 16, 2020

Applicant: Zahra Sheikhghassemi

Agent: Shahram Rashvand

Property: 9 Vistaview Boulevard, Thornhill ON

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 maximum lot coverage of 20% is permitted.	1. To permit a maximum Lot coverage of 23.9% (22.97% dwelling, 0.93% porches).
2. A maximum building height of 9.5 metres is permitted.	2. To permit a maximum Building Height of 10.36 metres.
3. A minimum Interior garage length of 6 metres is required.	3. To permit a minimum Interior garage length of 5.79 metres.
4. A minimum Front yard setback of 9 metres is required to a covered porch.	4. To permit a minimum Front yard setback of 8.43 metres to a covered porch.

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 December 19, 2019

Applicant confirmed posting of signage on December 20, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1957 to be demolished

Applicant has advised that they cannot comply with By-law for the following reason(s): Based on my client family size and needs we had to go for a bit more living space also to accommodate with the other new construction in the area.

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 requesting permission to construct a 2-storey single-detached dwelling unit with the above variances. The proposed lot coverage is 23.9% (22.97% dwelling, 0.93% porches) (Variance #1) with a proposed building height of 10.36 metres (Variance #4) where 9.5 metres is required. The proposal is consistent with other approvals in the area and an appropriate building type for the existing neighborhoods' built form.

The Owner is proposing an interior garage length of 5.79 metres where 6.0 metres is required (Variance #3).

The Development Engineering Department has reviewed the minor variance application and has no comment or concern on the requested variance.

The Owner is requesting permission for a front yard setback of 8.43 metres to a covered porch where 9.0 metres is required (Variance #4). The proposed variance is considered minor in nature and appropriate for the neighbourhood.

The Owner submitted an Arborist Report prepared by Green Haven Tree Service dated September 10, 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 approve of the minor variance.

Cultural Heritage (Urban Design):

No Response.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A131/19 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 and/or servicing approval.

Parks Development:

No comments or concerns

Forestry and Horticulture Operations:

Application A131/19 be subject to the following condition(s):

1. Hoarding must be installed and verified by forestry prior to the start of site works.
2. A Construction Private Tree Permit will need to be applied for.
3. A re-planting plan must be provided or confirmation of cash-in-lieu for the required replacements.

Note: Light Duty hoarding MLA107-B is only acceptable for road allowance trees.

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 By-laws 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 comments or 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	Development Engineering Jason Pham 905-832-8585 x 8716 Jason.pham@vaughan.ca	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 and/or servicing approval.
2.	Forestry Department Andrew Swedlo 905-832-8585 x 3615 Andrew.swedlo@vaughan.ca	1. Hoarding must be installed and verified by forestry prior to the start of site works. 2. A Construction Private Tree Permit will need to be applied for. 3. A re-planting plan must be provided or confirmation of cash-in-lieu for the required replacements.

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.

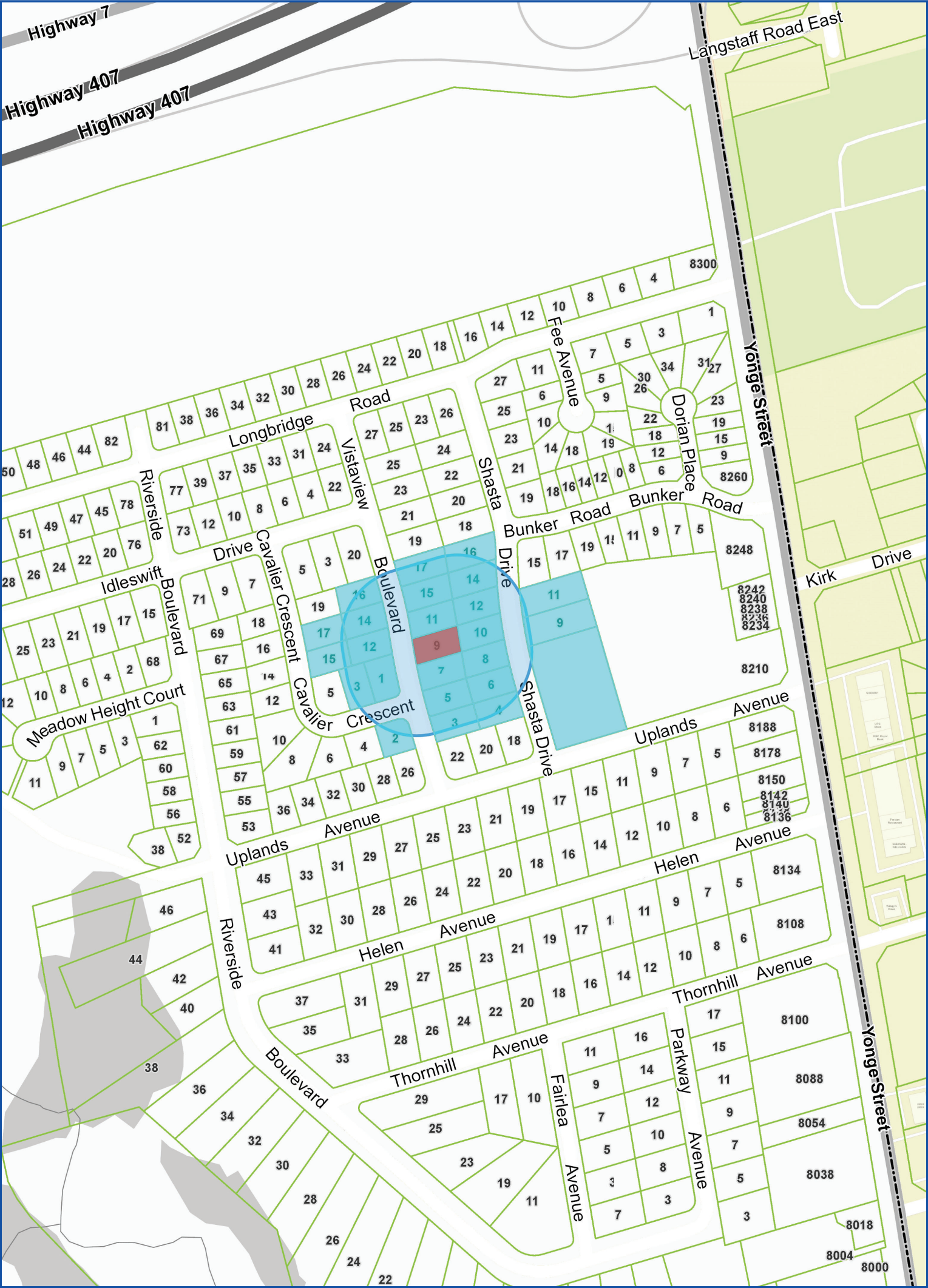
For further information please contact the City of Vaughan, Committee of Adjustment

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

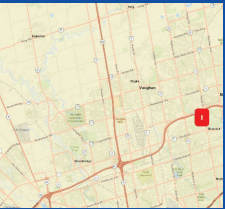
Schedule A: Plans & Sketches

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



Map Information:



Title:

NOTIFICATION MAP - A131/19

9 Vistaview Boulevard, Thornhill

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:4,514

0 0.07 km



Created By:

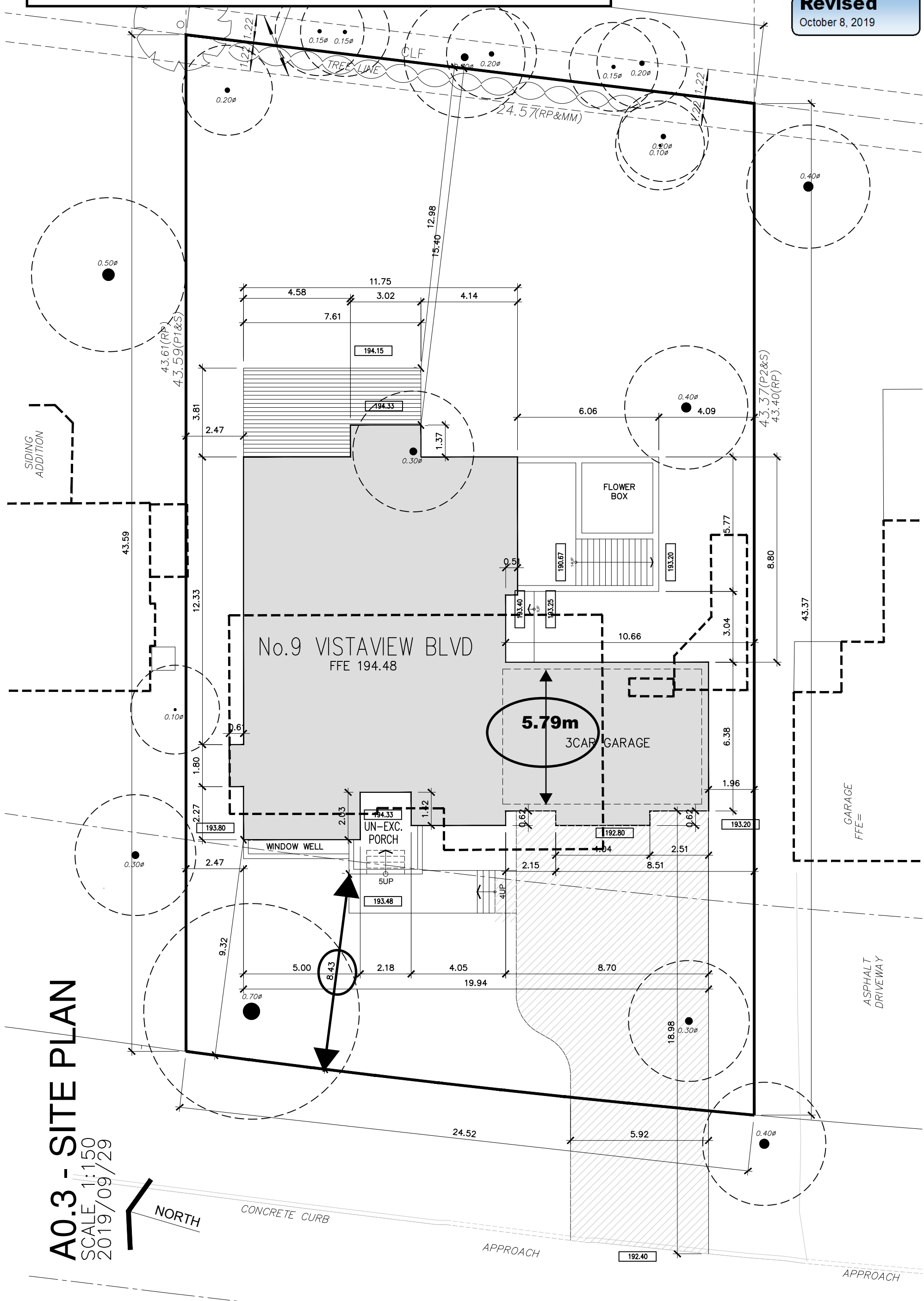
Infrastructure Delivery
Department
November 19, 2019 4:55 PM

Projection:
NAD 83
UTM Zone
17N

- 1. To permit a maximum Lot coverage of 23.9% (22.97 for dwelling + 0.93 for covered porch).
- 2. To permit a maximum Building Height of 10.36m.
- 3. To permit a minimum Interior garage length of 5.79m.
- 4. To permit a minimum Front yard setback of 8.43m to a covered porch.

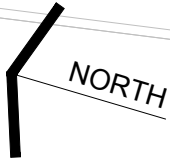
A131/19

Revised
October 8, 2019



A0.3 - SITE PLAN

SCALE 1:150
2019/09/29

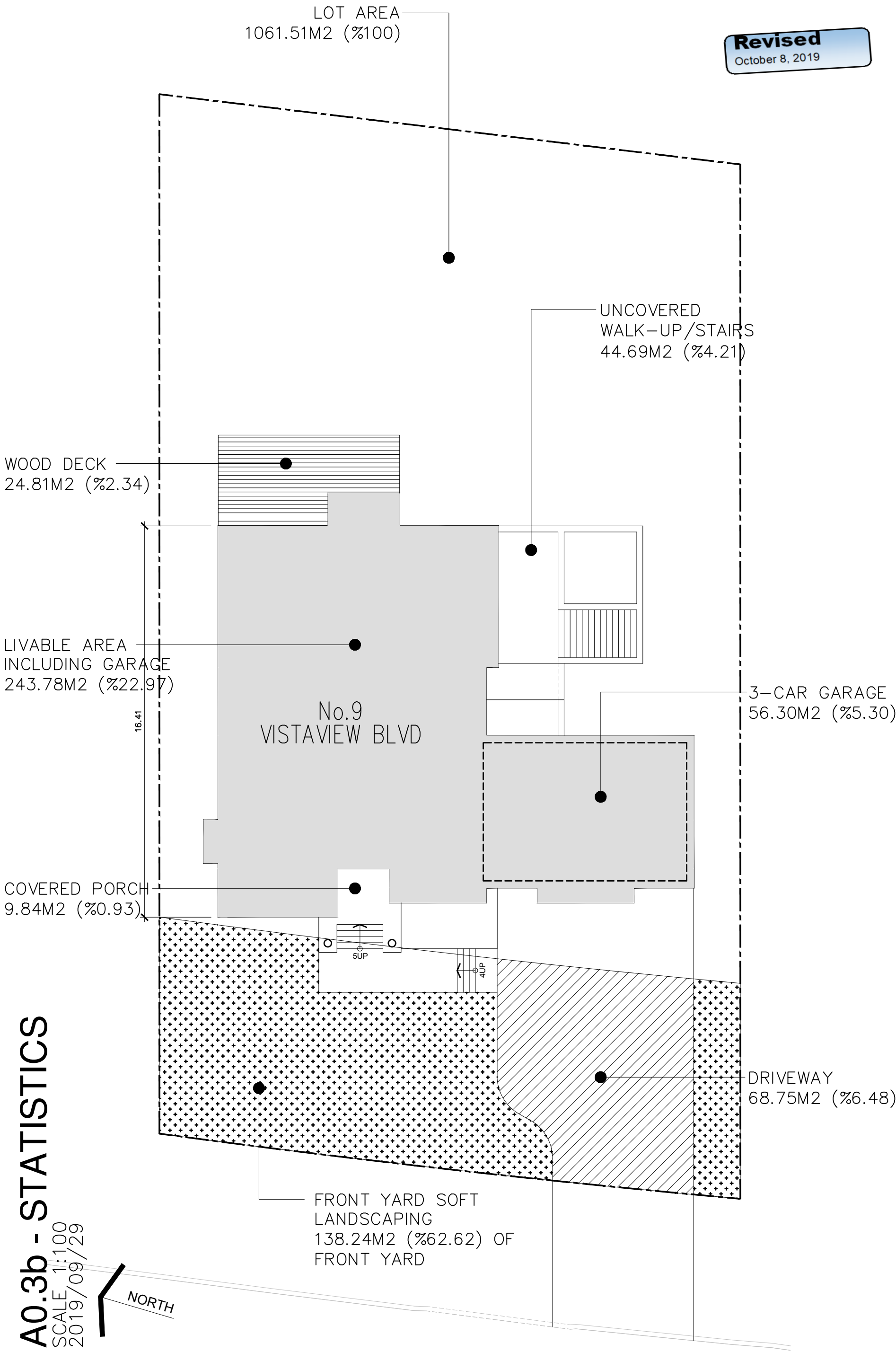


CONCRETE CURB

APPROACH

APPROACH

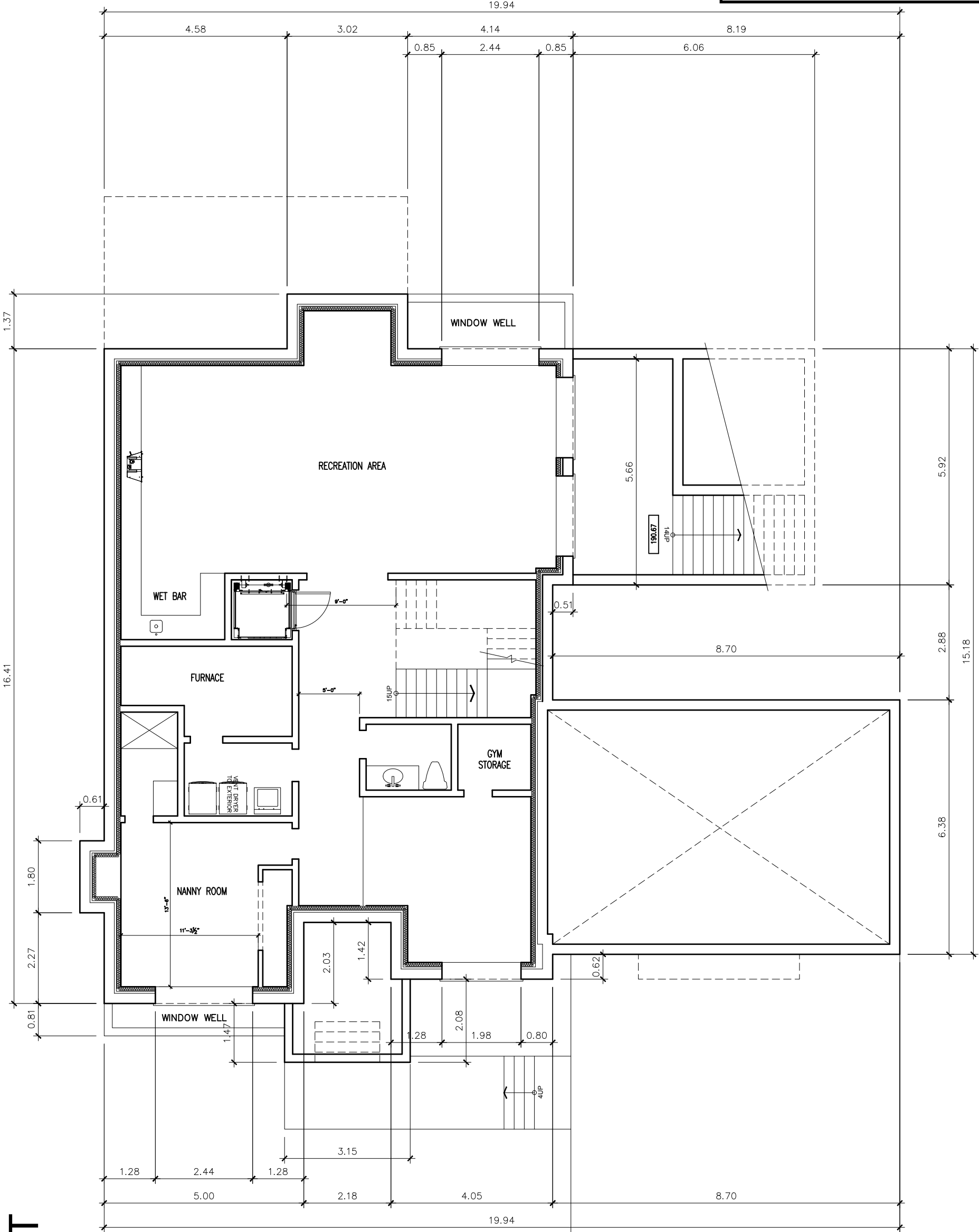
Revised
October 8, 2019



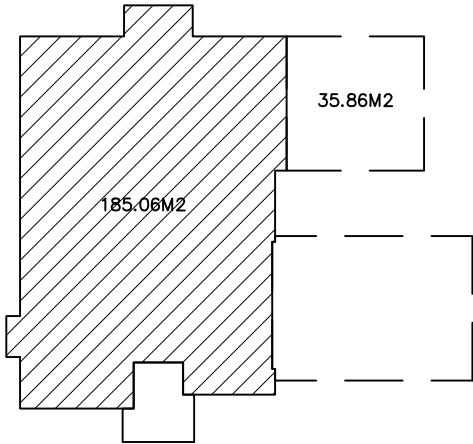
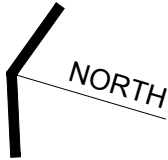
Revised
October 8, 2019

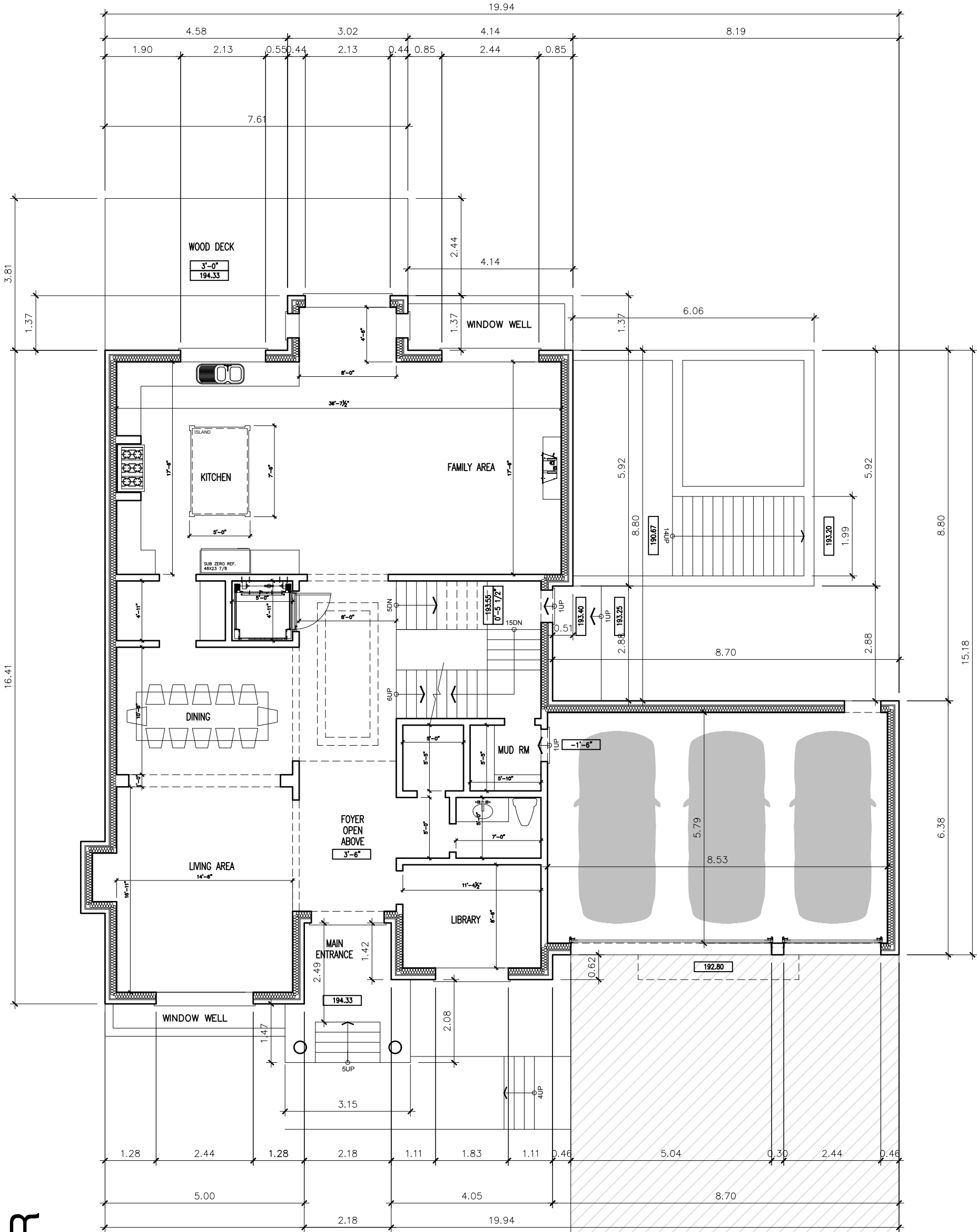
STATISTICS;
LOT AREA

FRONTAGE:	24.52M
COVERAGE:	
PROPOSED COVERAGE	243.78 (22.97%)
ALLOWABLE COVERAGE	20%
FLOORS:	
BASEMENT	195.06M2
GARAGE	56.21M2
1ST FLOOR	185.16M2
BED ROOD 5 LEVEL	77.48M2
2ND FLOOR	239.60M2
TOTAL (WITHOUT BASEMENT+GARAGE)	502.24M2
PROPOSED FLOOR SPACE INDEX	N/A
ALLOWABLE FLOOR SPACE INDEX	%
ESTABLISHED GRADE:	193.41
HEIGHT	
ALLOWED;	9.50M
PROPOSED;	10.36M TO THE PICK 9.30M TO MID. POINT
FRONT SET-BACK	
ALLOWED:	9.00M
PROPOSED:	9.32M
SIDE SET-BACK (NORTH)	
MINIMUM REQUIRED:	1.50M
PROPOSED:	2.47M
SIDE SET-BACK (SOUTH)	
MINIMUM REQUIRED:	1.50M
PROPOSED:	1.96M
REAR YARD SET-BACK	
MINIMUM REQUIRED:	7.50M
PROPOSED	15.40M
FRONT YARD AREA	220.74M2
PROPOSED SOFT LANDSCAPING AREA	138.24M2 (62.62%)



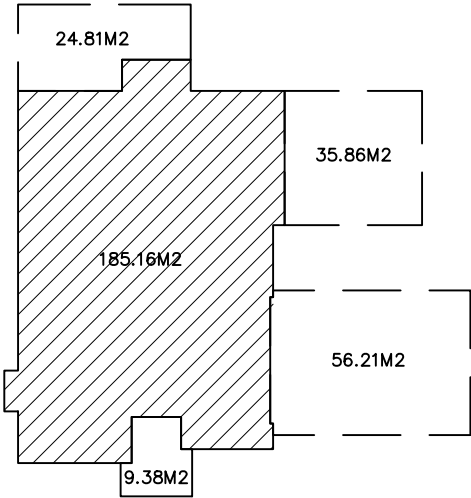
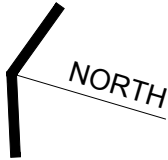
A1.1 - BASEMENT
SCALE 1:100
2019/09/29





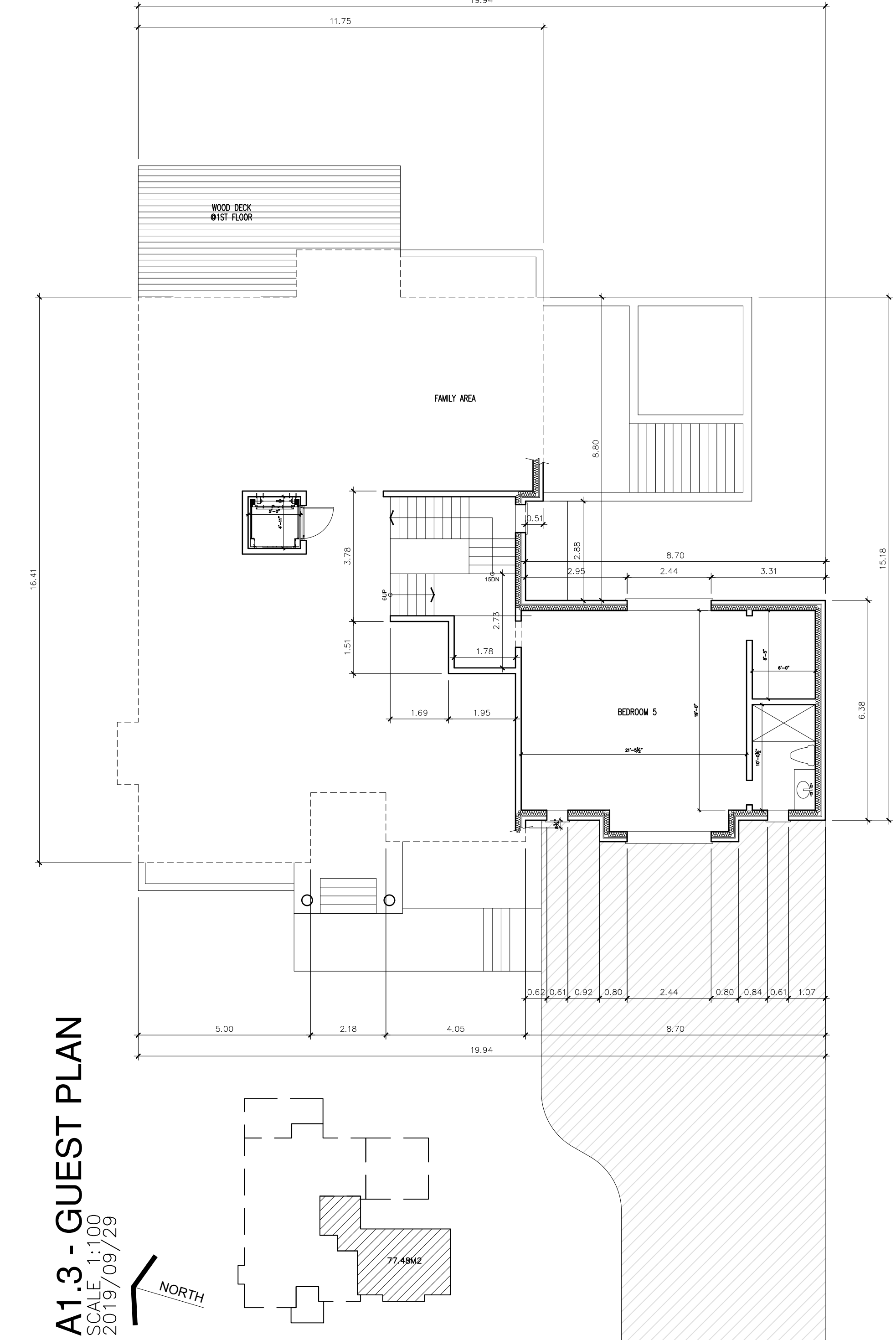
A1.2 - 1ST FLOOR

SCALE 1:100
2019/09/29




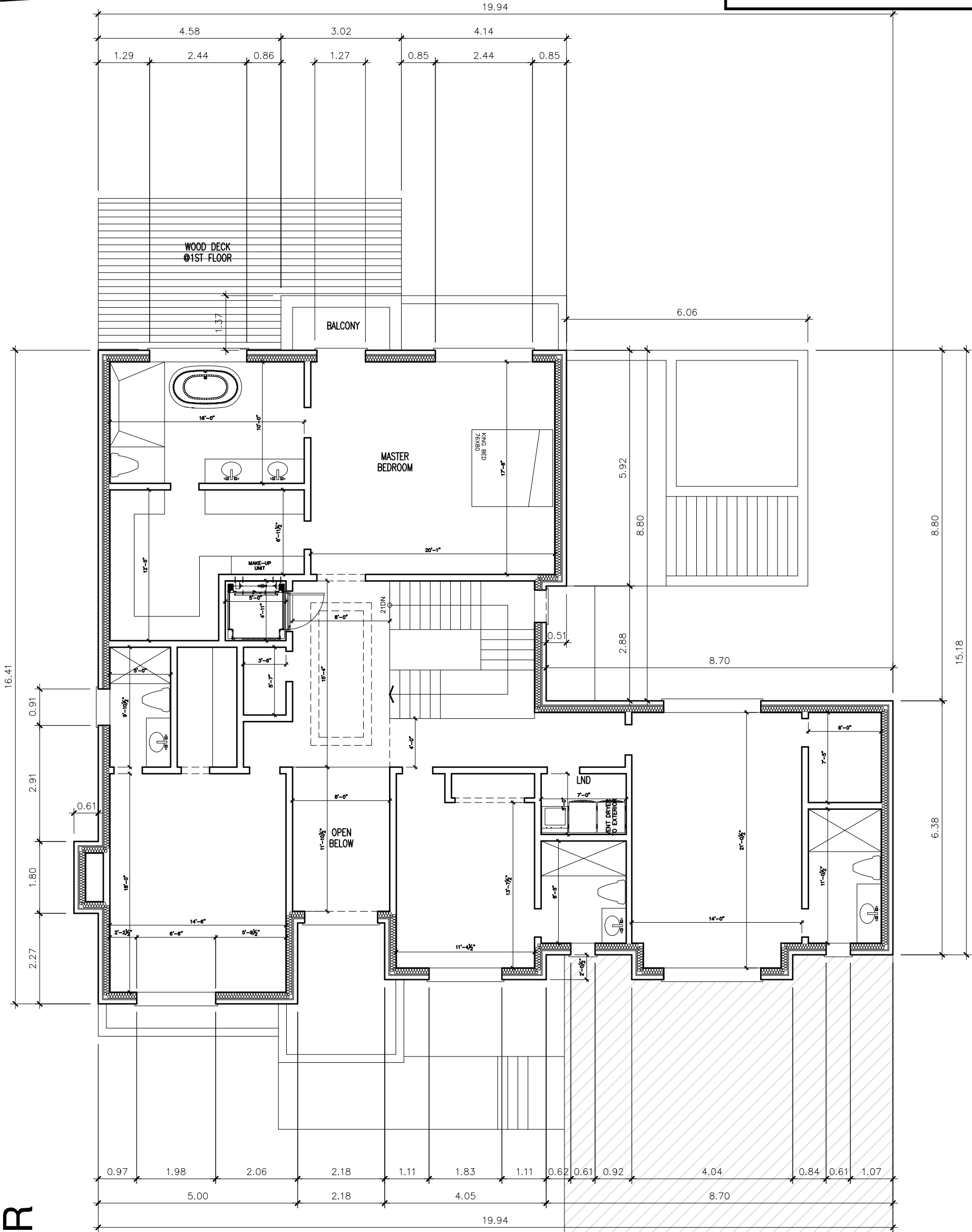
Revised
October 8, 2019

A131/19



A1.3 - GUEST PLAN

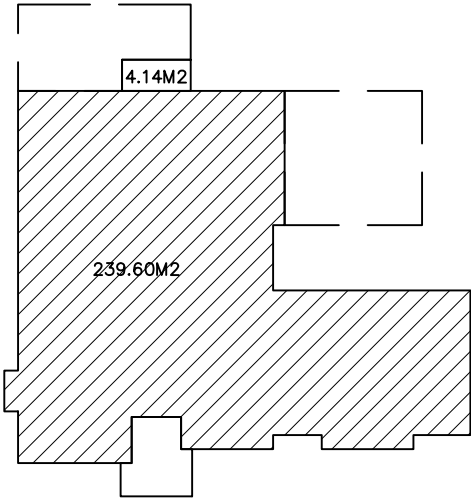
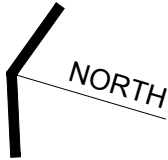
SCALE 1:100
2019/09/29~~77.48M2~~

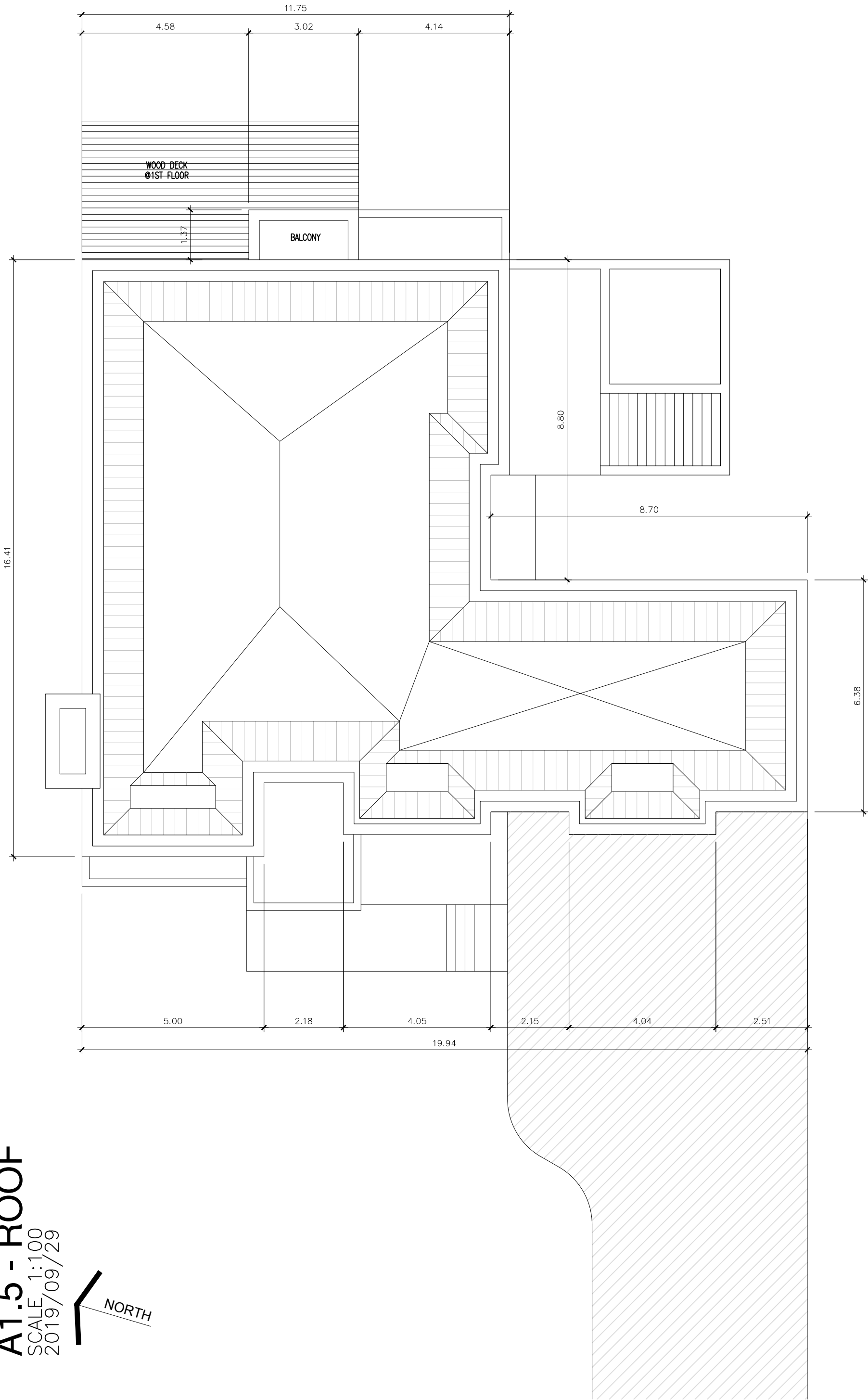


A1.4 - 2ND FLOOR

SCALE 1:100

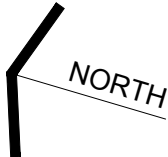
2019/09/29



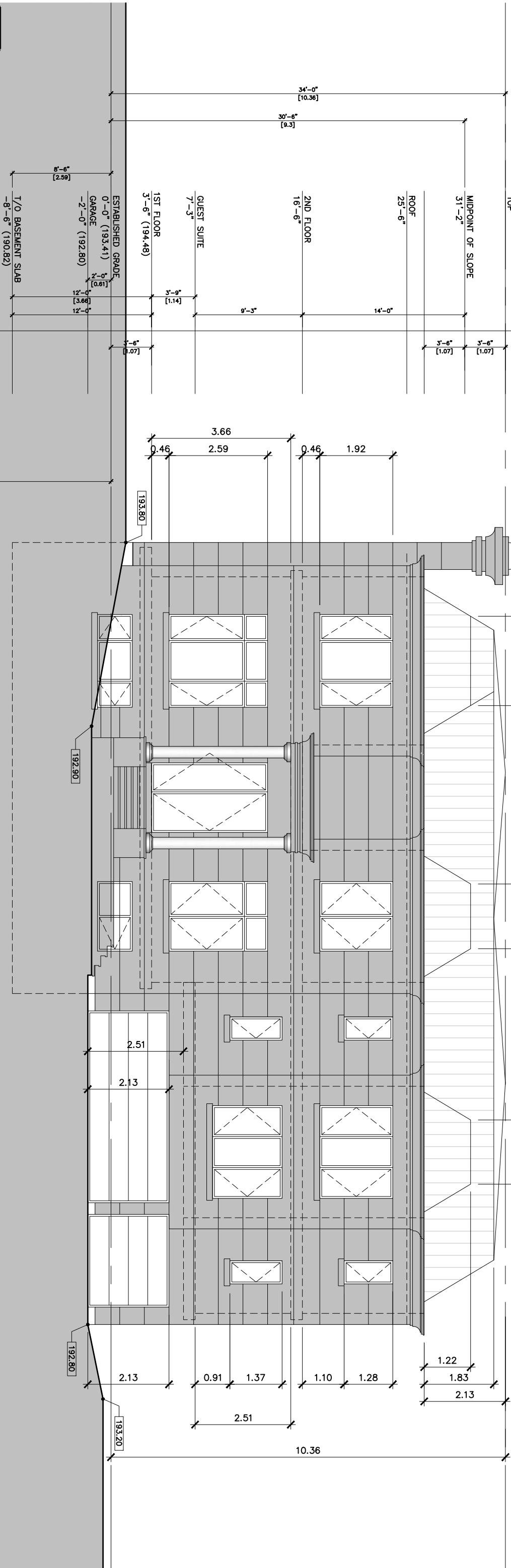


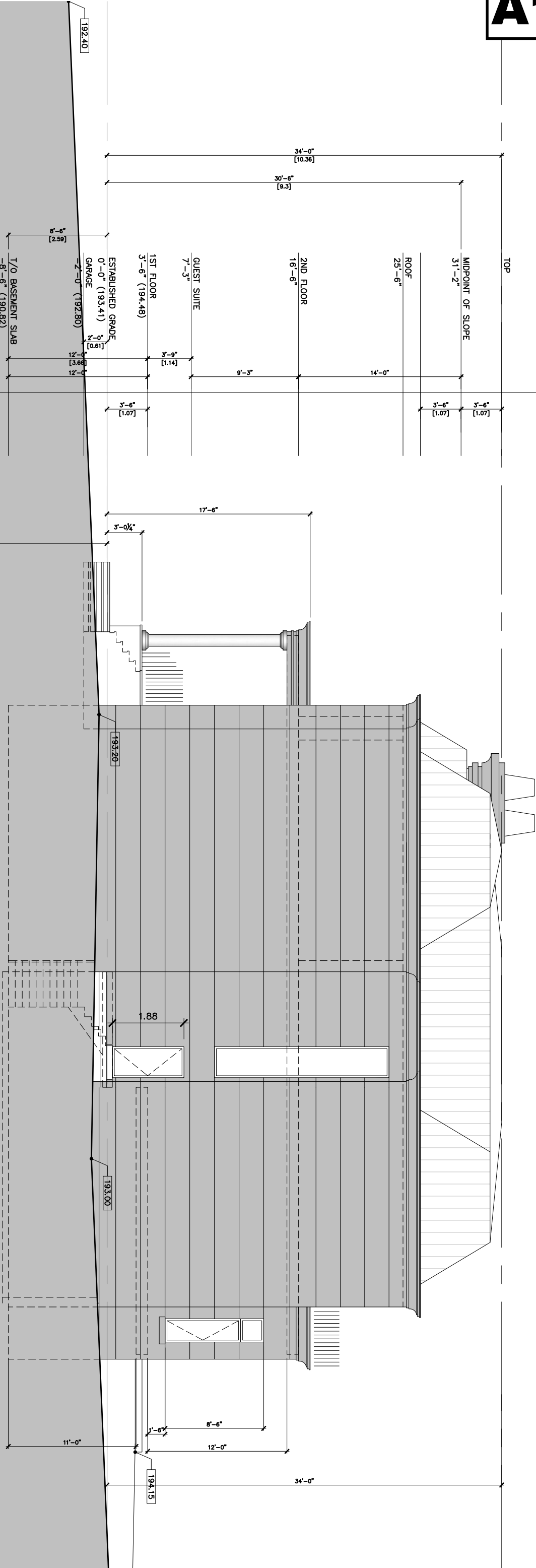
A1.5 - ROOF

SCALE 1:100
2019/09/29



Revised
October 8, 2019

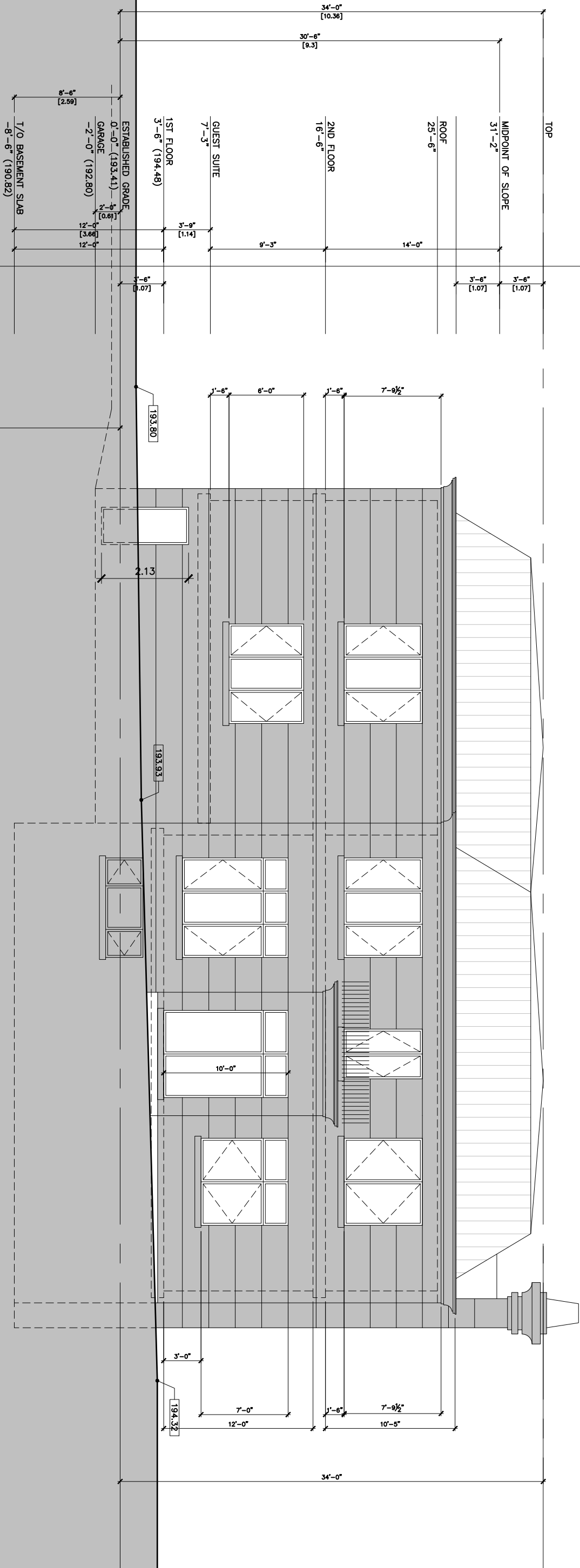




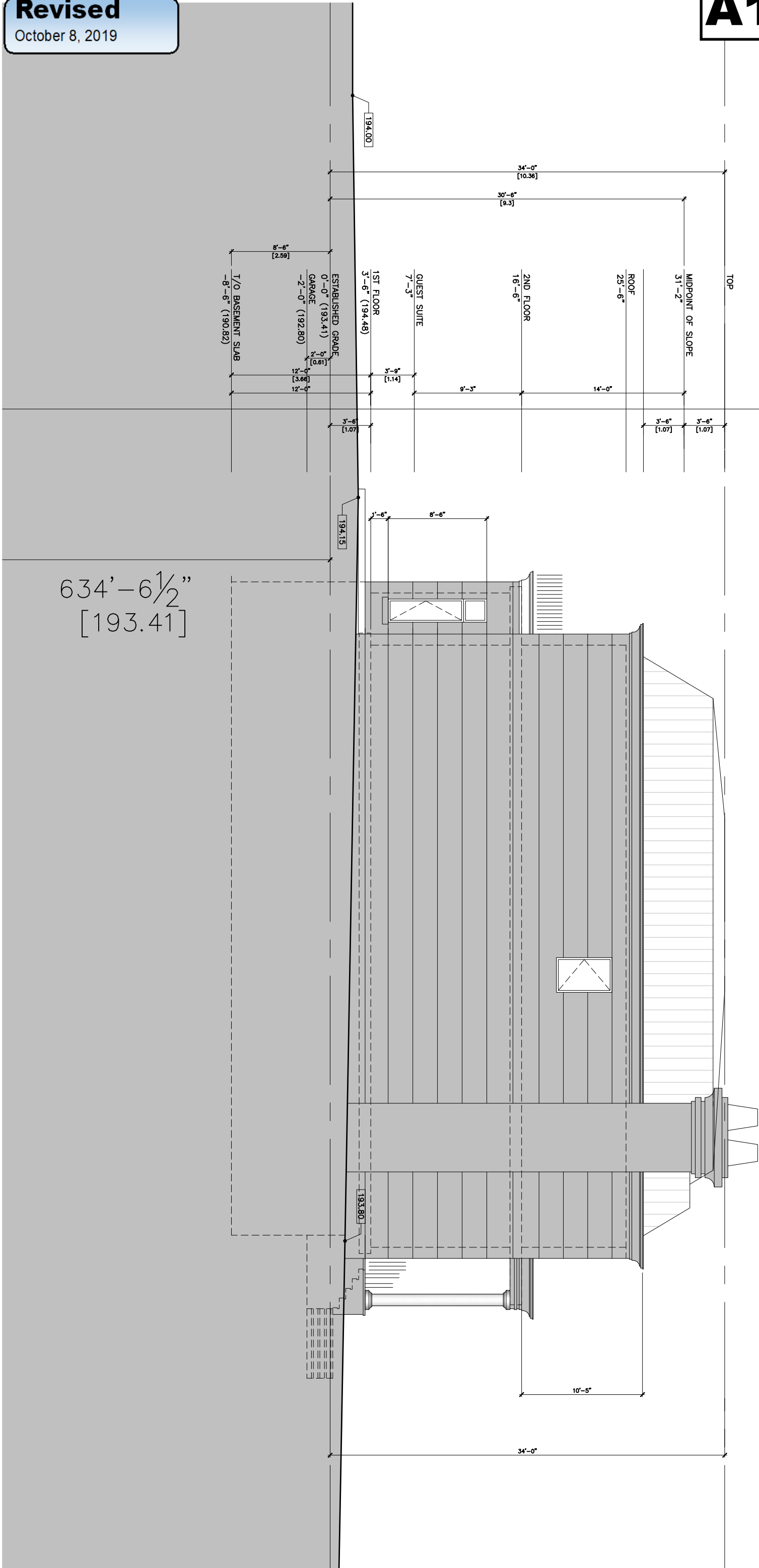
634'-6 1/2" [193.41]

Revised

October 8, 2019



634'-6 1/2" [193.41]



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.

☒

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).

A U P S A T

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1 Alectra'

References:

- O S
- O H S A P
- O
- P S S 1 4
- S A

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S S D T
S D I I
Phone 1 6 6 12
Fax 5 5 2 44 1
E-mail alectrautilities.com

Mr. Tony D'Onofrio
S S N S
Phone 1 6 6 2441
Fax: 5 5 2 44 1
Email: _____

Providence, Lenore

Subject: FW: A131/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

From: Development Services <developmentservices@york.ca>

Sent: October-21-19 3:51 PM

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

Subject: RE: A131/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Good afternoon Lenore,

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

Regards,

Gabrielle

Gabrielle Hurst MCIP.RPP. C.Tech

|Community Planning and Development Services | Planning and Economic Development Branch | Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O 1-877-464-9675 ext. 71538 | gabrielle.hurst@york.ca | Our Values: Integrity, Commitment, Accountability, Respect, Excellence