



File: A123/19

Applicant: Mohammad Ahmadnejad-Abkenar

Address: 84 Deerchase Circle, Woodbridge

Agent: Lorne Rose

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	Condition(s)
	<input checked="" type="checkbox"/> Negative Comment	<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 and Forestry Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
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

A123/19**

Agenda Item: 20

Ward: 2

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, October 17, 2019

Applicant: Mohammad Ahmadnejad-Abkenar

Agent: Lorne Rose

Property: **84 Deerpark Circle, Woodbridge**

Zoning: The subject lands are zoned R1 Residential Zone One, and subject to the provisions of Exception No. 9(665) 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 circular driveway.

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 combined driveway width of 9.0 metres is permitted.	1. To permit a maximum combined driveway width of 11.86 metres.
2. A maximum width of 6.0 metres is permitted for the portion of the driveway between the street line and the street curb.	2. To permit a maximum width of 8.86 metres for the portion of the driveway between the street line and the street curb.

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

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 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 confirmed posting of signage on October 1, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1994

Applicant has advised that they cannot comply with By-law for the following reason(s): Front Yard Landscaping and Soft Landscaping areas are the ONLY proposed changes to this site as a result of a proposed circular driveway. Proposed curb-cuts for proposed driveway do not exceed by-law maximum for lot (9 m).

Adjournment Request: The applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to address concerns expressed regarding the boulevard tree (Parks & Forestry Operations).

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

Building Permit No. 18-001031 for Single Detached Dwelling - Alteration, Issue Date: Nov 21, 2018
Building Permit No. 18-001031 for Single Detached Dwelling - HVAC Only, Issue Date: Apr 25, 2019
Building Permit No. 18-001031 for Single Detached Dwelling - Addition, Issue Date: Jul 26, 2018

Please contact the Public Works Department at (905)832-8562 with respect to obtaining a permit for the driveway width.

Please be aware that although the current curb cut is existing, a maximum curb cut of 6.0 metres is permitted.

Building Inspections (Septic):

No comments or concerns

Development Planning:

VOP 2010: "Low-Rise Residential"

The Owner is requesting permission to construct a circular driveway on the subject property with the above noted variances.

Development Planning staff attended the site on September 6, 2019. At the request of the Development Planning Department, the Owner reduced the combined driveway from 12.0m to 11.86m, resulting in the removal of a variance for a front yard landscaping reduction.

The revised driveway is appropriate for the size of the lot and is compatible with the neighbourhood. Accordingly, 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):

No comment no concerns

Development Engineering:

Please be advised a driveway is required at minimum 1.0m away from any street furniture and utilities.

The Development Engineering (DE) Department does not object to variance application A123/19 subject to the following condition(s):

1. 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 and required 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:

If the committee finds merit in the application, the following conditions of approval are recommended:

1. The Owner shall obtain a Private Property Tree Removal & Protection Permit (Construction/Infill) from Transportation Services, Parks and Forestry Operations.
2. The Owner shall provide payment for the 2018 planted boulevard tree (Swamp White Oak), tree replacement cost is \$550.
3. The Owner shall agree to plant a replacement tree on the boulevard once driveway has been constructed, the tree must be planted according to City of Vaughan tree planting requirements. The selected species must be a noninvasive preferably native tree approved by the Forestry department.

By-Law and Compliance, Licensing and Permit Services:

No comment no concerns

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 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 and required 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	Parks and Forestry Operations Patrick Courchesne 647-523-9513 patrick.courchesne@vaughan.ca	<ol style="list-style-type: none">1. The Owner shall obtain a Private Property Tree Removal & Protection Permit (Construction/Infill) from Transportation Services, Parks and Forestry Operations.2. The Owner shall provide payment for the 2018 planted boulevard tree (Swamp White Oak), tree replacement cost is\$550.3. The Owner shall agree to plant a replacement tree on the boulevard once driveway has been constructed, the tree must be planted according to City of Vaughan tree planting requirements. The selected species must be a noninvasive preferably native tree approved by the Forestry department.

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.

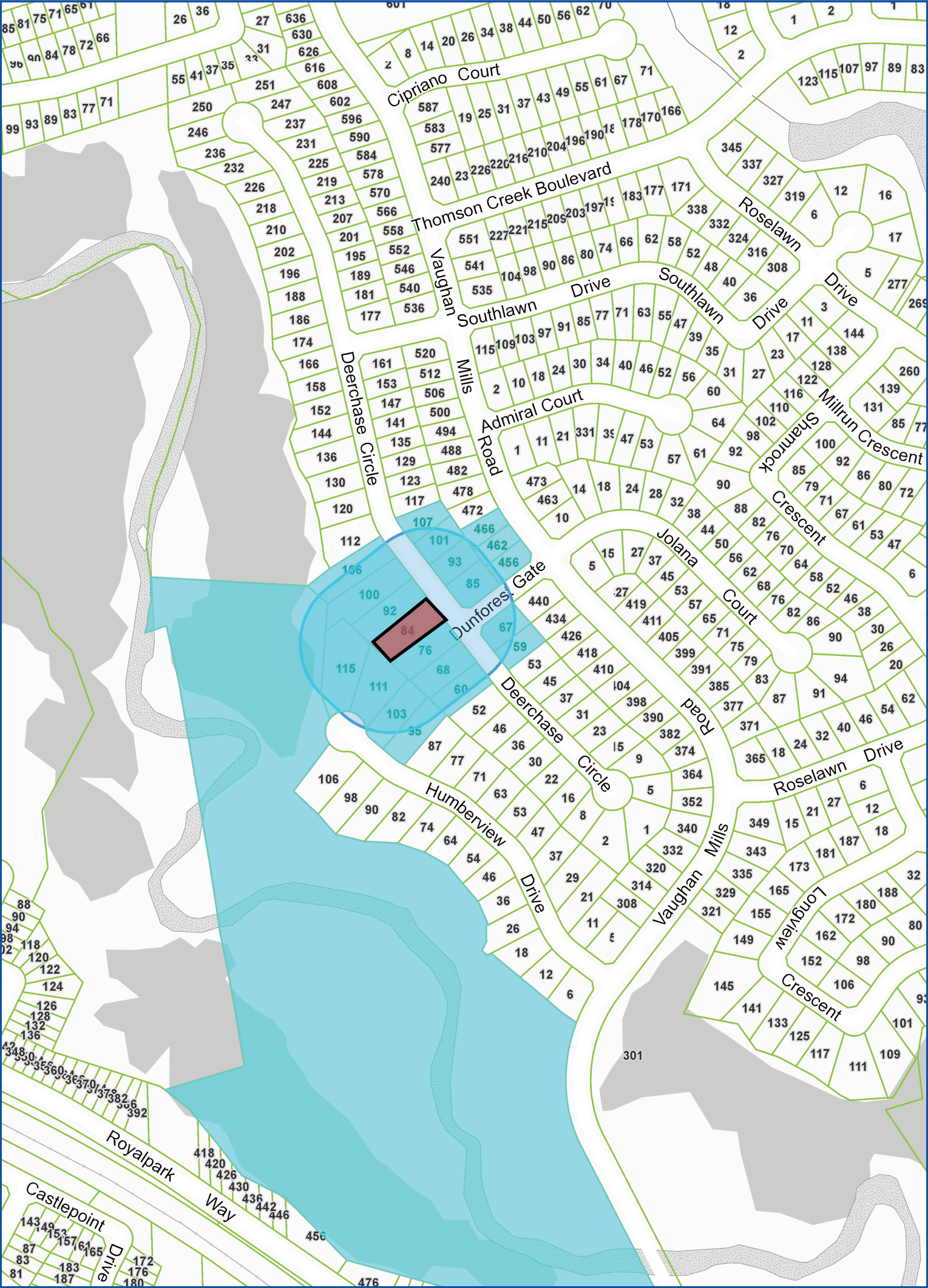
For further information please contact the City of Vaughan, Committee of Adjustment

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:

Location Map - A123/19

84 Deerchase Circle, Woodbridge

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.




VAUGHAN

Scale:

1:4,514

0 0.07 km



Created By:

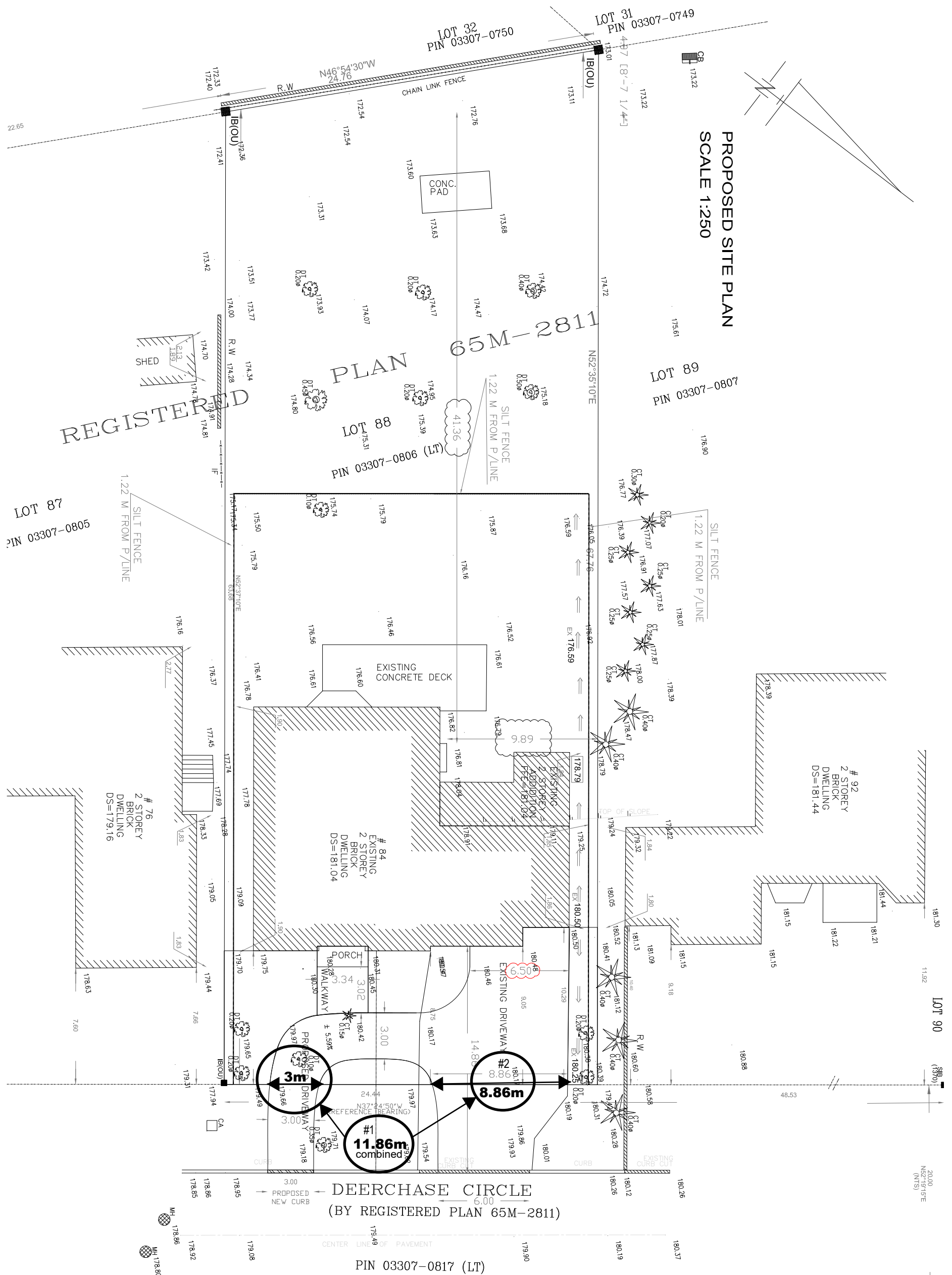
Infrastructure Delivery
Department
September 23, 2019 2:42 PM

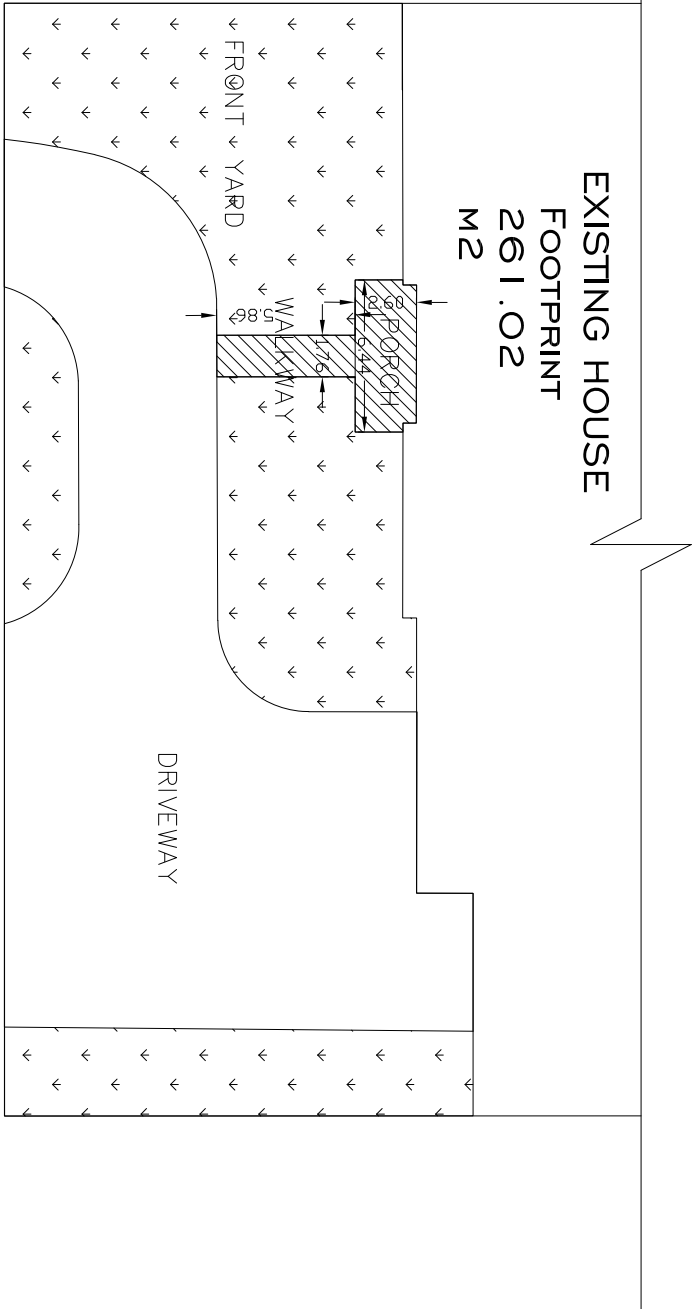
Projection:

NAD 83
UTM Zone
17N

September 19, 2019

A123/19





FRONT YARD
LANDSCAPING:

MINIMUM

PROPOSED
112.63 M2
50.19%

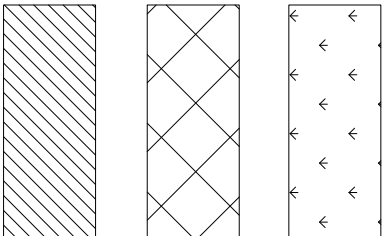
MINIMUM

PROPOSED

60%

97.39 M2
86 %

FRONT YARD
SOFT LANDSCAPING:



FRONT YARD = 224.38 M2

DRIVEWAY = 111.75 M2

PORCH+WALKWAY = 14.7 M2

LANDSCAPING CALCULATIONS







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: A123-19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

From: Wong, Tiffany

Sent: Friday, September 20, 2019 10:02 AM

To: 'Lenore.Providence@vaughan.ca'

Subject: FW: A123-19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Hello Lenore,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A123/19 (84 Deerpark Circle) and has **no comments**. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,
Tiffany