

<p>ITEM #: 6.18</p>	<p>COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A251/22 2 Donsgrove Ct. Thornhill</p>
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COA REPORT SUMMARY

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

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

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

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

PUBLIC & APPLICANT CORRESPONDENCE				
<p><i>*Please see Schedule C of this report for a copy of the public & applicant correspondence listed below.</i></p>				
<p>The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.</p> <p>Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City’s Website.</p> <p>All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.</p>				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
<p><i>*Please see Schedule D for a copy of the Decisions listed below</i></p>		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A251/22

FILE MANAGER: Lenore Providence, Administrative Coordinator - Committee of Adjustment

AGENDA ITEM NUMBER: 6.18	CITY WARD #: 4
APPLICANT:	Vogue Homes (Josh Greenbaum)
AGENT:	Ravi Patel
PROPERTY:	2 Donsgrove Ct. Thornhill
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS: <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the construction of a proposed single family dwelling.

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

The subject lands are zoned R4A(EN), Fourth Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.729 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum rear yard setback required is 7.5 metres. (Exception 14.729, T-114).	To permit a minimum rear yard setback of 7.35 metres.
2	The minimum exterior side yard setback required is 3.0 metres. (Exception 14.729, T-114).	To permit a minimum exterior side yard setback of 2.45 metres.

The subject lands are zoned RV4 – Residential Zone and subject to the provisions of Exception 9(1063) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
3	The minimum rear yard setback required is 7.5 metres. (Exception 9(1063), T-114).	To permit a minimum rear yard setback of 7.35 metres.
4	The minimum exterior side yard setback required is 3.0 metres. (Exception 9(1063), T-114).	To permit a minimum exterior side yard setback of 2.45 metres.

HEARING INFORMATION

DATE OF MEETING: October 27, 2022

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

LIVE STREAM LINK: [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION	
<p>Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.</p> <p>Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application may consider the following:</p> <p>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.</p> <p>Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.</p>	

COMMITTEE OF ADJUSTMENT COMMENTS		
Date Public Notice Mailed:		October 13, 2022
Date Applicant Confirmed Posting of Sign:		October 6, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>		<p>Reason of non compliance to Rear Yard setback of 7.5m and requesting permission for min. 7.30m.</p> <p>Due to shape of the lot lines at front and rear which are not parallel to each other, which create a shortfall of setback in rear yard when house is sited parallel to side lot lines with other houses on the same street.</p> <p>Reason of non compliance to Ext. Side yard setback of 3.0m where 2.45m is proposed. Zoning table allows 2.4m exterior setback generally but requires 3.0m in this case due to width of the ROW adjacent to exterior lot line.</p> <p>There is also 0.30m reserve adjacent to exterior side lot line.</p> <p>Due to small frontage of corner lot, design needed to add some jogs which requires variance for reduction of 0.55m of exterior side yard from requirement.</p>
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>		None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small> <small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small> <small>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>		No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.		
Committee of Adjustment Comments:		None
Committee of Adjustment Recommended Conditions of Approval:		None

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
The proposed retaining wall has been approved as part of the subdivision plan review process.	
A grading permit will not be required, as the applicant has already obtained approval from Development Engineering.	
The Development Engineering (DE) Department does not object to the variance application A251/22.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry has no comments at this time	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
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 Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments no concerns.	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No comments received to date.	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & Agency Comments

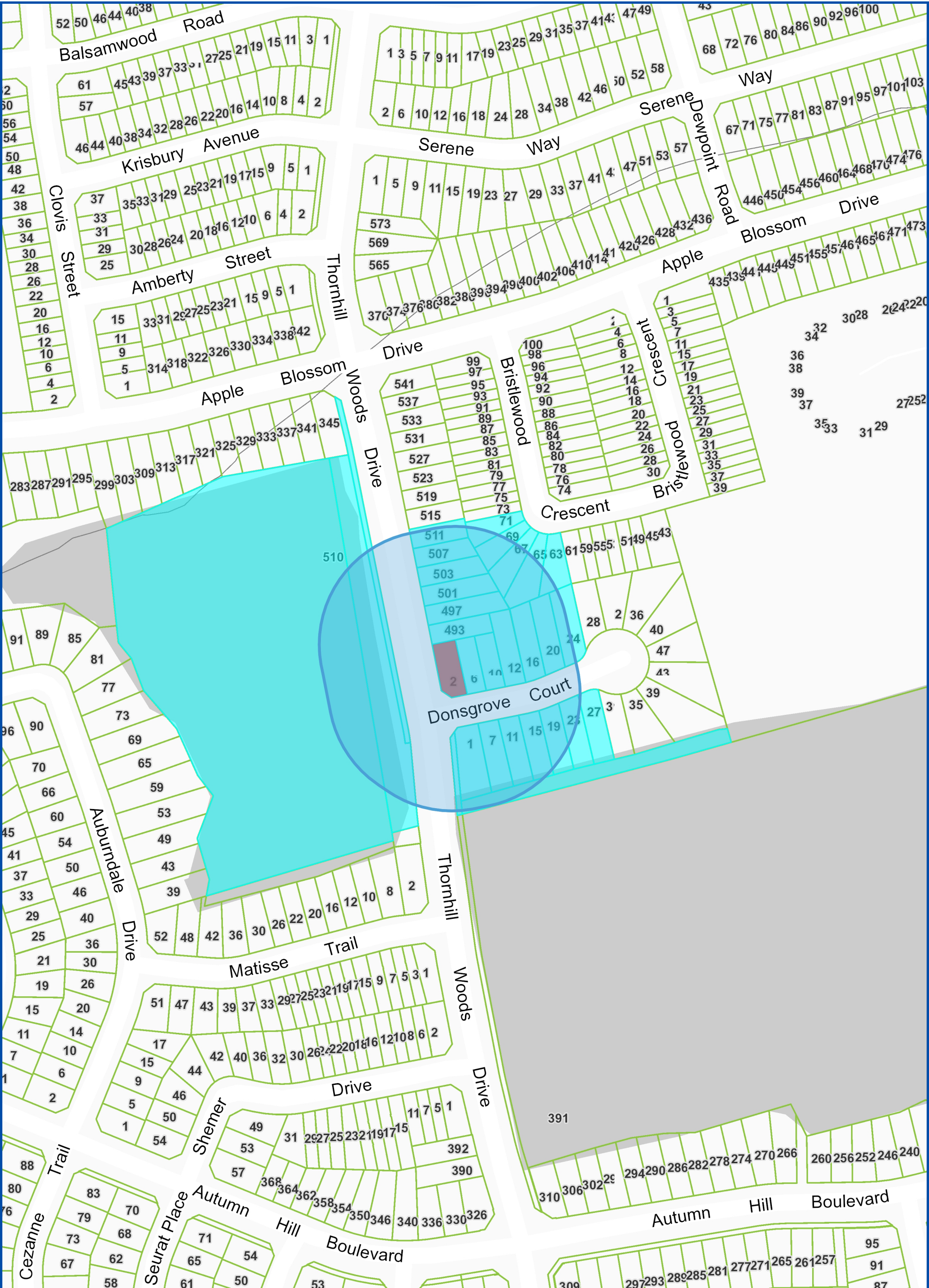
SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

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

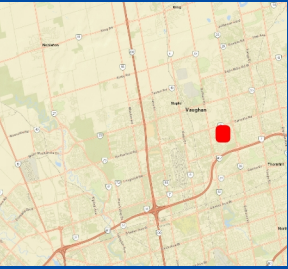
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “ if required ”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
	None	

IMPORTANT INFORMATION – PLEASE READ
<p>CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (see condition chart above for contact). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.</p>
<p>APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.</p> <p>A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law.</p> <p>Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application.</p> <p>Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.</p>
<p>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.</p> <p>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.</p> <p>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</p> <p>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.</p>
<p>NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee’s decision you will not receive notice.</p>

SCHEDULE A: DRAWINGS & PLANS



Map Information:



Title:

2 Donsgrove Court, Thornhill

NOTIFICATION MAP - A251/22

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: 1:2,812

0 0.04 km



Created By:

Infrastructure Delivery
Department
October 4, 2022 4:46 PM

Projection:
NAD 83
UTM Zone
17N

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		Recommend Approval/no conditions
Building Standards (Zoning)	X	X		General Comments

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: October 12, 2022

Name of Owner: Vogue Homes

Location: 2 Donsgrove Court

File No.(s): A251/22

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

1. To permit a minimum rear yard setback of 7.35 metres.
2. To permit a minimum exterior side yard setback of 2.45 metres.

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

1. The minimum rear yard setback required is 7.5 metres.
2. The minimum exterior side yard setback required is 3.0 metres.

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

3. To permit a minimum rear yard setback of 7.35 metres.
4. To permit a minimum exterior side yard setback of 2.45 metres.

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

3. The minimum rear yard setback required is 7.5 metres.
4. The minimum exterior side yard setback required is 3.0 metres.

Official Plan:

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

Comments:

The Owner is requesting to permit the construction of a two storey single detached dwelling with the above noted variances. The subject property is within registered Plan of Subdivision 65M-3808.

The Development Planning Department has no objection to the above noted variances for the reduced rear yard and exterior side yard setbacks of 7.35 m and 2.45 m respectively, as they are minor in nature, will not pose a significant visual impact to nor impact the function of the abutting uses, maintains an appropriate area for access, drainage, and vegetated amenity space, and will not impact the abutting properties.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-laws, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

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

None

Comments Prepared by:

Michelle Perrone, Planner 1
David Harding, Senior Planner

To: Committee of Adjustment
From: Christian Tinney, Building Standards Department
Date: September 28, 2022
Applicant: Vogue Homes
Location: 2 Donsgrove Court,
PLAN 65M3808 Lot 118
File No.(s): A251/22

Zoning Classification:

The subject lands are zoned R4A(EN), Fourth Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.729 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
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The subject lands are zoned RV4 – Residential Zone and subject to the provisions of Exception 9(1063) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
3	The minimum rear yard setback required is 7.5 metres. (Exception 9(1063), T-114).	To permit a minimum rear yard setback of 7.35 metres.
4	The minimum exterior side yard setback required is 3.0 metres. (Exception 9(1063), T-114).	To permit a minimum exterior side yard setback of 2.45 metres.

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file

Building Permit(s) Issued:

Building Permit No. 22-126122 for Single Detached Dwelling - New, Issue Date: (Not Yet Issued)

Other Comments:

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

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.

* Comments are based on the review of documentation supplied with this application.

Date: September 27th , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A251-22**

Related Files:

Applicant Vogue Homes

Location 2 Donsgrove Court

COMMENTS:

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

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

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

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

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

References:

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

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

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

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

Lenore Providence

Subject: FW: [External] RE: A251/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

From: Development Services <developmentservices@york.ca>

Sent: October-04-22 5:05 PM

To: Lenore Providence <Lenore.Providence@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A251/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hi Lenore,

The Regional Municipality of York has completed its review of the above minor variance (A251/22) and has no comment.

Thank you,
Niranjan

Niranjan Rajevan, M.Pl. | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



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

Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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