



File: A027/19

Applicant: Edward & Donna Hostick

Address: 11 Little Celeste Ct Maple

Agent: Paul Guest

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

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, April 4, 2019



Minor Variance
Application

Agenda Item: 7

A027/19

Ward: 4

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing:	Thursday, April 4, 2019
Applicant:	Edward & Donna Hostick
Agent:	Paul Guest
Property:	11 Little Celeste Court, Maple
Zoning:	The subject lands are zoned RD2, Residential Zone and subject to the provisions of Exception 9(1205) under By-law 1-88 as amended.
OP Designation:	VOP 2010: "Low-Rise Residential" and within the "Oak Ridges Moraine Settlement Area"
Related Files:	None
Purpose:	Relief from the by-law is being requested to permit the construction of a proposed in-ground swimming pool and related pool equipment, patio and cabana to be located in the rear yard. Relief is also being sought to permit the relocation of the existing air conditioning unit into the interior side yard (east)

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

By-law Requirement	Proposal
1. A minimum interior side yard setback of 1.5 metres is required to a swimming pool.	1. To permit a minimum interior side yard setback (westerly) of 1.2 metres to a swimming pool.
2. A minimum rear yard setback of 1.5 metres is required is required to a swimming pool.	2. To permit a minimum rear yard setback of 1.2 metres to a swimming pool.
3. A minimum interior side yard setback of 0.6 metres is required to external ground-mounted pool equipment.	3. To permit a minimum interior side yard setback of 0.3 metres to external ground-mounted pool equipment.
4. A maximum building height of 2.5 metres from finished grade to the highest point is permitted for an accessory structure (cabana).	4. To permit a maximum building height of 3.31 metres from finished grade to the highest point of an accessory structure (cabana).
5. A minimum interior side yard setback of 0.6 metres is required to an external ground-mounted air conditioning unit.	5. To permit a minimum interior side yard setback of 0.3 metres to an external ground-mounted air conditioning unit.

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. 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 20, 2019

Applicant confirmed posting of signage on March 20, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	December 2016 (purchased 2018)

Applicant has advised that they cannot comply with By-law for the following reason(s): Size of backyard is very small and necessitates moving pool back to side as client will need wheel chair access.

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.

A permit shall be obtained from the Engineering Department for the proposed swimming pool.

Applicant has confirmed that the pool equipment will be ground-mounted and not covered in a structure.

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

The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

Building Inspections (Septic):

No comments or concerns

Development Planning:

VOP 2010: "Low-Rise Residential" and within the "Oak Ridges Moraine Settlement Area"

The Development Planning Department has reviewed the proposal, and is of the opinion that it 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.

Urban Design:

There are no cultural heritage concerns for this application.

Development Engineering:

The Development Engineering Department does not object to minor variance application A027/19 subject to the following conditions:

1. The owner/applicant shall apply for a pool permit with the Development Engineering Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.
2. The owner/applicant shall apply for a grading permit at the same time they apply for a pool permit.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No comment no concerns

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None

Staff Recommendations:

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

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

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

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

	Department/Agency	Condition
1	Development Engineering Margaret Olivier 905-832-8585 x 8716 Margaret.olivier@vaughan.ca	1. The owner/applicant shall apply for a pool permit with the Development Engineering Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply. 2. The owner/applicant shall apply for a grading permit at the same time they apply for a pool permit.

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

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.

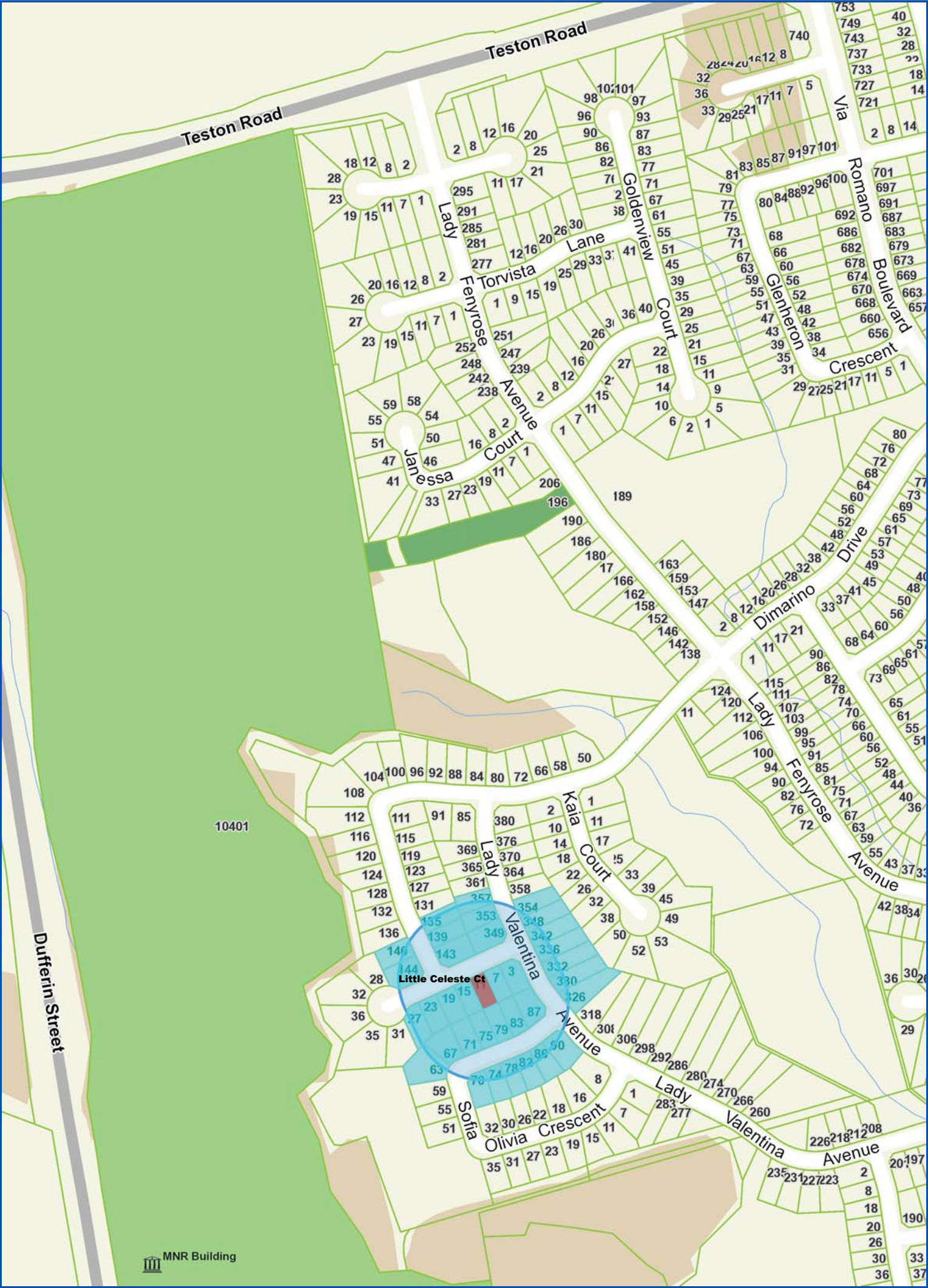
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



Map Information:



Title:

LOCATION MAP - A027/19

11 LITTLE CELESTE COURT, MAPLE

Disclaimer:

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



Scale: 1:4,514

0 0.07 km



Created By:

Infrastructure Delivery
Department
March 14, 2019 10:33 AM

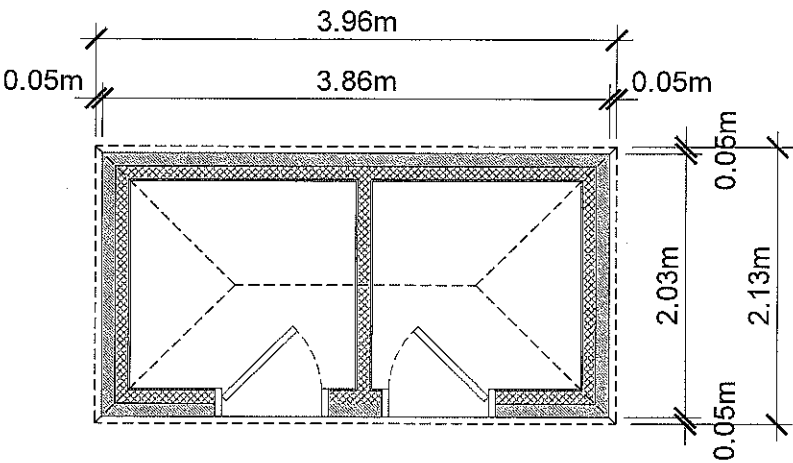
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NAD 83
UTM Zone
17N

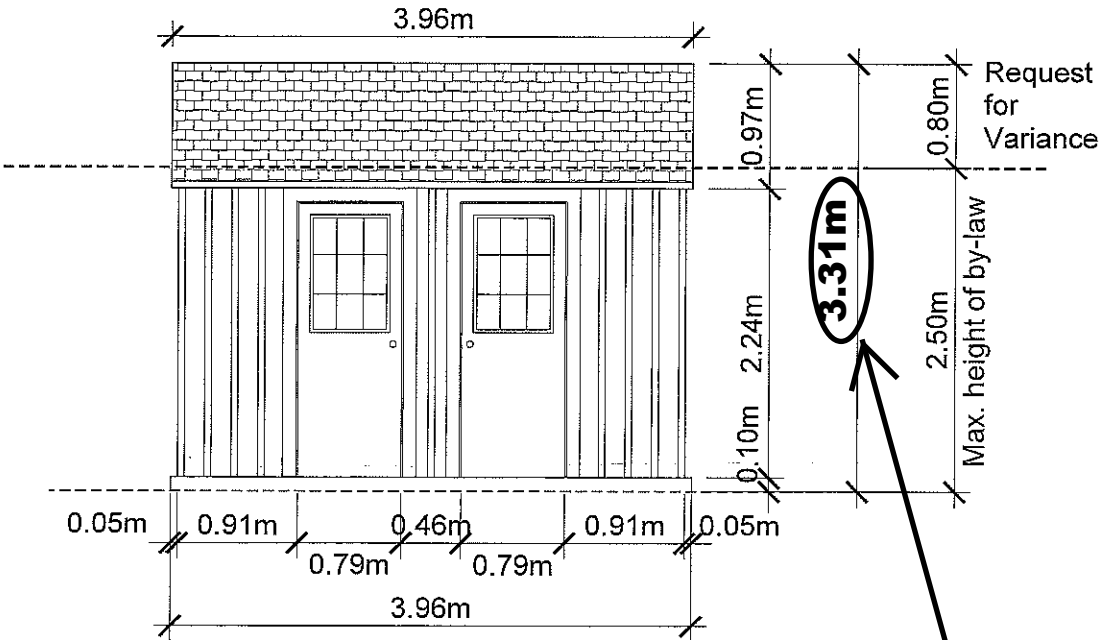
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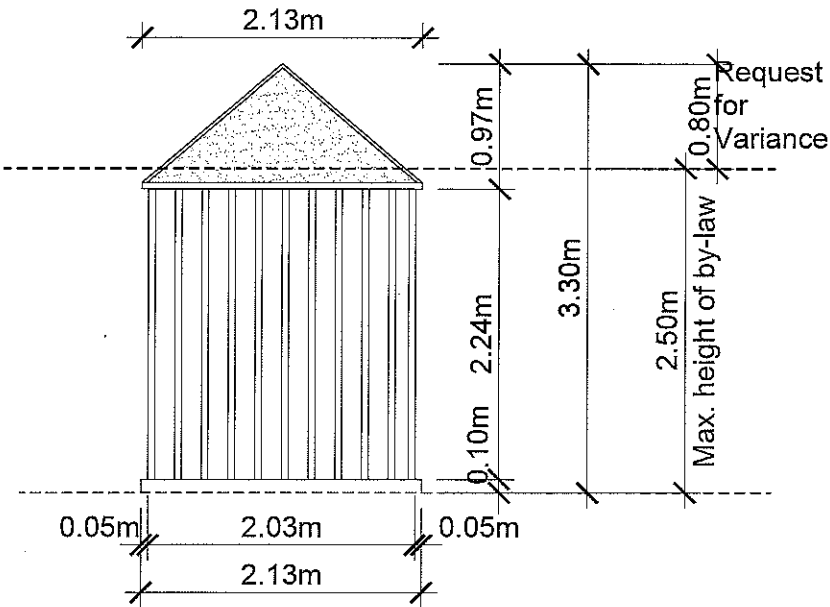
A027/19



Plan View
Scale: 1:50m



Front Elevaion
Scale: 1:50m



Right Side Elevtaion
Scale: 1:50m

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



COMMENTS:

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

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: 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

Attwala, Pravina

Subject: FW: A027/19 - REQUEST FOR COMMENTS
Attachments: A027-19 - Circulation.pdf

From: Wong, Tiffany <Tiffany.Wong@york.ca>
Sent: March-15-19 9:42 AM
To: Committee of Adjustment <CofA@vaughan.ca>
Subject: FW: A027/19 - REQUEST FOR COMMENTS

Hello Pravina,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A027/19 (11 Little Celeste Court) and has no comments. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

Tiffany Wong, B.E.S. | 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 | tiffany.wong@york.ca | www.york.ca
Our Values: Integrity, Commitment, Accountability, Respect, Excellence



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