

ITEM: 6.3	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A193/23
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Report Date: April 19, 2024

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES (SEE SCHEDULE B):**

Additional comments from departments and agencies received after the publication of the report will be made available on the City's [website](#).

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of Comments
Committee of Adjustment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Recommend Approval w/Conditions
Development Engineering	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Recommend Approval/No Conditions

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)				
<p>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.</p>				
Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
Applicant			01/12/2024	Application Cover Letter
Applicant			09/09/2023	Planning Justification Report

BACKGROUND (SCHEDULE D, IF REQUIRED)	
<p>* Background Information contains historical development approvals considered to be related to this file. This information should not be considered comprehensive.</p>	
Application No. (City File)	Application Description <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small>
N/A	N/A

ADJOURNMENT HISTORY	
<p>* Previous hearing dates where this application was adjourned by the Committee and public notice issued.</p>	
Hearing Date	Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small>
N/A	N/A

SCHEDULES	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Comments from Agencies, Building Standards & Development Planning
Schedule C (if required)	Public & Applicant Correspondence
Schedule D (if required)	Background



MINOR VARIANCE APPLICATION FILE NUMBER A193/23

CITY WARD #:	1
APPLICANT:	Marcela Diaz
AGENT:	Punya S Marahatta
PROPERTY:	555 Nashville Road, Kleinburg
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential".
RELATED DEVELOPMENT APPLICATIONS:	A192/23 & B023/23
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit reduced lot area and frontage on the severed land to facilitate Consent Application B023/23.

The following variances are being requested from the City's Zoning By-law to accommodate the above proposal:

The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.35 and 14.144 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum Lot Frontage required for RE – Estate Residential Zone is 45.0 metres. [Table 7-3]	To permit a minimum lot frontage of 21.39 metres for Part B.
2	A minimum lot area of 3,140.0 m ² is required. [Exception 14.144]	To permit a minimum lot area of 1,865.4 m ² for Part B.

HEARING INFORMATION

DATE OF MEETING: Thursday, April 25, 2024

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive

LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

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

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

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

Date Public Notice Mailed:	April 11, 2024
Date Applicant Confirmed Posting of Sign:	April 7, 2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	To develop 2 Storey single detached dwellings on retained and severed lot
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*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.</small>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
COMMENTS:	
None	
Committee of Adjustment Recommended Conditions of Approval:	That Consent Application B023/23 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.

BUILDING STANDARDS (ZONING)

**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	Application should be considered in conjunction with application B023/23.

DEVELOPMENT PLANNING

**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	That the Owner shall apply for and obtain a demolition permit from the City for all buildings upon the subject lands and submit written confirmation from Building Standards that the demolition file(s) is/are closed.

DEVELOPMENT ENGINEERING

Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
Minor Variance Application A193/23 shall be read in conjunction with Consent Application B023/23. The Development Engineering Department does not object to the Minor Variance application A193/23.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE

No comments received to date.

Development Finance Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

BCLPS Recommended Conditions of Approval:	None
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BUILDING INSPECTION (SEPTIC)

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
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FIRE DEPARTMENT

No comments received to date.

Fire Department Recommended Conditions of Approval:	None
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RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

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	Committee of Adjustment cofa@vaughan.ca	That Consent Application B023/23 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Development Planning Nicholas.delprete@vaughan.ca	That the Owner shall apply for and obtain a demolition permit from the City for all buildings upon the subject lands and submit written confirmation from Building Standards that the demolition file(s) is/are closed.

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.

IMPORTANT INFORMATION

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.

IMPORTANT INFORMATION

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.

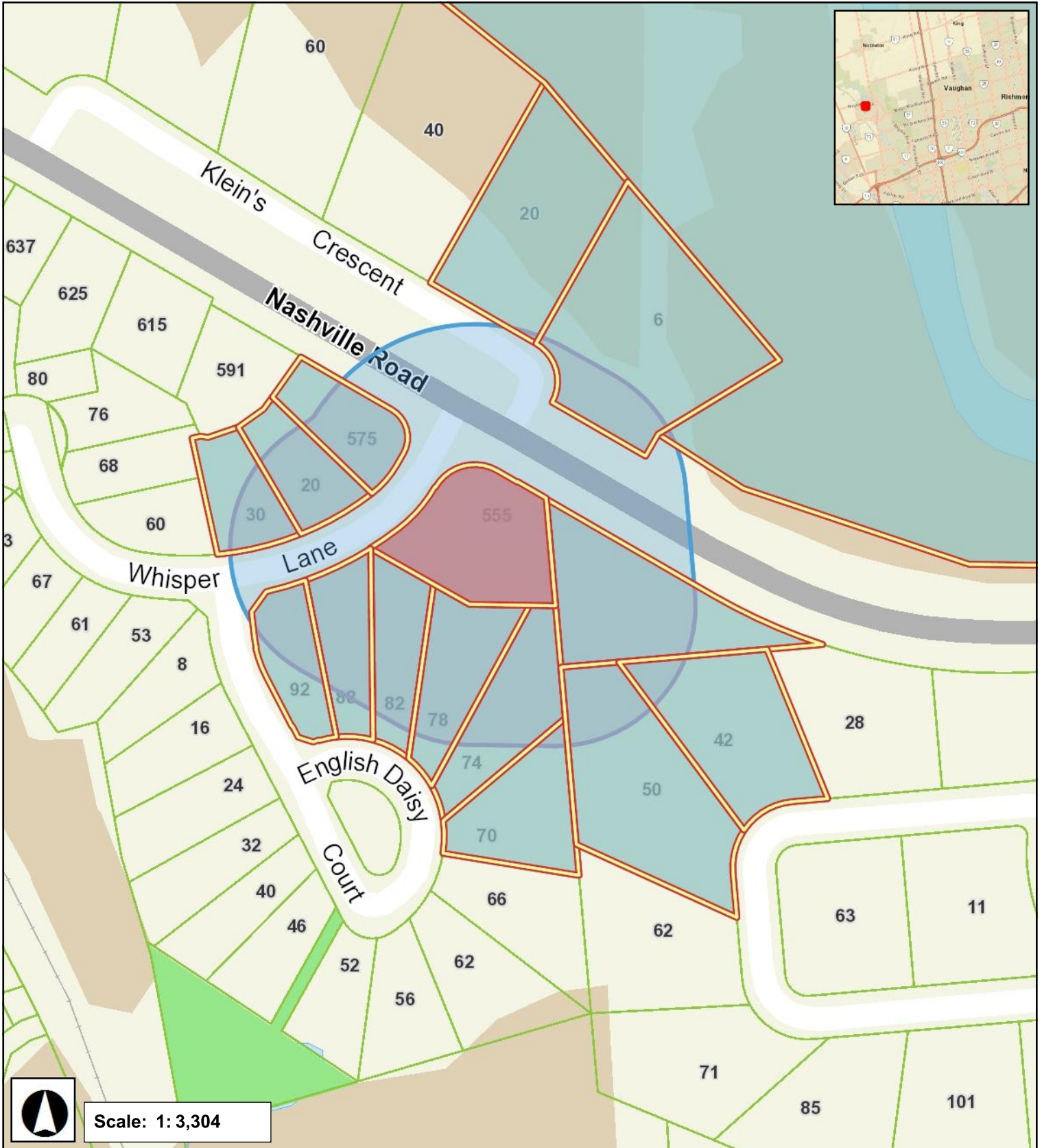
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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.

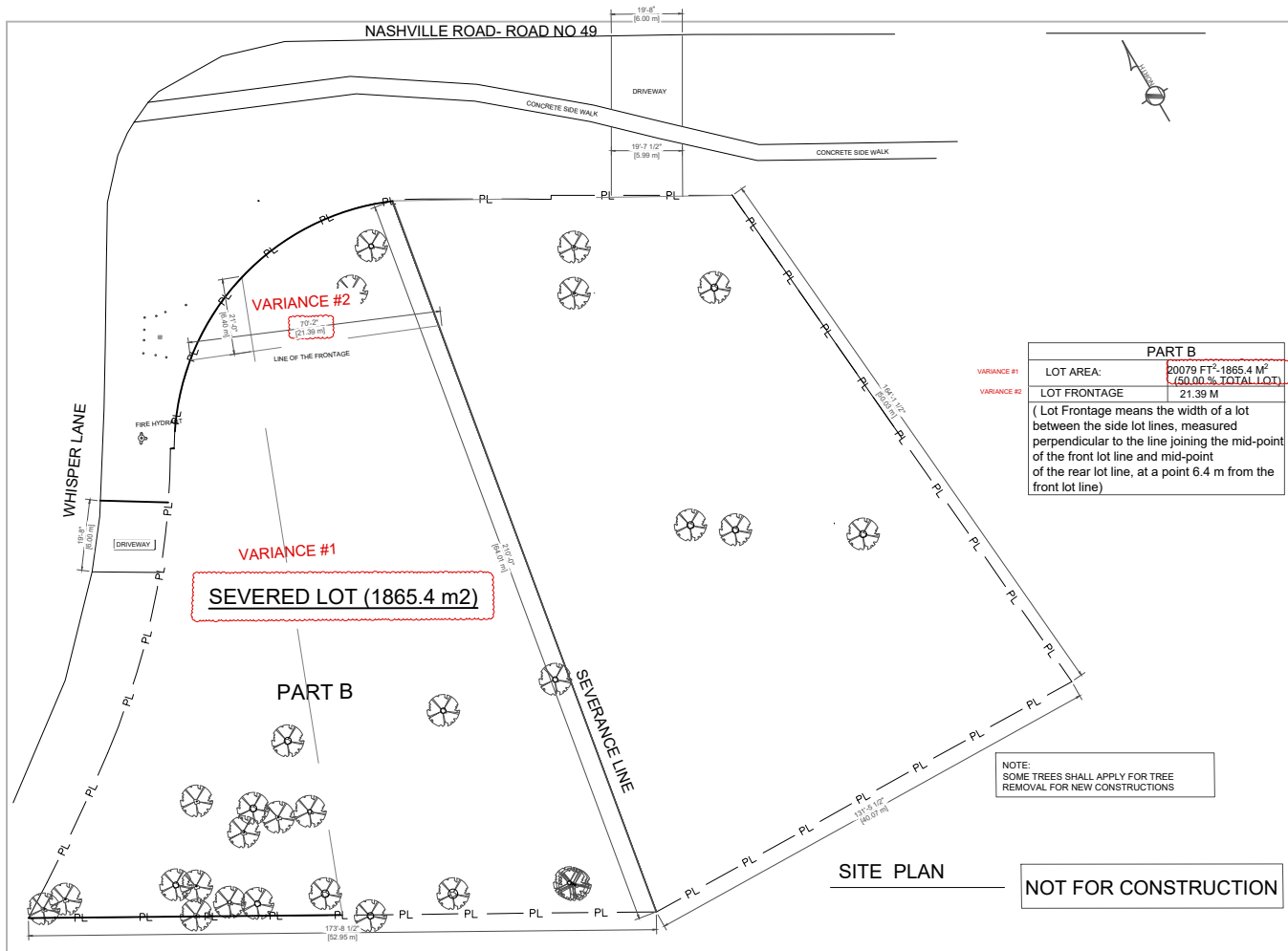
SCHEDULE A: DRAWINGS & PLANS

555 NASHVILLE ROAD, KLEINBURG



RECEIVED

By Prabhdeep Kaur at 4:08 pm, Jan 26, 2024



PART B	
LOT AREA:	20079 FT ² -1865.4 M ²
LOT FRONTAGE:	21.39 M
(Lot Frontage means the width of a lot between the side lot lines, measured perpendicular to the line joining the mid-point of the front lot line and mid-point of the rear lot line, at a point 6.4 m from the front lot line)	

NOTE:
SOME TREES SHALL APPLY FOR TREE REMOVAL FOR NEW CONSTRUCTIONS

SITE PLAN

NOT FOR CONSTRUCTION

GENERAL NOTES

1. ALL DRAWINGS AND RELATED DOCUMENTS ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED UPON REQUEST. ANY OTHER ADDRESS BY ANY OTHER PERSON WITHOUT WRITTEN PERMISSION IS PROHIBITED.
2. THIS DRAWING IS NOT TO BE SCALED.
3. ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES MUST BE NOTIFIED TO THE DESIGNER.
4. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITIES FOR DIMENSIONS AND JOB SITE CONDITIONS PRIOR TO CONSTRUCTION. ALSO CONFIRM APPLICABLE BY-LAW AND OBC.
5. ANY CHANGES MUST BE REPORTED TO DESIGNER AND APPROVED BY MUNICIPAL PRIOR TO CONSTRUCTION.

REV.	ISSUED FOR:	DATE
3	REVISED AFTER COMMENTS	JAN 12, 2023
2	REVISED AFTER COMMENTS	JAN 11, 2024
1	SUBMITTED FOR SEVERANCE	NOV 10, 2023



PROJECT:
LAND SEVERANCE
555 NASHVILLE ROAD
VAUGHAN, ONTARIO

SHEET TITLE:
PROPOSED SITE PLAN

Scale:	1:25	DWG. No.:	
SH-S:	DATE	NAME	
DRAWN	2023.02.19	P.B.	
DESIGNED	2023.02.19	P.B.	
CHECKED	2023.02.19	M.D.	
APPROVED	2023.02.19	M.D.	
PROJ. No.:	P23009	REV.	

A-02

**SCHEDULE B:
COMMENTS FROM AGENCIES, BUILDING STANDARDS &
DEVELOPMENT PLANNING**

Department / Agency <small>*Comments Received</small>	Conditions Required		Nature of Comments
Building Standards (Zoning) *See Schedule B	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Recommend Approval w/Conditions

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

Date: February 1st 2024

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A192-23 & A193-23**

Related Files:

Applicant D&PS Inc

Location 555 Nashville Road



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:

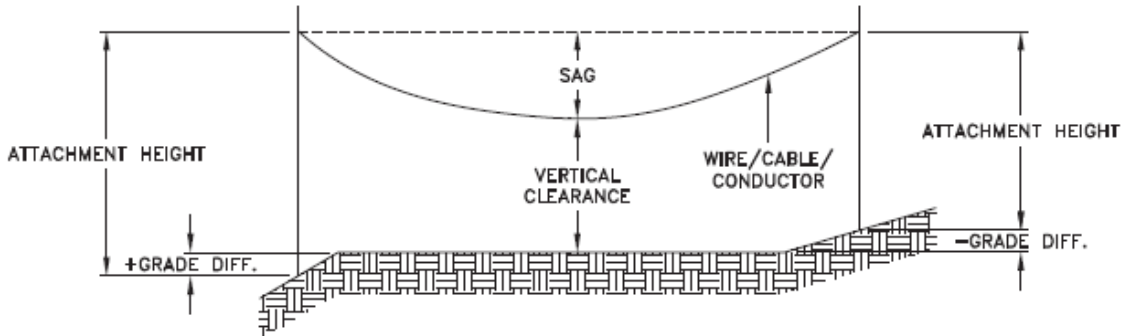
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

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



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

NOTES:

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

CONVERSION TABLE

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

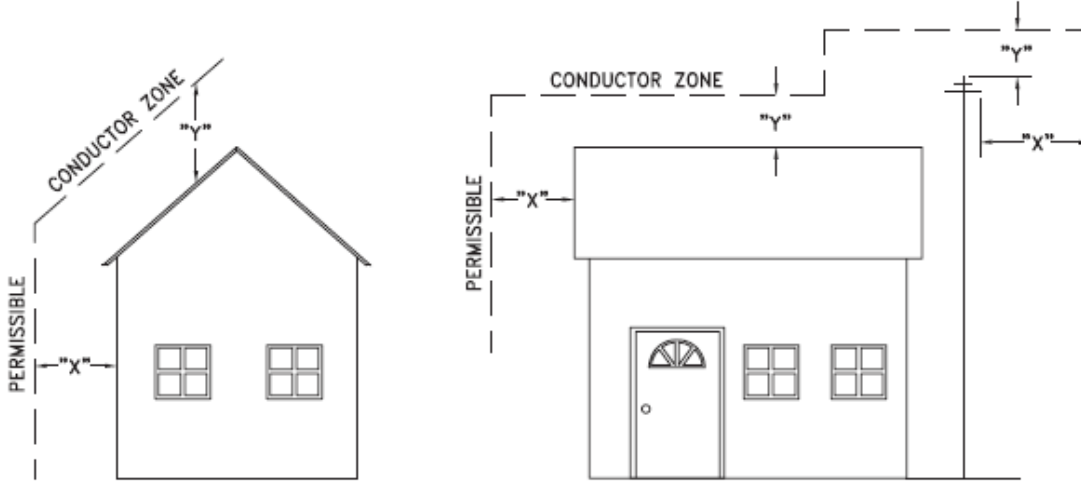
REFERENCES

SAGS AND TENSIONS | SECTION 02

MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

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

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



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

NOTES

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

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

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

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

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment
From: Christian Tinney, Building Standards Department
Date: March 27, 2024
Applicant: MD&PS Inc
Location: 555 Nashville Road
 PLAN RS65R6335 Part 3
 CONC 9 Part of Lot 25
 CONC 9 Part of Lot 24
File No.(s): A193/23

Zoning Classification:

The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.35 and 14.144 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum Lot Frontage required for RE – Estate Residential Zone is 45.0 metres. [Table 7-3]	To permit a minimum lot frontage of 21.39 metres for Part B.
2	A minimum lot area of 3,140.0 m ² is required. [Exception 14.144]	To permit a minimum lot area of 1,865.4 m ² for Part B.

Staff Comments:

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

There are no outstanding Orders on file.

Other Comments:

Zoning By-law 001-2021	
1	Application should be considered in conjunction with application B023/23.

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.

Conditions of Approval:

1	Application should be considered in conjunction with applications B023/23.
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* 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: April 17, 2024
Name of Owner: Marcella Karen Diaz Gonzales
Location: 555 Nashville Road
File No.(s): B023/23, A192/23 & A193/23

Proposal: The Owner has submitted Consent Application File B023/23 to subdivide the Subject Lands (555 Nashville Road) in two (2) and applied for variances to facilitate the proposed severed and retained lot configurations (the “Applications”). The existing dwelling on the Subject Lands would be demolished. The purpose of the Applications is to create a single residential infill lot each with a single detached dwelling on the severed and retained lands. Conceptual building footprints have been provided for the purpose of analyzing the Applications. Should a different building configuration be proposed at a later date requiring relief from the Zoning By-law, the relief request will be analyzed on its own merits.

B023/23

The Owner has submitted a Consent Application to sever a 1,865.40 m² portion of the Subject Lands identified as “Part B” on the submitted sketch for the purpose of creating a new residential lot fronting onto Whisper Lane, and retain a 1,865.18 m² portion of the Subject Lands identified as “Part A” fronting onto Nashville Road. The below-noted Variances are required to facilitate the consent by permitting the severed and retained lot configurations.

A192/23 (Retained Lands)

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

1. To permit a minimum lot frontage of 27.19 metres for Part A.
2. To permit a minimum lot area of 1,865.19 m² for Part A.

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

1. The minimum Lot Frontage required for the RE – Estate Residential Zone is 45.0 metres.
2. A minimum lot area of 3,140.0 m² is required.

A193/23 (Severed Lands)

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

1. To permit a minimum lot frontage of 21.39 metres for Part B.
2. To permit a minimum lot area of 1,865.40 m² for Part B.

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

1. The minimum Lot Frontage required for the RE – Estate Residential Zone is 45.0 metres.
2. A minimum lot area of 3,140.0 m² is required.

Official Plan:

Vaughan Official Plan 2010 (‘VOP 2010’): “Low-Rise Residential”.

B023/23 Comments:

Provincial Policy Statement 2020

In accordance with Section 3 of the Planning Act, all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement 2020 (the ‘PPS’). The PPS provides a policy framework that promotes growth within settlement areas through the effective utilization of existing infrastructure and public service facilities to provide a wide range of housing opportunities. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the

wise use and management of resources; and protecting public health and safety.

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

Growth Plan for the Greater Golden Horseshoe 2019

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

VOP 2010

The Subject Lands are located at the eastern extremity of what would be considered the Nashville historic village. The Nashville historic village is part of the Villages of Kleinburg/Nashville Heritage Conservation District Plan (HCD). The Subject Lands are not within the Plan, but Nashville Road, lots facing Nashville Road west of the Subject Lands and the lots opposite the Subject Lands on the north side of Nashville Road are. As the Subject Lands about a HCD, Cultural Heritage Staff have reviewed the proposal and have no objection.

The Subject Lands are designated "Low-Rise Residential" by VOP 2010 and located within a "30 m+ Established Large Lot Neighbourhood" ('LLN') as identified on Schedule 1B of VOP 2010. As such, the LLN policies contained in Section 9.1.2.3 (a-h) of VOP 2010 are applicable to the Subject Lands. These policies provide further clarification and criteria in assessing the compatibility of infill development in Community Areas with a "Low-Rise Residential" designation. The compatibility policies contained in Section 9.1.2.3 (a-h) provides requirements for lot frontage, lot area, lot configuration, front, exterior and rear yards, dwelling types, building heights and massing, and lot coverage to maintain the character of existing LLN's. Specifically, Sections 9.1.2.3.a and 9.1.2.3.b identify that new lots should have lot frontages equal to or exceeding frontages of adjoining lots and that the area of new lots should be consistent in size with adjoining lots.

The proposed lot area of the retained lands, which will front onto Nashville Road, is generally greater than the existing lots along the south side of the historic village portion of Nashville Road and the proposed frontage is slightly smaller in comparison to these same lots that generally have a frontage of a little over 30 metres. The lots along the south side of Nashville Road are generally within the 1,300 m² – 1,500 m² range. The proposed retained lot area exceeds this range. Development Planning Staff are not concerned with the visual impact of the reduced lot area on the existing Nashville Road streetscape. Development Planning Staff are not concerned with the visual impact of the reduced lot frontage on the existing Nashville Road streetscape. The retained lot does not abut any lots fronting onto Nashville Road, so the slightly decreased lot frontage is also not anticipated to be very perceptible. Additionally, the proposed retained lot abuts a vacant municipally owned lot in the east. The vacant municipal lot will help contribute to the appearance of a larger, compliant lot frontage. It is therefore Development Planning Staff's opinion that the intent of the LLN policy objectives are met in this instance.

The proposed lot area and frontage of the proposed severed lands, which will obtain access off of and are anticipated to face Whisper Lane, are similar to the adjoining lots

within the small estate-style subdivision to the west comprised of English Daisy Court and Whisper Lane. The lots within this subdivision are generally within the 1,500 m² to 2,000 m² range. The proposed severed lot area is within this range. Due to the configuration of the severed lot and location of the proposed driveway access, it is anticipated that the dwelling will face Whisper Lane (exterior lot line) rather than the modest frontage along Nashville Road where the front lot line as defined is located. Therefore, the exterior lot line will function as the front lot line. The exterior lot line is anticipated to be in excess of 40 m, likely the greatest of any front lot line in the estate-style subdivision. It is therefore Staff's opinion that the intent of the LLN policy objectives are met in this instance.

Additionally, the proposed lot configuration, dwelling types, rear, side and front yards, and lot coverages for the proposed retained and severed lands are compatible with the existing neighbourhood context. Therefore, the proposed lots respect both the size and configuration of the existing neighbourhood lotting fabric. As such, the proposal conforms to VOP 2010.

Zoning By-law 001-2021 and Staff Analysis

The Subject Lands are zoned RE - Estate Residential Zone in Zoning By-law 001-2021. Single detached dwelling uses are permitted within the RE Zone and said uses continue to be proposed. The lands are defined as a corner lot as they are bordered by Nashville Road to the north and Whisper Lane to the west. The existing detached dwelling obtains driveway access off Nashville Road. Whisper Lane is the sole access road for a small estate-style plan of subdivision. The subdivision is comprised of Whisper Lane and English Daisy Court. The Subject Lands are at the entrance to the small estate-style subdivision. The subdivision is comprised of larger one and two-storey single detached dwellings on deep lots that generally maintain approximately 15 m to 40 m of frontage and are 1,500 m² to 2,000 m² in area. The proposed severed lands will become a corner lot, while the proposed retained lands will become an interior lot. The severed lands abut and will obtain access off Whisper Lane and will therefore become a contributing lot to the subdivision to the west described above and are anticipated to fit in with its established lot fabric. The retained lands are proposed to have a lot frontage of 27.19 m and a lot area of 1,865.19 m² which shares similar characteristics with the lot fabrics of the nearby lots fronting onto Nashville Road.

The existing dwelling, which faces Nashville Road, must be demolished to facilitate the Applications. A condition has been recommended below to ensure its removal. Building Permit applications would be filed at a later date for the two (2) dwellings and any private water/wastewater services they may have.

In support of the application, the Owner has submitted an Arborist Report and Tree Preservation Plan prepared by Davey Resource Group, dated March 18, 2024. The report inventoried a total of thirty-six (36) trees, two (2) of which are proposed to be removed and 2 to be injured. A total of thirty-two (32) trees will be retained and protected through construction and a total of seven (7) replacement trees are proposed. Urban Design staff have reviewed the report and concur with its recommendations.

A192/23 (Retained Lands) Comments:

The proposed lot frontage and area of the retained lands, 27.19 m and 1,865.19 m² respectively, do not comply with the RE Zone requirements of Zoning By-law 001-2021. Therefore, Minor Variance Application File A192/23 has been submitted. The existing driveway access from Nashville Road would be maintained to provide access to the retained lot. The future dwelling on the retained lot would face and be part of the Nashville Road streetscape rather than the small estate-style subdivision to the west due to the orientation of its front façade and driveway access. Lots along the historic village portion of Nashville Road are characterized by frontages that often slightly exceed 30 m and have varied depths. Said lots along the south side of Nashville Road are generally shallower than the lots on the north side and are generally within the 1,300 m² – 1,500 m² range. The built form within the historic village is characterized by one and two-storey single detached dwellings.

With respect to appropriateness with the surrounding neighbourhood lot pattern, the Subject Lands are located at the eastern extremity of the historic village of Nashville. There are no lots which front and/or obtain direct access onto Nashville Road to the immediate east. 575 Whisper Lane also provides a visible break in continuity for the lots which face and obtain driveway access to Nashville Road's south side. The Subject

Lands are therefore somewhat isolated from the contiguous historic village lot fabric to the west. The proposed lot area is generally greater than the existing lots along the south side of the historic village portion of Nashville Road and the proposed frontage is slightly smaller in comparison to these same lots that generally have a frontage of a little over 30 metres. Development Planning Staff are not concerned with the visual impact of the reduced lot frontage on the existing streetscape. The retained lot is not contiguous with the other lots in the area fronting onto Nashville Road. It is anticipated that the moderately reduced frontage will be less apparent due to the lack of lot continuity. Additionally, as the proposed retained lot abuts a vacant and municipally owned lot to the east, the municipal lands will help contribute to the appearance of a larger lot frontage, mitigating any perceived adverse impacts on the existing streetscape. As such, the proposed retained lot respects the existing lot fabrics along Nashville Road and is not anticipated to adversely impact the existing streetscape, character of the neighbourhood or the greater LLN.

Development Engineering and Transportation Engineering have reviewed the proposal and have no opposition to the proposed driveway access point for the retained lands.

A193/23 (Severed Lands) Comments:

The proposed lot frontage and area of the severed lands, 21.39 m and 1,865.40 m² respectively, do not comply with the RE Zone requirements of Zoning By-law 001-2021. Therefore, Minor Variance Application File A193/23 has been submitted. While the severed lands would be defined as a corner lot by maintaining frontage on Nashville Road and Whisper Lane, they would obtain driveway access off Whisper Lane. Due to the proposed lot configuration, curved road frontages, and driveway access location, it is anticipated the future dwelling will face west and address Whisper Lane.

The proposed lot frontage and area is similar to the adjoining lots within the estate-style subdivision. The subdivision is comprised of larger one and two-storey single detached dwellings on lots that generally maintain approximately 15 m to 40 m of frontage and are 1,500 m² to 2,000 m² in area. Development Planning Staff are not concerned with the visual impact of the reduced lot frontage (21.39 m) on the existing streetscape as the function frontage (exterior lot line) is anticipated to be in excess of 40 m, likely greater than any other lot within the subdivision. The front and exterior side lot lines have a curved/winding orientation that appears as one continuous lot line. The exterior side lot line (where the access driveway is proposed for the severed lot and where the dwelling is anticipated to face) will function as the front line/yard. The lot area is within the range of other lots within the subdivision. As such, no perceived adverse impacts on the existing streetscape are anticipated. Therefore, the proposed lot frontage and area will appear similar to the existing lots along Whisper Lane and English Daisy Court, respecting the existing lotting fabric of the estate-style subdivision, and is not anticipated to adversely impact the character of the neighbourhood.

Development Engineering and Transportation Engineering have reviewed the proposal and have no opposition to the proposed driveway access point for the severed lands.

General Conclusions:

Development Planning Staff has no objection to the requested severance and is of the opinion that the proposal maintains the intent of the severance policies in VOP 2010, and the consent criteria stipulated in Section 51(24) of the Planning Act, R.S.O. 1990, c P.13.

Development Planning Staff is also of the opinion that the requested variances to create the severed and retained lands are minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the lands.

Recommendation:

Development Planning Department Staff recommend approval of the applications, subject to the following conditions:

Condition of Provisional Consent/Approval:

If the Committee finds merit in the applications, the following condition is recommended:

1. That the Owner shall apply for and obtain a demolition permit from the City for all buildings upon the subject lands and submit written confirmation from Building Standards that the demolition file(s) is/are closed.

Comments Prepared by:

Nicholas Del Prete, Planner 1
David Harding, Senior Planner

Pravina Attwala

Subject: FW: [External] RE: B023/23, A192/23, A193/23 (555 Nashville Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

From: Kristen Regier <Kristen.Regier@trca.ca>
Sent: January-31-24 9:11 AM
To: Committee of Adjustment <CofA@vaughan.ca>
Cc: Christine Vigneault <Christine.Vigneault@vaughan.ca>
Subject: [External] RE: B023/23, A192/23, A193/23 (555 Nashville Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hello,

The subject property at 555 Nashville Road, Vaughan is not located within TRCA’s Regulated Area. TRCA’s Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

Kristen Regier, MA (she / her)
Planner
Development Planning and Permits | Development and Engineering Services
Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)
E: kristen.regier@trca.ca
A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



Prabhdeep Kaur

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: Tuesday, February 6, 2024 1:51 PM
To: Christine Vigneault
Cc: Committee of Adjustment
Subject: [External] RE: B023/23, (555 Nashville Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Good afternoon Christine,
The Regional Municipality of York has completed its review of Consent B023/23 and has no comment.
Thank you

Gabrielle

Gabrielle Hurst MCIP, RPP | Associate Planner, Planning and Economic Development Branch | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			01/12/2024	Application Cover Letter
Applicant			09/09/2023	Planning Justification Report

Date: January 12, 2024

Committee of Adjustment

City of Vaughan

2141 Major Mackenzie Dr, Vaughan, ON

Re. B023/23, A192/23 & A193/23

Dear Committee,

On behalf of our client, we submit the enclosed revised application for B023/23, A192/23, and A193/23.

The revision is based on the comments we received on December 04, 2023, from Development Planning Department and Building Standards Department. Please be advised that this revision will not impact the consent application B023/23.

As our client was made aware that there would be a building design for proposed buildings to establish the height and setback, they decided to start building design later, after obtaining the consent for severance. Therefore, the application is now to request a variance in lot area and lot frontage for both retained and severed lots. Likewise, while discussing the requirement of an Arborist's Report, we decided to produce that once the consent is granted. We are open to having that as a condition of approval.

This revised submission package includes:

- A. For Retained lot (A192/23):
 1. 555 Nashville Rd-Retained_ Jan 12, Revised
 2. Variance _Setback Chart- January 12
 3. Variance Chart-Filled-January 12
 4. Variance Size Chart-January 12

- B. For Severed lot (A 193/23):
 1. 555 Nashville Rd-Severed_ Jan 12, Revised
 2. Variance _Setback Chart- January 12
 3. Variance Chart-Filled-January 12
 4. Variance Size Chart-January 12

Additional studies, reports, and drawings will be submitted according to the future development agreement.

Sincerely yours,



Punya Sagar, Ph.D., MCIP, RPP
President/Director, Planning Services
MD&PS Inc.
punya.sagar@md-ps.ca

**PLANNING JUSTIFICATION REPORT
FOR
CONSENT AND MINOR VARIANCE
555 NASHVILLE ROAD, VAUGHAN**



Source: <https://vaughan.maps.arcgis.com/apps/interactivelegend/index.html?appid=682f6cb6d11e41eeafbc2685df3cc38>

NOVEMBER 9, 2023

Revised on February 29, 2024

Prepared By:

Municipal Development & Planning Services Inc.
160 Austinpaul Drive
Newmarket, ON L3X 2K5
info@md-ps.ca

Prepared For:

Marcela Karen Díaz Gonzales
555 Nashville Rd
Kleinburg ON L0J1C0

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1.0 Background

Municipal Development and Planning Services (MD&PS) Inc. was retained by the owner of 555 Nashville Road (the 'Subject Site) in the City of Vaughan, to assist in obtaining Committee of Adjustment approval for a consent application and a minor variance application on the subject site.

The subject site is currently used for residential purposes. The owner of 555 Nashville Road intends to demolish the existing building to develop two residential dwellings on each severed lot. As such, the purpose of the consent and minor variance applications is to facilitate the development of two detached houses creating two lots referred to as Part A and Part B. Both lots are proposed to be approximately 0.46 Acres or 0.18 Ha each.

The purpose of this planning justification report is to demonstrate how the severance complies with the applicable policies for lot creation by provincial, regional, and local planning documents.

The general location of the subject property is indicated in Figure 1- Location Map.

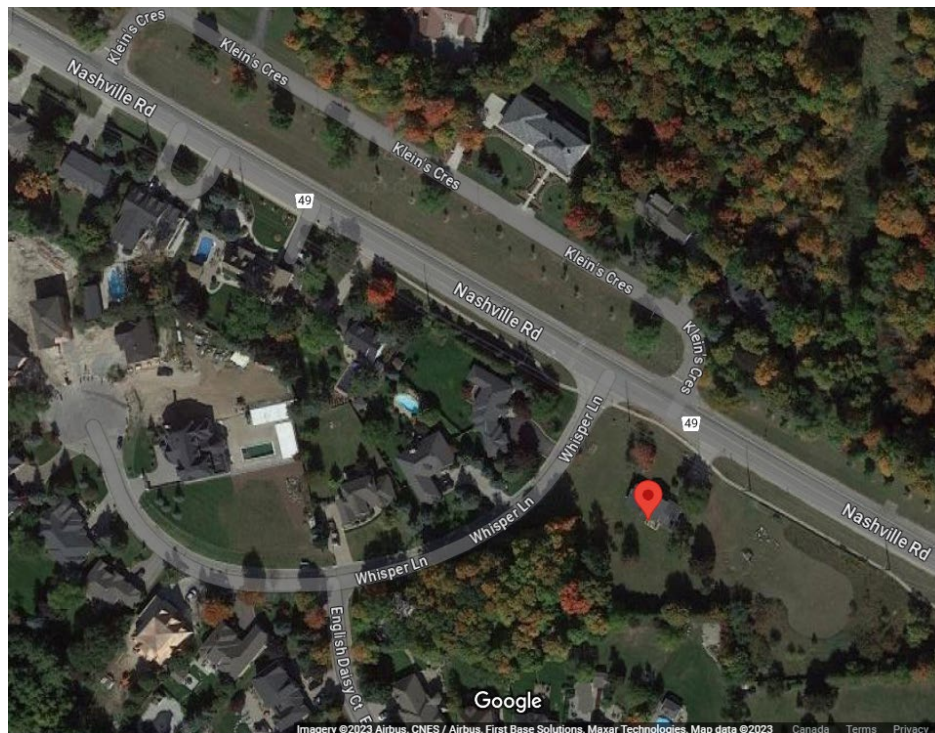


Figure 1: Location Map (Source: Google)

1.1 Location & Legal Description

The subject property is located on the southwest corner of Whisper Lane and Nashville Road in the City of Vaughan. The subject property is municipally known as 555 Nashville Road and is legally described as follows:

- Part of Lots 24 and 25
- Concession 9 (VGN)
- (Part 3, Plan 65R-6335)
- In the City of Vaughan
- (Regional Municipality of York)

1.2 Site Context & Surrounding Uses

The subject property is located at 555 Nashville Road, in the City of Vaughan. It has a total area of approximately 3728.18m² (0.37Ha or 0.92 acres), and approximately 90.8m of frontage along Nashville Road extending to Whisper Lane. It is generally a pie-shape lot occupied by a residential dwelling.

The general location context of the site is shown in Figure 2- Context Plan/ Aerial Map. The approximate lot boundary is highlighted in red.

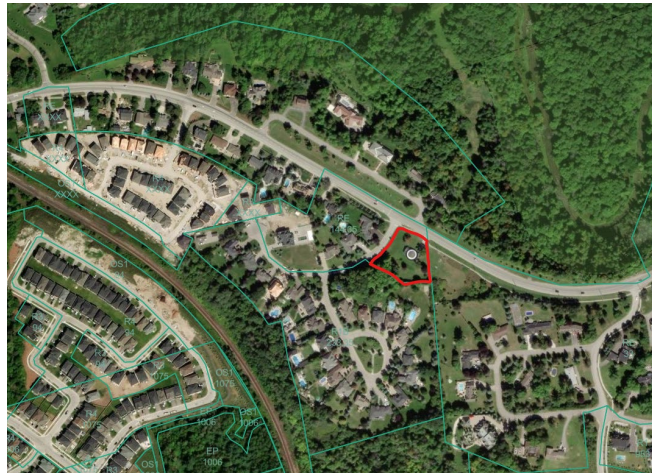


Figure 2: Context Plan/ Aerial Map

(Source <https://vaughan.maps.arcgis.com/apps/instant/interactivelegend/index.html?appid=682f6cb6d11e41eeafbfc2685df3cc38>)

Access to 555 Nashville Road is currently gained via full move access onto Nashville Road with an existing driveway.

A private well and septic system currently services the subject property.

Existing uses in the proximity to the subject site are as follows:

- North- Estate residential development across Nashville Road
- South- Low-density residential development
- East- Estate Residential Development
- West- Estate Residential Development across Whisper Lane

2.0 Proposed Application

2.1. Severance Application

The purpose of the proposed severance is to facilitate the development of two single detached dwellings on the severed lots on a well and septic system. As stated above, the owner intends to demolish the existing dwelling and develop two residential buildings on site. The proposal is to create two lots Part A and Part B with approximately an area of 1865m² per lot. The proposal is to have lot frontage of approximately 30.19m for Part A and 60.61m for Part B. Part A is proposed to have access on Nashville Road whereas Part B is proposed to have a driveway on Whisper Lane. Both lots will have separate wells and septic beds. The separation distance between the well and the septic beds exceeds 20 m.

As mentioned above, the applicant wishes to develop two residential dwellings in Part A and Part B. The proposal is to build a residence covering 25% of the proposed area of Part A and 16% of Part B. (See Figure 3: Severance Plan).

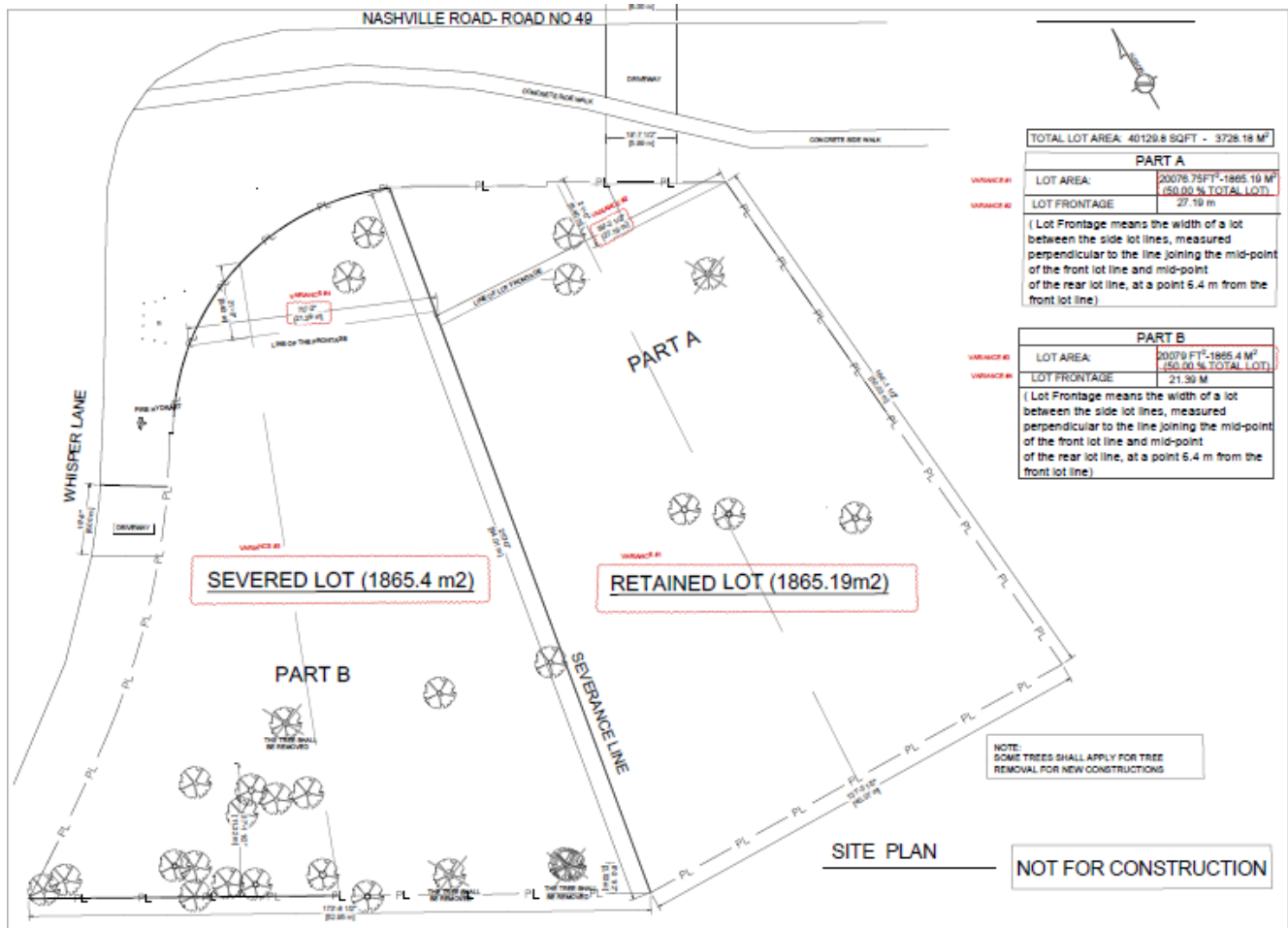


Figure 3: Severance Plan

2.2 Minor Variance Application

As stated above, the purpose of the minor variance application is to facilitate the severance of the property. The following variances are required to facilitate the severance application:

1. **Exception 14.144.2.1.:** The minimum lot area of lands identified as “Lot 1”, as shown in Figure E-284, shall be 0.314 ha.

To permit a minimum lot area of 0.186 ha in a RE- Estate Residential Zone, whereas the by-law requires a minimum lot area of 0.314 ha.

2. Section 7.2.2. Table 7-3: The minimum lot frontage shall be 45.0m.
 - 2.1. **To permit a minimum lot frontage of the retained lot (Part A) to be 27.19m, and**
 - 2.2. **To permit a minimum lot frontage of the severed lot (Part B) to be 21.39m.**

2.3 Site Statistics

Proposed and severed lots are intended for single-family residential development. The proposed site plan and the elevation are conceptual to demonstrate the opportunity for such development in the future. At this time, the property owner does not intend to apply for a building permit and any variances required at that time would be requested through a separate application. Following are some key statistics based on conceptual buildings on site.

Table 1- Existing & Proposed Site Statistics

Site Statistics	Existing lot	Proposed Lot (Part A)	Proposed Lot (Part B)
Area	3728.18m ²	1865.19 m ²	1865.4 m ²
Frontage	90.8m	27.19m	21.39m
Front Yard Setback	14.75m	26.06m	16.79m
Rear Yard Setback	33.02m	15.23m	15.22m
Interior Yard Setback	14.01m (E) 21.19m (W)	14.12m (E) 4.51 (W)	7.93m (N) 10.22m (S) (considered Exterior Side Yard)

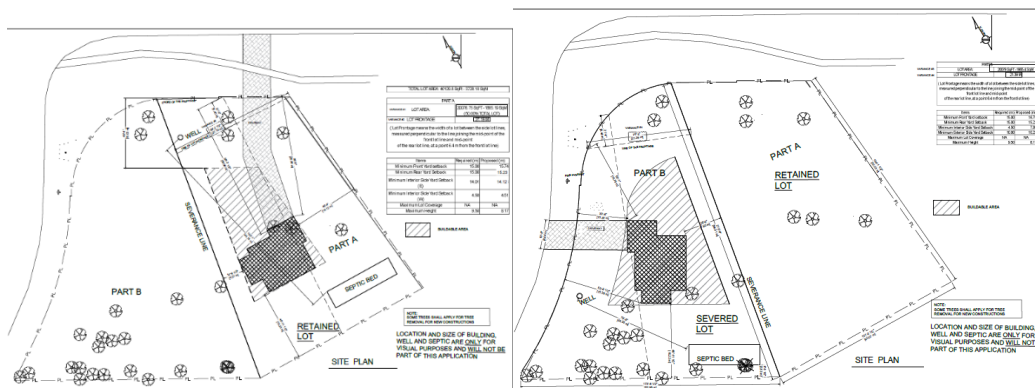


Figure 4: Proposed Conceptual Site Plan for new lots

Details of the site statistics are shown in the proposed site plan.

3.0 Planning Policy Framework and Conformity

The subject property is governed by several policies and legislation from various levels of government, several of which were recently updated. THE documents applicable to the subject site are identified below and have been reviewed concerning the application:

Provincial Policy Statement, 2020

The City of Vaughan Official Plan, 2010 (Office Consolidation 2020)

The City of Vaughan Zoning By-law 001-2021

When considering development applications, planning decisions by the City must be consistent with and/ or conform to the various provincial, regional, and local policies.

3.1. Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (PPS) was updated by the Ministry of Municipal Affairs and Housing (MMAH) and came into effect on May 1, 2020. It provides direction on matters of provincial interests related to land use planning and development. All planning applications and decisions shall be consistent with the PPS.

The PPS focuses on building strong communities, protecting the natural environment, resources, and public health and safety, and supporting a strong economy. It provides a planning framework for municipal land use decision-making as it relates to managing and directing land use to achieve efficient development, land use patterns, and sustainable economy.

The subject area is identified as “Settlement Areas” in the PPS.

Section 1.1.3.1 states that

“Settlement areas shall be the focus of growth and development.”

Section 1.1.3.2 states that

“Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment.”

Section 1.1.3.4 states that

“Appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form while avoiding or mitigating risks to public health and safety.”

The proposed severance represents intensification, redevelopment, and compact form and poses no risks to public health and safety. The lands will continue to be used for residential purposes, as such proposed severance application supports the policy directives outlined and is consistent with the PPS 2020 policies.

3.2. City of Vaughan Official Plan, 2010 (Office Consolidation 2020)

The City of Vaughan Official Plan was adopted on September 07, 2010, and was subsequently modified by the City Council on September 27, 2011, March 20, 2012, and April 17, 2012. After the Plan was adopted by the City Council, it was forwarded to the Region of York for consideration in its capacity as approval authority. The Region did not exercise its jurisdiction within the 180 days prescribed by the Planning Act (the “Act”), and accordingly, the Plan was appealed to the Local Planning Appeal Tribunal (LPAT) under Section 17(40) of the Act following the expiry of that period. Its official consolidated version of 2020 is partially approved by the Ontario Municipal Board.

The subject property is designated as an “Urban Area” on Schedule 1A and “Established Large-Lot Neighbourhoods” of the City’s Official Plan. The purpose of such a designation is to encourage to maintenance of the character of established, large-lot neighborhoods. Likewise, Section 9.1.2.3 directs the development following guidelines below:

- a. Lot frontage: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjoining lots or the average of the frontage of the adjoining lots where they differ.
- b. Lot area: The area of new lots should be consistent with the size of adjoining lots.
- c. Lot configuration: New lots should respect the existing lotting fabric in the immediate surrounding area.
- d. Front yards and exterior side yards: Buildings should maintain the established pattern of setbacks for the neighborhood to retain a consistent streetscape.
- e. Rear yards: Buildings should maintain the established pattern of setbacks for the neighborhood to minimize visual intrusion on the adjacent residential lots.
- f. Dwelling types: A new dwelling replacing an existing one shall be of the same type, as defined in Section 9.2.3 of this Plan.

Table 2: Official Plan Policies Response

Lot Frontage	Proposed consent is intended with lot frontages that are consistent with the adjoining lots to the south. Other lots are not abutting directly to the proposed lots.
Lot area	The proposed lot areas are consistent with the adjoining lots.
Lot configuration	As the proposed lot is in isolation, it does not adversely impact the existing configuration and it is consistent with the configuration at a high level.
Yard setback requirements	The proposed consent is intended not to encroach on the required yard setbacks.
Dwelling types	Single detached dwellings are proposed as replacement dwellings which would be of the same type as the existing one.

3.3. The City of Vaughan Zoning By-law 001-2021

The subject property is zoned RE (EN) 14.144- Estate Residential (Established Neighbourhood) with Exception 14.144.

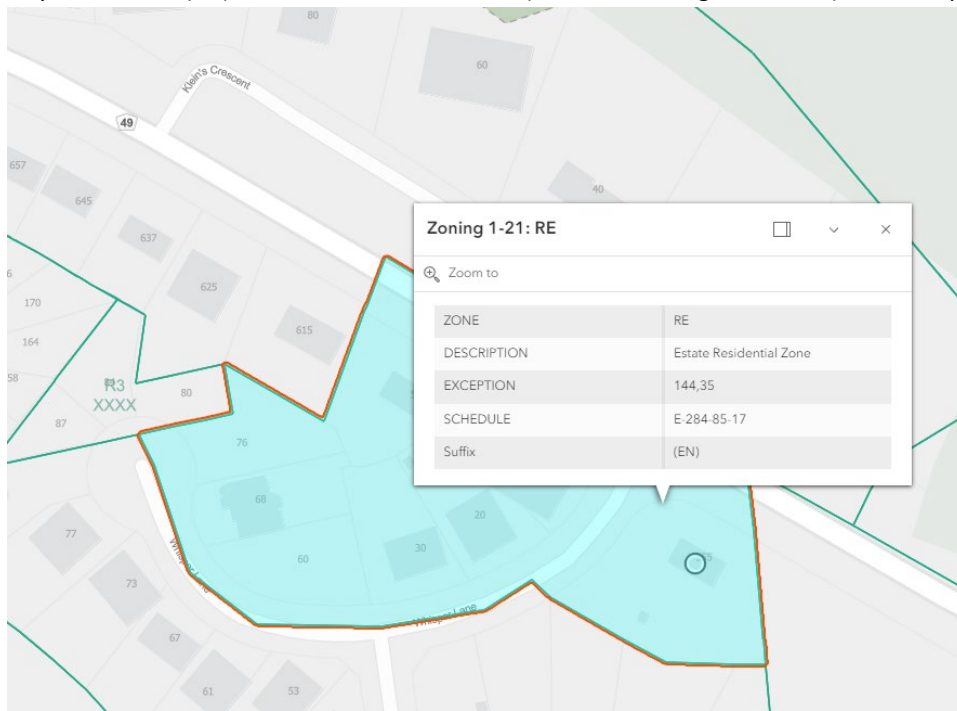


Figure 5: Zoning Map

(Source: <https://vaughan.maps.arcgis.com/apps/instant/interactivelegend/index.html?appid=682f6cb6d11e41eeafbf3c2685df3cc38>)

The following are the zoning requirements in this zone:

Table 3: Zoning Matrix

Site Statistics	Required	Proposed Lot (Part A)	Proposed Lot (Part B)
Area (Exception 14.144.2)	0.314 ha/ 3140 m ²	1865.19 m ²	1865.4 m ²
Frontage	45.0m	27.19m	21.39m
Front Yard Setback	15.0m	26.06m	16.79m
Rear Yard Setback	15.0m	15.23m	15.22m
Interior Yard Setback	4.5m	14.12m (E) 4.51 (W)	7.93m (N) 10.22m (S) (considered Exterior Side Yard)
Maximum Building Ht.	9.5m	8.17m	8.17m

The existing and proposed buildings are permitted by the provisions of the City's by-law.

3.4. Minor Variance Test

Section 45(1) of the Planning Act, as amended, identifies the four tests that must be satisfied for the Committee of Adjustment to approve this application. Those test areas are as follows:

1. *The variance maintains the general intent and purpose of the Official Plan.*
2. *The variance maintains the general intent and purpose of the Zoning By-law.*
3. *The variance is desirable for the appropriate development or use of the land.*
4. *The variance is minor in nature.*

In our opinion, the requested variances are supportable and meet the four tests under the Planning Act in the following way:

The variance maintains the general intent and purpose of the OP.

As outlined in Table 2, the proposal maintains the general intent and purpose of the established area to support redevelopment and intensification.

The variance maintains the general intent and purpose of the Zoning By-law.

Given the context of the nearby developments, the proposal is justifiable. Although the proposal is to seek relief from lot area, lot frontage, and setbacks, as the recent development is evident, lots to the north and west have already been smaller in area and frontage. They no longer have a 4.5m setback. Therefore, we believe the proposal maintains the general intent and purpose of the zoning by-law.

The variance is desirable for the appropriate development or use of the land.

The proposed lots will be used as residential lots in the future. Therefore, it could be justified that the proposed use is appropriate, and no major change is proposed. It is justified to have such development be desirable on the newly created lots.

The variance is minor in nature.

The proposed variances are not intended to alter the existing use of the subject property. Although two new buildings will be developed shortly if consent is given, there is an intent to maintain a minimum separation distance between the existing houses in the neighborhood and to respect privacy. Visually there are no discernible changes to the use. It is our opinion that the proposed variances are minor in nature.

4.0 Summary and Conclusion

The owner of 555 Nashville Road is intending to develop two detached dwellings on the subject property. As such, the purpose of the consent and minor variance applications is to create two separate lots and register accordingly.

Two new lots are being created as a result of the proposed severance. However, minor variances in the permitted lot area and lot frontage are required to facilitate the intended development/ use.

The subject site is presently occupied by a two-storey single detached dwelling with a height of 7.62m (25'-0") which is proposed to be demolished if the consent is approved by the Committee of Adjustment.

Through the policy review above, the proposed severance is consistent with and confirms the current policies as prescribed by the Provincial Policy Statement, Official Plan, and Zoning By-law of the City of Vaughan.

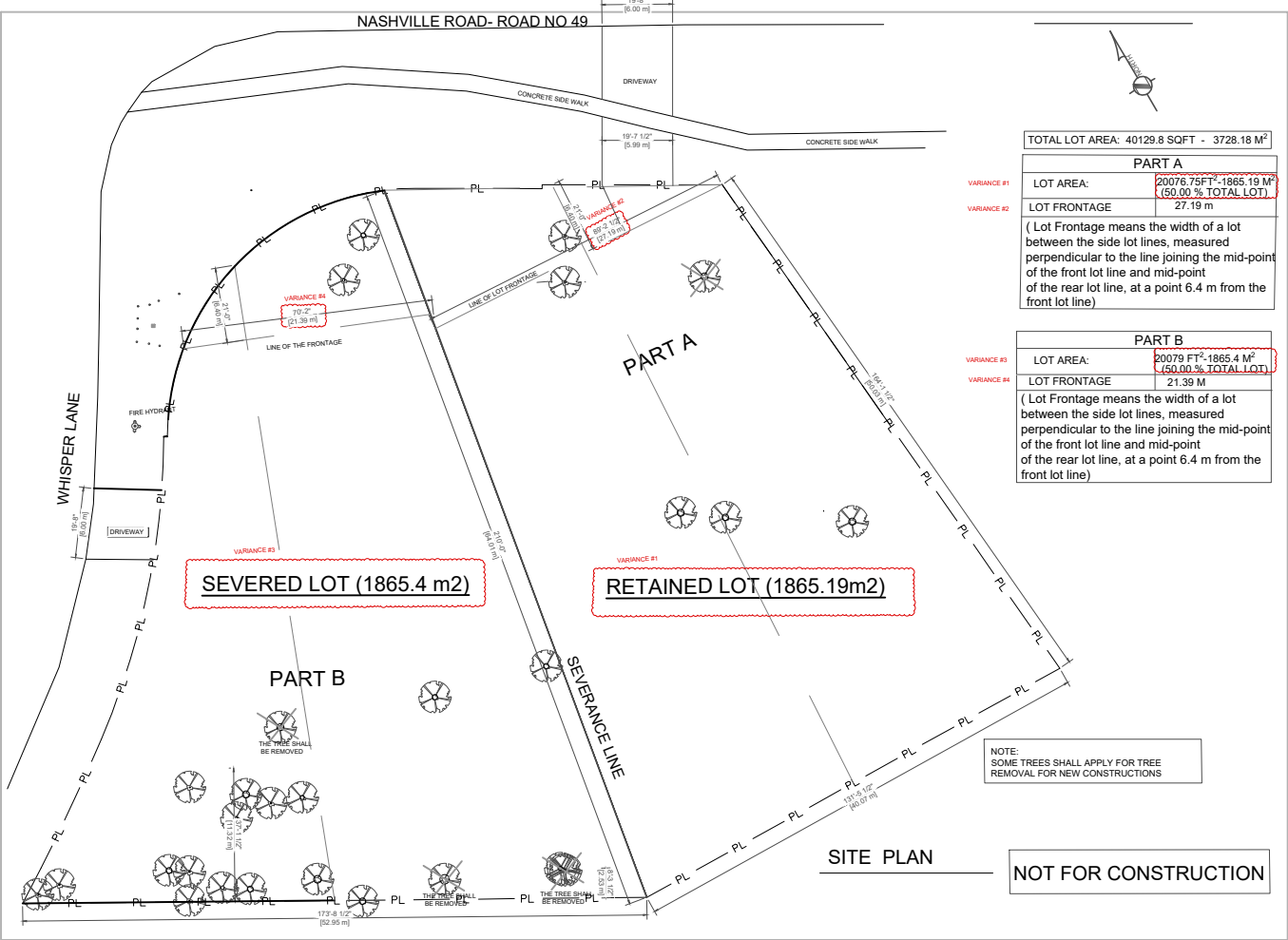
The proposed minor variance has also been demonstrated to satisfy the four tests of Section 45 (1) of the *Planning Act* and represents good planning.

MD&PS believes that the proposed development is appropriate for the site. Therefore, we request consent and approval for the variances. We believe that this is a project with merit, as expressed in this report. The landowner and MD&PS Inc. as the planning consultant, look forward to working with the Municipality in good faith to accomplish the success of this application.

Report Prepared By: Punya S Marahatta, PhD., MCIP, RPP



Appendix 2: Severance Plan



TOTAL LOT AREA: 40129.8 SQFT - 3728.18 M²

PART A	
LOT AREA:	20076.75 FT ² - 1865.19 M ² (50.00 % TOTAL LOT)
LOT FRONTAGE	27.19 m

(Lot Frontage means the width of a lot between the side lot lines, measured perpendicular to the line joining the mid-point of the front lot line and mid-point of the rear lot line, at a point 6.4 m from the front lot line)

PART B	
LOT AREA:	20079 FT ² - 1865.4 M ² (50.00 % TOTAL LOT)
LOT FRONTAGE	21.39 M

(Lot Frontage means the width of a lot between the side lot lines, measured perpendicular to the line joining the mid-point of the front lot line and mid-point of the rear lot line, at a point 6.4 m from the front lot line)

SEVERED LOT (1865.4 m²)

RETAINED LOT (1865.19m²)

NOTE: SOME TREES SHALL APPLY FOR TREE REMOVAL FOR NEW CONSTRUCTIONS

NOT FOR CONSTRUCTION

GENERAL NOTES

1. ALL DRAWINGS AND RELATED DOCUMENTS ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED UPON REQUEST. ANY OTHER ADDRESS BY ANY OTHER PERSON WITHOUT WRITTEN PERMISSION IS PROHIBITED.
2. THIS DRAWING IS NOT TO BE SCALED.
3. ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES MUST BE NOTIFIED TO THE DESIGNER.
4. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITIES FOR DIMENSIONS AND JOB SITE CONDITIONS PRIOR TO CONSTRUCTION. ALSO CONFIRM APPLICABLE BY-LAW AND OBC.
5. ANY CHANGES MUST BE REPORTED TO DESIGNER AND APPROVED BY MUNICIPAL PRIOR TO CONSTRUCTION.

REV.	ISSUED FOR:	DATE
2		
3	REVISED AFTER COMMENTS	JAN 12, 2023
2	REVISED AFTER COMMENTS	JAN 11, 2024
1	SUBMITTED FOR SEVERANCE	NOV 10, 2023
REV.	ISSUED FOR:	DATE



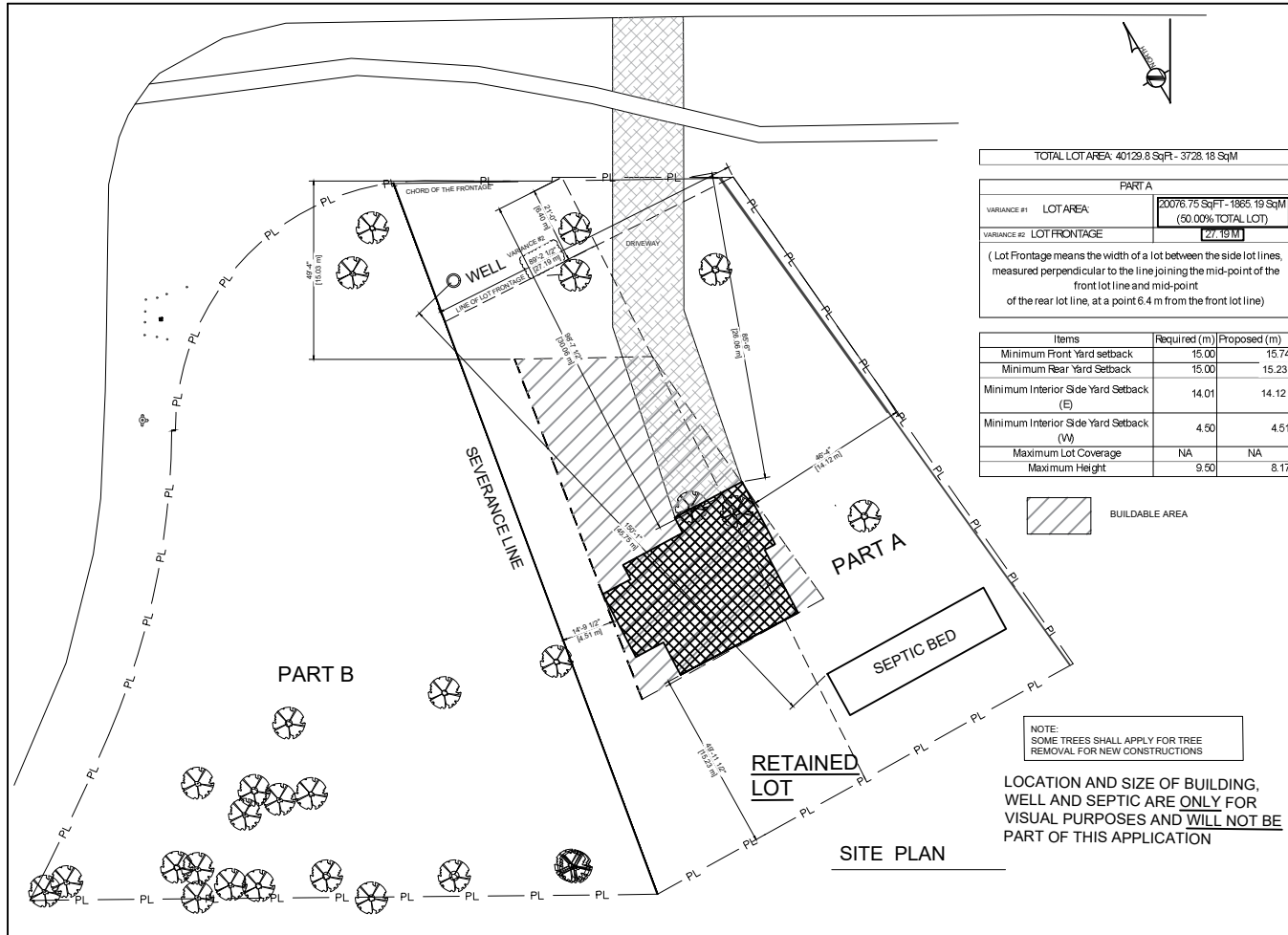
PROJECT: LAND SEVERANCE
555 NASHVILLE ROAD
VAUGHAN, ONTARIO

PROPOSED SITE PLAN

Scale:	1:25	DWG. No.:
SH-S:	DATE	NAME
DRAWN	2023.02.19	P.B.
DESIGNED	2023.02.19	P.B.
CHECKED	2023.02.19	M.D.
APPROVED	2023.02.19	M.D.
PROJ. No.:	P23009	REV.

A-02

Appendix 3: Conceptual Site Plan Retained Lot



GENERAL NOTES

1. ALL DRAWINGS AND RELATED DOCUMENTS ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED UPON REQUEST. ANY OTHER ADDRESS BY ANY OTHER PERSON WITHOUT WRITTEN PERMISSION IS PROHIBITED.
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4. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITIES FOR DIMENSIONS AND JOB SITE CONDITIONS PRIOR TO CONSTRUCTION. ALSO CONFIRM APPLICABLE BY-LAW AND OBC.
5. ANY CHANGES MUST BE REPORTED TO DESIGNER AND APPROVED BY MUNICIPAL PRIOR TO CONSTRUCTION.

REV.	ISSUED FOR:	DATE
4	REVISED AFTER CITY COMMENTS	FEB 28, 2024
3	REVISED AFTER PLANNING COMMENTS	FEB 22, 2024
2	REVISED AFTER COMMENTS	DEC 27, 2023
1	SUBMITTED FOR SEVERANCE	NOV 10, 2023



PROJECT:
LAND SEVERANCE
555 NASHVILLE ROAD
VAUGHAN, ONTARIO

SHEET TITLE:
CONCEPTUAL SITE PLAN
FOR RETAINED LOT

Scale:	1:25	DWG. No.:
SH-S:	DATE	NAME
DRAWN:	2023.02.19	P.B.
DESIGNED:	2023.02.19	P.B.
CHECKED:	2023.02.19	M.D.
APPROVED:	2023.02.19	M.D.

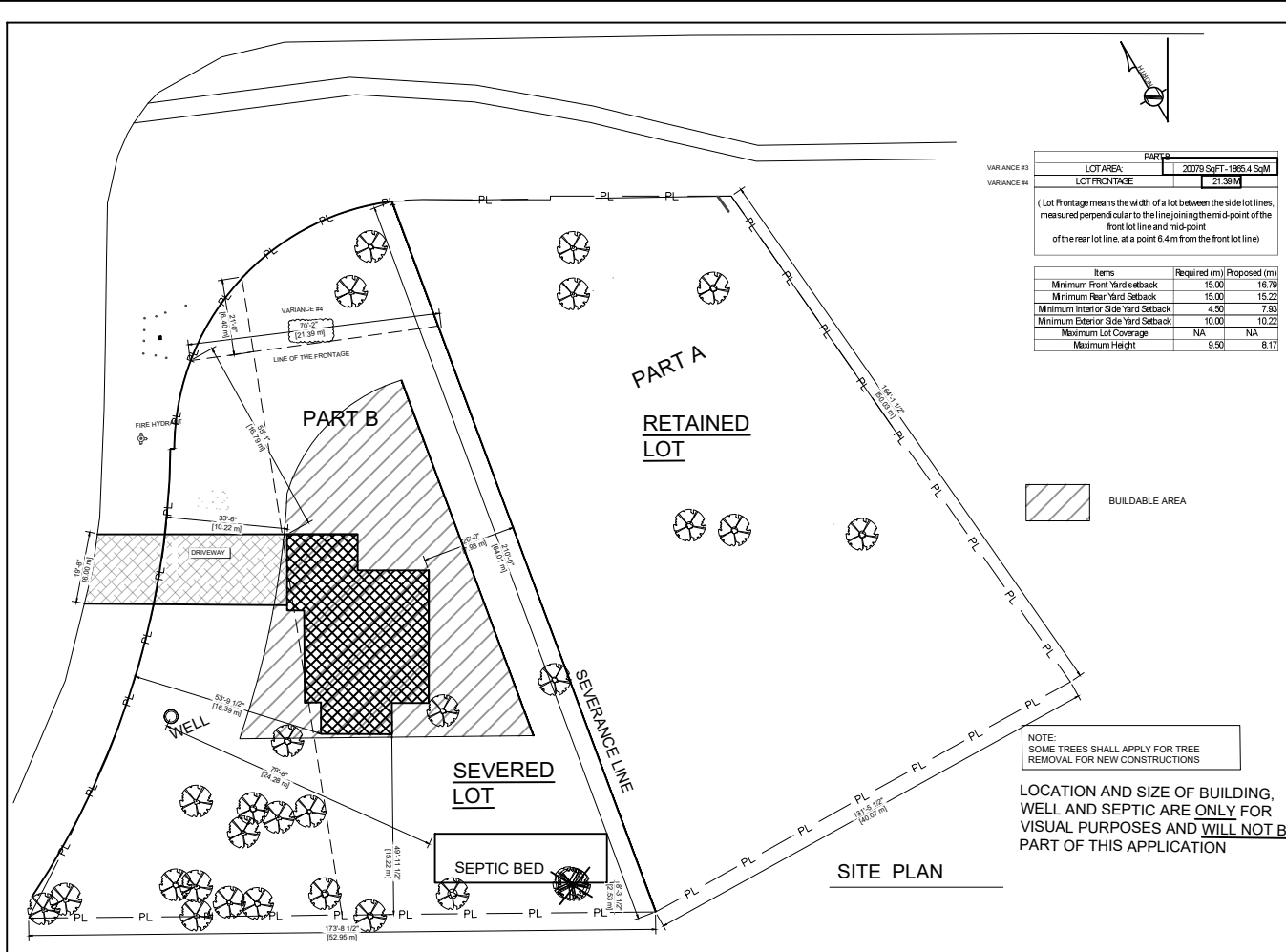
A-03

PROJ. No. : P23009 REV.

NOT FOR CONSTRUCTION

THE FOOTPRINT AND THE ELEVATION ARE CONCEPTUAL AND SUBJECT TO CHANGE DURING BUILDING PERMIT APPLICATION





GENERAL NOTES

1. ALL DRAWINGS AND RELATED DOCUMENTS ARE THE PROPERTY OF THE DESIGNER AND MUST BE RETURNED UPON REQUEST. ANY OTHER ADDRESS BY ANY OTHER PERSON WITHOUT WRITTEN PERMISSION IS PROHIBITED.
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4	REVISED AFTER CITY COMMENTS	FEB 28, 2024
3	REVISED AFTER PLANNING COMMENTS	FEB 22, 2024
2	REVISED AFTER COMMENTS	DEC 27, 2023
1	SUBMITTED FOR SEVERANCE	NOV 10, 2023
REV.	ISSUED FOR:	DATE



PROJECT:
LAND SEVERANCE
555 NASHVILLE ROAD
VAUGHAN, ONTARIO

SHEET TITLE:
CONCEPTUAL SITE PLAN
FOR SEVERED LOT

Scale:	1:25	DWG. No.:	A-04
SH-S:	DATE	NAME	
DRAWN	2023.02.19	P.B.	
DESIGNED	2023.02.19	P.B.	
CHECKED	2023.02.19	M.D.	
APPROVED	2023.02.19	M.D.	

PROJ. No.: P23009 REV.

NOT FOR CONSTRUCTION

THE FOOTPRINT AND THE ELEVATION ARE CONCEPTUAL AND SUBJECT TO CHANGE DURING BUILDING PERMIT APPLICATION



CONCEPTUAL ELEVATION

Punya Sagar

From: [REDACTED]
Sent: September 15, 2023 2:00 PM
To: Punya Sagar
Subject: Re: FW: 555 Nashville Road

[REDACTED]

[REDACTED]

"Hi Marcela,

As we discussed on the phone, Development Planning can now support the submission of a Minor Variance and Consent Application to facilitate the severance of 555 Nashville Road as opposed to a full Zoning By-law Amendment. Please note that we do have some concerns with the preliminary Site Plan, and we will only support a proposal that splits the property 50/50. A circular driveway on Nashville Road would also not be supported. Please ensure that in your revised Site Plan, the two septic systems are shown on the two newly proposed properties. When you have a revised Site Plan, feel free to send it back to me and I will review it to see if there are any other concerns prior to you submitting the Application.

Once you have everything ready, please click here to submit the Minor Variance/Consent Application online, and for any questions regarding the online submission process please feel free to reach out to CofA@vaughan.ca.

Thanks and have a great day,

Joshua Cipolletta
Planner I
905-832-8585, ext. 8112 | joshua.cipolletta@vaughan.ca

City of Vaughan | Development Planning Department
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
vaughan.ca"

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

SCHEDULE D: BACKGROUND

None