

ITEM #6.1:	COMMITTEE OF ADJUSTMENT REPORT CONSENT APPLICATION B015/22 43 Muzich PI Woodbridge
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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	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	X	Recommend Approval w/Conditions
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X		No Comments or Concerns
By-law & Compliance, Licensing & Permits	X	X		No Comments or Concerns
Development Finance	X	X	X	No Comments or Concerns
Real Estate	X	X	X	General Comments w/Conditions
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>				
Region of York <i>*Schedule B</i>	X			No Comments Recieved to Date
Alectra <i>*Schedule B</i>	X	X		General Comments
Bell Canada <i>*Schedule B</i>	X			No Comments Recieved to Date
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				
*Please see Schedule C of this report for a copy of the public & applicant correspondence listed below.				
The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.				
Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City’s Website.				
All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Public	Carmine Forgione	25 Sugarbush Crt	11/07/2022	Letter of Objection
Public	Daniel C. Sienna	63 Muzich Place	11/08/2022	Letter of Support
Public	Jason Gabriele	186 Pine Valley Crescent	11/08/2022	Letter of Support
Public	Paul Borrelli	30 Clubhouse Road	11/08/2022	Letter of Support

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

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



**COMMITTEE OF ADJUSTMENT REPORT
CONSENT APPLICATION
B015/22
43 Muzich PI Woodbridge**

FILE MANAGER: Pravina Attwala, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.1	CITY WARD #: 3
APPLICANT:	Mauro Rossi (c/o Frank Loprieta)
AGENT:	Weston Consulting (c/o Kayly Robbins and Eleni Mermigas)
PROPERTY:	43 Muzich Place, Woodbridge
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	B015/22, A236/22, A237/22
PURPOSE OF APPLICATION:	Consent is being requested to sever a vacant parcel of land for residential purposes. The severed parcel will be approximately 1510 square metres and the retained parcel will be approximately 1490 square metres. Both the severed and retained land will have frontage onto Muzich Place.

HEARING INFORMATION

DATE OF MEETING: Thursday , November 17, 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

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.

The Planning Act sets the standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of this application considers the following:

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

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

COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:	November 3, 2022
Date Applicant Confirmed Posting of Sign:	October 31, 2022

COMMITTEE OF ADJUSTMENT COMMENTS	
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:	<ol style="list-style-type: none">1. That the applicant's solicitor confirm the legal description of both the severed and retained land.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 the applicant provide an electronic copy of the deposited reference plan to cofa@vaughan.ca4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

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:	That the conditions pertaining to Minor Variance file A237/22 shall be fulfilled and the variances be in effect.

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
The Development Engineering Department does not object to the consent application B015/22, Subject to the following Condition(s):	
Development Engineering Recommended Conditions of Approval:	<p>The Owner/applicant shall arrange to prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant shall submit the deposited reference plan to DE in order to clear this condition.</p> <p>The Owner/applicant shall approach Development Inspection and Lot Grading division of Development Engineering to apply for the required service connections for the severed and retained lands as per city standards, complete with a servicing and lot grading plan. The Owner shall contact the Development Inspection and Grading Department at serviceconnections@vaughan.ca to obtain a cost estimate and pay the applicable fee(s) following confirmation of service connection estimates for installation of required services. All service connection costs including applicable administration fees shall be</p>

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
	<p>responsibility of the owner of the retained lands. Service connection application process may take 4-6 weeks, applicant is encouraged to take enough time for allowing to complete the whole process. The Owner/applicant shall submit the confirmation of above to the Development Engineering Department.</p> <p>The variance application A236/22 and A237/22 shall be approved final and binding in conjunction with consent application B015/22</p>

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comment on the severance.	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
Development Finance Recommended Conditions of Approval:	<p>The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. 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).</p> <p>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).</p>

REAL ESTATE COMMENTS	
None	
Real Estate Recommended Conditions of Approval:	<p>The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 5% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Director of Real Estate. Payment shall be made by certified cheque only.</p>

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS
No Comments or Concerns

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

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

FIRE DEPARTMENT COMMENTS	
None	
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	Staff & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

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

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Committee of Adjustment christine.vigneault@vaughan.ca	1. That the applicant’s solicitor confirm the legal description of both the severed and retained land. 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 the applicant provide an electronic copy of the deposited reference plan to cofa@vaughan.ca 4. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.
2	Development Planning joshua.cipolletta@vaughan.ca	That the conditions pertaining to Minor Variance file A237/22 shall be fulfilled and the variances be in effect.
3	Real Estate ashley.ben-lolo@vaughan.ca	The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 5% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Director of Real Estate. Payment shall be made by certified cheque only.
4	Development Engineering Ian.Reynolds@vaughan.ca	1. The Owner/applicant shall arrange to prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner/applicant

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.		
		<p>shall submit the deposited reference plan to DE in order to clear this condition.</p> <p>2. The Owner/applicant shall approach Development Inspection and Lot Grading division of Development Engineering to apply for the required service connections for the severed and retained lands as per city standards, complete with a servicing and lot grading plan. The Owner shall contact the Development Inspection and Grading Department at serviceconnections@vaughan.ca to obtain a cost estimate and pay the applicable fee(s) following confirmation of service connection estimates for installation of required services. All service connection costs including applicable administration fees shall be responsibility of the owner of the retained lands. Service connection application process may take 4-6 weeks, applicant is encouraged to take enough time for allowing to complete the whole process. The Owner/applicant shall submit the confirmation of above to the Development Engineering Department.</p> <p>3. The variance application A236/22 and A237/22 shall be approved final and binding in conjunction with consent application B015/22</p>
5	Development Finance nelson.pereira@vaughan.ca	<p>1. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. 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).</p> <p>2. 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).</p>

IMPORTANT INFORMATION – PLEASE READ
<p>CONDITIONS: Conditions must be fulfilled within two years 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.</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</p>

IMPORTANT INFORMATION – PLEASE READ
Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will not receive notice.

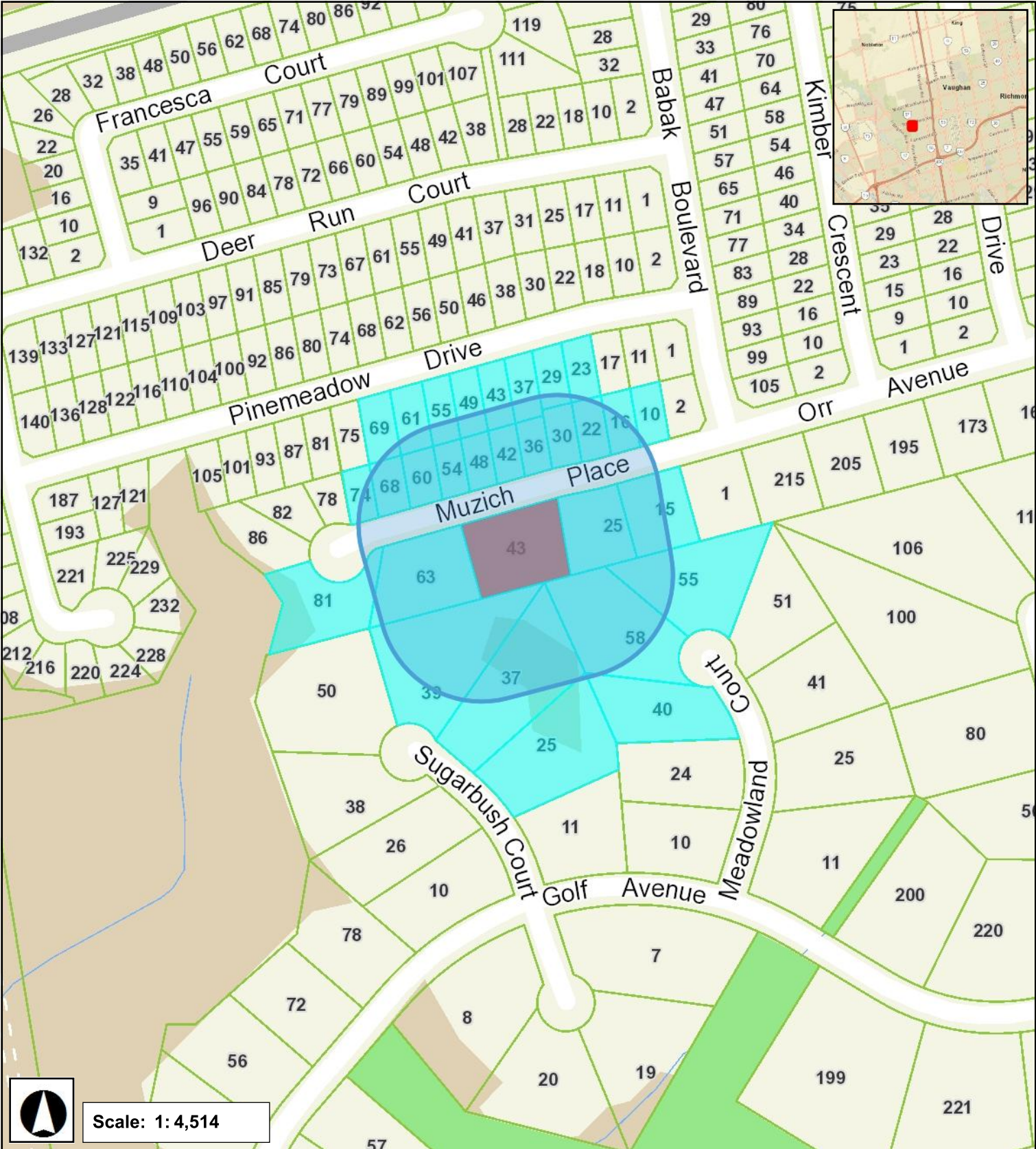
SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP - B015/22, A236/22, A237/22

43 MUZICH PLACE, WOODBRIDGE

RUTHERFORD ROAD



B015/22

SEVERANCE PLAN - PROPOSED

(DEDICATED BY REGISTERED PLAN 65M-3109)

PIN 03284-1222(LT) £ OF PAVEMENT

INVULZIVI FLAUE

1 : 125

1:125

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1.		
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SEAL



contempstudio
1140 The Queensway, Toronto, Ontario M8Z 1P7
info@contempstudio.ca w. contempstudio.ca
t. (416) 770-0071 f. (416) 642-1691

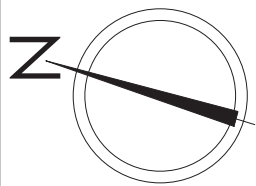
The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents:

QUALIFICATION INFORMATION

<p>Required unless design is exempt under 3.2.4.3(5) Division C of the Ontario Building Code.</p>	
<p>MAARIN ZABUNI</p>	<p>45250</p>
<p>NAME</p>	<p>BCIN</p>
<p>REGISTRATION INFORMATION</p>	
<p>Required unless design is exempt under 3.2.4.7, Division C of the Ontario Building Code.</p>	
<p>CONTEMPO STUDIO</p>	<p>46972</p>
<p>FIRM NAME</p>	<p>BCIN</p>

NEW 2 STOREY DWELLING
AT
43 Muzich Pl, Lot B
Vaughan, ON

Severed Site Plan



Project number:	2022-23
Rev. no.:	
Scale:	1 : 125
Date:	10/08/2
Drawn by:	Author
Approved by:	M.Z.

Drawing number:

1.1.A

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X			No Comments Recieved to Date
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
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	X	Recommend Approval w/Conditions
Building Standards (Zoning)	X	X		General Comments

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: November 9, 2022

Name of Owner: Mauro Rossi

Location: 43 Muzich Place

File No.(s): B015/22, A236/22 & A237/22

Proposal: To divide a lot in two and apply for variances to facilitate the construction of a dwelling proposed for each lot and a cabana on "Lot A".

B0015/22

The Owner has submitted Consent Application file B015/22 to sever a 1,510.0 m² portion of the subject lands identified as "Lot B" on the submitted site plan, and to retain a 1,490.0 m² portion of the subject lands identified as "Lot A", for the purpose of creating a new residential lot fronting onto Muzich Place.

A236/22 (Severed Lands)

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

1. To permit a maximum building height of 10.02 m.
2. To permit a maximum driveway width of 11.63 m.
3. To permit a minimum lot area of 1,510 m².

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

1. A maximum building height of 9.5 m is permitted.
2. A maximum driveway width of 9.0 m is permitted.
3. A minimum lot area of 3,000 m² is required.

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

4. To permit a maximum building height of 10.02 m.
5. To permit a maximum driveway width of 11.63 m.
6. To permit a maximum driveway width of 6.70 m at the curb cut.
7. To permit a minimum lot area of 1,510 m².

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

4. A maximum building height of 9.5 m is permitted.
5. A maximum driveway width of 9.0 m is permitted.
6. A maximum driveway width of 6.0 m at the curb cut is permitted.
7. A minimum lot area of 3,000 m² is required.

A237/22 (Retained Lands)

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

1. To permit a maximum building height of 10.0 m.
2. To permit a minimum lot area of 1,490 m².
3. To permit a maximum building height of 4.5 m for the proposed residential accessory building (Cabana).

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

1. A maximum building height of 9.5 m is permitted.
2. A minimum lot area of 3,000 m² is required.
3. A maximum building height of 3.0 m is permitted for the proposed residential accessory building (Cabana).

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

4. To permit a maximum lot coverage of 37.5%.
5. To permit a maximum building height of 10.0 m.
6. To permit a maximum driveway width of 7.73 m at the curb cut.
7. To permit a minimum rear yard setback of 2.4 m to the proposed accessory building (Cabana).

8. To permit a minimum lot area of 1,490 m².
9. To permit a maximum height of 3.45 m to the nearest point to the roof for the proposed accessory building (Cabana).

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

4. A maximum lot coverage of 35% is permitted.
5. A maximum building height of 9.5 m is permitted.
6. The maximum width of a driveway at the curb cut shall be 6.0 m.
7. A minimum rear yard setback of 7.5 m is required to the proposed accessory building (Cabana).
8. A minimum lot area of 3,000 m² is required.
9. A maximum height of 3.0 m is permitted to the nearest point to the roof for the proposed accessory building (Cabana).

Official Plan:

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

Comments:B015/22

The Owner is proposing to sever the subject lands to develop a single detached dwelling on the proposed severed lands (Lot B) and one on the retained lands (Lot A). The above noted variances are required to facilitate the consent. The severed and retained lands meet the minimum lot frontage requirements of the "R1A(EN) – First Density Residential Zone" and "R1 - Residential Zone" under Zoning By-laws 001-2021 and 1-88 respectively.

The subject lands are an undeveloped lot in a low-rise residential neighbourhood. The neighbourhood is characterized by one and two-storey single detached dwellings with a large range of lot frontages and areas. The lot frontages on the south side of Muzich Place are greater than the lot frontages on the north side. The subject lands are situated on the south side of Muzich Place where lot frontages have a range of approximately 38 m to 50 m. The subject lands currently have the largest frontage on the street with a frontage of approximately 63 m.

The subject lands are designated "Low-Rise Residential" by VOP 2010. Policies 10.1.2.47.a (i-vi) speak to looking to the local lot pattern (configuration, size, height, etc.) when determining the appropriateness of a consent. As the Zoning By-law implements an Official Plan, the zone provisions are to be used as a guide to assess whether the proposed development is appropriate with respect to the Official Plan policies.

The lot frontages of the severed and retained lands, 32.47 m and 30.48 m respectively, comply with the requirements of Zoning By-laws 001-2021 and 1-88. The proposed lot areas for the severed and retained lands, 1,510.0 m² and 1,490.0 m² respectively, do not comply with the requirements of site-specific exceptions 14.929 and 9(1289) under Zoning By-laws 001-2021 and 1-88. The site-specific exceptions require a minimum lot area of 3,000 m², which is the area of the existing lot. This exception was intended to reflect the applicable policy at the time: OPA #240 "Woodbridge Community Plan", which is no longer in effect with the implementation of VOP 2010. With respect to appropriateness with the surrounding neighbourhood lot pattern, the proposed lot frontages and areas are similar to the existing lots east of the subject lands on the south side of Muzich Place and Orr Avenue, with lot frontages and areas of approximately 40 m and 1,990 m² respectively. The proposed lots are also larger than the lots to the north, which maintain lot frontages and areas of approximately 18 m and 616 m²-720 m² respectively. The subject lands abut the rear corners of pie-shaped lots of the large lot neighbourhood to the south. The corners are largely vegetated, with the built form set further back. No adverse impacts are anticipated to the large lot neighbourhood to the south.

Therefore, the proposed lots respect both the size and configuration of the existing neighbourhood lotting fabric.

A236/22

The Development Planning Department has no objection to Variances 1 and 4 for the proposed height of the dwelling as the increase is minor in nature, maintains the existing character of the neighbourhood, and is in line with previous approvals along Muzich Place and Orr Avenue.

The Development Planning Department has no objection to Variances 2, 5 and 6 for the proposed 11.63 m driveway. The maximum driveway width is measured in between the two attached garages, which establish a courtyard-like appearance in front of the dwelling. The driveway width leading up to the courtyard is 6.7 m along its length and complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in effect.

The Development Planning Department has no objection to Variances 3 and 7 as the proposed lot area respects the existing lotting fabric of the neighbourhood and is similar to the existing lots along the south side of Muzich Place and Orr Avenue.

A237/22

The Development Planning Department has no objection to Variances 1 and 5 for the proposed height of the dwelling as the increase is minor in nature, maintains the existing character of the neighbourhood and is in line with previous approvals along Muzich Place and Orr Avenue.

The Development Planning Department has no objection to Variances 2 and 8 as the proposed lot area respects the existing lotting fabric of the neighbourhood and is similar to the existing lots along the south side of Muzich Place and Orr Avenue.

Upon recommendations from the Development Planning Department, the Owner has revised their application by increasing the rear yard setback and reducing the height of the proposed cabana. The Development Planning Department has no objection to Variances 3, 7 and 9 for the revised cabana. The height of the cabana is in line with previous approvals in the neighbourhood and the rear yard setback now complies with Zoning By-law 001-2021. The Owner will be providing vegetative buffering to the rear of the cabana to further screen the cabana from the neighbouring properties. A condition to this effect is recommended in the Condition of Approval. With the establishment of vegetation, the cabana will not pose adverse massing impacts to the neighbouring properties and an appropriate area for maintenance access is maintained.

The proposed dwelling, covered porches, and cabana have lot coverages of 26.90%, 6.26%, and 4.35% respectively. The increase in total lot coverage is minor in nature, will not pose a significant visual impact to the adjacent properties, and complies with Zoning By-law 001-2021. As such, the Development Planning Department has no objection to Variance 4 for the increase in lot coverage.

The Development Planning Department has no objection to Variance 6 for the proposed driveway width as the increase is minor in nature and complies with Zoning By-law 001-2021.

Accordingly, 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 variances for the proposal are 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 lands.

Recommendation:

The Development Planning Department recommends approval of the applications, subject to the following conditions:

Conditions of Provisional Consent/Approval:

If the Committee finds merit in the applications, the following conditions are recommended:

B015/22

1. That the conditions pertaining to Minor Variance file A237/22 shall be fulfilled and the variances be in effect.

A236/22

None

A237/22

1. That the final Arborist Report and Tree Preservation Plan be approved to the satisfaction of the Development Planning Department.
2. That the final Landscape Plan, which shall include plantings between the proposed cabana and rear lot line, be approved to the satisfaction of the Development Planning Department.

Comments Prepared by:

Joshua Cipolletta, Planner I

David Harding, Senior Planner

To: Committee of Adjustment
From: Faegheh Gholami, Building Standards Department
Date: October 31, 2022
Applicant: Mauro Rossi
Location: 43 Muzich Place
File No.(s): B015/22

Zoning Classification:

The subject lands are zoned R1A(EN) and subject to the provisions of Exception 14. 588 under Zoning By-law 001-2021.

#	Zoning By-law 001-2021	Consent requested
1	<p>Lot Frontage:</p> <p>The minimum Lot Frontage requirement for the severed lands is 18 meters. [Table 7-3]</p> <p>The minimum Lot Frontage requirement for the retained lands is 18 meters. [Table 7-3]</p>	<p>The proposed lot frontage of 32.47 meters for the severed lands does comply with the minimum lot frontage requirement.</p> <p>The proposed lot frontage of 30.48 meters for the retained lands does comply with the minimum lot frontage requirement.</p>
2	<p>Lot Area:</p> <p>The minimum Lot Area requirement for the severed lands 3000 m². [14.588]</p> <p>The minimum Lot Area requirement for the retained lands is 3000 m². [14.588]</p>	<p>The proposed lot area of 1510 m² for the severed lands does not comply with the minimum lot area requirement.</p> <p>The proposed lot area of 1490m² for the retained lands does not comply with the minimum lot area requirement.</p>
3	<p>Lot Depth:</p> <p>There is no requirement for minimum Lot Depth requirement for the severed lands and retained lands.</p>	Not applicable.

The subject lands are zoned R1 and subject to the provisions of Exception 9(901) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Consent Requested
1	<p>Lot Frontage:</p> <p>The minimum Lot Frontage requirement for the severed lands is 18 meters. [Schedule A]</p> <p>The minimum Lot Frontage requirement for the retained lands is 18 meters. [Schedule A]</p>	<p>The proposed lot frontage of 32.47 meters for the severed lands does comply with the minimum lot frontage requirement.</p> <p>The proposed lot frontage of 30.48 meters for the retained lands does comply with the minimum lot frontage requirement.</p>
2	<p>Lot Area:</p> <p>The minimum Lot Area requirement for the severed lands is 3000 m². [9(901)]</p> <p>The minimum Lot Area requirement for the retained lands is 3000 m². [9(901)]</p>	<p>The proposed lot area of 1510m² for the severed lands does not comply with the minimum lot area requirement.</p> <p>The proposed lot area of 1490 m² for the retained lands does not comply with the minimum lot area requirement.</p>
3	<p>Lot Depth:</p> <p>There is no requirement for minimum Lot Depth requirement for the severed lands and retained lands.</p>	Not applicable.

Other Comments:

General Comments	
1	The related Minor Variance Files A236/22 and A237/22 shall be approved and become final and binding.

Conditions of Approval:

N/A

Date: November 8th , 2022
Attention: **Christine Vigneault**
RE: Request for Comments

File No.: **B015-22**
Related Files:
Applicant: Mauro Rossi
Location 43 Muzich Place



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COMMENTS:

☐

We have reviewed the proposed Consent Application and have no comments or objections to its approval.

☒

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:

Stephen Cranley, C.E.T

Mitchell Penner

Supervisor, Distribution Design, ICI & Layouts (North)

Phone: 1-877-963-6900 ext. 31297

Supervisor, Distribution Design-Subdivisions

Phone: 416-302-6215

E-mail: stephen.cranley@alectrautilities.com

Email: Mitchell.Penner@alectrautilities.com

Pravina Attwala

Subject: FW: [External] RE: A236/22 (43 MUZICH PLACE) - REQUEST FOR COMMENTS

From: Kristen Regier <Kristen.Regier@trca.ca>
Sent: November-09-22 4:01 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Subject: [External] RE: A236/22 (43 MUZICH PLACE) - REQUEST FOR COMMENTS

Hi Pravina,

After reviewing TRCA mapping, I can confirm that the site at 43 Muzich Place is located outside of TRCA's Regulated Area. As such, we do not have comments on MV Application A236/22, A237/22 or B015/22 at this time.

Please let me know if you have any questions.

Best,

Kristen Regier
Planner I
Development Planning and Permits | Development and Engineering Services
Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)
E: kristen.regier@trca.ca
A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Public	Carmine Forgione	25 Sugarbush Crt	11/07/2022	Letter of Objection
Public	Daniel C. Sienna	63 Muzich Place	11/08/2022	Letter of Support
Public	Jason Gabriele	186 Pine Valley Crescent	11/08/2022	Letter of Support
Public	Paul Borrelli	30 Clubhouse Road	11/08/2022	Letter of Support

Pravina Attwala

Subject: FW: [External] Minor Variance Application #BO15/22

-----Original Message-----

From: Carmine Forgione

Sent: November-07-22 12:47 PM

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

Subject: [External] Minor Variance Application #BO15/22

Hello

My names is Carmine Forgione, I live at 25 Sugarbush Court. I do not agree with this application to sub-divide the existing lot. If the City agrees to this, it will set a precedent for the my area and will lead to other land owners doing the same thing. This will change the nature of my neighbour and have an adverse affect on my life-style.

Regards

Carmine Forgione

25 Sugarbush Court.

July 25, 2022

To whom it May Concern;

My Name is DANIEL C. SCENNA and I currently live at

63 MURPHY PLACE. I have talked to Mauro Rossi about his proposed development and have reviewed his plans, we don't have any issues with his proposal and look forward to having him build next Door. If there are any further questions, please do not hesitate to contact me

at .

Yours Truly



July 25, 2022

To whom it May Concern;

My Name is JASON GABRIELE and I currently live at

186 PINE VALLEY CRES.. I have talked to Mauro Rossi about his proposed development and have reviewed his plans, we don't have any issues with his proposal and look forward to having him build next Door. If there are any further questions, please do not hesitate to contact me

at .

Yours Truly



July 25, 2022

To whom it May Concern;

My Name is PAUL BORRELLI and I currently live at

30 CLUBHOUSE RD. I have talked to Mauro Rossi about his proposed development and have reviewed his plans, we don't have any issues with his proposal and look forward to having him build next Door. If there are any further questions, please do not hesitate to contact me

a

Yours Truly