

File: A133/19

Applicant: Amir Ali Farahmand Farzaneh

Address: 38 Goodman Cr Maple

Agent: Hamid Behesht

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

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, October 31, 2019



Minor Variance
Application

Agenda Item: 12

A133/19

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing: Thursday, October 31, 2019

Applicant: Amir Ali Farahmand Farzaneh

Agent: Hamid Behesht

Property: 38 Goodman Crescent, Maple

Zoning: The subject lands are zoned R1V under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010: Low-Rise Residential

Related Files: None

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 minimum front yard setback of 11.66 metres is required (existing 12.96 m -10%).	1. To permit a minimum front yard setback of 9.0 metres to a covered and excavated porch, and 7.48 metres to an exterior stairway exceeding a half storey in height.
2. A minimum exterior side yard setback of 9 metres is required.	2. To permit a minimum exterior side yard setback of 8.03 metres to a covered and excavated porch, and 5.0 metres to an exterior stairway exceeding a half storey in height.
3. A maximum lot coverage of 20% is permitted.	3. To permit a maximum lot coverage of 24.5% (23.0% dwelling + 1.5% porches).
4. A maximum building height of 9.5 metres is permitted.	4. To permit a maximum building height of 10.82 metres.

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 16, 2019

Applicant confirmed posting of signage on October 16, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	Purchased 2019 (existing since 1950's)

Applicant has advised that they cannot comply with By-law for the following reason(s): A unique form for this corner lot is designed which triggered front and exterior side yard setbacks, limited to the corner only. Relatively shallow lot (compared to frontage) triggered lot coverage. Interior spaces designed with proper proportions. Extra height triggered due to interpretation of roof type. Building Height complies to midpoint of roof.

Building Standards (Zoning Review):

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

An application for a demolition permit has not been submitted for the demolition of the existing dwelling. Applicant to contact an Applications Expeditor at (905) 832-8510 for assistance.

A building permit is required for the proposed dwelling. Applicant to contact an Applications Expeditor at (905) 832-8510 for assistance.

Building Permit No. 02-004784 for Single Detached Dwelling - Alteration (Not Yet Issued) Applicant to contact an Applications Expeditor at (905) 832-8510 for assistance.

A kitchen is shown on the Basement Plan. Applicant to be advised that a Secondary Suite is not permitted, as this application is being reviewed as a Single Family Detached Dwelling.

A minor variance is not required for lot frontage of 22.86 metres, as the lot was legally existing, prior to the passing of By-law 1-88, as amended.

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Official Plan: Vaughan Official Plan 2010: Low-Rise Residential

The Owner is requesting permission to construct a 2-storey single-detached dwelling unit with the above variances. The proposed height of the single-detached dwelling is 10.82 metres to the highest point of the roof (Variance #4) and lot coverage of 24.5% (23.0 main dwelling, 1.5% porches) (Variance #3), which is consistent with other approvals in the area and appropriate built form for the neighbourhoods' built form.

The proposed front yard setback of 9.0 metres and 7.48 metres to the exterior stairway (Variance #1) and the exterior side yard setback of 8.03 metres to a covered porch and 5.0 metres to a stairway (Variance #2) are considered minor in nature. The existing property is heavily landscaped with mature trees along the exterior side yard and the proposal identifies that all trees along the side yard will be protected for.

The Owner submitted an Arborist Report prepared by Green Haven Tree Service dated September 10, 2019 and amended October 18, 2019. The Urban Design and Cultural Heritage Division of the Development Planning Department and Parks, Forestry and Horticulture Operations has reviewed the submitted Arborist Report and is satisfied.

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 request variances.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A133/19 subject to 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 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
Letters of Support from 42 & 48 Goodman Crescent & 29 Naylon Street.

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 Brad Steeves 905-832-8585 x 8977 brad.steeves@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 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.

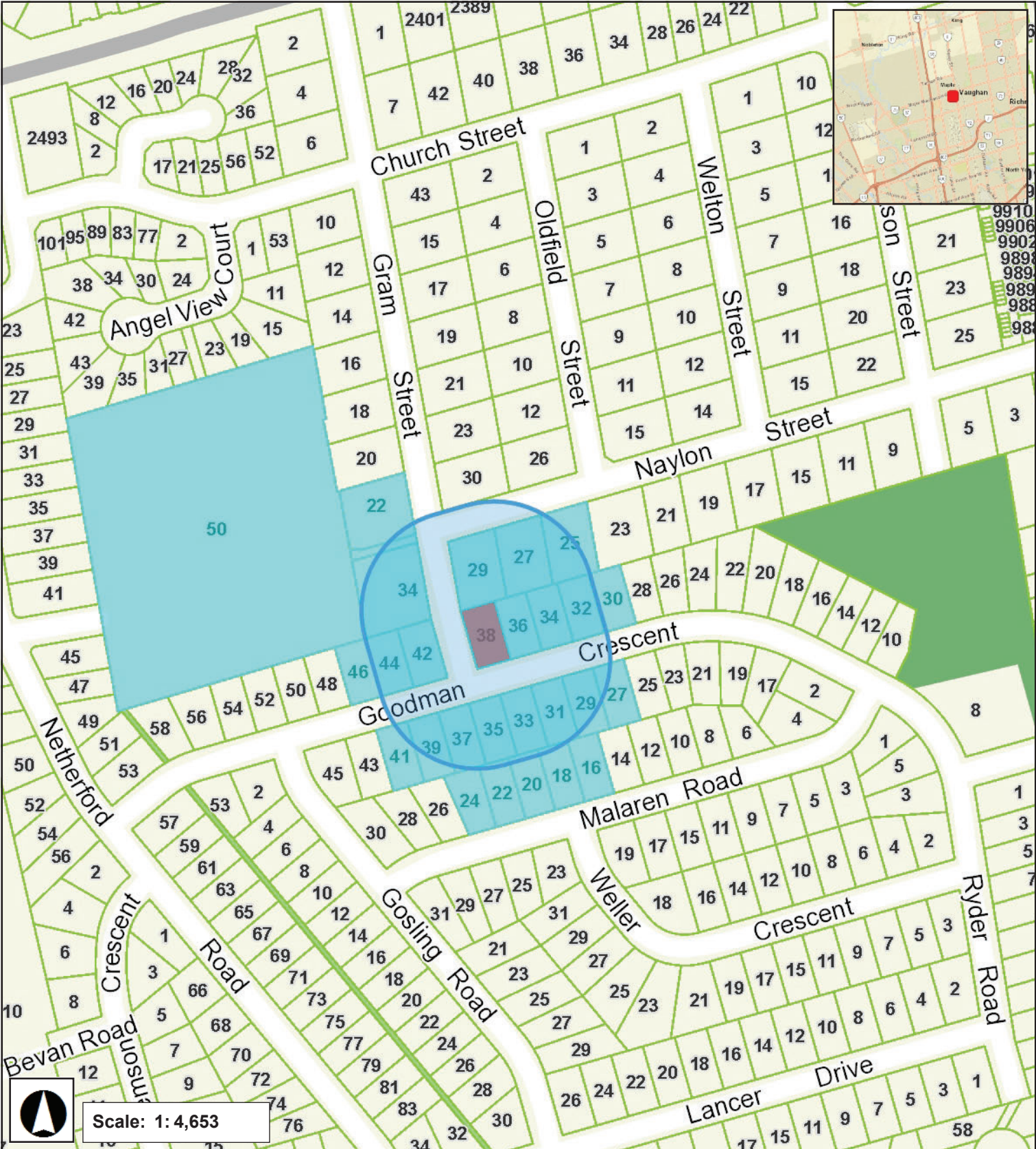
Location Map
Sketches



LOCATION MAP - A133/19

38 GOODMAN CRESCENT, MAPLE

Major Mackenzie Drive



Rutherford Road

October 16, 2019 8:49 AM

NOTE:

THIS SET OF DRAWINGS, IS THE PROPERTY OF "HOMELAND" AND ANY REPRODUCTION OR USE FOR OTHER PROJECTS, IN WHOLE OR IN PART, WITHOUT A WRITTEN CONSENT OF THE DESIGNER IS FORBIDDEN.

THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, MECHANICAL, ELECTRICAL, ETC. AND OTHER ENGINEERING INFORMATION SHOWN ON THE DRAWINGS. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH WORK.

CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK AND REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES, REQUIREMENTS AND BY-LAWS OF AUTHORITIES HAVING JURISDICTION.

THESE DRAWINGS ARE NOT TO BE SCALED.

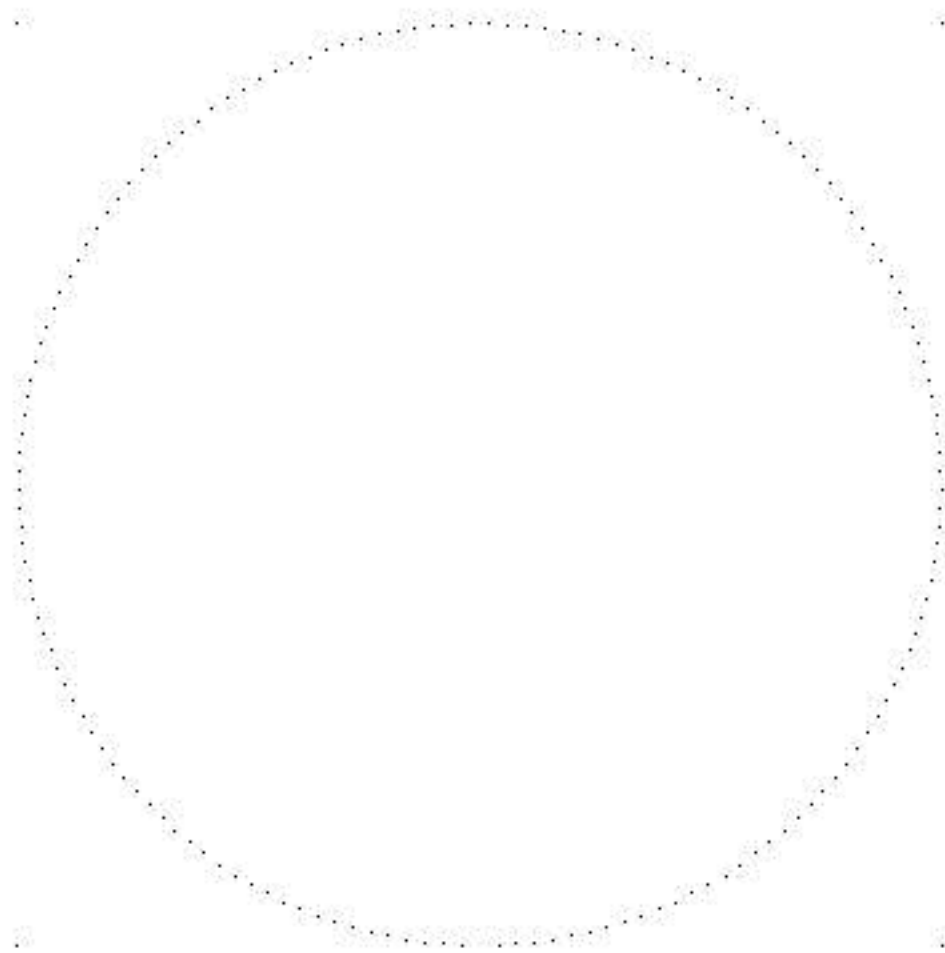
THE CLIENT/OWNER/BUILDER TO CHECK ALL THE DRAWINGS AND INFORM THE DESIGNER OF ANY DISCREPANCY OR ANY ISSUE WITHIN MAXIMUM A WEEK FROM THE DATE OF THE BUILDING PERMIT, AFTER WHICH THE DESIGNER HAS NO RESPONSIBILITY ABOUT ANY ISSUE WHATSOEVER.

THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNLESS SIGNED BY THE DESIGNER AND APPROVED BY THE RELATED CITY OR TOWN.

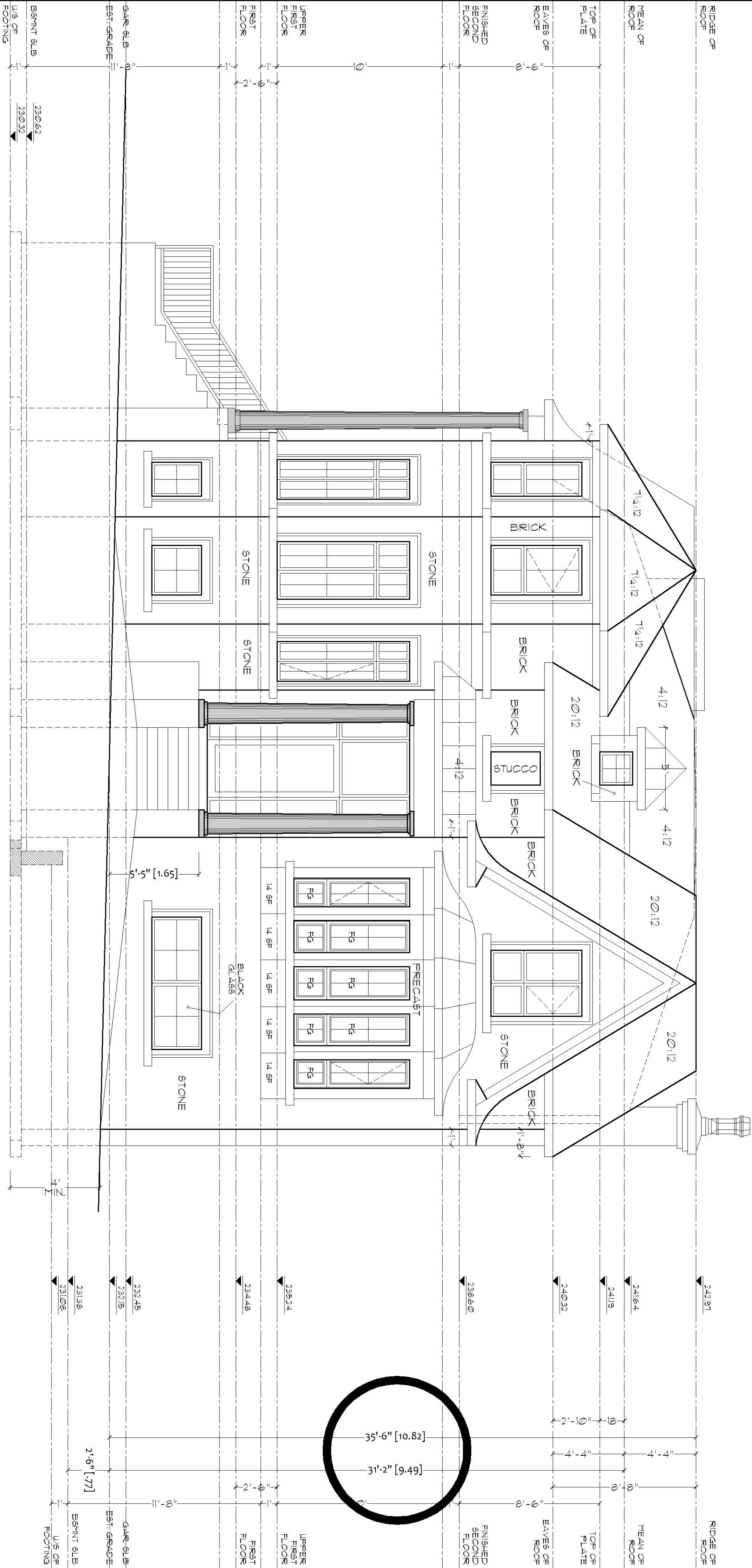
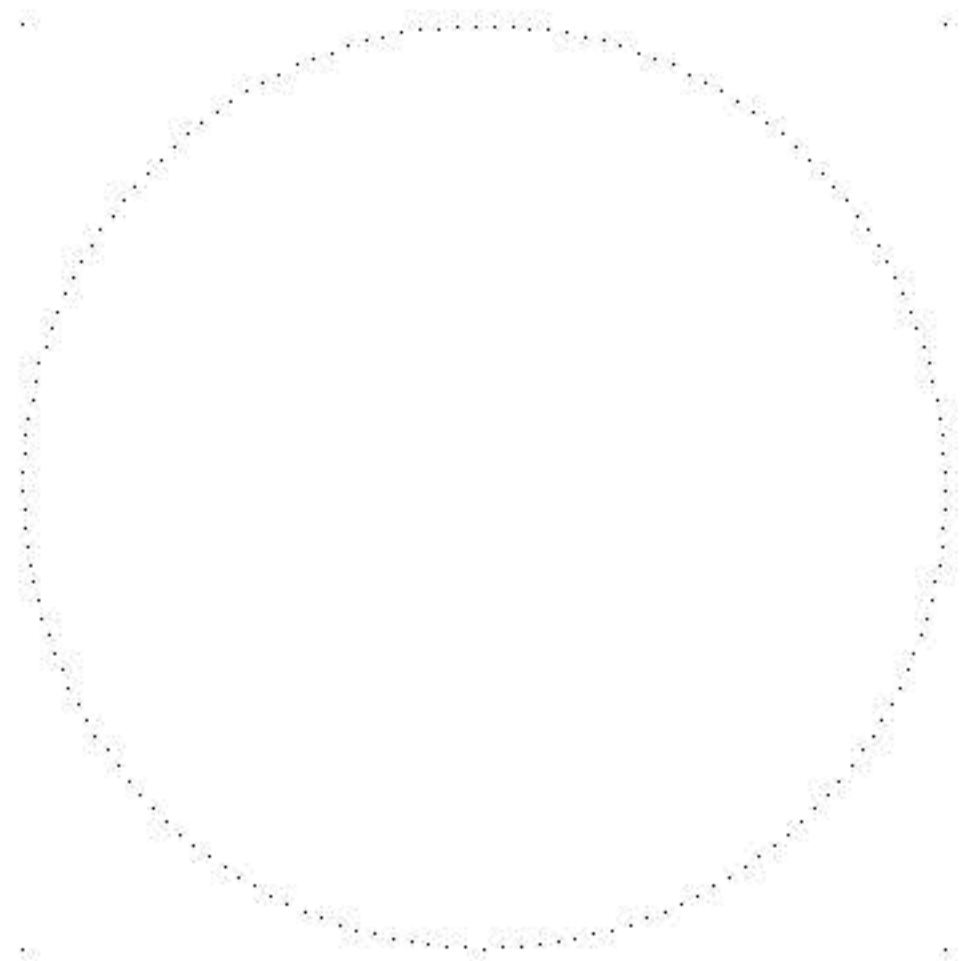
PROPOSED 2-STORY DWELLING TO
38 GOODMAN CRES.

MAPLE, ON.

LEA 1E8

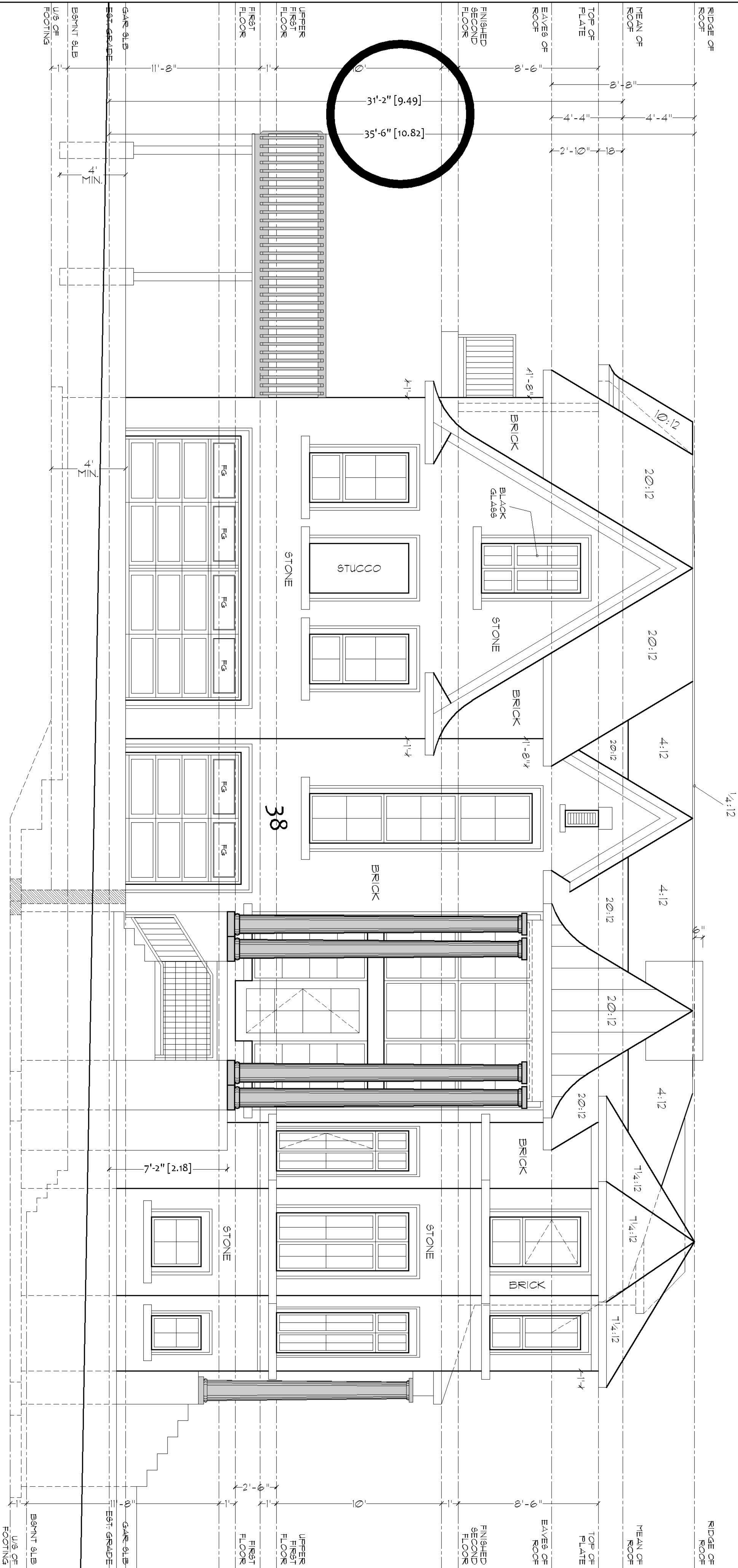
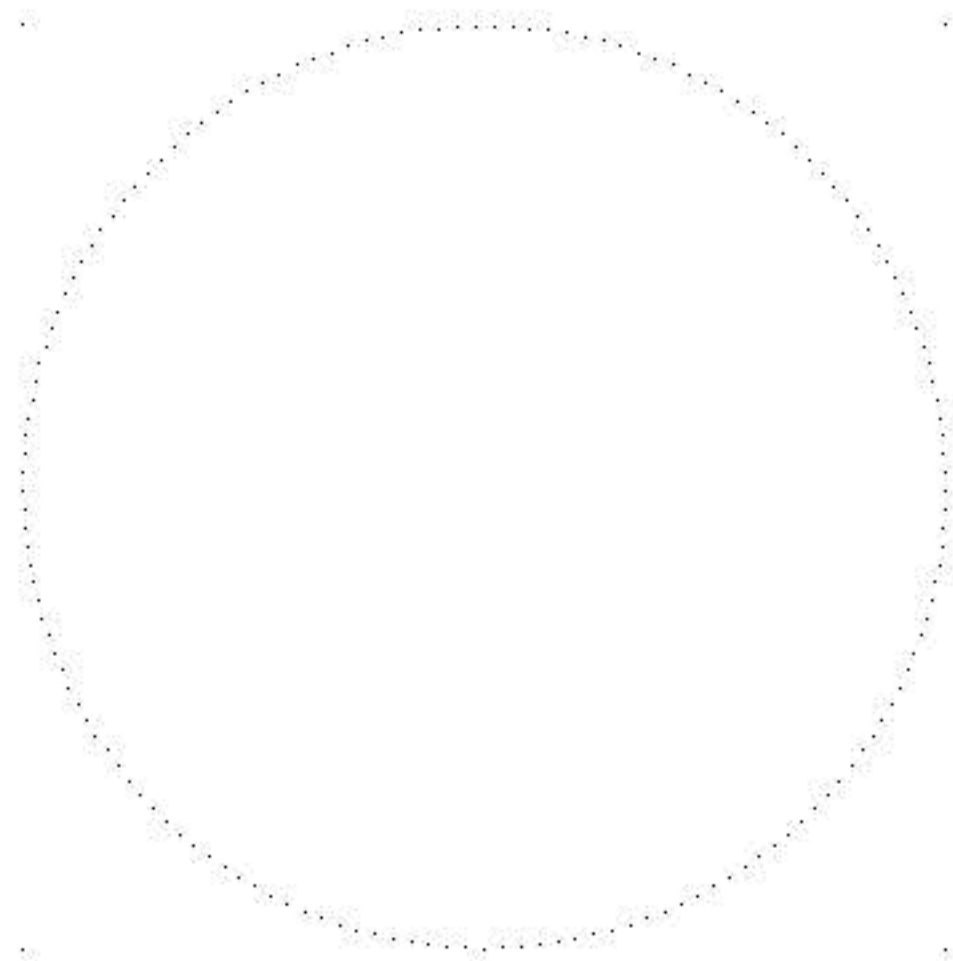


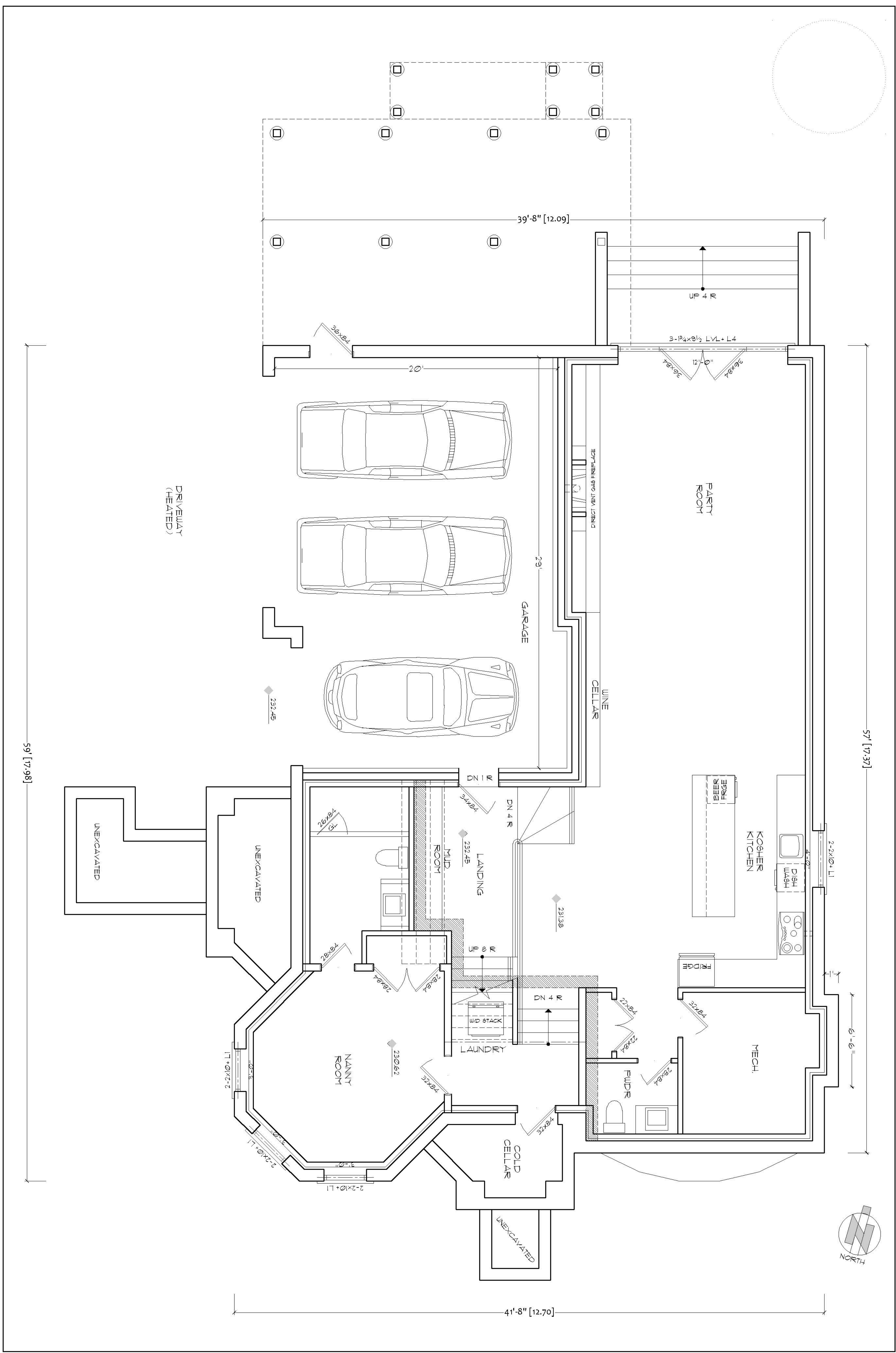
AREA SCHEDULE (VAUGHAN)			
FIRST FLOOR AREA	2314	214.97	
SECOND FLOOR AREA	2259	209.86	
TOTAL LIVABLE AREA	4573	424.84	
VOID AREA	- 212	- 25.26	
FINISHED BASEMENT	1608	149.38	
GROSS FLOOR AREA	5909	548.96	
FINISHED CELLAR	N/A	N/A	
TOTAL FLOOR AREA	5909	548.96	
PORCH AREA	133	12.35	
BUILDING COVERAGE	1608	149.38	
GARAGE COVERAGE	620	57.59	
LOT COVERAGE	2228	207.00	
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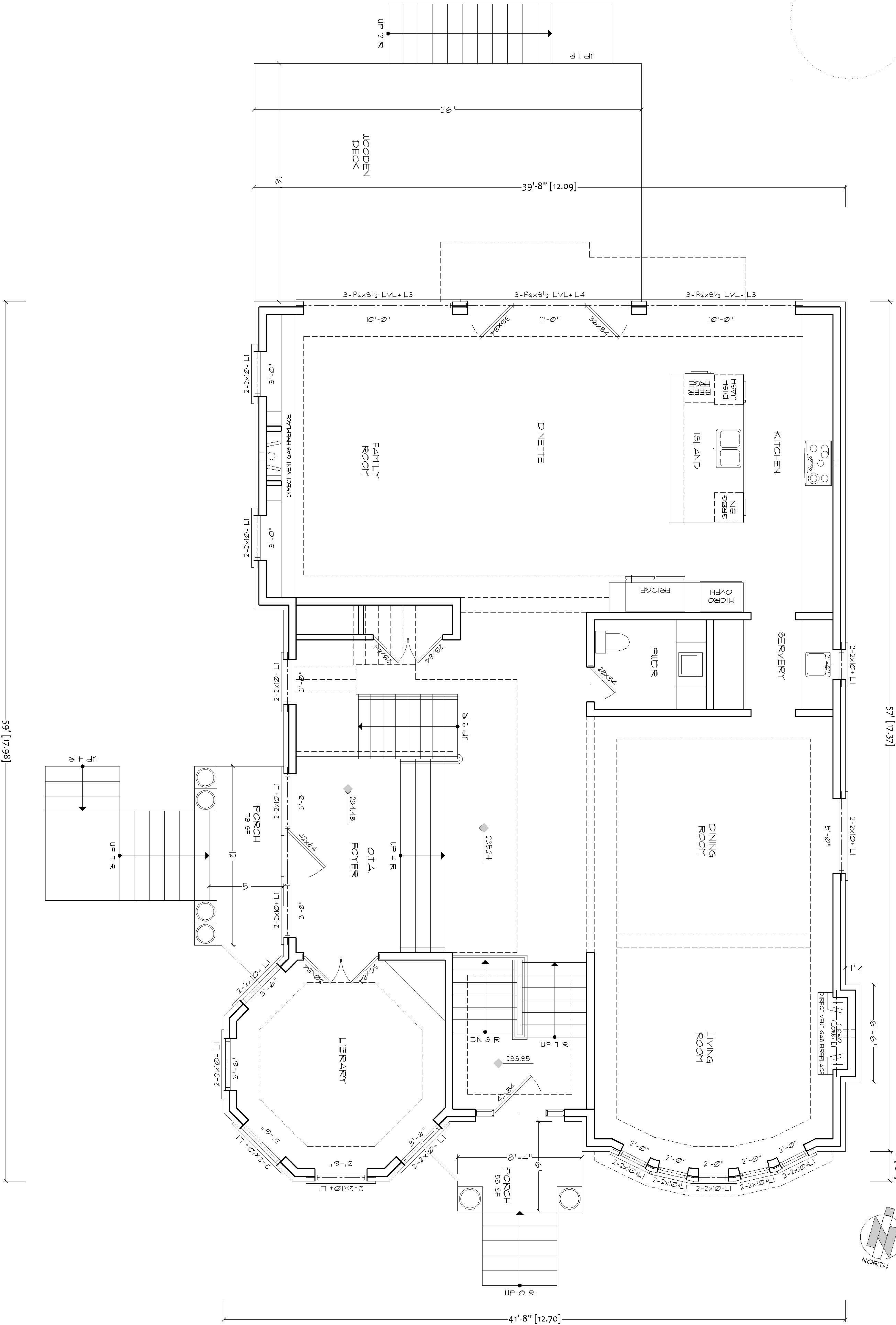
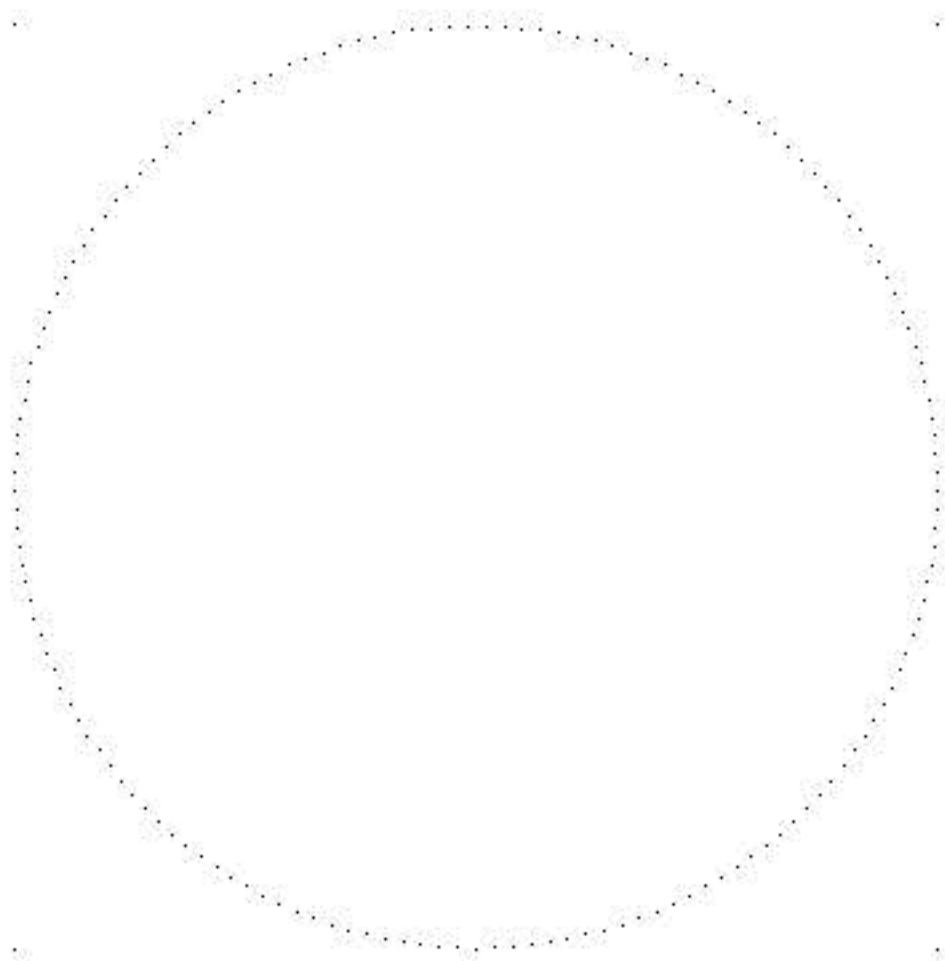


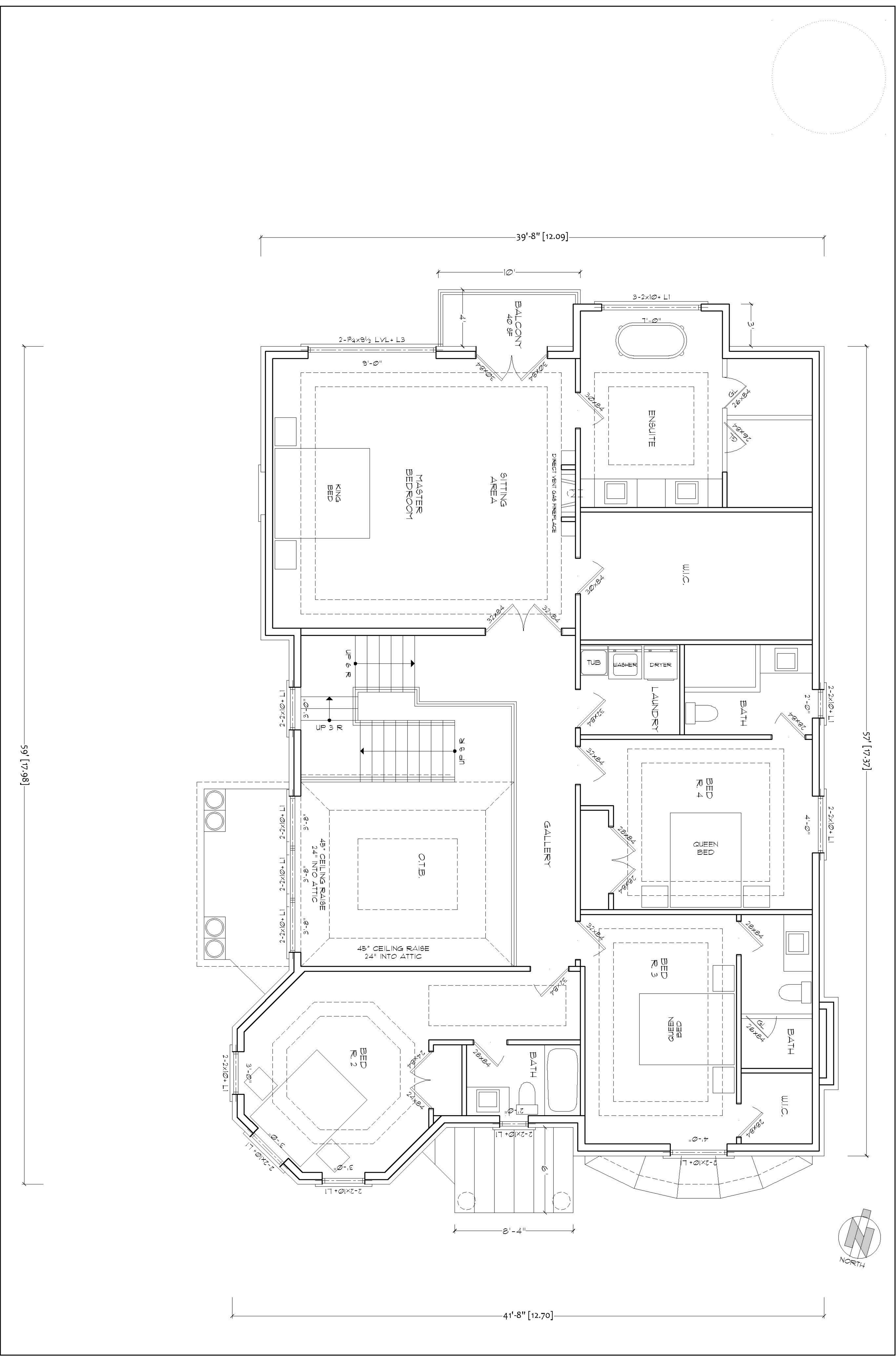
SOUTH ELEVATION

OWNER	MR. ALI FARZANEH	DATE	SEP. 25, 2019	DRAW	HOMELAND	PHONE	416-319-6020	PROJECT	38 GOODMAN CRES.	SCALE	3/16"=1'-0"	TITLE	FRONT ELEVATION	06
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OWNER

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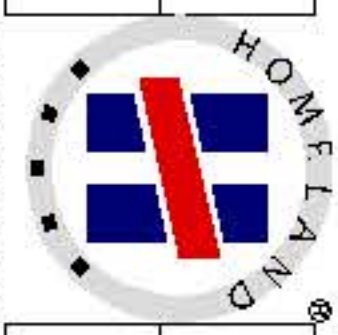
SEP. 20, 2019

DRAW

HOME LAND

PHONE

416-39-6020



PROJECT

38 GOODMAN CRES.

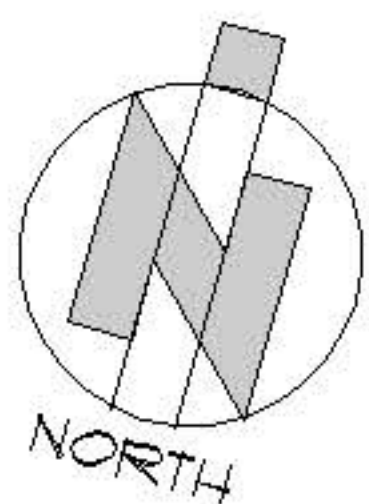
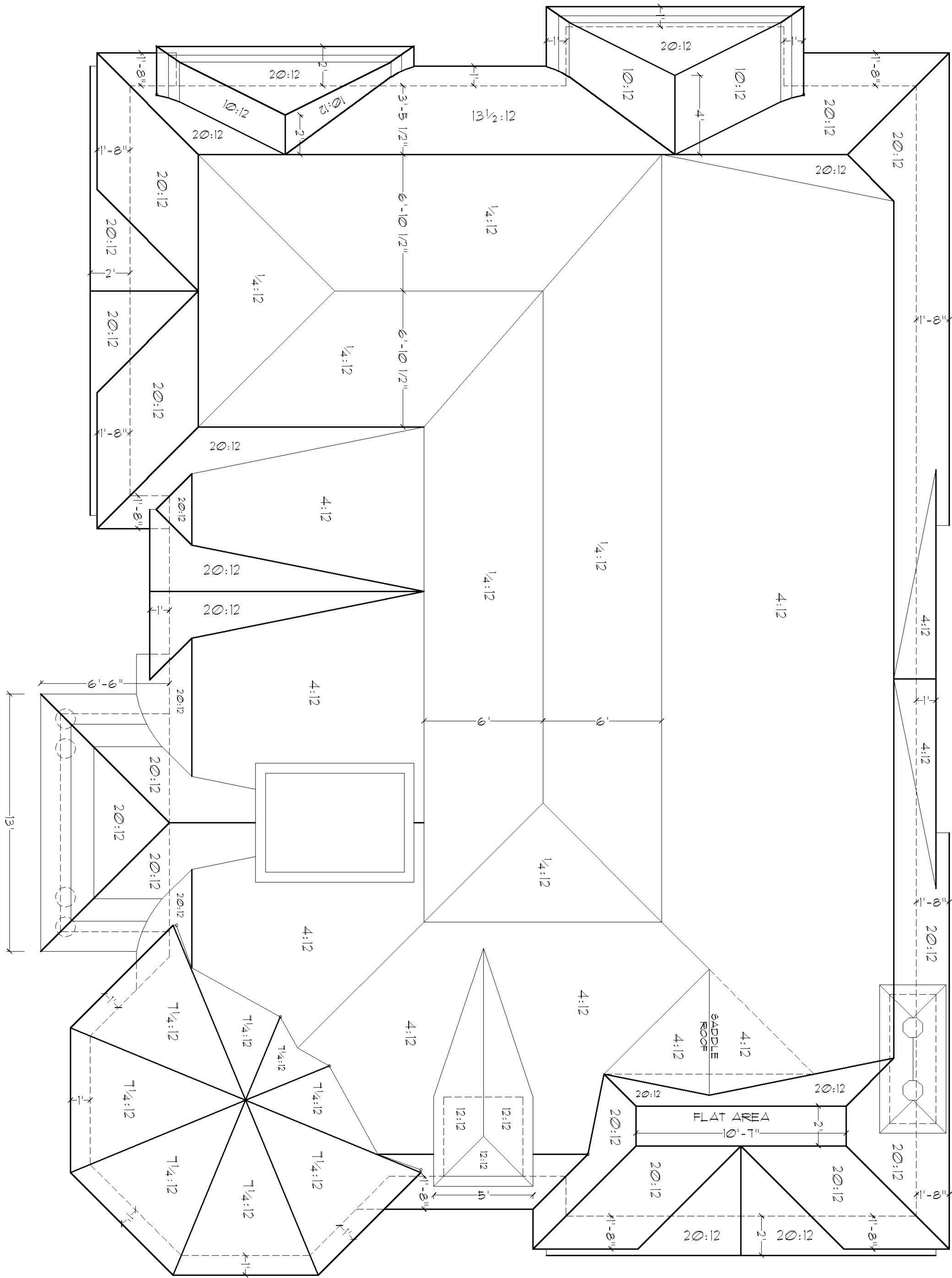
SCALE

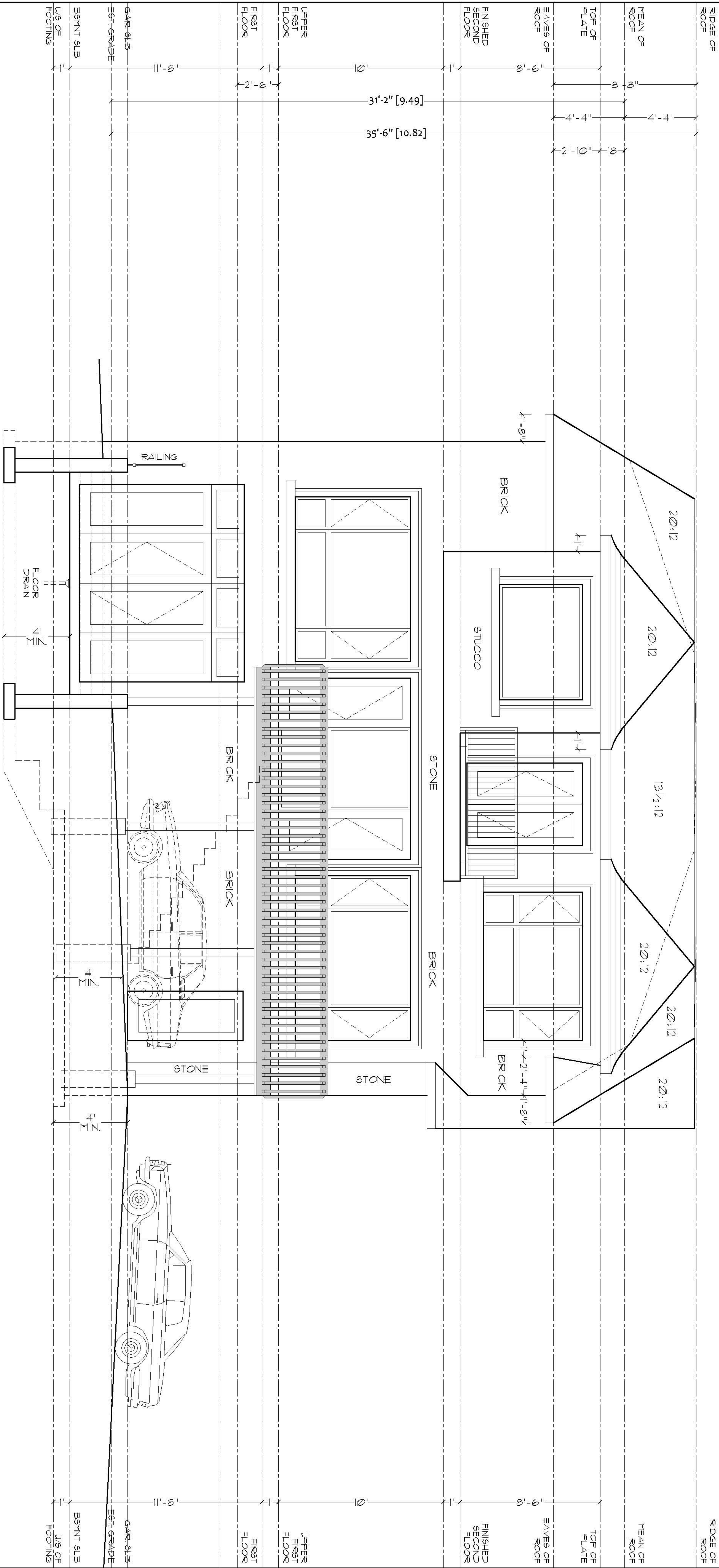
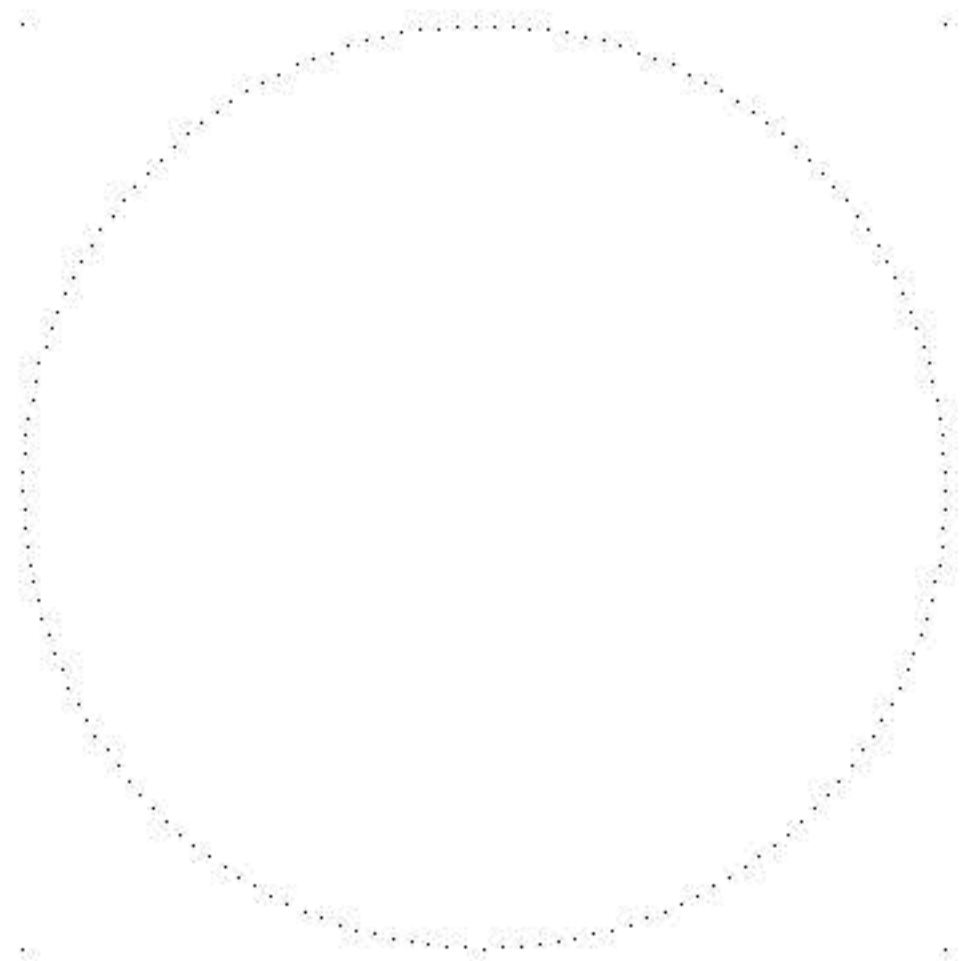
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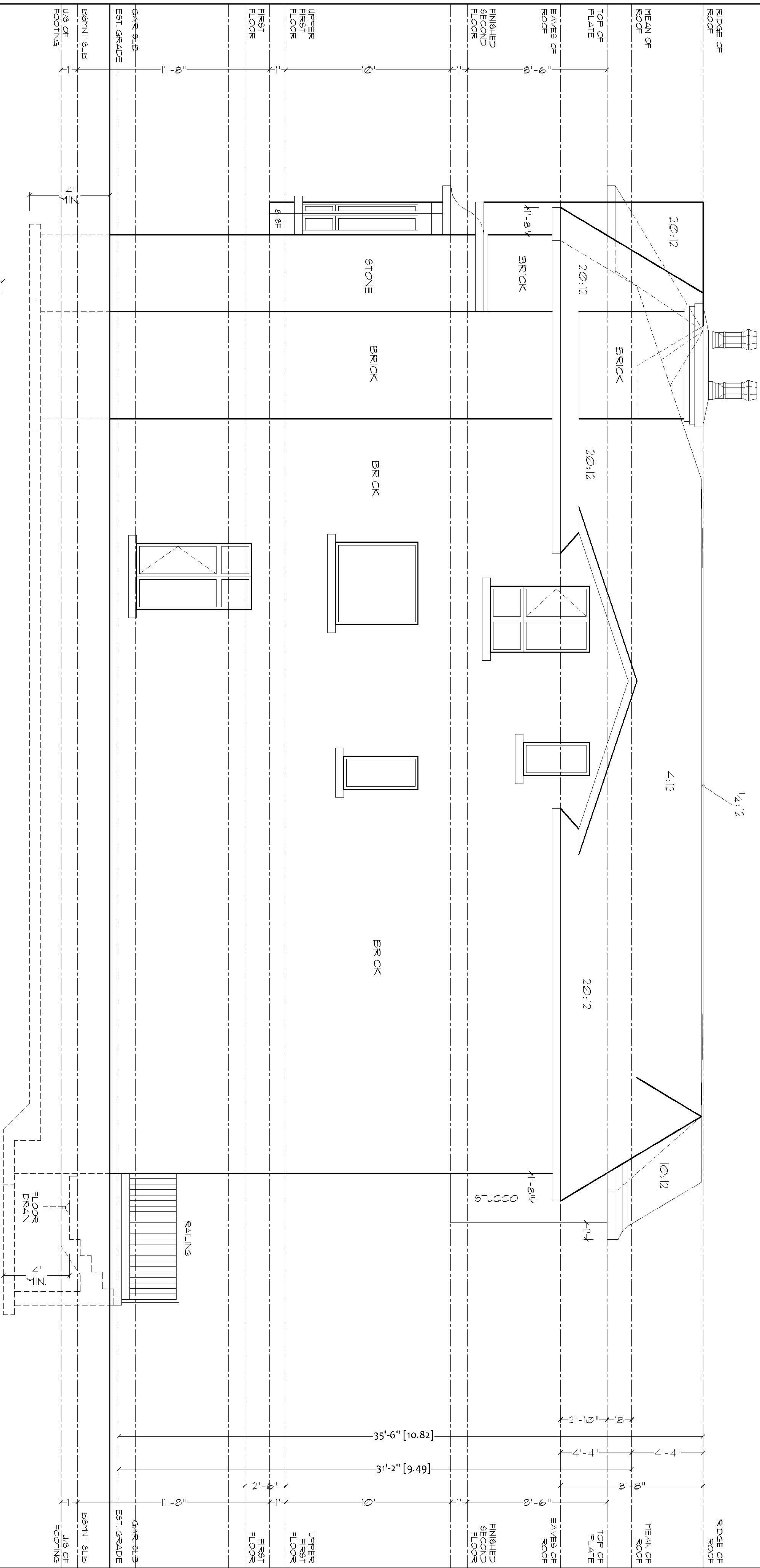
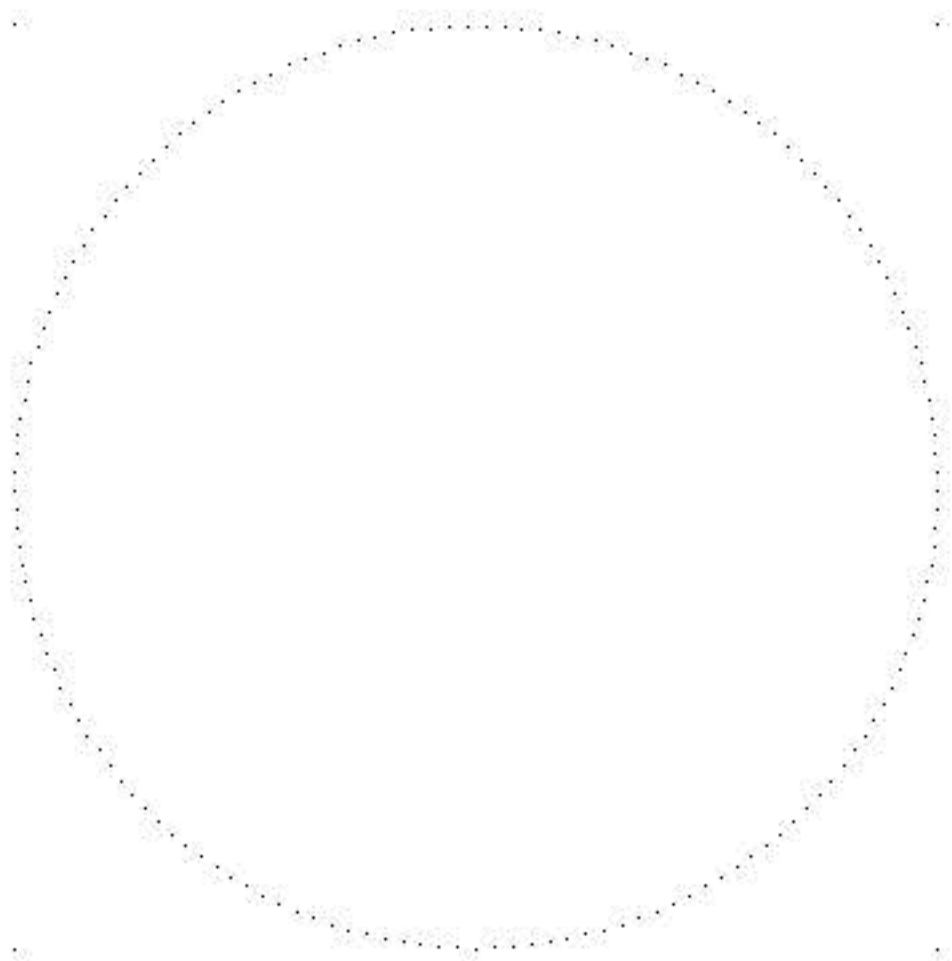
BOOK PLAN

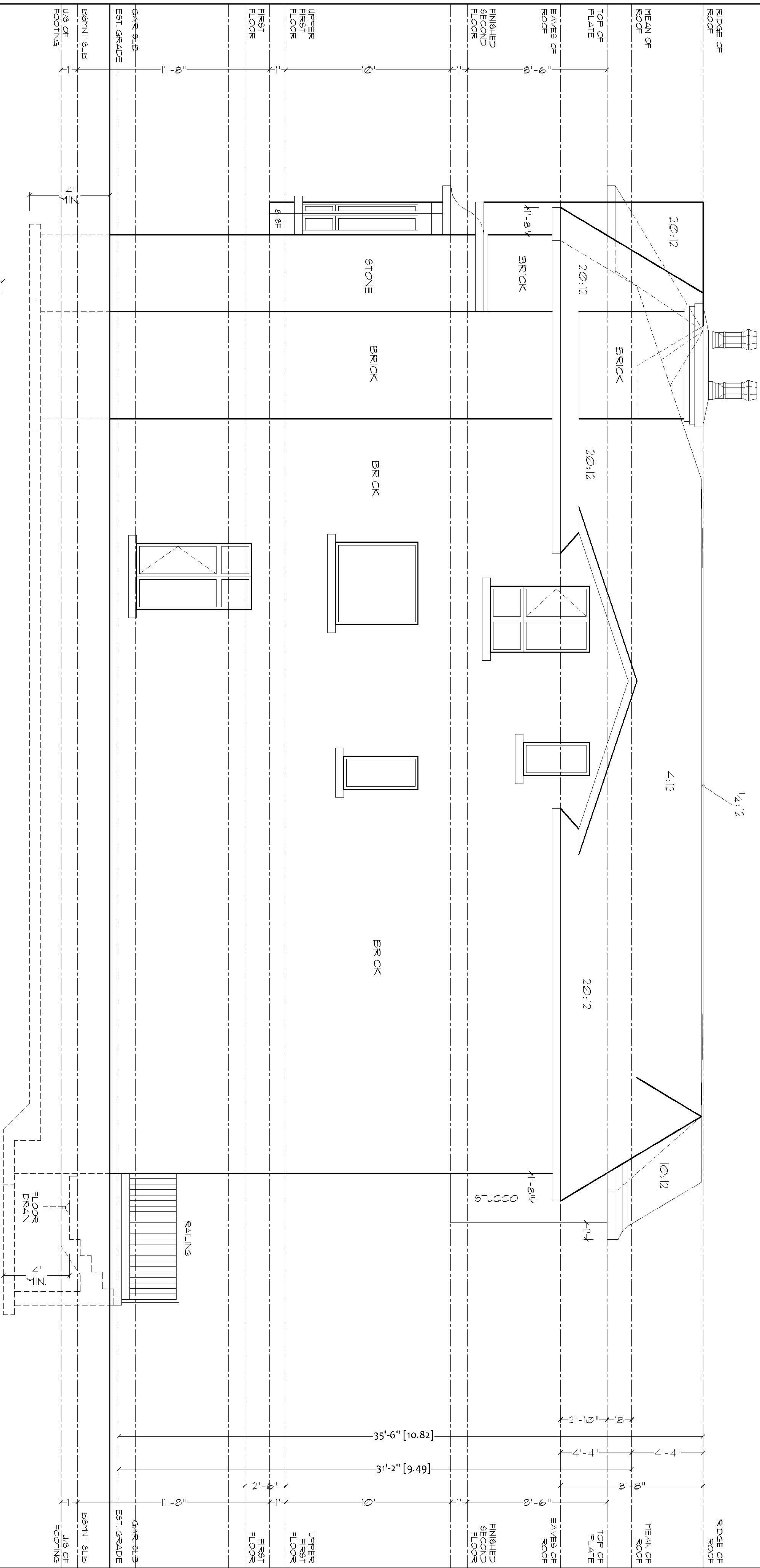
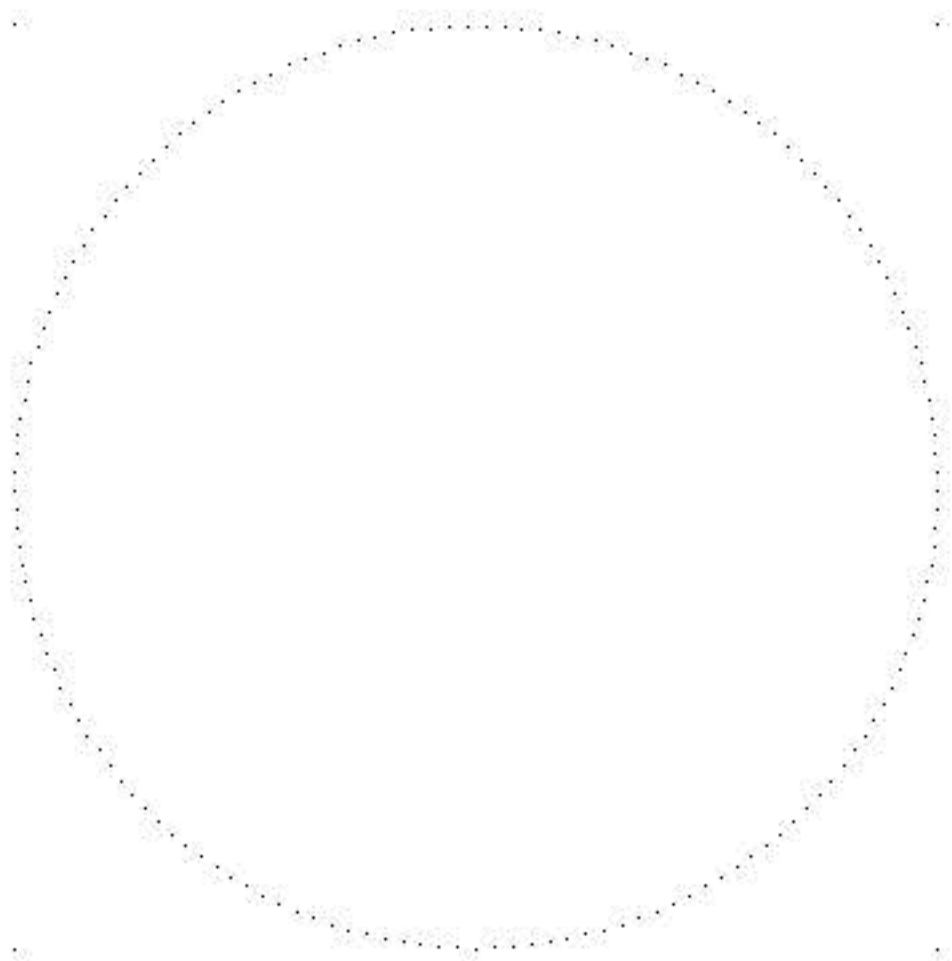
05





NORTH ELEVATION





EAST ELEVATION

OWNER	MR. ALI FARZANEH	DATE	SEP. 20, 2019	DRAW	HOMELAND	PHONE	416-319-6020	PROJECT	38 GOODMAN CRES.	SCALE	3/16"=1'-0"	TITLE	RIGHT ELEVATION	09
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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.

Letters of Support from 42 & 48 Goodman Crescent & 29 Naylon Street.



A133/19

Committee of Adjustment

City of Vaughan

This letter is to state my (our) **support** for the Minor Variances of the proposed new house submitted by our neighbours for their residence at:

38 Goodman Cres.

I (we) have no objection to the project which I (we) find to be consistent with the character of the neighbourhood.

Owner(s) of the residence located at 38 Goodman Cres.

P. Behesht [Signature] Oct 13, 2019
Name Signature Date

Name Signature Date

**A133/19**

Committee of Adjustment

City of Vaughan

This letter is to state my (our) **support** for the Minor Variances of the proposed new house submitted by our neighbours for their residence at:

38 Goodman Cres.

I (we) have no objection to the project which I (we) find to be consistent with the character of the neighbourhood.

Owner(s) of the residence located at 29 Naylon St

Name

Signature

Date

Janet Myers

Janet Myers

Oct 16/19

Name

Signature

Date



A133/19

Committee of Adjustment

City of Vaughan

This letter is to state my (our) **support** for the Minor Variances of the proposed new house submitted by our neighbours for their residence at:

38 Goodman Cres.

I (we) have no objection to the project which I (we) find to be consistent with the character of the neighbourhood.

Owner(s) of the residence located at 48 Goodman Cres

Leyla

Name

[Signature]

Signature

16 Oct 2019

Date

Name

Signature

Date

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

Attwala, Pravina

Subject: FW: Response A133/19 - REQUEST FOR COMMENTS

From: Development Services <developmentservices@york.ca>

Sent: October-08-19 3:27 PM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: RE: Response A133/19 - REQUEST FOR COMMENTS

Good afternoon Pravina,

The Regional Municipality of York of York has completed its review and has no comment.

Regards,

Gabrielle

Gabrielle Hurst MCIP.RPP. C.Tech

|Community Planning and Development Services | Planning and Economic Development Branch | Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O 1-877-464-9675 ext. 71538 | gabrielle.hurst@york.ca | Our Values: Integrity, Commitment, Accountability, Respect, Excellence