



File: A014/19

Applicant: Zu Xu Chen and Su Rong Yan

Address: 79 Crestwood Road, Thornhill

Agent: Nikol Paar

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"/>	<input checked="" type="checkbox"/>
Urban Design	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

Background History: N/A



**Minor Variance  
Application**  
  
**A014/19**

**Agenda Item: 6**  
  
**Ward: 5**

**Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer**

**Date of Hearing:** Thursday, March 21, 2019

**Applicant:** Zu Xu Chen and Su Rong Yan

**Agent:** Nikol Paar

**Property:** 79 Crestwood Road, Thornhill

**Zoning:** The subject lands are zoned R2, Residential Zone, under By-law 1-88 as amended.

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

**Related Files:** None

**Purpose:** Relief from the By-Law is being requested to permit the construction of a proposed 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
A maximum building height of 9.5 metres is required.	To permit a maximum building height of 11.0 metres.

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

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

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

**Adjournment History: N/A**

**Staff & Agency Comments**

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.

**Committee of Adjustment:**  
Public notice was mailed on March 6, 2019

Applicant confirmed posting of signage on March 1, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s):  
Design requirement as per client.

**Adjournment Request: N/A**

**Building Standards (Zoning Review):**  
Stop Work Order(s) and Order(s) to Comply: None

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

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

The applicant shall be advised that the definition of Building Height as per By-law 1-88 means the height of a mansard style roof is taken from average grade at the front elevations to the top of the roof. Applicant shall also be advised that should the building height exceed 11.5 metres once average grade has been established, further variances may be required.

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

VOP 2010: "Low-Rise Residential"

The Owner is requesting permission to construct a single detached dwelling with the above noted variance.

The proposed height of 11 m is to the top of a mansard roof and is consistent with the character of rebuild houses along Crestwood Road. The Development Planning Department has no objection to the proposed variance to maximum building height.

The subject lands contain existing mature trees which will be impacted by the proposed development. As such, an Arborist Report was submitted by MHBC Planning, Urban Design & Landscape Architecture, dated February 19, 2019 and revised February 25, 2019, which identified that 2 trees will be removed to accommodate the proposal, requiring the replacement of 3 trees. The Owner proposes to plant 2 trees on the subject lands and provide cash-in-lieu payment for the remaining 1 tree that will not be accommodated on the subject lands at a rate of \$550.00 per tree. The Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the submitted Arborist Report and concurs with its recommendations. As a condition of approval, the Owner will be required to submit a cheque in the amount of \$550.00 made payable to the City of Vaughan as cash-in-lieu of the required replacement trees that will not be accommodated on the subject lands.

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

The Development Planning Department recommends approval of the application, subject to the condition below:

That the Owner submits a cheque in the amount of \$550.00 (1 replacement tree at \$550.00 per tree) addressed to the City of Vaughan as cash-in-lieu payment of the required replacement trees that will not be accommodated on the property.

**Urban Design:**

There are no cultural heritage concerns for this application.

**Development Engineering:**

The Development Engineering (DE) Department has reviewed the subject Application A014/19 for 79 Crestwood Road and have no objections to the application.

Staff have confirmed that the subject lot is zoned R2 Residential and located within an assumed subdivision. Notification to a developer/builder is not required.

**Parks Development:**

No Response.

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

No Response.

**Financial Planning and Development Finance:**

No comments, no concerns.

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches****Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Located outside of MTO permit control area

**Staff Recommendations:**

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

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

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

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

	Department/Agency	Condition
1	Development Planning Christopher Cosentino  905-832-8585 x 8215 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That the Owner submits a cheque in the amount of \$550.00 (1 replacement tree at \$550.00 per tree) addressed to the City of Vaughan as cash-in-lieu payment of the required replacement trees that will not be accommodated on the property.

**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, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

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](mailto:CofA@vaughan.ca)

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

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

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

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

**Adriana MacPherson**

T 905 832 8585 Extension 8360

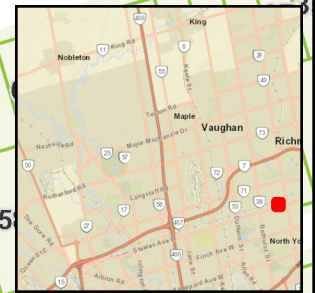
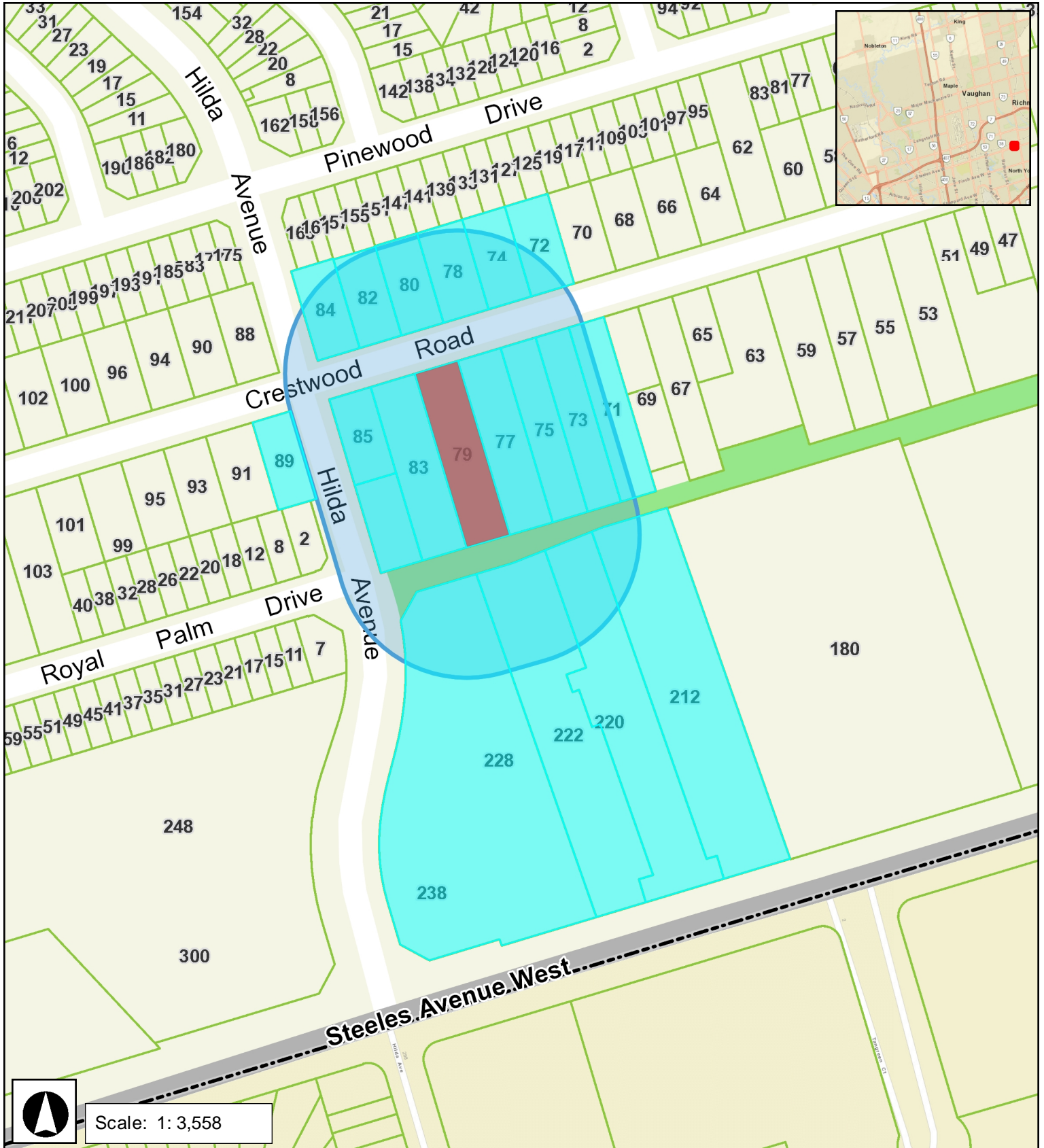
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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.

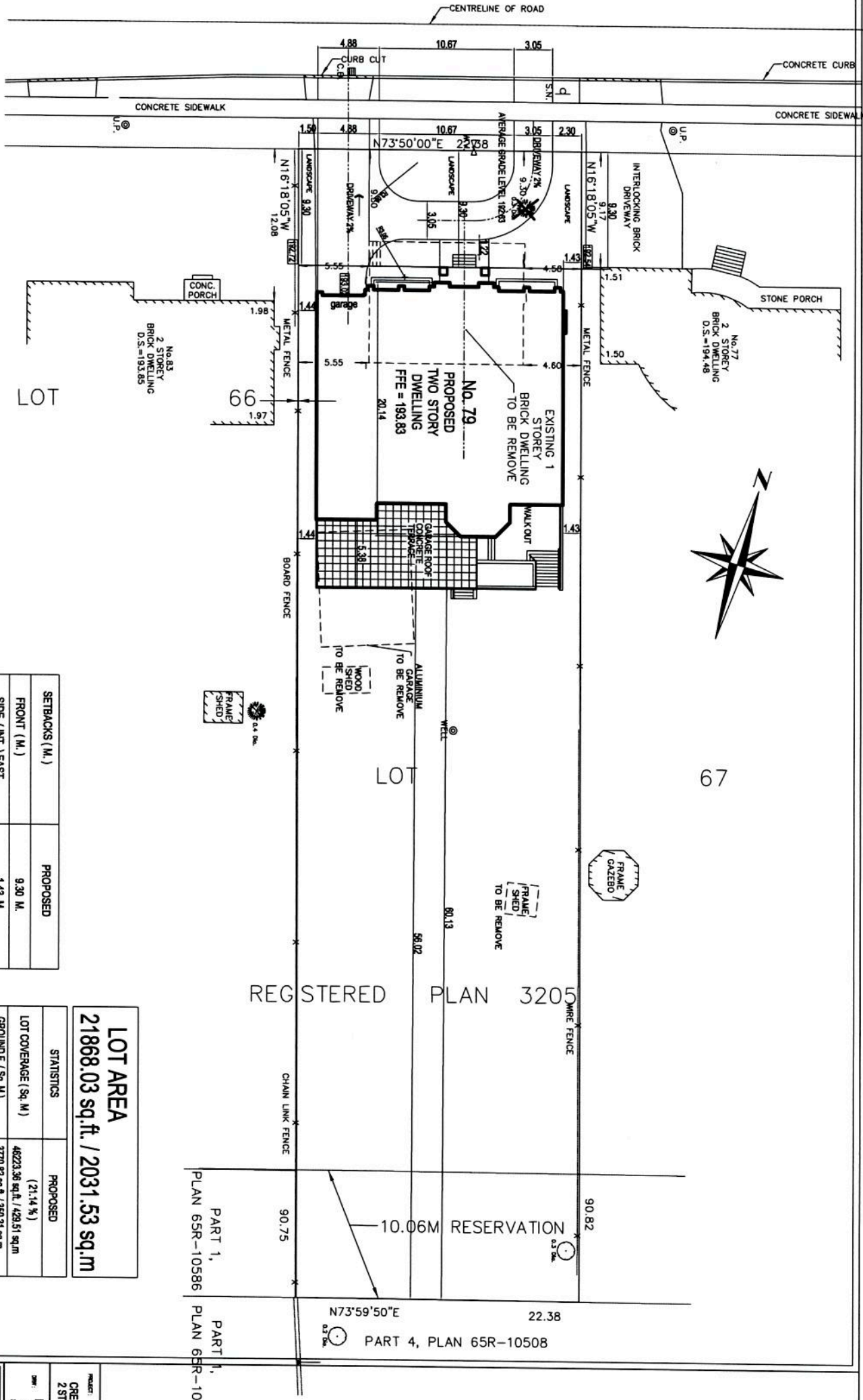
Location Map  
Sketches

jhgouh





CRESTWOOD ROAD (FORMERLY JACKES AVENUE BY REGISTERED PLAN 3205)



SETBACKS (M.)	PROPOSED
FRONT (M.)	9.30 M.
SIDE (INT.) EAST	1.43 M.
SIDE (INT.) WEST	1.44 M.
REAR	56.02 M. / 60.13 M.
BUILDING HEIGHT (M.)	11.0 m. (to the top of roof)

LOT AREA	
21868.03 sq.ft. / 2031.53 sq.m	
STATISTICS	PROPOSED
LOT COVERAGE (Sq. M.)	(21.14 %)
GROUND F. (Sq. M.)	48223.36 sq.ft. / 429.51 sq.m
SECOND F. (Sq. M.)	3770.82 sq.ft. / 350.31 sq.m
TOTAL:	7541.65 sq.ft. / 700.82 sq.m
HEIGHT	11.0 m. (to the top of roof)

PROJECT: No. 79  
CRESTWOOD ROAD  
2 STOREY DWELLING

DATE: 13/03/2024  
SCALE: 1:300

PROPOSED  
SITE PLAN

PAAR DESIGN INC.  
2778 KENNEDY RD.  
SCARBOROUGH, ONTARIO  
M1T 3Z5  
TEL: (416) 291-1111  
WWW.PAARDDESIGN.COM

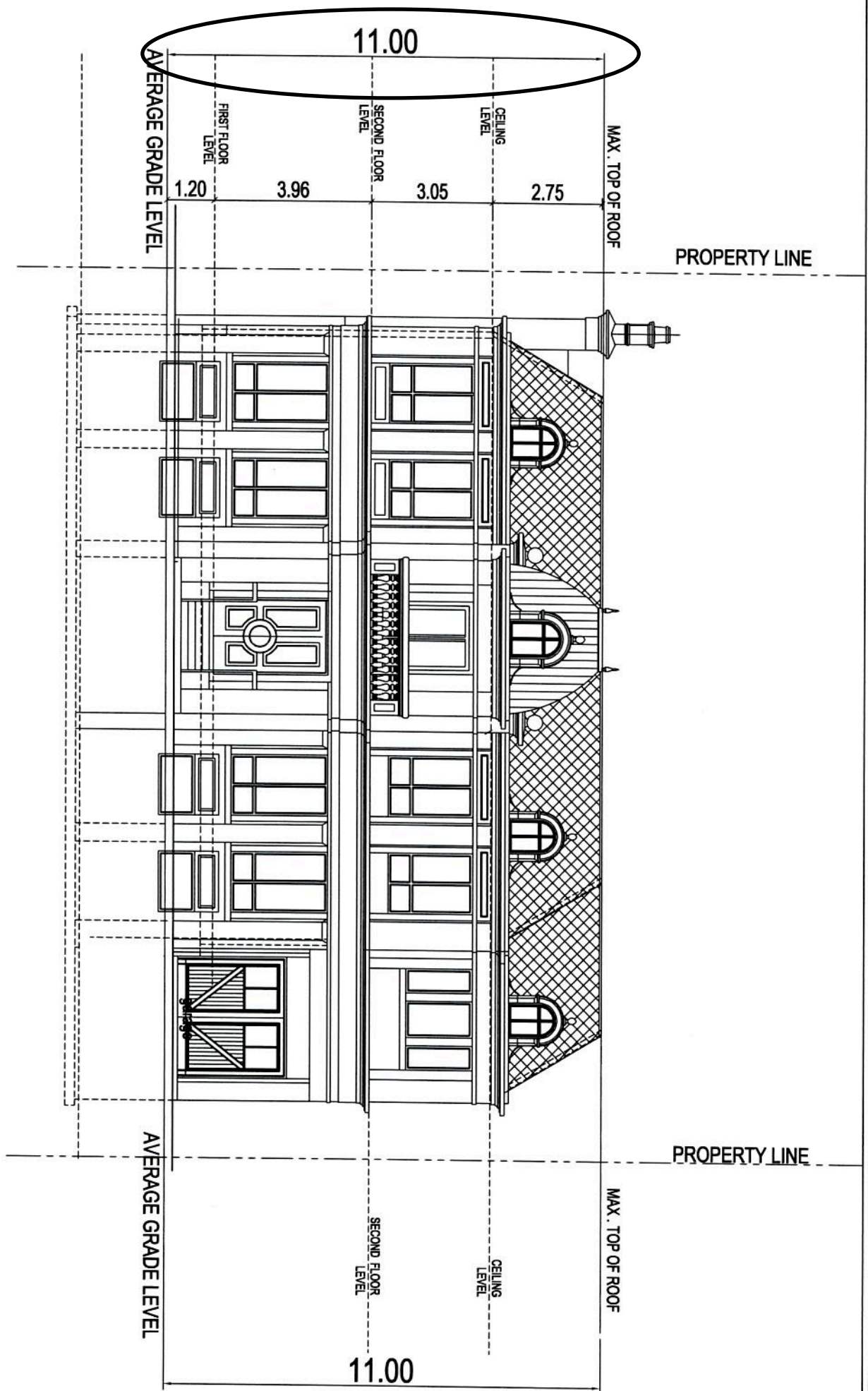
18 FEB 2024

A01



\* Revised Feb 21/19 \*

A014/19



PAAR  
DESIGN  
ARCHITECTS  
PRACTICE

PROPOSED  
FRONT ELEVATION  
scale 1:100

PROJECT: No. 79  
CRESTWOOD ROAD  
2 STOREY DWELLING

DATE: 28 JAN 2019

A02

**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
- MTO – Located outside of MTO permit control area



**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  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## MacPherson, Adriana

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**Subject:** FW: A014/19 - Request for Comments  
**Attachments:** A014-19 - Circ.pdf

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** February-20-19 11:20 AM  
**To:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Subject:** FW: A014/19 - Request for Comments

Good Morning Adriana,  
The Regional Municipality of York has completed its review of the above minor variance application and has no comment.  
Regards,  
Gabrielle

*Gabrielle Hurst, BAA MCIP.RPP. C.Tech*

Programs and Process Improvement | Planning and Economic Development Branch | Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
O 1-877-464-9675 ext. 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | Our Values: Integrity, Commitment, Accountability, Respect, Excellence

## MacPherson, Adriana

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**Subject:** FW: Request for Comments

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**From:** Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>  
**Sent:** February-19-19 2:02 PM  
**To:** Vigneault, Christine <Christine.Vigneault@vaughan.ca>  
**Cc:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; Mazzotta, Rob (MTO) <Rob.Mazzotta@ontario.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>  
**Subject:** Request for Comments

Hi Christine,

MTO Highway Corridor Management Section has reviewed the location of the following Applications for Minor Variance:

**A018/19** – 99 Klein Mills Rd., Kleinburg, ON.  
**A213/18** – 10930 Pine Valley Dr., Vaughan, ON.  
**A016/19** – 1600 Steeles Ave., Vaughan, ON.  
**A014/19** – 79 Crestwood Rd., Thornhill, ON.  
**A005/19** – 129 Villa Park Dr., Woodbridge, ON.  
**A002/19, A003/19 & A004/19** – 199 Arnold Ave., Thornhill, ON.  
**A009/19** – 111 Endless Circle, Kleinburg, ON.  
**A218/18** – 99 Heritage Estates Rd., Maple, ON.  
**A022/19** – 117 Farrell Road, Maple, ON.

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

**Paul Nunes** | Corridor Management Officer  
Ministry of Transportation | Corridor Management Section | York Region  
159 Sir William Hearst Avenue, 7<sup>th</sup> floor Building D, Downsview, ON M3M 0B7  
(416) 235-5559 | [paul.nunes@ontario.ca](mailto:paul.nunes@ontario.ca)



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