



File: A098/19

Applicant: Mark and Andrea Di Giovanni

Address: 69 Rushworth Cr Kleinburg ON

Agent: Cassidy & Co. Architectural Technologists

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: N/A

Background History: N/A



**Minor Variance
Application

A098/19**

**Agenda Item: 9

Ward: 1**

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, September 5, 2019

Applicant: Mark and Andrea Di Giovanni

Agent: Cassidy & Co. Architectural Technologists

Property: **69 Rushworth Cr Kleinburg ON**

Zoning: The subject lands are zoned R1 under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan ("VOP) 2010: Low Rise Residential

Related Files: Concurrent applications before the Committee

Purpose: Relief from the by-law is being requested to permit the construction of a proposed single family dwelling.

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

By-law Requirement	Proposal
1. A maximum lot coverage of 30% is permitted.	1. 1. To permit a maximum lot coverage of 38% (dwelling 31.55%, covered porch 1.92%, loggia 4.53%).

Background (previous applications approved by the Committee on the subject land): N/A

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: N/A

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 confirmed posting of sign on August 23, 2019.

Property Information	
Existing Structures	Year Constructed
Dwelling	1968 (TBD)

Applicant has advised that they cannot comply with By-law for the following reason(s): It is not possible to comply with the provisions of the by-law due to programmatic requirements required by the said owner.

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. 19-001222 for Single Detached Dwelling - Residential Demolition, Issue Date: Jul 03, 2019

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 ("VOP) 2010: Low Rise Residential

The Owner is requesting permission to construct a 2-storey single-detached dwelling unit with the above variance. The proposed lot coverage of 38% consists of 31.55% for the main dwelling, 1.92% for the covered porch, and 4.53% for the loggia coverage.

The Owner submitted an Arborist Report prepared by Ontario Tree Experts dated July 8, 2019 and amended August 13, 2019. The Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the submitted Arborist Report and concurs.

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.

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

Property is outside of HCD, no concerns with proposed coverage, massing or height.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A098/19 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 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:

Maintain existing culvert and ditch - no alterations to culvert or filling in of ditch will be approved or accepted.
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

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 Engineering Jason Pham 905-832-8585 x 8716 jason.pham@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 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.

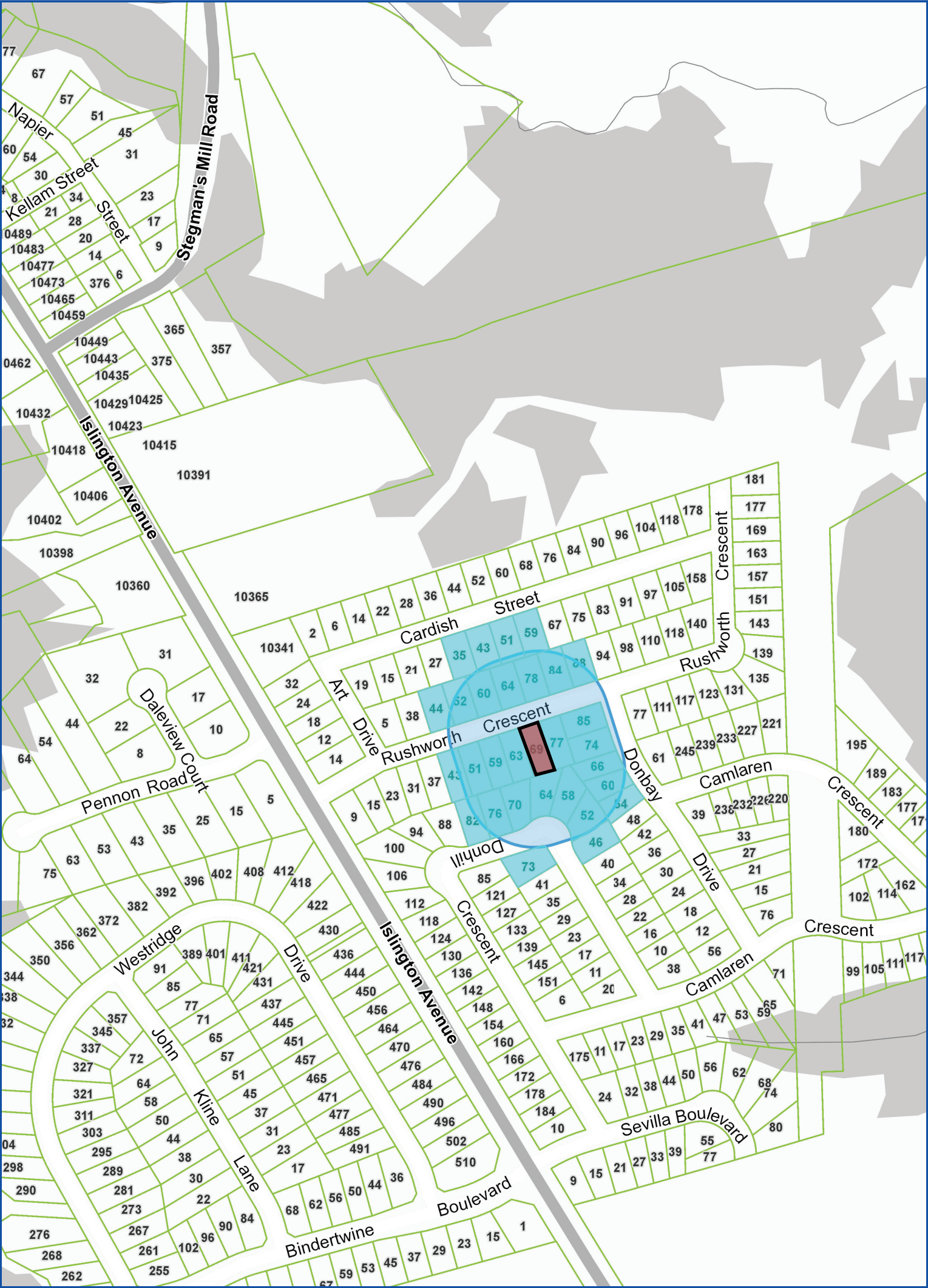
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8332
E CofA@vaughan.ca

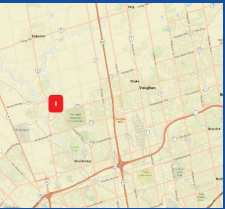
Schedule A: Plans & Sketches

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



Map Information:



Title

69 RUSHWORTH CRESCENT, KLEINBURG
LOCATION MAP - A098/19

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
August 19, 2019 1:51 PM

Projection:
NAD 83
UTM Zone
17N

Revised

August 14, 2019



RUSHWORTH CRESCENT

8.58M PUBLIC ROAD

ZONING

ZONE	R1
LOT FRONTAGE	19.81 M
LOT DEPTH	46.91 M
LOT AREA	929 SM
GROUND FLOOR AREA	225.20 SM
SECOND FLOOR AREA	286.42 SM
BUILDING GFA	511.62 SM
BUILDING COVERAGE	293.07 SM
PORCH COVERAGE	17.85 SM
LOGGIA COVERAGE	42.10 SM
TOTAL LOT COVERAGE	353.02 SM

BUILDING COVERAGE 31.55 %
PORCH COVERAGE 1.92 %
LOGGIA COVERAGE 4.53 %
TOTAL LOT COVERAGE 38.00 %

MAX. LOT COVERAGE PERMITTED 30%

MAX. LOT COVERAGE REQUIRED 38%

#63

TWO STOREY
BRICK BUILDING
(RESIDENTIAL)

#77

TWO STOREY
BRICK BUILDING
(RESIDENTIAL)

#69

PROPOSED TWO
STOREY STONE
BUILDING
(RESIDENTIAL)

Scale 1 : 250

LEGEND

- GRADE POINT
- CABLE PEDESTAL
- HYDRO POLE
- STREET LIGHT
- FIRE HYDRANT
- TRANSFORMER BY HYDRO
- VALVE BOX
- WATER SERVICE
- CATCH BASIN
- STORM CONNECT
- SANITARY CONNECT
- MANHOLE
- SWALE DIRECTION
- HYDRO
- EXTERIOR DOOR LOCATION
- WINDOW LOCATION
- DOWNSPOUT LOCATION
- EMBANKMENT 3:1 SLOPE MAX
- FINISHED MAIN FLOOR ELEVATION
- TOP OF FOUNDATION WALL

- TFWG TOP OF FOUNDATION WALL-GARAGE
- TFWI TOP OF FOUNDATION WALL-INTERIOR
- TFWE TOP OF FOUNDATION WALL-EXTERIOR
- FBS FINISHED BASEMENT SLAB
- UF UNDERSIDE OF FOOTING
- UFG UNDERSIDE OF FTG.-GARAGE
- UFR UNDERSIDE OF FTG.-REAR
- UFRG UNDERSIDE OF FTG.-GARAGE REAR
- UFPW UNDERSIDE OF FTG.-PARTI WALL
- UFF UNDERSIDE OF FTG.-FRONT
- UFS UNDERSIDE OF FTG.-SIDE
- ENGINEERED FILL
- BUILDING SPLIT (FINISHED SLAB ELEVATION CHANGE)
- REVERSE PLANS
- REV
- 2R,3R NUMBER OF RISERS
- 000.00 PROPOSED ELEVATION
- RG RECESSED GAS METER
- RH RECESSED HYDRO METER
- G GAS METER
- H HYDRO METER
- WOOD PRIVACY FENCE

5	REVISED AS PER UPDATED ARBORIST REPORT REISSUED FOR MV APPLICATION	2019-08-14	CN
4	REISSUED FOR MINOR VARIANCE APPLICATION	2019-07-12	CN
3	ISSUED FOR MINOR VARIANCE APPLICATION	2019-07-09	CN
2	REISSUED TO ARBORIST FOR COORDINATION	2019-07-08	CN
1	ISSUED TO ARBORIST FOR COORDINATION	2019-06-21	CN
No.	Description	YYYY-MM-DD	BY

Cassidy + Company

Residential Design Consultants

60 RANDALL DRIVE, SUITE 11
AJAX, ONTARIO L1S 6L3
PH (905) 619-1270
FAX (905) 619-1269

Date	JULY 2019	Project No.	2018-29
Drawn by	ASP	Checked by	CN
69 RUSHWORTH CRESCENT KLEINBURG LOT 10, PART 23 REGISTERED PLAN #6087 CONCESSION 8		MV1	

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: A098/19 - REQUEST FOR COMMENTS (VAUGHAN - Committee of Adjustment)

From: Wong, Tiffany <Tiffany.Wong@york.ca>

Sent: July-30-19 9:29 AM

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

Subject: FW: A098/19 - REQUEST FOR COMMENTS (VAUGHAN - Committee of Adjustment)

Hello Lenore,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A098/19 (69 Rushworth Crescent) and has **no comments**. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

Tiffany Wong, B.E.S. | Associate Planner, Programs and Process Improvement,
Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | tiffany.wong@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



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