

File: A116/21

Applicant: Joseph Longo Donna Longo

Address: 18 Colony Ct Kleinburg

Agent: David Small Designs

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection		
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, October 28, 2021

***Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).**



Minor Variance Application

Agenda Item: 5

A116/21

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, October 28, 2021 at 6:00 p.m.
 As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
 Office of the City Clerk – Committee of Adjustment
 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

- Applicant:** Joseph Longo Donna Longo
- Agent:** David Small Designs
- Property:** **18 Colony Ct Kleinburg**
- Zoning:** The subject lands are zoned R1 9(1128) and subject to the provisions of Exception under By-law 1-88 as amended
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
- Related Files:** None
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed single family dwelling and cabana.

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

By-law Requirement	Proposal
1. A maximum lot coverage of 40% is permitted. [Section 4.1.1, T-118]	1. To permit a maximum lot coverage of 42.13%. (34.67% dwelling +garage; 4.65% rear porch; 0.68% front porch; 2.13% cabana)
2. A minimum rear yard setback of 9.0 metres is required [Section 4.1.1, T-118]	2. To permit a minimum rear yard setback of 0.90 metres to an accessory structure (cabana).
3. A minimum interior side yard setback of 1.5 metres is required. [Section 4.1.1, T-118]	3. To permit a minimum interior side yard (easterly) setback of 0.90 metres to an accessory structure (cabana).

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

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

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

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on October 6, 2021

Applicant confirmed posting of signage on October 7, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	Vacant Lot (Purchased 2020)

Applicant has advised that they cannot comply with By-law for the following reason(s):
The subject lot is wide but shallow and the homeowners want a pool for their family. The cabana is for pool equipment and a change room/3-pce washroom. The requirement for a 9.0m setback would be difficult to achieve with a 12.33m rear yard. The pool with a limited patio area existing the covered porch dictated the appropriate location for the cabana as in the rear section of the yard. We believe the setback distances to the side yards to be an extreme requirement not appropriate for a shallow lot configuration. The application for the house including porches conforms to coverage % permitted but exceeds by the exact amount of the cabana footprint.

Committee of Adjustment recommended conditions of approval: None

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

Building Permit No. 21-100595 for Single Detached Dwelling - New, Issue Date: Mar 03, 2021

Building Permit No. 21-115184 for Shed/Gazebo - New: (Not Yet Issued)

The applicant shall be advised that drawings for building permit shall match those for minor variance application.

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

Building Standards Recommended conditions of approval:

Building Inspections (Septic):

No comments received to date

Development Planning:

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

The Owner is proposing to construct a one-storey single detached dwelling and cabana with the above-noted variances.

The Development Planning Department has no concern with the requested variance for maximum lot coverage. The proposed total lot coverage of 42.13% includes a dwelling coverage of 34.67%, which remains within the maximum 40% allowed for one-storey dwellings under Zoning By-law 1-88. The remaining lot coverage of 5.33% for the front and rear unenclosed porches, and 2.13% for the proposed cabana are considered non-livable space and will not have an impact on the streetscape.

The requested setbacks to the proposed cabana are considered appropriate as it maintains the as-of-right height and area permissions under Zoning By-law 1-88 and is similar in size and scale of other accessory structures within the surrounding neighbourhood.

In support of the application, the Owner has submitted an Arborist Report and Tree Preservation Plan prepared by Welwyn Consulting, dated October 28, 2020. The report inventoried 14 trees, two of which are proposed to be removed. Urban Design staff have reviewed the Arborist Report and concur with its recommendations, subject to minor technical revisions. A condition to this effect is included in the Conditions of Approval.

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

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

If the Committee finds merit in the application, the following Conditions of Approval are recommended:

That the Arborist Report and Tree Preservation Plan, dated October 28, 2020, be approved to the satisfaction of the Development Planning Department.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A116/21.

The owner/applicant shall apply and obtain the necessary curb cut permit through the Transportation and Fleet Management Services. Please visit https://www.vaughan.ca/services/residential/transportation/roads/curb_cuts_and_driveway_widening/Pages/default.aspx to learn how to apply for the curb cut permit.

The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for the pool permit.

Parks Development - Forestry:
No comment no concerns

By-Law and Compliance, Licensing and Permit Services:
No comment no concerns

Development Finance:
No comment no concerns

Fire Department:
No comments received to date

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
None

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)
None

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

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

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

Should the Committee **adjourn** this application the following condition(s) is required: None

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

	Department/Agency	Condition
1	Development Planning Michael Torres 905-832-8585 x 8933 Michael.Torres@vaughan.ca	That the Arborist Report and Tree Preservation Plan, dated October 28, 2020, be approved to the satisfaction of the Development Planning Department.

Conditions

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

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related 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.

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

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

Schedule A: Plans & Sketches

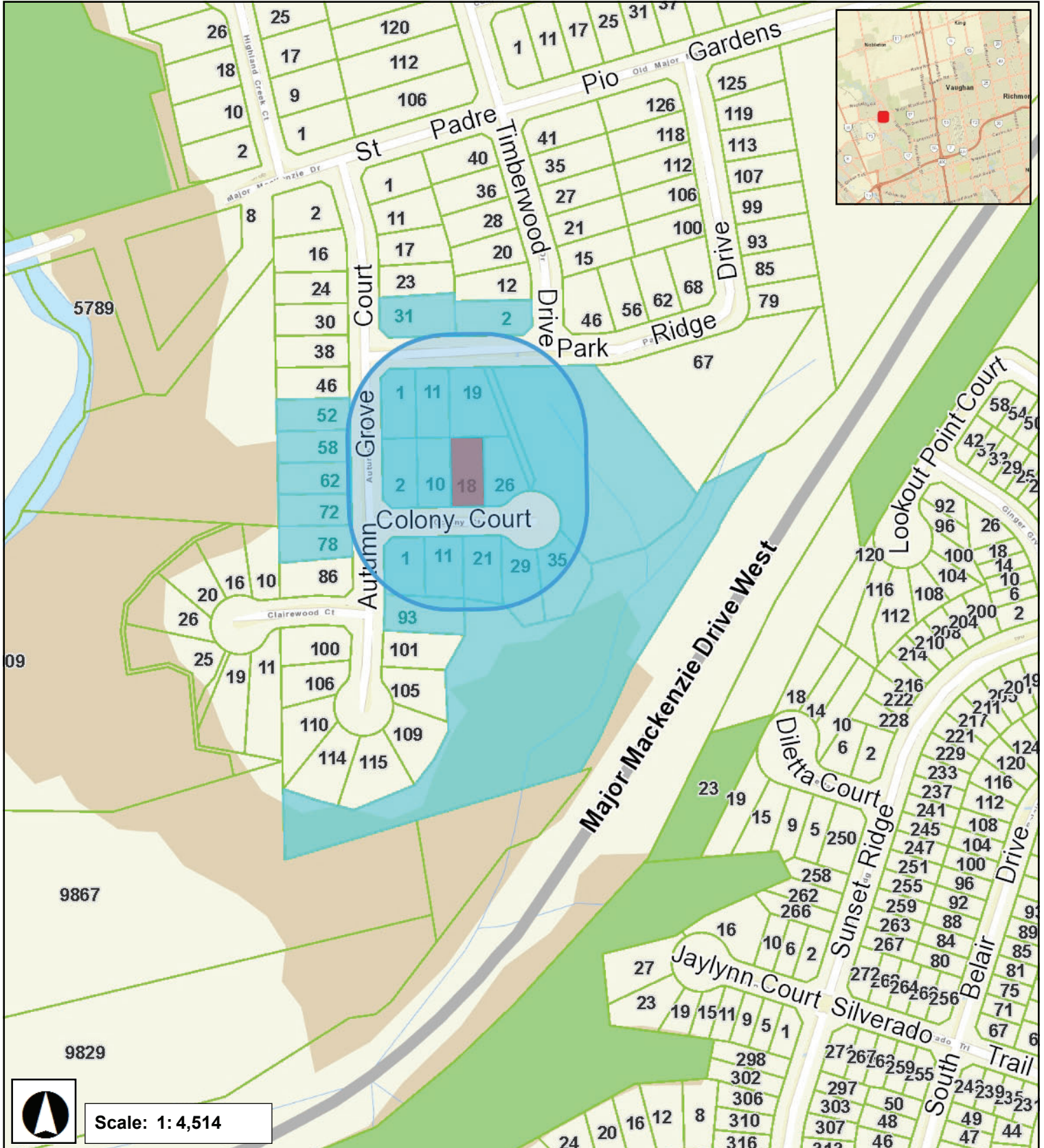
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



LOCATION MAP - A116/21

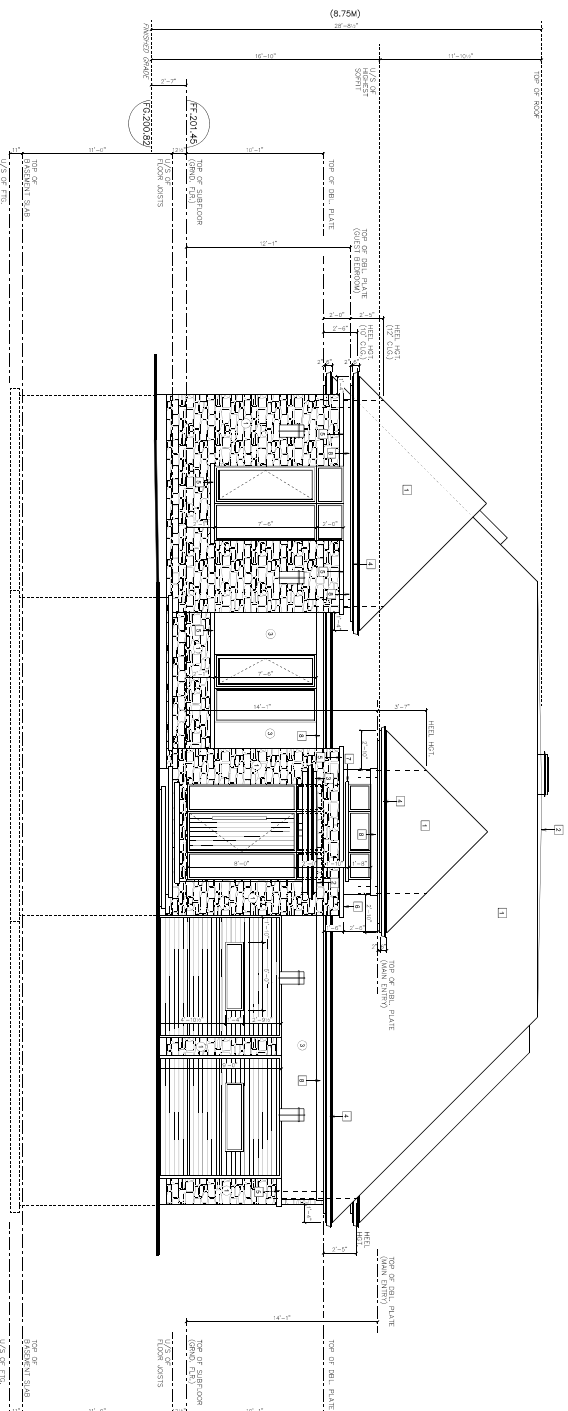
18 COLONY COURT, KLEINBURG



RECEIVED
By RECEIVED at 2:27 pm, Oct 04, 2021

Elevation Notes

1. Manufacture Veneer wood siding to comply with CMT Reg. 3207.2. Manufacturer: 1/2" Random Siding, see sheet 15/15.3.
2. Finishing of units for the attachment of siding to comply with 9/27.2 and 9/27.3, and as per manufacturer's specifications.
3. As stated by DOWCOR, ERS 911 C-2 S, exterior finishes and finish manufacturer's specifications - only use Panel Surf by DOWCOR for exterior finishes. All units shall be 1/2" or equivalent panel specified for all walls not noted in notes.
4. Note: All windows are 4" apart from stone base on ground floor. Windows are 4" apart from stone base on ground floor.
5. Note: Refer to roof plan for all roof slopes and overhang info.
6. Shipped Siding per CMT 9/18.3.

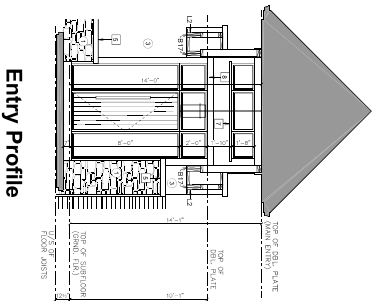


Right-Side Elevation

Unpainted Opening Calculations

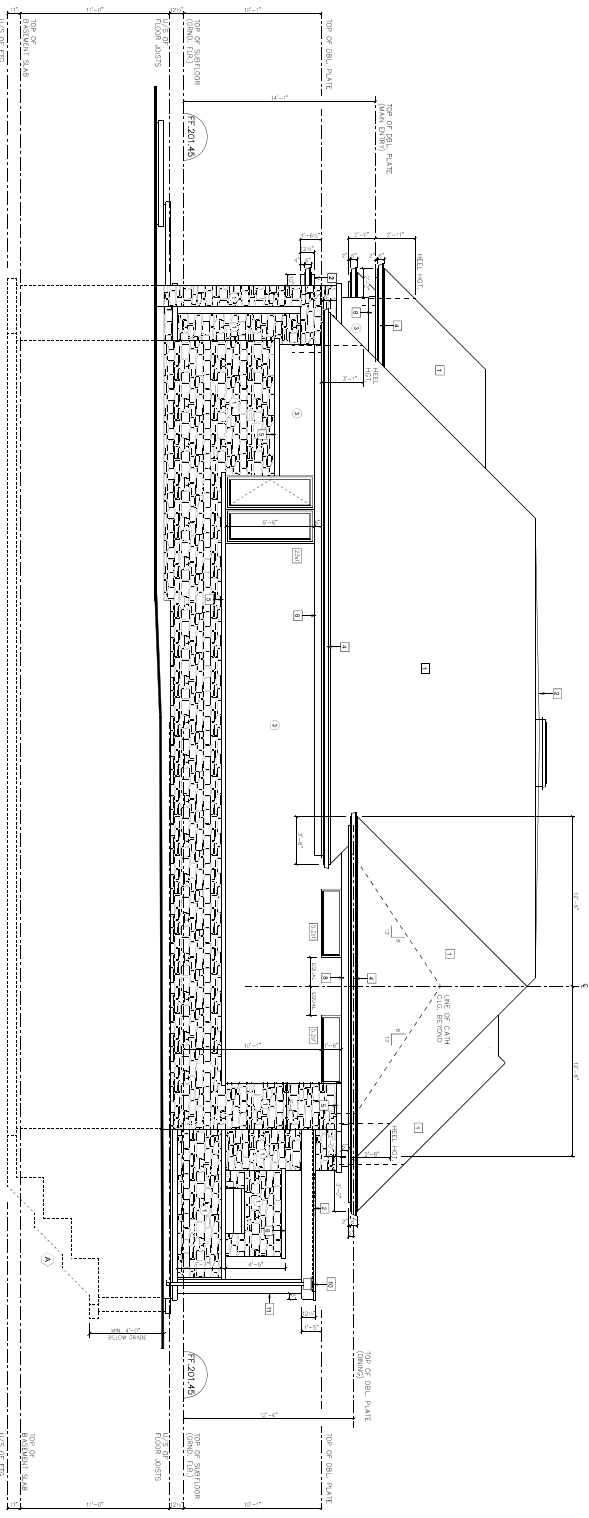
Uniting Distance	1.00m
Unit Area	1.00 m ² (10.76 sq ft)
Unit Area Allow	132.24 (13.3%)
Opening Area Proposed	32.24 (3.3%)

Please Note: The Table for % Opening Allowed has been interpolated. Calculated Proposed Opening is Allowed by 0.0154.



Entry Profile

Front (South) Elevation



Right (East) Elevation

Drawing Legend

- 1.0 Materials**
- 1 Natural Stone
 - 2 4" Prefinished Horizontal Wood Siding
 - 3 Prefinished Entry Sillings
- 2.0 Roofing**
- 4 40 Year Asphalt Shingles
 - 5 2.0" Topped On Rubber Membrane Roof
 - 6 Prefinished Aluminum Eave Trim
 - 7 Prefinished Aluminum Eave Trim
 - 8 Prefinished Roof Sheathing On Roof
- 3.0 Trim, Casings, Sillings**
- 4.0 Railings**
- 1 1x4" Canyon Oak Slim Panel Wood Post

This drawing and the information contained herein are the property of David Small Designs and are not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of David Small Designs. All rights reserved.

DATE: 08/11/2020
DRAWN BY: KM
CHECKED BY: KM
PROJECT: 18 Canyon Court

The Longo Home
18 Canyon Court

Part of Lot 29
Registered Plan 65M-3738
Municipal Ward: 7th Wk
Neighborhood: Woodbine

Front & Right-Side Elevations

Scale: 1/4" = 1'-0"
Date: Oct 2020
DWG BY: KM
Proj. no.: 20-1830

A4



Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

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

Date: October 1st , 2021

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A116-21**

Related Files:

Applicant Joey & Donna Longo

Location 18 Colony Court



Discover the possibilities

COMMENTS:

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

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Pravina Attwala

Subject: FW: A116/21 Minor Variance

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: October-04-21 1:30 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A116/21 Minor Variance

Good afternoon Pravina,
The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877
464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca