

ITEM #: 6.6

**COMMITTEE OF ADJUSTMENT REPORT
CONSENT APPLICATION
B001/23
209 CRESTWOOD ROAD, THORNHILL**

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 w/conditions
Building Standards -Zoning Review *Schedule B	X	X	X	General Comments w/conditions
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning *Schedule B	X	X		Recommend Refusal
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X	X	General Comments w/conditions
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X	X	General Comments w/conditions
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 *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X	X	X	General Comments w/condition
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B	X	X		General Comments
CN Rail *Schedule B	X	X		General Comments
CP Rail *Schedule B	X			No Comments Recieved to Date
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				

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
Applicant				Planning Justification Report

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
B014/19, A121/19, A122/169	10/31/2019	REFUSED; COA

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None	
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**COMMITTEE OF ADJUSTMENT REPORT
CONSENT APPLICATION
B001/23
209 CRESTWOOD ROAD , THORNHILL**

ITEM NUMBER: 6.6	CITY WARD #: 5
APPLICANT:	Hamid Talebi & Somayyeh Feizi
AGENT:	Lucy Mar Guzman
PROPERTY:	209 Crestwood Road, Thornhill
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	B001/23, A055/23, A056/23
PURPOSE OF APPLICATION:	Consent is being requested to sever a parcel of land for residential purposes, approximately 585.20 square metres, while retaining a parcel of land approximately 584.80 square metres for residential purposes. Both the severed and retained land will maintain frontage onto Crestwood Road and the existing single family dwelling is to be demolished.

HEARING INFORMATION

DATE OF MEETING: Thursday, July 13, 2023
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive
LIVE STREAM LINK: 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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to cofa@vaughan.ca no later than NOON on the last business day before the meeting.

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY 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:	June 29, 2023	
Date Applicant Confirmed Posting of Sign:	June 26, 2023	
<p>Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice</p>	<p>On June 26, 2023 Development Planning provided:</p> <p>Development Planning has carried out our review of the applications. Development Planning has the following comments.</p> <ol style="list-style-type: none"> 1. Since the inception of OPA 15 (passed by Vaughan Council on September 27, 2018) it has become more imperative to respect and preserve the existing character of the large-lot neighbourhoods (i.e., local pattern of the lots, streets and blocks, size and configuration of lots) and discourage forms of infill development that do not meet the criteria listed in sections 9.1.2.2, 9.1.2.3. and 9.1.2.4 of the Vaughan Official Plan 2010 ('VOP2010'). In this instance, the subject property in question would be deficient in lot frontage, thereby, not conforming to section 9.1.2.3 (a) where new lots created should to be equal or exceed the frontages of the adjoining lots (211 and 207 Crestwood Road), which are approximately 20 m and 14.5 m respectfully. <p>For clarification purposes, the consent application (File B014/17) for 201 Crestwood Road that was approved by Committee of Adjustment on April 27, 2017, was not subject to the OPA 15 conformity exercise and only considered the Vaughan Official Plan 2010 policies that were in effect at that time.</p> <p>As such, Development Planning is not in a position to support the consent and minor variance applications to sever the lands and create two lots with lot frontages of 12.63 m.</p>	
<p>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: *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.</p> <p>*A revised submission may be required to address staff / agency comments received as part of the application review process.</p> <p>*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.</p>	No	
<p>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.</p> <p>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.</p>		
Committee of Adjustment Comments:	Adjournment Fee (\$591.00) is required should the application require adjournment from the July 13, 2023, hearing.	
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 provide an electronic copy of the deposited reference plan to cofa@vaughan.ca 3. That Minor Variance Application(s) A053/22 and A054/22 are approved at the same time as the Consent application and becomes final and binding. 4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule. 	

COMMITTEE OF ADJUSTMENT COMMENTS

5. Adjournment Fee (\$591.00) is required should the application require adjournment from the July 13 hearing.

BUILDING STANDARDS (ZONING) COMMENTS

**See Schedule B for Building Standards (Zoning) Comments.

Building Standards Recommended Conditions of Approval:

- 1.A demolition permit shall be obtained for the existing dwelling and the existing dwelling shall be demolished prior to the issuance of a building permit for any replacement dwellings.
2. Provide confirmation by an Ontario Land Surveyor of the existing building height for the existing dwelling as defined in Section 3.0 of Zoning Bylaw 001-2021.

DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments. Recommend Refusal

Development Planning Recommended Conditions of Approval:

None

DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#) [Link to Pool Permit](#) [Link to Curb Curt Permit](#) [Link Culvert Installation](#)

The Stormwater Management Brief assessment has been completed to the satisfaction of the Development Engineering (DE) Department.

The Development Engineering (DE) Department does not object to Consent Application B001/23 subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:

1. The Owner / Applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of the Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner / Applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner / Applicant shall submit the deposited reference plan to DE in order to clear this condition.
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 lands & service connection upgrades (if applicable) within the retained lands as per city standards, complete with a servicing and lot grading plan. The Owner / Applicant of the retained land 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. Owner / Applicant is encouraged to take enough time for allowing to complete the whole process.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Recommend condition of approval below:

PFH Recommended Conditions of Approval:

Acquire a tree permit from Forestry division.

DEVELOPMENT FINANCE COMMENTS

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Demolition development charge credits valid for a period of 48 months from date of demolition permit issuance. After 48 months, full development charges apply as per by-laws.

Development Finance Recommended Conditions of Approval:

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).
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).

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date.

BCLPS Recommended Conditions of Approval:

None

BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

Building Inspection Recommended Conditions of Approval:

None

FIRE DEPARTMENT COMMENTS

No comments received to date.

Fire Department Recommended Conditions of Approval:

None

SCHEDULES TO STAFF REPORT

*See Schedule for list of correspondence

Schedule A	Drawings & Plans Submitted with the Application
Schedule B	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
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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.

1	Committee of Adjustment christine.vigneault@vaughan.ca	<ol style="list-style-type: none"> 1. That the applicant’s solicitor confirms the legal description of both the severed and retained land. 2. That the applicant provides an electronic copy of the deposited reference plan to cofa@vaughan.ca 3. That Minor Variance Application(s) A053/22 and A054/22 are approved at the same time as the Consent application and becomes final and binding. 4. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule. 5. Adjournment Fee (\$591.00) is required should the application require adjournment from the July 13 hearing.
2	Building Standards, Zoning Section catherine.saluri@vaughan.ca	<ol style="list-style-type: none"> 1. A demolition permit shall be obtained for the existing dwelling and the existing dwelling shall be demolished prior to the issuance of a building permit for any replacement dwellings. 2. Provide confirmation by an Ontario Land Surveyor of the existing building height for the existing dwelling as defined in Section 3.0 of Zoning Bylaw 001-2021.
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 Rex.bondad@vaughan.ca	<ol style="list-style-type: none"> 1. The Owner / Applicant shall prepare and register a reference plan at their expense showing all existing and proposed easements to the satisfaction of the Development Engineering Department (DE) for the Subject Lands applicable to the Consent Application. The Owner / Applicant shall submit a draft reference plan to DE for review prior to deposit with the Land Registry. The Owner / Applicant shall submit the deposited reference plan to DE in order to clear this condition. 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 lands & service connection upgrades (if applicable) within the retained lands as per city standards, complete with a servicing and lot grading plan. The Owner / Applicant of the retained land 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

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.

		costs including applicable administration fees shall be responsibility of the owner of the retained lands. Service connection application process may take 4-6 weeks. Owner / Applicant is encouraged to take enough time for allowing to complete the whole process.
5	Development Finance nelson.pereira@vaughan.ca	<ol style="list-style-type: none"> 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). 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).
6	Parks, Forestry and Horticulture Operations zachary.quizzetti@vaughan.ca	Acquire a tree permit from Forestry division
7	York Region Developmentservices@york.ca	Prior to approval of the consent application, the Region requests that the City of Vaughan confirm through email that adequate water supply and sewage capacity has been allocated for the proposed new lot.

IMPORTANT INFORMATION – PLEASE READ

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.

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.

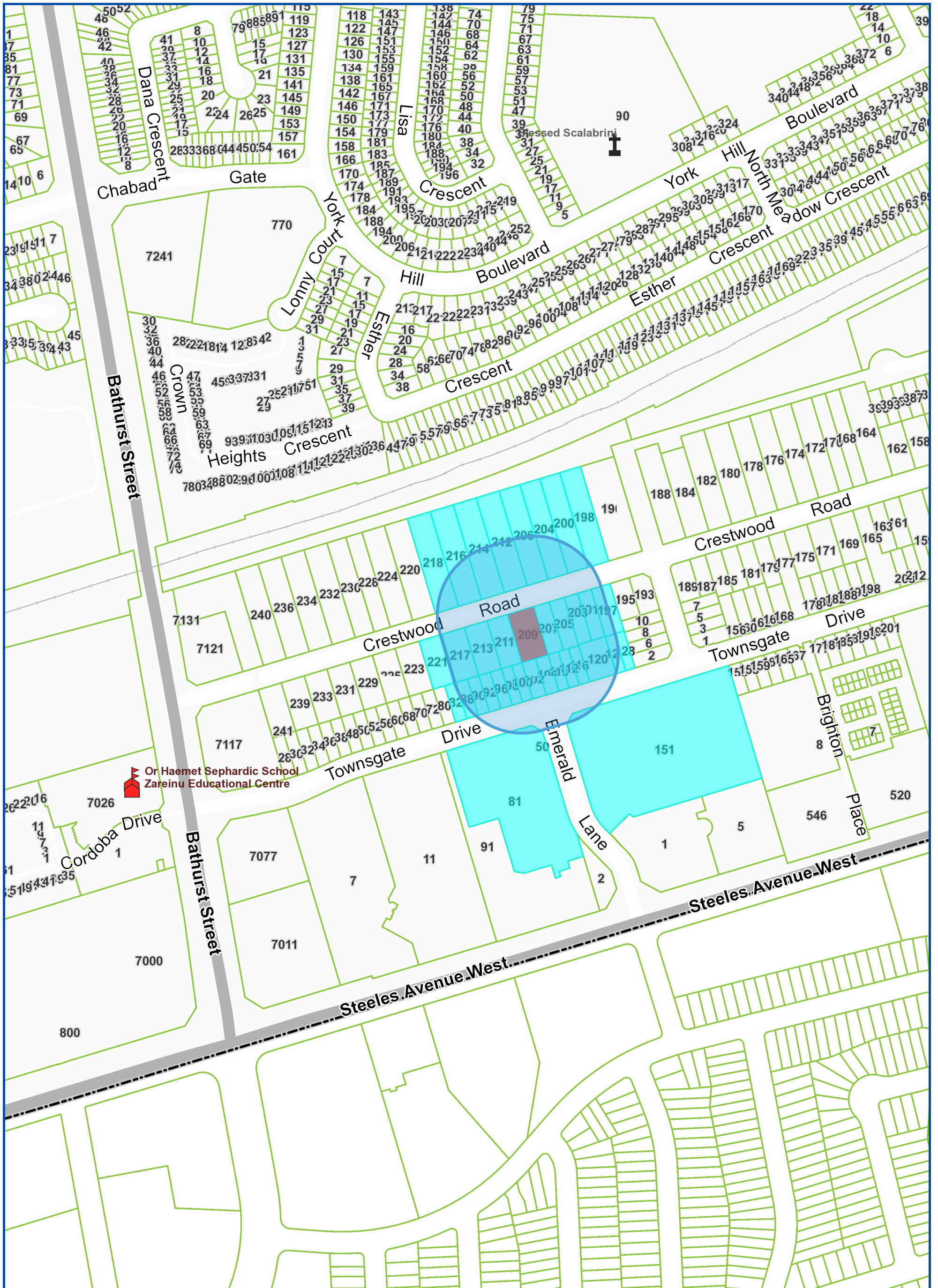
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

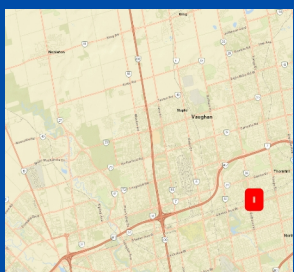
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

NOTICE 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



Map Information:



Title:

NOTIFICATION MAP

B001/23, A055/23 & A056/23

209 Crestwood Road, Thornhill

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

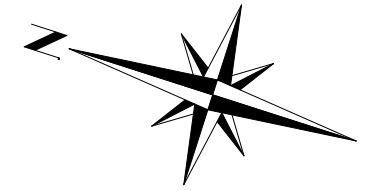


Created By:

Infrastructure Delivery
Department
January 27, 2023 1:13 PM

Projection:
NAD 83
UTM Zone
17N

B001/23

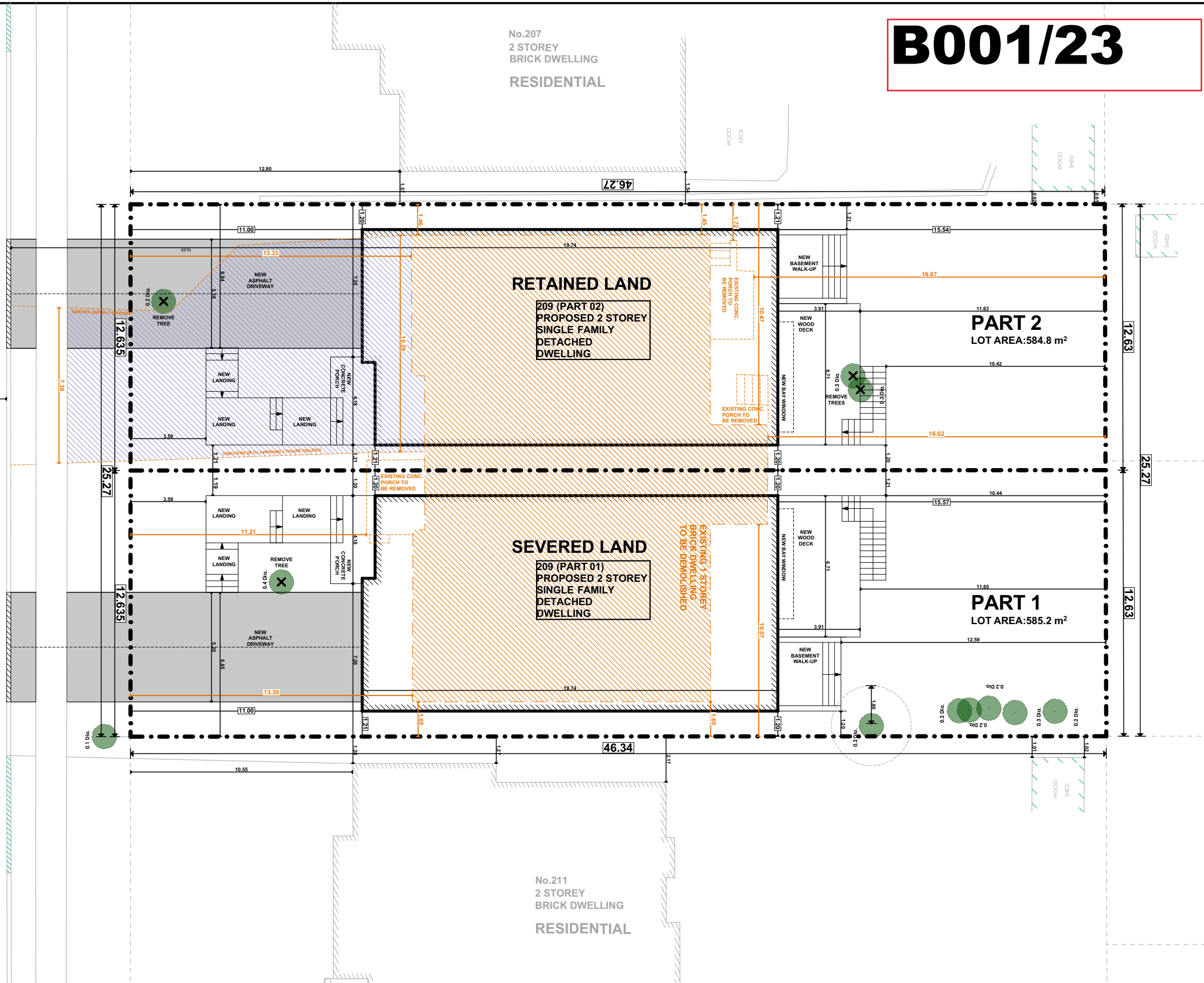


No.207
2 STOREY
BRICK DWELLING
RESIDENTIAL

No.211
2 STOREY
BRICK DWELLING
RESIDENTIAL

CRESTWOOD ROAD

8.84



LEGEND

- EXISTING BUILDING TO BE DEMOLISHED
- EXISTING DRIVEWAY
- NEW DRIVEWAY
- PROPOSED BUILDING

ALL DRAWINGS AND DOCUMENTS ARE PRELIMINARY UNLESS APPROVED BY THE CITY AND MUST NOT BE USED FOR ANY CONSTRUCTION BEFORE ISSUANCE OF BUILDING PERMIT. CONTRACTORS/BUILDER MUST VERIFY ALL DIMENSIONS/SPECS/DETAILS & AS-BUILT INFORMATION INCLUDING STRUCTURAL AND MECHANICAL PRIOR TO COMMENCEMENT OF WORK AND REPORT ANY DISCREPANCIES TO MEMAR. DESIGN, DRAWINGS & SPECIFICATIONS ARE ALL PROPERTY OF MEMAR UNDER COPY RIGHT ACT AND MUST NOT BE USED FOR ANY OTHER PROJECT AND/OR BY ANY OTHER PERSON INCLUDING ORIGINAL CLIENT WITHOUT WRITTEN PERMISSION.

DATE:	ISSUED FOR:
1/23/2023	FOR PRE APPLICATION MEETING

DRAWING TITLE:	CONSENT SKETCH
PROJECT TITLE/ADDRESS:	209 CRESTWOOD RD THORNHILL, ON L4J 1A8

DRAWN BY:	P.F.
CHKD BY:	M.A.

SCALE:	1:200
LAST MODIFIED ON:	Monday, January 23, 2023



"Memar Architects Inc."
2323 Yonge St, Unit 503
Toronto, ON, M4P 2C9
T: 416-551-5764



A.02

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	X	X	General Comments w/condition
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Received to Date
YRDSB *Schedule B				
YCDSB *Schedule B	X	X		General Comments
CN Rail *Schedule B	X	X		General Comments
CP Rail *Schedule B	X			No Comments Received to Date
TransCanada Pipeline *Schedule B	X			No Comments Received to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		Recommend Refusal
Building Standards (Zoning)	X	X	X	General Comments w/conditions

Date: January 31st 2023
Attention: **Christine Vigneault**
RE: Request for Comments

File No.: **B001-23**

Related Files:

Applicant: Hamid Talebi Somayyeh Feizi

Location 209 Crestwood Rd



Discover the possibilities

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)

Supervisor, Distribution Design-Subdivisions

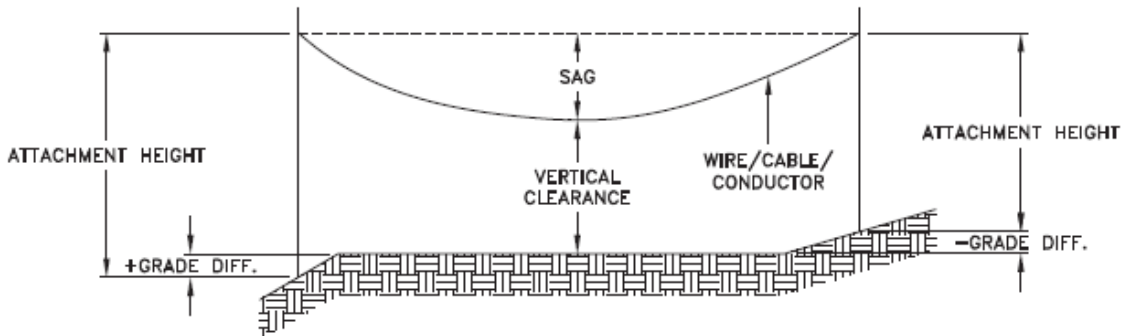
Phone: 1-877-963-6900 ext. 31297

Phone: 416-302-6215

E-mail: stephen.cranley@alectrautilities.com

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)			
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO VEHICLES	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO PEDESTRIANS AND BICYCLES ONLY	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT RAILWAY CROSSINGS	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

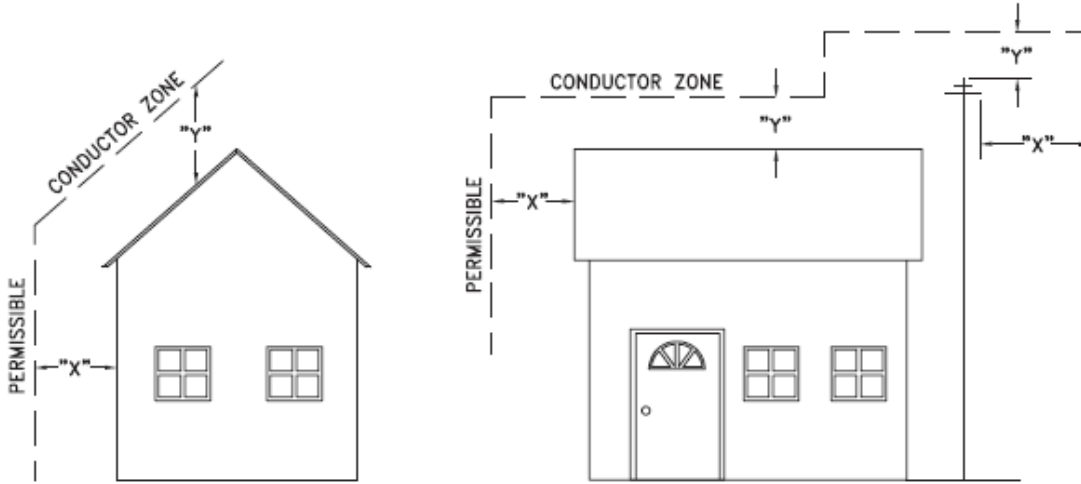
METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

SAGS AND TENSIONS	SECTION 02
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MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

CONVERSION TABLE	
METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04
Debbie Dadwani, P.Eng. 2010-MAY-05
Name Date
P.Eng. Approval By: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
P:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 03-4\DWG 03-4 RD May 5, 2010.dwg, 5/5/2010 9:27:52 AM, Adobe PDF

To: Committee of Adjustment
From: Catherine Saluri, Building Standards Department
Date: January 26, 2023
Applicant: Hamid Telebi & Somayyeh Feizi
Location: 209 Crestwood Rd
 PLAN RP3205 Part of Lot 47
File No.(s): B001/23

Zoning Classification:

The subject lands are zoned R2A (EN), Second Density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021.

#	Zoning By-law 001-2021	Consent requested
1	Lot Frontage: The minimum Lot Frontage requirement for the severed lands is 15 m. [Table 7-4] The minimum Lot Frontage requirement for the retained lands is 15 m. [Table 7-4]	The proposed lot frontage of 12.63 m for the severed lands does not comply with the minimum lot frontage requirement. The proposed lot frontage of 12.63 m for the retained lands does not comply with the minimum lot frontage requirement.
2	Lot Area: The minimum Lot Area requirement for the severed lands 450 m ² . [Table 7-4] The minimum Lot Area requirement for the retained lands is 450 m ² . [Table 7-4]	The proposed lot area of 585.20 m ² for the severed lands complies with the minimum lot area requirement. The proposed lot area of 584.80 m ² for the retained lands complies with the minimum lot area requirement.
3	Lot Depth: There is no requirement for minimum Lot Depth requirement for the conveyed lands and retained lands.	Not applicable.

Staff Comments:

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

There are no outstanding Orders on file.

Building Permit(s) Issued:

Building permits are required for the proposed replacement dwellings.

Other Comments:

General Comments	
1	The Consent Sketch and Grading Plan forming part of this application depict two replacement dwellings. The Applicant shall be advised that variances may be required upon review of complete and detailed drawings for building permits.
2	A Surveyor's Certificate which confirms lot frontage and lot area for each proposed lot shall be provided to the Zoning Plans Examination Section, Building Standards Department for review prior to issuance of building permits on the subject lands.

Conditions of Approval:

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

1. A demolition permit shall be obtained for the existing dwelling and the existing dwelling shall be demolished prior to the issuance of a building permit for any replacement dwellings.
2. Provide confirmation by an Ontario Land Surveyor of the existing building height for the existing dwelling as defined in Section 3.0 of Zoning Bylaw 001-2021.

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

Lenore Providence

From: Proximity <proximity@cn.ca>
Sent: February-07-23 1:26 PM
To: Lenore Providence
Subject: [External] 2023-02-07_CN_RES_ B001/23 - 209 Crestwood Road - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Attachments: CIRC_B001_23.pdf; COMBLDG_B001_23.pdf

Hello Lenore,

Thank you for consulting CN on the application mentioned in subject. CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

1. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”

2. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.
3. The implementation of the following mitigation measures in the dwelling design and construction:
 - a. Forced air ventilation systems with central air conditioning,
 - b. The exterior wall siding of buildings closest to the railway line to be brick or a masonry equivalent for the exposed facades,
 - c. Acoustically upgraded windows meeting the minimum requirements of the Building Code and providing a maximum 35 dBA indoor limit for bedrooms and 40 dBA for living rooms,
 - d. Locating noise sensitive rooms away from the railway side,

Thank you and do not hesitate to contact me with any questions.

Best regards

Ashkan Matlabi, Urb. OUQ. MBA

Urbaniste sénior / Senior Planner (CN Proximity)
Planning, Landscape Architecture and Urban Design
Urbanisme, architecture de paysage et design urbain



E : proximity@cn.ca
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1600, René-Lévesque Ouest, 11e étage
Montréal (Québec)
H3H 1P9 CANADA
wsp.com

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: July 04, 2023
Name of Owners: Hamid Talebi & Somayyeh Feizi
Location: 209 Crestwood Road
File No.(s): B001/23

B001/23

The Owners have submitted Consent Application File B001/23 to facilitate the severance of a 585.20 m² portion of the Subject Lands and retain a 584.80 m² portion for the creation of two residential lots.

A055/23 (Severed Lands)*Proposed Variance(s) (By-law 001-2021):*

1. To permit a minimum lot frontage of 12.63m.
2. To permit a building with a maximum height of 9.56m.

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

1. Minimum lot frontage is 15.0m.
2. The maximum permitted building height is 9.05m.

A056/23 (Retained Lands)*Proposed Variance(s) (By-law 001-2021):*

1. To permit a minimum lot frontage of 12.63m.
2. To permit a building with a maximum height of 9.51m.

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

1. Minimum lot frontage is 15.0m.
2. The maximum permitted building height is 9.05m.

Official Plan:

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

Comments:**Background**

In August 2019, the homeowner submitted Consent Application B014/19, and Minor Variance Applications A121/19, and A122/19 to sever the Subject Lands into two lots and facilitate the development of a single detached dwelling on each lot. On October 31, 2019, the Committee of Adjustment refused B014/19, A121/19, and A122/19. The applications were appealed to the Local Planning Appeal Tribunal ('LPAT'). On October 5, 2020, LPAT dismissed the appeals.

Proposal

The Owners are proposing to demolish the existing 1-storey single-detached dwelling, divide the Subject Lands in two, and develop a new single-detached dwelling on each lot. The severed and retained lands each propose a lot frontage of 12.63 m. A lot area of 585.20 m² is proposed for the severed lands and 584.80 m² for the retained lands. In support of this consent application the Owners submitted a Planning Justification Report ('PJR'), prepared by Ianhall Planning Ltd., dated December 20, 2022, and Arborist Report prepared by Lothlorien Garden Consulting, dated March 6, 2023. The Development Planning Department ('Development Planning') has reviewed the PJR and does not agree with its findings.

Provincial Policy Statement 2020

In accordance with Section 3 of the Planning Act, all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement 2020 (the ‘PPS’). The PPS provides a policy framework that promotes growth within settlement areas through the effective utilization of existing infrastructure and public service facilities to provide a wide range of housing opportunities. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS states within its preamble that the Official Plan is the single most important document for achieving the province’s land use and development interests.

The Development Planning Department is of the opinion the proposed development is consistent with the policies of the PPS. Specifically, policy 1.1.3 speaks to Settlement areas being the focus of development based on densities and land uses which efficiently use land. Similarly, policy 1.4.3 focuses on the need for municipalities to plan for a diverse range of housing options and densities to meet the ever-increasing projected market-based and affordable housing needs of the current and future residents of the regional market area. The City has planned for appropriate housing opportunities through intensification via its Official Plan, which establishes what forms of intensification are appropriate in certain locations. The application proposes an additional residential lot which does increase density and provides a housing option. The proposal is consistent with the PPS insofar as any application that proposes intensification and housing is consistent.

Growth Plan for the Greater Golden Horseshoe 2019

A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (‘Growth Plan’) is intended to guide decision making on the development of land by encouraging compact built form, transit supportive communities, diverse land uses, and range of housing types. As the Subject Lands are located within a Settlement Area and delineated built-up area, the Growth Plan policies to manage and direct growth within intensification areas with municipal services and infrastructure apply. Section 2.2.1 of the Growth Plan encourages the creation of complete communities through measures like: the efficient and effective use of land and infrastructure, prioritizing intensification, providing access to transit options, and providing a mix of land uses.

The application proposes a form of intensification within an existing neighbourhood. The proposal conforms to the Growth Plan.

Vaughan Official Plan 2010

The Subject Lands are designated ‘Low-Rise Residential’ by the Vaughan Official Plan (‘VOP 2010’) and are subject to the Established Large Lot Neighbourhood (‘LLN’) policies as per Schedule 1B. Official Plan Amendment #15 (OPA 15), approved by Vaughan Council on September 27, 2018, and York Region on May 29, 2019, amends Volume 1 of the VOP 2010. OPA 15 subjects development proposed within “Established Community Areas” and LLNs to a series of compatibility criteria. Specifically, policy 9.1.2.3 lists the criteria as series of elements determined to reinforce the character of LLNs (‘character elements’).

Schedule 1 B identifies 2 ranges of LLNs: 21m-29m and 30m+. Schedule 1B identifies all residentially zoned lots fronting Crestwood Road between civic numbers 21 and 241 inclusive as being within the 21 m to 29 m range. Further, Schedule 1B identifies the lots along this stretch of Crestwood Road as characteristically distinctive from the lots fronting onto the surrounding streets as the LLN designation does not extend to lots on other streets. Within LLNs, it is the policy of Council that limited intensification be permitted that is sensitive to and compatible with this character.

Prior to the adoption of OPA 15, some addresses along Crestwood Road, such as civic numbers 117, 117A, 201 and 203, were developed by dividing the existing lots in two. OPA 15 was adopted in response to growing concern regarding the compatibility of infill development within LLNs. The underlying study, which informed the basis of OPA 15: “Policy Review: Vaughan Community Areas and Low-Rise Residential Areas Study” (the ‘Urban Strategies Study’) prepared by Urban Strategies Inc., dated October 2016, identifies the single most important feature that establishes the multiple character elements of LLNs is lot frontage.

It is the frontage of the lots, the resultant lot area from that frontage, and the scale and placement of built form upon those lots which contribute to expansive amenity areas, provide opportunities to establish and maintain attractive landscape development and streetscapes. Attractive landscape development and streetscapes are core elements to LLN character. Therefore, it is the lot fabric that informs the building setbacks which collectively determines character on this street.

Policy 9.1.2.2 states that new development designed within Established Community Areas is intended to respect and reinforce the existing physical character and uses of the surrounding area. Certain elements that maintain an area's character are identified, such as: (a) the local pattern of lots, and (b) the size and configuration of lots. These are further expanded upon in 9.1.2.3. Subsection 9.1.2.3 a) states that in a case of lot creation, new lots should be equal to or exceed the frontages of the adjoining lots or the average of the frontage of the adjoining lots where they differ. 9.1.2.3 b) states that the lot area should be consistent with the size of the adjoining lots.

Both the retained and severed lots propose a frontage 12.63 m. The adjoining lots within the LLN are numbers 207, 211, and 212 Crestwood Road, which have lot frontages of 14.78 m, 19.81 m, and approximately 22.1 m respectively. The application proposes a lot frontage that is 2.17 m – 9.52 m less than the adjoining lots. The proposed frontages are also 2.37 m less than the minimum required by the Zoning By-law and 8.37 m less than the minimum value of the lower LLN frontage range. It is our opinion that the difference between the proposed and adjoining lot frontages, is substantial and is not in keeping with the intent of 9.1.2.3 a). This introduces a lot frontage and resultant built form typical of roads like Townsgate and Pinewood Drives, which are characteristically different from Crestwood Road according to the Urban Strategies Study.

Comprehensive Zoning By-law 001-2021

The Subject Land is zoned R2A (EN) – Second Density Residential Zone by Zoning By-law 001-2021. The zone R2A (EN) category along both sides of Crestwood Road are contained to lots fronting on this road, creating a built form and streetscape is distinct from other neighbouring residential streets. The surrounding residential roads have different zone categories (R3 and R4), with lesser frontage and area requirements, establishing development criteria and resulting in built form which is different from Crestwood Road. The proposed lot frontages do not comply with the minimum lot frontage requirements of the R2A Zone.

The (EN) suffix applies to residential areas where the existing built form exceeded the minimum residential zone requirements for height, front yard and exterior and interior side yard setbacks. As the (EN) applies to built form rather than the lot, this item will be examined in the variance report.

Conclusion:

Accordingly, the Development Planning Department is of the opinion that the proposal does not conform to VOP 2010, and does not satisfy the consent criteria stipulated in Section 51(24) of the Planning Act, R.S.O. 1990, c P.13.

While the proposal is consistent with the PPS and conforms to the Growth Plan, there are other ways to achieve the objectives sought by those documents (e.g., increasing the number of additional residential units) that do not alter the lot fabric and character of the neighbourhood that the Official Plan is protecting, such as adding a secondary suite within a single detached dwelling, and/or a detached secondary suite.

Recommendation:

The Development Planning Department recommends refusal of the application

Conditions of Approval:

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

None.

Comments Prepared by:

Michelle Perrone, Planner 1
David Harding, Senior Planner

From: [Kristen Regier](#)
To: [Committee of Adjustment](#)
Cc: [Christine Vigneault](#); [Lenore Providence](#)
Subject: [External] B001/23, A055/23 & A056/23 - TRCA Comments
Date: Thursday, June 22, 2023 10:55:56 AM
Attachments: [image001.png](#)

Hello,

The subject property at 209 Crestwood Road, Vaughan is not located within TRCA's Regulated Area. TRCA's Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

Kristen Regier, MA (she / her)

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](#) | trca.ca



From: [Monika Sadler](#)
To: [Committee of Adjustment](#)
Subject: [External] Re: B001/23, A055/23 & A056/23 - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Tuesday, June 20, 2023 3:57:35 PM

Thank you for the opportunity to review the above referenced Minor Variance and Consent applications. YCDSB staff have reviewed the material provided and have no comments or objections to their approval.

Monika Sadler
Planner and Project Analyst, Planning Services
York Catholic District School Board

Wong, Justin

From: Wong, Justin
Sent: Wednesday, February 15, 2023 4:53 PM
To: Committee of Adjustment
Subject: CONS.23.V.0018 (B001/23) - York Region Condition

Hi,

York Region have reviewed the above noted consent application and have no issue with the severance. However, the Region requires:

1. Confirmation of Servicing Allocation

“Prior to approval of the consent application, the Region requests that the City of Vaughan confirm through email that adequate water supply and sewage capacity has been allocated for the proposed new lot.”

Regards,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Justin Wong, MCIP, RPP | Planner, Planning and Economic Development Branch, Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71577 | Justin.Wong@york.ca | york.ca

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

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Planning Justification Report



December 20, 2022

Christine Vigneault
Manager, Development Services & Secretary Treasurer to the Committee of Adjustment
City of Vaughan | Office of the City Clerk
2141 Major Mackenzie Drive, Vaughan ON
L6A 1T1

Dear Ms. Vigneault:

**RE: PLANNING JUSTIFICATION LETTER
209 Crestwood Road, Vaughan ON**

Ianhall Planning Ltd. has been retained by Hamid Talebi (the “Owner”), to provide this planning justification letter in support of a proposed Consent (Severance) application, and proposed Minor Variance applications for the newly created parcels resulting from the proposed severance, for the property municipally addressed as **209 Crestwood Road** (hereinafter the “Subject Site”).

SUBJECT SITE/SURROUNDING AREA & BACKGROUND CONTEXT

The Subject Site is currently comprised of a single detached dwelling on a residential lot that is 1,170 m² in size, and which has a lot frontage of 25.27 metres. The Subject Site is situated on the south side of Crestwood Road, which is an east-west local road located northeast of the intersection of Bathurst Street and Steeles Avenue West (which is a Regional Rapid Transit Corridor).

The land uses within the surrounding area of the Subject Site generally include the following:

North: Crestwood Road, and existing low-density residential neighbourhood, primarily comprised of single detached dwellings.

South: Existing low-density residential neighbourhood adjacent to the Subject Site (primarily made up of single detached dwellings (which front onto Townsgate Drive, one street south of Crestwood Road), as well high-density residential apartments between Townsgate Drive and Steeles Avenue West.

East: Existing low-density residential neighbourhood, primarily comprised of single detached dwellings.

West: Existing low-density residential neighbourhood, primarily comprised of single detached dwellings, and commercial uses along Bathurst Street.

Original Proposal

Originally, the previous owner of the Subject Site submitted Consent/Minor Variance applications back in 2019, whereby the proposed severance to split the Subject Site into two (2) new parcels resulted in four (4) variances required in association with the proposed new 3-storey single-detached dwellings proposed for each newly created parcel. The proposed variances and required relief from Vaughan Zoning By-Law 1-88 (ZBL 1-88) may be summarized as follows:

- Proposed minimum westerly and easterly interior side yard setbacks of 0.9 metres to a chimney (whereas 1.2 metres is permitted by ZBL 1-88);
- Proposed minimum lot frontage of 12.62 metres for each created parcel (whereas 15 metres is required by ZBL 1-88); and
- Proposed maximum height of 10 metres for a dwelling (whereas 9.5 metres is permitted by ZBL 1-88).

CURRENT PROPOSAL & REQUIRED ZONING RELIEF

Firstly, it is important to note that on October 20, 2021, City of Vaughan City Council passed a new Zoning By-law (ZBL 001-2021), which is currently under appeal. As such, and until such time as the appeals have been resolved, all applications are to be assessed for compliance with both ZBL 1-88 and ZBL 001-2021 (as amended), including the proposed development.

Furthermore, since the previous application in 2019 described above, the new (and current) Owner has submitted a new Consent to Sever application, which still contemplates splitting the Subject Site into two (2) new parcels (i.e. Part 1/Lot A and Part 2/Lot B), each of which now propose a new 2-storey (9.5 metre tall) single detached dwelling on each newly created parcel. Part 1/Lot A will have a new lot area of 585.2 m² and Part 2/Lot B will have a new lot area of 584.8 m², each of which comply with the minimum lot area zoning requirement of 450m² for both applicable ZBL's. Lastly, each new proposed dwelling will have 40% lot coverage on each newly created lot, which complies with the 55% maximum lot coverage requirements of each ZBL.

On this basis, the previous variances required as part of the 2019 application with respect to minimum interior setbacks to a chimney and maximum building height requirements are no longer required based on the current proposed development for the Subject Site, which now complies with these (and other) relevant zoning provisions of each applicable ZBL.

Overall, this application only requires one (1) single variance, and this is relief from the minimum lot frontage zoning provision, whereby a minimum of lot frontage of 12.635 metres is being proposed for each newly created parcel, however, both applicable ZBL's require a minimum lot frontage of 15 metres.

POLICY & REGULATORY CONTEXT

Provincial Policy Statement (PPS) (2020)

The Provincial Policy Statement (PPS) came into effect on May 1, 2020, and is an important part of the *More Homes, More choice: Ontario's Housing Supply Action Plan*. The goals of the PPS are to encourage an increase in the mix and supply of housing, protect the environment and public safety, reduce barriers and costs for development and support the economy and job creation. Overall, the PPS sets the policy foundation for regulating the development and use of land and also supports the overall provincial goal of enhancing the quality of life for Ontarians.

The following key policies of the PPS are relevant and applicable to the proposed development at the Subject Site:

Policy 1.1.1 – *Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and*
- i) preparing for the regional and local impacts of a changing climate.*

Policy 1.1.3.1 – *Settlement areas shall be the focus of growth and development.*

Policy 1.1.3.2 – *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive.*

Policy 1.1.3.3 – *Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

Policy 1.4.3 – *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*
- b) permitting and facilitating:*
 - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

RESPONSE/ANALYSIS: The proposed development is consistent with Policies 1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3 and 1.4.3 of the PPS provided above, considering that the proposal represents “gentle density/intensification” within an existing settlement (built-up) area, which efficiently utilizes the existing land (via severance) to accommodate two (2) new single-detached dwellings that will be connected to (and optimize the use of) existing infrastructure and public services, as opposed to development within greenfield lands and/or lands outside of a settlement area for this purpose. On this basis, this approach also addresses climate change concerns, given that this type of development reduces urban sprawl and keeps development focused within the built boundary. In addition, the proposed development is located approximately 300 metres north of Steeles Avenue West, which is an identified Regional Rapid Transit Corridor with operable/available Viva and TTC transit services. The proposed development is also located approximately 1.8 km west of Yonge Street, whereby there is a planned “Yonge North Subway Extension” that will extend TTC services from TTC Finch Station (where TTC Line 1 (Yonge) currently terminates) approximately 8 km north to Richmond Hill. As such, the proposed development is in close proximity to both existing and future planned transit.

Based on the above, it is my interpretation and opinion that the proposed development is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan for the Greater Golden Horseshoe (i.e. “Growth Plan”). was approved by the Province of Ontario on June 16th, 2006, and amended July 1st, 2017, May 16th, 2019 and August 28th, 2020 The Growth Plan sets out policies to manage growth in the Greater Golden Horseshoe to achieve compact, complete communities in the future. The Growth Plan 2019. Under the *Planning Act*, the proposal must conform to or not conflict with the Growth Plan. Similar to the PPS, the objectives of the Growth Plan are to create complete, healthy and safe communities with a focus on growth/intensification in settlement areas and optimizing the use of existing infrastructure and public services.

The following key policies of the Growth Plan are relevant and applicable to the proposed development at the Subject Site:

Policy 2.2.1.2a) – Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) *the vast majority of growth will be directed to settlement areas that:*

- i. have a delineated built boundary;*
- ii. have existing or planned municipal water and wastewater systems; and*
- iii. can support the achievement of complete communities;*

Policy 2.2.1.2c) – within settlement areas, growth will be focused in:

- i. delineated built-up areas;*
- ii. strategic growth areas;*
- iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
- iv. areas with existing or planned public service facilities;*

Policy 2.2.1.4 (a to c) – Applying the policies of this Plan will support the achievement of complete communities that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes; and*
- c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.*

Policy 2.2.2.3 – All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;*
- b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;*
- c) encourage intensification generally throughout the delineated built-up area;*
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
- e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and*
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.*

RESPONSE/ANALYSIS: The proposed development conforms to and/or does not conflict with Policies 2.2.1.2a), 2.2.1.2c), 2.2.1.4 (a to c) and 2.2.2.3 of the Growth Plan provided above, on the basis that the proposal contemplates development within an existing delineated built-up area that will connect to, and optimize the use of existing municipal infrastructure and public services, and which is in close proximity to existing and future planned transit on Steeles Avenue West and Yonge Street respectively. In addition, the proposed development adds to the overall housing stock and contributes to the range of housing options available to the public, which ultimately contributes to the achievement of Vaughan’s minimum intensification targets

Based on the above, it is my interpretation and opinion that the proposed development conforms to and/or does not conflict with the Growth Plan.

York Region Official Plan (YROP)

York Region has recently completed a Municipal Comprehensive Review (MCR) process to review the Region's population and employment forecasts, land budget and Regional Official Plan policies. As a result, the York Region Official Plan (YROP) was adopted by York Regional Council in June 2022, and has also been approved with modifications by the Province of Ontario's Ministry of Municipal Affairs and Housing (MMAH). Once finalized, the approved version of YROP will replace the existing 2010 Regional Official Plan, and as such, the 2010 YROP remains in effect until it is officially replaced by the MMAH approved Plan.

The Subject Site is designated as "Urban Area" in accordance with Map 1 (Regional Structure) of the 2010 YROP. Section 5 of the YROP states that *"the Urban Area will accommodate a significant portion of the planned growth in the Region. Regional Centres and Corridors will be prominent locations for the highest levels of intensification. Growth will also occur in new community areas, Towns and Villages throughout the Region."* On this basis and at a high level (as the YROP policies are fairly broad and at a Regional scale), the proposed development addresses the policies of the YROP, as it represents growth/intensification within the Urban Area, which is designated to accommodate a significant portion of the planned growth for the Region overall. **As such, it is my interpretation and opinion that the proposed development conforms to and/or does not conflict with the 2010 YROP.**

City of Vaughan Official Plan 2010 (VOP 2010)

The City of Vaughan Official Plan 2010 (VOP 2010) was adopted by the City of Vaughan Council on September 7, 2010 and endorsed with modifications by the Region of York on June 28, 2012. It was appealed to the Ontario Municipal Board (OMB) and has subsequently received partial approval by the OMB, and is in force and effect for the Subject Site.

The Subject Site is identified as a "Community Area" on the Urban Structure Map (Schedule 1) of VOP 2010, and designated as "Low-Rise Residential" on the Land Use Map (Schedule 13) of VOP 2010. In addition, the Subject Site is identified part of the "Areas Subject to Policy 9.1.2.3 - Vaughan's Established Large-Lot Neighbourhoods (21-29 metres)" on Schedule 1B of VOP 2010.

The "Four Tests for a Minor Variance" section of this letter (starting below on page 8) provides a more detailed analysis of the applicable VOP 2010 policies, with respect to the *Planning Act* test as to whether or not the proposed variance meets the general intent and purpose of the Official Plan. In addition, this section of the letter will also provide an analysis of the Consent policies of VOP 2010 relative to the proposed severance of the Subject Site.

Bill 23: More Home Built Faster Act, 2022

On October 25th, 2022 the Province introduced Bill 23, *the More Homes Built Faster Act 2022*, that proposes extensive changes and amendments to numerous Acts including the: *City of Toronto Act, 2006 Planning Act, Conservation Authorities Act, Development Charges Act, 1997, Municipal Act, 2001, New Home Construction Licensing Act, 2017, Ontario Heritage Act, Ontario Land Tribunal Act, and the Ontario Underground Infrastructure Notification System Act, 2012*. The Province's stated intent for this Bill is to facilitate the construction of 1.5 million new homes in Ontario within the next 10 years.

At a high level (and although the regulations of the Act are still being finalized), one of the key components of Bill 23 is that it offers new provisions for adding “gentle density/intensification” across existing neighborhoods and greatly increased density around major transit station areas (MTSAs). These measures are an attempt to curb and reduce urban sprawl and enable the highest and best (most efficient) use of land.

On this basis, the proposed development at the Subject Site addresses the overall intent of Bill 23, as it represents a form of “gentle density/intensification” that contemplates adding new housing (in the form of single detached dwellings in this case) within an existing established neighborhood, which is one of the few ways to create new single-detached dwellings within existing delineated built-up areas. In addition, although not specifically located within an identified MTSA, the proposed development is located in close proximity to existing and future transit located along the Steeles Avenue West and Yonge Street corridors.

FOUR (4) TESTS FOR MINOR VARIANCE

It is my interpretation and opinion that that the request for relief from the applicable City of Vaughan ZBL’s meets the four (4) tests as set out under Section 45(1) of the *Planning Act*, as follows:

1. The Variance Meets the General Intent and Purpose of the Official Plan

As noted above on page 7, the Subject Site is identified as a “Community Area” on the Urban Structure Map (Schedule 1) of VOP 2010, and designated as “Low-Rise Residential” on the Land Use Map (Schedule 13) of VOP 2010. In addition, the Subject Site is identified part of the “Areas Subject to Policy 9.1.2.3 - Vaughan’s Established Large-Lot Neighbourhoods (21-29 metres)” on Schedule 1B of VOP 2010.

The following key policies of VOP 2010 are relevant and applicable to the proposed development at the Subject Site, relative to the required test for a Minor Variance:

Policy 9.2.2.1a) – *Low-Rise Residential areas be planned to consist of buildings in a low-rise form no greater than three storeys.*

Policy 9.2.2.1c) – *The following Building Types are permitted in areas designated as Low-Rise Residential, pursuant to policies in subsection 9.2.3 of this Plan:*

- i. Detached house;*

RESPONSE/ANALYSIS: The proposed development is contemplated two (2) single-detached dwellings that are two storeys in height, thereby meeting the policy requirements above.

Policy 9.1.2.1a) – *That new development will respect and reinforce the existing and planned context within which it is situated. More specifically, the built form of new developments will be designed to achieve the following general objectives:*

- a) the physical character of the established neighbourhood within which it is located as set out in policies 9.1.2.2 - 9.1.2.4 or, where no established neighbourhood is located, it shall help establish an appropriate physical character that is compatible with its surroundings, as set out in policy 9.1.2.5. An Established Community Area is a portion of the Community Area identified on Schedule 1 (Urban Structure) generally bounded by Major or Minor Arterial streets or other significant features such as the Natural Heritage System, which is entirely or almost entirely developed and occupied, such that its physical character is well defined;*

RESPONSE/ANALYSIS: The proposed development will reinforce the established and existing context and built form character with respect to the single detached dwellings located within this neighbourhood, specifically the dwellings on the south side of Crestwood Road. As per **Figure 1** below, the dwellings located at 201 and 203 Crestwood Road (3 properties east of the Subject Site) are representative of, and very similar to the resulting built form and proposed dwellings for the Subject Site (i.e. two (2) single detached 2-storey dwellings with a modern/flat roof appearance), which reinforces the single detached context that already exists in the immediate and broader neighbourhood.

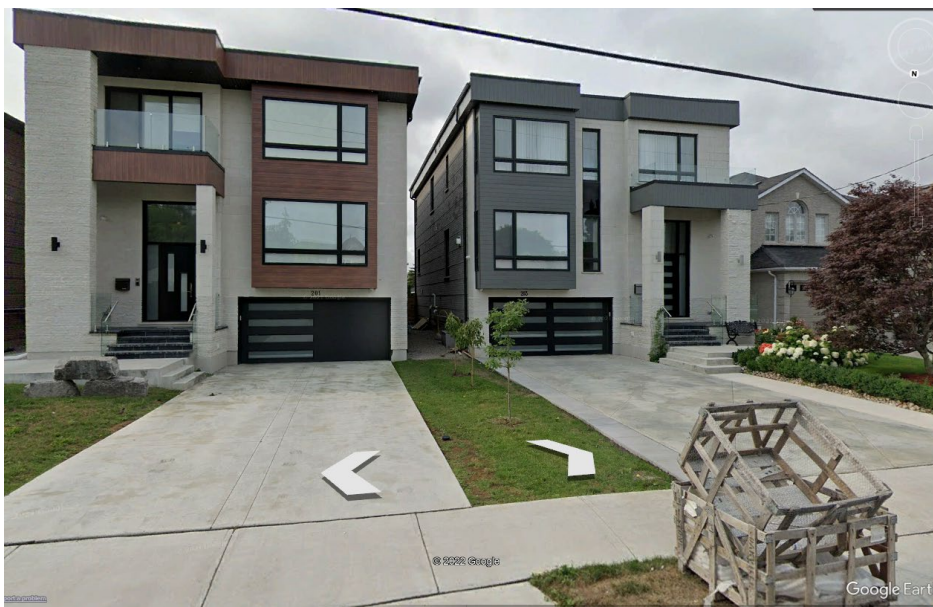


Figure 1 – 201 and 203 Crestwood Road (Source: Google Streetview)

Policy 9.1.2.2 – *That in Established Community Areas, new development as reflected in any zoning, variance, subdivision, consent or part lot control exemption application, will be designed to respect and reinforce the existing physical character and uses of the surrounding area, specifically respecting and reinforcing the following elements:*

- a) the local pattern of lots, streets and blocks;*
- b) the size and configuration of lots;*
- c) the building type of nearby residential properties;*
- d) the orientation of buildings;*
- e) the heights and scale of adjacent and immediately surrounding residential properties;*
- f) the setback of buildings from the street;*
- g) the pattern of rear and side-yard setbacks;*
- h) the presence of mature trees and general landscape character of the streetscape;*
- i) the existing topography and drainage pattern on the lot and in the adjacent and immediately surrounding properties*
- j) conservation and enhancement of heritage buildings, heritage districts and cultural heritage landscapes.*
- k) the above elements are not meant to discourage the incorporation of features that can increase energy efficiency (e.g. solar configuration, solar panels) or environmental sustainability (e.g. natural lands, rainbarrels). (OPA #15)*

RESPONSE/ANALYSIS: Apart from a deficient lot frontage, the proposed development continues to achieve the following with respect to the policies above, which respects and reinforces the existing physical character and uses of the surrounding area as follows:

- maintenance of existing lot, street and block patterns, and provision of a sufficient lot size that complies with the applicable zoning regulations (thereby not creating lots that are undersized), and which also maintains the deep, rectangular configuration of nearby lots, specifically 201, 203, 205 and 207 Crestwood Road, which are to the immediate east of the Subject Site, and it should also be noted that these specific lots are slightly more narrow than some of the wider lots in this neighbourhood (however, this reflects the existing lot pattern in this section of Crestwood Road) (see **Figure 2** below);
- provision of two (2) new single detached dwellings oriented towards the street, which is the established building type in this neighbourhood; and
- provision of two (2) new single detached dwellings that satisfy all of the height and setback requirements of the applicable Zoning By-Laws, which reinforces that a brand new dwelling may be provided on each of the new lots resulting from the proposed severance, which suggests that the proposal does not represent an “overdevelopment” of the Subject Site, but rather that the proposal contemplates an appropriate development that is compatible and in keeping with the existing neighbourhood scale and character of this area of the City.

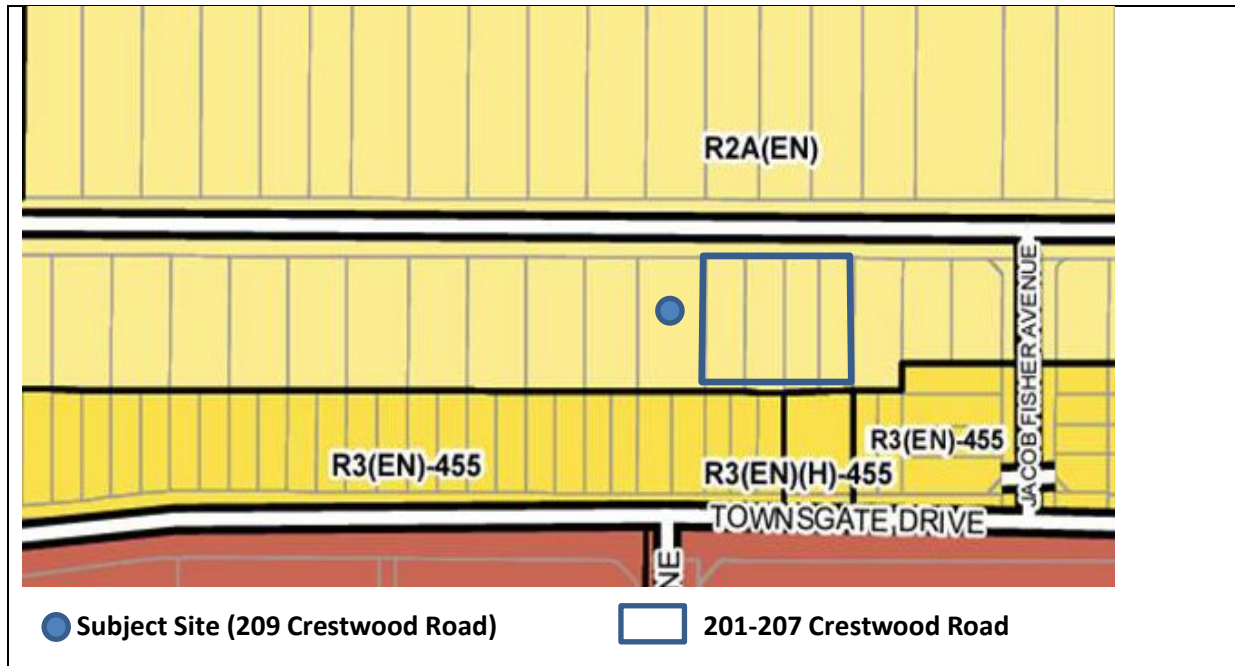


Figure 2 – 201 and 207 Crestwood Road Lot Pattern (Source: City of Vaughan Zoning By-law 001-2021 Schedule A, Map 18)

Policy 9.1.2.3 – *In order to maintain the character of established, large-lot neighbourhoods the following policies shall apply to all developments within these areas (e.g., land severances, zoning by-law amendments and minor variances), based on the current zoning, and guide the preparation of any future City-initiated area specific or comprehensive zoning by-laws affecting these areas.*

- a) *Lot frontage: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjoining lots or the average of the frontage of the adjoining lots where they differ;*
- b) *Lot area: The area of new lots should be consistent with the size of adjoining lots;*
- c) *Lot configuration: New lots should respect the existing lotting fabric in the immediately surrounding area;*
- d) *Front yards and exterior side yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape;*
- e) *Rear yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion on the adjacent residential lots;*
- f) *Dwelling types: A new dwelling replacing an existing one shall be of the same type, as defined in Section 9.2.3 of this Plan, except on a lot fronting an Arterial Street, as identified in Schedule 9 (Future Transportation Network), where a Semi-detached House or Townhouse replacing a detached dwelling may be permitted, subject to Policy 9.1.2.4 and the other urban design policies of this plan;*
- g) *Building heights and massing: Should respect the scale of adjacent residential buildings and any city urban design guidelines prepared for Community Areas;*
- h) *Lot coverage: In order to maintain the low-density character of these areas and ensure opportunities for generous amenity and landscaping areas, lot coverage consistent with development in the area and as provided for in the zoning by-law is required to regulate*

the area of the building footprint within the building envelope, as defined by the minimum yard requirements of the zoning by-law. (OPA #15)

RESPONSE/ANALYSIS: Firstly, apart from Policy 9.1.2.3a) (which will be discussed separately below), the proposed development addresses the above noted policies as follows:

- Lot areas resulting from the severance are consistent with the existing lot areas within this neighbourhood, and each newly created lot complies with the minimum lot area zoning requirements applicable to the Subject Site, which confirms that the proposed severance is not creating undersized lots based on the lot area requirements for this neighbourhood;
- The proposed new lots respect the existing lot fabric in the immediate surrounding area, particularly relative to 201, 203, 205 and 207 Crestwood Road, all to the immediate east of the Subject Site and on the south side of Crestwood Road (see **Figure 2** above); and
- The proposal complies with all front, side and rear yard setbacks (i.e. despite the reduced lot frontage, side yard setback still comply), and also complies with the maximum building height and lot coverage requirements of the applicable Zoning By-laws. On this basis, the proposed 2-storey detached dwelling (which is the predominant built form of this neighbourhood), does not represent an “overdevelopment” of the Subject Site, considering that no other variances other than for lot frontage are triggered. As such, this suggests that the proposed new dwellings on the resulting new lots fit harmoniously and are in keeping with the existing low-rise, single-detached character of this area, considering that the resulting built form can be accommodated with any further zoning relief, thereby minimizing impacts of a planning nature on the surrounding area, despite that the created lots are just slightly thinner than what exists elsewhere on Crestwood Road.

With respect to Policy 9.1.2.3a), the language provided in this policy uses “suggestive” wording, and states *“In the case of lot creation, new lots **should** be equal to or exceed the frontages of the adjoining lots or the average of the frontage of the adjoining lots where they differ.”* Given that this policy wording does not say “shall”, it is my interpretation that this policy is not a strict requirement with no flexibility, but rather it reflects policy language that suggests or encourages lot creation as described above. In this case, while the proposed new lots do not directly satisfy this policy, the new lots provided have frontages that are only slightly less (i.e. 30 cm) than the already existing (approved) lots at 201 and 203 Crestwood Road (i.e. 12.935 metre lots vs. 12.635 metre lots proposed for the Subject Site). It is my opinion that this 30 cm difference (the equivalent to a standard elementary school ruler) is not even perceptible from the street level, and as such the proposal is not contemplating anything out of character with what already exists in this neighbourhood.

On this basis, and although the lot frontage is undersized in comparison to what’s required, this is only the item that requires relief to implement the proposed development, and it is not perceptibly undersized in comparison to what already exists in the immediate area of the Subject Site (as described above). Furthermore, considering that the newly created lots resulting from the severance are not undersized from a lot area standpoint, and that they do

not require any associated built form variances to implement the proposed dwellings, it is my opinion that the proposed development meets the all of the remaining criteria of Policy 9.2.1.3 accordingly, which in my opinion satisfies the “**general**” intent of the Official Plan, as this is the test for a Minor Variance under the *Planning Act*. If there were variances required in associated with the proposed severance, for lot area or other built form variances, this would impact the assessment to the feasibility of the proposed development, as the impacts from a planning standpoint would need to be considered relative to the variances in question, but again, the only variance required in this case is for a lot frontage reduction, and there is direct/nearby precedent similar to the proposed development, which physically demonstrates that compatible single detached dwellings can fit harmoniously within the existing neighbourhood despite the deficient lot frontage.

Policy 10.1.2.47 – *That in addition to matters under the Planning Act, the Committee of Adjustment, in determining whether a consent is to be granted, shall have regard for the following matters in consultation with the appropriate departments and agencies:*

- a) *Compatibility of the proposed size, shape and use of the lot with:*
 - i. *the local pattern of lots, streets and blocks;*
 - ii. *the size and configuration of existing lots;*
 - iii. *the building type of nearby properties;*
 - iv. *the heights and scale of nearby properties;*
 - v. *the setback of buildings from the street;*
 - vi. *the pattern of rear and side-yard setbacks; and*
 - vii. *conservation and enhancement of heritage buildings, heritage districts and cultural heritage landscapes.*

RESPONSE/ANALYSIS: As noted above, the proposed consent application satisfies the above criteria on the basis that it will provide new lots that are compatible with:

- the existing patterns of lots, streets and blocks, as well as the size and configuration of lots, considering the deep/rectangular lot configuration being maintained through this proposal with compliant resulting lot sizes, as well as the provision of a consistent lot fabric based on the immediate surrounding context (particularly with respect to the properties located from 201 to 207 Crestwood Road, abutting the Subject Site to the east – see **Figure 2** earlier in this letter);
- the existing low-rise, single detached 2-storey character that exists on Crestwood Road; and
- the provision of compliant setbacks on all sides of the proposed dwelling despite the reduced lot frontage (relative to side yard setbacks), which respects and reinforces the existing pattern of setbacks in this neighbourhood.

In addition, **Policies 10.1.2.47b)** and **10.1.2.47c)** speak to site access and servicing. The proposed development will maintain its access from Crestwood Road to the north (same as the rest of the properties located along the south side of Crestwood Road), and it will also have access to existing and available municipal services, and not require any new servicing to accommodate the proposed new dwellings.

Based on the above, the requested variances maintain the general intent and purpose of the Official Plan.

2. The Variance Meets the General Intent and Purpose of the Zoning By-law

The Subject Site is zoned "Residential 2 (R2)" in the ZBL 1-88, and "Residential 2A, Established Neighbourhood (R2A(EN))" in ZBL 001-2021

The following is an assessment of how the proposed single (1) variance maintains the general intent and purpose of the provisions being sought.

As noted earlier in this letter, the proposed development requires relief from the minimum lot frontage requirements of each applicable ZBL, whereby 15 metres is the minimum required lot frontage and 12.635 metres represents the proposed lot frontage of each newly created lot resulting from the proposed severance, which is a deficiency of 2.365 metres. As per the detailed discussion and analysis provided throughout this letter, this is only a 30 cm difference to what already exists in this immediate neighbourhood, relative to the existing dwellings located at 201 and 203 Crestwood Road (just 3 properties east of the Subject Site), which each have a lot frontage of 12.935 metres. Furthermore, given that the proposed severance results in two new lots that comply with the minimum lot area requirements, as well as no further built form variances needed to implement the proposed dwellings on each resulting lot, it is my opinion that the proposal represents a development that is appropriate in size and scale based on the existing neighbourhood context. On this basis, the proposed development is not representative of "overdevelopment" on an undersized lot that is too intense or massive in scale, rather it represents development at an appropriate scale overall, whereby the lot frontage reduction impacts do not have any negative impacts of a planning nature on this neighbourhood (and are not even realized from the streetscape).

3. The Variance is Desirable for the Appropriate Development or Use of the Land

The proposed applications are desirable for the appropriate development and use of land as the proposal allows for the creation of two brand new lots of an appropriate size and scale within an existing established neighbourhood, thereby renewing the housing stock in an appropriate and compatible manner. To reiterate, the proposed severance only results in one (1) variance to the minimum required lot frontage in order to implement the development of 2 brand new single-detached dwellings. There is no variance required for minimum lot area, which confirms that the resulting lot areas are of sufficient size for this neighbourhood, and the fact the no built form variances are required to implement the development of each proposed single detached dwelling reinforces that new dwellings may be provided in this existing established neighbourhood in a compatible and non-invasive manner within minimal impacts to the surrounding area. As also mentioned in this letter, despite the reduced lot frontage required to implement this proposal, the proposed new dwellings still provide compliant side yard setbacks, which suggests that the reduced frontage does not have any negative impacts that result in the need for reduced setbacks and spacing between adjacent dwellings, but rather

sufficient spacing and separation between dwellings can still be maintained as a result of this proposal, making it an appropriate use of the Subject Site from a building separation standpoint.

As noted earlier in this letter, the proposed development represents a form of “gentle density/intensification” that creates new housing opportunities within the already built-up area of the City. As previously noted, severances are one of the few ways to create new single detached housing within built-up areas, and this proposal achieves a redevelopment of two brand new dwellings at an appropriate size and scale based on the existing neighbourhood context.

4. The Variance is Minor in Nature

Based on the above analysis, it is my interpretation and opinion the proposed variance to reduce minimum lot frontage does not rise to a level of unacceptable adverse impacts of a planning nature. Rather, the proposed severance is only 30 cm smaller than two (2) existing single detached dwellings at 201 and 203 Crestwood Road to the immediate east of the Subject Site, which is in my opinion is not even perceptible from the street level, and overall the resulting lot area still allows for two (2) brand new single detached dwellings to be constructed without the need for any corresponding built form variances (which results in even lesser impacts on the surrounding area).

CONCLUSION

In conclusion, I believe the requested Consent and Minor Variance applications to permit the proposed development on the Subject Site is in the public interest and represents good planning.

If you have any further questions, please do not hesitate to contact me. Thank you.

Yours truly,

Ianhall Planning Ltd.



Andrew Palumbo, MCIP, RPP
President

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
B014/19, A121/19, A122/169	10/31/2019	REFUSED; COA

NOTICE OF DECISION
Consent Application B014/19
 Section 53 of the Planning Act, R.S.O, 1990, c.P.13

- Date of Hearing:** Thursday, October 31, 2019
- Applicant:** Albert Kshoznicer
- Agent:** Matjaz Skube
- Property:** 209 Crestwood Rd Thornhill
- Zoning:** The subject lands are zoned R2, Residential under By-law 1-88 as amended.
- OP Designation:** Vaughan Official Plan 2010: Low-Rise Residential
- Related Files:** B014/19, A121/19 & A122/19
- Purpose:** Consent is being requested to sever a parcel of land for residential purposes, approximately 584.21 square metres, while retaining a parcel of land approximately 584.21 square metres for residential purposes.
- Both the severed and retained land will maintain frontage onto Crestwood Road and the existing single family dwelling is to be demolished.
- Sketch:** A sketch illustrating the request has been attached to the decision.

Having regard to the written and oral submissions related to this application as required by Section 53(18), the requirements of Section 51(24) as required by Section 53(12) and matters of Provincial interest (Provincial Policy Statement) as required by Section 3(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, it is the decision of the Committee that provisional consent of the application:

THAT Application No. B014/19 on behalf of Albert Kshoznicerbe **REFUSED** for the following reasons:

1. The proposal does not conform to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal does not conform with the City of Vaughan Official Plan
3. The proposal does not conform to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.
4. The general intent and purpose of the by-law will not be maintained.
5. The proposed severance is not desirable for the appropriate development of the land.

Written & oral submissions were received from the following:

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday , October 31, 2019 meeting for submission details.
None	None


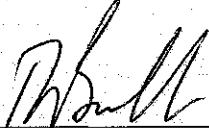

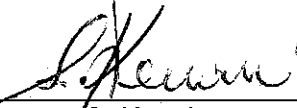
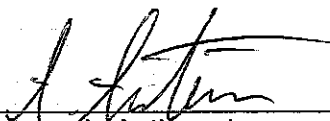
Late Written Public Submissions:

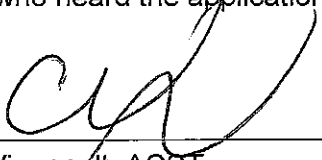
In accordance with the Committee of Adjustment Procedural By-law (069-2019) public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

List late public written submissions:

Name: Victor Salvador Address: 211 Crestwood Road, Thornhill Correspondence: Letter of Support (provided at hearing)
Name: Oleg Ostrovski Address: 207 Crestwood Road, Thornhill Correspondent: Letter of Support (provided at hearing)

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

		
H. Zheng Member	R. Buckler Chair	A. Perrella Vice Chair
		
S. Kerwin Member		A. Antinucci Member

DATE OF HEARING:	Thursday, October 31, 2019
DATE OF NOTICE:	November 8, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	November 28, 2019 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan Hill Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.	
 <hr/> Christine Vigneault, ACST Manager Development Services & Secretary-Treasurer Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
 The *Planning Act*, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any other person or public body who has an interest in the matter may within **20 days after** the giving of notice appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days after the giving of notice the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: \$817.00 per application

*Please note that all fees are subject to change.

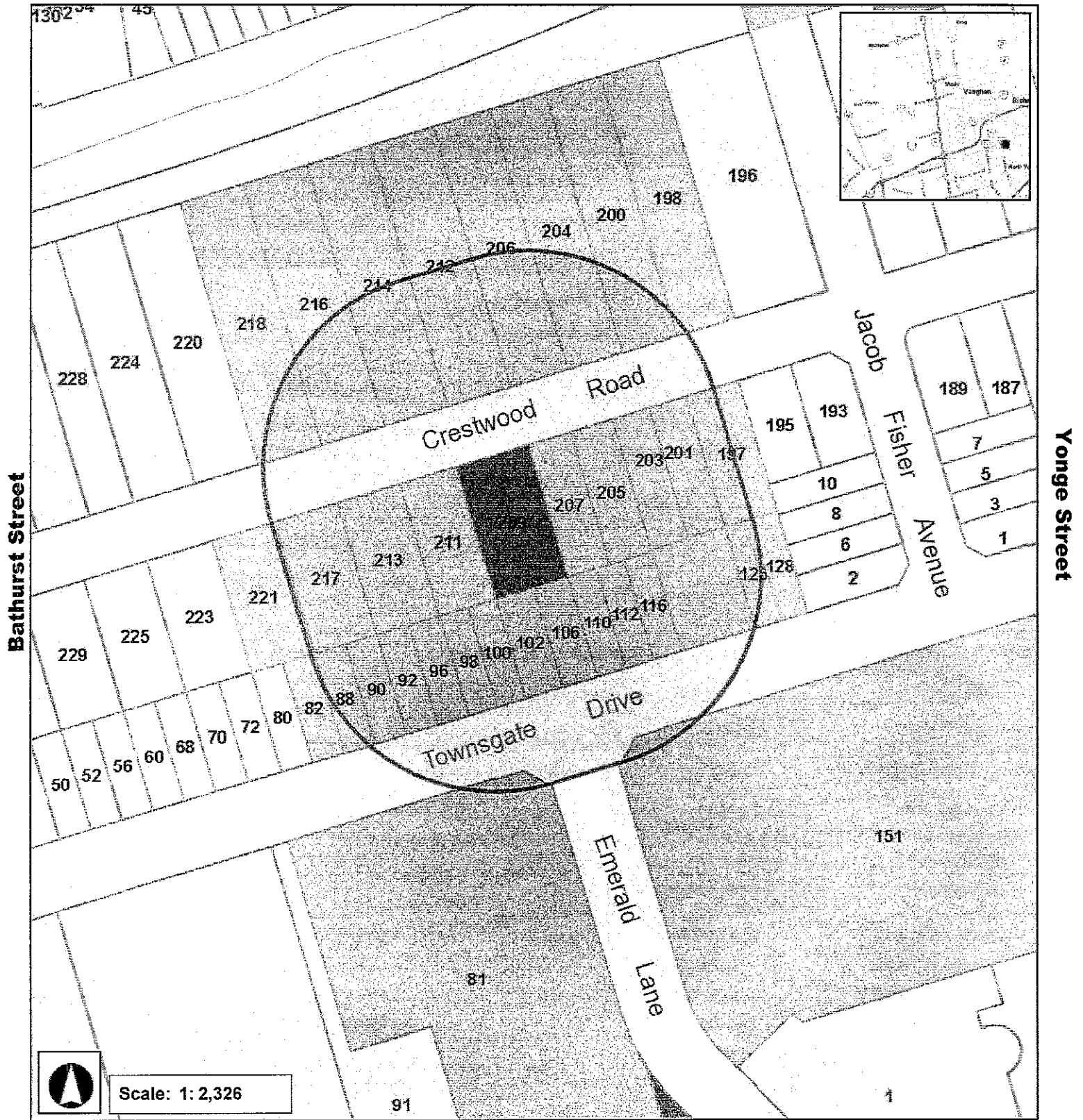


VAUGHAN

LOCATION MAP - B014/19, A121/19 & A122/19

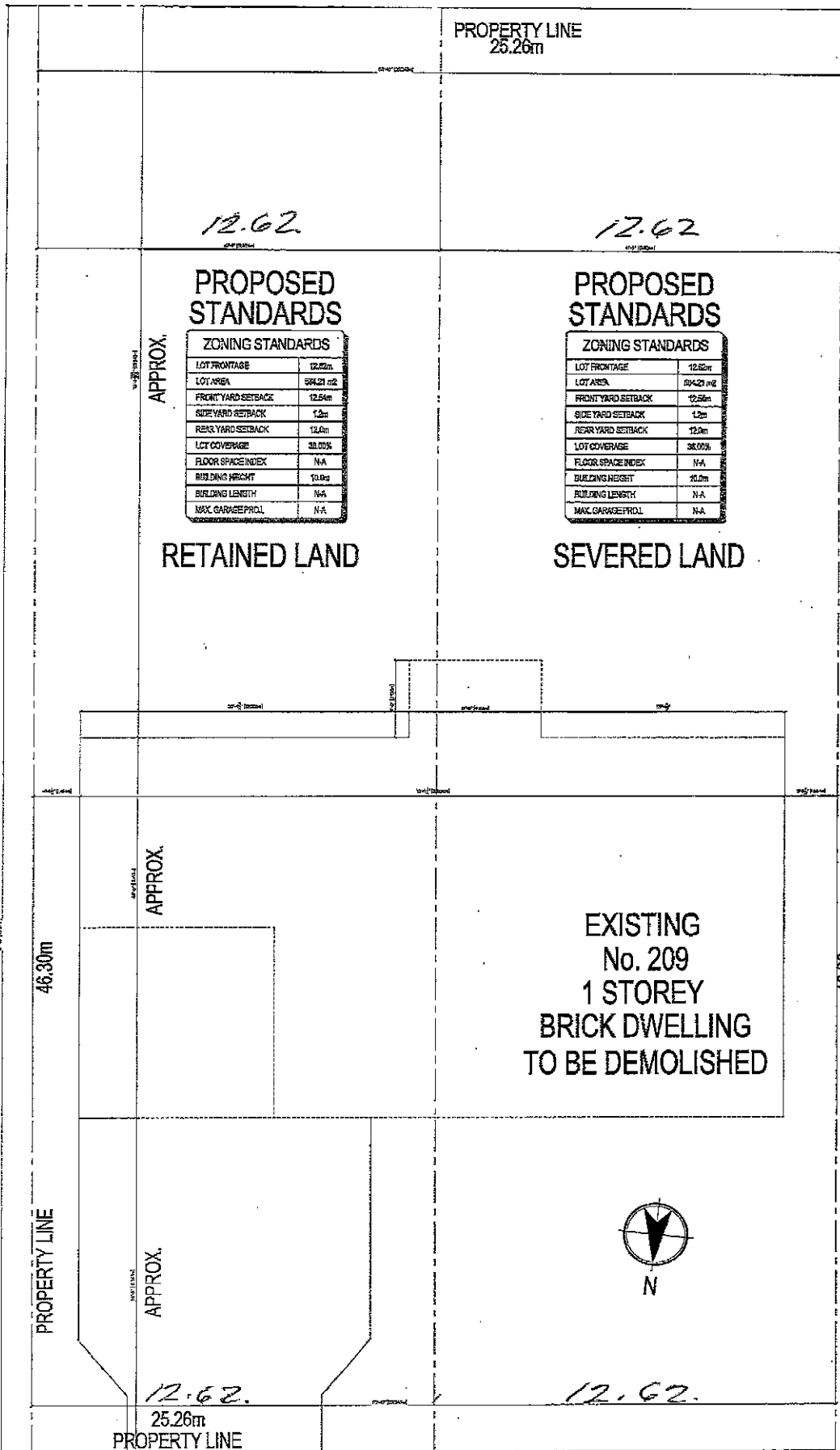
209 CRESTWOOD ROAD, THORNHILL

Highway 7



Steeles Avenue West

October 15, 2019 2:58 PM



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NOTICE OF DECISION
Minor Variance Application A121/19
 Section 45 of the Planning Act, R.S.O., 1990, c.P.13

Date of Hearing: Thursday, October 31, 2019

Applicant: Albert Kshoznicer

Agent: Matjaz Skube

Property: 209 Crestwood Rd Thornhill

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

OP Designation: Vaughan Official Plan 2010: Low-Rise Residential

Related Files: B014/19, A121/19 & A122/19

Purpose: Relief from the by-law is being requested to permit reduced lot frontage on the **retained land** to facilitate Consent Application B014/19. Relief is also being sought to permit the construction of a proposed single family dwelling on the **retained land** (B014/19).

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 1.2 metres is required.	1. To permit a minimum westerly interior side yard setback of 0.9 metres to a chimney.
2. A minimum interior side yard setback of 1.2 metres is required.	2. To permit a minimum easterly interior side yard setback of 0.9 metres to a chimney.
3. A minimum lot frontage of 15 metres is required.	3. To permit a minimum lot frontage of 12.62 metres.
4. A maximum building height of 9.5 metres is permitted.	4. To permit a maximum height of 10 metres for a dwelling.

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A121/19, on behalf of Albert Kshoznicer, be **REFUSED**.

For the following reasons:

1. The general intent and purpose of the by-law will not be maintained.
2. The general intent and purpose of the official plan will not be maintained.
3. The requested variance(s) is/are not acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are not minor in nature.

Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday , October 31, 2019 meeting for submission details.
None	None


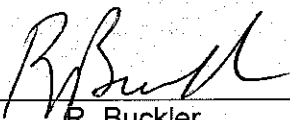


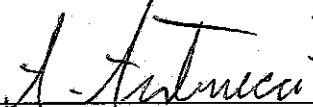
Late Written Public Submissions:


In accordance with the Committee of Adjustment Procedural By-law (069-2019) 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.

List late public submissions:

Name: Victor Salvador Address: 211 Crestwood Road, Thornhill Correspondence: Letter of Support (provided at hearing)
Name: Oleg Ostrovski Address: 207 Crestwood Road, Thornhill Correspondent: Letter of Support (provided at hearing)

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

		
H. Zheng Member	R. Buckler Chair	A. Perrella Vice Chair
		
S. Kerwin Member		A. Antinucci Member

DATE OF HEARING:	Thursday, October 31, 2019
DATE OF NOTICE:	November 8, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	November 20, 2019 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.	
	
Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The *Planning Act*, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elfto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: \$817.00 per application

*Please note that all fees are subject to change.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from each respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All applicable conditions must be cleared prior to the issuance of a Building Permit.

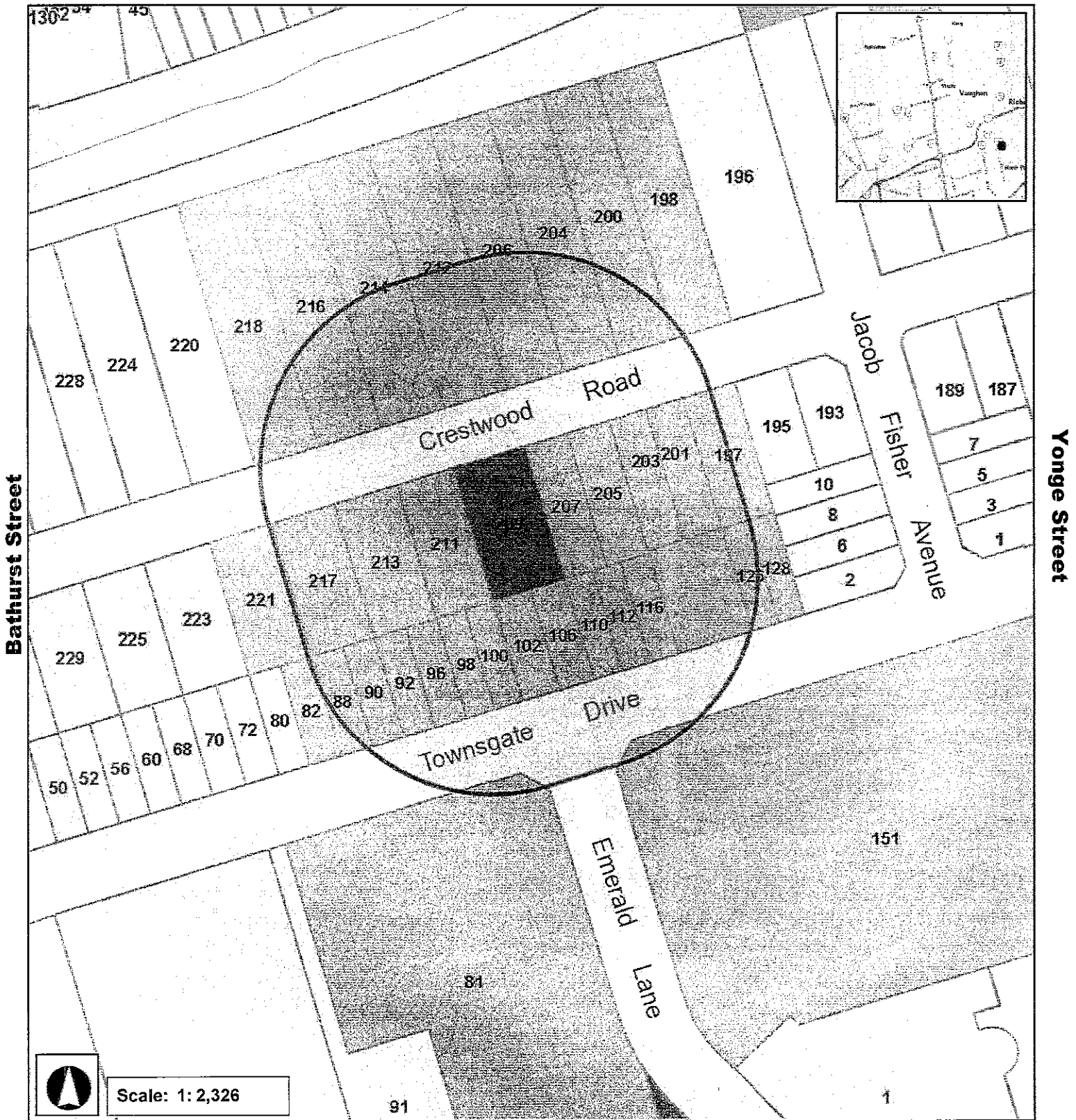


VAUGHAN

LOCATION MAP - B014/19, A121/19 & A122/19

209 CRESTWOOD ROAD, THORNHILL

Highway 7

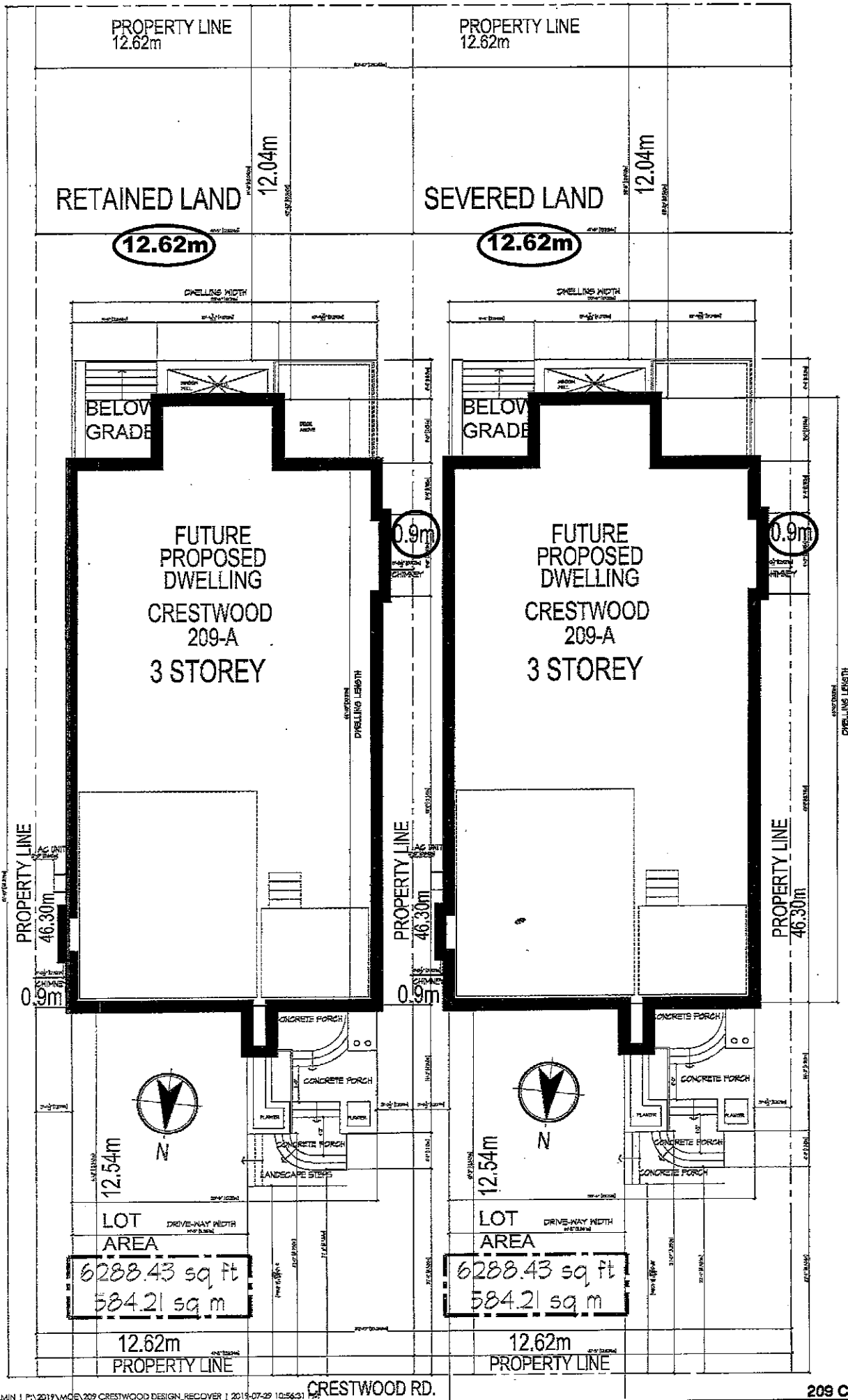


Steeles Avenue West

October 15, 2019 2:58 PM

Westerly interior side yard setback 0.9m to a chimney
 Easterly interior side yard setback 0.9m to a chimney
 Lot Frontage = 12.62m

A121/19



ADMIN | P:\2019\UMQ\209 CRESTWOOD DESIGN_REC\COVER | 2019-07-29 10:56:31

Uni-vative Designs Inc.
 15-40 Vogel Road, Richmond Hill, ON L4B 3N6
 Phone: 905-237-7102 Fax: 905-237-7103
 Website: www.uni-vativedesigns.com

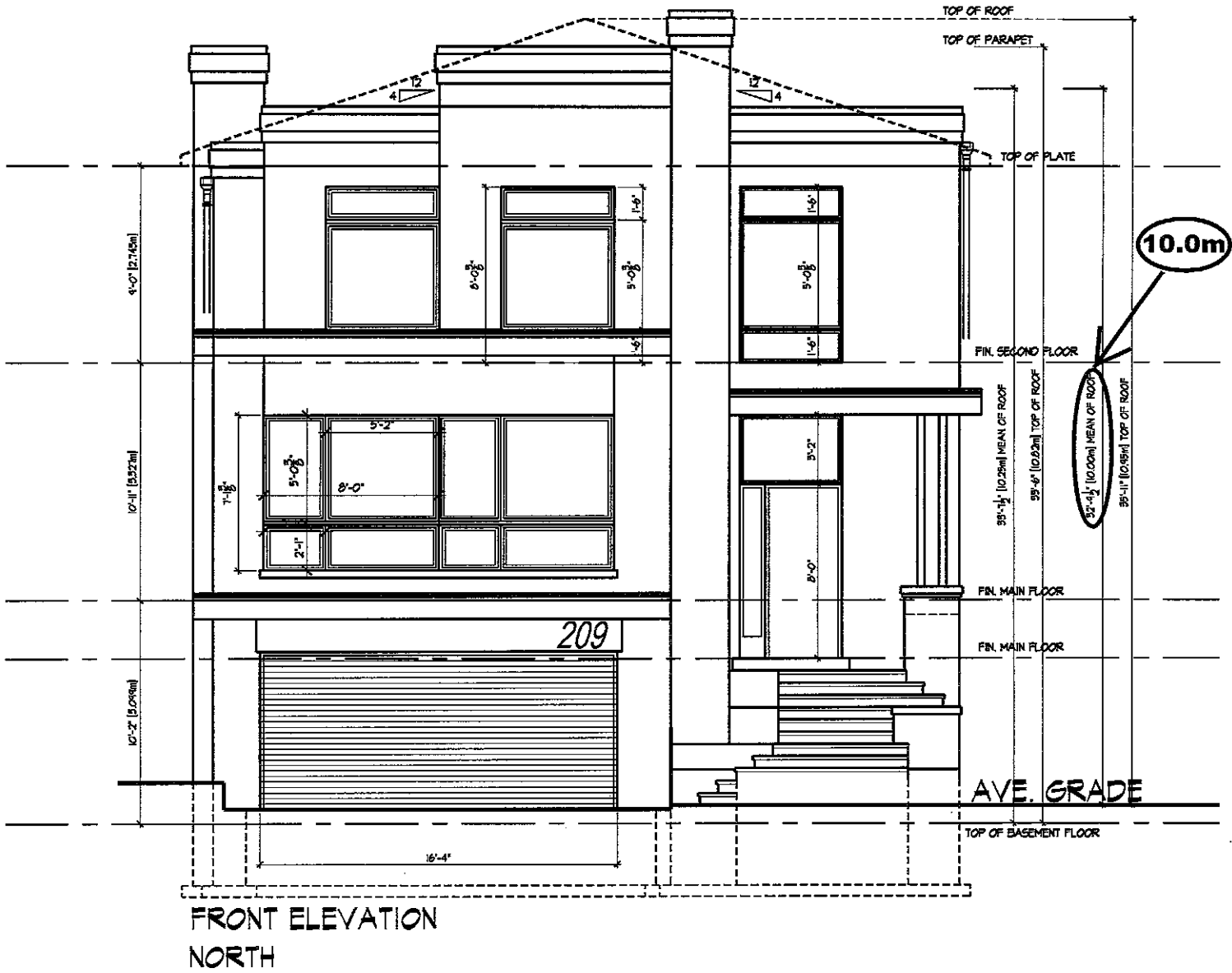
Qualification Information
 Uni-vative Design Inc. (the Designer) has reviewed and taken responsibility for this design, as well as ensuring the qualifications and requirements mandated by the Ontario Building Code (OBC) to be a Designer.
DESIGNER
 NAME: MATJAZ SKUBIS 21058
 TITLE: ARCHITECT
Registration Information
 Registered under the design act under Div. C-32.4 of the O.C.C.
UNIVERSITY DESIGN
 NAME: 2056
 TITLE: 2056

209 CRESTWOOD
 TORONTO, ONTARIO
 Drawn by: UDI
 Checked by: UDI
 Scale: 3/16"=1'-0"

Unit Name
 File Number: 209 CRESTWOOD
 Page Number: 3 of 6

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A121/19 & A122/19



209 CRESTWOOD

well as having the
a (O.B.C.) to be a

209 CRESTWOOD
TORONTO, ONTARIO

'Unit Name'

SIGNATURE _____

Drawn By UDI	Checked By -	Scale 3/16"=1'-0"	File Number 209 CRESTWOOD	Page Number 5 of 6
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NOTICE OF DECISION
Minor Variance Application A122/19
 Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing: Thursday, October 31, 2019
Applicant: Albert Kshoznicer
Agent: Matjaz Skube
Property: **209 Crestwood Rd Thornhill**
Zoning: The subject lands are zoned R2, Residential under By-law 1-88 as amended.
OP Designation: Vaughan Official Plan 2010: Low-Rise Residential
Related Files: B014/19, A121/19 & A122/19
Purpose: Relief from the by-law is being requested to permit reduced lot frontage on the **severed land** to facilitate Consent Application B014/19. Relief is also being sought to permit the construction of a proposed single family dwelling on the severed land (B014/19).

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 1.2 metres is required.	1. To permit a minimum westerly interior side yard setback of 0.9 metres to a chimney.
2. A minimum interior side yard setback of 1.2 metres is required.	2. To permit a minimum easterly interior side yard setback of 0.9 metres to a chimney.
3. A minimum lot frontage of 15 metres is required.	3. To permit a minimum lot frontage of 12.62 metres.
4. A maximum building height of 9.5 metres is permitted.	4. To permit a maximum building height of 10 metres for a dwelling.

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A122/19, on behalf of Albert Kshoznicer, be **REFUSED**.

For the following reasons:

1. The general intent and purpose of the by-law will not be maintained.
2. The general intent and purpose of the official plan will not be maintained.
3. The requested variance(s) is/are not acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are not minor in nature.

Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday , October 31, 2019 meeting for submission details.
None	None


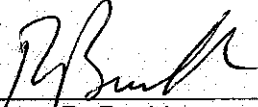
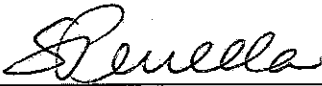
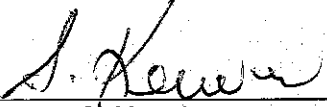
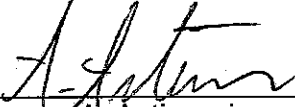
Late Written Public Submissions:


In accordance with the Committee of Adjustment Procedural By-law (069-2019) 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.

List late public submissions:

Name: Victor Salvador
Address: 211 Crestwood Road, Thornhill
Correspondence: Letter of Support (provided at hearing)
Name: Oleg Ostrovski
Address: 207 Crestwood Road, Thornhill
Correspondent: Letter of Support (provided at hearing)

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

		
H. Zheng Member	R. Buckler Chair	A. Perrella Vice Chair
		
S. Kerwin Member		A. Antinucci Member

DATE OF HEARING:	Thursday, October 31, 2019
DATE OF NOTICE:	November 8, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	November 20, 2019 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.	
 <hr/> Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
 The *Planning Act*, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

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Appeal Fees & Forms

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City of Vaughan LPAT Processing Fee: \$817.00 per application

*Please note that all fees are subject to change.

Conditions

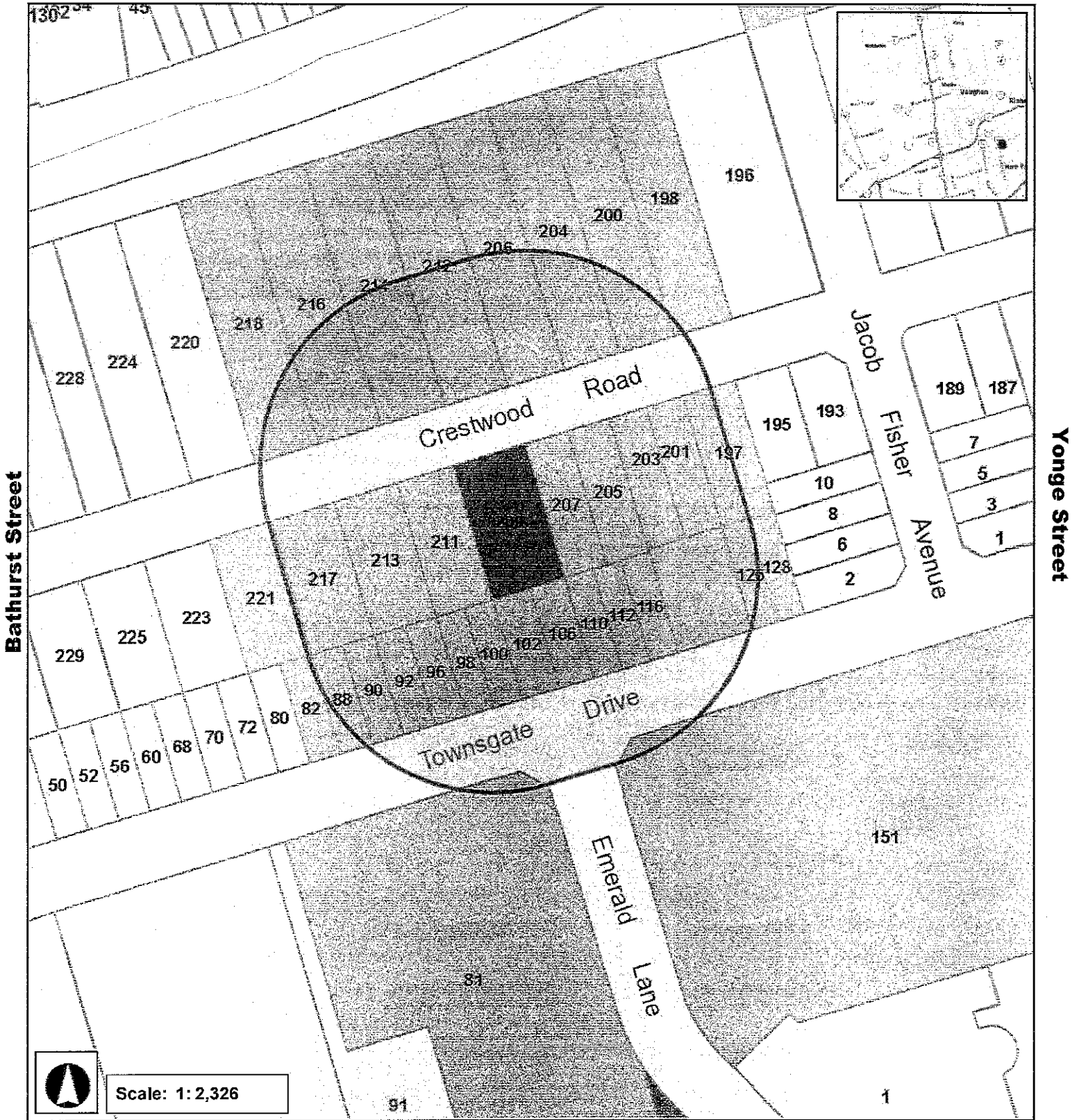
It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from each respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All applicable conditions must be cleared prior to the issuance of a Building Permit.



LOCATION MAP - B014/19, A121/19 & A122/19

209 CRESTWOOD ROAD, THORNHILL

Highway 7

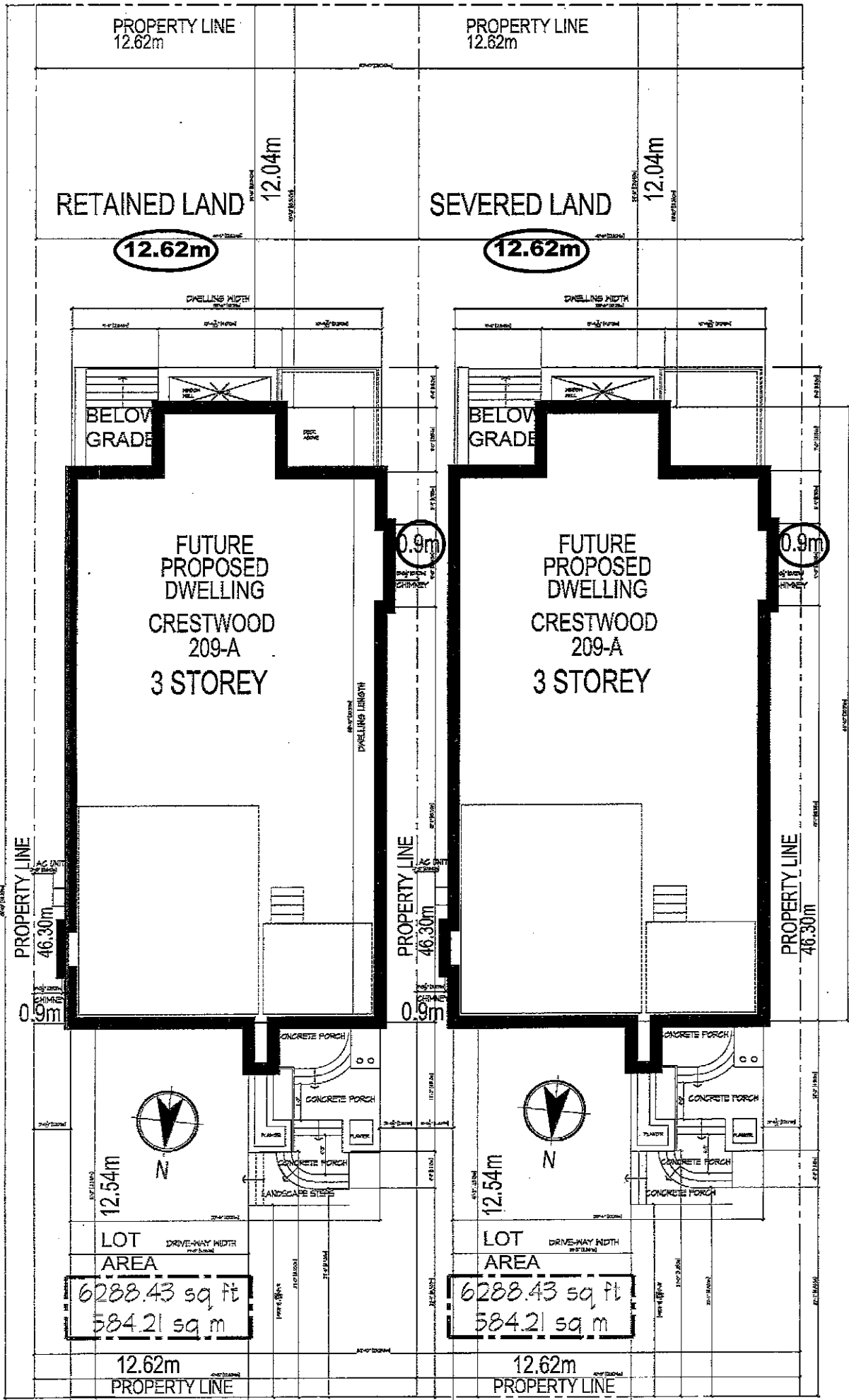


Steeles Avenue West

October 15, 2019 2:58 PM

Westerly interior side yard setback 0.9m to a chimney
 Easterly interior side yard setback 0.9m to a chimney
 Lot Frontage = 12.62m

A122/19



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CRESTWOOD RD.

209 CRESTWOOD

Uni-vative Designs Inc.
 15 - 40 Vogelil Road, Richmond Hill, ON L4B 3N6
 Phone: 905-237-7102 Fax: 905-237-7103
 Website: www.univativedesigns.com

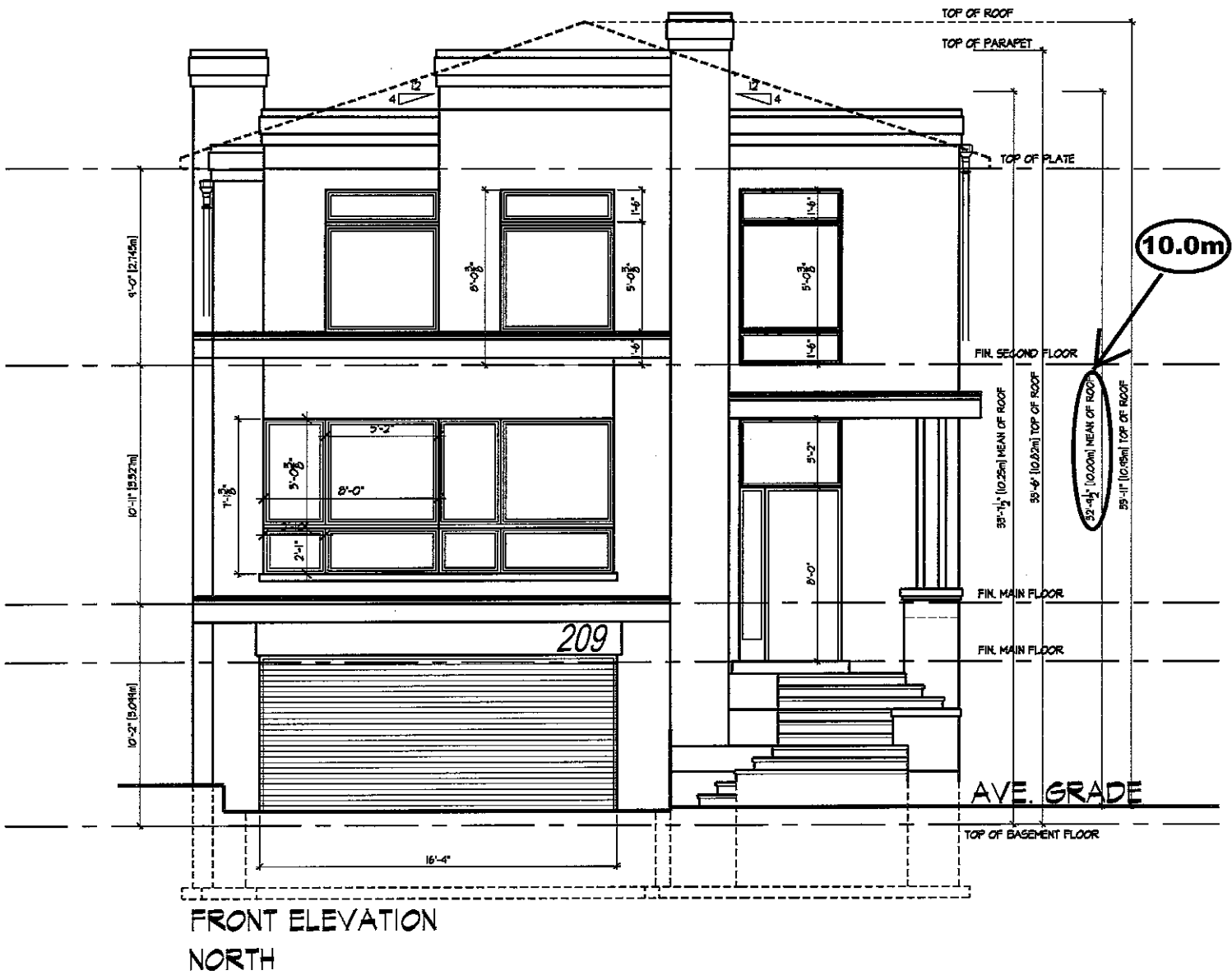
Qualification Information
 I am a PROFESSIONAL (Reviewed and take responsibility for this design, as well as holding me applicable and requirements imposed by the Ontario Building Code (OBC)) to be a Designer.
 NAME: MATJAZ SKUBE 2102P JUN ARCHITECTURE
Registration Information
 Received under the scope of control under the C-324 of the O.A.C.
 INVADE DESIGN 2834
 UDI

209 CRESTWOOD
 TORONTO, ONTARIO
 Drawn By: UDI
 Checked By: -
 Scale: 3/16"=1'-0"

'Unit Name'
 File Number: 209 CRESTWOOD
 Page Number: 3 of 6

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A121/19 & A122/19



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a (O.B.C.) to be a

209 CRESTWOOD
TORONTO, ONTARIO

'Unit Name'

SIGNATURE

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UDI

Checked By
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Scale
3/16"=1'-0"

File Number
209 CRESTWOOD

Page Number
5 of 6

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