



167 National Drive, Woodbridge Committee of Adjustment - Justification Report

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Subject Lands & Neighbourhood Description

The dwelling is located in the neighbourhood known as "Pine Wood States" also known as "The National" and is composed of rural residential dwellings. The neighbourhood has been redeveloped through the years to have a large cross section in styles, and scales. Each dwelling and property is planned carefully in an attempt to represent various style. This neighbourhood is one of Vaughan's most prestigious communities. The National Golf Course is a private golf course located on the North East corner of Langstaff and Pine Valley, and flanks the road access into this eclectic community. The nearest major intersection is Pine Valley Dr. and Langstaff Rd.

The property is a single vacant lot of record that has a frontage of 185.25m, a lot depth of ~68.8m and a lot area of 11,077.68 SQ.M. It is located within TRCA's Regulated Area because of the valley corridor associated with the Humber River that traverses the eastern portion of the property. There is a small, flat, tableland area located at the central portion of the lot.

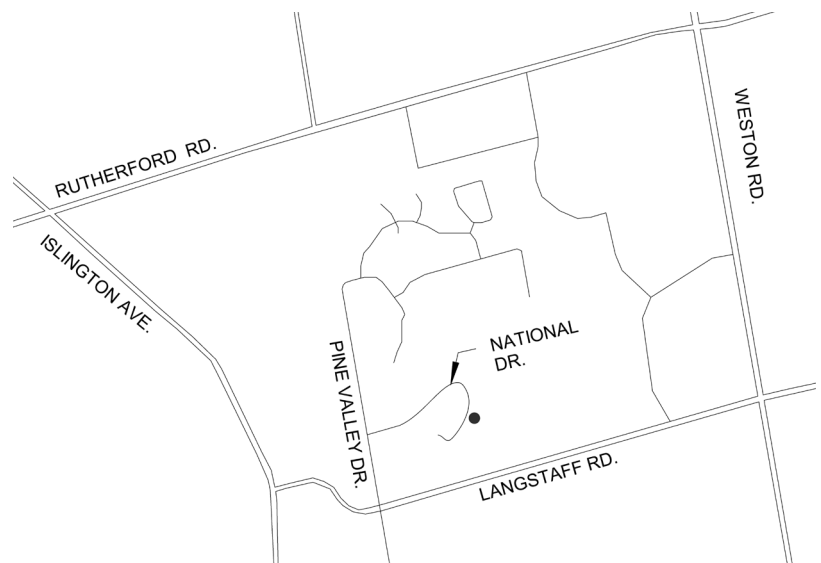


Fig. 1 – Context map - black dot indicates the subject lands location in the neighbourhood



Official Plan & Official By-Law

The subject property is designated as RR, Residential Rural, under Zoning By-law 1-88 and RE (EN), Estate Residential Zone Established Neighbourhood, under Zoning By-law 001-2021. The permitted uses for the lands are residential detached dwellings. In keeping with the Official Plan and Zoning By-laws, the proposal for 167 National Drive is to construct a new two-storey single family detached dwelling on the property.

Figure 2 demonstrates the zoning setbacks in relation to the property boundary while Figure 3 demonstrates the allowable buildable area on the site based on municipal zoning setbacks and setbacks from the Long Term Stable Top of Slope (LTSTOS) as determined by TRCA.

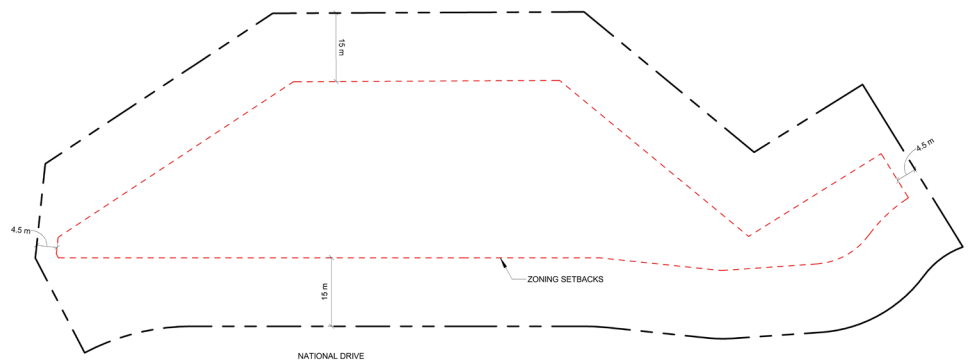


Fig. 2 – Site with zoning setbacks

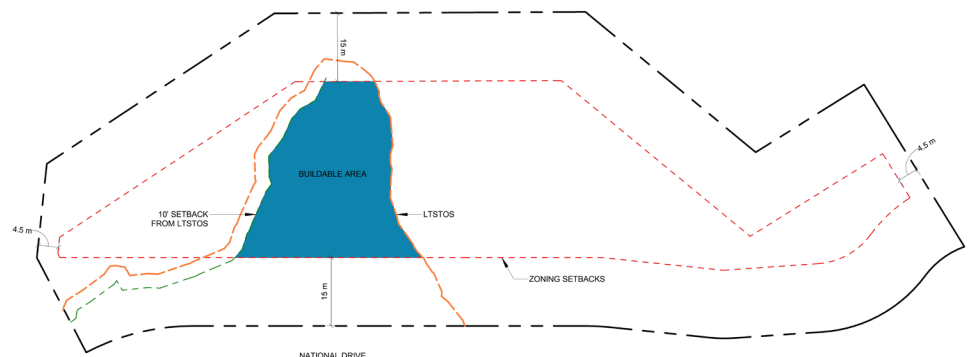


Fig. 3 – Buildable area based on zoning setbacks and setbacks from LTSTOS

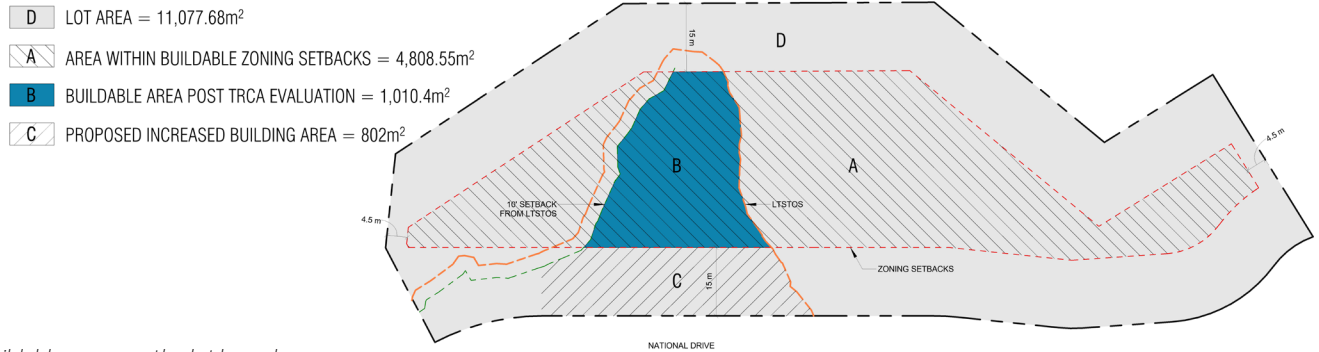


Fig. 4 – Buildable areas on the lot based on zoning setbacks and TRCA setbacks

The area within the zoning setbacks is 4,808m² (43% of the lot area). The actual buildable area within the zoning setbacks and within TRCA's setbacks from the LTSTOS is reduced to 1,010m² (9% of the lot area). We are proposing to expand that buildable area within the front yard setback, increasing the buildable area to 1,812mm² (16% of the lot area).

Figure 5 below demonstrates the placement, shape, and orientation of the proposed dwelling on the subject lands in relation to the site's setbacks.

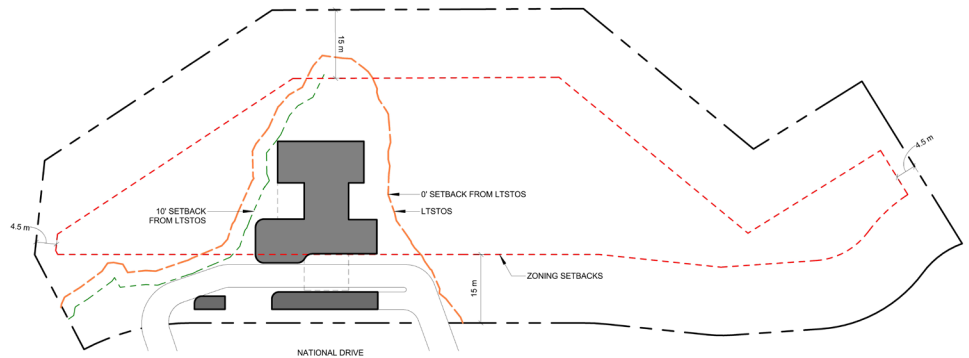


Fig. 5 – Proposed development on lot with zoning and TRCA setbacks

The intent of the proposal is to provide a new house to suit the owner's spatial needs and lifestyle. The design of the house compliments the existing site and neighbourhood in scale, height and massing.



Table A - Zoning Requirements and Proposed Development

Variance Type	Zoning By-law 1-88	Zoning By-law 001-2021	Proposed
Min. Front Yard Setback	15.0m	15.0m	3.0m to enclosed ramp and stairs // 2.33m to below-grade structure
Min. Rear Yard Setback	15.0m	15.0m	28.81m
Min. Interior Side Yard Setback	4.5m	4.5m	23.2m
Min. Interior Side Yard Setback	4.5m	4.5m	102.56m
Lot Coverage	10%	n/a	6.28%
Building Height	9.5m	9.5m	8.15m

Planning Justification

A Minor Variance application has been submitted to permit construction and requires relief of zoning provisions for the following items:

Zoning By-law 001-2021

1. Table 7-3 Lot and Building Requirements for the RE and R1 Zones. Minimum Front Yard Setback:

- The minimum permitted front yard setback is 15.0m
- The proposed front yard setback is 3.0m to a proposed ramp and stair enclosure.

Zoning By-law 1-88

1. Schedule 'A1' Zone Requirement Table for RR Zone. Minimum Front Yard Setback:

- The minimum permitted front yard setback is 15.0m
- The proposed front yard setback is 3.0m to a proposed ramp and stair enclosure.



Arguments - Justification

FRONT YARD SETBACK

TRCA staff have been involved with reviewing and commenting on several development proposals and have performed multiple site visits to confirm the limits of the natural features and natural hazards on the site. As a part of TRCA's review of proposals for this site, a development envelope was established which respects the 10' setback from the LTSTOS along the north side of the tablelands, a 0 setback from the LTSTOS along the south tablelands and maximizing the rear yard setback from the LTSTOS.

The proposed building footprint was moved towards the front property line to avoid any encroachment into these setbacks and to maintain slope stability. As a result, part of the dwelling projects beyond the 15m front yard setback.

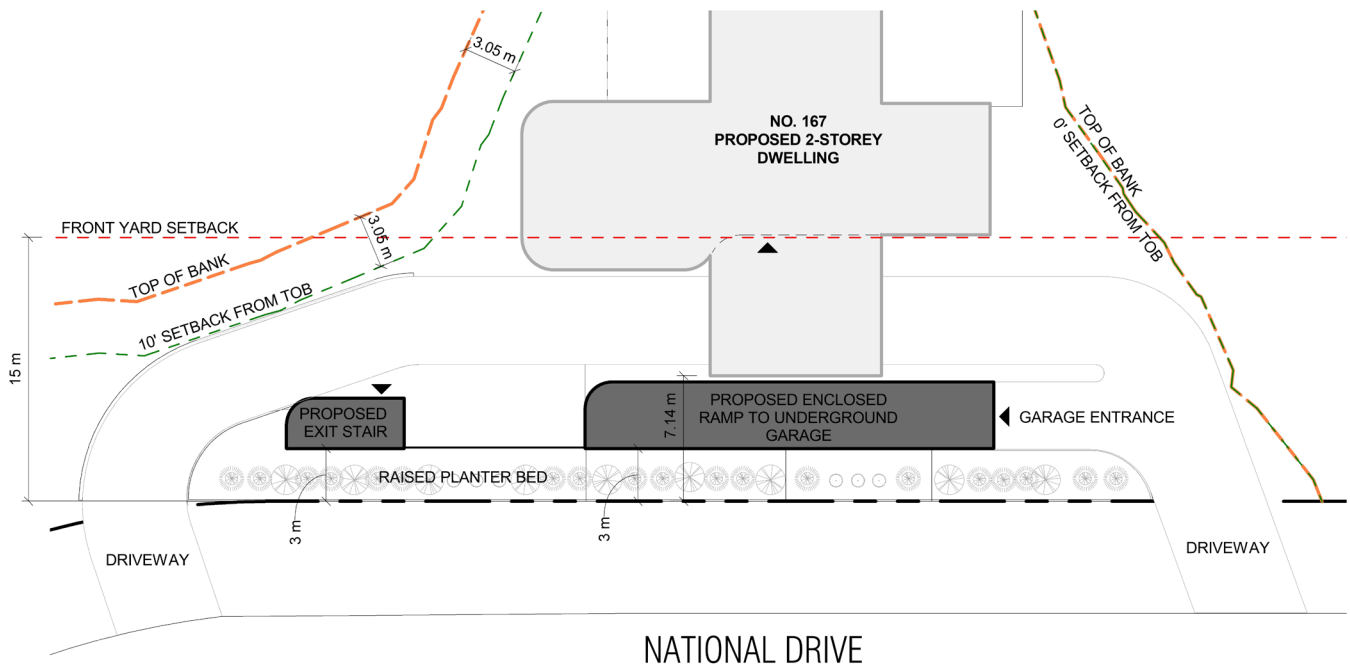


Fig. 6 – Extend of dwelling impeding front yard setback



The setback to the proposed dwelling is 7.14m to a cantilevered second floor and 13.15m to the dwelling at grade. The cantilevered second floor, measured 9.73m in length, represents 36% of the overall building length and only 5% of the lot frontage. The proposed building height at this elevation is 8.15m, 1.35m below the maximum building height. In consideration of this, we believe this variance to be minor in nature since will pose little impact on the existing neighbourhood and streetscape.

One of the driving design elements relating to the building footprint was to eliminate the garage from the main floor area as they take up a significant area of the main building footprint. Even a modest 3-car garage typical for this area would take up considerable area in the limited allowable building area. For instance, a 3-car garage will have a building footprint of 115m² which is 11% of the allowable buildable area as determined by TRCA. The decision to move the garage below grade helps overcome the limited building pocket.

The ramp itself is placed 3.0m from the property line and is enclosed to resolve the concerns with reverse slope driveways. The proposed building height of these structures is 2.32m above established grade making them well below the maximum building height and similar to the height of many security wall enclosures found within the neighbourhood.

From National Drive, these structures will not look like they are part of the dwelling but rather a landscape feature wall as there will be trees and shrubs planted in front of the structures across the front elevation (refer to fig. 7)



Variations for front yard setbacks were granted and determined minor for the following property:

- 284 Pine Valley Cres. (Required: 15.0m, Approved: 5.18m) File A317/11 **[+9.82m]**
- 30 Clubhouse Dr. (Required 15.0m, Approved: 9.28m) File A285/17 **[+5.72m]**

While there is little precedence for variations to front yard setbacks in this neighbourhood, it should be considered that this lot has unique restrictions beyond municipal zoning requirements that were ultimately the guiding factor for the placement of the proposed dwelling on this site for the safety of its residents.



Fig. 7 – Front Elevation and proposed building height



Conclusion

We feel the evidence contained within this report proves that the requested variances pass each of the four tests required under Subsection 45(1) of the Planning Act.

TEST 1
THE GENERAL INTENT OF THE OFFICIAL PLAN
IS MAINTAINED:

The proposal is in keeping with the intent of the Official Plan. The intent of the proposal is to build a single family dwelling on the subject property. The proposal is similar in size to many other new construction homes in the neighbourhood, is consistent with the city's Official Plan to intensify and improve buildings in existing neighbourhoods, and maintains land use designations.

TEST 2
THE GENERAL INTENT OF THE ZONING BY-
LAW IS MAINTAINED:

The proposal is in keeping with the intent of the City of Vaughan By-laws in effect. The requested variance is only proposed where it is functionally necessary. The variances do not represent significant departures from the regulations of the zoning by-law and are consistent with the intent and purpose of the by-law. Furthermore, the zoning consideration requested in this proposal are directly related to other restrictions on the lot including: setbacks to the long term stable top of slope surrounding three sides of the tableland. Considering that and past approved decisions, we believe that the intent of the by-law is maintained.

TEST 3
THE VARIANCE IS MINOR:

The variances are minor in nature and where applicable are supported by previously accepted variances. The proposed variances do not impede the function of the by-laws, nor do they negatively impact the neighbourhood, and should thus be considered minor.

TEST 4
THE VARIANCE IS DESIRABLE:

The variance is desirable because it will produce a proposal that is similar to and compatible with other dwellings in the community. The proposed dwelling is respectful of the existing site, the conservation of the existing land and slope and is comparable in scale to the other homes in the neighbourhood.