



File: A132/19

Applicant: Giuseppina (Josie) Salerno and Anthony Caruso

Address: 31 Delia Pl Woodbridge ON

Agent: Fausto Cortese

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

Agenda Item: 11

A132/19

Ward: 2

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, October 31, 2019

Applicant: Giuseppina (Josie) Salerno and Anthony Caruso

Agent: Fausto Cortese

Property: 31 Delia Place, Woodbridge ON

Zoning: The subject lands are zoned R1 Residential Zone One, 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 cabana to be 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 maximum lot coverage of 30% is permitted.	1. To permit a maximum lot coverage of 32.41% for all covered buildings and structures. (Dwelling 26.45% and Cabana/pavilion 5.9%).
2. A minimum rear yard setback of 7.5 metres is required to the accessory building's covered stairs and to the accessory building.	2. To permit a minimum rear yard setback of 0.92 metres to the accessory building's covered stairs (cabana stairs) and a minimum of 1.66 metres to the accessory building (cabana).
3. A minimum rear yard setback of 6.0 metres is required to the pool equipment.	3. To permit a minimum rear yard setback of 1.66 to the pool equipment.

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 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 16, 2019

Applicant confirmed posting of signage on October 15, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1991
Cabana	Proposed

Applicant has advised that they cannot comply with By-law for the following reason(s): Current design does not allow for compliance.

Adjournment Request: Applicant provided an opportunity to adjourn application prior to the issuance of public notice in order to address Planning & Urban design comments.

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.

Please note:

The accessory building (cabana) shall not be used as a secondary suite for human habitation.

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:

Application under review.

Cultural Heritage (Urban Design):

Application under review.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A132/19 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:

No comment or concerns

By-Law and Compliance, Licensing and Permit Services:

No comment or concerns

Financial Planning and Development Finance:

No comment or 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.

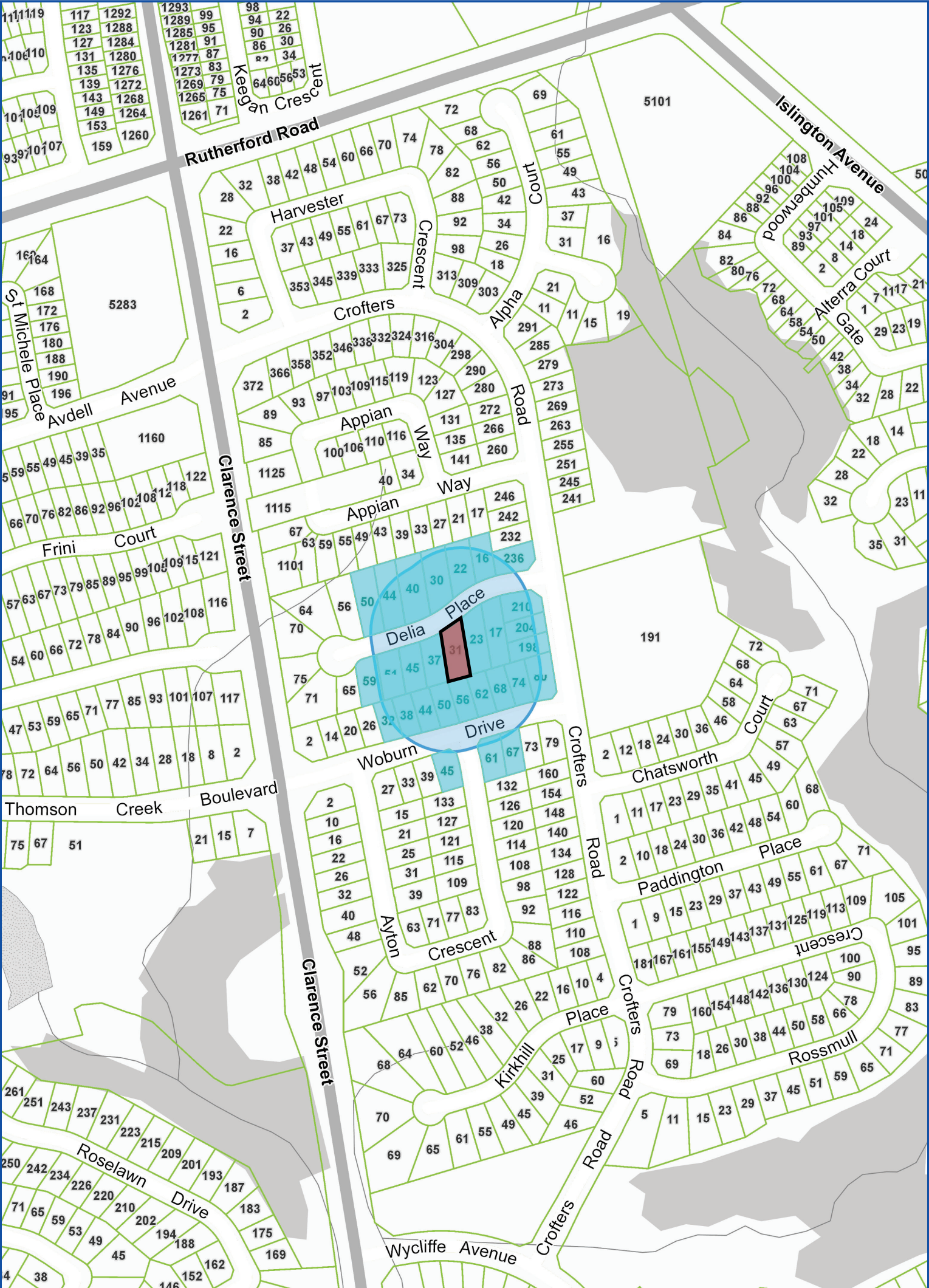
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
E CofA@vaughan.ca

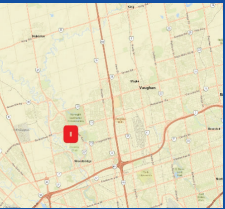
Schedule A: Plans & Sketches

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:

NOTIFICATION MAP - A132/19

31 Delia Place, 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.



Scale: 1:4,514

0 0.07 km

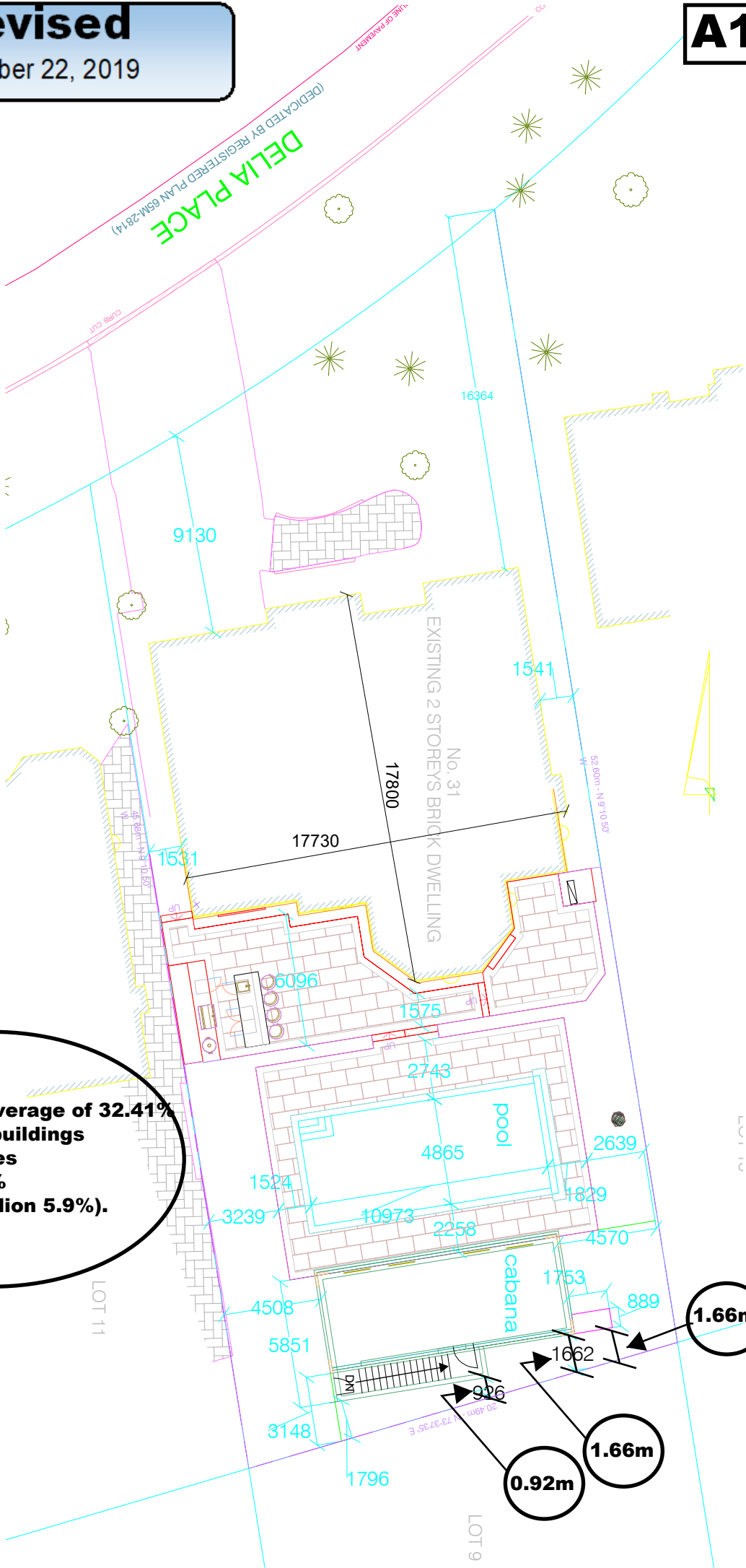


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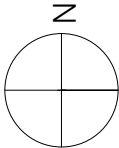
Infrastructure Delivery
Department
October 16, 2019 2:16 PM

Projection:
NAD 83
UTM Zone
17N

1 SURVEY
1 : 250



maximum lot coverage of 32.41%
for all covered buildings
and structures
(Dwelling 26.45%
and Cabana/pavilion 5.9%).



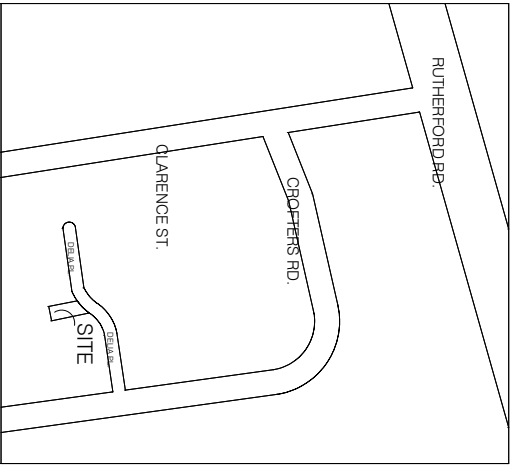
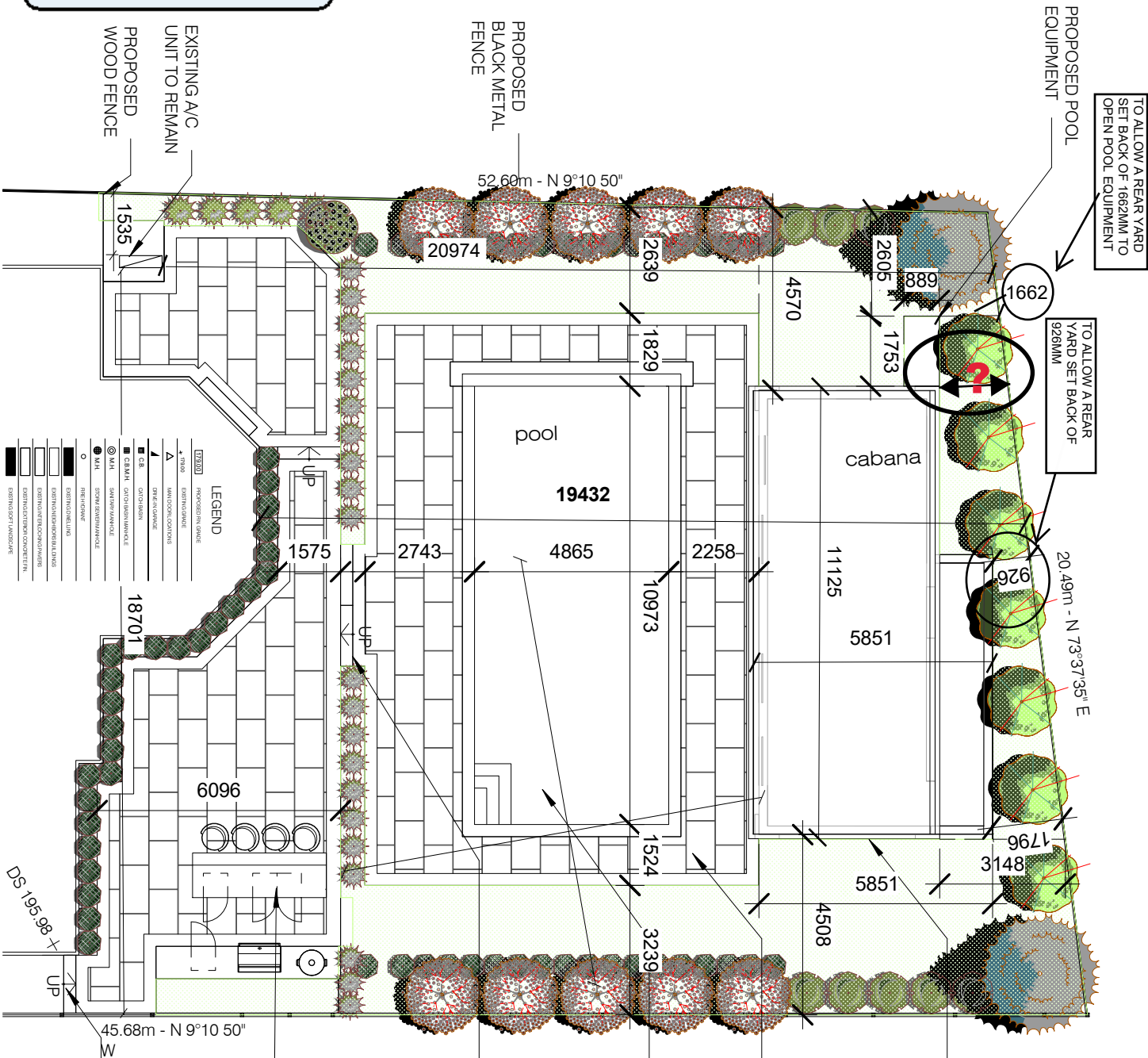
No.	DESCRIPTION	DATE
REVISIONS		
ISSUED FOR CONSTRUCTION		
ISSUED FOR BID		
ISSUED FOR BUILDING PERMIT		
ISSUED FOR SITE PLAN APPROVAL		

SUBMITTALS
CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.
THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER.
DO NOT SCALE DRAWINGS.

FAUSTO CORTESE
ARCHITECTS
3590 RUTHERFORD RD. UNIT 7
VAUGHAN, ONTARIO, L4H 3T8
416-806-7000
FCORTESE@FCARCHITECTS.CA

DRAWING:
PROPOSED CABANA
31 DELIA PLACE CITY
OF VAUGHAN

DRAWING: SURVEY	
DATE: 09/12/19	PROJECT No.: 2019-31
SCALE: 1 : 250	DRAWING No.: A1.1
DRAWN BY: Author	REVIEWED BY: Checker

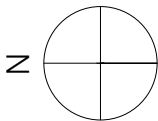


SITE DEVELOPMENT

SITE DEVELOPMENT			
ZONING	R1 - RESIDENTIAL BY LAW 1-98		
LOT AREA	m2	SO/FT	
TOTAL LOT AREA	991.21 m2	10693.93 SO/FT	
HOUSE AREA	m2	SO/FT	
FOOTPRINT HOUSE	282.08 m2	2822.08 SO/FT	
PROPOSED PAVILION	59.15 m2	636.69 SO/FT	
LOT COVERAGE	BY-LAW	PROVIDED	
EXISTING HOUSE	-	28.45 %	
NEW PAVILION	-	5.97%	
COVERAGE (BY-LAW)	30%	32.41 %	
SETBACKS	BY-LAW	PROVIDED	
FRONT SETBACK	N/A	N/A	
REAR SETBACK	7.50 m	0.926 m	
NORTH SIDEYARD	1.50 m	4.508 m	
SOUTH SIDEYARD	1.50 m	4.570 m	
LANDSCAPE AREA	BY-LAW	REQ. PROVIDED	
TOTAL REAR AREA	391.4 m2		
REAR YARD AREALANDSCAPE	391.4 m2 - 135.9 m2 = 255.5 m2		
SOFT LANDSCAPE AREA	60 % min	153.84 m2 139 m2	
HARD LANDSCAPE AREA		N/A 233 m2	

NOTES:

- S.# DENOTES SETBACK REFERENCE NUMBER
- L.S. DENOTES LEFT SETBACK
- R.S. DENOTES RIGHT SETBACK
- SW. DENOTES SWALE POINT
- FF. DENOTES FINISHED FLOOR ELEVATION
- TFW. DENOTES TOP OF FOUNDATION WALL
- TBF. DENOTES UNDER SIDE FOOTING
- USF. DENOTES TOP OF WALL



No.	DESCRIPTION	DATE
REVISIONS		
ISSUED FOR CONSTRUCTION		
ISSUED FOR BID		
ISSUED FOR BUILDING PERMIT		
ISSUED FOR SITE PLAN APPROVAL		

SUBMITTALS

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ARCHITECTS

3590 RUTHERFORD RD. UNIT 7
VAUGHAN, ONTARIO, L4H 3T8
416-806-7000
FCORTESE@FARCHITECTS.CA

DRAWING:

PROPOSED CABANA
31 DELIA PLACE CITY
OF VAUGHAN

DRAWING:

COA - SITE PLAN

DATE:	09/10/19	PROJECT No:	2019-31
SCALE:	1 : 150	DRAWING No:	
DRAWN BY:	L.C.	REVIEWED BY:	F.C.
		A1.0	

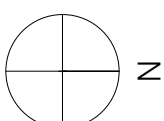
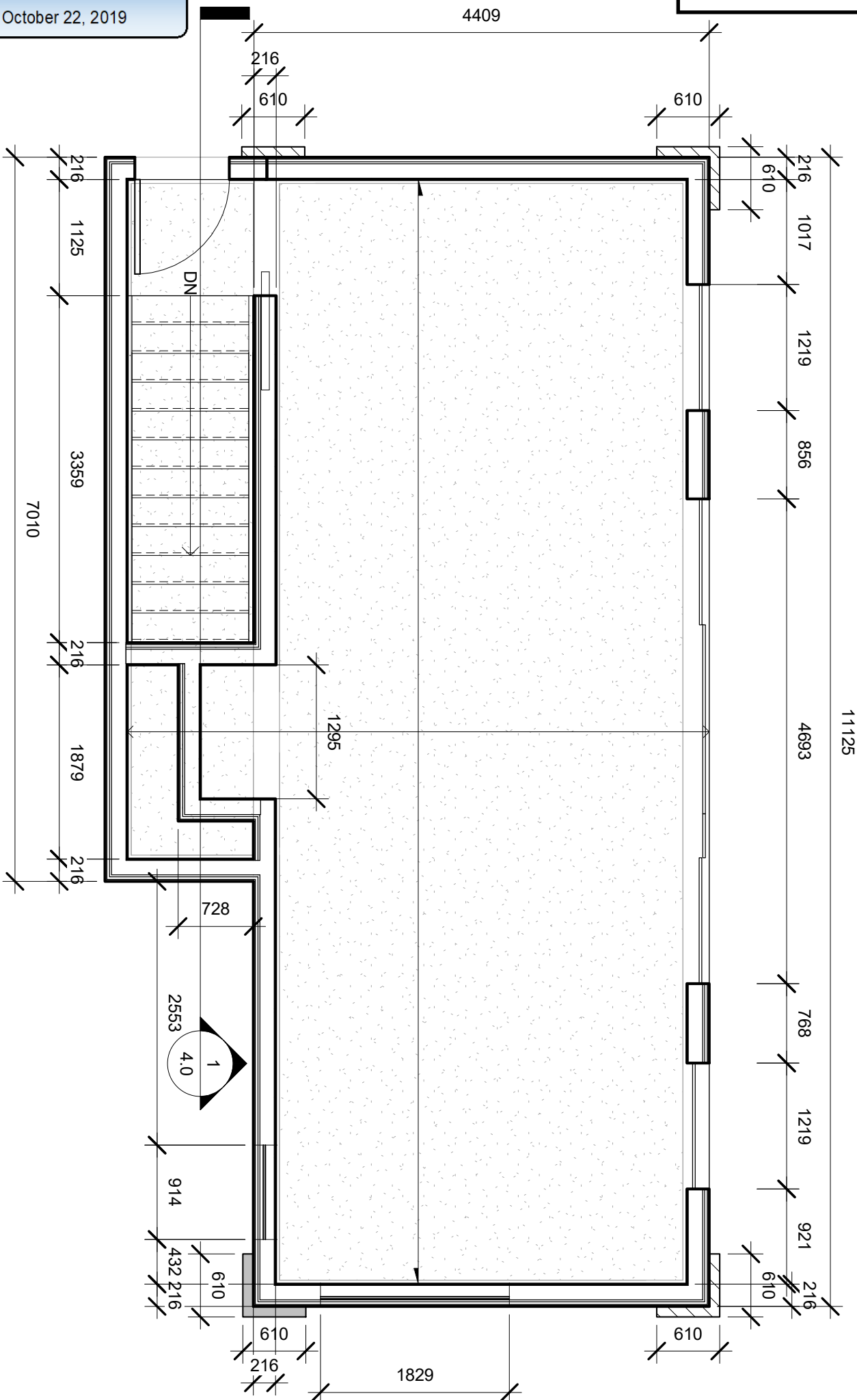
A132/19

Revised
October 22, 2019

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GROUND FLOOR



No.	DESCRIPTION	DATE
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ISSUED FOR BID		
ISSUED FOR BUILDING PERMIT		
ISSUED FOR SITE PLAN APPROVAL		

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FAUSTO CORTESE
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3590 RUTHERFORD RD. UNIT 7
VAUGHAN, ONTARIO, L4H 3T8
416-806-7000
FCORTESE@FCARCHITECTS.CA

PROPOSED CABANA
31 DELIA PLACE CITY
OF VAUGHAN

AWING:
COA - GROUND FLOOR

PLOTTED:

DATE: _____

ST No:

SCALE:

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DRAWN BY:	REVIEWED BY
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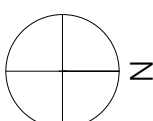
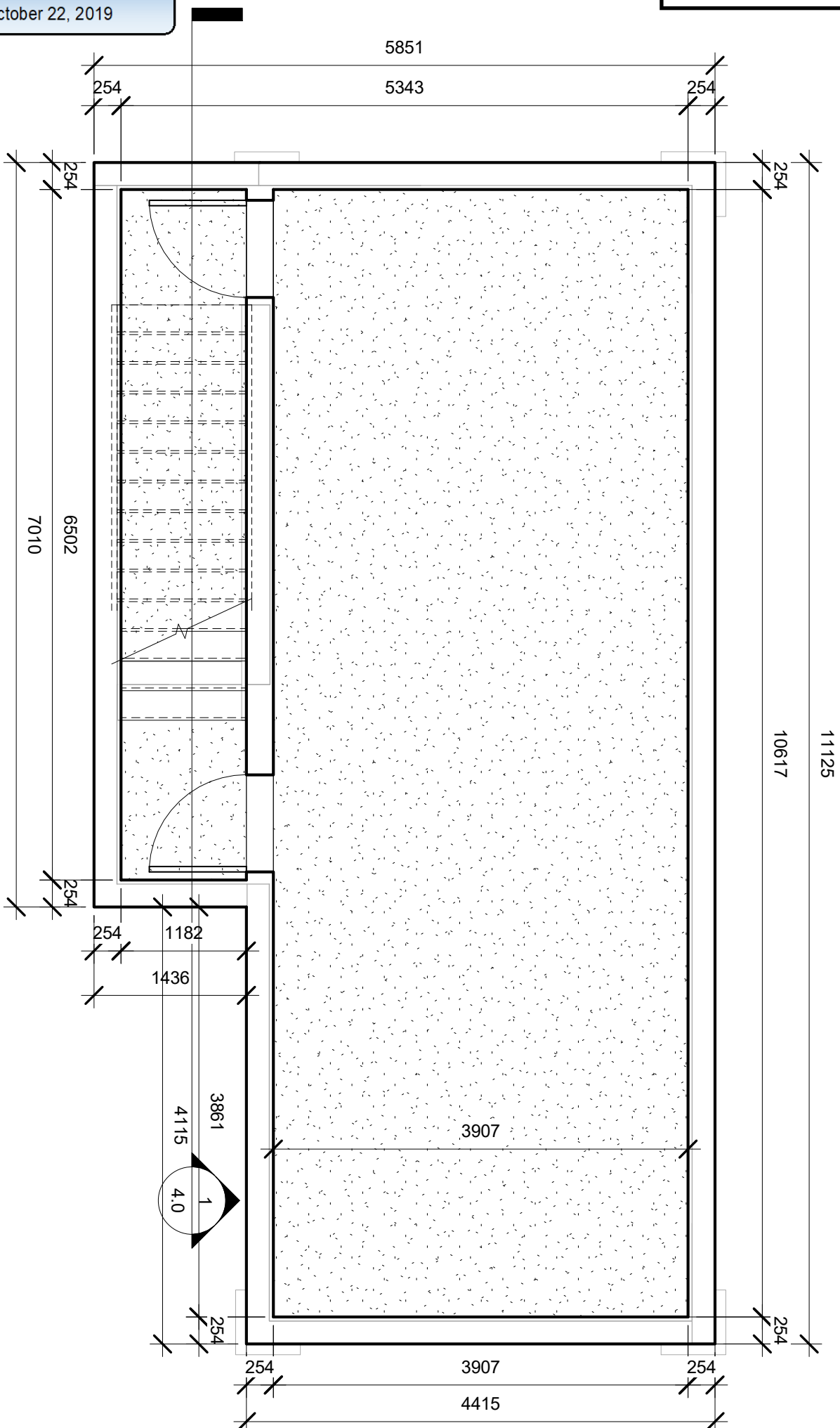
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Revised

October 22, 2019

→

TOP PF FOOTING
1 : 50



No.	DESCRIPTION	DATE
	REVISIONS	
ISSUED FOR CONSTRUCTION		
ISSUED FOR BID		
ISSUED FOR BUILDING PERMIT		
ISSUED FOR SITE PLAN APPROVAL		

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FAUSTO CORTESI
ARCHITECTS
3590 RUTHERFORD RD. UNIT 7
VAUGHAN, ONTARIO, L4H 3T8
416-806-7000
FCORTESI@FCARCHITECTS.CA

DRAWING:

PROPOSED CABANA
31 DELIA PLACE CITY
OF VAUGHAN

DRAWING:

COA - BASEMENT PLAN

PLOTTED:

09/10/19

PROJECT No:

SCALE:

DRAWING No:

DRAWN BY:	REVIEWED BY
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A21

A132/19

1 North
1:50

3590 RUTHERFORD RD. UNIT 7
VAUGHAN, ONTARIO, L4H 3T8
416-806-7000
FCORTI@FCARCHITECTS.CA

DRAWING

PROPOSED CABANA
31 DELIA PLACE CITY
OF VAUGHAN

DRAWING

COA - NORTH AND SOUTH
ELEV.

PLOTTED:

DATE:	09/10/19	PROJECT NO:	2019-3
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SCALE:

DRAWN BY: _____ REVIEWED BY: _____

A3.0

Revised
October 22, 2019

2 South

South

A132/19

Revised
October 22, 2019

October 22, 2019

East
1:50

1.5

East
1:50

TOP OF ROOF

TOP OF ROOF 3965 

U/S OF JOIST!

U/S OF JOIST!
3355


U/S REAR ROOF

U/S REAR ROOF
2559 

610

Level 1

Level 1
0



FAUSTO CORTESE
ARCHITECTS

3590 RUTHERFORD RD. UNIT 7
VAUGHAN, ONTARIO, L4H 3T8
416-806-7000
FCORTESE@FCARCHITECTS.CA

DRAWING:

PROPOSED CABANA
31 DELIA PLACE CITY
OF VAUGHAN

COA - EAST ELEVATION

PLOTTED:

09/10/19	2019-31
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PROJECT No:

SCALE: _____ DRAWING No: _____

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DRAWN BY:	REVIEWED BY:	AS-2
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Π.Ο.

A3.2

A132/19

Revised
October 22, 2019

October 22, 2019

West	1
1:50	1

West	1
1:50	1

TOP OF ROOF
3965


TOP OF ROOF
3965


U/S OF JOIST
3355

U/S OF JOIST
3355

U/S REAR ROOF 2559 

U/S REAR ROOF 2559 

Level 1
0 

Level 1
0 

FAUSTO CORTESE
ARCHITECTS

3590 RUTHERFORD RD. UNIT 7
VAUGHAN, ONTARIO, L4H 3T8
416-806-7000
FCORTESE@FCARCHITECTS.CA

DRAWING:

PROPOSED CABANA
31 DELIA PLACE CITY
OF VAUGHAN

DRAWING:
WEST ELEVATION

PLOTTED:

DATE: _____ PROJECT No: _____

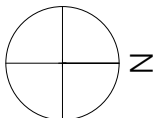
DATE: _____ PROJECT No: _____

SCALE: _____ DRAWING No: _____

SCALE: _____ DRAWING No: _____

DRAWN BY: REVIEWED BY: **AJ.J**

DRAWN BY: REVIEWED BY: **AJ.J**



ISSUED FOR CONSTRUCTION

ISSUED FOR BID

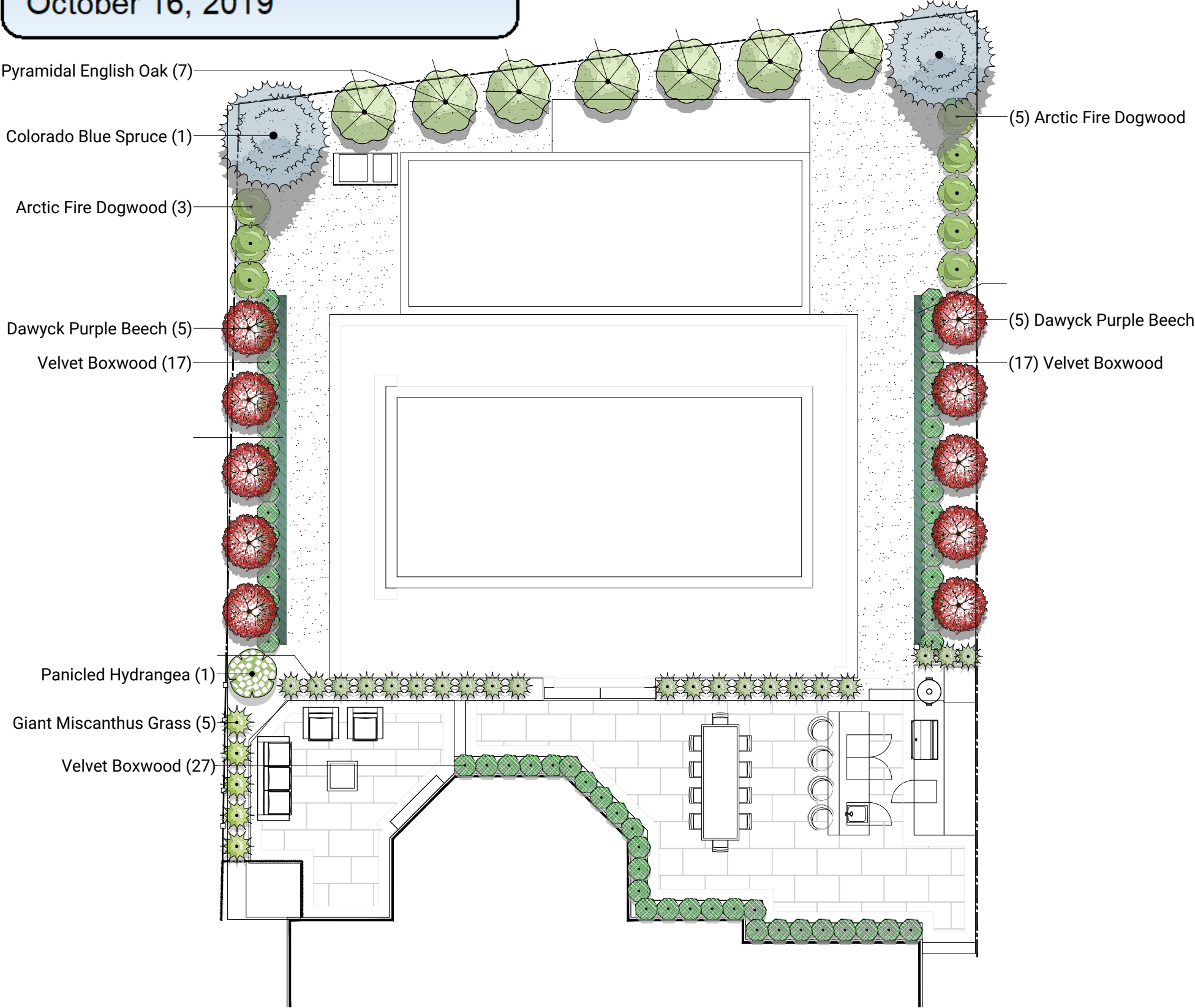
ISSUED FOR BUILDING PERMIT

ISSUED FOR SITE PLAN APPROVAL

SUBMITTALS

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PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	SPREAD
2	Picea pungens `Glauca`	Colorado Blue Spruce	6' ht	8' after 4yrs
DECIDUOUS TREES	BOTANICAL NAME	COMMON NAME		
10	Fagus sylvatica `Dawyck Purple`	Dawyck Purple Beech	min 12' ht	4'-5' after 4yrs
7	Quercus robur `Fastigiata`	Pyramidal English Oak	min 12' ht	4'-5' after 4yrs
SHRUBS	BOTANICAL NAME	COMMON NAME		
8	Cornus stolonifera `Arctic Fire`	Arctic Fire Dogwood		
1	Hydrangea paniculata `Grandiflora`	Panicked Hydrangea		
GRASSES	BOTANICAL NAME	COMMON NAME		
21	Calamagrostis x acutiflora `Karl Foerster`	Feather Reed Grass		
5	Miscanthus x giganteus	Giant Miscanthus Grass		
HEDGES	BOTANICAL NAME	COMMON NAME		
61	Buxus x `Green Velvet`	Velvet Boxwood		
GROUND COVERS	BOTANICAL NAME	COMMON NAME		
58	Liriope muscari `Alba`	White Lily Turf		

NOTE
This plan is a graphic representation of the design intent until reviewed and confirmed by the contractor prior to the commencement of construction. Material palettes are subject to change base on availability and condition. All dimensions and grades are to be reviewed and confirmed by the contractor prior to construction.

We build beautiful outdoor spaces.

ROYAL STONE GROUP

AQUASPAPOOLS & LANDSCAPE DESIGN

ROYAL STONE LANDSCAPING & DESIGN

KW KREATIVE WOODWORKING

PROJECT
31 Delia Place
Woodbridge, ON

DRAWING
PLANTING PLAN

DATE
October 15, 2019

DESIGNER T.F.	PM P.P.
PLAN NORTH	SCALE 3/32"
REVISION A	SHEET L2

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: MVAR.19.V.0407 (A132/19) - 31 Delia Place

From: Candy, Grace <Grace.Candy@york.ca>

Sent: October-10-19 10:38 AM

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

Subject: MVAR.19.V.0407 (A132/19) - 31 Delia Place

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,

Grace Candy | Assistant Planner – Co-op Student

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

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