



File: A086/19

Applicant: Tania Nina Pasquino

Address: 11 Sonya Place, Woodbridge

Agent: Fausto Cortese Architect Inc.

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"/>	
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		
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**

A086/19

Agenda Item: 5

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date of Hearing: Thursday, August 8, 2019

Applicant: Tania Nina Pasquino

Agent: Fausto Cortese Architect Inc.

Property: **11 Sonya Place, Woodbridge**

Zoning: The subject lands are zoned RR, Rural Residential and subject to the provisions of Exception 9(330) under By-law 1-88 as amended.

OP Designation: 'Low-Rise Residential" in VOP 2010.

Related Files: None

Purpose: Relief from the By-law is being requested to permit construction of a proposed cabana located in the rear yard.

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

By-law Requirement	Proposal
1. A minimum interior side yard setback of 4.2 metres is required.	1. To permit a minimum interior side yard setback of 1.38 metres to an accessory structure (cabana).
2. A maximum lot coverage of 10% is permitted.	2. To permit a maximum lot coverage of 10.02% (7.08% dwelling and 2.94% proposed cabana).
3. A maximum of 67 square metres of the lot area covered by all accessory buildings and structures other than those attached to the main building is permitted.	3. To permit a maximum of 124.71 square metres of the lot area to be covered by all accessory buildings and structures other than those attached to the main building.
4. A maximum building height of 4.5 metres measured from the average finished ground level to the highest point of the accessory structure (cabana) is permitted.	4. To permit a maximum building height of 5.49 metres measured from the average finished ground level to the highest point of an accessory structure (cabana).

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

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

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 24, 2019

Applicant confirmed posting of signage on July 25, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1986
Cabana	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): Re-design of existing Cabana requires setback relief.

Adjournment Request: None

Building Standards (Zoning Review):

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².

For your information, Exception 9(330) speaks directly to minimum required interior side yard and rear yard setbacks for an accessory structure on the subject lands:

"for the lands shown as Lot 6 on Schedule E-342B the minimum interior side yard and minimum rear yard for an accessory structure shall be 4.2 metres and 3.9 metres respectively".

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

VOP 2010: "Low-Rise Residential"

The Owner is requesting permission to construct a semi-enclosed addition to an existing cabana as well as provide a new roof and updated façade for the cabana.

The subject lands contain existing mature trees which will be impacted by the proposed development. As such, an Arborist Report was submitted by the Urban Arborist, dated July 29, 2019, which identified that two trees are to be removed to accommodate the proposal. Two 60mm Freeman Maple trees will be replanted on the subject lands to accommodate the loss. The Urban Design and Cultural Heritage Division of the Development Planning Department and Parks, Forestry and Horticulture Operations Department has reviewed the submitted Arborist Report and concurs with its recommendations.

The Development Planning department does not object to variances 1, 2 or 3. The increase in coverage, area of the accessory structure and reduction in the interior side yard are considered minor in nature as the proposed development is located on a large lot that is well screened by trees and located a fair distance away from neighbouring dwellings. Therefore, the proposed development will not negatively impact the streetscape or surrounding neighbours.

The Development Planning department has no objection to variance 4 (the proposed height of the accessory structure), as the height variance is only for the highest point of the roof in the middle of the structure, whereas the majority of the structure meets the by-law requirement. The Development Planning Department has recommended approval for accessory structure height increases in the area. Additionally, the proposed development is located a fair distance away from neighbouring dwellings and is well screened by vegetation so any impact to would be minimal.

Therefore, 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 land.

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

The Cultural Heritage Division does not object to this Variance Application. The eastern fence line/tree line of the subject parcel of land lies in an area identified as a being of high archaeological potential in the City's database of archaeological resources. As such, the applicant should be advised that the following standard clauses apply:

1. Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Department shall be notified immediately.
2. In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
3. In the event of a future development application that involves further soil disturbance an archaeological assessment by a professional licensed archaeologist may be required and conditions of approval may apply.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A086/19 subject to the following condition(s):

The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval for the proposed cabana 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 for lot grading approval.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

No comment, no concerns

Fire Department:

No Response.

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

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 Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval for the proposed cabana 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 for lot grading approval.

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

Adriana MacPherson

T 905 832 8585 Extension 8360

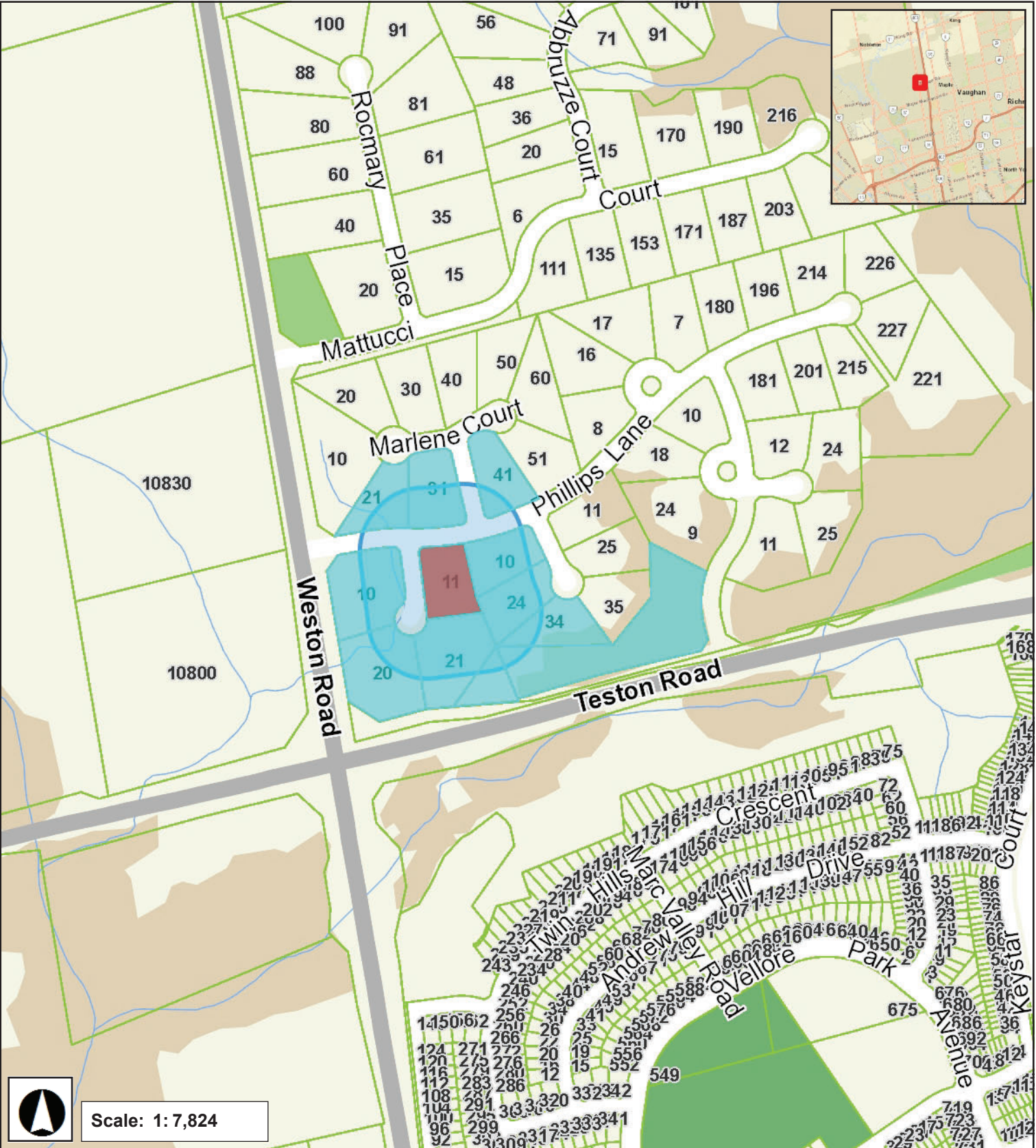
E CofA@vaughan.ca

Schedule A: Plans & Sketches

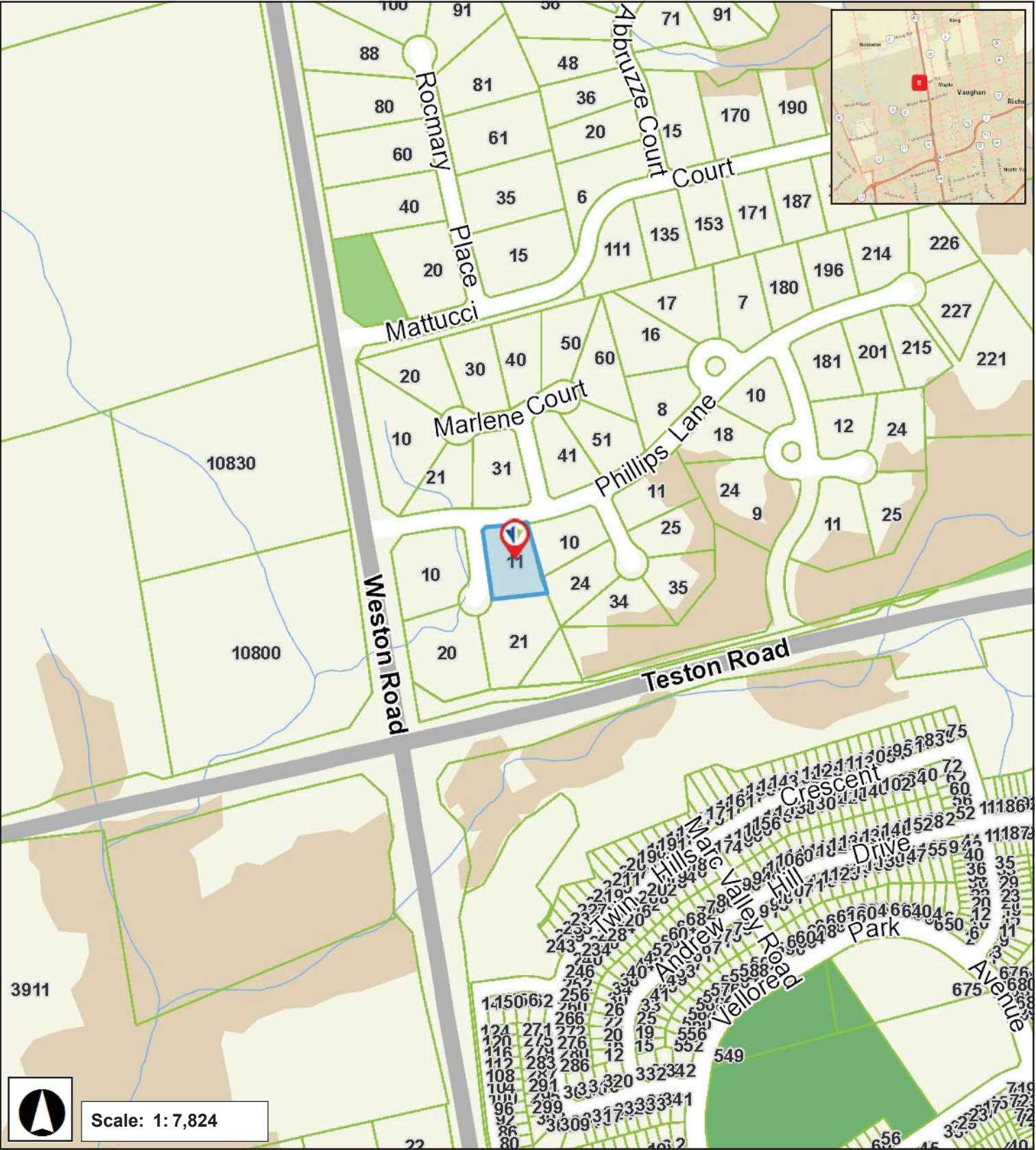
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches

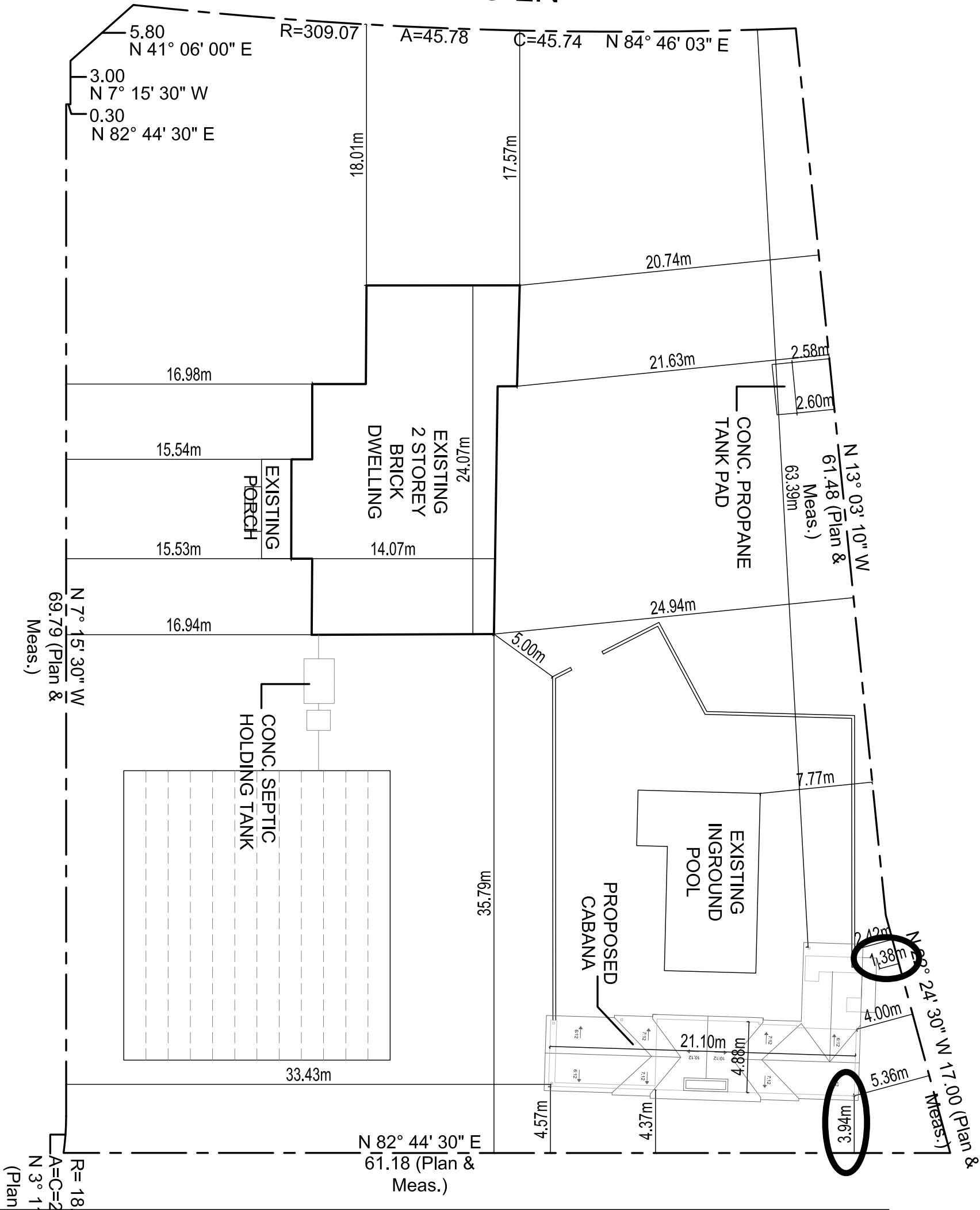
11 Sonya Place, Woodbridge



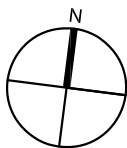
11 Sonya Place, Woodbridge



SONYA PLACE




To permit a maximum lot coverage of 10.02% (7.08% dwelling and 2.94% proposed cabana)



TE DEVELOPMENT		RR (RESIDENTIAL DETACHED ZONE)
	SO/FT	
m2	SO/FT	
4242.01 m2	45660.95 SQ/FT	
m2	SO/FT	
300.43 m2	3233.83 SQ/FT	
124.71 m2	1342.38 SQ/FT	
BY-LAW	PROVIDED	
-	7.08%	
-	2.94%	
10 %	10.02%	
BY-LAW	PROVIDED	
15.00 m	17.57 m	
15.00 m	3.94 m	
9.00 m	1.38 m	
4.50 m	33.43 m	



<p>CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.</p> <p>THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEAL AND SIGNED BY THE DESIGNER.</p> <p>DO NOT SCALE DRAWINGS.</p>	
	
<p>FAUSTO CORTESE ARCHITECTS</p>	
<p>3590 RUTHERFORD RD. UNIT 7 VAUGHAN, ONTARIO L4H 3T8 416-806-7000 FCORTESE@FCAARCHITECTS.CA</p>	
PROJECT:	<p>PROPOSED CABANA ON 11 SONYA PLACE VAUGHAN</p>
DRAWING:	
<p>PLOTTED:</p>	
DATE: FEBRUARY 2019	PROJECT NO. 2019-04
SCALE:	DRAWING NO.
AS NOTED	
DRAWN BY:	REVIEWED BY:
<p>A1.0</p>	

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

MacPherson, Adriana

Subject: FW: MVAR.19.V.0266 (A086/19) - 11 Sonya Place

From: Shahid, Sadaf <Sadaf.Shahid@york.ca>
Sent: July-15-19 1:40 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>; McMackin, Joseph <Joseph.McMackin@york.ca>
Subject: MVAR.19.V.0266 (A086/19) - 11 Sonya Place

Hi Adriana,

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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