



File: A068/19

Applicant: Marianna & Joseph Pinto

Address: 46 Cedar Glen Ct Kleinburg

Agent: Anthony Cesario

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		
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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

Agenda Item: 17

A068/19

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing:	Thursday, October 17, 2019
Applicant:	Marianna & Joseph Pinto
Agent:	Anthony Cesario
Property:	46 Cedar Glen Ct Kleinburg ON
Zoning:	The subject lands are zoned RR, Rural Residential Zone, and subject to the provisions of Exception 9(741)under By-law 1-88 as amended.
OP Designation:	Vaughan Official Plan ("VOP") 2010 Designation: "Low-Rise Residential" and "Natural Areas".
Related Files:	None
Purpose:	<p>Relief from the by-law is being requested to permit the construction of a proposed addition to the existing single family dwelling. The addition includes expansion of the existing dwelling into the east/west side yard and rear yard which is further described as:</p> <ul style="list-style-type: none">• Addition to west side of the existing dwelling includes: 1 storey garage, 1 storey storage area and 2 storey addition;• Addition to east side of the existing dwelling includes: 2 storey addition;• Addition to rear of the existing dwelling includes: Second floor addition, open wood deck.

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 Front yard setback of 15 metres is required.	1. To permit a minimum Front yard setback of 8.76 metres to a dwelling.
2. A minimum Rear yard setback of 15 metres is required.	2. To permit a minimum Rear yard setback of 10.26 metres to a dwelling.
3. A maximum of 10% Lot coverage is permitted.	3. To permit a maximum lot coverage of 19.96% (19.51% dwelling; 0.45% shed)
4. A minimum Rear yard setback of 15 metres is required.	4. To permit a minimum Rear yard setback of 3.13 metres to a shed.
5. A minimum Interior Side yard setback of 4.5 metres is required.	5. To permit a minimum Interior Side yard setback of 3.93 metres to a shed.

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 October 2, 2019

Applicant has confirmed posting of signage on October 8, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	December 2000

Applicant has advised that they cannot comply with By-law for the following reason(s): The existing house is too small compared to other properties in the area. We would like to build a comparable house and to make the rooms more functional and usable due to our large family.

Adjournment Request: Applicant provided an opportunity to adjourn the application prior to the issuance of public notice to address the following:

- Review of the revised application and sketches and;
- Submission of an updated landscape plan

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.

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 maximum encroachment of eaves into the interior side yard shall be 0.5 metres.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Official Plan: Vaughan Official Plan ("VOP") 2010 Designation: "Low-Rise Residential" and "Natural Areas".

Application under review.

Cultural Heritage (Urban Design):

There are no Cultural Heritage concerns with 46 Cedar Glen Court.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A068/19 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.

The Owner/applicant shall visit the City of Vaughan Transportation Services Division of the Transportation Services, Parks and Forestry Operations Department and arrange a site visit with City Staff to ensure that the proposed driveway/curb cut does not conflict with existing street furniture, neighboring access, road alignment and/or anything else deemed relevant by City Staff upon inspection. In conjunction with this condition, the owner/applicant shall apply and obtain the necessary curb cut permit through the Transportation Services Division.

Parks Development:

Kirk Scarlett to review proposed second driveway apron/entrance.

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
TRCA – comments with conditions

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	1. 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. 2. The Owner/applicant shall visit the City of Vaughan Transportation Services Division of the Transportation Services, Parks and Forestry Operations Department and arrange a site visit with City Staff to ensure that the proposed driveway/curb cut does not conflict with existing street furniture, neighboring access, road alignment and/or anything else deemed relevant by City Staff upon inspection. In conjunction with this condition, the owner/applicant shall apply and obtain the necessary curb cut permit through the Transportation Services Division.
2	TRCA Anthony Syhlonyk 416-661-6600 x 5272 asyhlonyk@trca.on.ca	1. That the applicant pays the outstanding review fee of \$580.00 for Minor Variance A068/19. 2. That the applicant revises their permit with TRCA with the updated drawings.

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 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

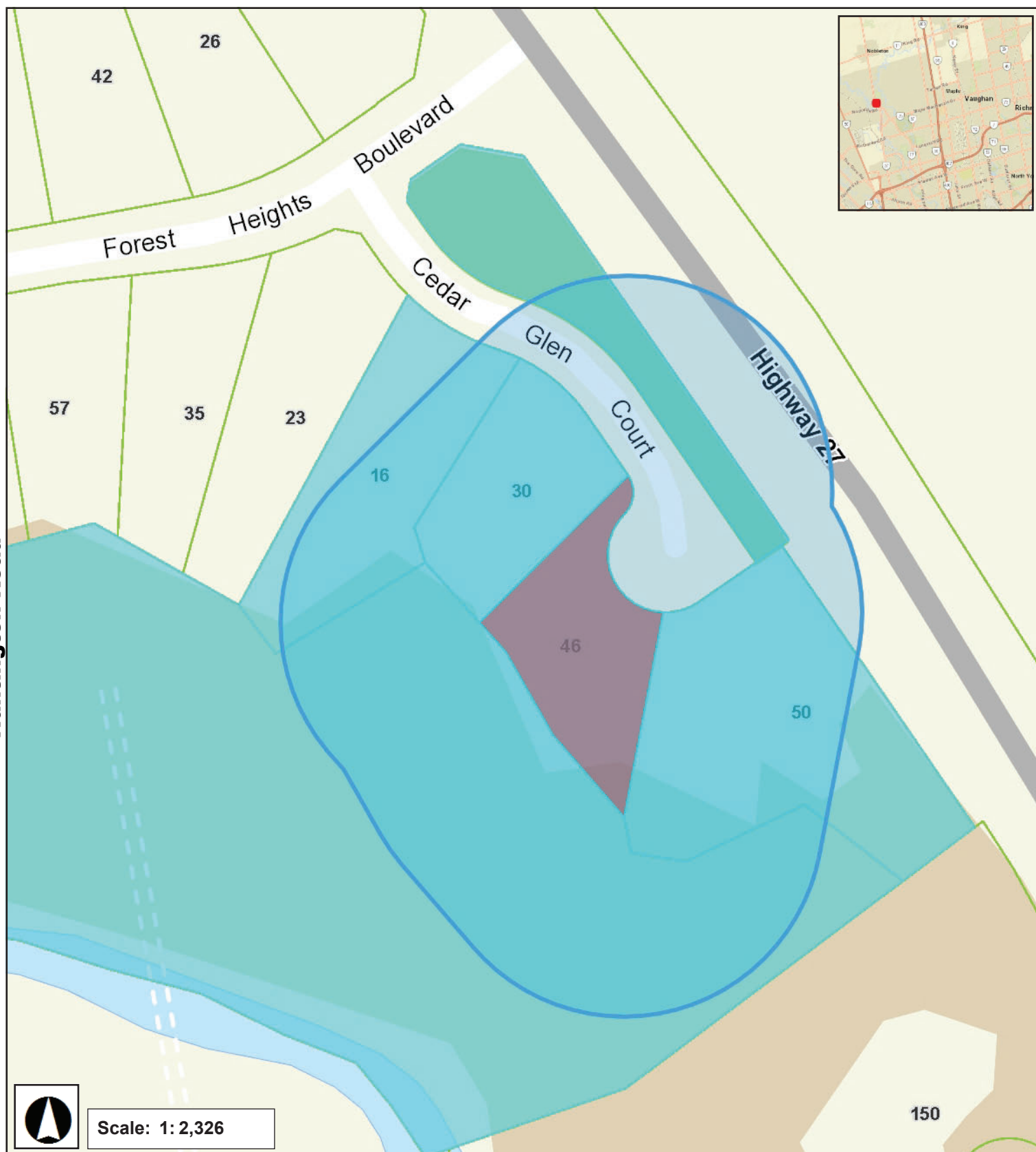
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



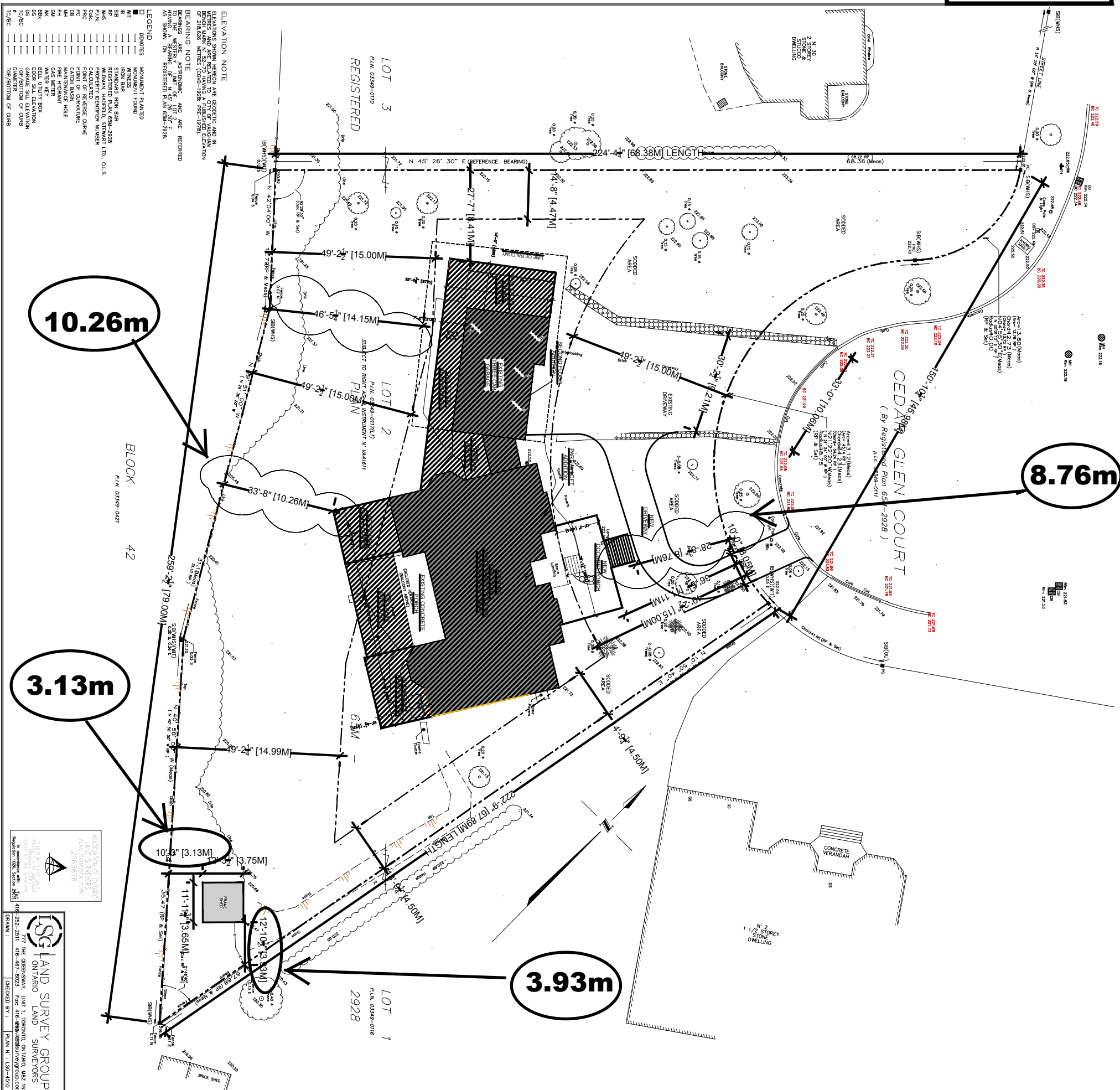
46 CEDAR GLEN COURT, KLEINBURG

Kirby Road



Nashville Road

August 28, 2019 10:51 AM



SITE STATISTICS

LOT AREA	32,820.23 SF(3049.1 SM)
EXISTING FIRST FLOOR AREA	2847 SF(264.5 SM)
EXISTING LINK	97 SF(9.01 SM)
EXISTING GARAGE AREA	868 SF(80.63 SM)
EXISTING SHED	147 SF(13.66 SM)

PROPOSED	ADDITIONAL FIRST FLOOR AREA	643 SF(59.7 SM)
PROPOSED	ADDITIONAL SECOND FLOOR AREA	1277 SF(118.6 SM)

<u>TOTAL</u>	FIRST FLOOR AREA	3490 SF(324.2 SM)
<u>TOTAL</u>	SECOND FLOOR AREA	2896 SF(269 SM)

~~GROSS FLOOR AREA~~ 6368 SF(593.2 SM)

<u>LOT COVERAGE</u>		
EXISTING DWELLING AREA INCLUDING	2944SF(273.55M)	8.97%
EXIST ATTACHED GARAGE	868SF(80.65M)	2.64%
EXIST SHED	147SF(13.655M)	0.45%
PROPOSED REAR ADDITION	643SF(59.75M)	1.95%
PROPOSED REAR PORCH	385SF(35.75M)	1.17%
PROPOSED LINK ADDITION	284.2SF(26.45M)	0.87%
PROPOSED GARAGE ADDITION	712SF(66.15M)	2.16%
PROPOSED CONC. PORCH	568.3SF(52.85M)	1.77%
TOTAL PROPOSED COVERAGE		19.91%

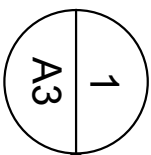
TOTAL FRONT LANDSCAPING AREA	
	11,245.7 4572 SF(1044.7 SM)
SOFT LANDSCAPING	7772.5 SF (772.09 SM) 64%
HARD LANDSCAPING	3473.2 SF (322.67 SM) 36%
LENGTH OF PROPERTY	224.43 FT (68.38 M)
WIDTH OF PROPERTY AT REAR	259.18 FT (79.0 M)
WIDTH OF PROPERTY AT FRONT	150.85 FT (45.98 M)

SITE PLAN

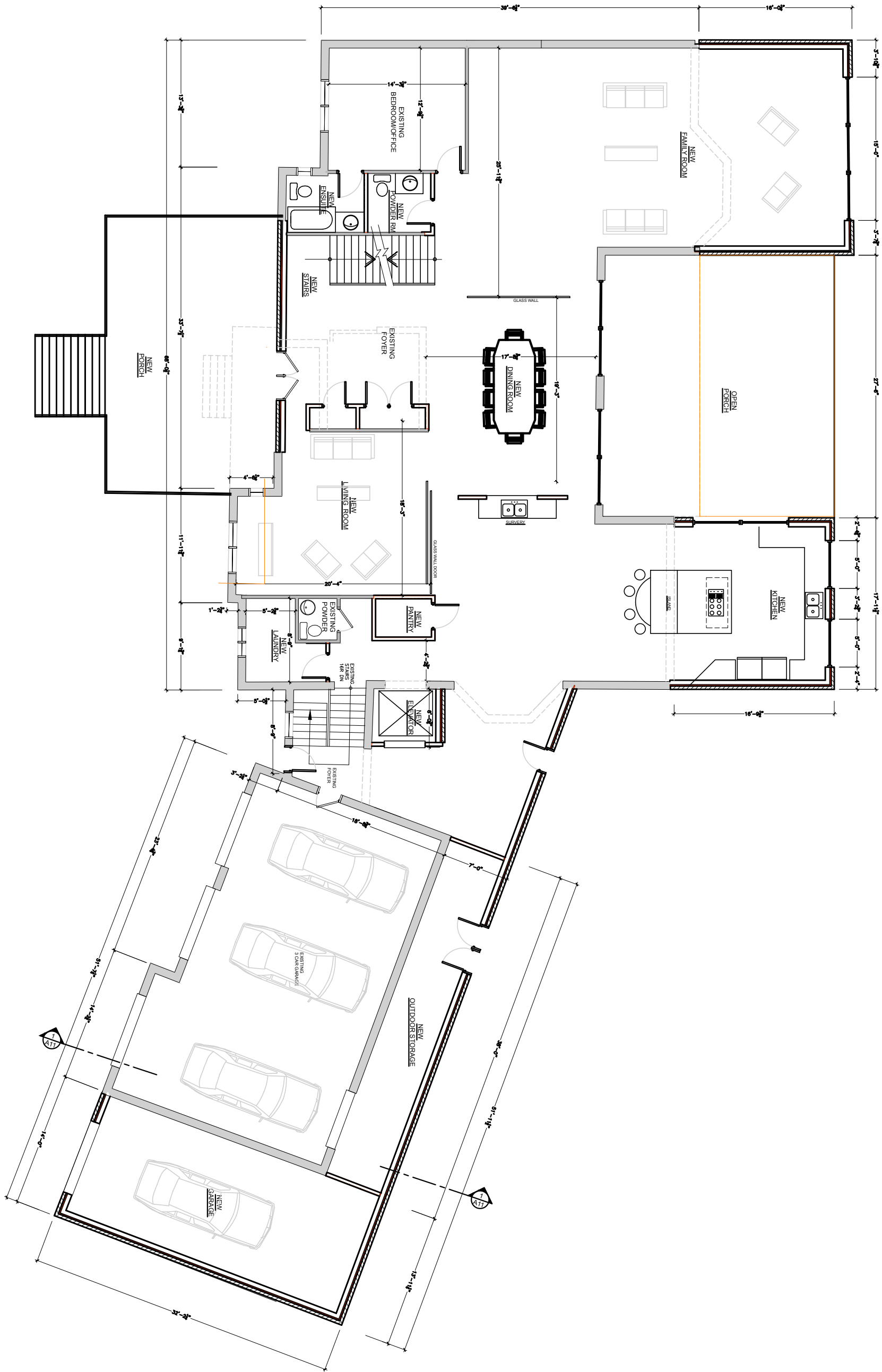
A1

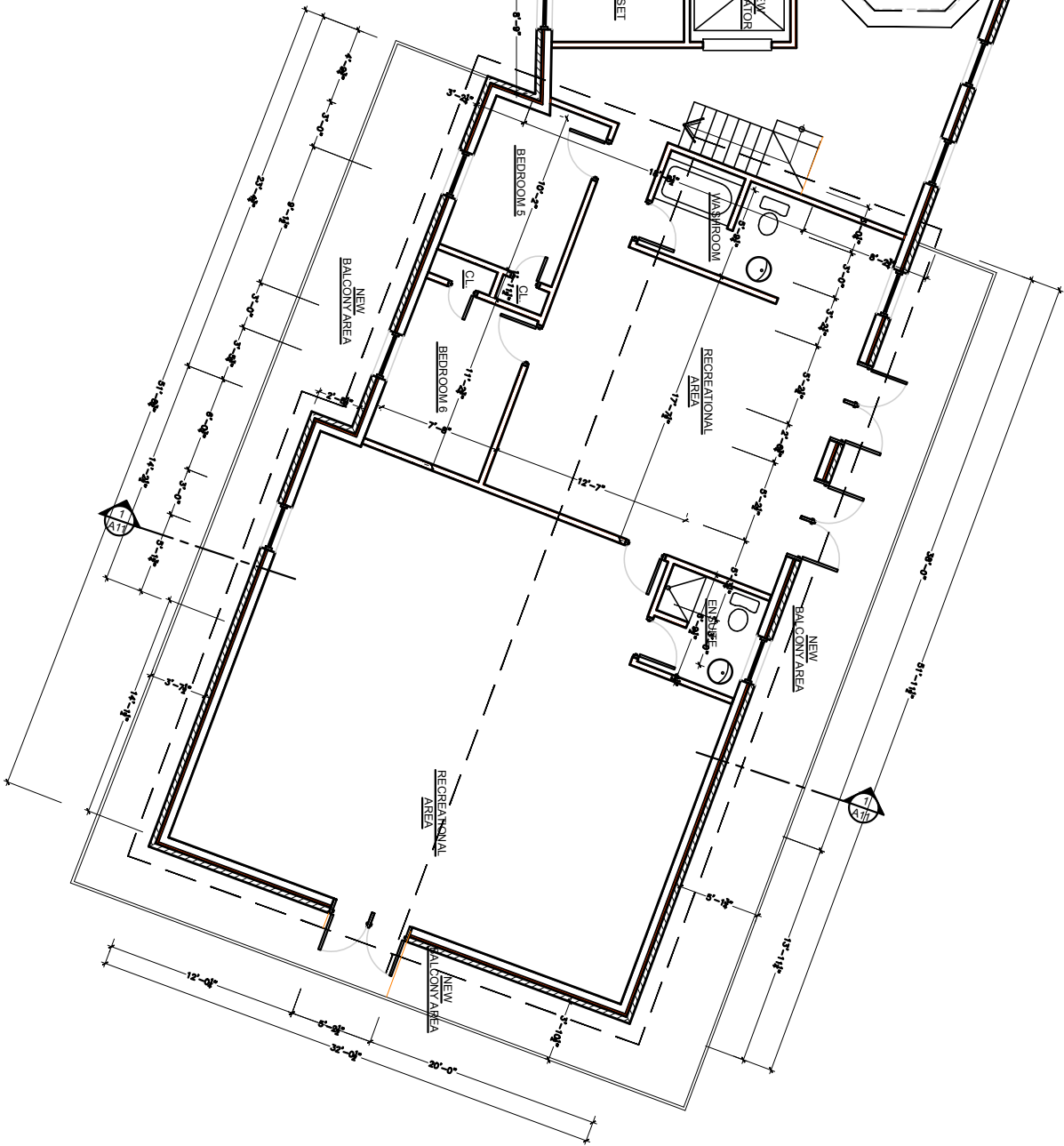
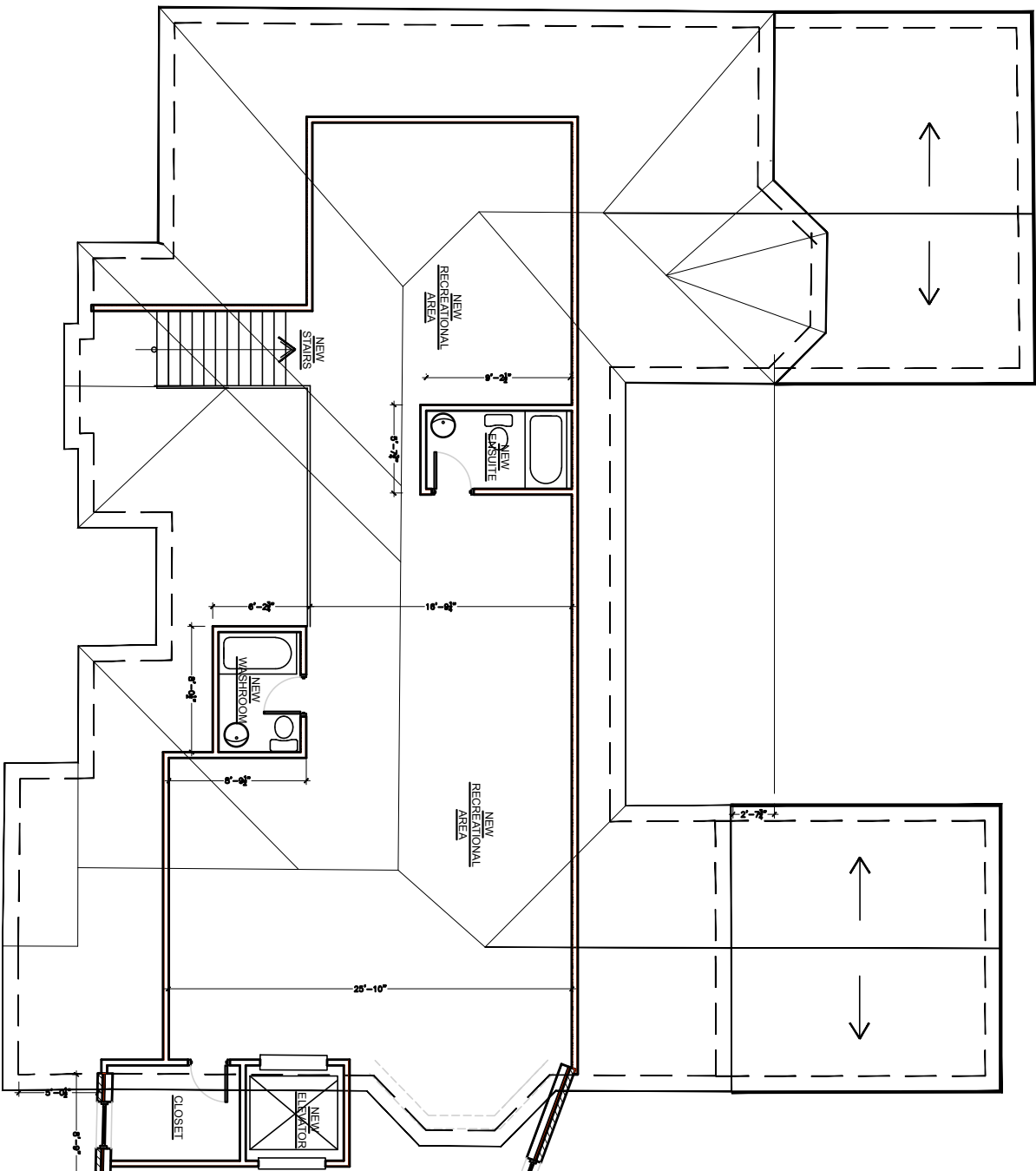
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BASEMENT FLOOR PLAN

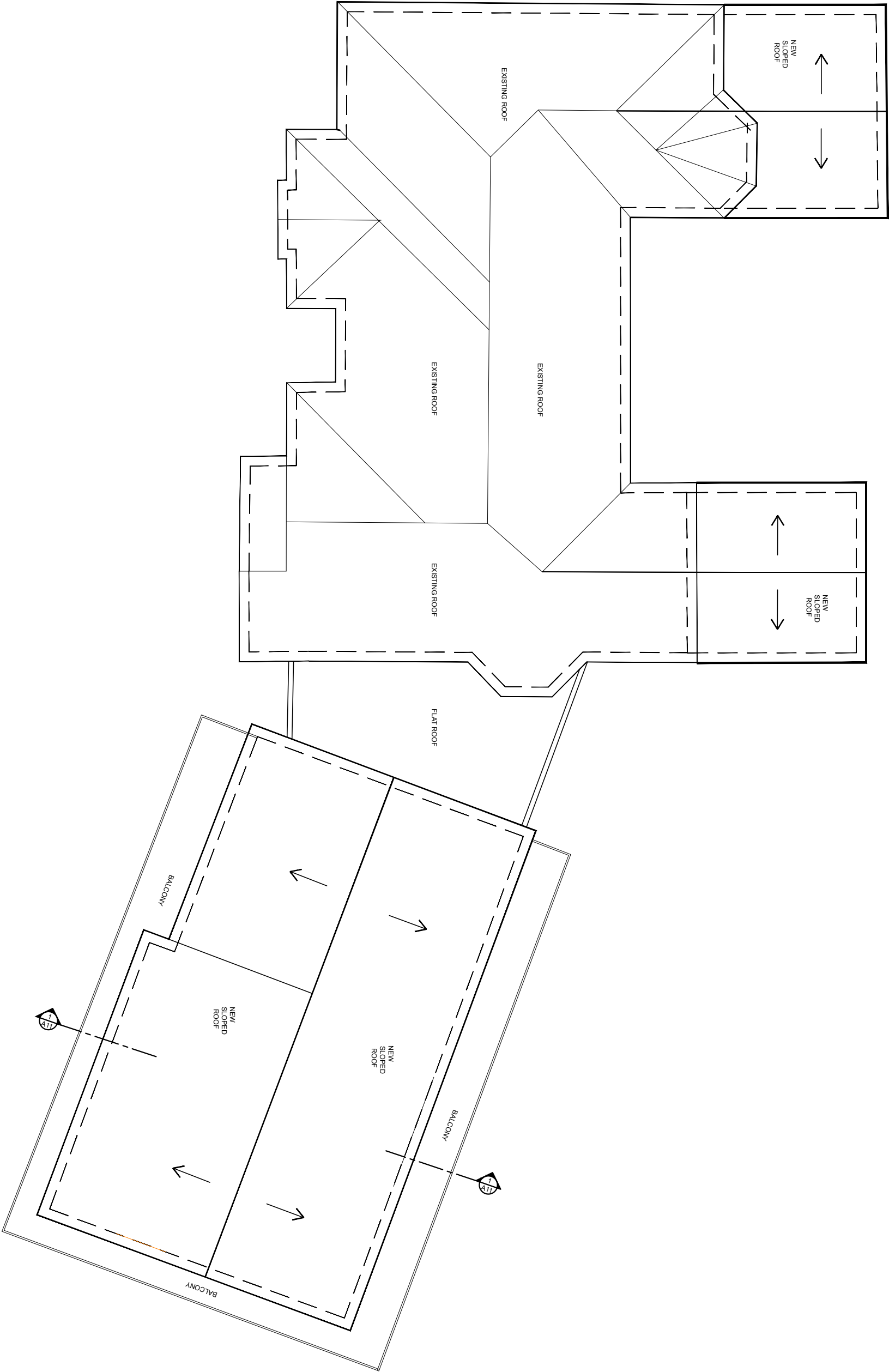




1
A5

SECOND FLOOR PLAN

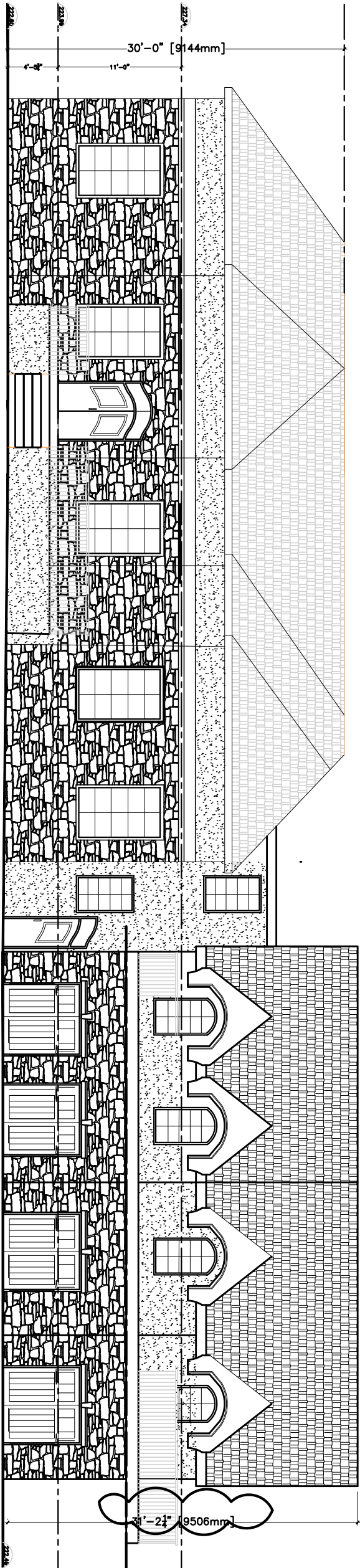
SCALE 1/16"=1'-0"



1
A5

ROOF PLAN

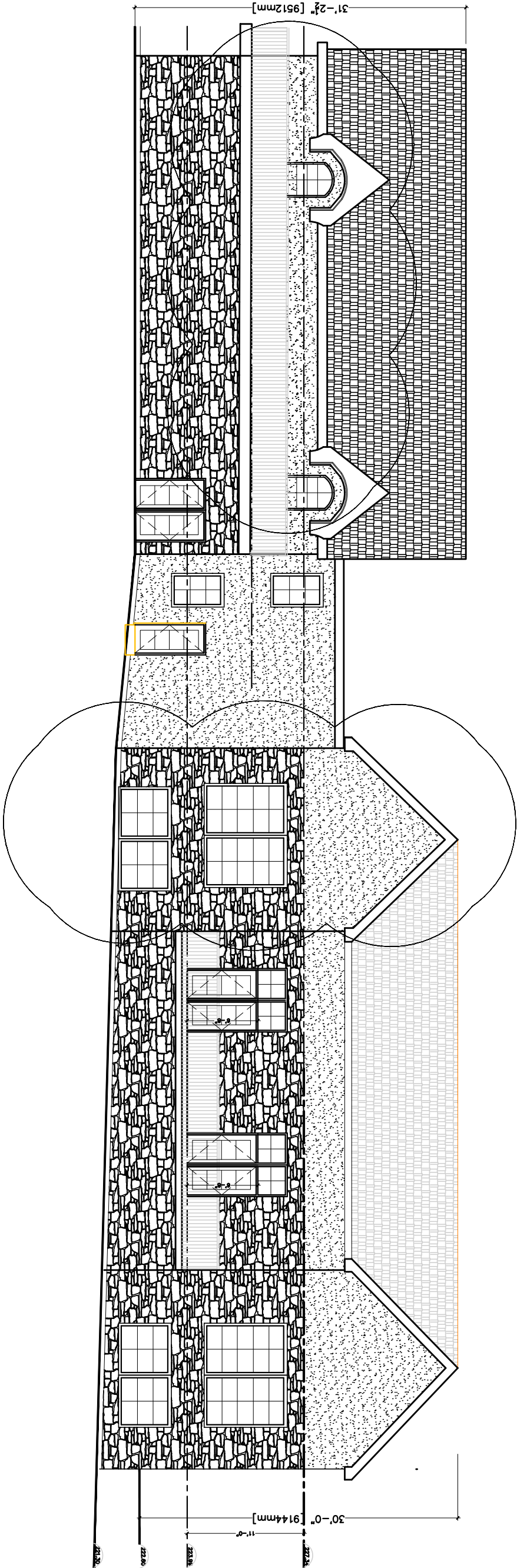
SCALE 1/16"=1'-0"



1
FRONT ELEVATION

A6

SCALE 3/32"=1'-0"

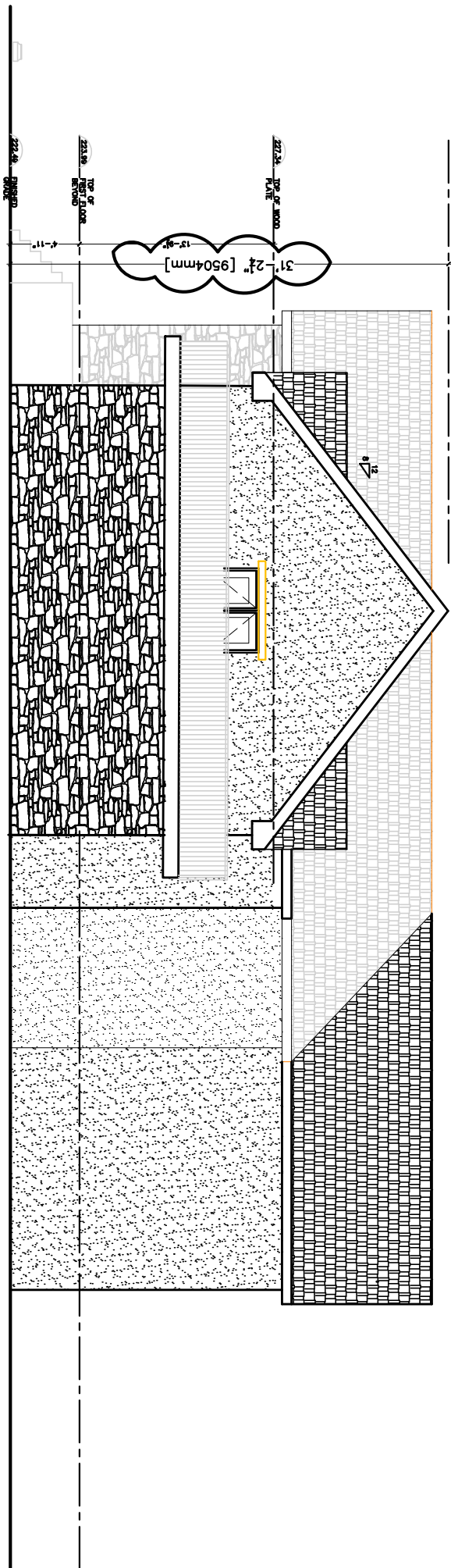


REAR ELEVATION

1

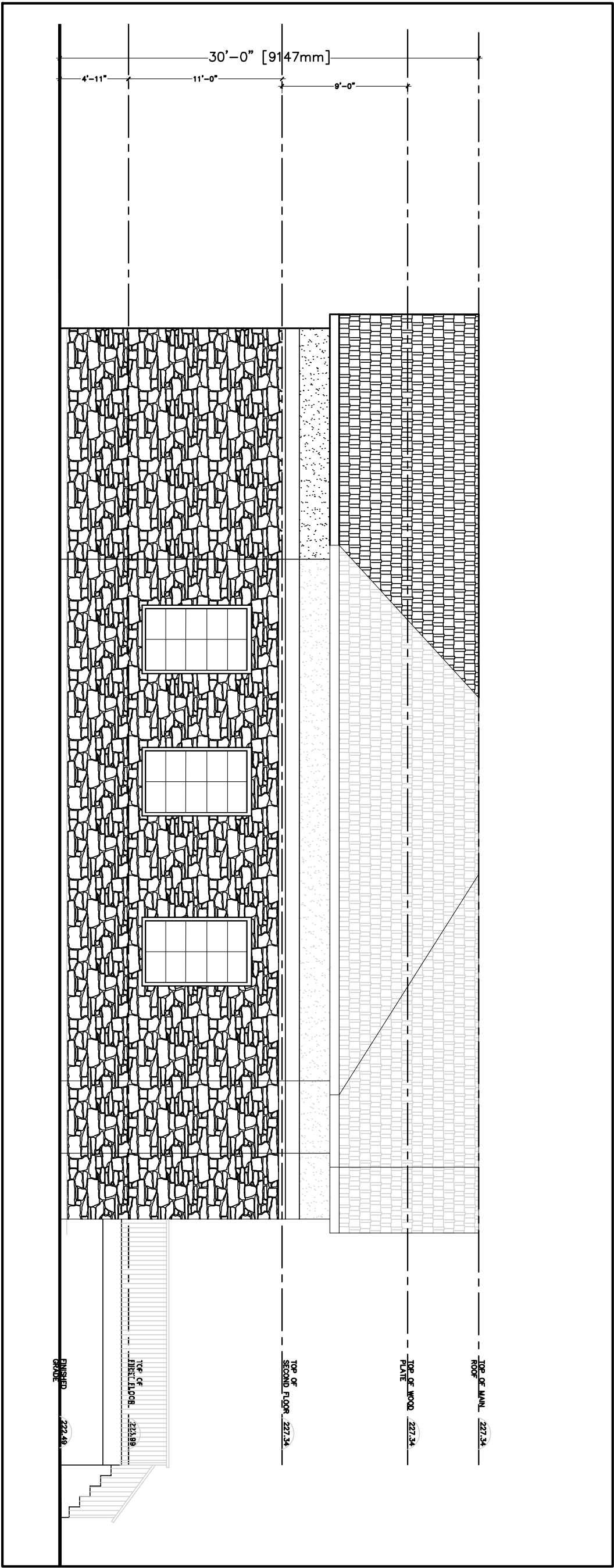
A7

SCALE 3/32"=1'-0"



1
SIDE ELEVATION

SCALE 3/32"=1'-0"

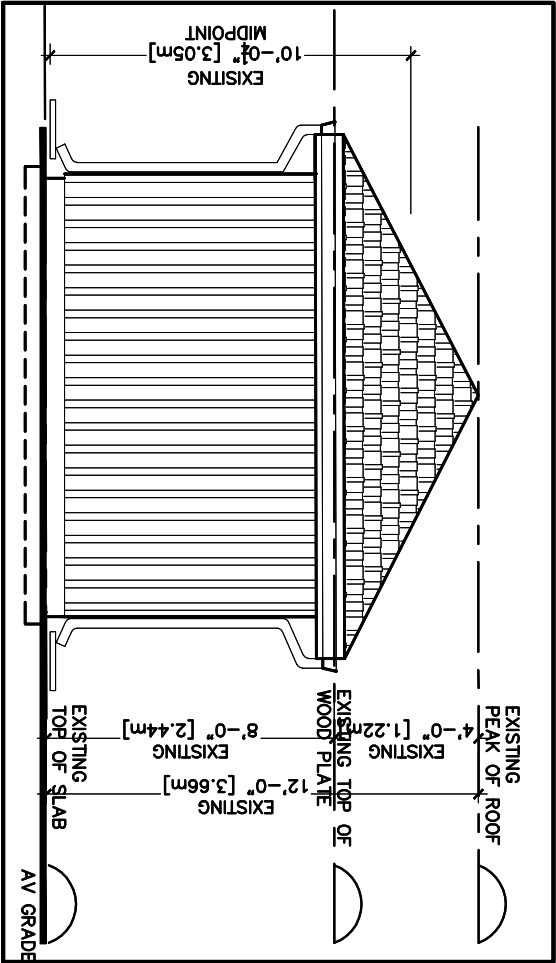


1

A9

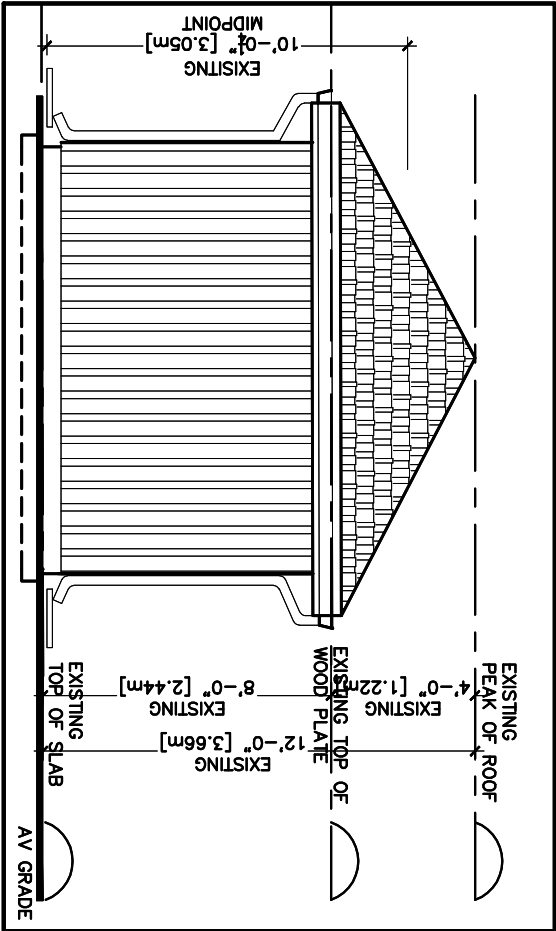
SIDE ELEVATION

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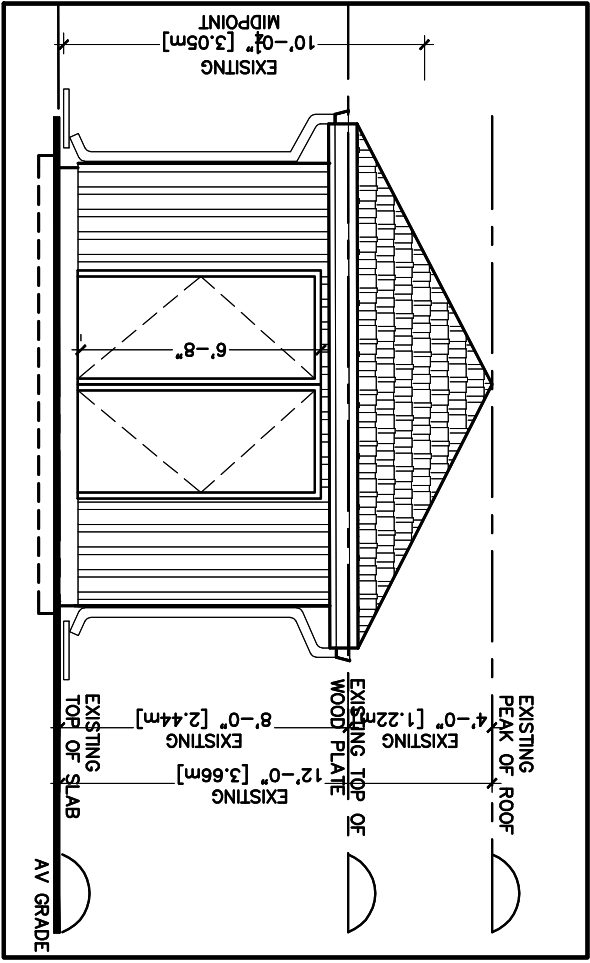
3
EXISTING SHED EAST
ELEVATION

SCALE 3/16"=1'-0"



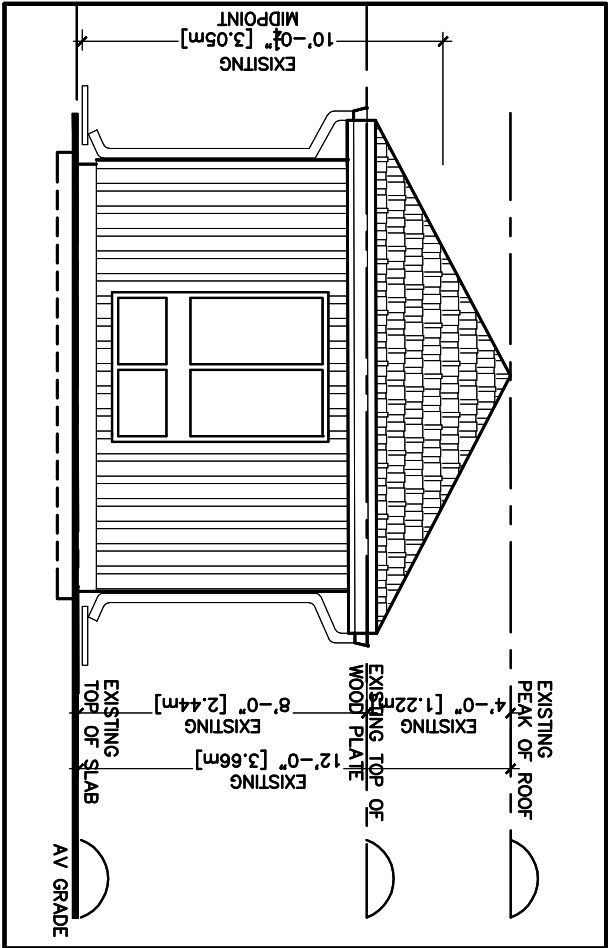
4
EXISTING SHED SOUTH
ELEVATION

SCALE 3/16"=1'-0"



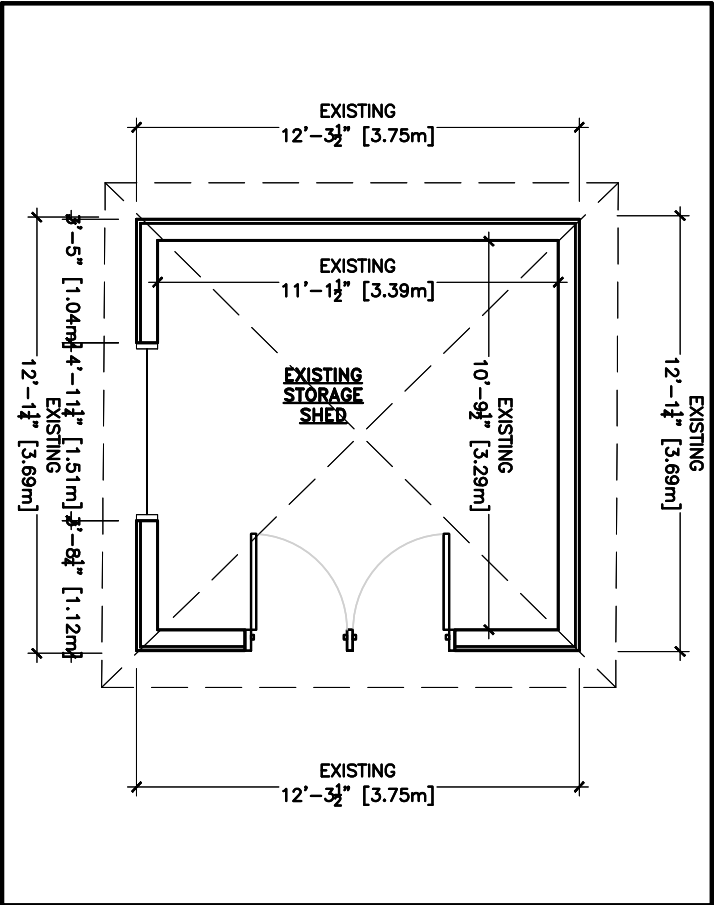
1
EXISTING SHED WEST
ELEVATION

SCALE 3/16"=1'-0"



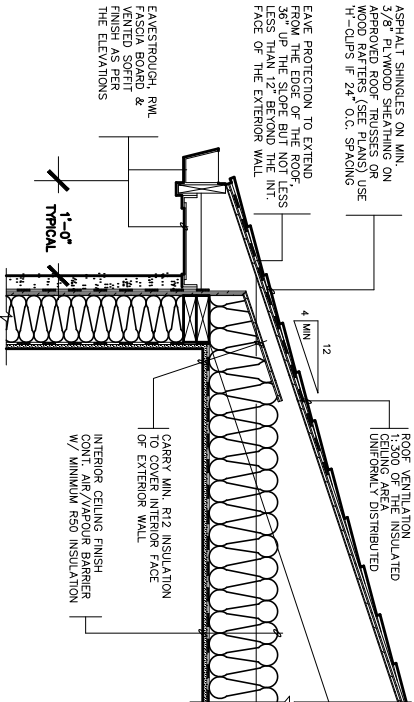
2
EXISTING SHED NORTH
ELEVATION

SCALE 3/16"=1'-0"



5
EXISTING FLOOR PLAN

SCALE 3/16"=1'-0"



FRAME WALL CONSTRUCTION
MINIMUM 2\"/>

TYPICAL WALL CONSTRUCTION

BRICK/STONE VENER WALL
4\"/>

WOOD SILL PLATE FASTENED TO FOUNDATION WALL W/ 1\"/>

BITUMINOUS DAMPROOFING ON MINIMUM 1/4\"/>

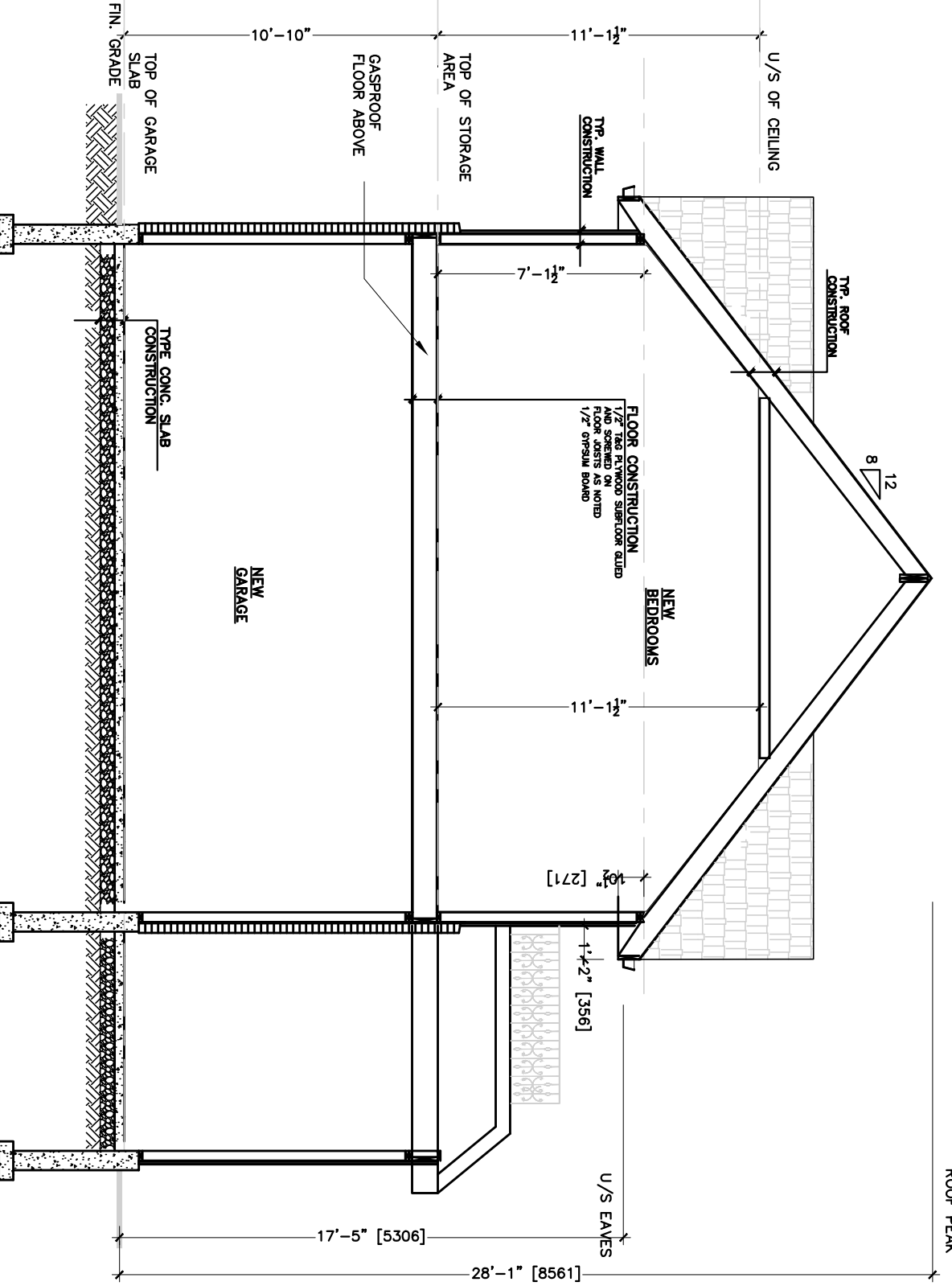
20\"/>

2\"/>	MAX. HEIGHT FROM SLAB TO GRADE
8\"/>	3\"-11\"
10\"/>	5\"-11\"
12\"/>	7\"-5\"



2 WALL SECTION BRICK/STUCCO

SCALE 3/16\"/>



1 CROSS SECTION

SCALE 3/16\"/>

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
- TRCA – comments with conditions



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

Attwala, Pravina

Subject: FW: (A068/19) MVAR.19.V.0395 - 46 Cedar Glen Court

From: Skouros, Julia <Julia.Skouros@york.ca>
Sent: October-01-19 10:40 AM
To: Providence, Lenore <Lenore.Providence@vaughan.ca>
Cc: Vigneault, Christine <Christine.Vigneault@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>
Subject: (A068/19) MVAR.19.V.0395 - 46 Cedar Glen Court

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 Joseph McMackin, Associate Planner at ext. 71516 or by email at joseph.mcmackin@york.ca

Best,

Julia Elena Skouros | Assitant Planner – Co-op Student,
Corporate Services

The Regional Municipality of York
1-877-464-9675 ext. 74886
Julia.skouros@york.ca

Subject: FW: A068/19 - REQUEST FOR COMMENTS

From: Anthony Syhlonyk <Anthony.Syhlonyk@trca.ca>
Sent: October-01-19 2:52 PM
To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>
Subject: RE: A068/19 - REQUEST FOR COMMENTS

Hi Pravina,

I’ve screened the revised plan. I have no concerns with the revised variances subject to the following conditions:

- 1) That the applicant pays the outstanding review fee of \$580.00 for Minor Variance A068/19.
- 2) That the applicant revises their permit with TRCA with the updated drawings.

I trust this is of assistance. Please let me know if you require anything further.

Thank you,

Anthony Syhlonyk, MPlan
Planner I
Development Planning and Permits | Development and Engineering Services

T: 416-661-6600 ext. 5272
E: Anthony.Syhlonyk@trca.ca
A: 101 Exchange Avenue, Vaughan ON L4K 5R6

Toronto and Region Conservation Authority (TRCA) | trca.ca

August 30, 2019

CFN: 60819.19

BY E-MAIL: Christine.Vigneault@vaughan.ca

Ms. Christine Vigneault
Secretary Treasurer
Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A068/19
46 Cedar Glen Court
Lot 2, Reg. Plan. 65M2928
City of Vaughan
Owner: Marianna & Joseph Pinto**

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on August 21, 2019. TRCA staff has reviewed the application and offers the following comments:

Background

The purpose of Application A068/19 is to request the following:

1. To permit a minimum Front Yard Setback of 8.08m to a dwelling.
2. To permit a minimum Interior side yard setback of 2.84m to a dwelling.
3. To permit a minimum Rear yard setback of 2.84m to a dwelling.
4. To permit a Maximum lot coverage of 18.15%
5. To permit a Maximum building height of 10.89m to a dwelling.
6. To permit a minimum Rear yard setback of 6.87m to a shed.

It is TRCA's understanding that the purpose of the above variance is to permit the development of 1 and 2 storey additions to the existing home and the construction of a frame shed.

Applicable TRCA Policies and Regulations

Living City Policies (LCP):

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Ontario Regulation 166/06:

The subject lands are located partially within the TRCA's Regulated Area of the Humber River Watershed due to the presence of a significant valley system containing an approximately 35m slope with the Humber River at the base. In accordance with the *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. From our review of the submitted materials, TRCA staff have no further concerns with the proposed development.

Application-Specific Comments

TRCA has reviewed the submitted materials and has no concerns with the proposed works. The applicant has submitted a permit application for the development that is pending approval and there are no additional concerns.

Fees

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$580.00 Variance – Residential – Minor review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

Recommendations

From our review of the submitted materials TRCA has **no objection** to the approval of Minor Variance A068/19 subject to the following condition:

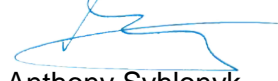
- 1) That the applicant provides the required \$580.00 review fee for Minor Variance Application A068/19.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Further, we trust these comments are of assistance.

TRCA will continue to work closely with the City of Vaughan, the applicant, and their consultants to ensure that TRCA's expectations for meeting our requirements are met. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Anthony Syhlonyk
Planner I
Planning and Development
Extension 5272

AS/jb