

<b>ITEM #: 6.22</b>	<b>COMMITTEE OF ADJUSTMENT REPORT</b> <b>MINOR VARIANCE APPLICATION</b> <b>A186/22</b> <b>17 Napier Street, Kleinburg</b>
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**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 <i>*Schedule B</i>	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning <i>*Schedule B</i>	X	X	X	Recommend Approval w/Conditions
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X	X	Recommend Approval w/Conditions
By-law & Compliance, Licensing & Permits	X			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 <i>*Schedule B</i>	X			No Comments Recieved to Date
Ministry of Transportation (MTO) <i>*Schedule B</i>	X			No Comments Recieved to Date
Region of York <i>*Schedule B</i>	X			No Comments Recieved to Date
Alectra <i>*Schedule B</i>	X	X		General Comments
Bell Canada <i>*Schedule B</i>	X			No Comments Recieved to Date
YRDSB <i>*Schedule B</i>				
YCDSB <i>*Schedule B</i>				
CN Rail <i>*Schedule B</i>				
CP Rail <i>*Schedule B</i>				
TransCanada Pipeline <i>*Schedule B</i>	X			No Comments Recieved to Date
Metrolinx <i>*Schedule B</i>				
Propane Operator <i>*Schedule B</i>				

PUBLIC & APPLICANT CORRESPONDENCE				
*Please see <b>Schedule C</b> of this report for a copy of the public & applicant correspondence listed below.				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
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 <b>Schedule D</b> 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

<b>ITEM NUMBER: 6.22</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Mary Monardo
<b>AGENT:</b>	Fausto Cortese Architects Inc.
<b>PROPERTY:</b>	17 Napier Street, Kleinburg
<b>ZONING DESIGNATION:</b>	See Below
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	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. [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%.

### 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](https://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](mailto: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](mailto: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 REGISTER TO SPEAK 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.	
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 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 does not allow conformance with the Zoning Bylaw regulations.	
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:  *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.	No	
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:	None	

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.	
Development Planning Recommended Conditions of Approval:	That the final Tree Inventory & Protection Plan be approved to the satisfaction of the Development Planning Department.

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
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	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
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.	
<b>Development Engineering Recommended Conditions of Approval:</b>	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	
<b>PFH Recommended Conditions of Approval:</b>	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	
<b>Development Finance Recommended Conditions of Approval:</b>	None

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

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comment	
<b>Building Inspection Recommended Conditions of Approval:</b>	None

FIRE DEPARTMENT COMMENTS	
Ensure all construction meets OBC requirements.	
<b>Fire Department Recommended Conditions of Approval:</b>	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Staff & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)
<b>Schedule D</b> (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

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
1	Development Planning <a href="mailto:joshua.cipolletta@vaughan.ca">joshua.cipolletta@vaughan.ca</a>	That the final Tree Inventory & Protection Plan be approved to the satisfaction of the Development Planning Department.
2	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	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 <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a>
3	Parks, Forestry and Horticulture Operations <a href="mailto:zachary.guizzetti@vaughan.ca">zachary.guizzetti@vaughan.ca</a>	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
<p><b>CONDITIONS:</b> 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 (<b>see condition chart above for contact</b>). 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.</p>
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p><b>DEVELOPMENT CHARGES:</b> 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.</p> <p>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.</p> <p>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</p> <p>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.</p>
<p><b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.</p>

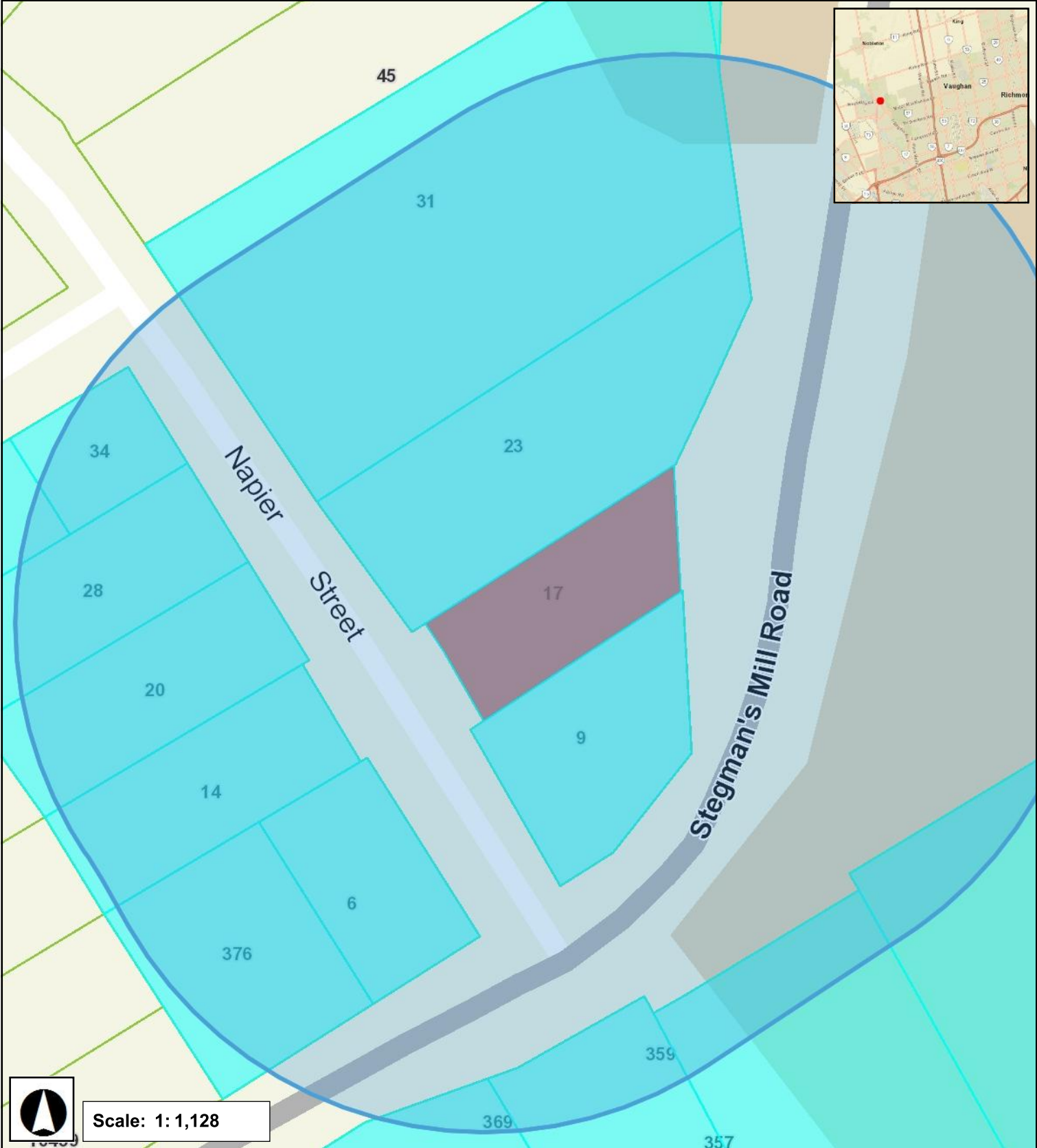
**SCHEDULE A: DRAWINGS & PLANS**





A186/22 - Notification Map

17 Napier Street, Kleinburg



Scale: 1: 1,128

Major Mackenzie Drive

July 13, 2022 2:27 PM





## KEY PLAN



No		
ISSUED FOR MV		09/06/2024
DESCRIPTION		DATE
REVISIONS		

ISSUED FOR BID
ISSUED FOR BUILDING PERMIT
ISSUED FOR SITE PLAN APPROVAL

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.

DO NOT SCALE DRAWINGS.

**FAUSTO CORTESE**  
ARCHITECTS

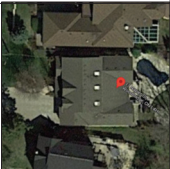
VAUGHAN, ONTARIO, L4H 3T8  
416-806-7000

DESIGN DRAWINGS  
PROPOSED  
ON  
17 NAPIER ST

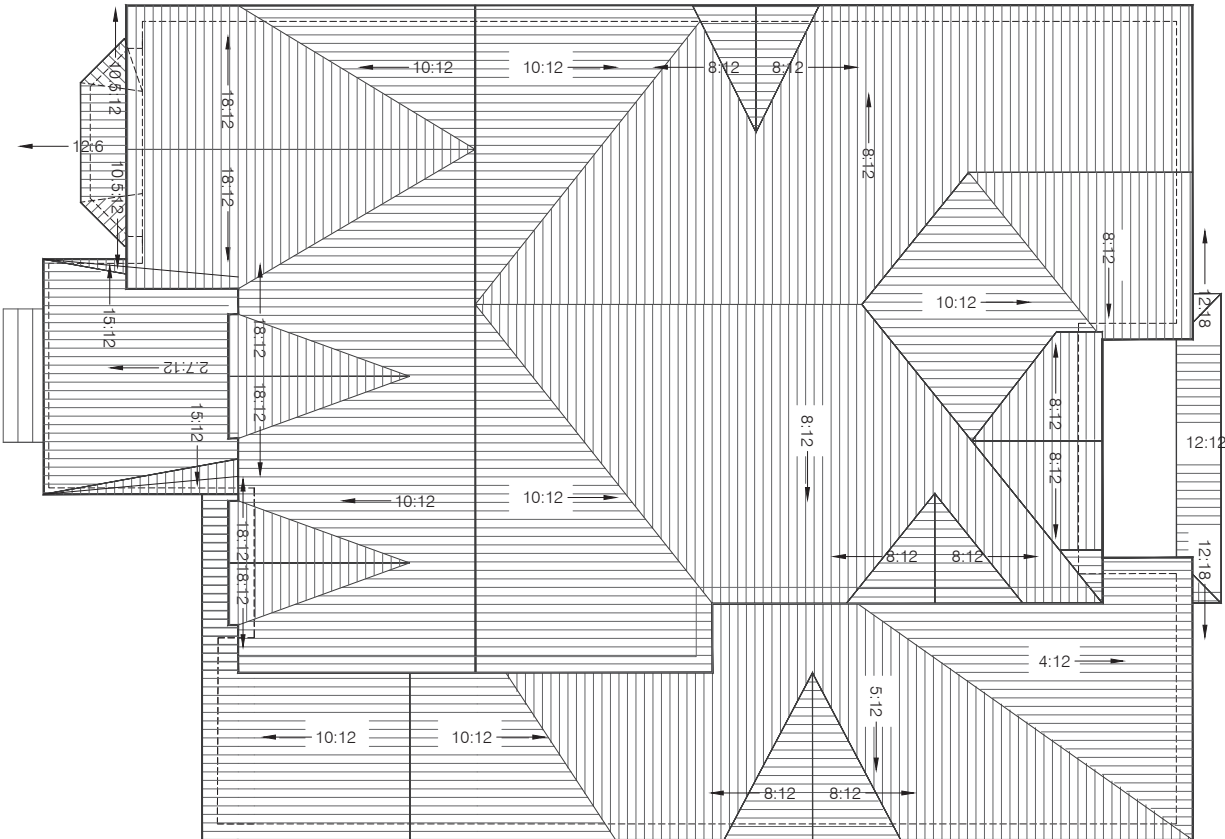
## SITE PLAN

DATE		POLICE CT No.	
ISSUE	20/11/2021	DRAWING No.	2021-16
AS NOTED			
DRAWN BY:	REVISED BY:		
B.S.H	F.C.		A1-0





KEY PLAN



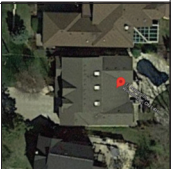
FCV

FAUSTO CORTISE  
ARCHITECTS

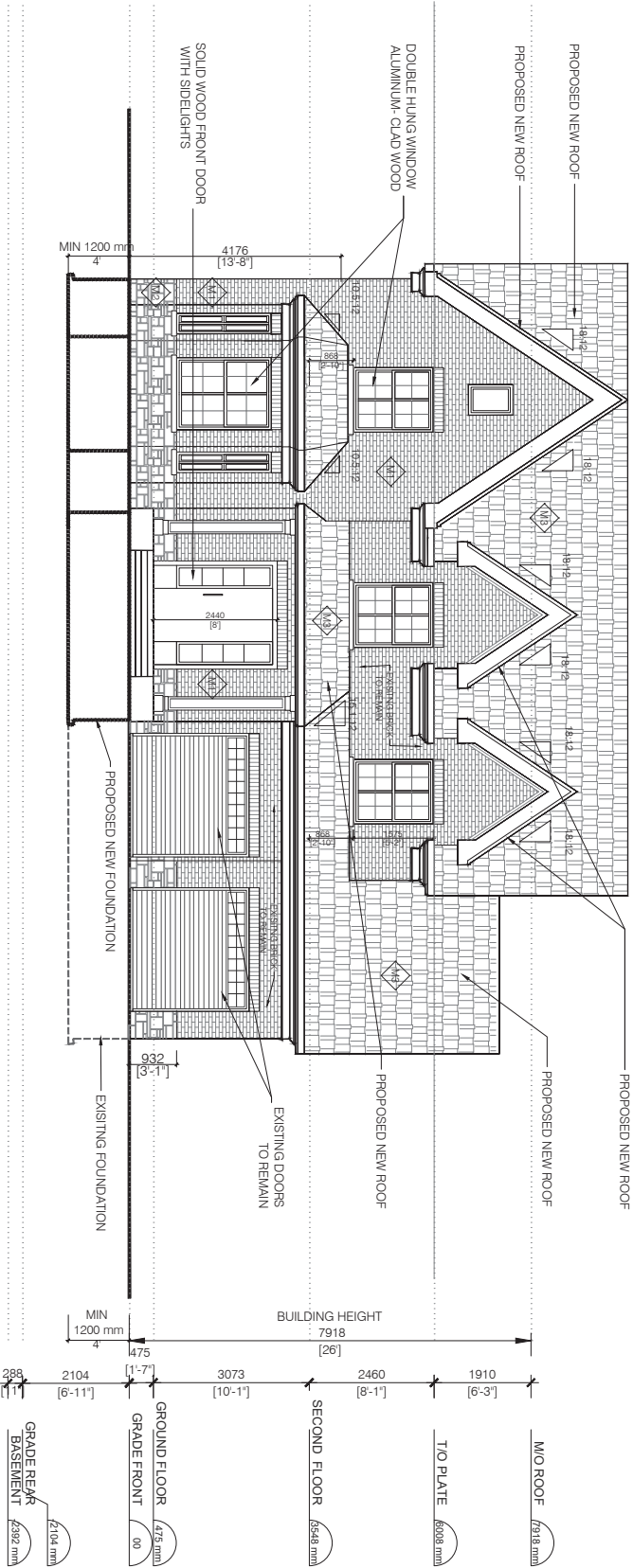
3550 BURNBERRY RD UNIT 7  
VANCOUVER BC V6N 1B1  
604.696.2000  
fcortise@fcarchitects.ca

DESIGN DRAWINGS  
PROPOSED  
CITY OF VANUGHAN

DATE	NO.	PROJECT No.
2023.10.10	1	2023.10.10
DATE	DESCRIPTION	REVISION No.
2023.10.10	NO. 1	1
DATE	DESCRIPTION	REVISION No.
2023.10.10	NO. 1	1



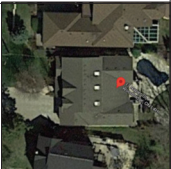
KEY PLAN



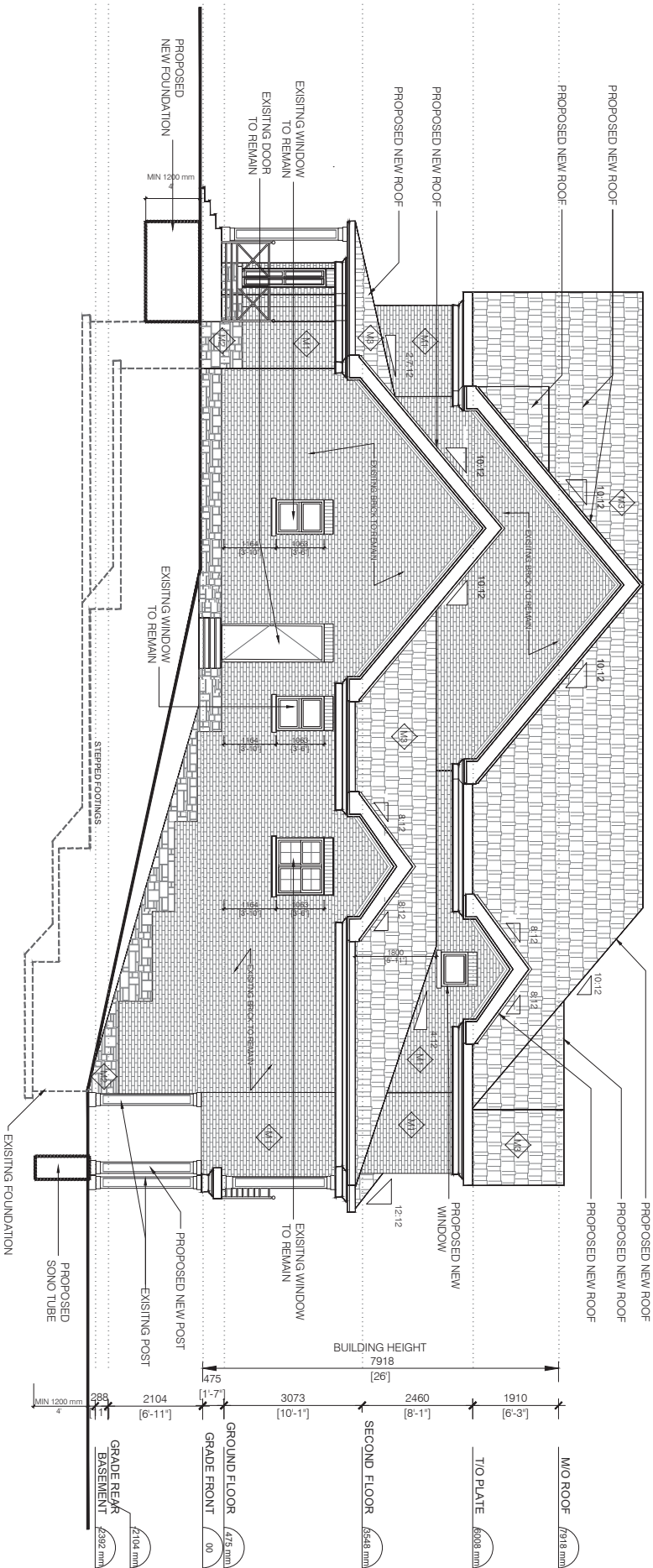
FINISHES LEGEND	
	BRICK VENEER TO MATCH WITH EXISTING
	BEIGE STONE
	ASPHALT SHINGLES ROOF TO MATCH WITH EXISTING ROOF







KEY PLAN



FINISHES LEGEND	
M1	BRICK VENEER TO MATCH WITH EXISTING
M2	BEIGE STONE
M3	ASPHALT SHINGLES ROOF TO MATCH WITH EXISTING ROOF

FAUSTO CORTISE ARCHITECTS	
3050 BURNTHORPE RD UNIT 7 VANCOUVER BC V6N 1B7 TEL: 604-266-2000 FCORTISE@FCARCHITECTS.CA	
DESIGN DRAWINGS PROPOSED CITY OF VANCOUVER	
PROJECT NO. 2	
DATE: 2023.06	
DRAWN BY: A3-2	
CHECKED BY: A3-2	
SCALE: 1:50	







SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X			No Comments Recieved to Date
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X	X		Recommend Approval w/ condition
Building Standards (Zoning)	X	X		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 14.336 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. [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 10m<sup>2</sup>

**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.

\* 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

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

1. To permit a minimum front yard setback of 5.56 m.
2. To permit a minimum rear yard setback of 10.82 m.
3. 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 in front 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

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.
- ☒ 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:

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**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

None