

ITEM: 6.6	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A042/24
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Report Date: August 16, 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
Building Standards (Zoning) *See Schedule B	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Committee of Adjustment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions
Development Planning	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Application Under Review
Development Engineering	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Application Under Review
Development Finance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

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

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
Public	Silvano & Paulette Novacco	83 Crestwood Road	07/10/2024	Letter of Objection
Applicant				Planning Justification Report
Applicant				Sightline Analysis

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>
A155/24	Approved COA; April 4, 2024
A155/24 (OLT Appeal OLT-24-000465)	Withdrawn

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>
July 10, 2024	Consent Application B003/24 and Minor Variance Applications A042/24 & A043/24 were adjourned sine die by the Committee of Adjustment to permit further consultation with staff.

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 A042/24

CITY WARD #:	5
APPLICANT:	Victor Kwong-Yan Kam
AGENT:	Humphries Planning Group Inc.
PROPERTY:	81 Hilda Avenue, Thornhill
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	B003/24, A042/24, A043/24, A155/23
PROPOSAL:	Relief from the Zoning By-law is being requested to permit reduced lot area on the severed land to facilitate Consent Application B003/24. Relief is also being sought to permit a proposed dwelling to be constructed on the severed land .

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

The subject lands are zoned R2A(EN) – Second density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum required rear yard setback is 7.5m. Section 7.2.3 Table 7-4	To permit a rear yard setback of 6.54m.
2	For any proposed or new replacement dwelling that exceeds the existing height and is greater than 9.5m in height, the minimum interior side yard shall be 2.2m. Section 4.5.2	To permit a minimum interior side yard of 1.2m on the north side.
3	The minimum required lot area is 450 square metres. Section 7.2.3 Table 7-4	To permit a minimum lot area of 381 square metres.
4	In a residential zone the following requirements shall apply to the yard in which a driveway is located. Where the lot frontage 12.0m or greater, the minimum landscape requirement shall be 50% of which 60% shall be soft landscaping.	To permit a minimum of 40% landscape in the yard in which the driveway is located.

HEARING INFORMATION

DATE OF MEETING: Thursday, August 22, 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

HEARING INFORMATION

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:	August 8, 2024 Revised Notice issued on August 9, 2024, updating variance requirements for A043/24 (related application).
Date Applicant Confirmed Posting of Sign:	August 6, 2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	See Planning Justification Report (Schedule C)
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:

On August 6, 2024, in response to the applicant requesting a hearing date, Committee of Adjustment staff advised:

The Zoning review on the revised submission (sent in July 17) was not completed in time to formally add these applications to the August 22 agenda and staff have advised that they require time to review the files. Given the timing of the updated submission and zoning review, staff may recommend adjournment to permit time to finalize review and comments.

If the files are adjourned from the August 22 hearing, additional adjournment fees (per application) are required to reschedule the files. Adjourning to the next hearing (Sept 12) is recommended to avoid incurring additional fees.

On August 6, 2024, the applicant confirmed that they want to proceed to the August 22 hearing.

Committee of Adjustment Recommended Conditions of Approval:	That Consent Application B003/24 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.
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BUILDING STANDARDS (ZONING)

****See Schedule B for Building Standards (Zoning) Comments**

Building Standards Recommended Conditions of Approval:	None
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DEVELOPMENT PLANNING

****See Schedule B for Development Planning Comments. Application under review.**

DEVELOPMENT PLANNING

Development Planning Recommended Conditions of Approval:	TBC
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DEVELOPMENT ENGINEERING

[Link to Grading Permit](#) [Link to Pool Permit](#) [Link to Curb Curt Permit](#) [Link Culvert Installation](#)

Application under review.

Development Engineering Recommended Conditions of Approval:	TBC
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PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE

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

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

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 B003/24 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the

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:

		Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Development Planning Alyssa.Pangilinan@vaughan.ca	TBC
3	Development Engineering jonal.hall@vaughan.ca	TBC

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.

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.

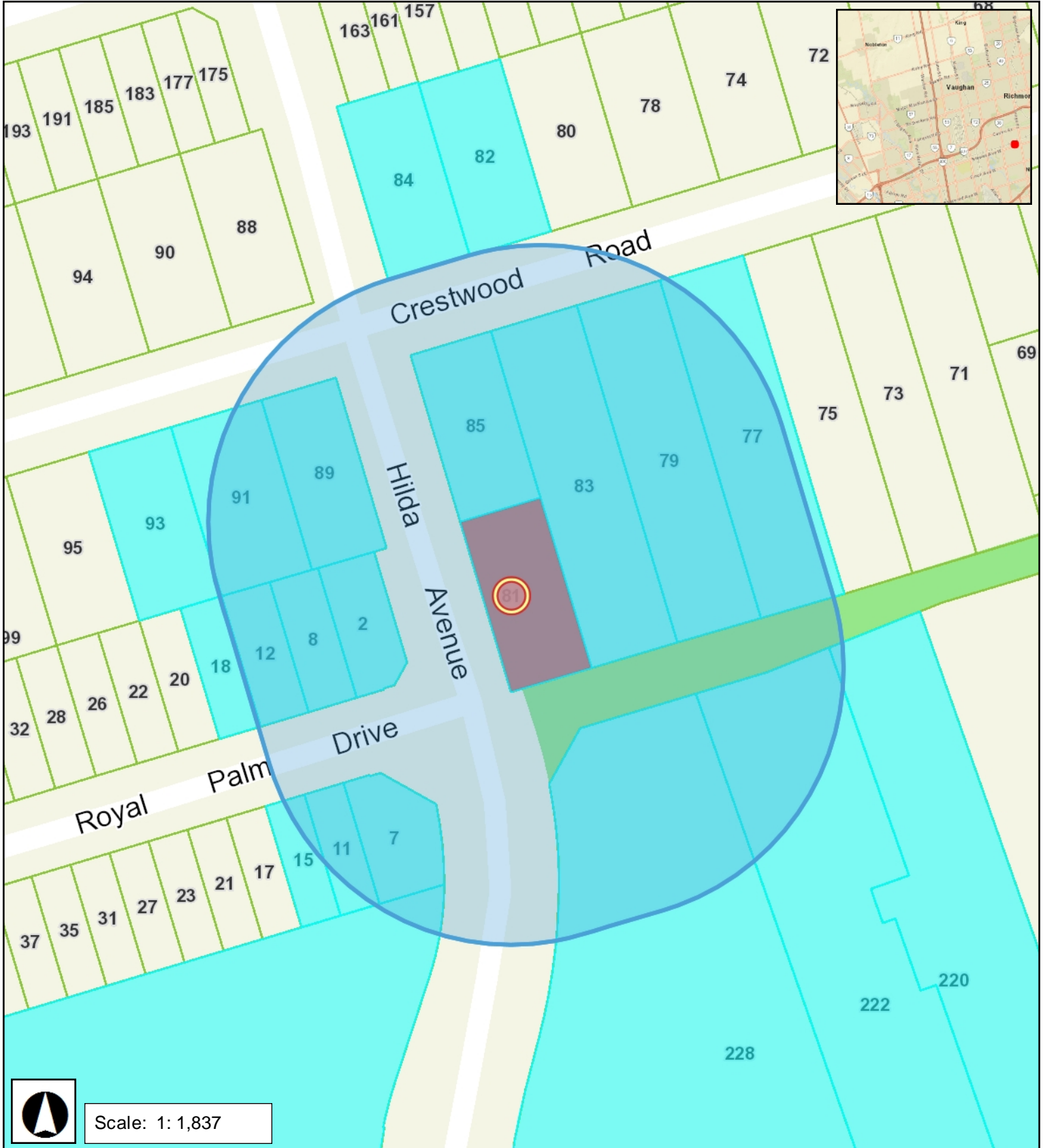
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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



ZONING PROVISION R2A (EN)			
	REQUIRED	PROVIDED	BY-LAW 001-2021
MIN. LOT FRONTAGE	15m	17.5m	7.2.3 (TABLE 7-4)
MIN. LOT AREA	450m ²	381m ²	7.2.3 (TABLE 7-4)
MAX. LOT COVERAGE	209m ² (381m ² @55%)	125.2m ² (1347ft ²) (32.8%)	7.2.3 (TABLE 7-4)
MIN. FRONT YARD SETBACK	4.5m	4.50m	7.2.3 (TABLE 7-4)
MIN. GARAGE SETBACK	5.7m	6.54m	7.2.3 (TABLE 7-4)
MIN. INTERIOR SIDE YARD SETBACK (NORTH)	2.4m	1.2m	7.2.3 (TABLE 7-4)
MIN. INTERIOR SIDE YARD SETBACK (SOUTH)	2.4m	4.56m	7.2.3 (TABLE 7-4)
MIN. REAR YARD SETBACK	7.5m	6.54m	7.2.3 (TABLE 7-4)
MAX. BUILDING HEIGHT	8.5m	11.00m	4.5.2.c (EN SUFFIX)
MIN. PARKING SPACES	2	2	6.3.5 (TABLE 6-2)
MIN. DRIVEWAY WIDTH	2.6m	3.34m	6.7.3 (TABLE 6-11)
MAX. DRIVEWAY WIDTH	9.0m	3.34m	6.7.3 (TABLE 6-11)

ZONING MATRIX			
PERMITTED ENCROACHMENTS INTO A MIN. REQUIRED YARD			
	ALLOWED	PROVIDED	BY-LAW 001-2021
BALCONY	1.5m	-	4.13 (TABLE 4-1)
ACCESS STAIRS, OPEN, UNENCLOSED (FRONT YARD AND REAR YARD)	1.8m	2.71m	4.13 (TABLE 4-1)
SOFT LANDSCAPING			
	REQUIRED	PROVIDED	BY-LAW 001-2021
THE YARD IN WHICH A DRIVEWAY IS LOCATED	MIN. LANDSCAPE 50%, OF WHICH 60% SHALL BE SOFT LANDSCAPING	REAR YARD AREA = 115.10m ²	4.19.1.2b
		LANDSCAPED AREA = 46.59m ² (40.4%)	
		SOFT LANDSCAPED AREA = 42.43m ² (91.08% OF LANDSCAPED AREA)	

MINOR VARIANCE - SEVERED LOT (SOUTH)			
	REQUIRED	PROPOSED	MINOR VARIANCE REQ.
1 REAR YARD SETBACK	MIN. 7.5m	6.54m	YES
2 REAR YARD ENCROACHMENT	MAX. 2.4m	2.71m	YES
3 BUILDING HEIGHT	MAX. 8.5m	11.00m	YES
4 SIDE YARD SETBACK (NORTH)	MIN. 2.4m	1.20m	YES
5 LOT AREA	MIN. 450m	381m ²	YES
6 LANDSCAPED AREA	MIN. 50%	40%	YES

MINOR VARIANCE - RETAINED LOT (NORTH)			
	REQUIRED	PROPOSED	MINOR VARIANCE REQ.
1 REAR YARD SETBACK	MIN. 7.5m	6.75m	YES
2 REAR YARD ENCROACHMENT	MAX. 2.4m	2.77m	YES
3 BUILDING HEIGHT	MAX. 8.5m	11.00m	YES
4 SIDE YARD SETBACK (NORTH)	MIN. 2.4m	1.23m	YES
5 SIDE YARD SETBACK (SOUTH)	MIN. 2.4m	1.22m	YES
6 LOT AREA	MIN. 450m	348.67m ²	YES

LEGEND	
	PROPERTY LINE
	ASPHALT DRIVEWAY
	LANDSCAPED SOFT AREA
	PAVER WALKWAY
	BUILDING ENTRANCE

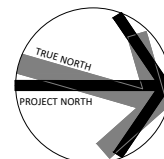
DO NOT SCALE DRAWINGS.

The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify the Designer/Engineer of any variations from the supplied drawings and informations before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction.

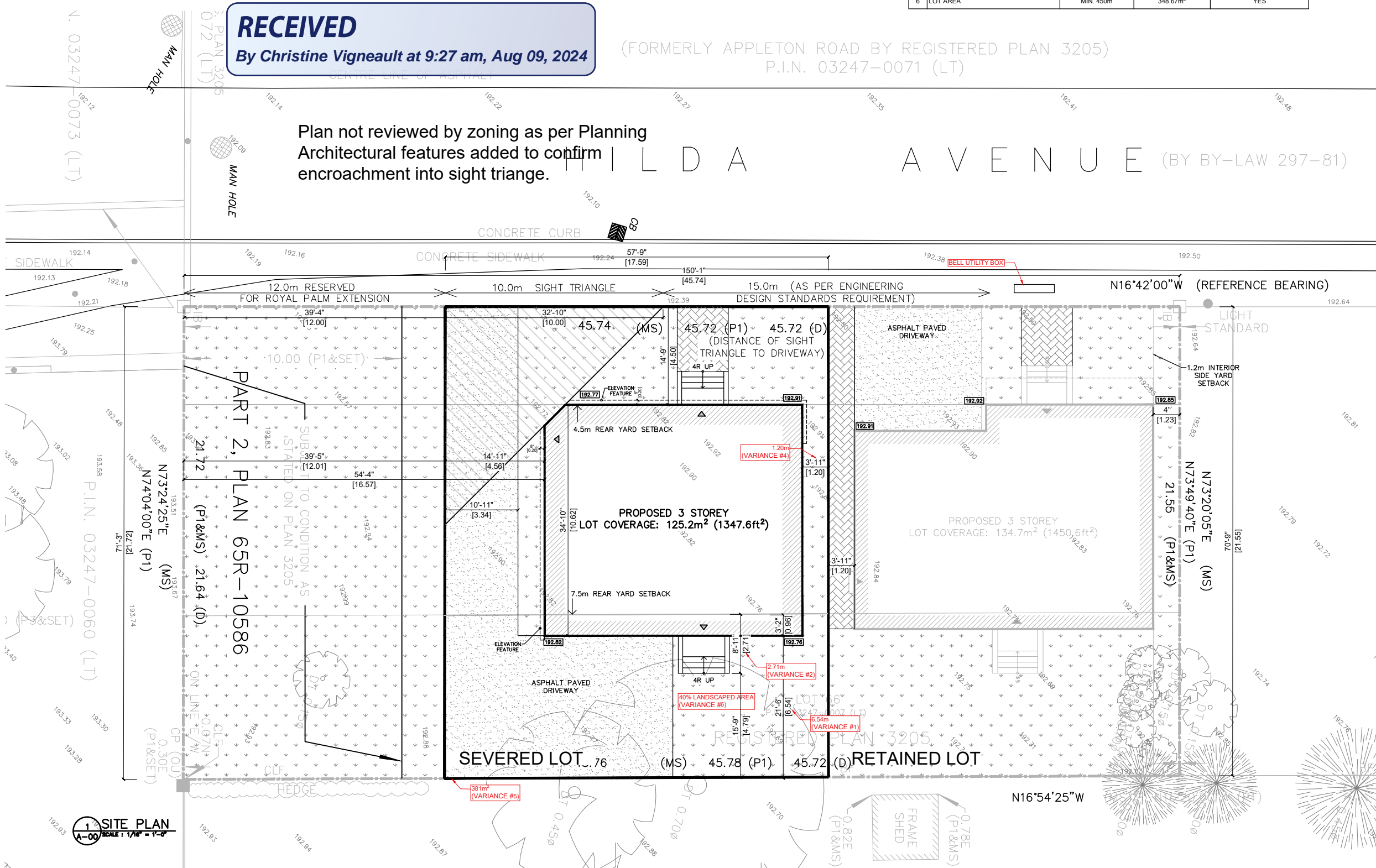
All drawings are the property of Land & Building Experts, and must not be reproduced without written consent.

RECEIVED
By Christine Vigneault at 9:27 am, Aug 09, 2024

(FORMERLY APPLETON ROAD BY REGISTERED PLAN 3205)
P.I.N. 03247-0071 (LT)



Plan not reviewed by zoning as per Planning Architectural features added to confirm encroachment into sight triangle.



2	CLIENT REVIEW	08/07/2024
1	CLIENT REVIEW	07/11/2024
NO.	ISSUED FOR	DATE

PREPARED BY:
LAND & BUILDING EXPERTS
570 Alden Rd., Unit 6, Markham, ON, L3R 8N5
(416) 340-8649 landbuldex@gmail.com

PROJECT INFO:
**0 HILDA AVENUE
PLAN RP3205 PART OF LOT 66**

PROJECT NAME:
**PROPOSED 3 STOREY
DETACHED DWELLING UNIT**

DRAWING TITLE:
SITE PLAN

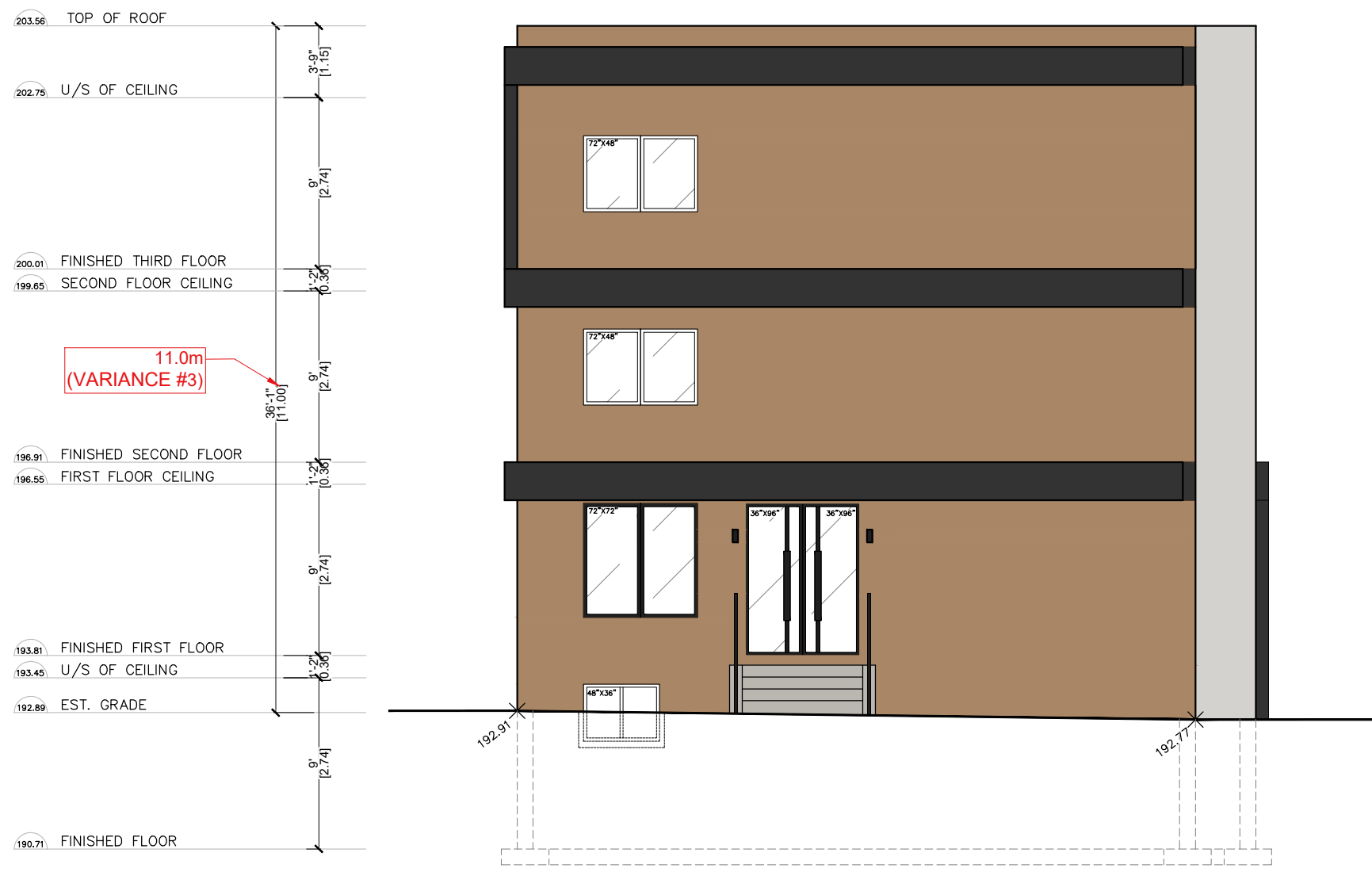
SCALE AS INDICATED	DWG. NO.
DRAWN BY:	A-00
CHECKED BY:	
PROJECT NO.:	

1 SITE PLAN
A-00 SCALE: 1/16" = 1'-0"

DO NOT SCALE DRAWINGS.

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1 PROPOSED FRONT ELEVATION
A-06 SCALE : 1/8" = 1'-0"

NO.	ISSUED FOR	DATE
2	CLIENT REVIEW	08/07/2024
1	CLIENT REVIEW	07/11/2024

PREPARED BY:
LAND & BUILDING EXPERTS
570 Alden Rd., Unit 6, Markham, ON, L3R 8N5
(647) 340-8649 landbuldex@gmail.com

PROJECT INFO:
**0 HILDA AVENUE
PLAN RP3205 PART OF LOT 66**

PROJECT NAME:
**PROPOSED 3 STOREY
DETACHED DWELLING UNIT**

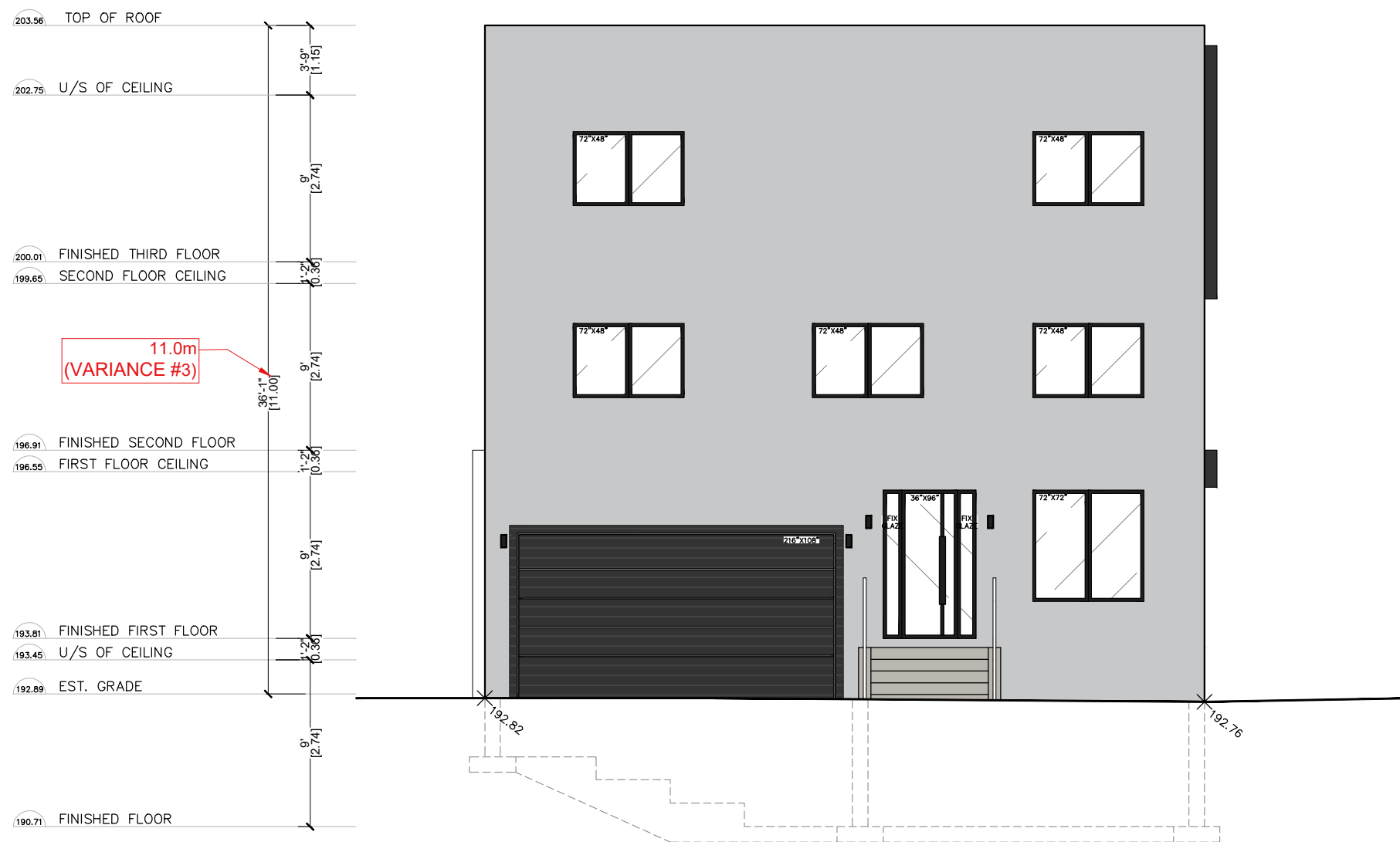
DRAWING TITLE:
**PROPOSED
FRONT ELEVATION**

SCALE AS INDICATED	DWG. NO.
DRAWN BY:	A-06
CHECKED BY:	
PROJECT NO.:	

DO NOT SCALE DRAWINGS.

The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify the Designer/Engineer of any variations from the supplied drawings and informations before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction.

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1 PROPOSED REAR ELEVATION
A-07 SCALE : 1/8" = 1'-0"

NO.	ISSUED FOR	DATE
2	CLIENT REVIEW	08/07/2024
1	CLIENT REVIEW	07/11/2024

PREPARED BY:
LAND & BUILDING EXPERTS
570 Alden Rd., Unit 6, Markham, ON. L3R 8N5
(647) 340-8649 landbuldex@gmail.com

PROJECT INFO:
**0 HILDA AVENUE
PLAN RP3205 PART OF LOT 66**

PROJECT NAME:
**PROPOSED 3 STOREY
DETACHED DWELLING UNIT**

DRAWING TITLE:
**PROPOSED
REAR ELEVATION**

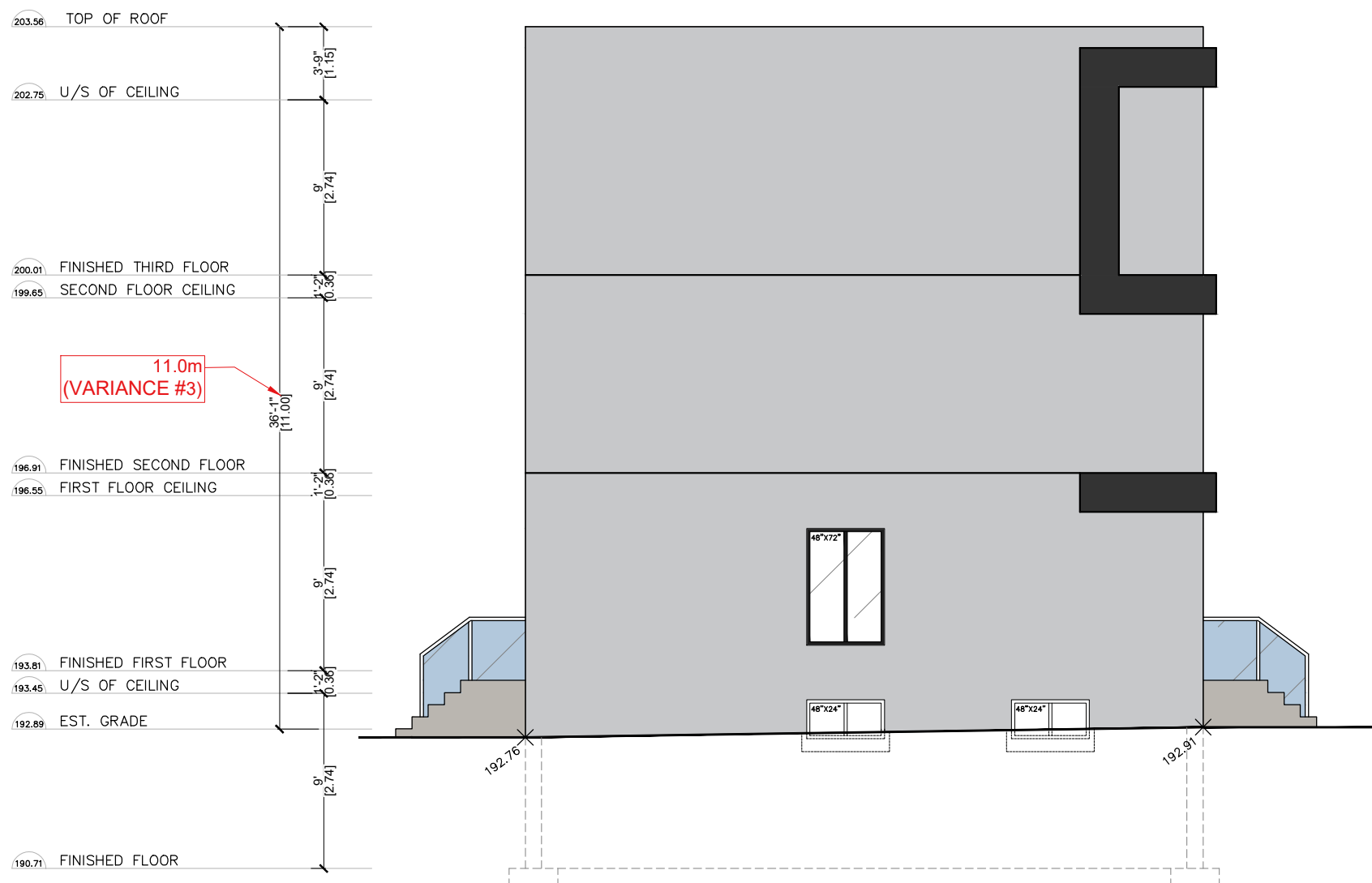
SCALE AS INDICATED
DRAWN BY:
CHECKED BY:
PROJECT NO.:

DWG. NO.
A-07

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1 PROPOSED NORTH ELEVATION
A-08 SCALE : 1/8" = 1'-0"

NO.	ISSUED FOR	DATE
2	CLIENT REVIEW	08/07/2024
1	CLIENT REVIEW	07/11/2024

PREPARED BY:
LAND & BUILDING EXPERTS
570 Alden Rd., Unit 6, Markham, ON, L3R 8N5
(647) 340-8649 landbuldex@gmail.com

PROJECT INFO:
**0 HILDA AVENUE
PLAN RP3205 PART OF LOT 66**

PROJECT NAME:
**PROPOSED 3 STOREY
DETACHED DWELLING UNIT**

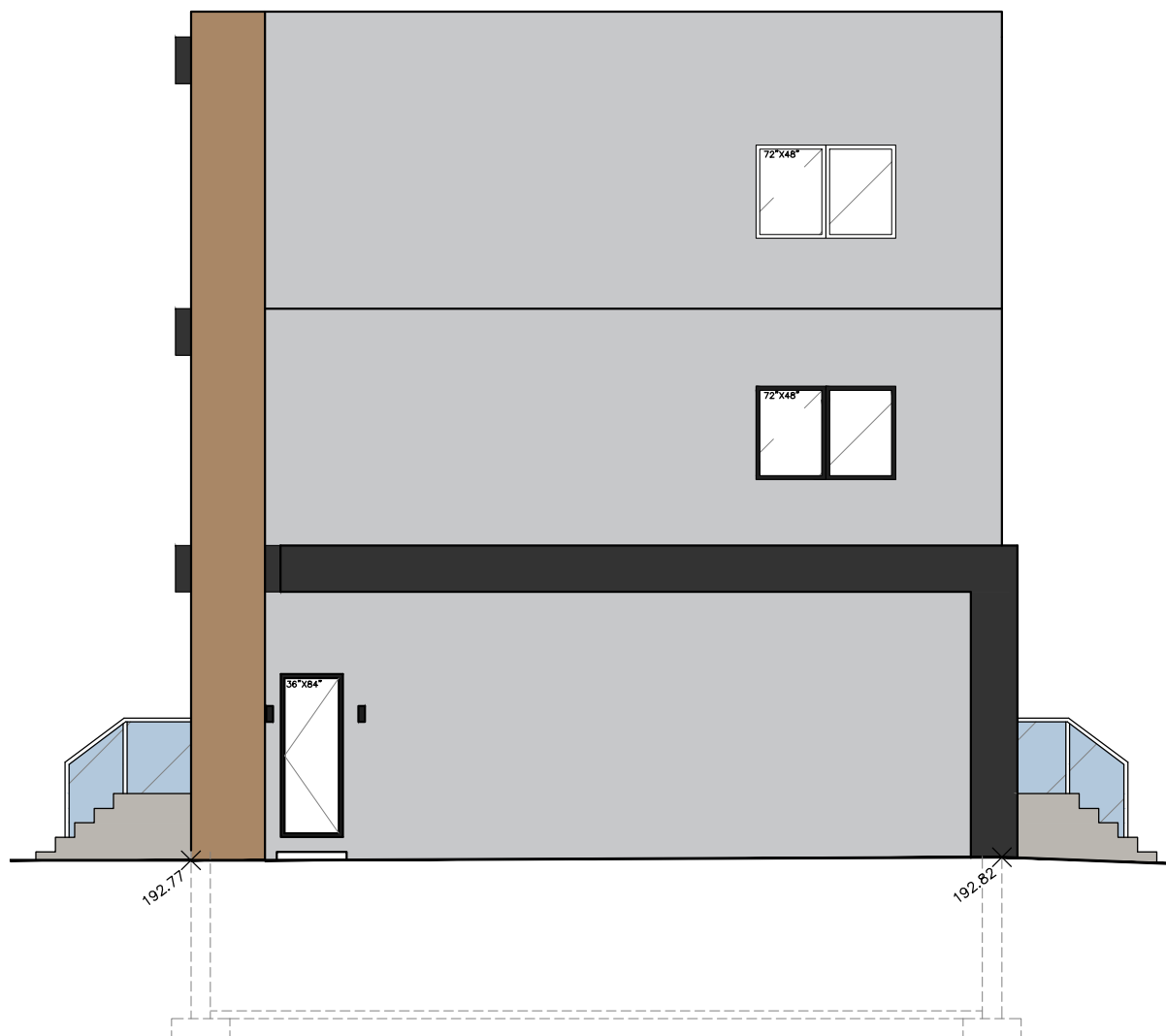
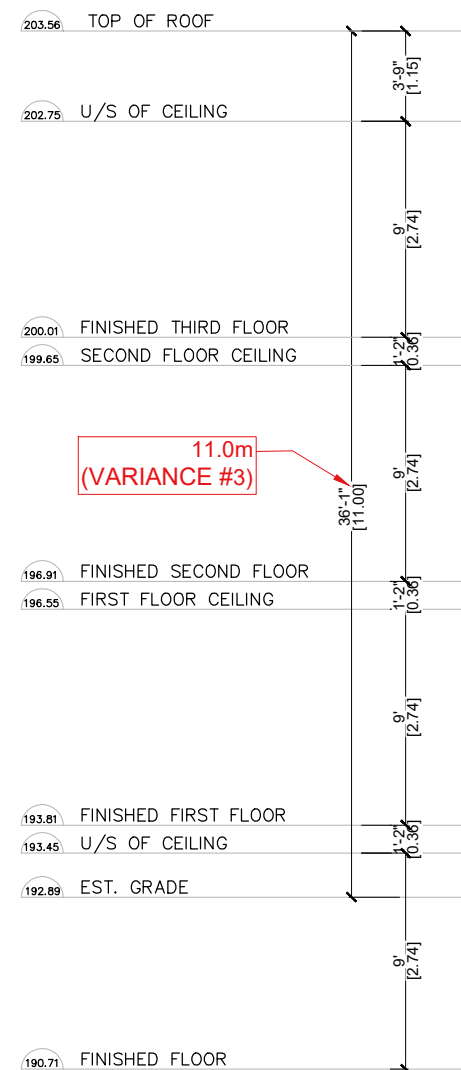
DRAWING TITLE:
**PROPOSED
NORTH ELEVATION**

SCALE AS INDICATED	DWG. NO.
DRAWN BY:	A-08
CHECKED BY:	
PROJECT NO.:	

DO NOT SCALE DRAWINGS.

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NO.	ISSUED FOR	DATE
2	CLIENT REVIEW	08/07/2024
1	CLIENT REVIEW	07/11/2024

PREPARED BY:
LAND & BUILDING EXPERTS
 570 Alden Rd., Unit 6, Markham, ON. L3R 8N5
 (647) 340-8649 landbuldex@gmail.com

PROJECT INFO:
**0 HILDA AVENUE
 PLAN RP3205 PART OF LOT 66**

PROJECT NAME:
**PROPOSED 3 STOREY
 DETACHED DWELLING UNIT**

DRAWING TITLE:
**PROPOSED
 SOUTH ELEVATION**

SCALE AS INDICATED	DWG. NO.
DRAWN BY:	A-09
CHECKED BY:	
PROJECT NO.:	

1 PROPOSED SOUTH ELEVATION
 A-09 SCALE : 1/8" = 1'-0"

**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 type="checkbox"/>	No <input type="checkbox"/>	Application Under Review

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

To: Committee of Adjustment
From: Bernd Paessler, Building Standards Department
Date: July 22, 2024
Applicant: Humphries Planning Group Inc.
Location: 81 Hilda Avenue
 PLAN RP3205 Part of Lot 66
File No.(s): A042/24 (Severed Lot)

Zoning Classification:

The subject lands are zoned R2A(EN) – Second density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum required rear yard setback is 7.5m. Section 7.2.3 Table 7-4	To permit a rear yard setback of 6.54m.
2	For any proposed or new replacement dwelling that exceeds the existing height and is greater than 9.5m in height, the minimum interior side yard shall be 2.2m. Section 4.5.2	To permit a minimum interior side yard of 1.2m on the north side.
3	The minimum required lot area is 450 square metres. Section 7.2.3 Table 7-4	To permit a minimum lot area of 381 square metres.
4	In a residential zone the following requirements shall apply to the yard in which a driveway is located. Where the lot frontage 12.0m or greater , the minimum landscape requirement shall be 50% of which 60% shall be soft landscaping. Section 4.19.1 2b	To permit a minimum of 40% landscape in the yard in which the driveway is located.

Staff Comments:

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

There are no outstanding Orders on file

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	Height shall be measured in accordance with the definitions in Section 3.0 DEFINITIONS of By-law 001-2021, as amended.
3	This file shall be read in conjunction with file B003/24.

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.

Date: March 21st 2024

Attention: **Christine Vigneault**

RE:

File No.: **A042-24**

Related Files:

Applicant Humphries Planning Group Inc.

Location 0 Hilda Ave



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:

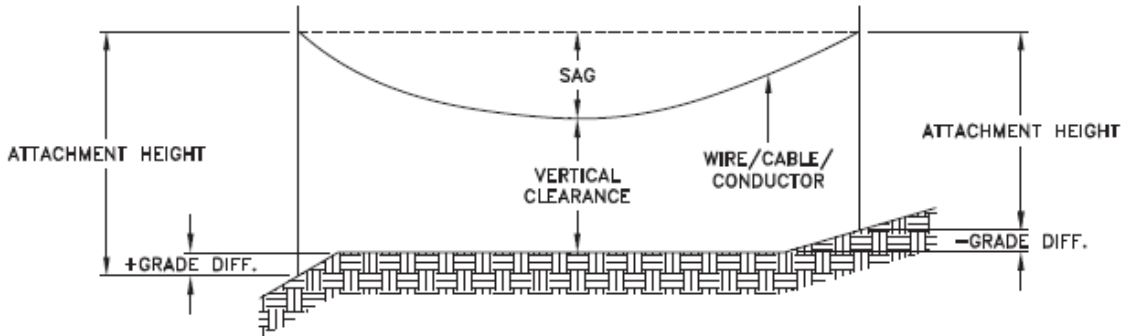
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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"

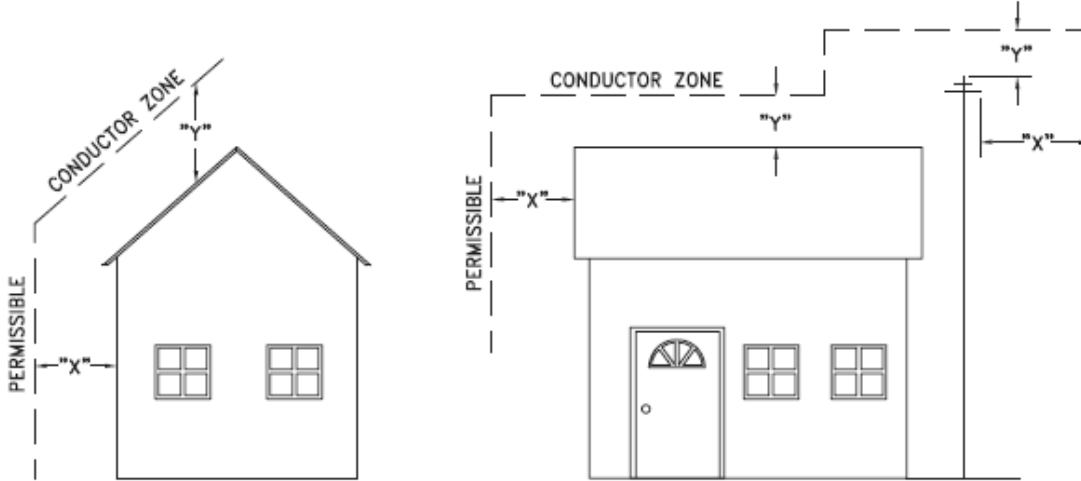
REFERENCES

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

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Public	Silvano & Paulette Novacco	83 Crestwood Road	07/10/2024	Letter of Objection
Applicant				Planning Justification Report
Applicant				Sightline Analysis

From: [REDACTED]
To: [Committee of Adjustment](#)
Cc: [REDACTED]
Subject: [External] To Committee of Adjustment Reference File Number A042/24
Date: Tuesday, July 9, 2024 6:13:03 PM

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.

We stand opposed to this application as we have when the first application was brought forth in January (File No. A155//23).

This appears to be a total repeat, except this time in addition to

being short on minimum rear yard setback and requesting to permit a minimum interior side yard of 1.22m

where it should be 2.2m and exceeding the high restriction of 9.5 m, we now have a proposed lot severance request that is short in size by 27 sq.m to the minimum requirement of 450 sq.m which I don't consider this to be a minor variance. Now, of course, we have another proposed dwelling with a driveway on to what is considered by the City as a Major Throughway when Hilda Avenue was opened up to the North with the completion of the bridge over the railway by CNR . I will leave this thought with this Committee and City Planners: is this is a safe and wise decision?

I have lived at this address for 43 years and I have seen the changes that have taken place on Crestwood Road particularly with regard to what has been allowed and approved by this Committee that do not conform to Zoning By-law. Perhaps we should define what constitutes a Minor Variance.

Silvano and Paulette Novacco
83 Crestwood Road
Thornhill

Il Samsung device over Canada's largest network.

10 July 2024

Melanie Nguyen, EIT
Senior Transportation Analyst
Development Transportation Engineering
City of Vaughan

Re: Sightline Assessment, 0 Hilda Avenue, Vaughan

INTRODUCTION

GHD Ltd. has been retained to provide a sightline assessment for a proposed 3-storey detached dwelling unit generally located on the east side of Hilda Avenue south of Crestwood Road in the City of Vaughan. The subject site consists of a severed lot with frontage limited to Hilda Avenue. Within the vicinity of the site, the City is currently undertaking an environmental assessment that includes the extension of Royal Plam Drive from Hilda Avenue to Yonge Street along the south limit of the subject site.

A Minor Variance Application was submitted to the City of Vaughan Committee of Adjustment to facilitate the development of a single detached dwelling with a two-car garage. The application was approved by the Committee however, the City of Vaughan appealed the decision of the Committee of Adjustment in April 2024 due to the failure to meet the intent and purpose of the Official Plan and for failure to provide the requisite information which includes a sightline report as requested by City staff to ensure that the proposed access is safe for all road users and pedestrians.

Following a discussion with City staff, GHD has completed an assessment of sightlines for the subject site to address concerns from City staff regarding the proposed driveway access onto Hilda Avenue, generally with potential sightline issues for vehicles exiting and entering from the proposed driveway as well as vehicles traveling along Hilda Avenue.

The location of the subject site is illustrated in **Figure 1** below along with the location of the planned Royal Palm Drive extension.

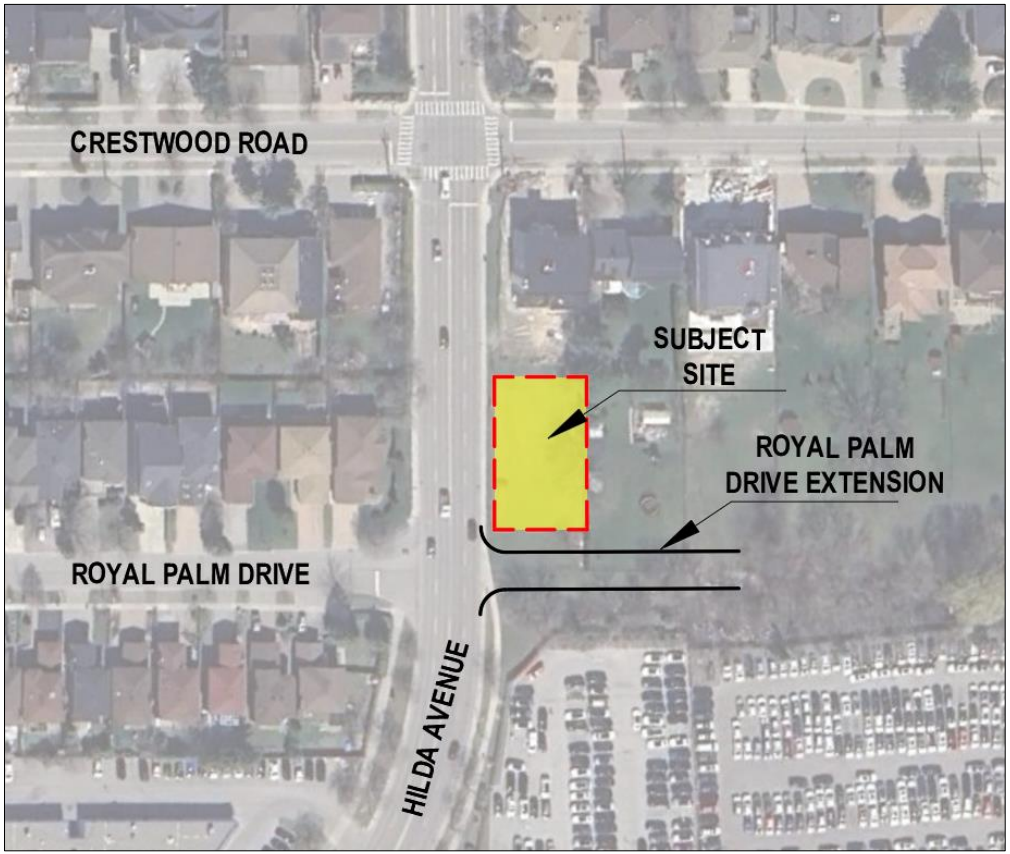


Figure 1 Site Location

PROPOSED DEVELOPMENT

The proposed Site Plan includes the dwelling unit located in the north portion of the severed lot with its driveway on the south side of the building providing access to Hilda Avenue. The southern portion of the property, measuring 12 meters along Hilda Avenue, is an area required by the City of Vaughan for the road allowance of the Royal Palm Extension as identified by the ongoing Yonge-Steeles Corridor Secondary Plan Collector Roads Environmental Assessment study.

The location of the driveway on Hilda Avenue on the south side of the building is due to the location of an existing Bell utility box located north of the proposed driveway.

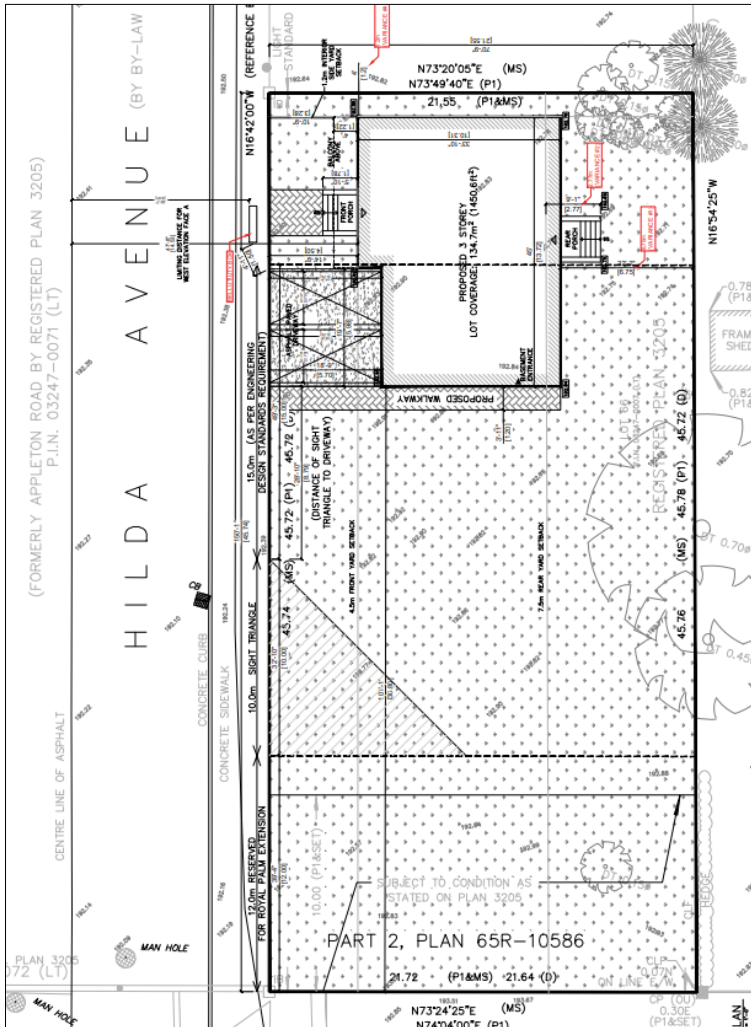


Figure 2 Proposed Site Plan

REASONS FOR THE APPEAL

The minor variance application, and the Committee of Adjustment’s decision, fail to conform with the Vaughan Official Plan, including policy 4.2.1, not limited to the following:

- Policy: 4.2.1.2: Placing access on Hilda Avenue, a Major Collector Street, will create unsafe conditions for pedestrians, cyclists, and other vehicles due to its close proximity to the future Royal Palm Drive extension.
- Policy 4.2.1.22: Direct residential access is only encouraged on Minor Collector Streets, not Major Collector Streets, such as Hilda Avenue
- Policy 4.2.1.29: Directs new streets and redesign of existing streets to have balanced right-of-way that supports needs of pedestrians, cyclists, transit vehicles, and automobiles

The proposed Minor Variance Application does not conform with the Yonge Steeles Corridor Secondary Plan Policies:

- Policy 5.3, 5.4, 5.9.9: The proposed access has the potential to interfere with the identified road network pattern on Scheduled 5.

[REDACTED]

The sightline analysis and drawings must be prepared by a qualified professional following the criteria described in the Transportation Association Canada Geometric Design guidelines for all applicable cases as described in Chapter 9 of the

guideline. The assessment should include but not be limited to the sight distance with respect to the following scenarios:

1. Under existing conditions – No Royal Palm Drive extension
 - a) Northbound Through and Southbound Through traffic along Hilda Avenue
 - b) Westbound Left turn from Crestwood Road onto Hilda Avenue
 - c) Eastbound Right turn from Crestwood Road onto Hilda Avenue
 - d) Eastbound Left turn from Royal Palm Drive onto Hilda Avenue
2. Future conditions – with Royal Palm Drive extension
 - a) Stopping sight distance available from new Royal Palm Drive extension Westbound Right turn onto Hilda Avenue

SIGHTLINE ASSESSMENT

GHD completed a sightline assessment for each of the proposed driveway based on discussion with City staff and the Transportation Association of Canada's (TAC) guidelines.

The sightline assessment was completed by considering both the intersection sight distance and stopping sight distance requirements. The intersection sight distance requirements are used to establish the minimum distance that a driver is required to see in order to perceive an oncoming vehicle, make a decision, and safely complete their turn or proceed through the intersection without significantly impacting the speed of drivers travelling on the major roadway. The stopping sight distance requirements are used to establish the minimum distance that a driver traveling along the road is required to see in order to identify an obstacle on the road, react, decelerate, and come to a stop without colliding with the object.

Adjacent to the proposed site, Hilda Avenue has a posted speed limit of 40 km/h and is relatively flat. North of the proposed access is the signalized intersection of Hilda Avenue and Crestwood Road while to the south is the unsignalized intersection of Hilda Avenue and Royal Palm Drive. South of Royal Palm Drive there is a significant horizontal curve on Hilda Avenue between Royal Palm Drive and Steeles Avenue West.

For the purpose of the Sight Distance assessment, a design speed of 50 km/h was used for the assessment along Hilda Avenue based on 10 km/h over the posted speed limit of 40 km/h.

Intersection Sight Distance (Scenario 1 a.)

Section 9.9 of the Transportation Association of Canada's Geometric Design Guide for Canadian Roads (TAC GDGCR) provides intersection sight distances for different scenarios, with the following scenarios used to complete the analysis:

Case B1 – Left turn from the minor road

Case B2 – Right turn from the minor road

Case F – Left turns from the major road

For the purpose of the assessment, the minor road is assumed to be the site driveway.

Case B1 and B2

Cases B1 and B2 are used to establish the minimum distance that a driver on the minor road (Site Driveway) requires to be able to observe without any obstructions oncoming vehicles and proceed safely without forcing a vehicle traveling on the major road (Hilda Avenue) to slow to less than 70% of their initial speed. Case B1 is used to determine the minimum intersection sight distance for a driver turning left from the minor road and Case B2 is used for a driver turning right from the minor road.

Case B1 and B2 were used to complete an assessment for vehicles exiting from the proposed driveway on Hilda Avenue and observing vehicles traveling in the northbound and southbound directions on Hilda Avenue. To provide an assessment based on the "worst-case" scenario, it is assumed that a driver exiting from their driveway is operating their vehicle in the reverse direction (i.e. backing out of their driveway).

It is assumed that a driver reversing out of the driveway and proceeding to drive south on Hilda Avenue is completing a left-turn (Case B1). In order to complete this maneuver in a reversing motion, it was assumed that a driver would be required to block the two northbound lanes and one southbound lane on Hilda Avenue (reverse out of the driveway, stop and change directions, and continue in the southbound direction). As a result, a driver would be required to observe oncoming vehicles traveling in the northbound and southbound directions on Hilda Avenue.

Similarly, a driver looking to go north on Hilda Avenue is completing a right-turn (Case B2). Its maneuver was assumed to also consist of reversing out of the driveway, stop and change directions, but instead proceed in the northbound direction. To complete this maneuver, it is assumed that a driver would only need to stop in the northbound lanes and at a minimum be required to observe possible oncoming vehicles travelling northbound on Hilda Avenue. However, some drivers may encroach into the southbound lanes, in which case, they would also be required to observe vehicles in the southbound direction.

Case F

Case F is used to establish the minimum distance that a driver on the major road requires to be able to observe without any obstructions oncoming vehicles and proceed safely to turn left from the major road (Hilda Avenue) onto the side road (Site Driveway) from a stopped position.

Slightly similar to Cases B1 and B2, Case F was used to complete an assessment of a driver's ability to observe any oncoming vehicles that are traveling in the northbound direction on Hilda Avenue while stopped in the southbound lane on Hilda Avenue in order to safely turn into the driveway.

TAC's Intersection Sight Distance

The required intersection sight distances are provided in TAC GDGCR Tables 9.9.4, 9.9.6 and 9.9.12 for passenger vehicles turning left from stop, turning right from stop, or turning left from the major road (Cases B1, B2 and F, respectively).

The minimum intersection sight distance is calculated from the equation.

$$ISD = 0.278 V_{major} t_g$$

Where:

$$ISD = \text{intersection sight distance}$$

$$V_{major} = \text{design speed of the major road } \left(\frac{km}{h} \right)$$

$$t_g = \text{time gap for the minor road vehicle to enter the major road (s)}$$

The intersection sight distance requirement for passenger cars was determined by the equation above, where the time gap for the minor road vehicle to enter the major road for passenger vehicles is 7.5 seconds for turning left from stop, 6.5 seconds for vehicles turning right from a stop and 5.5 seconds for left turns from the major road.

However, a vehicle that entered the driveway in a forward motion would be required to exit from the driveway in a reversing motion. In order to turn left or right from the driveway, a driver reversing out of the driveway would have to come to a stop on Hilda Avenue before continuing in a forward motion either towards the north or the south and require additional time from the time gaps stated above to complete the set of maneuvers.

Although the TAC guidelines do provide guidance when a driver is required to cross additional lanes to complete a left-turn from the minor road, no guidance is provided for vehicles that are required to reverse out of a driveway. As per Section 9.9.2.3 of the TAC manual, left-turns onto roadways with more than two lanes require an additional 0.5 second to its time gap for each additional lane, in excess of one to be crossed by the turning vehicle. To provide a conservative estimate for a driver reversing out of its driveway, GHD assumed an additional 3 seconds would be required from its initial time gap to allow for a driver to reverse onto Hilda Avenue, come to a stop, and proceed in either the northbound or southbound direction.

The suggested intersection sight distances for a vehicle exiting the driveway in a reversing motion (Case B1 and B2) and turning left from Hilda Avenue into the driveway (Case F) is summarized in the table below based on 50 km/h design speed along Hilda Avenue.

Table 1 *Intersection Sight Distances*

Case (Design Speed of 50 km/h)	Time Gap	Required Intersection Sight Distance	Available Intersection Sight Distance	TAC Reference
B1: Vehicles turning left from stop	10.5 s	150 m	>150 m	Table 9.9.4
B2: Vehicles turning right from stop	9.5 s	135 m	>135 m	Table 9.9.6
F: Left turns from the major road	6.0 s	85 m	>85 m	Table 9.9.12

The sightline assessments are provided in **Appendix A** with the assessment for Case B1 provided in drawing SL-101, Case B2 in drawing SL-102, and Case F in drawing SL-103, and confirms that vehicles exiting and entering from the proposed driveway location have sufficient available sight distance in the required directions along Hilda Avenue to meet the TAC guidelines.

Stopping Sight Distance (Scenarios 1 a. through d. and 2 a.)

Stopping Sight Distance is used to determine the minimum distance required for a driver to observe an obstruction in the road and react, deaccelerate and safely brake prior to colliding with the potential obstruction. A driver slowing down and stopping to enter the driveway or reversing out of the driveway can be considered as an obstruction in the road. As a result, sufficient stopping sight distance would be required for drivers travelling along or turning onto Hilda Avenue to mitigate the likelihood that they would collide with a vehicle entering or exiting from the driveway.

The turning movements included in the assessment of stopping sight distances are shown in the figure below and include the turning movements at the intersection of Crestwood Road and Hilda Avenue, Royal Palm Drive and Hilda, and the vehicles exiting from the proposed driveway. The movements requested by City staff have also been identified on the figure as follows:

1. Northbound Through traffic along Hilda Avenue (Scenario 1 a.)
2. Southbound Through traffic along Hilda Avenue (Scenario 1 a.)
3. Westbound Left turn from Crestwood Road onto Hilda Avenue (Scenario 1 b.)
4. Eastbound Right turn from Crestwood Road onto Hilda Avenue (Scenario 1 c.)
5. Eastbound Left turn from Royal Palm Drive onto Hilda Avenue (Scenario 1 d.)
6. Westbound Right turn from Royal Palm Drive extension onto Hilda Avenue (Scenario 2 a.)

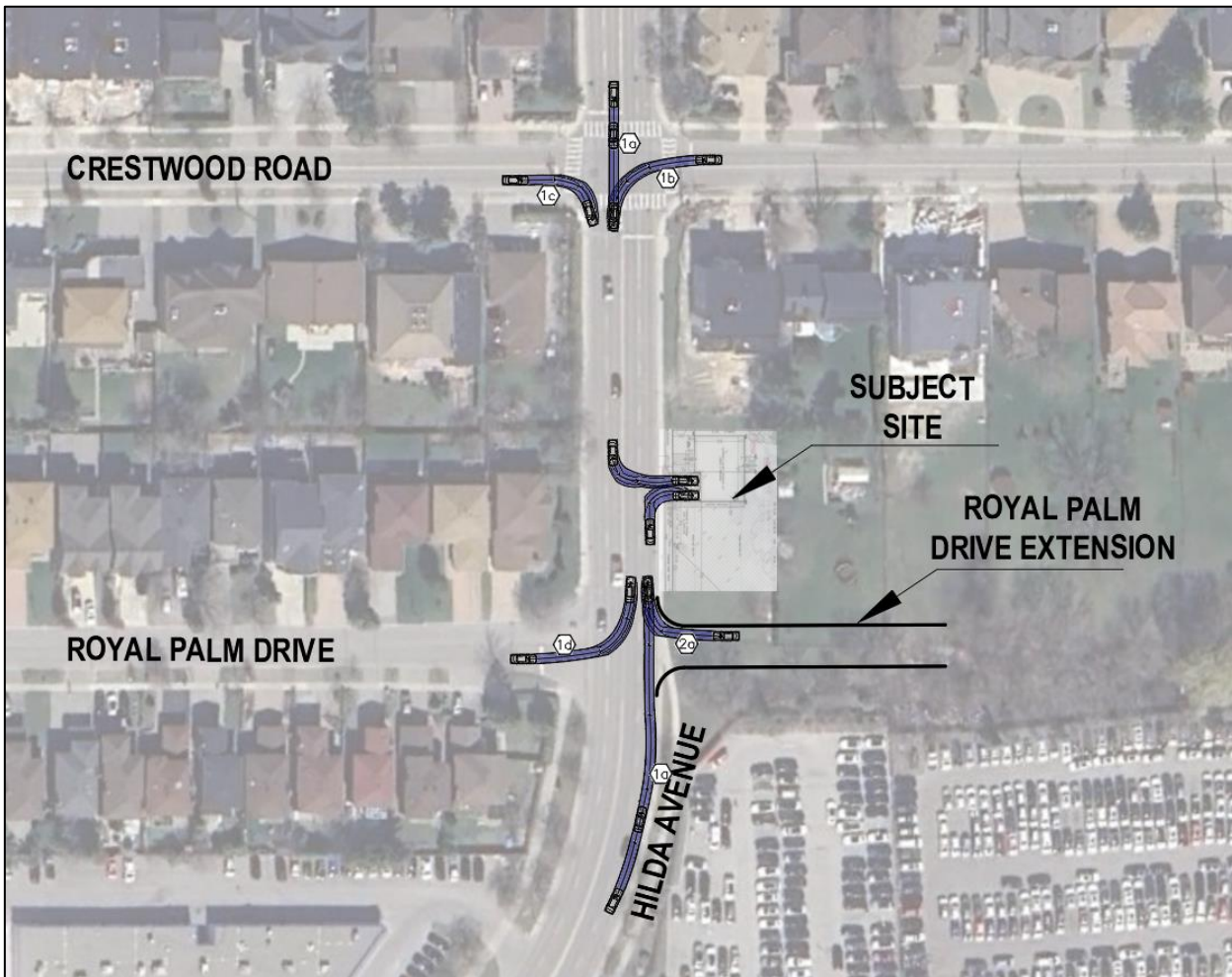


Figure 3 Stopping Sight Distance Scenarios

TAC’s Stopping Sight Distance Requirements

The required stopping sight distance is calculated from the equation.

$$SSD = 0.278 Vt + 0.039 \frac{V^2}{a}$$

Where:

SSD = Stopping sight distance

V = design speed of the road ($\frac{km}{h}$)

t = Brake reaction time, 2.5 s

a = Deceleration rate, 3.4 ($\frac{m}{s^2}$)

Drivers travelling along Hilda Avenue or turning onto Hilda Avenue from Royal Palm Drive or Crestwood Road should have sufficient sightline to see a vehicle that is either stopped in the southbound lane on Hilda Avenue adjacent to the centreline waiting to turn left into the proposed driveway, see a vehicle stopped in the northbound lane on Hilda Avenue adjacent to the curb slowing down to enter the driveway or see a vehicle completing a turn out of the driveway (either in a forward or reversing motion).

For the purpose of the assessment, drivers travelling along Hilda Avenue in the northbound and southbound directions are assumed to travel at the design speed of 50 km/h and as per TAC Table 2.5.2 suggests a minimum of 65 metres of stopping sight distance.

A vehicle turning right or left from Royal Palm Drive or Crestwood Road is assumed to be traveling at a speed lower than the posted speed limit as they are in the process of completing a turn onto Hilda prior to beginning to accelerate. To complete the assessment, GHD assumed that as a driver completes their turn onto Hilda Avenue, they are traveling at the assumed turning speed and the available sight distance was measured from the point at which a motorist would have a full view of a vehicle entering or exiting the driveway.

Section 9.9.2.3 of the TAC manual Case C2 (Left and Right Turn Maneuvers at intersection with yield control) assumes drivers slow to a turning speed of 16 km/h when making left and right turns without stopping. Although the intersections along Hilda Avenue at Royal Palm Drive or Crestwood Road are not under yield control, a driver turning left or right at a signalized or unsignalized intersection can be assumed to be travelling at or below this speed. If the vehicle is departing from a full stop position i.e. at a stop sign or red light, the turning speed could be assumed to be less at the point when a driver can see a vehicle stopped on Hilda Avenue waiting to turn into or turning out of the proposed driveway. At an assumed design speed of 16 km/h, a minimum 15 metres of stopping sight distance is recommended based on TAC.

The suggested minimum stopping sight distance a vehicle turning onto Hilda Avenue and for vehicles travelling on Hilda Avenue towards the subject site driveway is summarized in the table below based on their respective design speeds.

Table 2 Stopping Sight Distance

Case	Design Speed	Required Stopping Sight Distance	Available Stopping Sight Distance	TAC Reference
Vehicles turning left or right onto Hilda Avenue (Scenarios 1 b, c, d and 2 a)	16 km/h	15 m	>15 m	Equation
Vehicles driving straight on Hilda Avenue (Scenario 1 a)	50 km/h	65 m	>65 m	Table 2.5.2

The sightline assessments for motorists travelling along Hilda Avenue are also provided in **Appendix A** and includes vehicles travelling north and southbound on Hilda Avenue observing vehicles exiting the driveway in Drawing SL-104 and observing vehicles stopped or slowing down on Hilda Avenue to enter the driveway in Drawing SL-105.

The available sight distances along Hilda Avenue to the north and south of the driveway exceeds the minimum required stopping sight distance for a 50 km/h design speed for through movements and 16 km/h design speed for turning vehicles.

CONCLUSION

Based on the series of sightline assessments for the proposed location of the driveway on Hilda Avenue, there are sufficient available sightlines for drivers exiting from the driveway, drivers entering the driveway, and for vehicles travelling along Hilda Avenue to observe a vehicle entering or exiting from the driveway.

The scenarios requested by City staff to be reviewed were completed based on the following assessments:

1. Under existing conditions – No Royal Palm Drive extension
 - Northbound Through and Southbound Through traffic along Hilda Avenue
 - Case B1, B2, and F for intersection stopping sight distances (drawings SL-101-SL-103 and stopping sight distance scenarios (movements 2 and 5 in drawings SL-104 and SL-105)
 - Westbound Left turn from Crestwood Road onto Hilda Avenue
 - Stopping sight distance (Movement 3 in drawings SL-104 and SL-105)
 - Eastbound Right turn from Crestwood Road onto Hilda Avenue

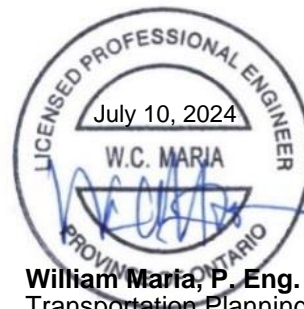
- Stopping sight distance (Movement 1 in drawings SL-104 and SL-105)
- Eastbound Left turn from Royal Palm Drive onto Hilda Avenue
 - Stopping sight distance (Movement 4 in drawings SL-104 and SL-105)
- 2. Future conditions – with Royal Palm Drive extension
 - Stopping sight distance available from new Royal Palm Drive extension Westbound Right turn onto Hilda Avenue
 - Stopping sight distance (Movement 6 in drawings SL-104 and SL-105)

Based on the findings of the sightline assessment, it is our professional opinion that the proposed driveway location on Hilda Avenue is appropriate. The assessment confirms that there are sufficient sightlines in both directions, ensuring safe ingress and egress for vehicles. Therefore, we conclude that the proposed driveway will not present any transportation issues or safety hazards for motorists or pedestrians.

Regards



Rafael Andrenacci, B. Eng,
Transportation Planner



William Maria, P. Eng.
Transportation Planning Lead

Appendices

Appendix A

Sightline Assessment



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No.	Issue	Checked	W.M	W.M	7/8/24	Approved	Date
1	First Submission						

Author	RA	Designer	RA
Drafting Check	W.M	Design Check	W.M
Project Manager	W.M	Project Director	W.M

Client
-

Project
0 HILDA AVENUE

Date July 8, 2024 Scale NTS

Project No.
-

Title
SIGHTLINE ASSESSMENT - CASE B1

Size
ANSI D

Sheet No.
SL-101



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No.	Issue	Checked	W.M	W.M	7/8/24	Date
1	First Submission					

Author	RA	Designer	RA
Drafting Check	W.M	Design Check	W.M
Project Manager	W.M	Project Director	W.M

Client: -

Project: 0 HILDA AVENUE

Date	July 8, 2024	Scale	NTS
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Project No. -

Title: SIGHTLINE ASSESSMENT - CASE B2

Size: ANSI D

Sheet No. SL-102



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No.	Issue	Checked	W.M	W.M	7/8/24	Approved	Date
1	First Submission						

Author	RA	Designer	RA
Drafting Check	W.M	Design Check	W.M
Project Manager	W.M	Project Director	W.M

Client: -

Project: 0 HILDA AVENUE

Date	July 8, 2024	Scale	NTS
------	--------------	-------	-----

Project No. -

Title: SIGHTLINE ASSESSMENT - CASE F

Size: ANSI D

Sheet No. SL-103



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1. Eastbound Right turn from Crestwood Road onto Hilda
2. Southbound Through traffic along Hilda Avenue
3. Westbound Left turn from Crestwood Road onto Hilda Avenue
4. Eastbound Left turn from Royal Palm Drive onto Hilda Avenue
5. Northbound Through traffic along Hilda Avenue
6. Westbound Right turn from Royal Palm Drive extension onto Hilda Avenue

No.	Issue	Checked	W.M	W.M	7/8/24	Date
1	First Submission					

Author	RA	Designer	RA
Drafting Check	W.M	Design Check	W.M
Project Manager	W.M	Project Director	W.M
Client	-		
Project	0 HILDA AVENUE		

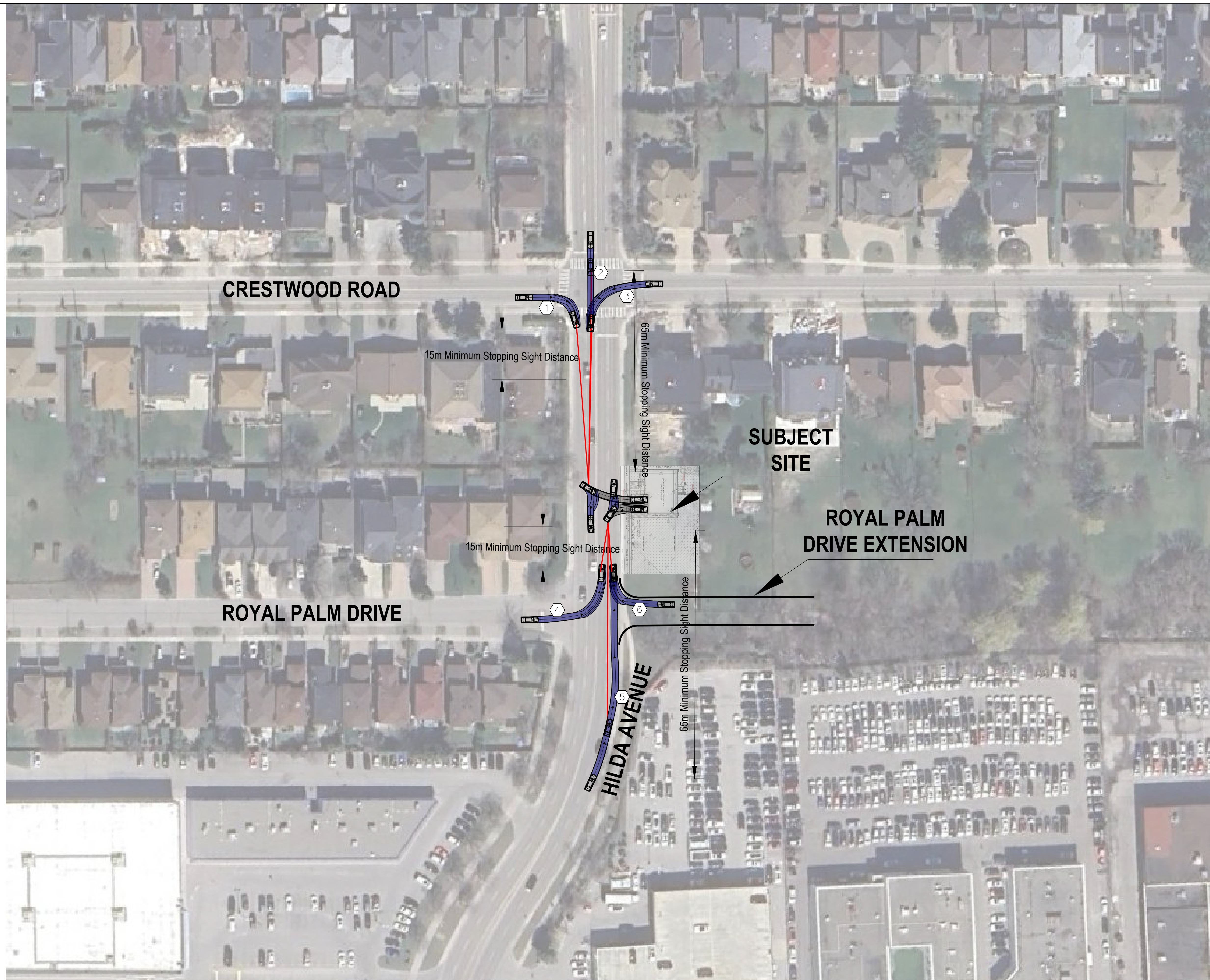
Date	July 8, 2024	Scale	NTS
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Project No. -

Title
**SIGHTLINE ASSESSMENT
- STOPPING SIGHT
DISTANCE (EXITING
VEHICLE)**

Size
ANSI D

Sheet No.
SL-104





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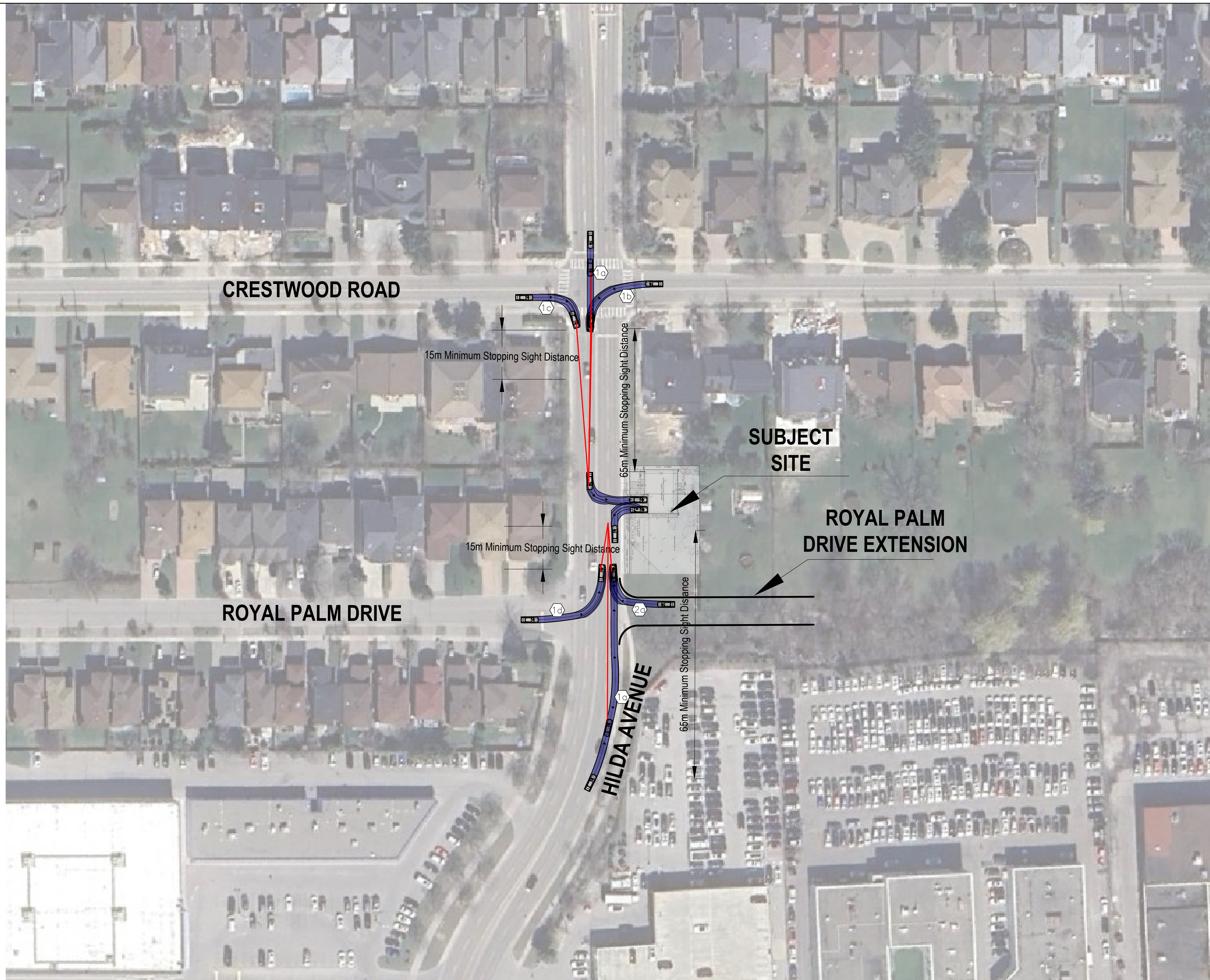
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Project No. -

Title
**SIGHTLINE ASSESSMENT
- STOPPING SIGHT
DISTANCE (ENTERING
VEHICLE)**

Size
ANSI D

Sheet No.
SL-105



Committee of Adjustment

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

ATTN: Christine Vigneault, Secretary Treasurer – Committee of Adjustment

**Re: Planning Justification Report
Applications for Consent (to sever) & Minor Variance
0 Hilda Avenue, Vaughan**

Humphries Planning Group is the agent and planning consultant for Victor Kam, the registered owner of the property legally described as PL 3205 S PT LT 66 or 0 Hilda Avenue in the City of Vaughan (the '**Subject Property**'). This planning rationale is being submitted in support of the proposed applications for Consent (to sever) and associated Minor Variance in order to facilitate the development of two (2) new two single-detached residential dwellings on the Subject Property. This letter provides an analysis and evaluation respecting the proposed development and associated variances represent good planning in the context of Section 51(24) and 45(1) of the *Planning Act*.

Description of Property

The Subject Property is located on the east side of Hilda Avenue between Crestwood Road (north) and Royal Plam Avenue (south) in residential neighbourhood in the district of Thornhill. The Subject Property is rectangular in shape with a lot area of approximately 0.09 hectares (0.22 acres) and a frontage of 45.74 metres along Hilda Avenue. The property is situated in a mature neighbourhood which has been experiencing significant redevelopment in the form of newer two, and three storey replacement dwellings which have larger footprints and occupy more lot area than that which it replaces or has been improved upon.

The Subject Property is currently vacant and represents a remnant parcel/lot established through the approval of a previous Consent application associated with 85 Crestwood Road (Lot 66 - PL3205) in 1965. The property located at 85 Crestwood interfaces the Subject Property at its rear yard creating a rear yard to side yard interface. 85 Crestwood is currently being developed with a new 3-storey single detached dwelling with integrated garage.



Figure 1: Air Photo of Subject Property

Description of Development

The applications propose to sever the Subject Property into two residential lots and requests a number of variances required to construct a new three storey detached dwelling with an integral garage on each of the new lots. The proposed lots would have frontage and gain access onto Hilda Avenue. The proposed severance would result in two lots that would have a frontage of approximately 19.52 metres (Severed Lands) and 16.51 metres (Retained Lands) resulting in each lot having an area of approximately 422.96 m² (Severed Lands) and 348.67 m² (Retained Lands). The proposed dwellings will be setback approximately 4.50 metres from the front yard (Hilda Ave.), 1.22 metres from the interior side yards, 6.81 metres (Severed Lands) and 6.75 metres (Retainer Lands) from the rear yard and 4.59 metres from the exterior side yard (south) for the Severed lands. The two proposed dwellings are illustrated in Figure 2 – Severance Sketch.

The lots have been established in a manner that can accommodate for the proposed future planned extension of Royal Plan Avenue to the south. A 33 foot (10.06 metre) reserve has been accommodated at the southern limit of the site to provide for the future road allowance, as may be necessary. It is expected that the future extension of Royal Plam Avenue to the east (from Hilda Avenue to Yonge Street) will require the conveyance of a

portion of the Subject Property, as may be defined through the ongoing Yonge-Steeles Corridor Secondary Plan Collector Roads Environmental Assessment Study. The development proposal protects for this proposed road project and any related infrastructure. The development proposes lot coverages of 33.81% (Severed Lands) and 41.02% (Retained Lands) respectively.

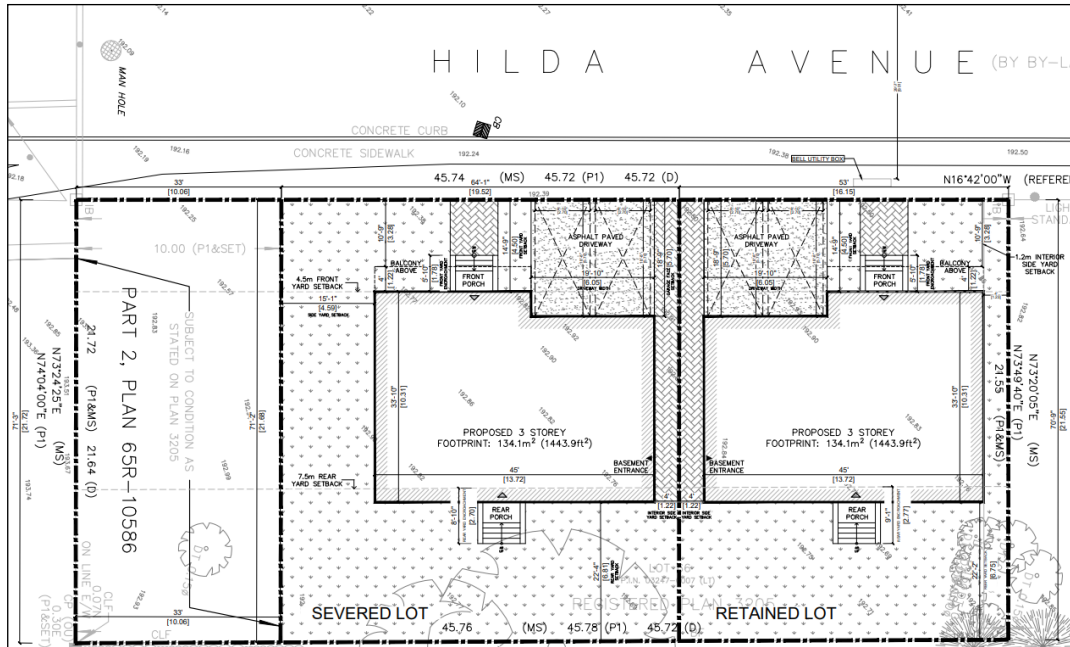


Figure 2: Proposed Severance Sketch

Lot Analysis

A lot analysis of the surrounding neighbourhood was completed to determine the lotting fabric of other residential properties within proximity to the proposed development. More specifically, the analysis focused on the residential properties which directly interface the Subject Property to the west being the lots which directly interface the site. It should be noted that the lands located immediately south of the site currently accommodate an open space buffer under the ownership of the City of Vaughan. Beyond these lands, is 228 & 238 Steeles Avenue West which are currently occupied by a motor vehicle leasing and sales establishment (Mercedes-Benz Thornhill) and associated outdoor display and storage areas. The lands are located within the Yonge Steeles Corridor Secondary Plan Areas and are contemplated to be redeveloped for high-density mixed-uses. Additionally, the lands abutting the property to the north, at 85 Crestwood Road, represent a severed lot established through the approval of a previous Consent application which resulted in the creation of the Subject Property. These lands are located in one of Vaughans identified

large-lot neighbourhoods as well as the other properties with frontage onto Crestwood Road. 85 Crestwood is currently being developed with a new 3-storey single detached dwelling with integrated garage. Similarly, the lands located to the east, at 83 Crestwood are also located within the large-lot neighbourhood. Accordingly, the open space buffer, 228/238 Steeles Avenue West and 83, and 85 Crestwood have been excluded from consideration and analysis recognizing their specific planning context including frontage, use, and planning unit. A breakdown of the lots is provided in the table below:

Table 1: Surrounding Lot Analysis

Municipal Address	Lot Area (m2)	Lot Frontage (m)
2 Royal Palm Drive	509	15.0
8 Royal Palm Drive	451	12.9
12 Royal Palm Drive	452	12.9
18 Royal Palm Drive	388	11.0
20 Royal Palm Drive	388	11.0
7 Royal Palm Drive (corner lot)	588	15.7
11 Royal Palm Drive	341	10.5
15 Royal Palm Drive	341	10.5

As illustrated in the table above, lot frontages range from 10.5 metres to 15.7 metres and lot areas between 341 m2 and 588 m2. As such, the physical character and lotting patterns and sizes (frontages and areas) of the neighbourhood is generally defined by moderate variability. The neighbourhood is seen to accommodate ranges in the lot area and lot frontage categories rather than containing lots with the same dimensions. In other words, there is no identifiable 'prevailing' pattern in the neighbourhood and the area is comprised of an eclectic character with a mixed range. The proposed development does alter this pattern of lotting/development and the proposed lots are suitable in both size and shape to accommodate the development while maintaining consistency to and fit within the existing physical context of the area.

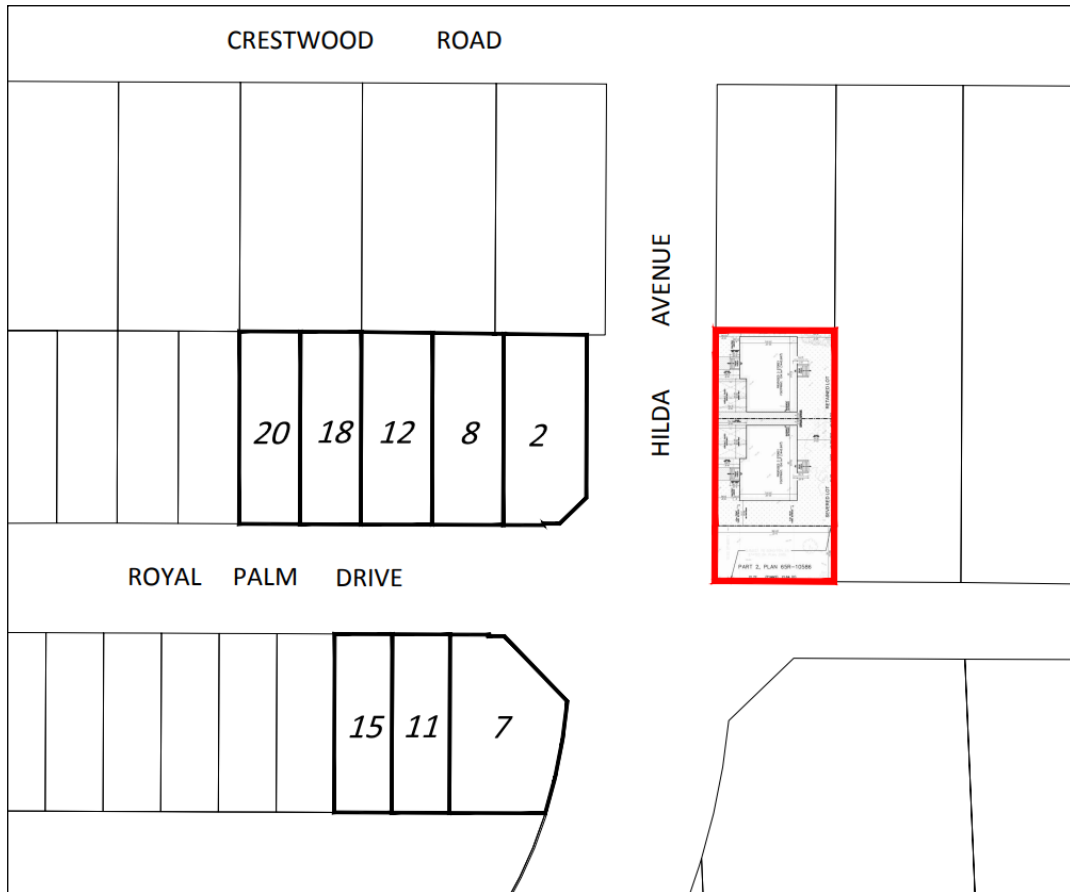


Figure 3: Lotting Analysis Map

Proposed Variances

The new City of Vaughan Comprehensive Zoning 001-2021 zones the Subject Property R2A(EN) – Second Density Residential Zone (Established Neighbourhood). The table below identifies the variances that are being requested from By-Law 001-2021, as amended, in order to accommodate the proposed development:

Table 2: Severed Lot (SOUTH)

Zoning Provision	Required	Proposed
Minimum Lot Area	450 square metres	422.96 square metres
Maximum Height	9.5 metres	11 metres
Rear Yard Setback	7.5 metres	6.81 metres
Side Yard Setback (north)	1.2 metres	1.22 metres
Rear Yard Encroachment	2.4 metres	2.70 metres

Table 3: Retained Lot (NORTH)

Zoning Provision	Required	Proposed
Minimum Lot Area	450 square metres	348.67 square metres
Maximum Height	9.5 metres	11 metres
Rear Yard Setback	7.5 metres	6.75 metres
Side Yard Setback	1.2 metres	1.22 metres
Rear Yard Encroachment	2.4 metres	2.77 metres

Planning Analysis and Justification

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (the 'PPS') establishes policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the *Planning Act*, all decisions affecting planning matters in Ontario "shall be consistent with" the Provincial Policy Statement. The PPS directs that municipalities are to accommodate growth, in part, through intensification.

The term 'intensification' is defined in Section 6 of the PPS as: "*the development of a property, site or area at a higher density than currently exists through:*

- a. *redevelopment, including the reuse of brownfield sites;*
- b. *the development of vacant and/or underutilized lots within previously developed areas;*
- c. *infill development; and*
- d. *the expansion or conversion of existing buildings."*

The proposed development represents a gentle form of intensification based on this definition in that it is a development of an existing lot in the form of two new infill dwellings.

Section 1.1.1 of the PPS directs that "*healthy, liveable and safe communities are sustained by:*

- e. *Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

- f. *Accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- e. *Promoting cost-effective development patterns and standards to minimize land consumption and servicing costs”*

Section 1.1.3.2 of the PPS directs that *“Land use patterns within settlement areas shall be based on:*

- a. *Densities and a mix of land uses which:*
 - i. *Efficiently use land and resources;*
 - ii. *Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- 4. *Support active transportation;*
- 5. *Are transit-supportive, where transit is planned, exists or may be developed; and*
- b. *A range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”*

Further, Section 1.1.3.3 states that:

“Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.” (emphasis added)

The above policies emphasize the need to plan for and promote redevelopment and intensification in order to achieve efficient land use patterns and healthy communities. It is our opinion that the proposed development is an appropriate form of residential infill

and modest intensification supported by the PPS that will make efficient use of land and services.

Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) provides direction respecting the development and growth of communities within the Greater Golden Horseshoe (“GGH”). The new Growth Plan was prepared and approved under the Places to Grow Act, 2005 and took effect on May 16, 2019 replacing the 2017 Plan. Amendment 1 (2020) to the Growth Plan for the Greater Golden Horseshoe 2019 was approved and took effect on August 28, 2020. The Growth Plan provides a framework for implementing the provincial management of future regional growth to ensure the development compact and vibrant communities intended to support a strong and competitive economy.

Section 1.2.1 sets out the guiding principles of the Growth Plan, which includes the following:

- *Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.*
- *Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.*

The housing policies of the Growth Plan are contained in Section 2.2.6. Section 2.2.6.1 directs planning authorities to “develop a housing strategy that:

- g. *supports the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*
 - i. *identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents”*

Section 2.2.6.2 further requires that “notwithstanding policy 1.4.1 of the PPS, 2014, in preparing a housing strategy in accordance with policy 2.2.6.1, municipalities will support the achievement of complete communities by:

- h. *Planning to accommodate forecasted growth to the horizon of this Plan;*
- i. *Planning to achieve the minimum intensification and density targets in this Plan;*

- j. *Considering the range and mix of housing options and densities of the existing housing stock; and*
- k. *Planning to diversify their overall housing stock across the municipality.”*

In our opinion, the proposed development supports the housing policies of the Growth Plan by contributing to the provision of a range of housing types and sizes, which is desirable and compatible in this neighbourhood.

York Region Official Plan, 2022

York Region Council adopted the current 2022 *Regional Official Plan* in June 2022 and the Minister of Municipal Affairs and Housing approved the Plan in November 2022. The policies of the official plan guide new planning and development in York Region to the year 2051.

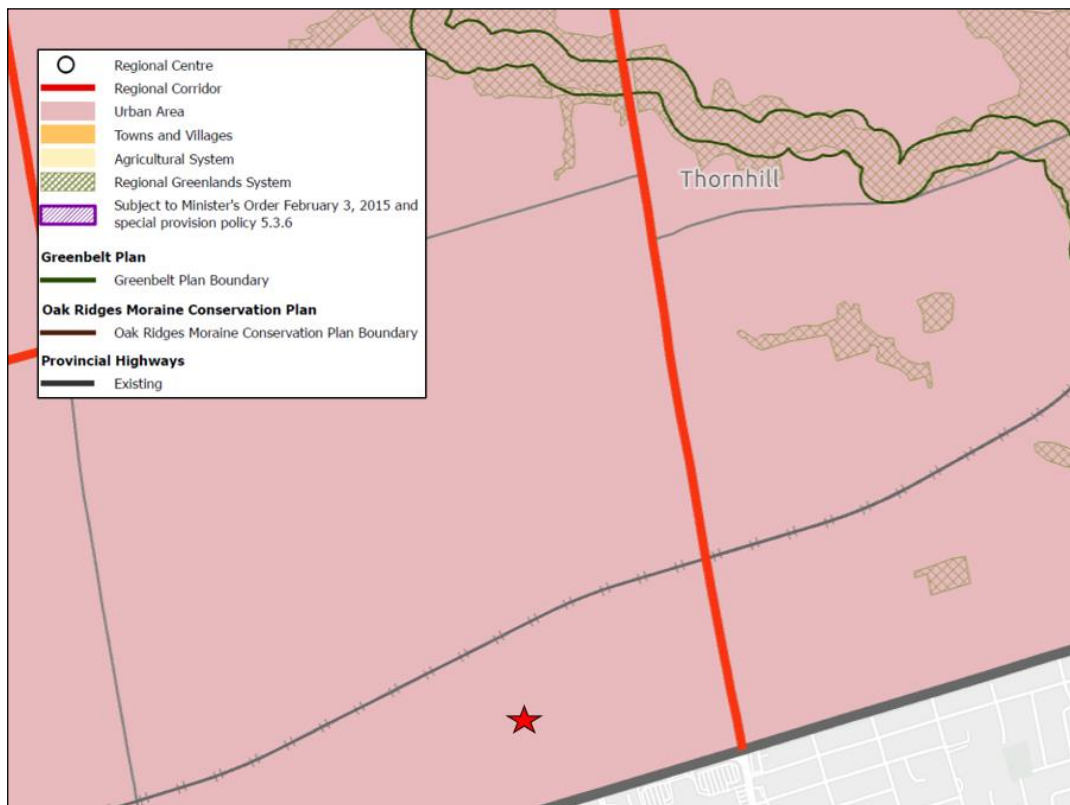


Figure 4: YROP 2022 – Map 1 - Regional Structure (★ Subject Property)

The YROP designates the Subject Property as “Urban Area” on Map 1 - Regional Structure and “Community Area” on Map 1A – Land Use Designations. These designations are intended for the primary location of growth and development within York Region.

In accordance with Map 1B – Urban Overlay System, the Subject Site is identified as being located within a “Protected Major Transit Station Area” (PMTSA). Major transit station areas are planned and designed to support existing and planned transit infrastructure and to accommodate a range and mix of land uses, housing types, employment, active transportation amenities and activities.

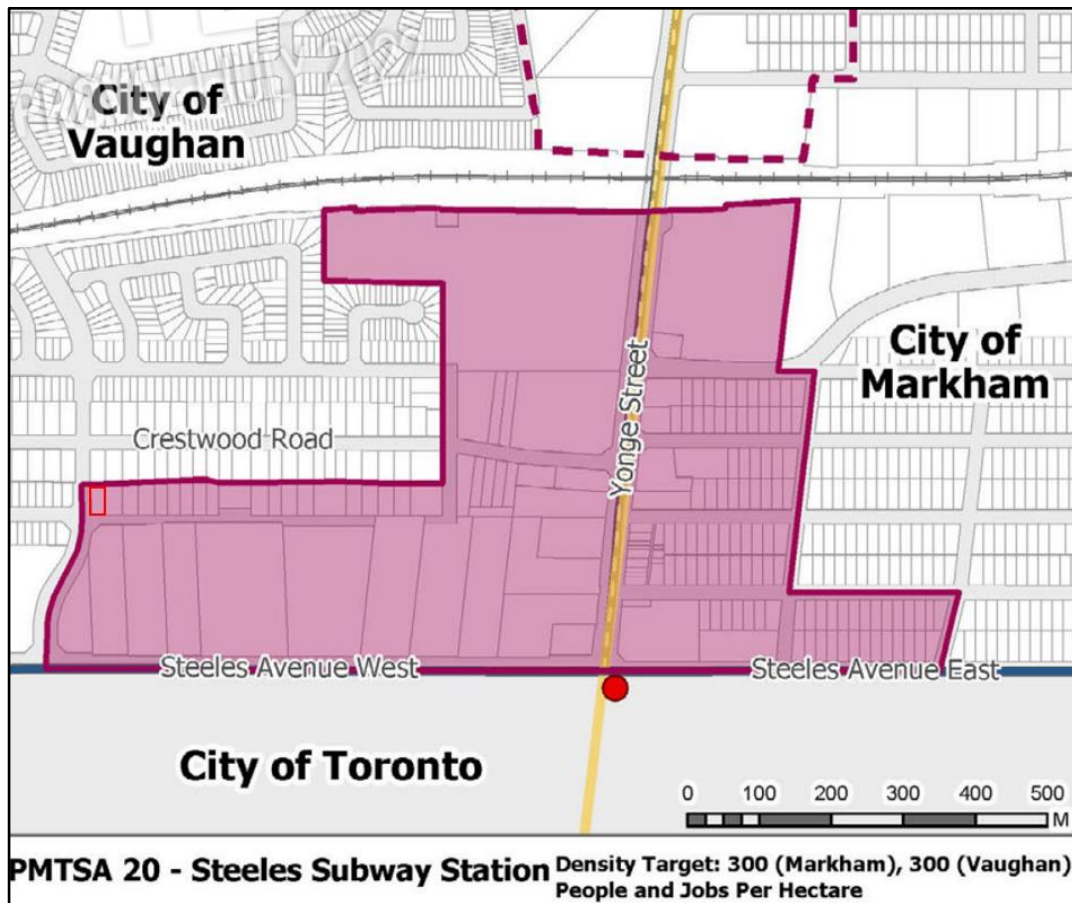


Figure 5: YROP 2022 – Appendix 2 – York Region MTSA’S (Subject Property)

The Subject Property is located within the Steeles Subway Station PMTSA with a proposed minimum density target of 300 people and jobs per hectare. However, it is important to note that the ROP only provides for minimum density thresholds and that it is encouraged that these density measures/minimums be exceeded, in appropriate areas, where additional growth and development can be reasonably accommodated. The intent of the proposed MTSA/PMTSA framework is to recognize that some areas will intensify more than others as development occurs over time.

The Regional Official Plan recognizes that growing through intensification and more compact development has a number of important benefits including making more efficient use of existing and planned infrastructure. Intensification also contributes to the development of complete communities in the Region by providing a greater range of housing and transportation choices by making public transit more viable. The proposed development provides for a moderate form of intensification in an urban area and identified PMTSA with access to municipal infrastructure, transit and a number of community services, facilities and amenities. Further, based on the Regions hierarchy of intensification areas, it is recognized that there are a number of areas which are planned to accommodate a portion of future planned growth through intensification. The Subject Property represents one of these areas, as it is located on the immediate outer edge of an identified Intensification Area (Primary Centre) and within a “Protected Major Transit Station Area. As such, it is our opinion that the proposed development conforms to the applicable policies of the YROP

City of Vaughan Official Plan, 2010

The City of Vaughan Official Plan (“VOP 2010”) was adopted by City Council in September 2010, approved with modifications by the Region of York in July, 2012 and subsequently appealed to the Local Planning Appeal Tribunal (“LPAT”). Certain portions and policies of the VOP 2010 remain under appeal, none of which apply to the Subject Property.

The Subject Property is identified as being located within the ‘Community Areas’ of the City of Vaughan’s urban structure. Vaughan’s existing Community Areas are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local retail, community facilities, schools and parks. These areas are expected to remain mostly stable, however, incremental change is expected as a natural part of maturing neighbourhoods.

The *Community Areas* policies are found in Section 2.2.3 and are as follows:

“2.2.3.1. That Community Areas will provide most of the City’s low-rise housing stock, as well as local-serving commercial uses and community facilities such as schools, parks, community centres and libraries. They will function as complete communities and encourage walking, cycling and transit use.

2.2.3.2. That Community Areas are considered Stable Areas and therefore Community Areas with existing development are not intended to experience significant physical change. New development that respects and reinforces the existing scale, height, massing, lot pattern, building type, character, form and planned function of the immediate local area is permitted, as set out in the policies in Chapter 9 of this Plan.

2.2.3.3. That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context.”

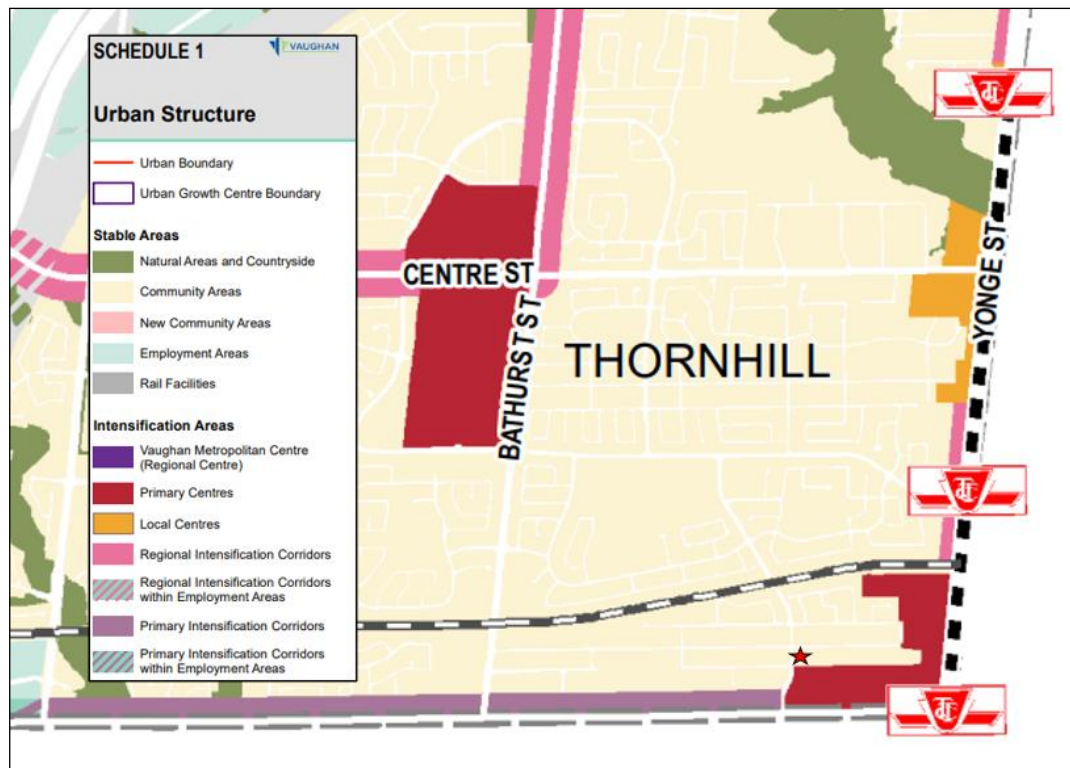


Figure 6: VOP 2010 – Schedule 1 - Urban Structure (★ Subject Property)

Section 2.2.3 of the VOP 2010 states that “as the City grows and matures, Community Areas will remain *mostly stable*, however, *incremental change is expected as a natural part of maturing neighbourhoods*”. Further, it goes on to state that, “*this change will be*

sensitive to, and respectful of, the existing character of the area”. It is important to note that “limited intensification” may be permitted in Community Areas so long as the proposed development remains sensitive to and compatible with the character, form and planned function of the surrounding context.

The proposed redevelopment is consistent with the Community Area policies as it will facilitate gentle intensification of a vacant and underutilized lot by introducing a recognizable built form that is compatible with existing type, scale and character of surrounding development.

Schedule ‘13’ – Land Use of the VOP designates the Subject Property as “Low-Rise Residential” which is planned to consist of predominantly residential buildings in a low-rise form no greater than three storeys. Permitted building types include detached, semi-detached, townhouse dwelling units as well as public and private institutional buildings.

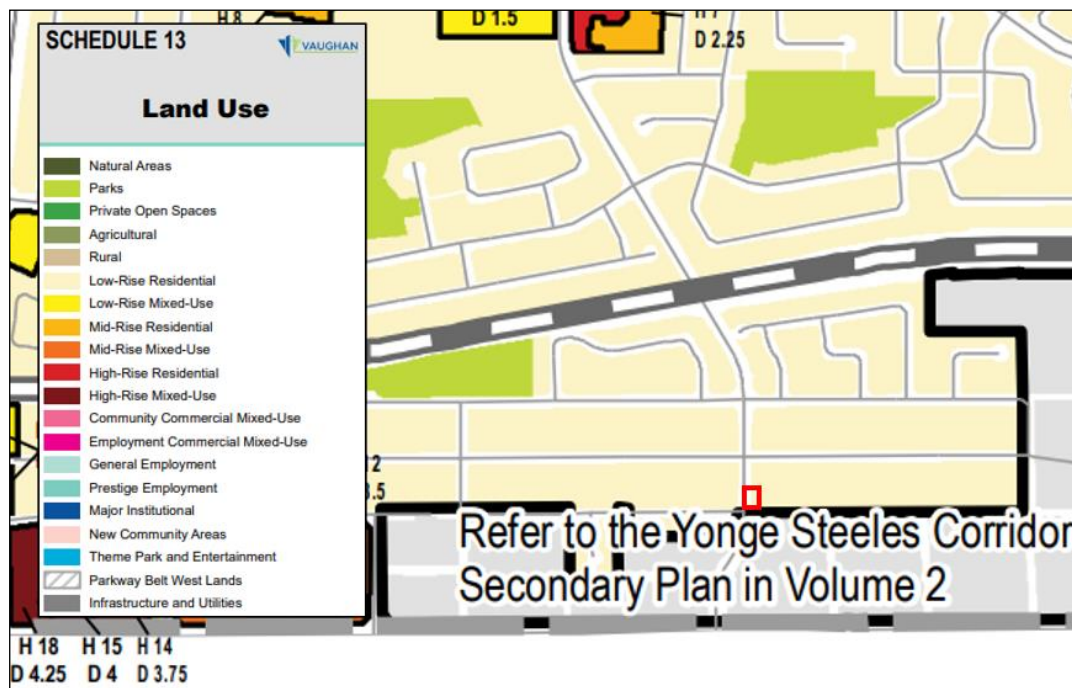


Figure 7: VOP 2010 – Schedule 13 – Land Use (Subject Property)

The proposed development will introduce a permitted building type through the construction of two (2) new 3-storey single detached dwellings on each of the new lots.

Section 9.1.2.1. of the VOP states that new development will respect and reinforce the existing and planned context within which it is situated. More specifically, the built form of new developments will be designed to achieve the following general objectives:

- a) in **Community Areas**, new development will be designed to respect and reinforce the physical character of the established neighbourhood within which it is located as set out in policies 9.1.2.2 - 9.1.2.4 or, where no established neighbourhood is located, it shall help establish an appropriate physical character that is compatible with its surroundings, as set out in policy 9.1.2.5. An Established Community Area is a portion of the **Community Area** identified on Schedule 1 (Urban Structure);

The Subject Property is located within a *Community Area* and therefore, must have regard for Section 9.1.2.2 of the VOP.



Figure 8: VOP 2010 – Schedule 1B – Established LLN (Subject Property)

Notwithstanding, Section 9.1.2.2 of the VOP, the Subject Property is also located in one of Vaughan’s Established Large-Lot Neighbourhoods per Schedule 1B - Areas Subject to Policy 9.1.2.3 - Vaughan’s Established Large-Lot Neighbourhoods, and is therefore also subject to Policy 9.1.2.3 of the VOP.

Large-Lot Area Analysis

Large Lot Neighbourhoods form part of the City's mature neighbourhoods, which are typically characterized by their substantial rear, front and side yards, and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes. It should be recognized that despite being located within an identified LNN, as a result of the historical severance (from 85 Crestwood Road) the Subject Property does not exhibit any similarities to other properties in the LLN or share any of their distinctive characteristics, particularly frontage. The Subject Property is the only lot in the LNN with frontage and access onto Hilda Avenue. Notwithstanding the above, an analysis of the development proposal in light of the LLN policies is provided below:

Section 9.1.2.3 of the VOP 2010 states that:

Within the Community Areas there are a number of older, established residential neighborhoods that are characterized by large lots and/or by their historical, architectural or landscape value. They are also characterized by their substantial rear, front and side yards, and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes. Often, these areas are at or near the core of the founding communities of Thornhill, Concord, Kleinburg, Maple and Woodbridge, and may also be part of the respective Heritage Conservation Districts. In order to maintain the character of these areas the following policies shall apply to all developments within these areas (e.g., land severances, zoning by-law amendments and minor variances), based on the current zoning, and guide the preparation of any future City-initiated area specific or comprehensive zoning by-laws affecting these areas.

- a. *Lot frontage: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjacent nearby and facing lots;*

The proposed application would result in a frontage of approximately 19.52 metres (Severed Lot) and 16.15 metres (Retained Lot) respectively. These frontages are greater than or equal to a number of nearby lots including the properties municipally addressed 2, 7, 8 and 11 Royal Palm Avenue which are adjacent and facing lots. It is recognized that lot sizes in the immediate area widely vary with frontages ranging from 15.7 metres (along Royal Palm Drive) up to 21+ metres (along Crestwood Road).

- b. *Lot area: The area of new lots should be consistent with the size of adjoining lots;*

The policy objective above is to establish consistency with adjoining lots in terms of lot size. The interpretation of the term 'adjoining' is critical in the application of this policy as it is our understanding that the intent was to identify adjoining lots **facing the same street** or adjoining lots which share a **front lot line on the same street**. Accordingly, the criteria above is not directly applicable to the Subject Property based on a number of location characteristics.

The Subject Property 'adjoins' three (3) existing lots being 228/238 Steeles Avenue West (south), 85 Crestwood Road (north), and 83 Crestwood Road (east). 228/238 Steeles Avenue West is currently occupied by a motor vehicle leasing and sales establishment (Mercedes) and associated outdoor display and storage areas. The lands have frontage and access onto Steeles Avenue West and are located within the Yonge Steeles Corridor Secondary Plan Areas. They are contemplated to be redeveloped for High Rise Mixed Uses. 85 Crestwood Road represents a formerly severed lot established through a previous Consent application which resulted in the creation of the Subject Property (0 Hilda Avenue). 85 Crestwood Road has both frontage and access onto Crestwood Road and is currently being developed with a new 3-storey single detached dwelling with integrated garage. Similarly, the lands located to the east, at 83 Crestwood Road, are occupied by a 2-storey single detached dwelling with 2 car garage. The Subject Property interfaces 83 Crestwood at its rear yard and 83 Crestwood maintains frontage/access onto Crestwood Road. None of the above noted properties face the same street, being Hilda Avenue. The Subject Property is quite anomalous in the context of the surrounding neighbourhood as it is the only property with its primary frontage and access on Hilda Avenue in the City of Vaughan.

In terms of lot comparison, the existing lots located along Royal Palm Drive to the west provide for a more useful and operational comparison in terms of their relationship to the Subject Property. Further, Royal Palm Avenue is anticipated to be extended from Hilda Avenue to Yonge Street through an ongoing EA Study and the proposed roadway will ultimately form the southern boundary of the Subject Property once constructed. For these reasons, the lots facing Royal Palm Avenue have been evaluated.

The proposed application would yield lots which are generally consistent with the size of adjacent facing lots along Royal Palm Avenue. The proposed severance would yield lots approximately 422.96 square metres (Severed Lot) and 348.67 (Severed Lot) respectively. Lot areas along Royal Palm Drive range from 341 square metres to 509 square metres as

illustrated in *Table 1 - Lotting Analysis* provided above. As such, the proposed lots generally meet and, in some instances, exceed the areas of a number of adjacent and nearby lots.

- c. *Lot configuration: New lots should respect the existing lotting fabric;*

The creation of two lots would fit within the existing lotting fabric. The severance would result in the creation of two rectangular shaped lots with frontage onto a public street which is a characteristic of the neighbourhood.

- d. *Front yards and exterior side yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape;*

Buildings have been designed to meet both front yard and exterior side yard setback requirements in accordance with the R2A (EN) zone category.

- e. *Rear yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion on the adjacent residential lots;*

Variances are being proposed to the rear yard setback for the Severed Lot (6.81 metres) and Retained Lot (6.75 metres) whereas 7.5 metres is required. The overall reduction is negligible and the proposal maintains consistency with the established pattern of rear yard setbacks in the neighbourhood. Similar variances have been supported and granted.

- f. *Building heights and massing: Should respect the scale of adjacent residential buildings and any city urban design guidelines prepared for these Community Areas;*

Prevailing building heights in the surrounding context include 2 and 3 storey dwellings and are found in varied formats including, prominent and substantial roof designs as well as low profile, or shallow features. The proposed dwellings have been designed with a height of 3-storeys which is not anticipated to create a built form with adverse massing impacts, and contributes to the character of the neighbourhood as experienced along Hilda Avenue due to the lack of front-facing dwellings.

- g. *Lot coverage: In order to maintain the low density character of these areas and ensure opportunities for generous amenity and landscaping areas, lot coverage consistent with development in the area and as provided for in*

the zoning by-law is required to regulate the area of the building footprint within the building envelope, as defined by the minimum yard requirements of the zoning by-law.

The proposed buildings have been designed to meet the lot coverage standards of the by-law and provide for appropriately size dwellings for each of the lots in which they are situated. The proposed buildings (i.e. single detached dwellings) would maintain the low-density character of the area.

Based on the criteria above, it is our opinion that the proposed severance maintains the general intent and purpose of the Official Plan as the proposed lot sizes would result in development that fits with the character of the surrounding neighbourhood and would meet the compatibility criteria set out in Section 9.1.2.3 of the VOP 2010 as it relates to large lot neighbourhoods.

In addition to the above, it is recognized that the LLN polices, established through OPA 15, were developed through a City initiated study in 2015. Specifically, the study was undertaken in response to increased development pressures in some of Vaughan's stable Community Areas, in particular Low-Rise Residential neighbourhoods, where there are an increasing number of proposals to replace small homes with larger ones, severe properties to create new lots and/or assemble lands to build multi-unit developments. The study sought to evaluate and examine existing policies and assist in identifying implementation options to address the above.

Key conclusions and policy recommendations were outlined in the *Vaughan Community Areas and Low-Rise Residential Areas Study Draft Final Report* which considered ways to address redevelopment in established low-rise residential neighbourhoods. These formed the basis for OPA 15 and the LLN policies contained in the VOP 2010. Of considerable importance is Section 2.1 of the Draft Final Report which states that:

“the circumstances may be different where a large-lot neighbourhood interfaces with a medium-lot or small-lot neighbourhood, resulting in more variability among lot dimensions, for example, large lots on one side of a street and narrower lots on the opposite side. Where this condition exists, a proposal to subdivide a large lot may result in development that fits with the general character of the surrounding neighbourhood and would generally meet the compatibility criteria in policies 9.1.2.1 and 9.1.2.3 of the VOP 2010”.

The results of our analysis reveals that the Subject Property and the surrounding property characteristics are indicative of an interface between large and medium/small size lots. While typical 'large lots' are found along the frontage of Crestwood Road, small lots exist along Royal Palm Drive. As such, the proposed severance falls within this distinguished typology of established community area whereby significant variability among lots dimensions exists. Accordingly, it is our opinion that the proposal should be reviewed and evaluated in light of these circumstances and that the prevailing conditions present a greater degree of tolerance in terms of evaluating the appropriateness of the proposed development scenario

Further, as a result of the historical severance of 85 Crestwood Road, which established the creation of the Subject Property, including its unique frontage along Hilda Avenue, together with the future proposed extension of Royal Palm Avenue to Steeles Avenue, the properties located along Royal Palm Avenue are more suitable for comparison in terms of establishing character and are most relevant to the proposal as it relates to new lot creation.

Lastly, the proposal takes advantage of a unique site on the outer edge of an identified Primary Centre and intensification area being the Yonge Steeles Corridor Secondary Plan. The lands to the south of the Subject Property are planned to be developed with High-Rise Mixed Use buildings with a minimum density of 3.0x the area of the lot. The proposal provides for a transitional density and a greater intensity of development, but in a form and at a scale that's sensitive to existing neighbourhoods. The proposal provides for an opportunity for a more compact development while continuing to maintain the predominant building type and a recognizable built form (i.e. single detached dwellings).

Planning Act

Section 51(24) of the *Planning Act* authorizes the Committee of Adjustment to make decisions for changes in the configuration of land, specifically in the form of consents. It sets out the criteria that must be considered by the approval authority when assessing an application for subdivision (and consent) approval. The following provides and evaluation of the criteria of Section 51(24) in the context of the redevelopment proposal:

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*

The proposal is not located within any areas of provincial interest as per Section 2 of the *Planning Act*.

(b) whether the proposed subdivision is premature or in the public interest;

The consent application is proposing to sever the Subject Property into two residential lots within a registered plan of subdivision and is therefore not considered to be premature and is in the public interest considering it is a desirable and appropriate form of infill development. The development proposal appropriately considers the proposed future planned extension of Royal Palm Drive and protects for the roadway.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

The proposed development conforms to the Vaughan Official Plan including the policies related to *Community Areas, Large-lot Neighborhoods* and the *Low-Rise Residential Designation*. Additional analysis can be found in the section below.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The consent application proposes to subdivide an existing lot for residential uses within a plan of subdivision. Within the surrounding context, single detached dwellings are the predominant building form. The resulting lots are consistent with those found in the immediate context in terms of frontage and area. The proposed lots would be in keeping with the prevailing lot pattern and the Subject Property is suitable for the purposes of creating two residential lots.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

While the proposal does not contemplate any purpose built affordable housing, it does however address housing affordability and make ownership more attainable through the establishment of a range and mix of housing options for residents of all ages, abilities, income levels and stages of life. The proposal seeks to expand housing supply with more a more compact built form to ensure that an appropriate range and mix of housing forms, types and densities are available to meet market-based and affordable housing needs of current and future residents.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The Subject Property is located in a developed area and is well served by a comprehensive network of collector roads, local roads and arterial roads, as well as existing transit infrastructure along Steeles Avenue West. There are no provincial highways in the vicinity

of the site. No changes to the existing road network are being proposed through the proposal.

(f) the dimensions and shapes of the proposed lots;

The consent application would result in the creation of two (2) rectangular shaped lots with the primary buildings located perpendicular to the street and with the primary pedestrian entrances and driveways facing the road which is consistent with the orientation of surrounding buildings and the existing lotting fabric in the immediate context.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

The consent application does not propose any restrictions on the Subject Property or any adjoining lands.

(h) conservation of natural resources and flood control;

The Subject Property is not located within any floodplains or areas containing natural resources.

(i) the adequacy of utilities and municipal services;

The proposed development is located within a registered plan of subdivision with adequate utilities and municipal infrastructure to service the proposed development.

(j) the adequacy of school sites;

The consent application introduces two residential dwelling units in a developed area and will not impact the adequacy/capacity of nearby schools.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

The proposal is located within a registered plan of subdivision (Registered Plan 3205) and it is anticipated that a 33 foot strip of land located at the southernmost end of the site is required to be conveyed to the City of Vaughan for the purposes of public highways - representing the proposed extension of Royal Palm Drive. These lands have been protected for the future conveyance, as may be necessary.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The consent application would not impact the available supply or lessen the efficiency of the conservation of energy considering it is only proposing one additional residential lot within a plan of subdivision.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The Subject Property is located within registered plan of subdivision 3205. The City's Site Plan Control By-law 123-2013, as amended, designates all lands within the City of Vaughan as a Site Plan Control Area. However, recent changes to the *Planning Act* clarifies that projects with 10 or fewer residential units are not subject to Site Plan control. As such, development will occur by way of consent, minor variance and future building permit applications.

Based on the above criteria, the development proposal is consistent with Section 51(24) of the *Planning Act*.

Section 45 (1) of the *Planning Act* provides that a minor variance may be granted if, in the opinion of the Committee of Adjustment, the following conditions are met:

- *The variance requested maintains the general intent and purpose of the Official Plan;*
- *The variance requested maintains the general intent and purpose of the Zoning By-law;*
- *The variance is desirable for the appropriate use of the land; and,*
- *The variance is minor in nature.*

The following is a summary of how the application meets the four tests of the *Planning Act*.

Maintains the General Intent and Purpose of the Official Plan

The Subject Property is identified as being located within the 'Community Areas' of the City of Vaughan's urban structure. Vaughan's existing Community Areas are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local retail, community facilities, schools, and parks. These areas are expected to remain mostly stable, however, incremental change is expected as a natural part of maturing neighbourhoods.

Section 2.2.3.2 of the VOP 2010 states that “Community Areas are considered Stable Areas and therefore Community Areas with existing development are not intended to experience significant physical change that would alter the general character of established neighbourhoods. New development that respects and reinforces the existing scale, height, massing, lot pattern, building type, orientation, character, form, and planned function of the immediate local area is permitted, as set out in the policies in Chapter 9 of the Plan”.

While Community Areas are expected to remain mostly stable, incremental change is expected as a natural part of maturing neighbourhoods. The above policies reflect the direction of the PPS and Growth Plan to provide an appropriate range and mix of housing options and uses. Policy 2.2.3.2 also recognizes that over time, the existing housing stock will be replenished which may occur through development activities including new development, renovations, modifications, improvements and additions to existing buildings and properties.

Schedule ‘13’ – Land Use of the VOP designates the Subject Property as “Low-Rise Residential” which is planned to consist of predominantly residential buildings in a low-rise form no greater than three storeys in height. Permitted building types include detached, semi-detached, townhouse dwelling units as well as public and private institutional buildings.

The Subject Property is also identified as being located within one of the City of Vaughan’s Established Large Lot Neighbourhoods in accordance with Schedule 1B - Areas Subject to Policy 9.1.2.3.

A comprehensive analysis of the policies of the VOP 2010 is contained in the Section above. The findings of that analysis demonstrates that the proposed development maintains the general intent and purpose of Sections 9.1.2.2 and 9.1.2.3 of the Official Plan. It is our opinion that the proposed development fits with the existing character of the surrounding neighbourhood and meets the compatibility criteria set out in Section 9.1.2.2 and 9.1.2.3 of the VOP 2010.

Maintains the General Intent and Purpose of the Zoning By-law

The new City of Vaughan Comprehensive Zoning 001-2021 zones the Subject Property as R2A(EN) – Second Density Residential Zone (Established Neighbourhood). The 'R2A' Zone permits single family detached dwellings and establishes a number of requirements that regulate the development of the site. The proposed development seeks to construct a single-family residential dwelling on the Subject Property and is therefore consistent with the permitted uses outlined in the Zoning By-law.

Lot Area

Lot area is used to regulate the size of parcels in order to ensure that they are consistent and uniform with that of the surrounding residential area. Overall, the intent of the provision is to reduce undersized or highly irregular lots.

The development proposes a lot area of 422.96 square metres (Severed Lands) and 348.67 square metres (Severed Lands) whereas the By-law requires that the minimum lot area shall be 450 square metres. Despite the proposed lot areas being below the by-law requirements, they are consistent with existing lot areas in the surrounding area which range between 341 m² and 588 m². The physical character and lot sizes of the neighbourhood is generally defined by moderate to significant variability. The neighbourhood is seen to accommodate ranges in the lot areas rather than those with identical dimensions.

Further, it should be noted that the proposed Severed and Retained lots each produce a lot frontage greater than the by-law requirement and larger than similar characteristic lots in the area. From a lotting composition standpoint, the appearance of a reduced lot area is normally not perceivable to a member of the public passing by on Hilda or to the surrounding neighbours as compared to more discernable lot standards including lot frontage, coverage and/or front yard setback which the subject application either meets or exceeds. The result is two lots which will accommodate appropriately sized homes that are oriented perpendicular to the street which is consistent with dwellings that currently exist in the area and will maintain the appearance of uniform development. From a streetscape perspective, the Severed and Retained lots will not alter or change the character of the neighbourhood which is comprised of a high degree of variability in terms of lot character nor will the proposed lots appear out of place at this particular location.

Lastly, it should be noted that the total area of Subject Property is approximately 890.30 square metres. The Severed and Retained lands represent a total area of approximately 771.63 square metres. The additional land area of 118.67 square metres, representing a strip of land located at the southerly property limits, has been kept in reserve to be conveyed to the City of Vaughan for purposes of accommodating the future planned

extension of Royal Palm Drive, as may be required. If these lands were not needed for the proposed future planned roadway, the proposed Severed and Retained Lands could yield lot areas equal to or greater than the By-law requirement of 450 square metres removing the need for a variance. The lot area deficiency is only precipitated by the accommodation of the land conveyance.

Residential Rear Yard Setback:

The general intent and purpose of regulating rear yard setbacks is to primarily address privacy issues by establishing an acceptable siting of a building or structure on a lot; to achieve a consistent rear yard character; and, to provide for appropriate rear yard amenity space.

The By-law states that a residential building shall not be located closer than 7.5 m to the rear lot line. The proposed buildings are setback approximately 6.81 metres (Severed Lands) and 6.75 metres (Retained Lands) from the rear lot lines representing a deficiency of 0.69 metres and 0.75 metres respectively. The proposed rear yard setbacks maintain a suitable relationship to the abutting property located at 83 Crestwood Drive. The two properties share a unique relationship in that the Subject Property's rear yards interface the side yard of 83 Crestwood. Generally, where a rear yard perpendicularly abuts a side yard, spatial separation and distance, as created through setback standards and controls, should be maintained in order to ensure that rear yard amenity is not wholly obstructed by abutting development and/or elongated building depths. The proposed development provides for an appropriate setback distance to 83 Crestwood Drive and does not create a building length beyond a reasonable measurement in its context. The proposed buildings have been designed with lengths of 10.31 metres which is reasonable in the context on new construction and the variances are required to address the shallow lot, being only 21.55 metres. The proposed rear yard setbacks do not compromise rear yard amenity space and maintain an intentional open space pattern in the backyard. The reduction in rear yard setbacks is not anticipated to be perceptible from the street, and will not pose a significant visual impact to the neighboring properties, nor will it impact the function and privacy of the abutting side and rear yard uses.

Maximum Building Height:

The purpose of regulating accessory building *height* is to prevent impact related to the obstruction of views, overshadowing, and to preserve privacy in abutting rear yards. Per the By-law, the maximum height of a residential building in the applicable zoning category shall be 11 metres; however, if the coverage exceeds 40% the maximum height shall be 9.5 metres. The development proposes building heights of 11.0 metres. The scale and

design of the buildings achieve an overall profile that is comparable to other newer dwellings in the neighbourhood including the abutting property at 85 Crestwood Road which has been recently constructed with a 3-sotrey detached dwelling. The proposed variance is similar to or less than other variances achieved in the neighbourhood including 79 Crestwood Road (A014/19) which was approved for a building height of 11 metres. The proposed building is consistent with the scale of buildings along the streetscape and will be in keeping with the streetscape characteristics of Royal Palm Drive, Crestwood Road, and the broader surrounding neighbourhood. The impact of the height of the buildings from the street and the neighbouring properties will not be adverse.

Further, in the rear, the proposed buildings interface an area that is already well-screened by mature trees (contained within the 83 Crestwood Road) further reducing any potential visual impact resulting from the proposed height and/or any potential concerns related to privacy, overlook or excessive shading in neighbouring private rear yards. The proposed dwellings are not anticipated to be prominent features experienced from Crestwood Road due to their increased spatial separation from said road and the screening presence of 85 Crestwood Road. It is not anticipated to create a built form with adverse massing impacts, and contributes to the character of the neighbourhood as experienced along Hilda Avenue due to the lack of front-facing dwellings.

Side Yard Setback:

The side yard setback provision is to maintain an appropriate separation distance to adjacent lots allowing for comfortable access to the rear yard, sidewalls for maintenance and to reduce potential overlook issues. The proposed interior yard setback of 1.22 metres is generally consistent with the neighbourhood context which is represented by modest to wide spaces. The proposed setbacks will continue to provide for sufficient spatial separation to abutting dwellings, as well as access, maintenance and servicing to rear and side yards.

Rear Yard Encroachment:

The purpose of regulating encroachments in rear yards is to provide appropriate separation of uses to adjacent lots and to preserve the utility and function of rear yards for private amenity, landscape and drainage. The increased encroachment (0.37 m) for the uncovered platform is minimal as it is measured from the stairs/landing to the rear sliding door. The purpose of the stairs/landing is to facilitate access between the dwelling's main floor and the rear yard. The uncovered platform only encroaches into a small portion of the required rear yard, and will not result in any negative massing, use, or drainage impacts.

Minor in Nature:

The test of being “minor” is not of ‘no’ impact but a test in assessing impact and an evaluation of unacceptable adverse impact. The proposed dwelling does not create any unacceptable adverse impacts on the streetscape or adjacent properties of a planning nature. The Subject Property is located in an established residential neighbourhood that is experiencing significant redevelopment in the form of regeneration of the existing older housing stock. This regeneration has typically reflected new replacement residential buildings that occupy more lot coverage and gross floor area than what it has replaced or improved upon. Further, some of the construction of the existing aging building stock has obtained variances to the existing zoning development standards. Some of these applications include 79 Crestwood Road (A014/19) 98 Crestwood Road (A173/21), 100 Crestwood Road (A174/21), and 102 Crestwood Road (A175/21).

As it relates to potential impacts, the additional massing resulting from the increase in height and the reduction in the rear and side yard setbacks is negligible. The proposed building (Retained Lands) is located approximately 25 metres away from the existing dwelling located at 83 Crestwood Road and more than 14 metres away from the newly constructed dwelling located on 85 Crestwood Road, as measured from building face to building face. The proposed separation distance ensures no tangible impacts related to shadow, backyard privacy or loss of skyview. The proposed reduction in lot area represents only a minor departure from the By-law requirement and the proposed new lots are similar to, and in some cases exceed, the size of other comparable lots located along Royal Palm Drive. The two new dwellings will contribute to the character of the neighbourhood as experienced along Hilda Avenue due to the lack of front-facing dwellings.

In our opinion, the proposed variances, individually and collectively, are minor in nature. The proposed development provides for an appropriately size lots and buildings that remain sensitive to the surrounding context with no undue adverse impacts of a planning nature.

Desirable and Appropriate:

Whether a minor variance is desirable and appropriate can be addressed by assessing the compatibility of new developments within the context of the surrounding area. It is our opinion that the requested variances are desirable for the appropriate use of the land as the requested lot areas, building setbacks, and height are generally consistent with the type and scale of existing development in the neighbourhood. Several properties within the neighbourhood have recently undergone redevelopment which has manifested in the form of a number of property improvements including renovated or new larger

replacement dwellings. This is a trend which is in the public interest and encourages the function and stability of mature neighbourhoods. The proposed built form and massing is in keeping with the evolving neighbourhood character. Further, the proposed dwellings represent a modest level of intensification within an identified intensification area (PMTSA) in a format that is in keeping with the character of the area and is also located on the outer edge of an identified intensification area (*Primary Centre*) associated with Yonge Steeles Corridor Secondary Plan. The development provides for new housing supply and increased diversity in housing choice. It is our opinion that this is desirable and appropriate for this property and the surrounding neighbourhood.

Currently, the Subject Property represents an underutilization of strategically located land resources and an underachievement of development potential. The proposed development seeks to communicate intensification in a manner that optimizes this unique and strategic site while respecting and protecting the character of the established residential neighbourhoods to the north, west, and east.

Lastly, the proposed development has been designed to accommodate for the planned future extension of Royal Plan Avenue to the south. It is expected that the future extension of Royal Plam Avenue to the east (from Hilda Avenue to Yonge Street) will require the conveyance of a portion of the Subject Property, as may be defined through the ongoing Yonge-Steeles Corridor Secondary Plan Collector Roads Environmental Assessment Study. The development proposal protects for this proposed road allowance and related infrastructure which is in in the public interest.

Conclusion

Having regard to S.45(1) of the Planning Act, it is our professional planning opinion the proposed development requested variances, individually and collectively:


- Maintain the general intent and purpose of the official plan;
- Maintain the general intent and purpose of the zoning by-law;
- Are desirable for the appropriate development of the land, building or structure;
and,
- Are minor in nature.

Based on the above, it is our opinion that the proposed development represents good planning, is in the public interest, and should be approved. The proposed development represents part of an appropriate, sensitive, and gradual evolution of the City's low-rise community areas in response to a growing need for more housing in urban areas with access to servicing infrastructure, transit and public service amenities and facilities.

We request that this report and the enclosed materials be received and circulated for review by the Committee of Adjustment prior to the scheduled hearing date. Should you have any questions please contact the undersigned at ext. 228

Yours truly,

HUMPHRIES PLANNING GROUP INC.



Jonathan F. Sasso B.A. (Hons)
Senior Planner

cc. Victor Kam, Owner

SCHEDULE D: BACKGROUND

Application No. (City File)	Application Description <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small>
A155/24	Approved COA; April 4, 2024
A155/24 (OLT Appeal OLT-24-000465)	Withdrawn

NOTICE OF DECISION
MINOR VARIANCE APPLICATION A155/23
 Section 45 of the Planning Act, R.S.O, 1990, c.P.13

DATE OF HEARING:	Thursday, April 4, 2024
APPLICANT:	Victor Kwong-Yan Kam
AGENT:	Jonathan Sasso
PROPERTY:	0 Hilda Avenue, Thornhill
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the construction of a proposed dwelling.

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

The subject lands are zoned R2A(EN) – Second Density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum required rear yard setback is 7.5m. Section 7.2.3 Table 7-4	To permit a rear yard setback of 6.75m.
2	The maximum permitted encroachment for an uncovered platform at the rear is 2.4m into the required 7.5m rear yard. Section 4.13 Table 4-1	To permit an uncovered platform to encroach 2.77m into the required 7.5m rear yard.
3	Where a lot in a residential zone is subject to the zone suffix-EN the following requirements shall apply. The maximum building height shall be the least (more restrictive) of: a. The requirement of the applicable zone or b. The existing building height plus 3.0m but in no case shall the maximum building height requirement be less than 8.5m. Section 4.5.1	To permit a maximum building height of 11.0m.
4	For any proposed or new replacement dwelling that exceeds the existing height and is greater than 9.5m in height, the minimum interior side yard shall be the greater (more restrictive) of: a. The requirement of the applicable zone, b. The existing interior side yard or c. 2.2m. Section 4.5.2	To permit a minimum interior side yard of 1.23m.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. **A155/23** for **0 Hilda Ave, Thornhill**, be **APPROVED**, in accordance with the drawings and plans submitted with the application and subject to the following conditions:

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
<p>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.</p> <p>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 below 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.</p>		
1	Development Engineering Jonal.hall@vaughan.ca	<ol style="list-style-type: none"> The Owner/Applicant shall submit an application for a Service Connection and to obtain a Cost Estimate by emailing serviceconnections@vaughan.ca. The Final Lot Grading and/or Servicing Plan will be required for the Service Connection Application. All costs associated with the service connection shall be the responsibility of the Owner/Applicant. Please visit the Service Connection page of the City of Vaughan’s website: https://www.vaughan.ca/about-cityvaughan/departments/development-engineering/service-connections for more information. The Owner/Applicant is encouraged to initiate the process as early as possible as the Service Connection Application process typically takes 4-6 weeks. The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Permits page of the City of Vaughan’s website: https://www.vaughan.ca/about-cityvaughan/departments/development-engineering/permits to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email DEPermits@vaughan.ca
2	Committee of Adjustment christine.vigneault@vaughan.ca	Applicant to submit required Adjournment Fee to accommodate rescheduling of application from the February 1, 2024, Committee of Adjustment hearing.

REASONS:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act:

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

PUBLIC WRITTEN & ORAL SUBMISSIONS

Public correspondence considered by the Committee of Adjustment in the making of this decision.

WRITTEN SUBMISSIONS:

Name	Address	Date Received (mm/dd/yyyy)	Summary
Jordan Max (President SpringFarm Ratepayers Association)	N/A	01/17/2024	Advised home constructed
Phyllis & Joseph Mastrofrancesco	77 Crestwood Road	01/22/2024	Letter of Objection
Silvano and Paulette Novacco	83 Crestwood Road	01/30/2024 03/25/2024	Letter of Objection

PUBLIC ORAL SUBMISSIONS:

Name	Address	Submission (Hearing) Date (mm/dd/yyyy)	Summary
None			

In accordance with Procedural By-law 069-2019, public written submissions on an Application shall only be received by the Secretary Treasurer until **noon** on the last business day prior to the day of the scheduled Meeting.

PUBLIC WRITTEN SUBMISSIONS RECEIVED PAST DEADLINE:

Name	Address	Date Received (mm/dd/yyyy)	Summary
None			

IMPORTANT INFORMATION

Making any changes to your proposal/development 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 attached to this decision.

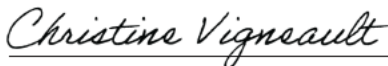
A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with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

MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

<i>J. Kalpin</i>	<i>A. Perrella</i>	<i>M. Milunsky</i>
J. Kalpin Member	A. Perrella Chair	M. Milunsky Member
<i>S. Kerwin</i>		<i>B. Bell</i>
S. Kerwin Vice Chair		B. Bell Member

DATE OF HEARING:	April 4, 2024
DATE OF NOTICE:	April 11, 2024
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	April 24, 2024 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan’s Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  _____ Christine Vigneault Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Ontario Land Tribunal
 The *Planning Act*, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or a **specified person** or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal.

When **no appeal is lodged** within twenty days after the giving of notice the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Please email and courier all appeals and prescribed fees to:

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

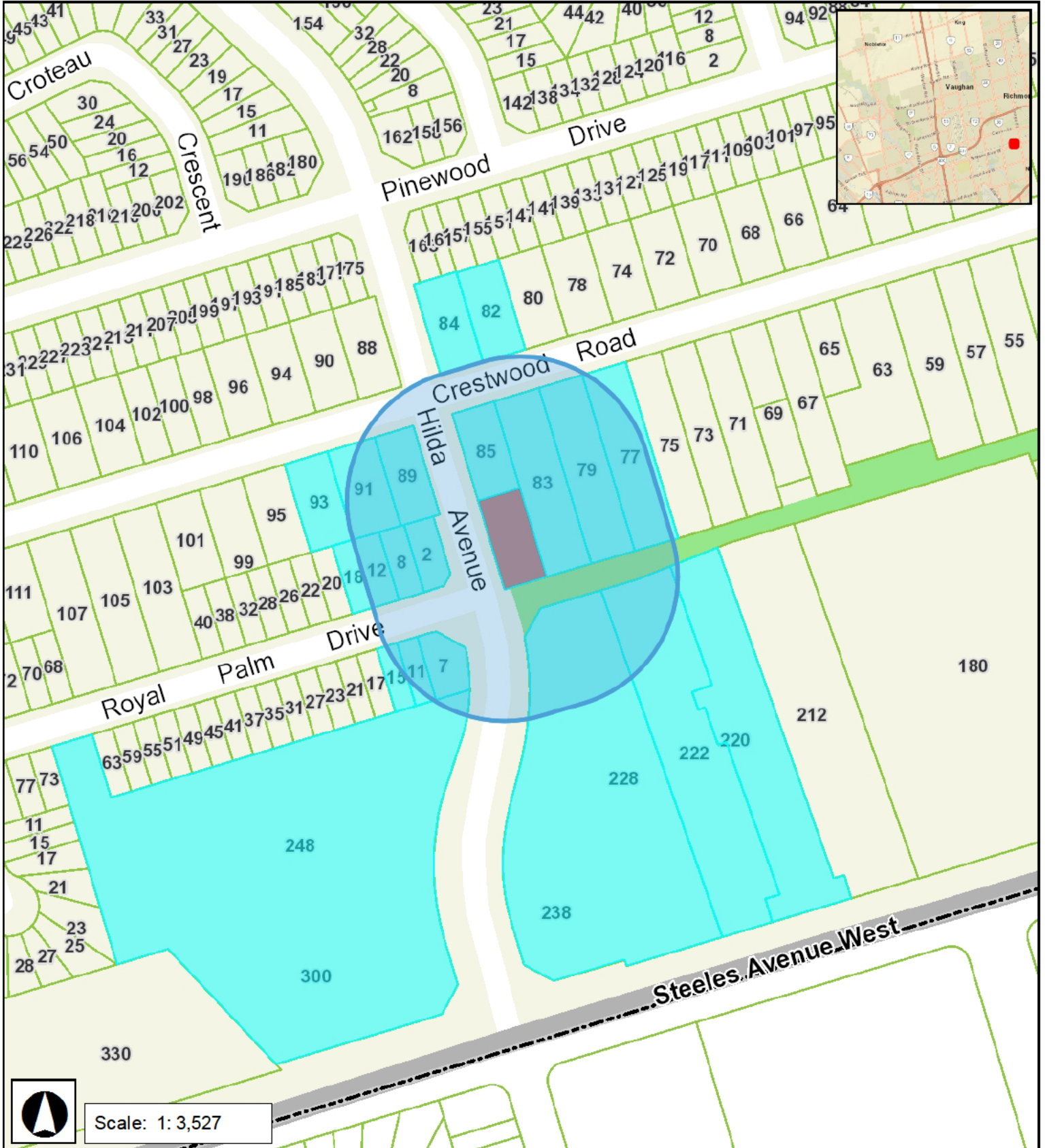
If you have questions regarding the appeal process, please email cofa@vaughan.ca

Appeal Fees & Forms

ONTARIO LAND TRIBUNAL (OLT): The OLT appeal fee is \$400 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The OLT Appeal Fee must be paid by certified cheque or money order payable to the “Minister of Finance”. OLT appeals must be filed with the Secretary Treasurer, City of Vaughan.

City of Vaughan OLT Processing Fee: [See Fee Schedule](#)

*Please note that all fees are subject to change.



ZONING PROVISION R2A (EN)			
	REQUIRED	PROVIDED	BY-LAW 001-2021
MIN. LOT FRONTAGE	15m	45.74m	7.2.3 (TABLE 7-4)
MIN. LOT AREA	450m ²	989.92m ²	7.2.3 (TABLE 7-4)
MAX. LOT COVERAGE	543.17m ² (5846ft ²) (384m ² @55%)	138.29m ² (1488ft ²) (13.97%)	7.2.3 (TABLE 7-4)
MIN. FRONT YARD SETBACK	4.5m	4.50m	7.2.3 (TABLE 7-4)
MIN. GARAGE SETBACK	5.7m	5.70m	
MIN. INTERIOR SIDE YARD SETBACK (NORTH)	2.4m	1.23m	7.2.3 (TABLE 7-4)
MIN. INTERIOR SIDE YARD SETBACK (SOUTH)	2.4m	30.80m	
MIN. REAR YARD SETBACK	7.5m	6.75m	
MAX. BUILDING HEIGHT	8.5m	11.00m	
MIN. PARKING SPACES	2	4	6.3.5 (TABLE 6-2)
MIN. DRIVEWAY WIDTH	2.6m	6.05m	6.7.3 (TABLE 6-11)
MAX. DRIVEWAY WIDTH	9.0m	6.05m	6.7.3 (TABLE 6-11)

ZONING MATRIX			
PERMITTED ENCROACHMENTS INTO A MIN. REQUIRED YARD			
	REQUIRED	PROVIDED	BY-LAW 001-2021
BALCONY	1.5m	1.22m	4.13 (TABLE 4-1)
ACCESS STAIRS, OPEN, UNENCLOSED (FRONT YARD AND REAR YARD)	1.8m	1.78m	4.13 (TABLE 4-1)
SOFT LANDSCAPING			
	REQUIRED	PROVIDED	BY-LAW 001-2021
THE YARD IN WHICH A DRIVEWAY IS LOCATED	MIN. LANDSCAPE 50% OF WHICH 60% SHALL BE SOFT LANDSCAPING	FRONT YARD AREA = 249.28m ²	4.19.12b
		LANDSCAPED AREA = 210.85m ² (84.50%)	
		SOFT LANDSCAPED AREA = 197.45m ² (93.73% OF LANDSCAPED AREA)	

MINOR VARIANCE			
	REQUIRED	PROPOSED	MINOR VARIANCE REQ.
1 REAR YARD SETBACK	MIN. 7.5m	6.75m	YES
2 REAR YARD ENCROACHMENT	MAX. 2.4m	2.77m	YES
3 BUILDING HEIGHT	MAX. 8.5m	11.00m	YES
4 SIDE YARD SETBACK	MIN. 2.4m	1.2m	YES

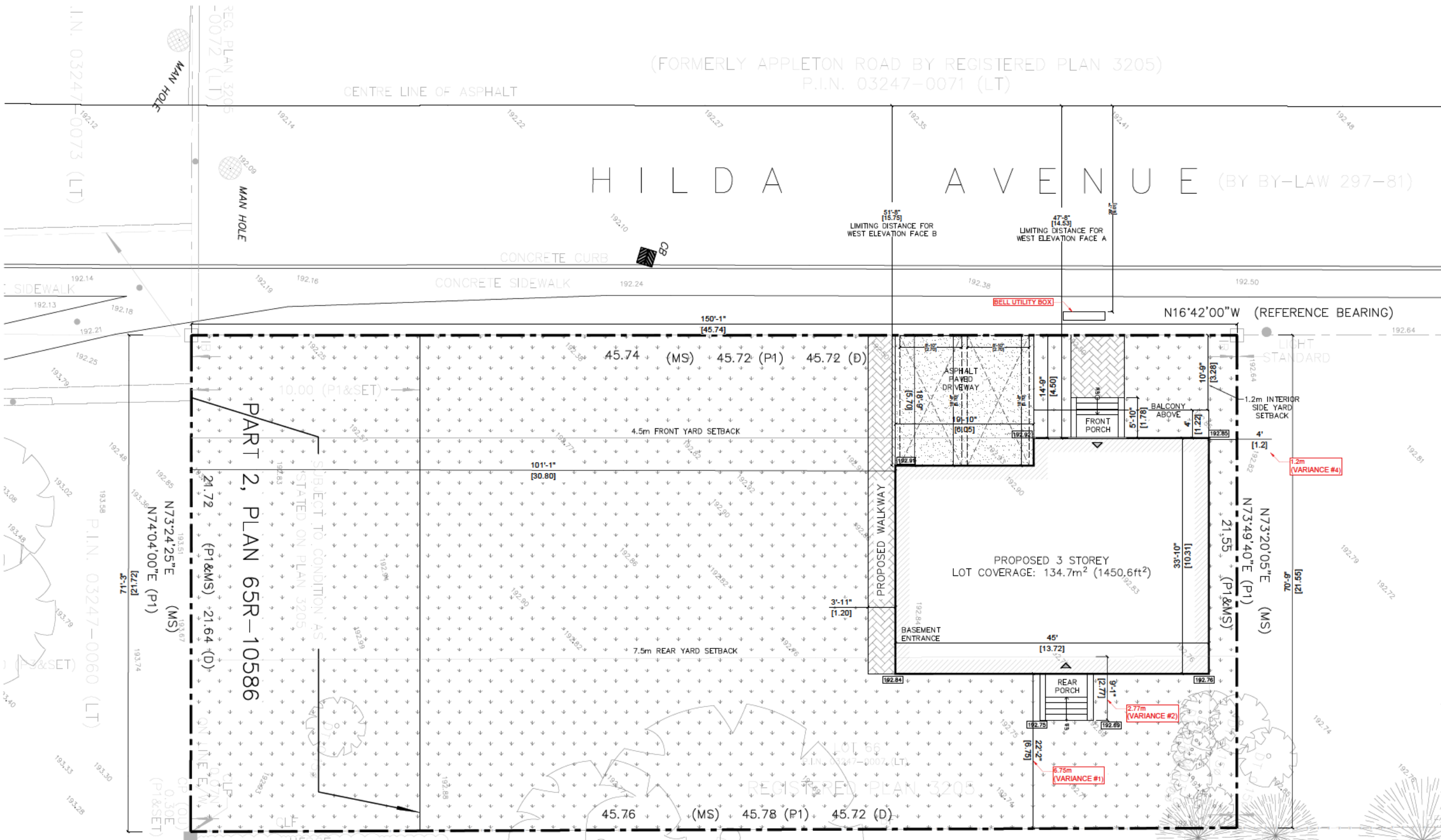
LEGEND	
	PROPERTY LINE
	ASPHALT DRIVEWAY
	LANDSCAPED SOFT AREA
	PAVER WALKWAY
	BUILDING ENTRANCE



DO NOT SCALE DRAWINGS.

The contractor must verify and accept responsibility for all dimensions and conditions on site and must notify the Designer/Engineer of any variations from the supplied drawings and informations before proceeding with the work. Construction must conform to all applicable codes and requirements of authorities having jurisdiction.

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NO.	ISSUED FOR	DATE
8	FOR MINOR VARIANCE	12/11/2023
7	FOR MINOR VARIANCE	12/05/2023
6	FOR MINOR VARIANCE	11/23/2023
5	CLIENT REVIEW	11/13/2023
4	CLIENT REVIEW	11/11/2023
3	CLIENT REVIEW	10/24/2023
2	CLIENT REVIEW	08/22/2023
1	CLIENT REVIEW	01/08/2023

PREPARED BY:

LAND & BUILDING EXPERTS

570 Alden Rd., Unit 6, Markham, ON. L3R 8N5
(647) 340-8649 landbuildex@gmail.com

PROJECT INFO:

**85 CRESTWOOD RD,
VAUGHAN, ON L4J 1A4**

PROJECT NAME:

**PROPOSED 3 STOREY
DETACHED DWELLING UNIT**

DRAWING TITLE:

PROPOSED SITE PLAN

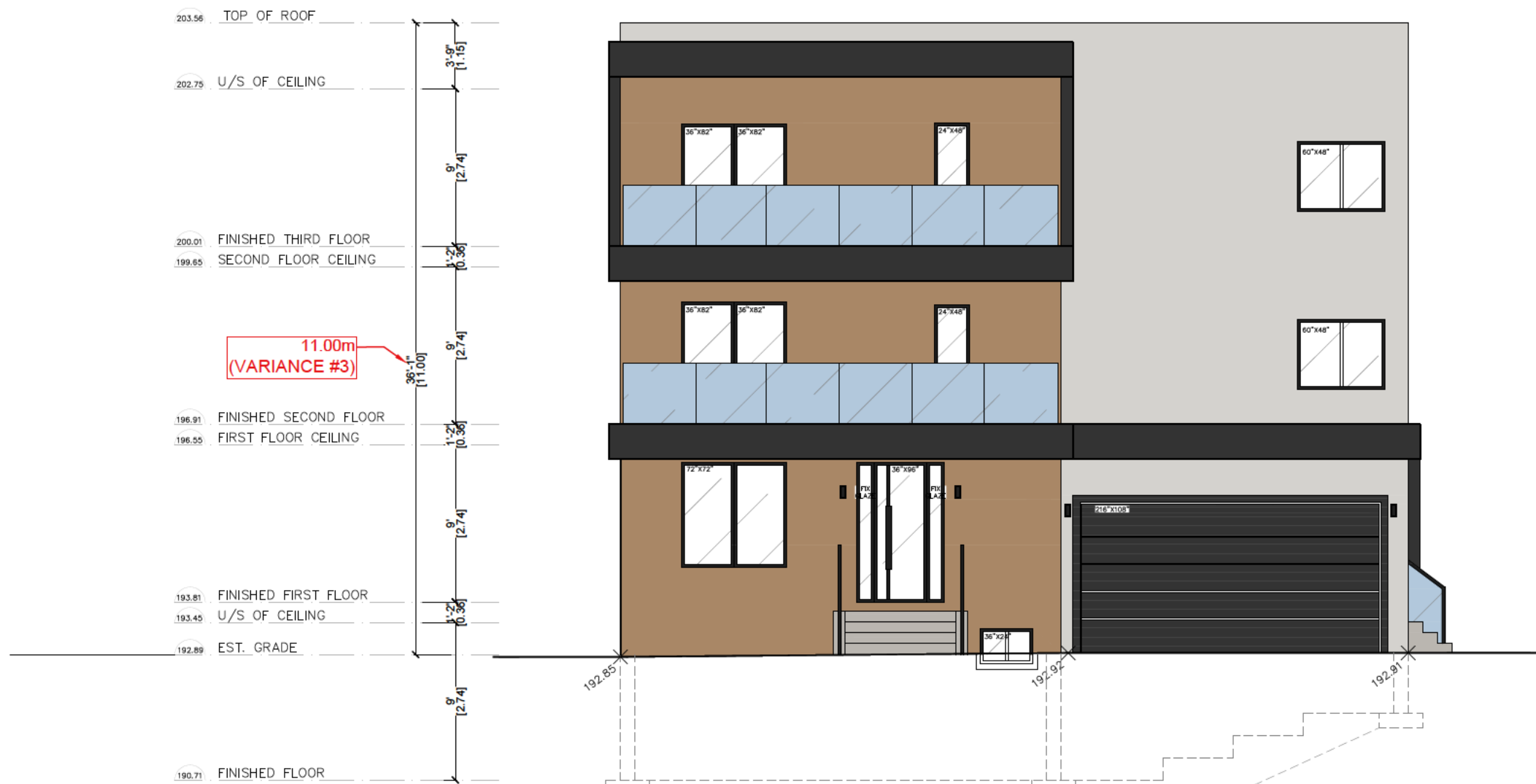
SCALE AS INDICATED	DWG. NO.
DRAWN BY:	A-00
CHECKED BY:	
PROJECT NO.:	

1 PROPOSED SITE PLAN
SCALE: 1/16" = 1'-0"

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PROJECT INFO:
**85 CRESTWOOD RD,
 VAUGHAN, ON L4J 1A4**

PROJECT NAME:
**PROPOSED 3 STOREY
 DETACHED DWELLING UNIT**

DRAWING TITLE:
**PROPOSED FRONT
 ELEVATION**

SCALE AS INDICATED
 DRAWN BY:
 CHECKED BY:
 PROJECT NO.:

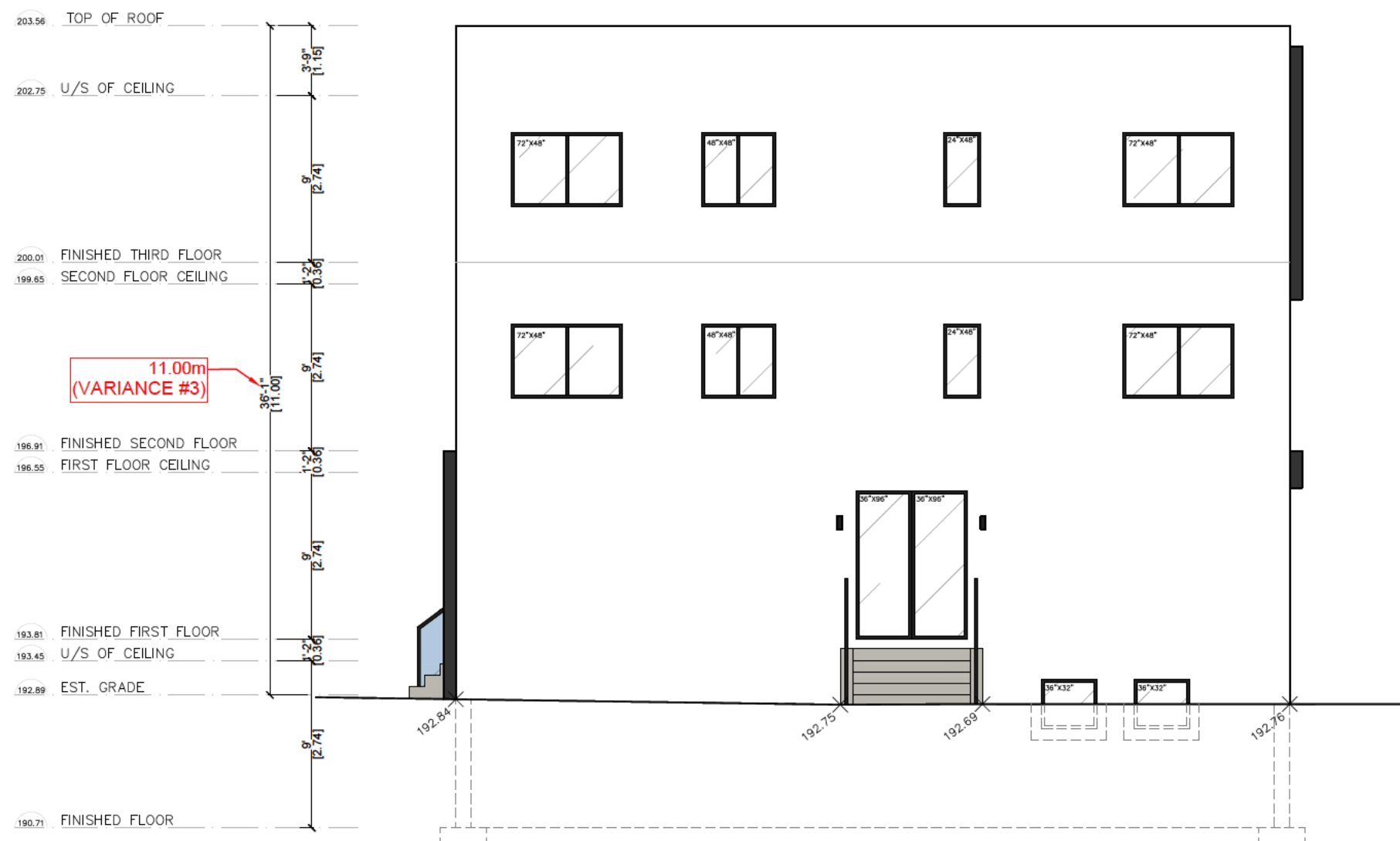
DWG. NO.
A-06

1 PROPOSED FRONT ELEVATION
 A-06 SCALE : 1/8" = 1'-0"

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2	CLIENT REVIEW	08/22/2023
1	CLIENT REVIEW	01/08/2023
NO.	ISSUED FOR	DATE

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 (647) 340-8649 landbuildex@gmail.com

PROJECT INFO:
**85 CRESTWOOD RD,
 VAUGHAN, ON L4J 1A4**

PROJECT NAME:
**PROPOSED 3 STOREY
 DETACHED DWELLING UNIT**

DRAWING TITLE:
**PROPOSED
 REAR ELEVATION**

SCALE AS INDICATED
 DRAWN BY:
 CHECKED BY:
 PROJECT NO.:

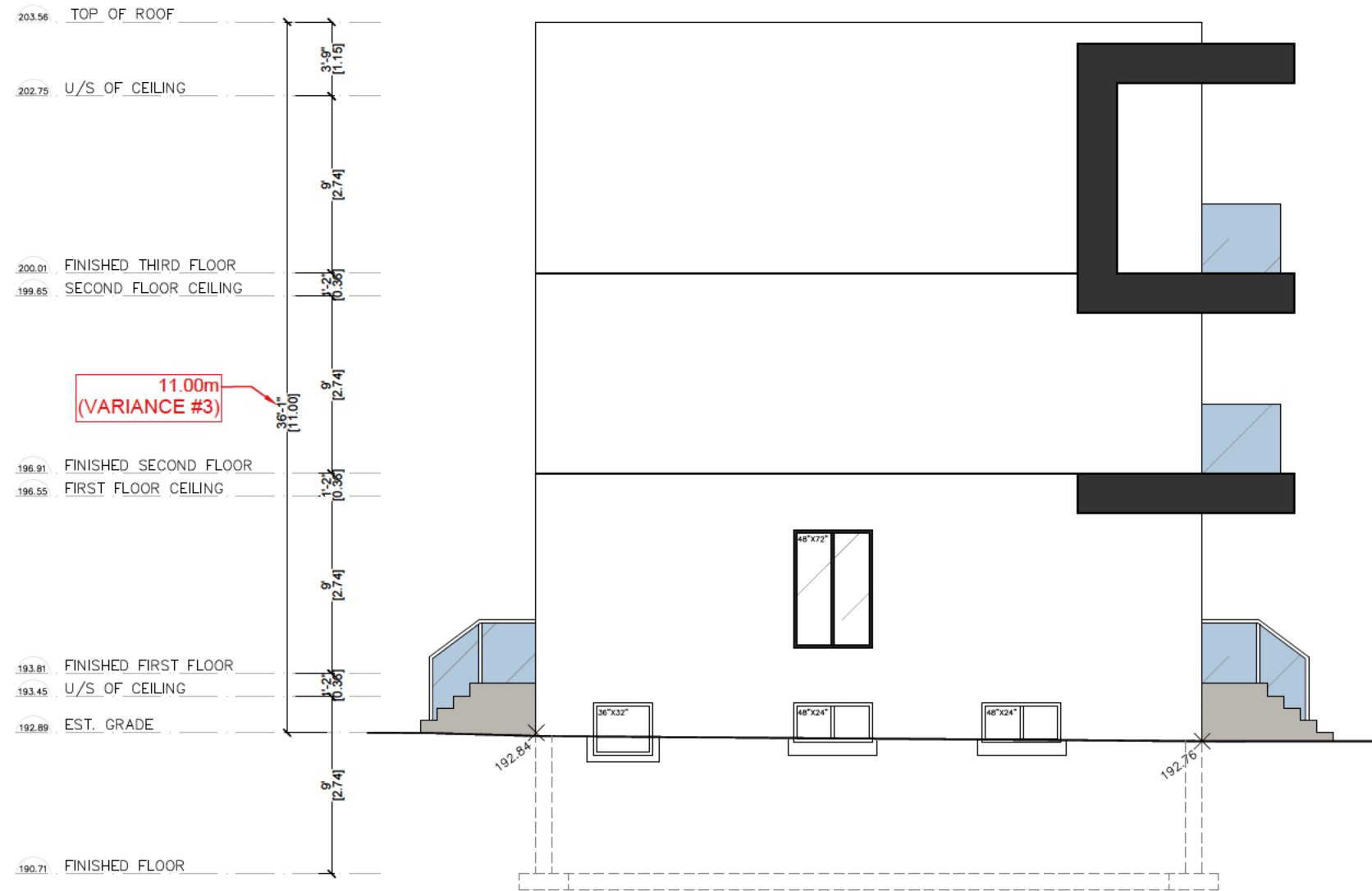
DWG. NO.
A-07

1 PROPOSED REAR ELEVATION
 A-07 SCALE : 1/8" = 1'-0"

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4	CLIENT REVIEW	11/11/2023
3	CLIENT REVIEW	10/24/2023
2	CLIENT REVIEW	08/22/2023
1	CLIENT REVIEW	01/08/2023
NO.	ISSUED FOR	DATE

PREPARED BY:
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 (647) 340-8649 landbuildex@gmail.com

PROJECT INFO:
**85 CRESTWOOD RD,
 VAUGHAN, ON L4J 1A4**

PROJECT NAME:
**PROPOSED 3 STOREY
 DETACHED DWELLING UNIT**

DRAWING TITLE:
**PROPOSED
 SOUTH ELEVATION**

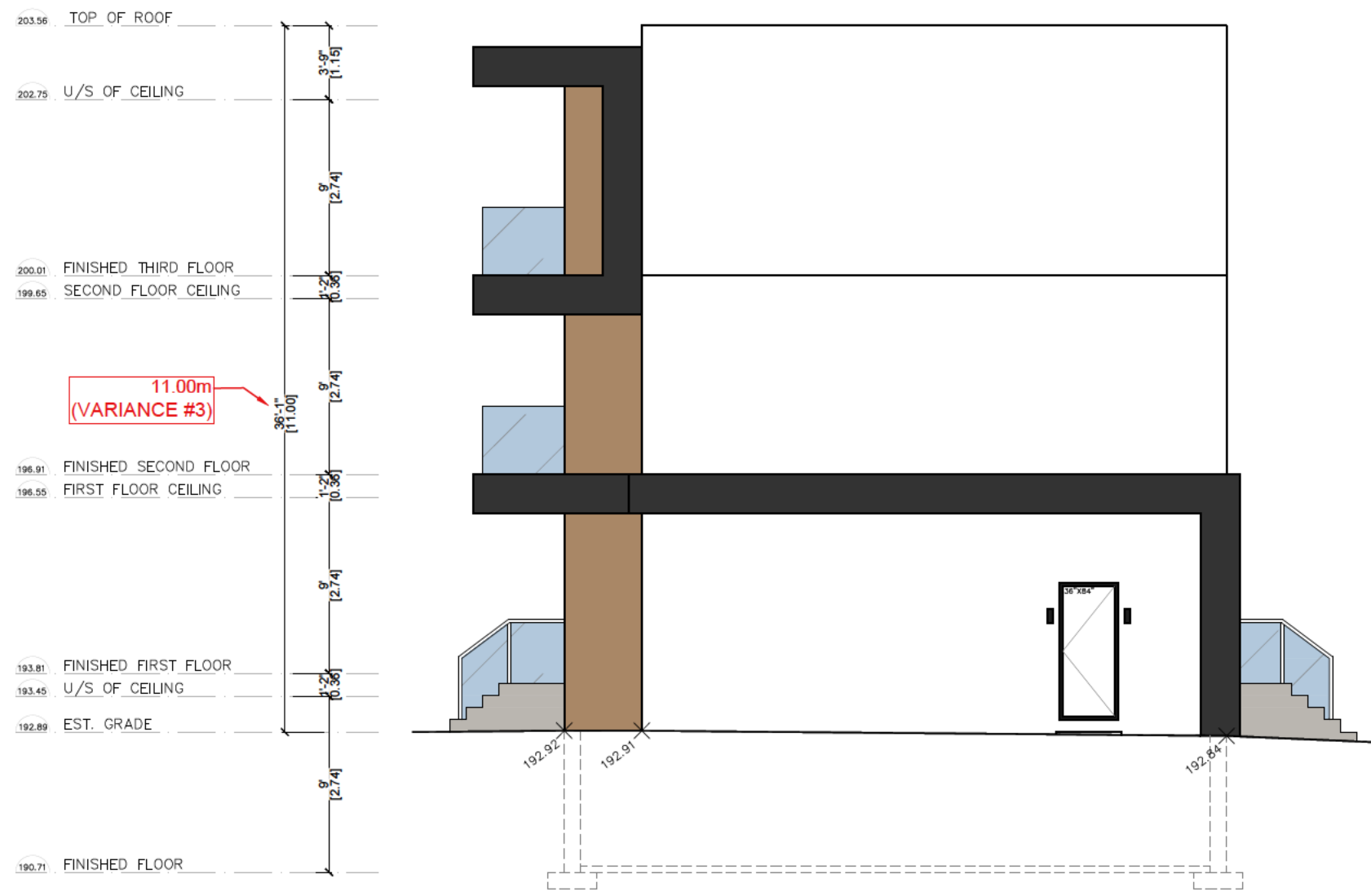
SCALE AS INDICATED
 DRAWN BY:
 CHECKED BY:
 PROJECT NO.:
A-08

1 PROPOSED NORTH ELEVATION
 A-08 SCALE : 1/8" = 1'-0"

DO NOT SCALE DRAWINGS.

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3	CLIENT REVIEW	10/24/2023
2	CLIENT REVIEW	08/22/2023
1	CLIENT REVIEW	01/08/2023

PREPARED BY:
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 (647) 340-8649 landbuildex@gmail.com

PROJECT INFO:
**85 CRESTWOOD RD,
 VAUGHAN, ON L4J 1A4**

PROJECT NAME:
**PROPOSED 3 STOREY
 DETACHED DWELLING UNIT**

DRAWING TITLE:
**PROPOSED
 NORTH ELEVATION**

SCALE AS INDICATED
 DRAWN BY:
 CHECKED BY:
 PROJECT NO.:

DWG. NO.
A-09

1 PROPOSED SOUTH ELEVATION
 A-09 SCALE : 1/8" = 1'-0"

Ontario Land Tribunal

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Website: olt.gov.on.ca

**Tribunal ontarien de
l'aménagement du territoire**

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Site Web: olt.gov.on.ca



Date: July 25, 2024

Christine Vigneault
Manager, Development Services & Secretary
Treasurer to the Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON, L6A1T1
christine.vigneault@vaughan.ca

Re: OLT Case Number(s): OLT-24-000465
OLT Lead Case Number: OLT-24-000465
Municipality/Upper Tier: Vaughan/York
Subject Property Address: 0 Hilda Avenue
Reference Number(s): A155/23

Subsection 45(15) of the *Planning Act* provides;

(15) Where all appeals to the Tribunal are withdrawn, the decision of the committee is final and binding and the Tribunal shall notify the secretary-treasurer of the committee who in turn shall notify the applicant and file a certified copy of the decision with the clerk of the municipality.

I am writing to advise that the appeal by the City of Vaughan was withdrawn by letter dated July 24, 2024.

There are no outstanding appeals in this matter, and our file is closed. As a result, the Tribunal has cancelled the hearing event that was scheduled to commence on July 31, 2024.

Yours truly;

Euken Lui
Acting Registrar

c.c.

The Clerk (Vaughan), clerks@vaughan.ca

Colin Dougherty,

Effie Lidakis,

Jonathan Sasso,

Victor Kwong-yan Kam,

[Redacted]