ITEM #: 6.22

#### COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A186/22

17 Napier Street, Kleinburg

#### **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		General Comments
Building Standards -Zoning Review *Schedule B	Х	Х		General Comments
Building Inspection (Septic)	Х			No Comments Recieved to Date
Development Planning *Schedule B	Х	Х	Х	Recommend Approval w/Conditions
Development Engineering	Х	Х	Х	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X	Χ	Recommend Approval w/Conditions
By-law & Compliance, Licensing & Permits	Х			No Comments Recieved to Date
Development Finance	X	X		General Comments
Real Estate				
Fire Department	X	X		General Comments
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	Х			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	Х			No Comments Recieved to Date
Region of York *Schedule B	X			No Comments Recieved to Date
Alectra *Schedule B	Х	X		General Comments
Bell Canada *Schedule B	Х			No Comments Recieved to Date
YRDSB *Schedule B				
YRDSB *Schedule B YCDSB *Schedule B				
YCDSB *Schedule B				
YCDSB *Schedule B CN Rail *Schedule B	X			No Comments Recieved to Date
YCDSB *Schedule B CN Rail *Schedule B CP Rail *Schedule B	X			No Comments Recieved to Date

#### **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
None				

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

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



#### COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A186/22

17 Napier Street, Kleinburg

FILE MANAGER: Adriana Bozzo, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.22	CITY WARD #: 1
APPLICANT:	Mary Monardo
AGENT:	Fausto Cortese Architects Inc.
PROPERTY:	17 Napier Street, Kleinburg
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit an addition to the existing single family dwelling.

The following variances have been requested from the City's Zoning By-law:

The subject lands are zoned R1B(EN) and subject to the provisions of Exception 14.336 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A minimum front yard setback of 5.89 metres is required.	To permit a minimum front yard
	[Section 4.5, By-law 001-2021 as amended]	setback of 5.56 metres.
2	A minimum rear yard setback of 12.0 metres is required.	To permit a minimum rear yard
	[Section 7.2.2, By-law 001-2021 as amended]	setback of 10.82 metres
3	A maximum lot coverage of 40% is permitted.	To permit a maximum lot
	[Section 7.2.2, By-law 001-2021 as amended]	coverage of 41.65%

The subject lands are zoned R1 under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
4	A minimum front yard setback of 7.5 metres is required.	To permit a minimum front yard
	[Schedule A, By-law 1-88a.a]	setback of 5.56 metres.
5	A maximum lot coverage of 30% is permitted.	To permit a maximum lot
	[Schedule A. By-law 1-88a.a]	coverage of 38.57%.

#### HEARING INFORMATION

DATE OF MEETING: Thursday, July 28, 2022

**TIME:** 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

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

THE DEADLINE TO <u>REGISTER TO SPEAK</u> OR <u>SUBMIT WRITTEN COMMENTS</u> ON THE ABOVE NOTED FILE(S) IS <u>NOON</u> 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.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider 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.

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	COMMITTEE OF ADJUSTMENT COMMENTS	
Date Public Notice Mailed:	July 14, 2022	
Date Applicant Confirmed Posting of Sign:	July 13, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	The design program of the house doe conformance with the Zoning Bylaw r	
Adjournment Requests (from staff):  *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form	submitted by Applicant:	No
*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.  *A revised submission may be required to address staff / agency comments received as part of the application review process.  *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.		
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.  An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:		

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS		
**See Schedule B for Development Planning Comments.		
<b>Development Planning Recommended</b> That the final Tree Inventory & Protection Plan be approved		
Conditions of Approval:	to the satisfaction of the Development Planning Department.	

#### **DEVELOPMENT ENGINEERING COMMENTS**

<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u>

As the proposed additions area in the subject property exceeding 10 m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition.

The proposed work by the owner/ applicant is increasing the lot coverage area from 30% to 38.57% in the subject property. The added hardscape may have impact on City's Storm Water management

#### DEVELOPMENT ENGINEERING COMMENTS

<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u>

system. Stuff suggests the owner/applicant to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts.

Development Engineering Recommended Conditions of Approval:

The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. To apply for a Grading and/or Servicing Permit, please visit the grading permit link provided above or contact the Development Engineering Department through email at DEPermits@vaughan.ca

# PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS Parks: No comment Forestry: No comment Horticulture: No comment PFH Recommended Conditions of Approval: Parks: None Forestry: Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property. Horticulture: None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comment	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPE	CTION (SEPTIC) COMMENTS
No comment	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPA	ARTMENT COMMENTS
Ensure all construction meets OBC requirement	nents.
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 in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, 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

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION

	SUMMARY OF RECOMMENDED	CONDITIONS OF APPROVAL
1	Development Planning joshua.cipolletta@vaughan.ca	That the final Tree Inventory & Protection Plan be approved to the satisfaction of the Development Planning Department.
2	Development Engineering farzana.khan@vaughan.ca	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. To apply for a Grading and/or Servicing Permit, please visit the grading permit link provided above or contact the Development Engineering Department through email at DEPermits@vaughan.ca
3	Parks, Forestry and Horticulture Operations zachary.guizzetti@vaughan.ca	Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property.

#### **IMPORTANT INFORMATION - PLEASE READ**

**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 (see condition chart above for contact). 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.

**APPROVALS:** Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

**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**



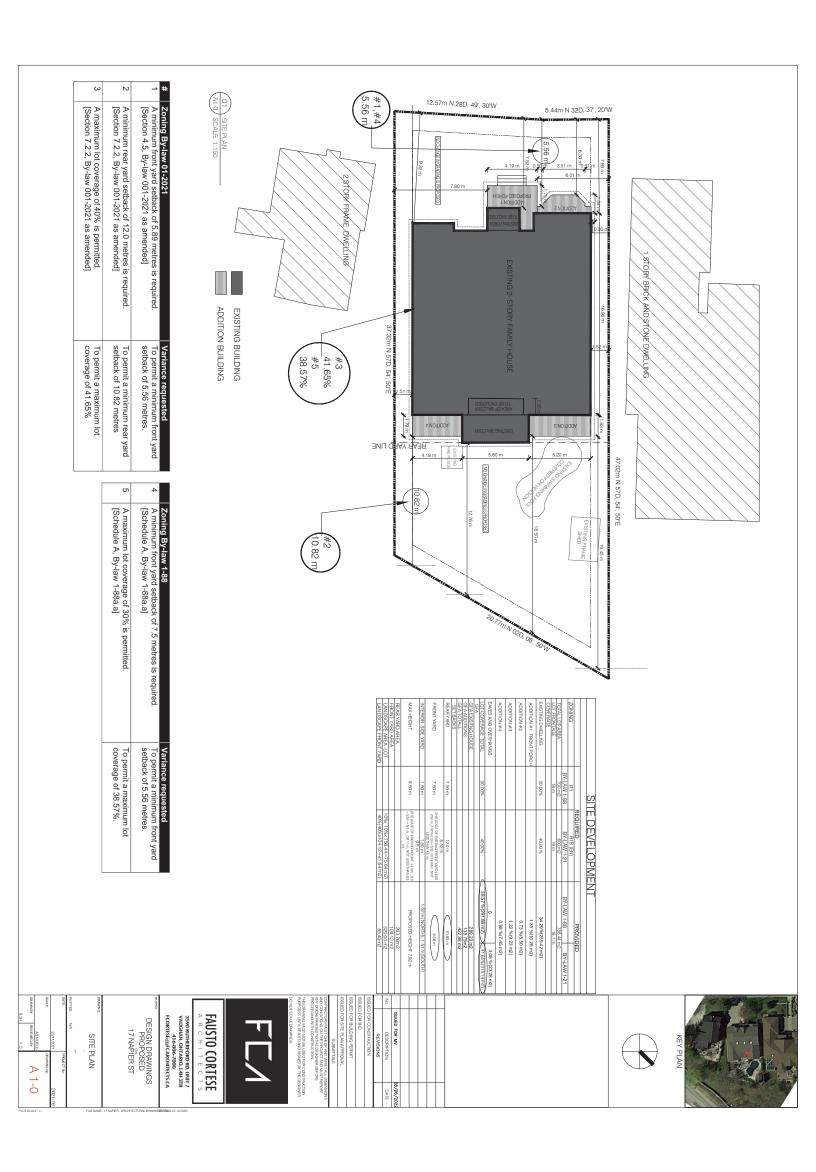
# A186/22 - Notification Map

17 Napier Street, Kleinburg 45 31 Napier Street Islington Ave 28 20 376 359 Scale: 1: 1,128

Major Mackenzie Drive

# PLANS PREPARED BY APPLICANT July 17/22

A186/22

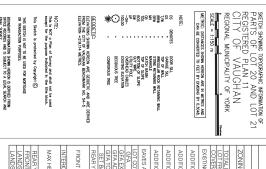


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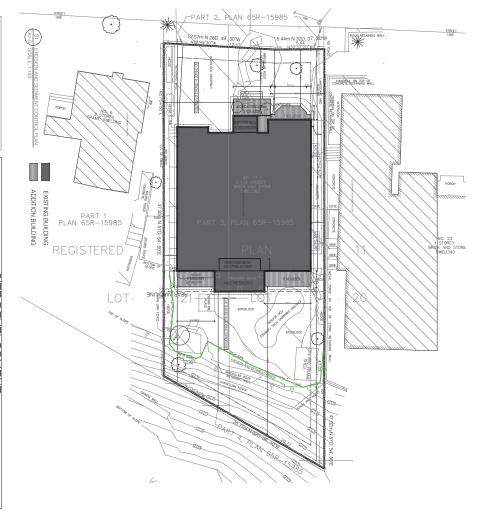
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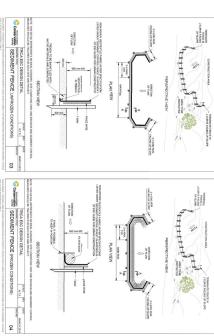
This is NOT a Plan of Survey and shall not be used except for the purpose indicated in the title block.

This Sketch is protected by Copyright (© Boundary information shows hereon is derived from Capacity records and is subject to a legal search and final survey. THIS SWETCH IS NOT TO BE USED FOR MORTGAGE OR TRANSACTION PURPOSES.



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GHT 7.92 m	51 m(SOUTH)	п	Ž		m2	12	m2		41.65%(315.14 m2)	3.08 %(23.28 m2)	5 m2)	3 m2)	0 m2)	% m2)	42 m2)		,	n2	BY-LAW 1-21		Ď		
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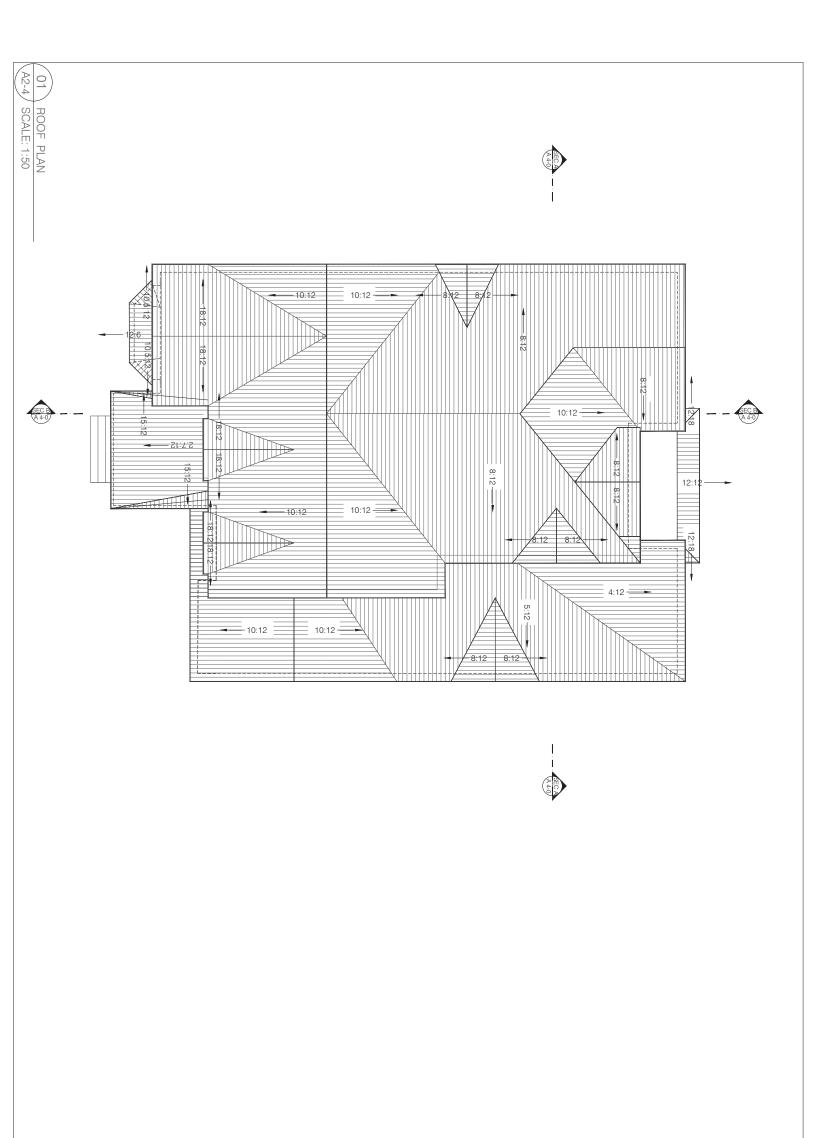
=	Standard Notes
1	Erosion and Sediment Control (ESC) measures will be implemented prior to, and maintained during the construction phase, to prevent entry of sediment into the water. All damaged erosion and sediment control measures should be repaired and/or replaced within 48 hours of the inspection.
2	Disturbed areas will be minimized to the extent possible, and temporarily or permanently stabilized or restored as the work progresses.
ω	All in-water and near-water works will be conducted in the dry with appropriate erosion and sediment controls.
4	The evotion and selfment control strategies collected on the plans are not static and may need to be upgrade/ignereded as its condition through or minimize selfment learn until from inventig the upgrade/ignereded as its condition through or minimize selfment learn until from inventig the minimized that the prescribed measure on the plans are not effective in proventing the measure of a deleterious substrator, including selfment, then internative measures must be implemented and deleterious substrator, including selfment, then internative measures must be implemented immediately to minimize potential secongical imagests. TRAC Effortement Officer doubtle immediately contracted, additional EC measures or the legal on the story of the study at messary.
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6	All activities, including maintenance procedures, will be controlled to prevent the entry of percolum products, debits, rubble, concrete or other deletedus substances into the water. Vehicular refueling and maintenance, will be conducted a minimum of 30 meters from the water, vehicular refueling and maintenance will be conducted a minimum of 30 meters from the water.
7	All grades within the Regulatory Flood Plain will be maintained or matched.
00	The proposed/contractor shall monitor the weather usered days in advance of the onset of the project to ensure that the works will be conducted using feworable weather conditions. Should an unexpected storm ands, the contractor will remove all unlimad terms from the highould Storm Food Pain that would have the potential to causing again an application and behaviorable placed in the contractor will remove a simple standard terms from the wayboal Storm Food Pain that would have the potential to causing again an application and behaviorable placed in the contractor of the contraction of the contrac
9	All dewatering/invarieting shall be retard and released to the environment at least 30 metres from a watercourse or wethout and allowed to data though a well-vegetand area. No deswatering efficient shall be sent directly to any watercourse, wethand or forest, or allowed to drain onto disturbed soils within the work area. These centrol measures shall be monitored for effectiveness and maintaining or revised to meet the objective 3 preventing the release of administration water.
10	All access to the work site shal be from either side of the watercourse. No equipment or vehicles are permitted to cross through the watercourse unless approved by TRCA.
Section 2: with applia	Section 2: Construction Timing Best Management Practices (the proponent/contractor should confirm directly with applicable provincial and federal agencies)
11	Prior to site disturbance the contractor/proponent should ensure that the works are in conformance with the Migratory Brids Convention Act. Please note that the general breeding bird timing window for this area is April 1st to August 31st, however, breeding activities might initiate prior to and continue past this period.
12	Where impacts to local flub populations may occur during their spawning, nursery and migratory periods, construction fining endows should apply to in-water or near-water activities. The proponent/contractor should confirm applicability and dates with appropriate provincial and federal agencies.
Section 3:	Section 3: Fish and Wildlife Relocation
13	fish and wildlife stranded within the work area shall be captured and rebeated we in suitable habitat upstream of the work area under the supervision of qualified aqualst technical staff. The proponent/contractor should confirm requirements directly with Ministry of Natural Resources and forestry.
Section 4:	Section 4: Environmental Compliance
14	Please notify TRCA Enforcement Officer (xxx at 416.661.6600, ext. xxxx, email), and TRCA Project Manager (xxx at 416.661.660X, ext. xxxx, email) 48 hours prior to commencing construction.
15	An Environmental Monitare will be on site, and provide advice, to ensure that etistities that could have a negative impact to the natural ordinoment are effectively negative as construction proceeds. The Environmental Monitor shall notify the TRCA Enforcement Officer and Project Manager Ji view.

3590 RUTHERFORD RD, UNIT 7 VAUGHAN, ONTARIO, L4H 3T8 416-806-7000 FCORTESE@FCARCHITECTS.CA	FAUSTO CORTESE	FC/

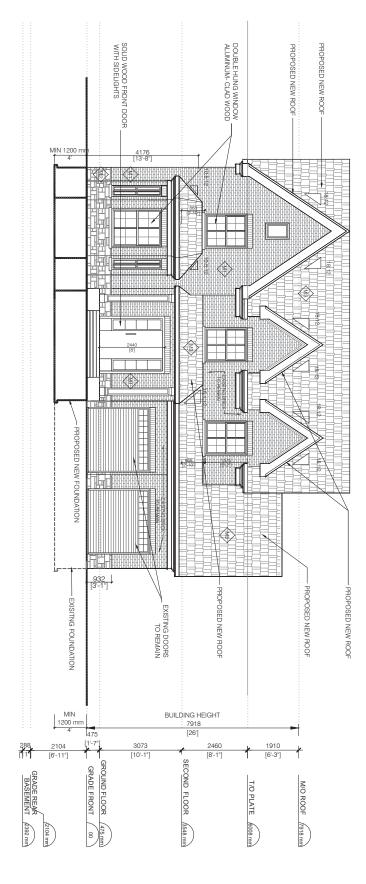
DESIGN DRAWINGS PROPOSED 17 NÄPIER CITY OF VAUGHAN

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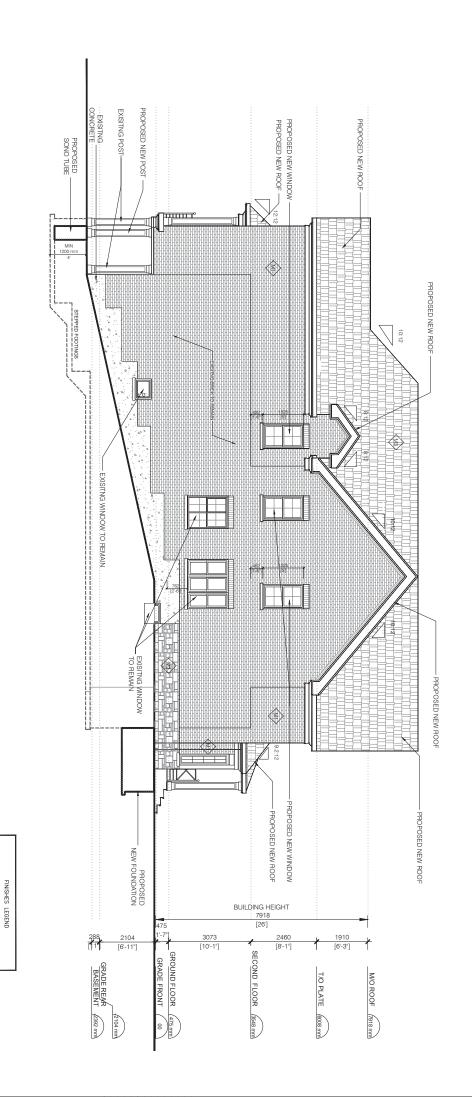
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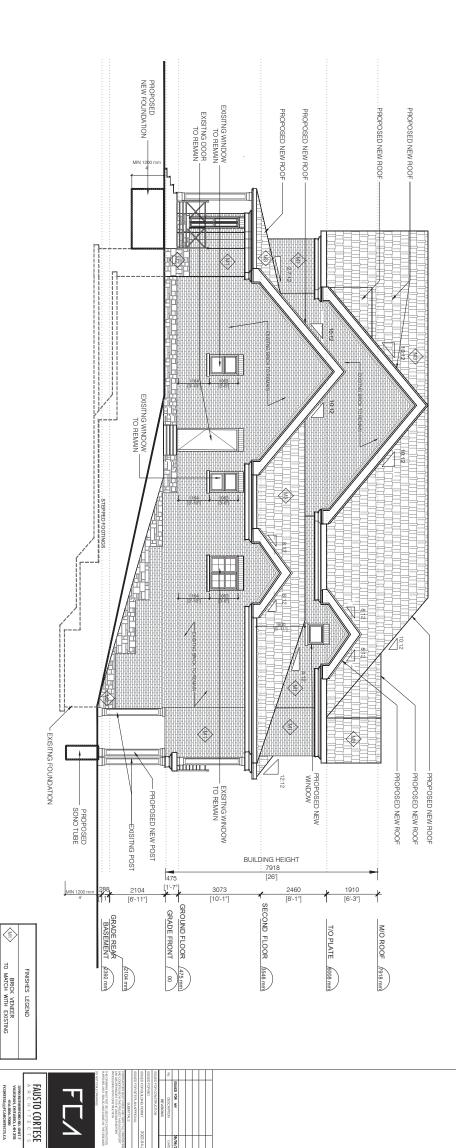
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TO MATCH WITH EXISTING ROOF

BRICK VENEER TO MATCH WITH EXISTING

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BEIGE STONE







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ASPHALT SHINGLES ROOF TO MATCH WITH EXISTING ROOF

DESIGN DRAWINGS PROPOSED 17 NAPIER CITY OF VAUGHAN

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FINISHES LEGEND

BRICK VENEER
TO MATCH WITH EXISTING

FAUSTO CORTESE

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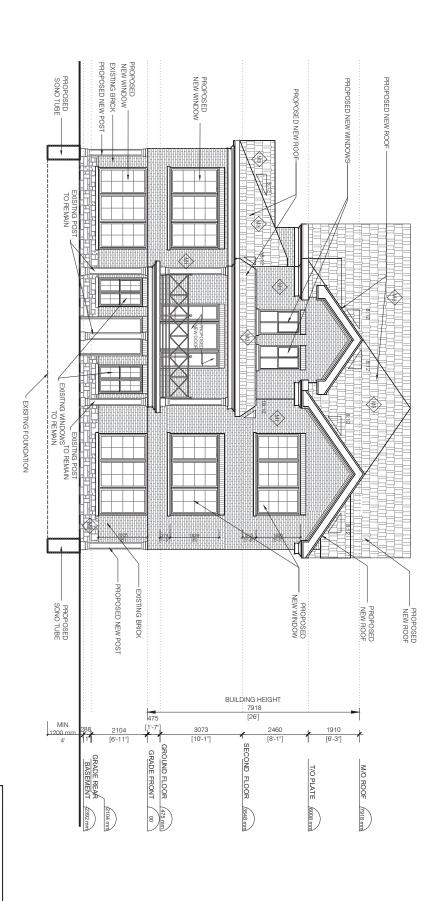
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BEIGE STONE

DESIGN DRAWINGS PROPOSED 17 NAPIER CITY OF VAUGHAN

ASPHALT SHINGLES ROOF TO MATCH WITH EXISTING ROOF







**BRICK VENEER** 

NEW BRICK TO MATCH EXISTING BRICK COLOUR



**ASPHALT SHINGLES** 

NEW ROOF TO MATCH
EXISTING ASPHALT SHINGLES



STONE

BEIGE STONE







**DOUBLE HUNG** 

SOFFIT/ FASCIA

WINDOWS

Pella® Reserve™ – Traditional ALUMINUM-CLAD WOOD DOUBLE HUNG WINDOW

WHITE WOOD FASCIA AND WHITE VINYL SOFFIT

FAUSTO CORTESE

Pella Premium Solid Wood Entry Door with Sidelight



EXTERIOR FINISH MATERIAL SAMPLE 17 NAPIER ST, VAUGHAN



FAUSTO CORTESE

DESIGN DRAWINGS PROPOSED 17 NAPIER CITY OF VAUGHAN

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	Х			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	Х			No Comments Recieved to Date
Region of York *Schedule B	Х			No Comments Recieved to Date
Alectra *Schedule B	Х	X		General Comments
Bell Canada *Schedule B	Х			No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	Х			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	Х	Х		Recommend Approval w/ condition
Building Standards (Zoning)	Х	Х		General Comments



To: Committee of Adjustment

From: Sarah Scauzillo, Building Standards Department

**Date:** June 29, 2022

Applicant: Mary Monardo

**Location:** PLAN 65R15985 Part 3

PLAN M11 Lot 21 municipally known as 17 Napier Street

**File No.(s):** A186/22

#### Zoning Classification:

The subject lands are zoned R1B(EN) and subject to the provisions of Exception 14.336nder Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A minimum front yard setback of 5.89 metres is required. [Section 4.5, By-law 001-2021 as amended]	To permit a minimum front yard setback of 5.56 metres.
2	A minimum rear yard setback of 12.0 metres is required. [Section 7.2.2, By-law 001-2021 as amended]	To permit a minimum rear yard setback of 10.82 metres
3	A maximum lot coverage of 40% is permitted. [Section 7.2.2, By-law 001-2021 as amended]	To permit a maximum lot coverage of 41.65%

The subject lands are zoned R1 under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
4	A minimum front yard setback of 7.5 metres is required. [Schedule A, By-law 1-88a.a]	To permit a minimum front yard setback of 5.56 metres.
5	A maximum lot coverage of 30% is permitted. [Schedule A, By-law 1-88a.a]	To permit a maximum lot coverage of 38.57%.

#### **Staff Comments:**

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

There are no outstanding Orders on file

#### **Building Permit(s) Issued:**

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

#### **Other Comments:**

General Comments		
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.	
2	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority. Approval from the TRCA may be required.	
3	The subject lands are located within the Kleinberg-Nashville Heritage District. Approval from the Heritage Department may be required.	

#### **Conditions of Approval:**

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

<sup>\*</sup> Comments are based on the review of documentation supplied with this application.





To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: July 20, 2022

Name of Owner: Mary Monardo

Location: 17 Napier Street

File No.(s): A186/22

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

- 1. To permit a minimum front yard setback of 5.56 m.
- To permit a minimum rear yard setback of 10.82 m.
   To permit a maximum lot coverage of 41.65%.

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

- 1. A minimum front yard setback of 5.89 m is required.
- 2. A minimum rear yard setback of 12.0 m is required.
- 3. A maximum lot coverage of 40% is permitted.

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

- 4. To permit a minimum front yard setback of 5.56 m.5. To permit a maximum lot coverage of 38.57%.

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

- 4. A minimum front yard setback of 7.5 m is required.
- 5. A maximum lot coverage of 30% is permitted.

#### Official Plan:

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

#### Comments:

The Owner is requesting relief to facilitate the construction of five additions to the existing dwelling with the above noted variances. Two of the additions are proposed on the front wall, and three on the rear.

The Development Planning Department has no objection to Variances 1 and 4 for the proposed front yard setback to facilitate the front yard addition works. The front yard setback variance applies only to the porch addition. The creation of a new front porch infront of the existing, which is to become part of the foyer, is minor in nature under Zoning By-law 001-2021. The proposed additions have also been reviewed by the Heritage Vaughan Committee and have been approved by Council on June 7, 2022.

The Development Planning Department has no objection to Variance 2 for the proposed rear yard setback to facilitate the three rear yard additions. One addition will enclose part of and cover the balance of an existing balcony. The other 2 additions are on each side of the balcony. The rear lot line is angled. The required rear yard is measured at a pinch point and the yard expands to 19.45 m at its greatest extent. The southern addition is the only portion of the dwelling that does not comply with the required 12.0 m setback. The proposed additions have also been reviewed by the Heritage Vaughan Committee and have been approved by Council on June 7, 2022.

The existing dwelling has a lot coverage of 34.29%. The proposed additions and all building eaves will have lot coverages of 4.28% and 3.08% respectively. By-law 001-2021 currently includes eaves as part of the lot coverage calculation whereas By-law 1-88 does not. The 1.65% increase to the permitted lot coverage is minor in nature. The total lot coverage of 38.57% would also comply with Zoning By-law 01-2021 once the eaves are removed from the calculation as part of a general housekeeping amendment that was approved at the June 28th, 2022 Council meeting and is currently in its appeal period. Also, the two single storey additions in the front yard will add to the character of

### memorandum



the streetscape. As such, the Development Planning Department has no objection to Variances 3 and 5 for the increase in lot coverage.

In support of the application, the Owner submitted a Tree Inventory & Protection Plan prepared by The Urban Arborist Inc., dated April 29, 2022. The report inventoried eight trees, two of which are proposed to be removed. Urban Design staff have reviewed the report and concur with its recommendations.

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

#### Recommendation:

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

#### **Condition of Approval:**

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That the final Tree Inventory & Protection Plan be approved to the satisfaction of the Development Planning Department.

#### **Comments Prepared by:**

Joshua Cipolletta, Planner I David Harding, Senior Planner



#### **COMMENTS:**

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

**E-mail**: stephen.cranley@alectrautilities.com

Mitchell Penner

Supervisor, Distribution Design-Subdivisions

**Phone**: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

# SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None