



File: A097/19

Applicant: Michael and Frances Calderone

Address: 217 Via Teodoro Woodbridge ON

Agent: Gregory Sant

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"/> | |
| 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) | | |
| Public Correspondence (see Schedule B) | | |

Adjournment History: N/A

Background History: N/A



Minor Variance
Application

Agenda Item: 8

A097/19

Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

| | |
|------------------|--|
| Date of Hearing: | Thursday, September 5, 2019 |
| Applicant: | Michael and Frances Calderone |
| Agent: | Gregory Sant |
| Property: | 217 Via Teodoro Woodbridge ON |
| Zoning: | The subject lands are zoned RD3 and subject to the provisions of Exception 9(1279) under By-law 1-88 as amended. |
| OP Designation: | Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Area" |
| Related Files: | None |
| Purpose: | Relief from the By-Law is being requested to permit the construction of a proposed covered patio 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 |
|--|---|
| A minimum rear yard setback of 7.5m to the proposed covered patio is required. | To permit a minimum rear yard setback of 5.94m to the proposed covered patio. |

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:

| Hearing Date: | Members Absent from Hearing: | Status of Adjournment: (i.e. date/sine die) | Reason for Adjournment: |
|-----------------|------------------------------|--|--|
| August 22, 2019 | R. Buckler | September 5, 2019 | Adjourned to accommodate public notice requirements (sign) |

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 August 21, 2019

Applicant has confirmed posting of sign in accordance with the Planning Act.

| Property Information | |
|----------------------|------------------|
| Existing Structures | Year Constructed |
| Dwelling | 2009 |

Applicant has advised that they cannot comply with By-law for the following reason(s): If the proposed structure were to adhere to the By-law, the amount of space for the proposed covered patio would be too small to serve a purpose of having a covered patio.

Adjournment Request: N/A

Building Standards (Zoning Review):

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

Building Permit No. 19-001147 for Single Detached Dwelling - Alteration, Issue Date: (Not Yet Issued)

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:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Area"

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

Recommend approval of the application.

Cultural Heritage (Urban Design):

No comments.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A097/19.

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

Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

N/A

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: N/A

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 8332
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.

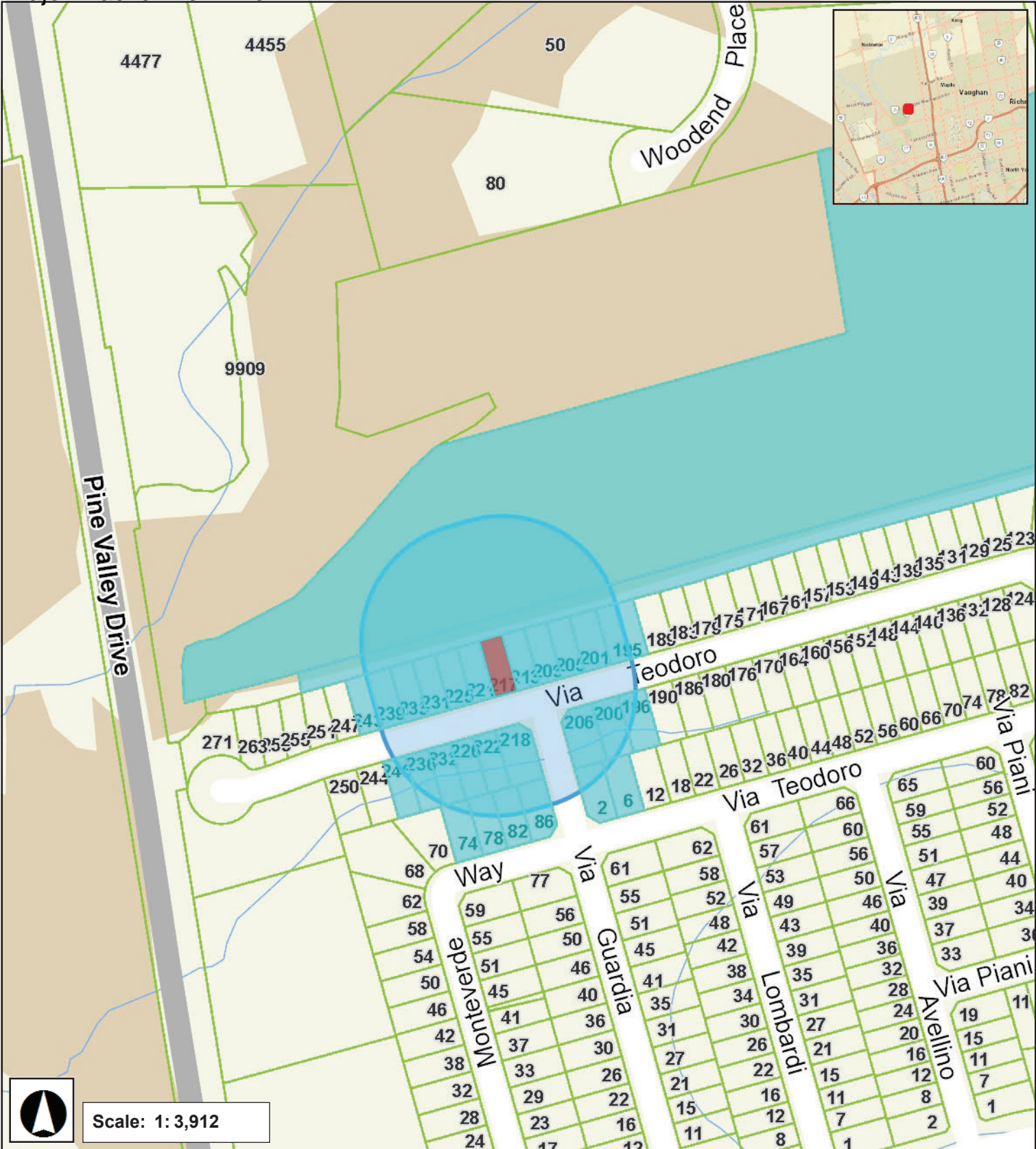
Location Map
Sketches



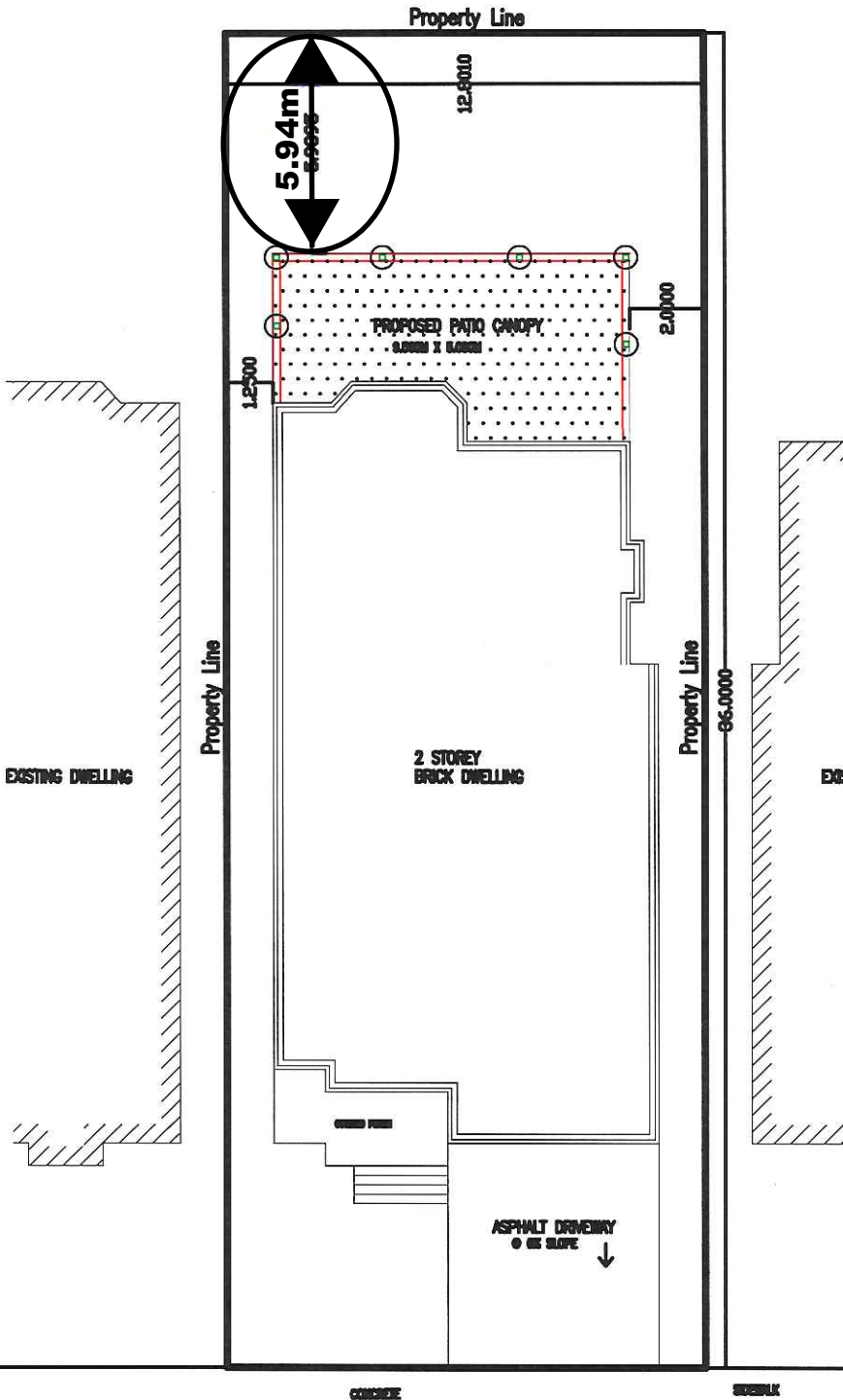
A097/19 - Notification Map

217 Via Teodoro, Woodbridge

Major Mackenzie Drive



| SITE STATISTICS | | | | | | | | | |
|-----------------------|----------------------|----------------------|----------------------|--------------|-----------|---|------------|----------|----------|
| ZONING | LOT NO. | PLAN NO. | LOT AREA | LOT FRONTAGE | LOT DEPTH | | | | |
| | 9 | | 460.08m ² | 12.800m | 36.000m | | | | |
| DESCRIPTION | EXISTING | ADDITIONAL | TOTAL | % | ALLOWED | % | SETBACKS | EXISTING | PROPOSED |
| LOT COVERAGE | 190.96m ² | 41.34m ² | 232.30m ² | 51% | | | FRONT YARD | | |
| GROSS FLOOR AREA | 190.96m ² | 0.0m ² | 190.96m ² | 41.5% | | | REAR YARD | | |
| SOFT LANDSCAPING AREA | 223.12m ² | -37.16m ² | 218.68m ² | 85.5% | | | SOUTH SIDE | | |
| | | | | | | | NORTH SIDE | | |



VIA TEODORO
(BY Registered Plan 65M-4136)

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.

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

Sent: August-14-19 11:49 AM
Subject: FW: Minor Variance - (A097/19) - 217 Via Teodoro

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

Sent: August-09-19 8:58 AM

To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>
Subject: Minor Variance - (A097/19) - 217 Via Teodoro

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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