



**COMMITTEE OF ADJUSTMENT
REPORT SUMMARY
MINOR VARIANCE APPLICATION
FILE NUMBER A259/21**

AGENDA ITEM NUMBER: 5	CITY WARD #: 1
APPLICANT:	Muzammil Kodwavi
AGENT:	James Pfeffer
PROPERTY:	88 Abbruzze Court, Woodbridge
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 City's Zoning By-law is being requested to permit the construction of a proposed single family dwelling and cabana and to permit increased maximum driveway width. Relief is also being requested to permit the existing (garden/storage) shed.

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Adjournment
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Request Additional Information
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Comments
Development Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	General Comments
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

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

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None



**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A259/21**

AGENDA ITEM NUMBER: 5	CITY WARD #: 1
APPLICANT:	Muzammil Kodwavi
AGENT:	James Pfeffer
PROPERTY:	88 Abbruzze Court, Woodbridge
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 City's Zoning By-law is being requested to permit the construction of a proposed single family dwelling and cabana and to permit increased maximum driveway width. Relief is also being requested to permit the existing (garden/storage) shed.

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

The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.421 under Zoning By-law 01-2021.

#	Zoning By-law 01-2021	Variance requested
1	The minimum required interior side yard is 7.85 metres at the west side, and 24.07 metres at the east side. [4.5 2.b]	To permit a minimum interior side yard of 4.56 6.82 metres at the west side, and 13.61 metres at the east side. ** Updated using Zoning Review Waiver
2	The maximum height of an accessory building or residential accessory structure shall be 3.0m. [4.1.4 1]	The proposed height of the residential accessory structure (cabana) in the rear yard is 4.5 metres.
3	For lot frontages of 12.0 metres or greater, the maximum driveway width of a driveway shall be 9.0 metres. [6.7.3 2, Table 6-11]	The proposed maximum width of the driveway is 11.64 11.34 metres. ** Updated using Zoning Review Waiver
4	The maximum height shall be 9.5 metres. [7.2.2, Table 7-3]	To permit a maximum height of 11.24 10.95 metres. ** Updated using Zoning Review Waiver

The subject lands are zoned RR – Rural Residential and subject to the provisions of Exception 9(690) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
5	The maximum permitted lot coverage is 10%. [4.1.9, Schedule A]	To permit a maximum lot coverage of 15.85% 13.89% . ** Updated using Zoning Review Waiver
6	The maximum permitted building height is 9.5 metres. [4.1.9, Schedule A]	To permit a maximum building height of 11.24 10.95 metres. ** Updated using Zoning Review Waiver
7	The maximum height of a garden or storage shed at the rear that is constructed in accordance with the maximum floor area requirements set out in Subsection 4.1.1 (e), shall not exceed 2.5 metres from finished grade to the highest point of the structure. [4.1.1 f) iv)]	The proposed height of the garden or storage shed (cabana) at the rear is 4.5 metres.
8	For lot frontages of 12.0 metres and greater, driveways located between a lot line abutting a street and a garage or dwelling wall in a front yard shall be a maximum of 9.0 metres wide. [4.1.4 f) v)]	The proposed driveway width of the driveway between a lot line abutting a street and a dwelling wall in the front yard is 11.64 11.34 metres wide. ** Updated using Zoning Review Waiver

HEARING INFORMATION

DATE & TIME OF HEARING: Thursday, February 10, 2022 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC PARTICIPATION

You can watch a live stream of the hearing at Vaughan.ca/LiveCouncil

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Public Deputation Form](#) to cofa@vaughan.ca **by noon** on the last business day prior to the hearing.

Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to cofa@vaughan.ca

[For more information, please visit the City of Vaughan website.](#)

INTRODUCTION

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

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

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

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:	01/27/2022	
Date Applicant Confirmed Posting of Sign:	01/07/2022	
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	We would like to cater a design context similar to the adjacent homes in the area and to cater for the needs of our client.	
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	Staff are recommending adjournment to permit time for the applicant to provide Development Engineering with information on future water and sanitary services so that staff can finalize their review.	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:	Yes	
<p><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></p> <p><small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small></p> <p><small>*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small></p>		
<p>Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.</p> <p>An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.</p>		
Committee of Adjustment Comments:	On January 17, 2022 Development Engineering advised that there are no municipal sanitary and water services on Abbruzze Court. It was requested that the applicant provide updated plans showing how the water and sanitary services will be provided for the proposed dwelling.	
Committee of Adjustment Recommended Conditions of Approval:	None	

BUILDING STANDARDS (ZONING) COMMENTS

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001. Please note as of January 1, 2015 Accessible Parking Spaces are subject to the provisions of Ontario Regulation - O.Reg.413/12, Subsections 80.32 through 80.39, which supersede the current by-law requirements in By-law 1-88 as amended.

Please note Section 4.1.1(b) that states the maximum height of an accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three(3) metres above finished grade.

An A/C unit and/or pool equipment shall be setback a minimum of 1.2 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

Building Standards Recommended Conditions of Approval:

None

DEVELOPMENT PLANNING COMMENTS

**See Schedule C for Development Planning Comments.

Development Planning Recommended Conditions of Approval:

None

DEVELOPMENT ENGINEERING COMMENTS

Application under review.

On January 17, 2022 Development Engineering advised that there are no municipal sanitary and water services on Abbruzze Court. It was requested that the applicant provide updated plans showing how the water and sanitary services will be provided for the proposed dwelling.

Development Engineering Recommended Conditions of Approval:

TBD

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

No response received to date.

PFH Recommended Conditions of Approval:

N/A

DEVELOPMENT FINANCE COMMENTS

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

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments, no concerns

BCLPS Recommended Conditions of Approval:

None

BUILDING INSPECTION (SEPTIC) COMMENTS

No response received to date.

Building Inspection Recommended Conditions of Approval:

None

FIRE DEPARTMENT COMMENTS

No response received to date.

Fire Department Recommended Conditions of Approval:

None

SCHEDULES TO STAFF REPORT

*See Schedule for list of correspondence

Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “**if required**”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Engineering farzana.khan@vaughan.ca	Application Under Review

IMPORTANT INFORMATION – PLEASE READ

CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (**see condition chart above for contact**). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

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

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

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

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

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

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

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

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

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City’s Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

IMPORTANT INFORMATION – PLEASE READ

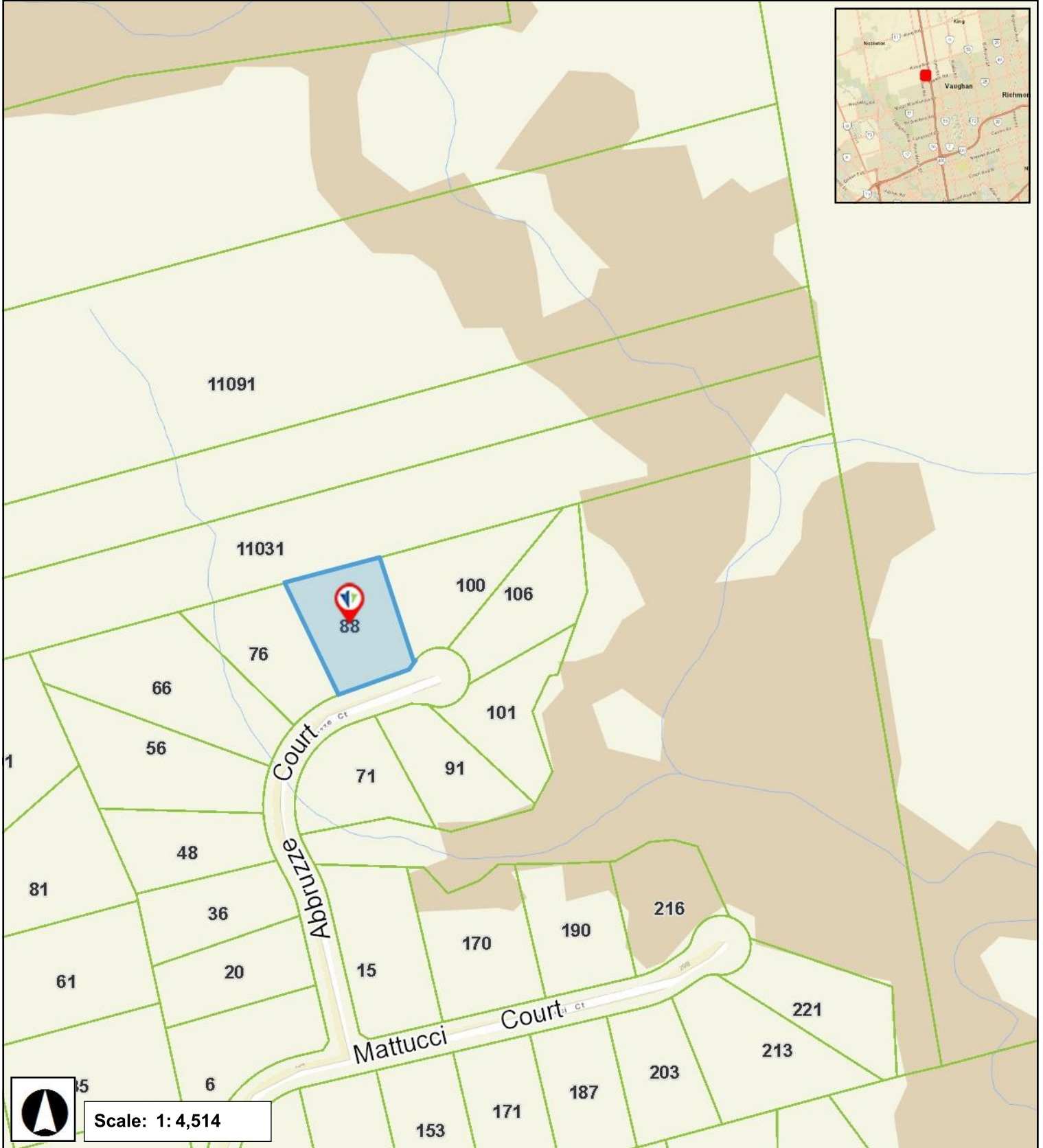
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

SCHEDULE A: DRAWINGS & PLANS



A259/21 - Location Map

88 Abbruzze Court, Woodbridge



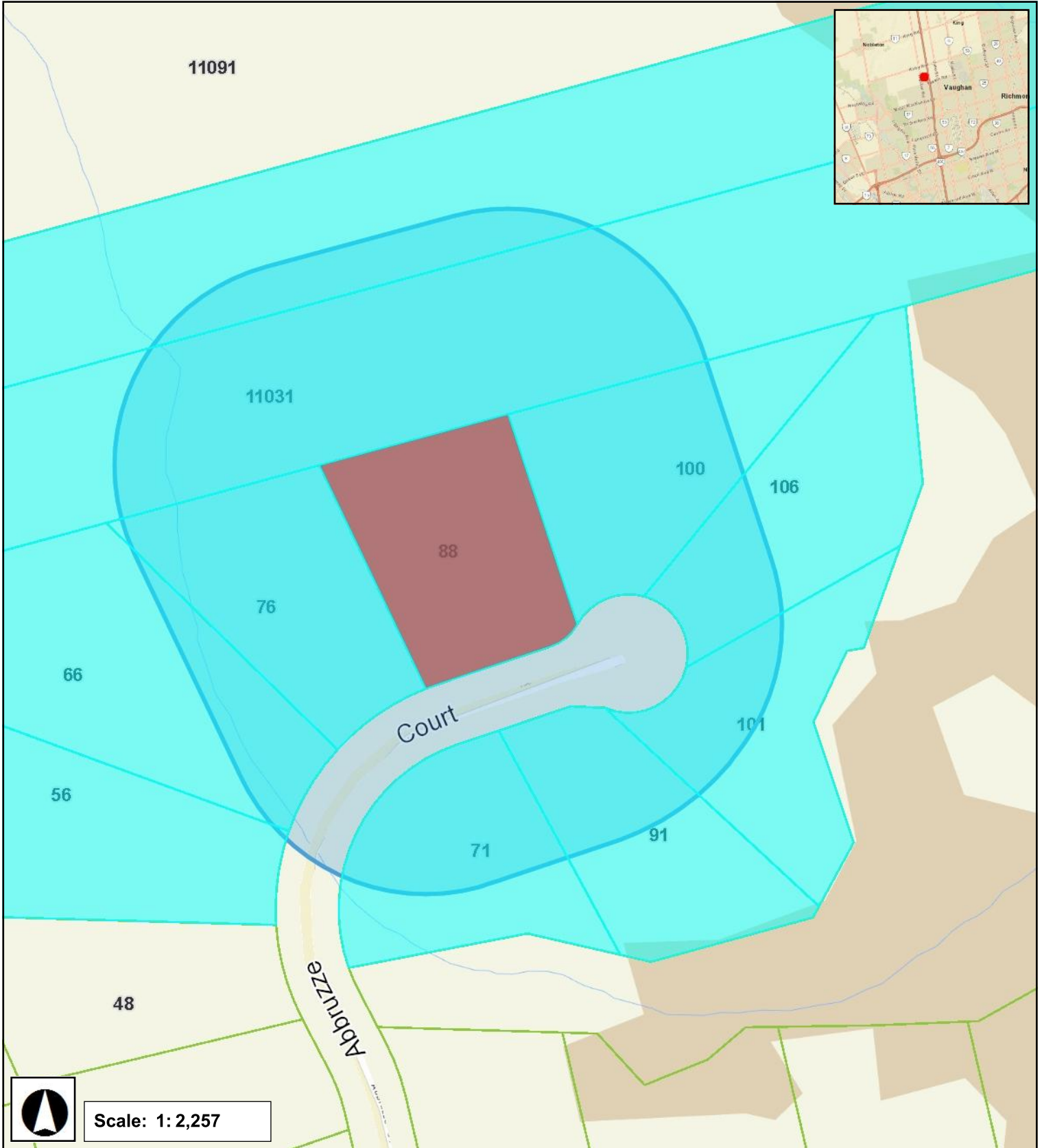
January 25, 2022 2:49 PM

Teston Road



A259/21 - Notification Map

88 Abbruzze Court, Woodbridge



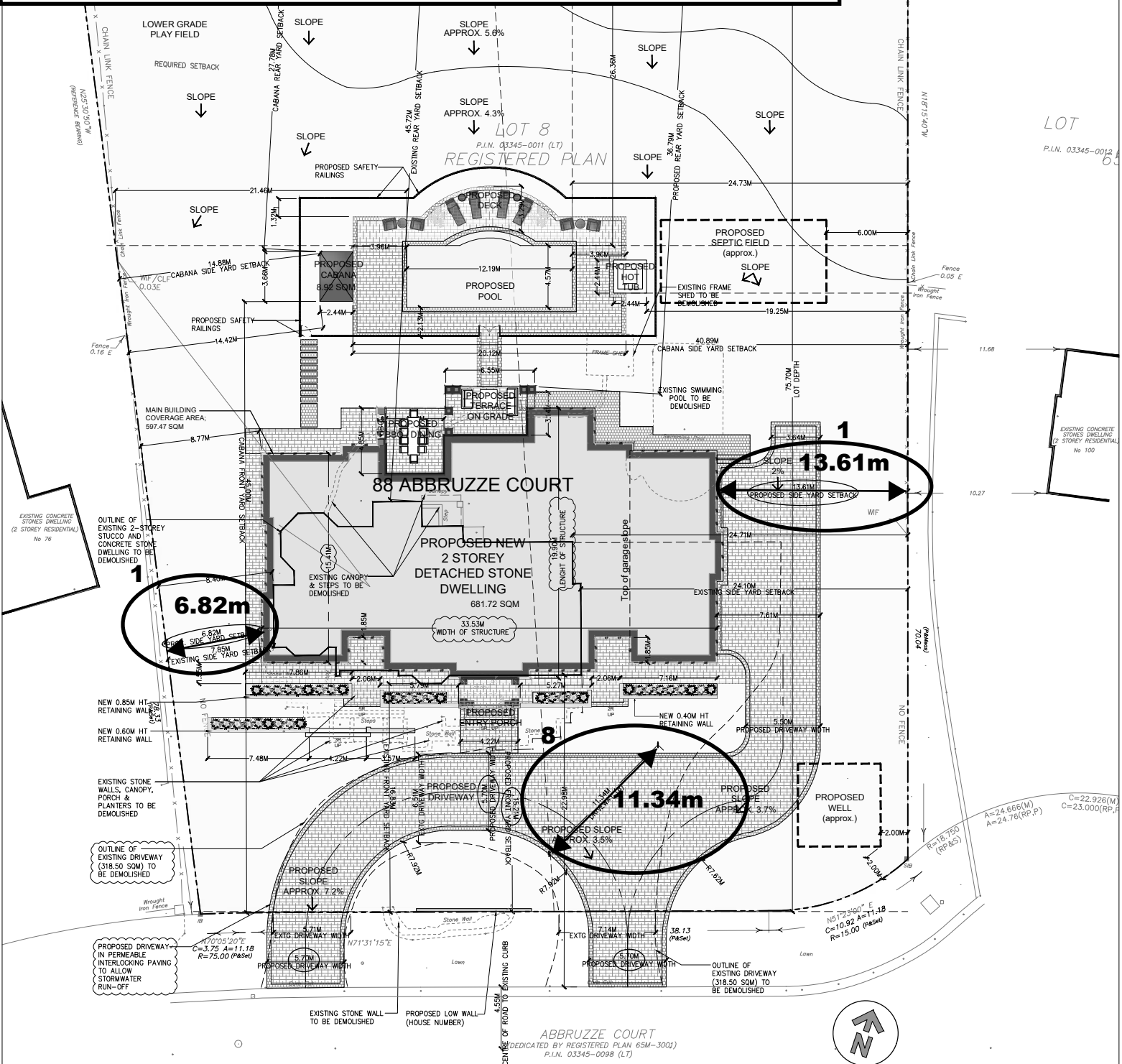
Scale: 1: 2,257

Teston Road

January 25, 2022 2:57 PM

PROPOSAL:

1. To permit a minimum interior side yard of **6.82 metres** at the west side, and 13.61 metres at the east side.
2. The proposed height of the residential accessory structure (cabana) in the rear yard is 4.5 m.
3. The proposed maximum width of the driveway is **11.34 metres**.
4. To permit a maximum height of **10.95 metres**.
5. To permit a maximum lot coverage of **13.89%**.
6. To permit a maximum building height of **10.95 metres**.
7. The proposed height of the garden or storage shed (cabana) at the rear is 4.5 metres.
8. The proposed driveway width of the driveway between a lot line abutting a street and a dwelling wall in the front yard is **11.34 metres** wide.



SITE STATISTICS CHART

	AREA (SQ.M)	%
LOT AREA	4300.15	100%
MAIN BUILDING COVERAGE AREA	597.47	13.89%
CABANA (TOILET AND STORAGE) COV. AREA	8.92	0.21%
LOT COVERAGE		14.10%
REQUIRED MAX. LOT COVERAGE		10%



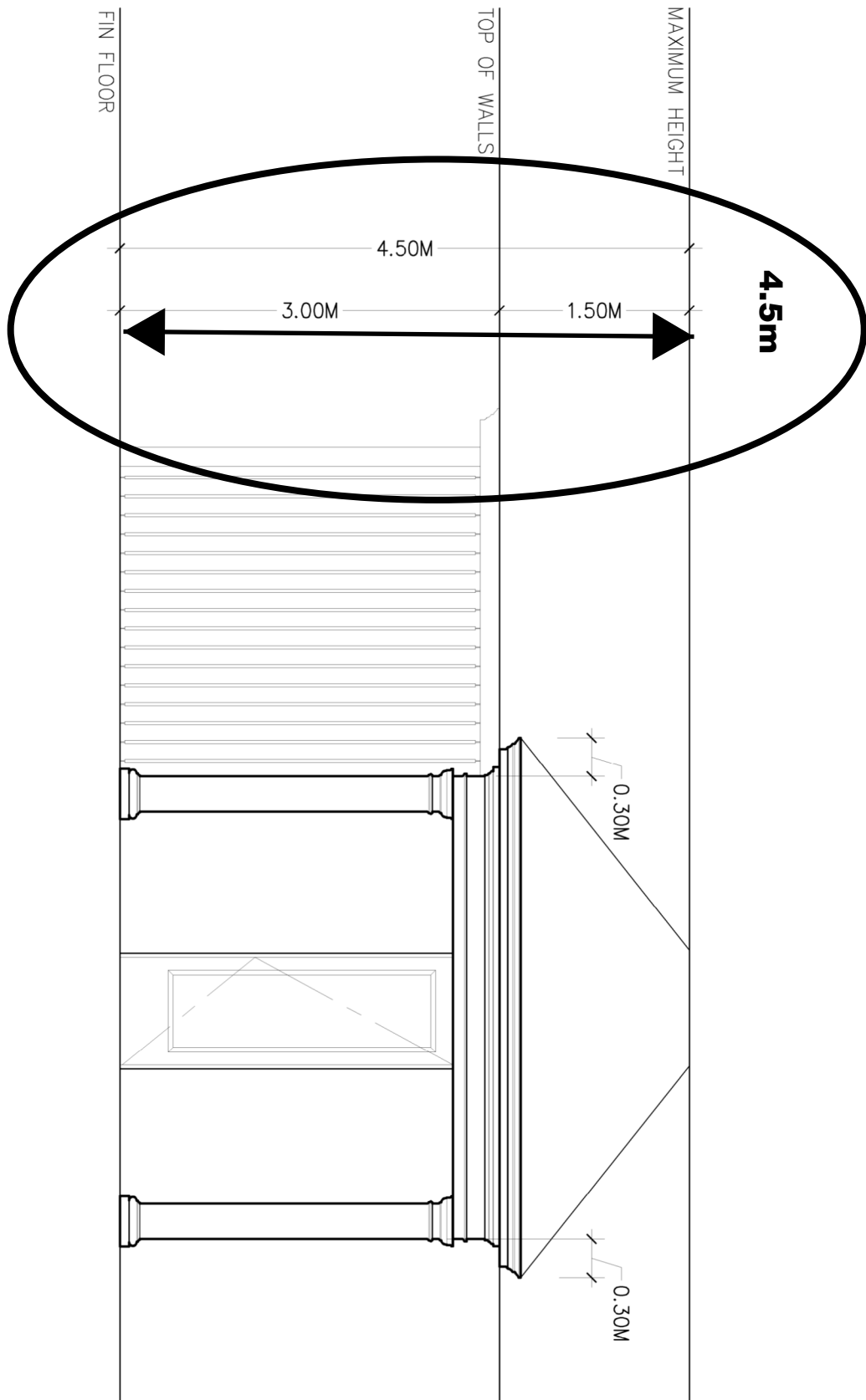
MAKOW ASSOCIATES
ARCHITECT INC.

3 Bridgman Avenue, Suite 201, Toronto, Ontario Canada M5R 3V4

PRIVATE RESIDENCE

88 ABRUZZO COURT
VAUGHAN, ON

Schematic Design
SITE PLAN
Jan 24, 2022
Scale:1:400 (LEGAL)



MAKOW ASSOCIATES
ARCHITECT INC.

PRIVATE RESIDENCE

88 ABBRUZZE COURT
VAUGHAN, ON

Schematic Design
FRONT ELEVATION

Jan 26, 2022
Scale: 1:50 (LEGAL)

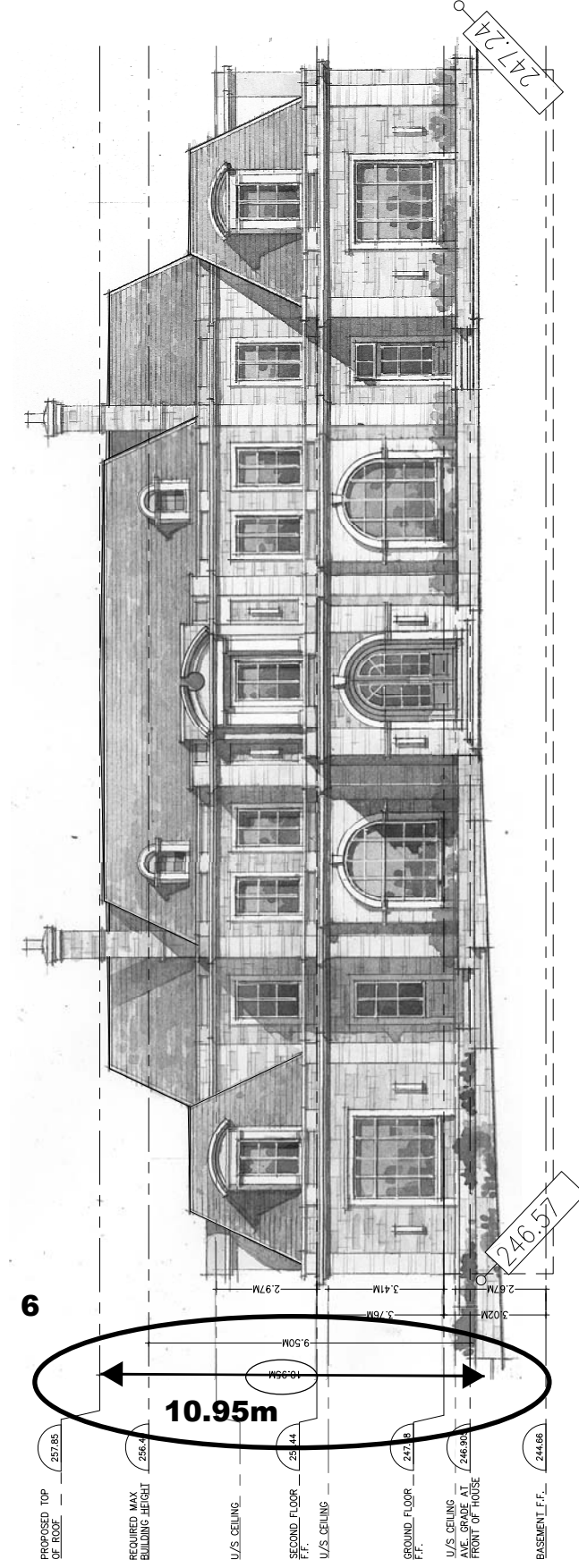


MAKOW ASSOCIATES
ARCHITECT INC.

3 Bridgman Avenue, Suite 201, Toronto, Ontario Canada M5R 3V4

PRIVATE RESIDENCE
88 ABRUZZE COURT
VAUGHAN, ON

Schematic Design
FRONT ELEVATION
January 24, 2022
Scale: 1:200 (LEGAL)



SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS				
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions



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

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Adriana MacPherson

Subject: FW: [External] RE: A259/21 - Request for Comments (88 Abbruzze Court, Vaughan)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: January-13-22 1:16 PM

To: Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A259/21 - Request for Comments (88 Abbruzze Court, Vaughan)

Good afternoon Adriana,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877
464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

Adriana MacPherson

Subject: A259/21 - Request for Comments (88 Abbruzze Court, Vaughan)

From: York Plan <yorkplan@trca.ca>

Sent: February-03-22 8:34 AM

To: Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

Cc: Christine Vigneault <Christine.Vigneault@vaughan.ca>; Michael Torres <Michael.Torres@vaughan.ca>

Subject: [External] RE: A259/21 - Request for Comments (88 Abbruzze Court, Vaughan)

Thank you, Adriana. We appreciate you pointing this out and we are pleased to report that although the address may be incorrect, that the comment remains the same. For the purposes of your records, the following revision is provided.

TRCA wishes to confirm that it has **no interests or concerns with the above noted application.**

Based on a review of our available mapping, the subject property is not within TRCA's Regulated Area. As such, a permit from TRCA pursuant to Ontario Regulation 166/06 would not be required for any development or site alteration on the property.

Although the site is located within the Well Head Protection Area for Quantity control (WHPA-Q2) per the Source Protection Plan, no water balance would be required recognizing this requirement would have been addressed through the subdivision approvals process.

Should further clarification be required, please contact the undersigned at your convenience.

Have a great day,

Mark Howard, BES, MLA, MCIP, RPP

Senior Planner – Vaughan Review Area

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: mark.howard@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: February 10, 2022
Name of Owner: Muzammil and Safana Kodwavi
Location: 88 Abbruzze Court
File No.(s): A259/21

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

1. To permit a minimum interior side yard of 6.82 m at the west side, and 13.61 m at the east side.
2. To permit the height of the residential accessory structure (cabana) in the rear yard to be 4.5 m.
3. To permit the maximum width of the driveway to be 11.34 m.
4. To permit a maximum height of 10.95 m.

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

1. The minimum required interior side yard is 7.85 m at the west side, and 24.10 m at the east side. [4.5 2.b]
2. The maximum height of an accessory building or residential accessory structure shall be 3 m. [4.1.4 1]
3. For lot frontages of 12 m or greater, the maximum driveway width of a driveway shall be 9 m. [6.7.3 2, Table 6-11]
4. The maximum height shall be 9.5 m. [7.2.2, Table 7-3]

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

5. To permit a maximum lot coverage of 13.89%.
6. To permit a maximum building height of 10.95 m.
7. To permit the height of the garden or storage shed (cabana) at the rear to be 4.5 m.
8. To permit a driveway width between a lot line abutting a street and a dwelling wall in the front yard of 11.34 m wide.

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

5. The maximum permitted lot coverage is 10%. [4.1.9, Schedule A]
6. The maximum permitted building height is 9.5 m. [4.1.9, Schedule A]
7. The maximum height of a garden or storage shed at the rear that is constructed in accordance with the maximum floor area requirements set out in Subsection 4.1.1 (e), shall not exceed 2.5 m from finished grade to the highest point of the structure. [4.1.1 f) iv)]
8. For lot frontages of 12 m and greater, driveways located between a lot line abutting a street and a garage or dwelling wall in a front yard shall be a maximum of 9 m wide. [4.1.4 f) v)]

Official Plan:

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

Comments:

The Owner is proposing to construct a two-storey single detached dwelling and cabana with the above-noted variances.

Following discussions with Development Planning and Urban Design staff, the Owner has revised their application, increasing the west interior side yard from 4.56 m to 6.82 m, reducing the maximum height of the dwelling from 11.24 m to 10.95 m, reducing the maximum lot coverage from 15.85% to 13.89%, and reducing the maximum driveway width from 11.64 m to 11.34 m.

The Development Planning Department has no objection to Variances 1 and 5. The subject lands are zoned under Zoning By-law 001-2021 as Estate Residential with an Established Neighbourhood "-EN" suffix, as the subject lands are located within an Established Large-Lot Neighbourhood identified on Schedule 1B of VOP 2010. The Estate Residential (EN) zone requires the proposed dwelling to provide the same interior

side yard setbacks as the previous dwelling, given that the proposed dwelling exceeds the height of the previous dwelling and is greater than 9.5 m in height. However, the proposed dwelling will have side yard setbacks that are consistent with existing dwellings in the neighbourhood, and greater than the adjacent dwellings, which will lessen the visual impact of the requested increase in height and lot coverage. The lot coverage of the proposed dwelling will also maintain the massing and built form of the existing estate residential neighbourhood and will have minimal visual impact on the overall streetscape.

The Development Planning Department has no objection to Variance 4. The maximum building height has been reduced from 11.24 m to 10.95 m, which is a building height that is consistent with previous approvals in the neighbourhood. The variations in height of the balance of the roofline will also minimize the impact to the streetscape.

The Development Planning Department has no objection to Variances 2 and 7 regarding the height of the cabana, as the cabana will be located centrally in the rear yard and will not have a visual impact on neighbouring properties.

The Development Planning Department has no objection to Variances 3 and 8 regarding the maximum driveway width, as the front yard maintains an appropriate amount of landscaping.

In support of the application, the Owner has submitted an Arborist Report and Tree Inventory Plan prepared by Shady Lane Expert Tree Care Inc. on November 11, 2021, later revised on January 28, 2022. The Arborist report inventoried thirty-six (36) trees, with five (5) trees proposed to be removed. The Owner has also provided a Landscape and Replanting Plan prepared by Makow Associates Architect Inc., dated January 28, 2022. Urban Design staff have reviewed the Arborist Report, Tree Inventory Plan, and Landscape and Replanting Plan and concur with the recommendations.

The subject property is partially located within the Toronto and Region Conservation Authority ('TRCA') Regulated Area. The TRCA has reviewed the application and have no concerns with the proposed works, as the works are not located within the area of the subject property regulated by the TRCA.

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

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

If the Committee finds merit in the application, the following Conditions of Approval are recommended:

None

Comments Prepared by:

Michael Torres, Planner 1

Chris Cosentino, Senior Planner

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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