



File: A076/19

Applicant: Lucia Biasini and Carlo Ravenna

Address: 36 Church St Maple ON

Agent: Mike Ragno - WEB Construction Ltd.

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: None.

Background History: None.



Minor Variance
Application

Agenda Item: 10

A076/19

Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, July 25, 2019

Applicant: Lucia Biasini and Carlo Ravenna

Agent: Mike Ragno - WEB Construction Ltd.

Property: 36 Church Street, Maple

Zoning: The subject lands are zoned R1V Old Village Residential, under By-law 1-88 as amended.

OP Designation: VOP 2010: "Low-Rise Residential"

Related Files: None.

Purpose: Relief from the by-law is being requested to permit the construction of a proposed one storey dwelling (bungalow).

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
A maximum lot coverage of 23% is permitted.	To permit a maximum lot coverage of 29.37% (27.02% Dwelling, 1.12% covered porches, 1.23% covered deck/verandas).

Background (previous applications approved by the Committee on the subject land): None.

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:
Public notice was mailed on July 10, 2019

Applicant confirmed posting of signage on July 3, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1960 to be demolished

Applicant has advised that they cannot comply with By-law for the following reason(s): Need to build a bungalow as the owner requires wheelchair accessible hallways.

Adjournment Request: An adjournment request was provided to the applicant prior to the issuance of public notice to accommodate Planning request to reduce the proposed lot coverage.

Building Standards (Zoning Review):
Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

A building permit will be required for any new construction.

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

Building Inspections (Septic):
No comments or concerns

Development Planning:

VOP 2010: "Low-Rise Residential"

The Owner is requesting permission to construct a 1-storey dwelling with the above noted variance.

The Subject Lands contain existing mature trees which will be impacted by the proposal. As such, the Owner submitted an Arborist Report prepared by DA White Tree Care, dated June 27, 2019 and revised July 10, 2019, which inventoried a total of 25 trees, and recommends the removal of 5 trees with the replacement requirement of 7 trees. The Owner is proposing 3 new trees are to be replanted on the Subject Lands, with cash-in-lieu of tree planting to be provided for the remaining 4 trees as a condition of approval, if the Committee chooses to approve the application.

In 2004, Vaughan City Council directed the Development Planning Department to review the maximum lot coverage standards in the R1V Zones within Vaughan. The Development Planning Department prepared a report which compared the lot coverage standards with other surrounding municipalities. Council approved an increased lot coverage from 20% to 23% for bungalows in order to make it reasonable, practical, and economical to construct a large bungalow dwelling type.

The Development Planning Department has historically supported variances with a maximum lot coverage of 26% for 1-storey dwellings. This Department has supported greater lot coverages only where covered and unenclosed porches and accessory structures are included in the calculation of the lot coverage. The request to increase the lot coverage to 27.02% for the dwelling exceeds past approvals supported by the Development Planning Department in this area, and therefore is not considered to be minor in nature, and will set an undesirable precedent in the R1V Zone that would alter the existing character of the surrounding area.

The variance requesting a total lot coverage of 29.37% (27.02% dwelling, 1.12% covered porches, 1.23% covered deck) is not considered to be minor in nature or desirable for the appropriate development of the lands. On this basis, the Development Planning Department does not support the proposed increase in maximum lot coverage.

The Development Planning Department recommends **refusal** of the application.

Cultural Heritage (Urban Design):

There are no cultural heritage concerns for this application.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A076/19 subject to the following condition(s):

1. The Owner/applicant shall apply and obtain lot grading/servicing approval via grading permit through the Development Inspection and Lot Grading Division of the City's Development Engineering Department prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

No comment or concerns

Fire Department:

No comment or concerns

Schedule A – Plans & Sketches**Schedule B – Public Correspondence**

None.

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None.

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers 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.

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	Development Planning Christopher Cosentino 905-832-8585 x 8215 christopher.cosentino@vaughan.ca	The Owner shall provide compensation to Vaughan by way of certified cheque as cash-in-lieu for 4 replacement trees at a rate of \$550.00 per tree (\$1,650.00 total), pursuant to the City’s Tree Protection By-law 052-2018 and the City’s Tree Protection Protocol.
2	Development Engineering Jason Pham 905-832-8585 x 8716 jason.pham@vaughan.ca	The Owner/applicant shall apply and obtain lot grading/servicing approval via grading permit through the Development Inspection and Lot Grading Division of the City’s Development Engineering Department prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

Please Note:

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

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. 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.

Notice to the Applicant – 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 to Public

WRITTEN SUBMISSIONS: 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information 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.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) 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.

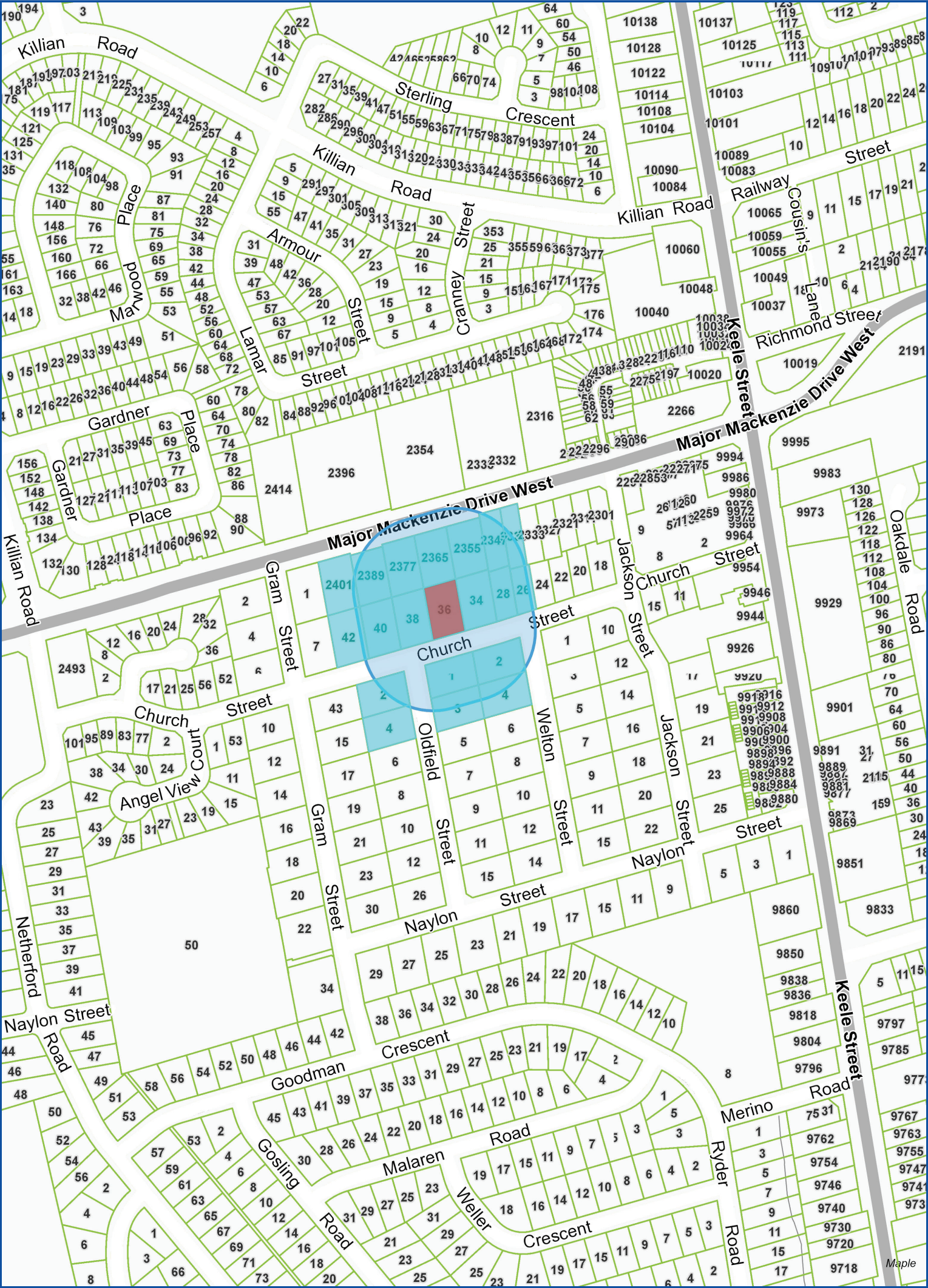
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
E CofA@vaughan.ca

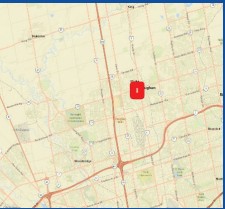
Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



Map Information:



Title:

36 CHURCH STREET, MAPLE

LOCATION MAP - A076/19

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



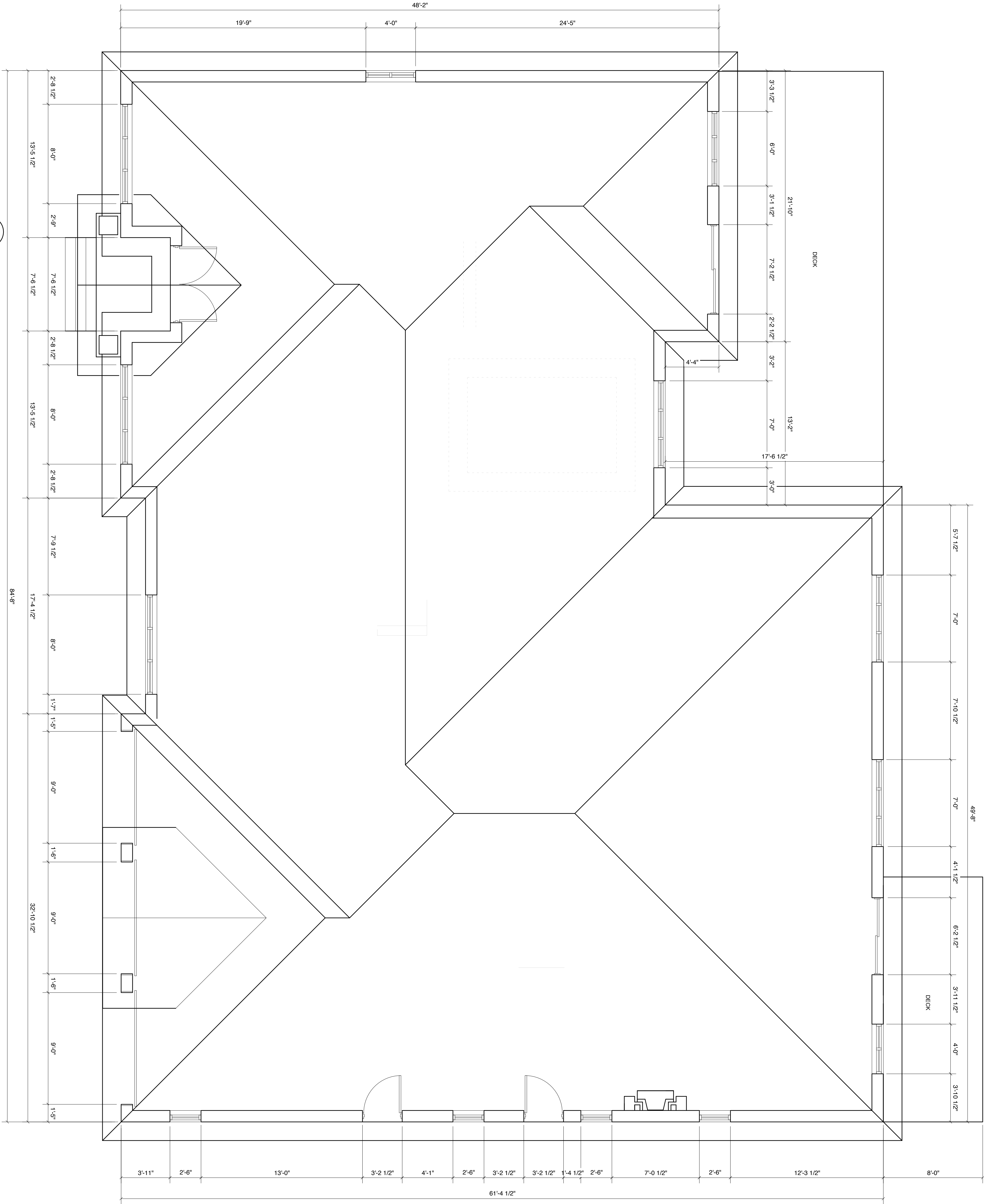
Scale: 1:4,514

0 0.07 km



Created By:
Infrastructure Delivery
Department
July 10, 2019 12:02 PM

Projection:
NAD 83
UTM Zone
17N



1				05/2019	Issued for Zoning Review	ad
No.	Date	Revisions:			Issues and/or Revisions	By

NOTE:
All drawings are the property of this firm and shall not be used without their expressed written consent.
Contractors shall check and verify all dimensions and elevations and report any discrepancies before commencement of work.
All work to conform with all governing codes and by-laws. All prints of plans and specifications are the property of the designer and shall be returned upon completion of work.
Do not scale drawings dimensions to take precedent over scale.

The undersigned has prepared a plan showing the location and boundaries of the property and has the qualifications and make the requirements set out in the Ordinance Building Code to be a designer.
TONY VALENTI 20017
DESIGNER Date 16.05.19
REGISTRATION INFORMATION
TONY VALENTI DESIGNER
Firm Name DESIGN

Project title:
PROPOSED BUNGALOW
CUSTOM BUILT HOUSE
PT 1 LOT 14 PLAN 4626
36 CHURCH STREET
CITY OF VAUGHAN

CLIENTS:
CARLO RAVENNA & LUCY BIASINI

Drawing title:
ROOF PLAN

Drawn By: Anel
Designed By:
Checked By:
Date: MAY 2019
Scale: AS NOTED

project no
sheet no
A4
of sheets

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None.

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



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
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject: FW: Minor Variance - A076/19

From: Shahid, Sadaf <Sadaf.Shahid@york.ca>

Sent: July-05-19 8:46 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Subject: Minor Variance - A076/19

Hi Lenore,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has **no comment**.

Should you have any questions or concerns, please contact Sadaf Shahid, Assistant Planner at ext. 73012 or by email at Sadaf.shahid@york.ca.

Best,

Sadaf Shahid | Planning Assistant

Planning and Economic Development Branch, Corporate Services Dept.

The Regional Municipality of York| 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 73012 | sadaf.shahid@york.ca | www.york.ca

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