VAUGHAN Staff Report Summary

Ward 3

File:	A001/20
Applicant:	Isaac O. Olapade & Justine Eyarebe
Address:	125 Dolce Cr Townhouse 14 Woodbridge
Agent:	KBK Architects Inc.

Please note that comments received after the preparation of this Staff Report (up until 4:00 p.m. on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

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

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday, February 27, 2020

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# Minor Variance Application

A001/20

Agenda Item: 20

# Ward: 3

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

Date of Hearing:	Thursday, February 27, 2020	
Applicant:	Isaac O. Olapade & Justine Eyarebe	
Agent:	KBK Architects Inc.	
Property:	125 Dolce Cr Townhouse 14 Woodbridge	
Zoning:	The subject lands are zoned RVM1(WS-A), Residential and subject to the provisions of Exception 9(1188) under By-law 1-88 as amended.	
OP Designation:	Vaughan Official Plan 2010 ('VOP 2010'): Low-Rise Residential	
Related Files:	None	
Purpose:	Relief from the by-law is being requested to permit the construction of a proposed stairway (below grade) in the easterly side yard which will access the basement.	

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

By-law Requirement	Proposal
A minimum interior side yard setback of 1.2 metres is	To permit a minimum interior side yard setback of 0.5
required to a side entrance.	metres to a side entrance.

#### 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 February 12, 2020

Applicant confirmed posting of signage on February 12, 2020

Property Information		
Existing Structures	Year Constructed	
Dwelling	Purchased 2005	

Applicant has advised that they cannot comply with By-law for the following reason(s): The requested opening falls within the permitted setback to the side. The stairway would not allow an opening in a different location.

#### 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.

A finished basement is shown on the Proposed Basement Plan. The Owner has advised in writing that a Secondary Suite is not proposed.

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 ('VOP 2010'): Low-Rise Residential

The Owner is requesting permission to construct a below-grade entrance in the interior side yard with the above-noted variances. The purpose of the below-grade entrance is to serve the primary dwelling unit, and not to facilitate a secondary suite.

Development Engineering has no objection to the construction of a below-grade entrance in the interior side yard and has requested that the Owner submit a final lot grading plan to the Development Inspection and Lot Grading Division of the Development Engineering Department for final lot grading approval prior to any work being undertaken on the property.

Accordingly, the Development Planning Department is of the opinion that the proposed variance is minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A001/20 subject to the following condition(s):

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 Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval.

#### Parks, Forestry and Horticulture Operations:

No comment no concerns

Recommended condition:

That the front boulevard tree is hoarded according to specification MLA 107B, shall be utilized. Install all sides so they abut existing hardscaping where minimum setback can not be reached. Hoarding is not to be moved for the entire duration of the project.

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

That the basement not to be used as secondary suite unless secondary suite permit is obtained.

#### **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

Schedule D - Previous Approvals (Notice of Decision) N/A

#### 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:

#### Staff Report A001/20

- $\checkmark$  That the general intent and purpose of the by-law will be maintained.
- $\checkmark$  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 the
	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 Development Engineering's front desk on the 2nd
		floor of City Hall to apply for lot grading approval.
2	Forestry Division	That the front boulevard tree is hoarded according to specification
	Zachary Guizzetti	MLA 107B, shall be utilized. Install all sides so they abut existing hardscaping where minimum setback can not be reached.
	905-832-8585 x 3614 Zachary.guizzetti@vaughan.ca	Hoarding is not to be moved for the entire duration of the project.

## **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 8002 E <u>CofA@vaughan.ca</u>

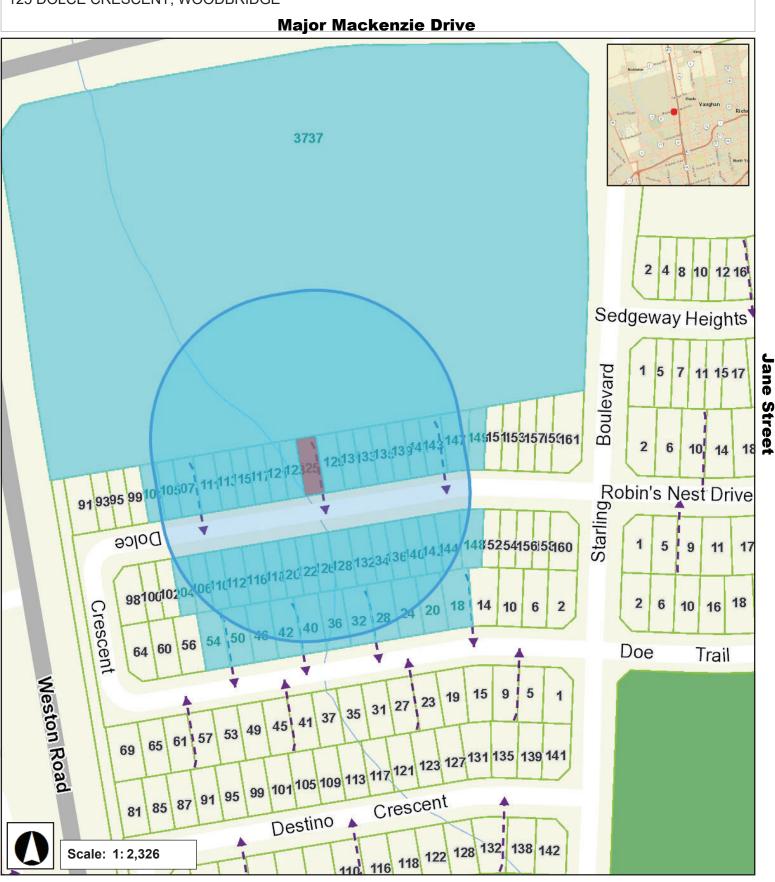
# Schedule A: Plans & Sketches

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

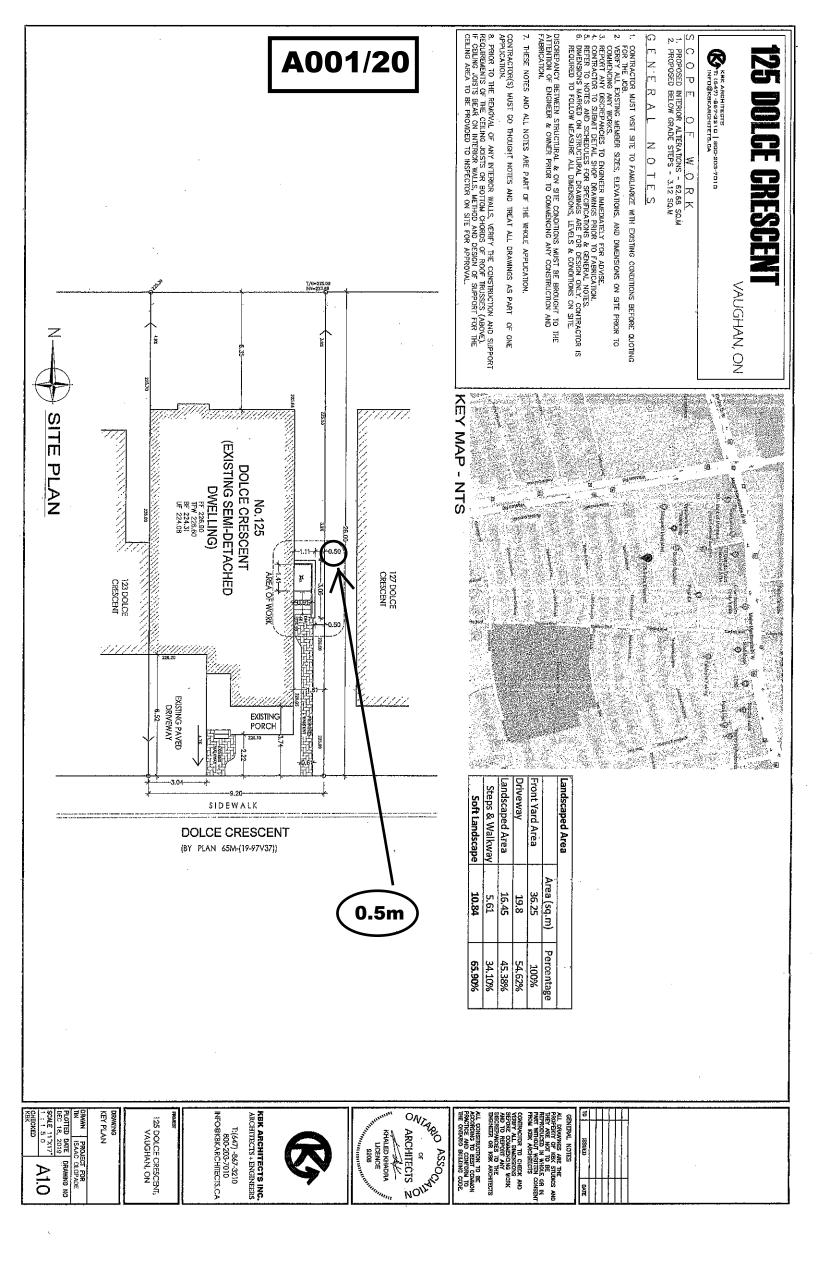
# VAUGHAN LOCATION MAP - A001/20

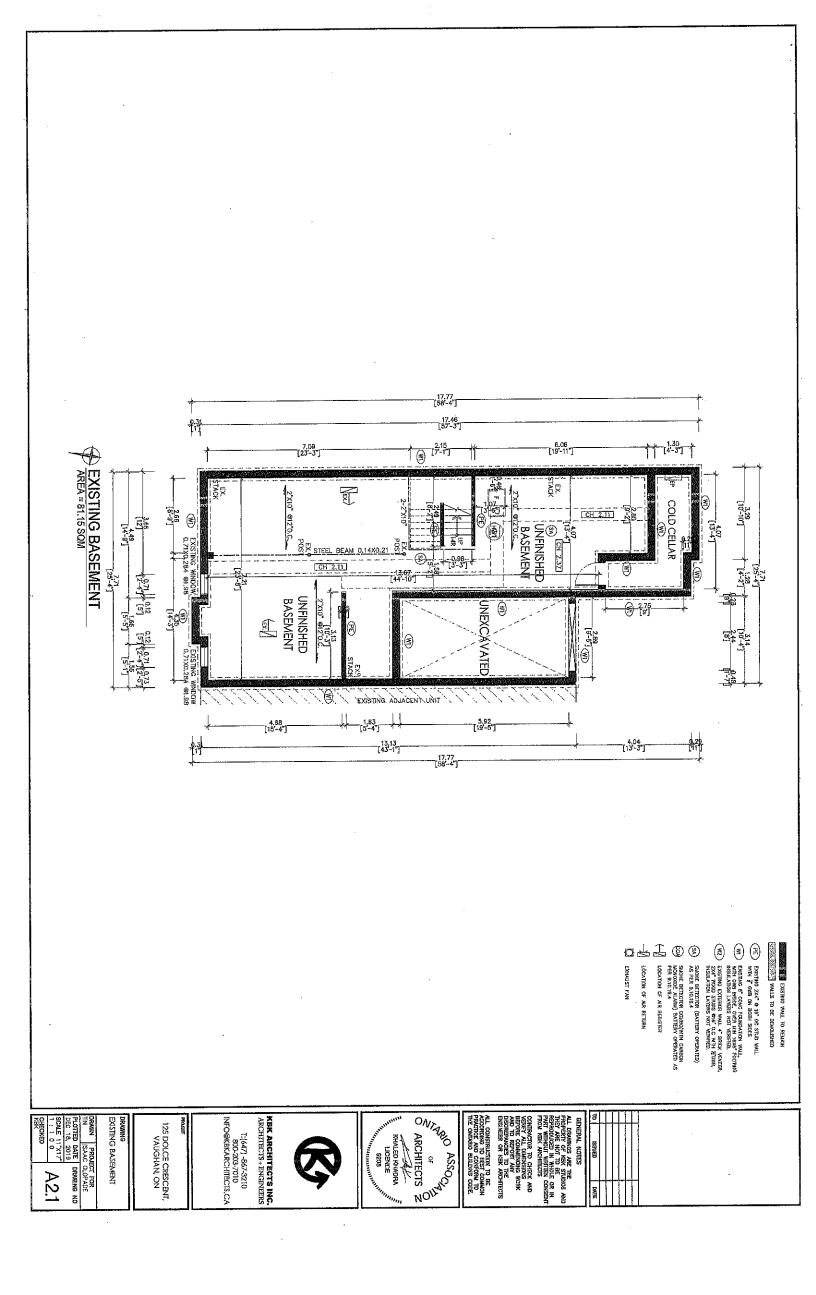
125 DOLCE CRESCENT, WOODBRIDGE

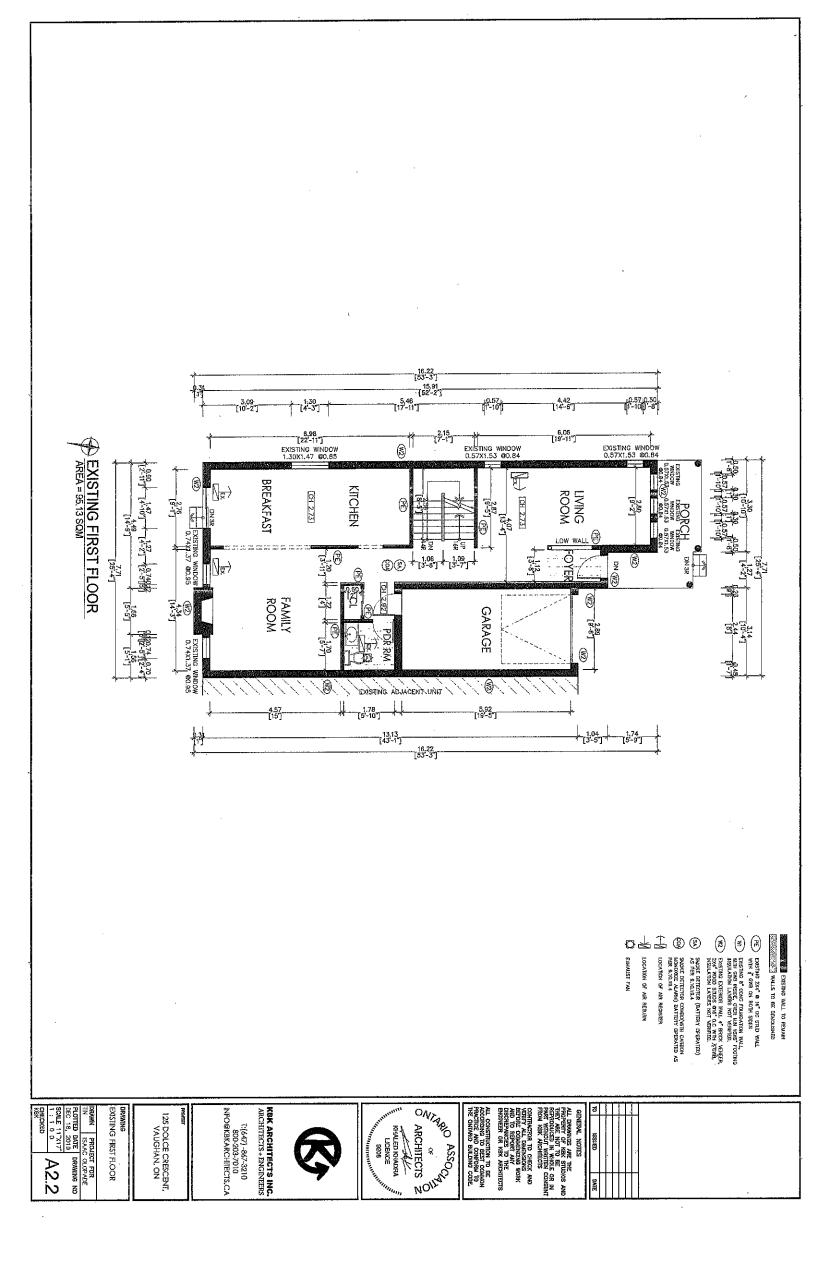


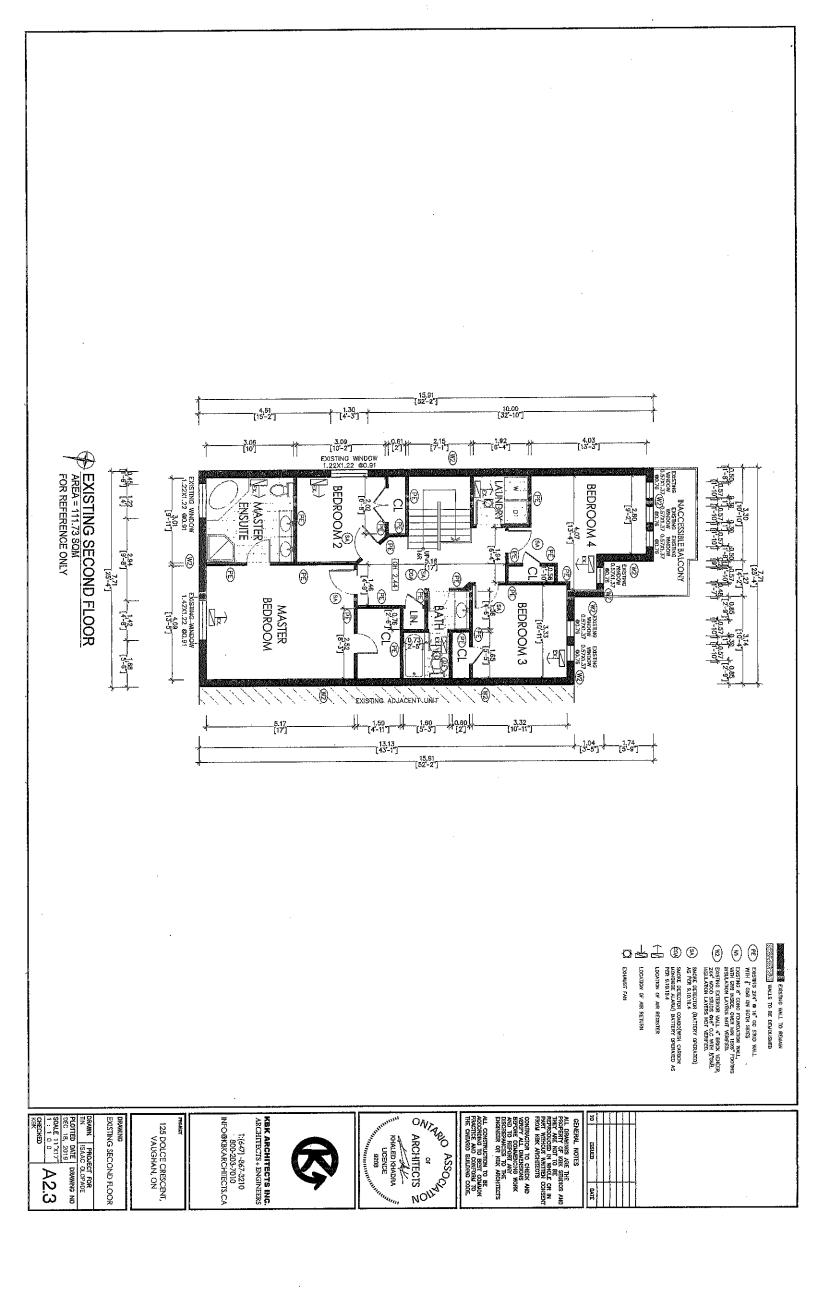
**Rutherford Road** 

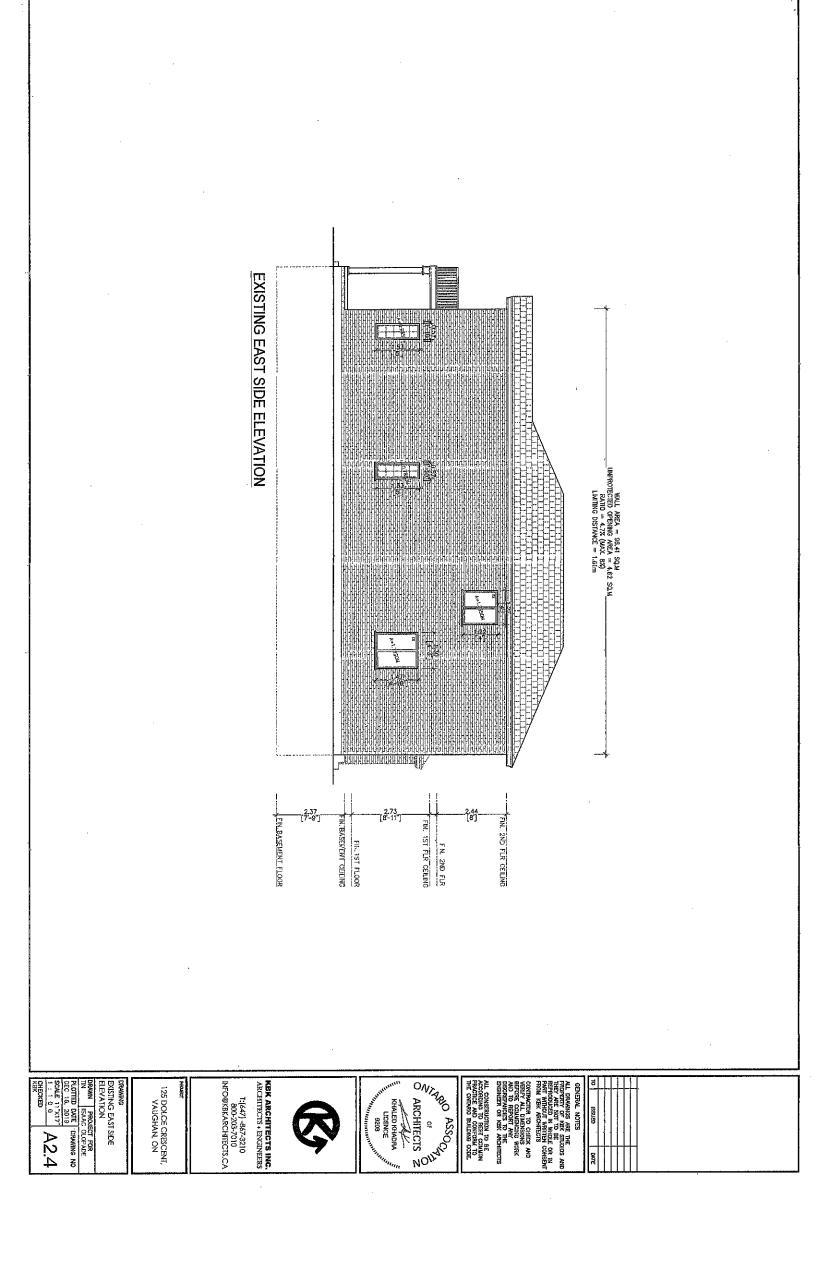
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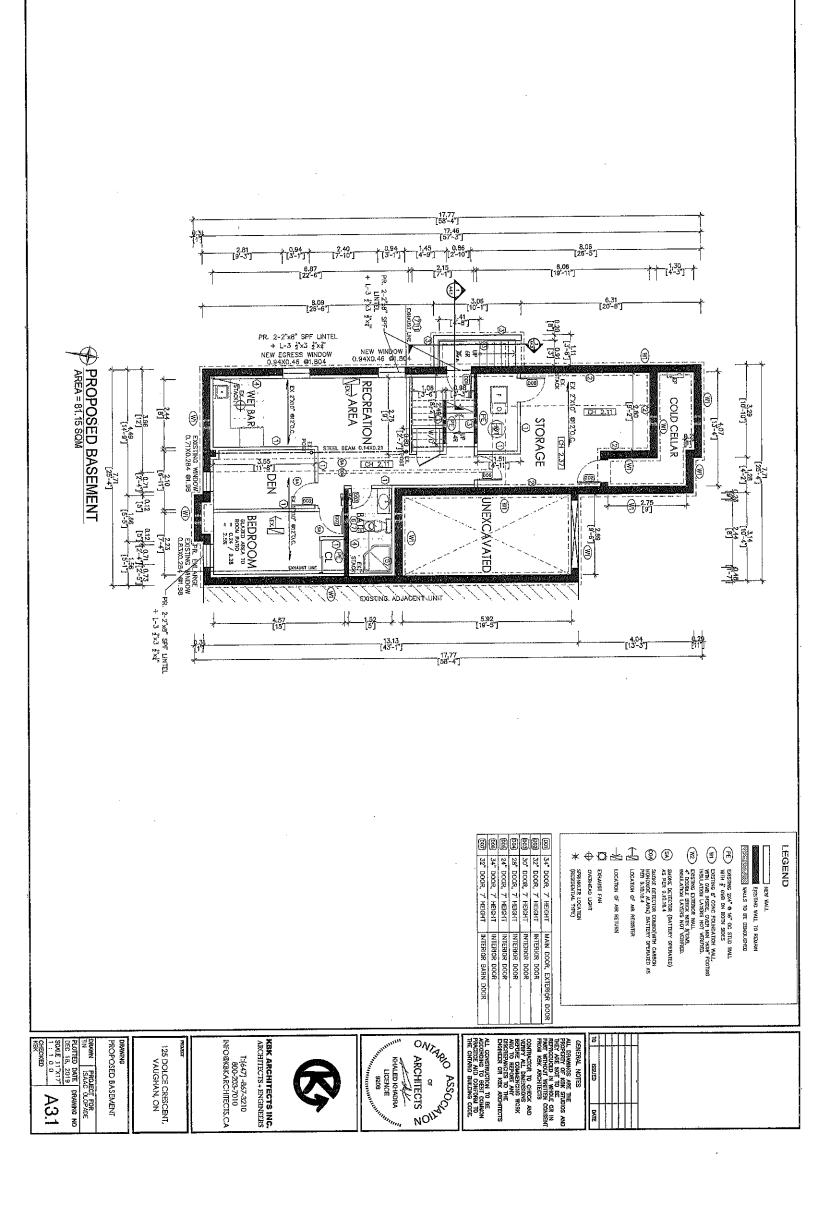


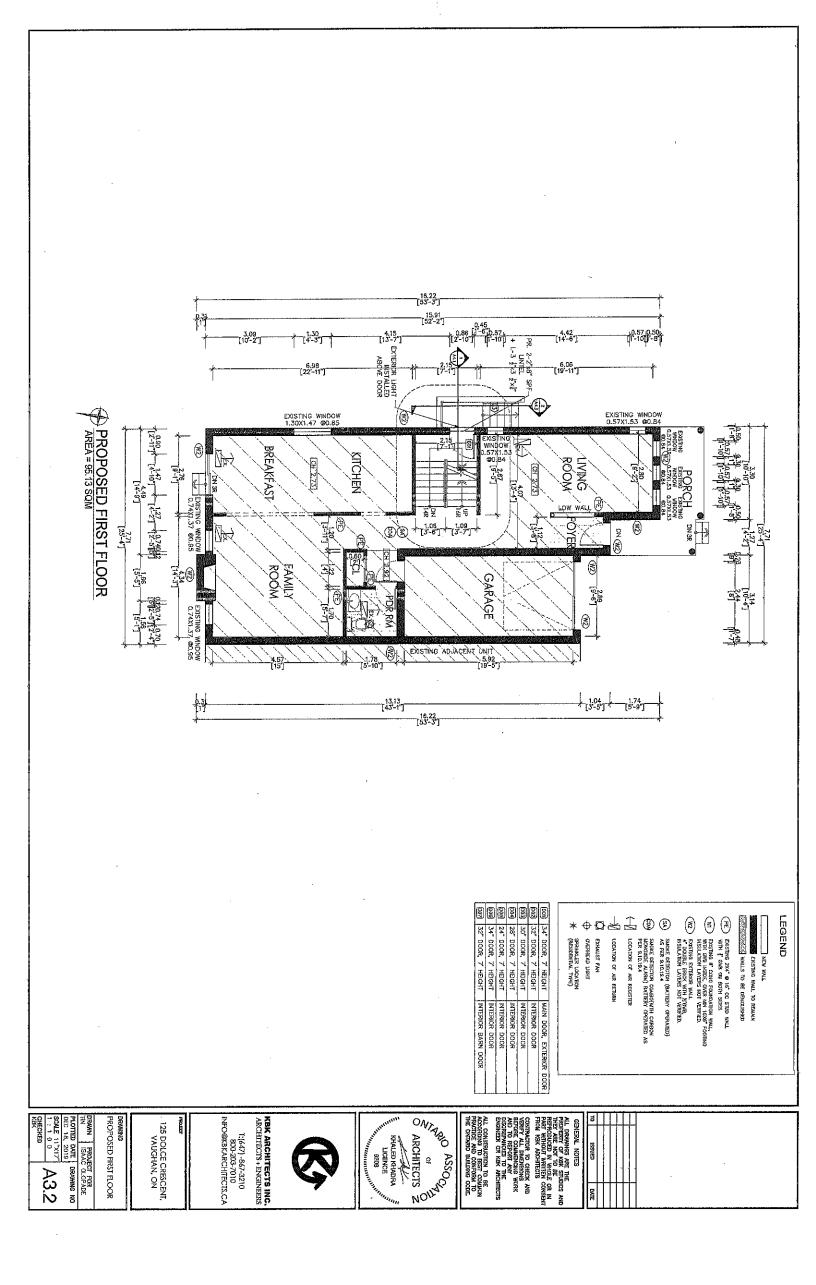


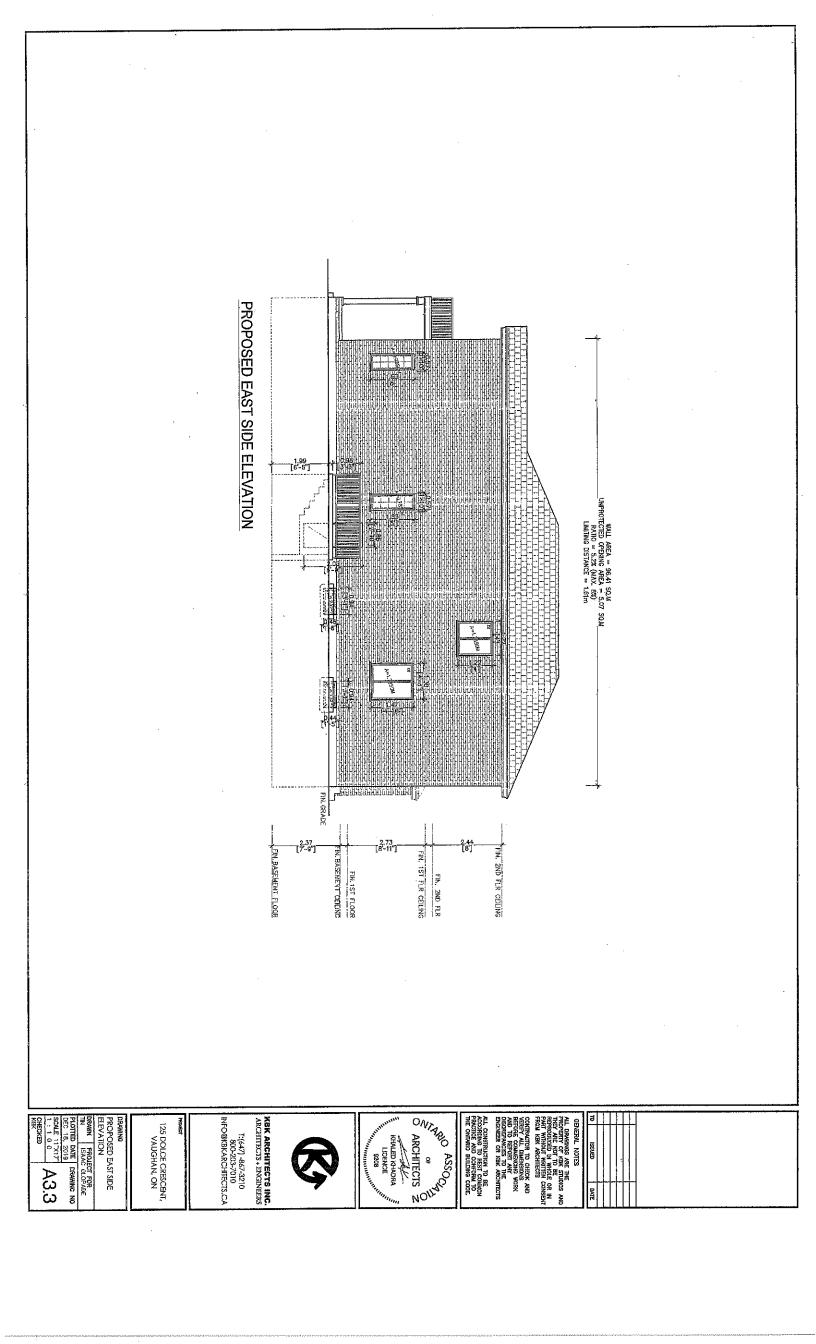


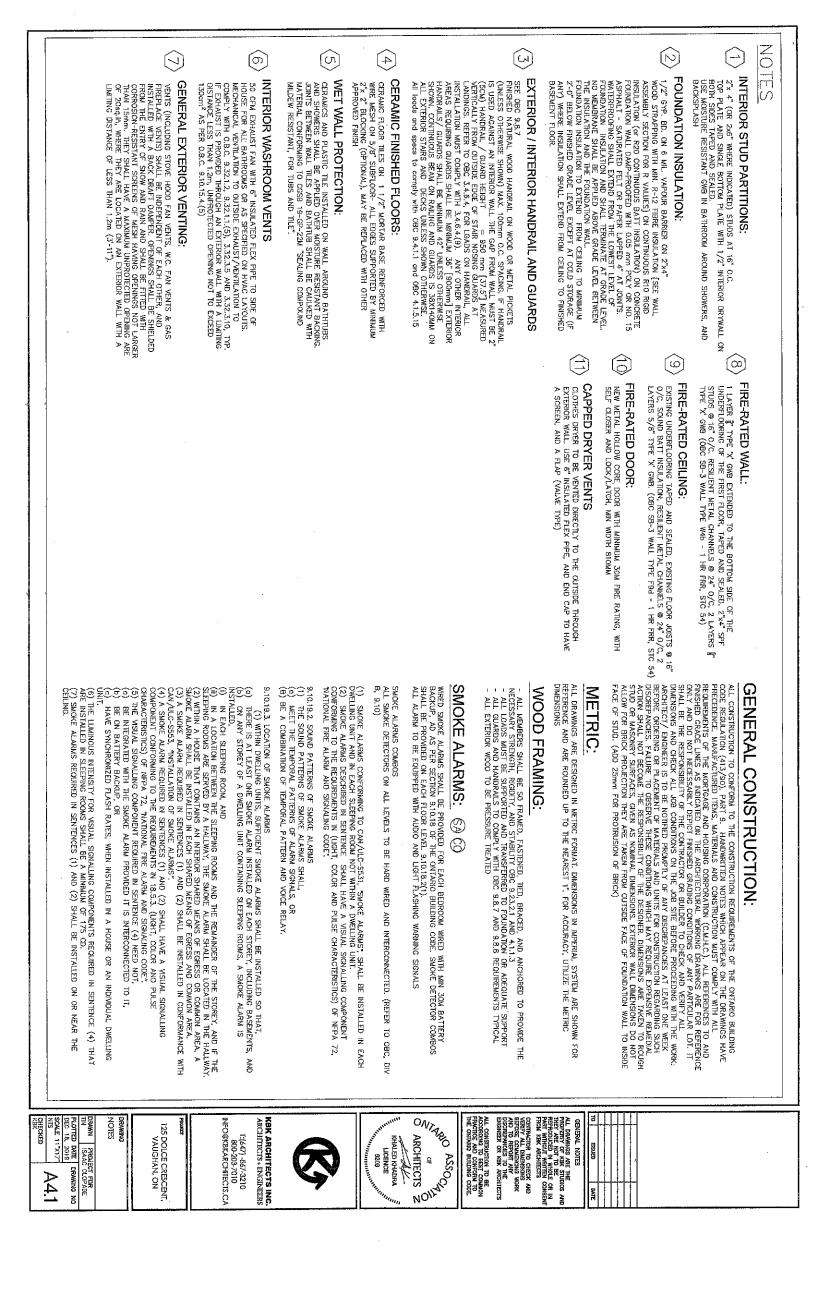


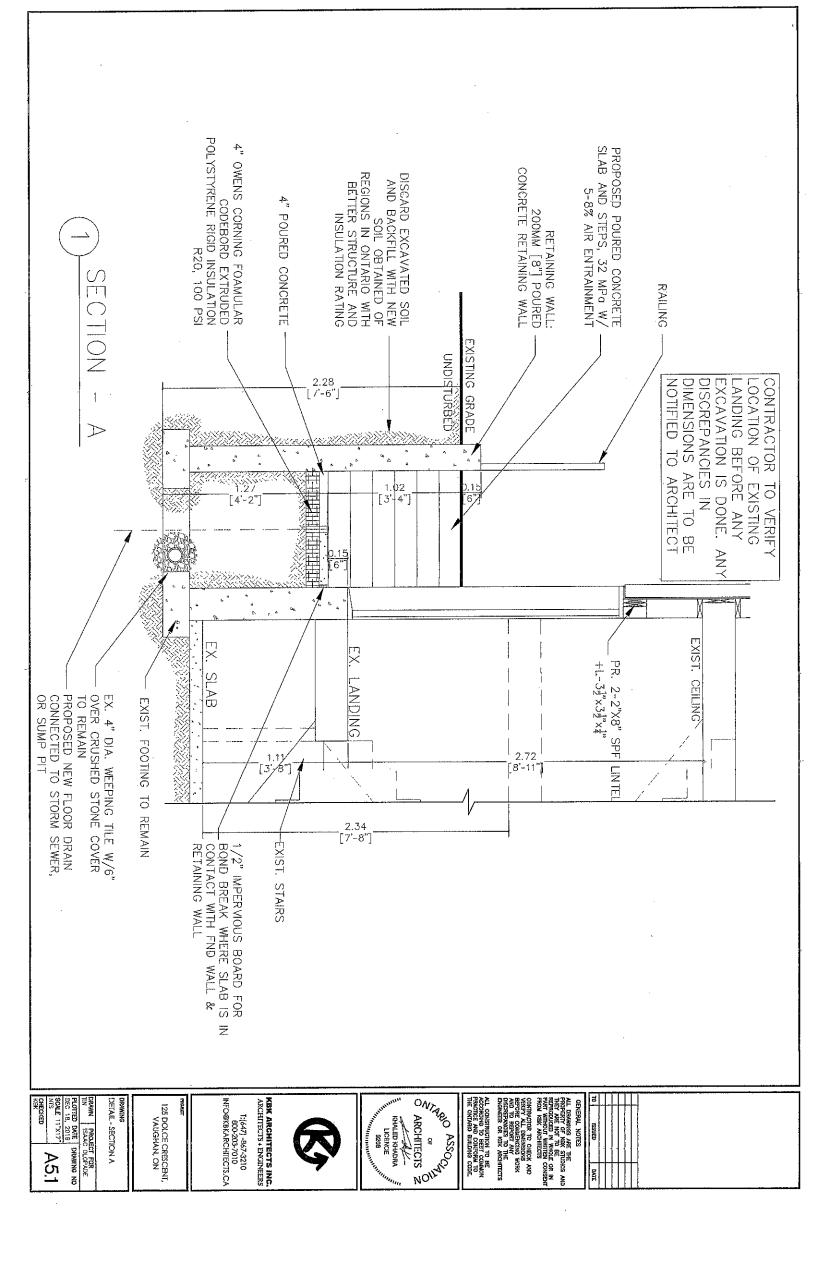


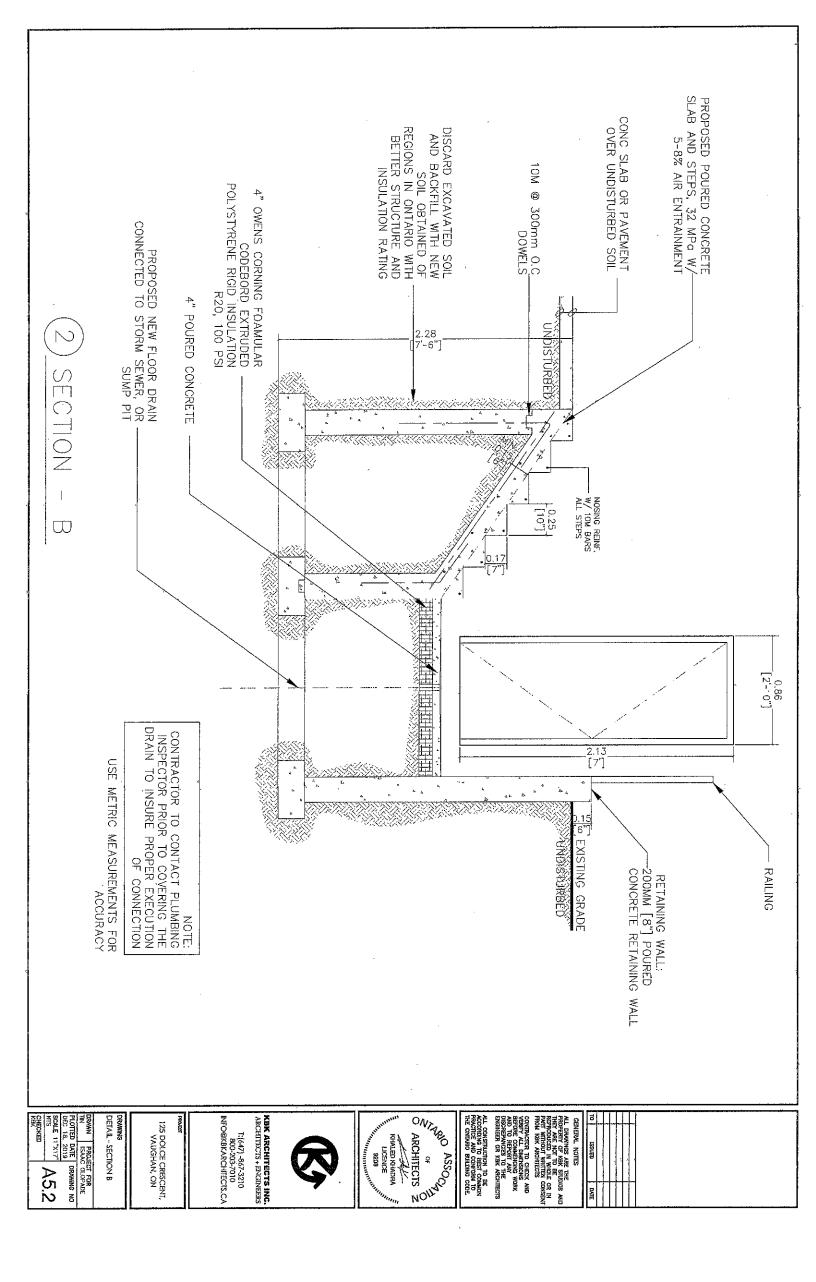












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# Schedule B: Public Correspondence Received

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.

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, 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*: <u>stephen.cranley@alectrautilities.com</u> Mr. Tony D'Onofrio Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419 *Fax:* 905-532-4401 *Email:* tony.donofrio@alectrautilities.com