



File: A147/19

Applicant: Ali Farahmand Farzaneh

Address: 10 Weller Crescent, 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	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	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks Department	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<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: None

Background History: None



Minor Variance  
Application

Agenda Item: 13

A147/19

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date of Hearing:	Thursday, December 12, 2019
Applicant:	Ali Farahmand Farzaneh
Agent:	Hamid Behesht
Property:	10 Weller Crescent, Maple
Zoning:	The subject lands are zoned R1V, Old Village Residential Zone, 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 lot frontage of 30 metres is required.	1. To permit a minimum Lot Frontage of 21.34 metres (existing lot frontage).
2. A minimum Front yard setback of 9 metres is required.	2. To permit a minimum Front Yard setback of 6.26 metres to a dwelling.
3. A maximum Lot coverage of 20% is required.	3. To permit a maximum Lot coverage of 24% (23% - Dwelling, 1% Covered Porch).
4. A maximum Building height of 9.5 metres is required.	4. To permit a maximum Building Height of 10.87 metres.
5. A maximum driveway width of 9 metres is required.	5. To permit a maximum driveway width of 9.5 metres.

Background (previous applications approved by the Committee on the subject land): None

For information on the previous approvals listed above please visit [www.vaughan.ca](http://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 November 27, 2019

Applicant confirmed posting of signage on November 28, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1950 (to be demolished and new dwelling to be built)

Applicant has advised that they cannot comply with By-law for the following reason(s): Relatively shallow lot (compared to frontage) triggered lot coverage, interior space designed with proper proportions. Extra height triggered due to interpretation of roof type, Building Height complies to midpoint of roof.

**Adjournment Request:**

Applicant was provided an opportunity to adjourn prior to the issuance of public notice to address Forestry review and comment.

**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 10m<sup>2</sup>.

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

The applicant shall be advised that the maximum encroachment of Eaves and gutters into the required minimum interior side yard is 0.5 metres.

An A/C unit and/or pool equipment shall be setback a minimum of 1.2 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

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 Owner is seeking permission to maintain the existing lot frontage of 21.34 metres where 30 metres is required (Variance #1). This is considered technical in nature and seeks to maintain an existing condition. The proposed height of the single-detached dwelling is 10.87 metres to the highest point of the roof (Variance #4) and lot coverage of 24.0% (23.0 main dwelling, 0.5% porches) (Variance #3), which is an appropriate built form for the neighborhoods' existing built form. The proposed building height is consistent with approvals experienced throughout the neighborhood.

The proposed front yard setback of 6.26 metres (Variance #2) is to the front walkway and is considered minor in nature. The main wall of the dwelling is consistent with the adjoining parcel and respects the adjoining lot's front yard setbacks. The proposed maximum driveway width of 9.5 metres where 9.0 metres is required is considered minor in nature. The Development Engineering Department has reviewed above noted variances and recommend approval.

The Owner submitted an Arborist Letter prepared by Ash Urban Forestry dated October 16, 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 minor variance application.

**Cultural Heritage (Urban Design):**

No comments

**Development Engineering:**

Additional Comments:

When the owner/applicant plans on constructing the pool within the rear yard, the owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

The Development Engineering (DE) Department does not object to variance application A147/19 subject to the following condition(s):

The owner/applicant shall submit the final Lot Grading Plan to 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 comments, no concerns.

**By-Law and Compliance, Licensing and Permit Services:**  
No Response.

**Financial Planning and Development Finance:**  
That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

**Fire Department:**  
No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**  
N/A

**Schedule C - Agency Comments**  
Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections  
TRCA - No concerns or objections

**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 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	The owner/applicant shall submit the final Lot Grading Plan to 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](mailto: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  
Adriana MacPherson**

T 905 832 8585 Extension 8360

E [CofA@vaughan.ca](mailto: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

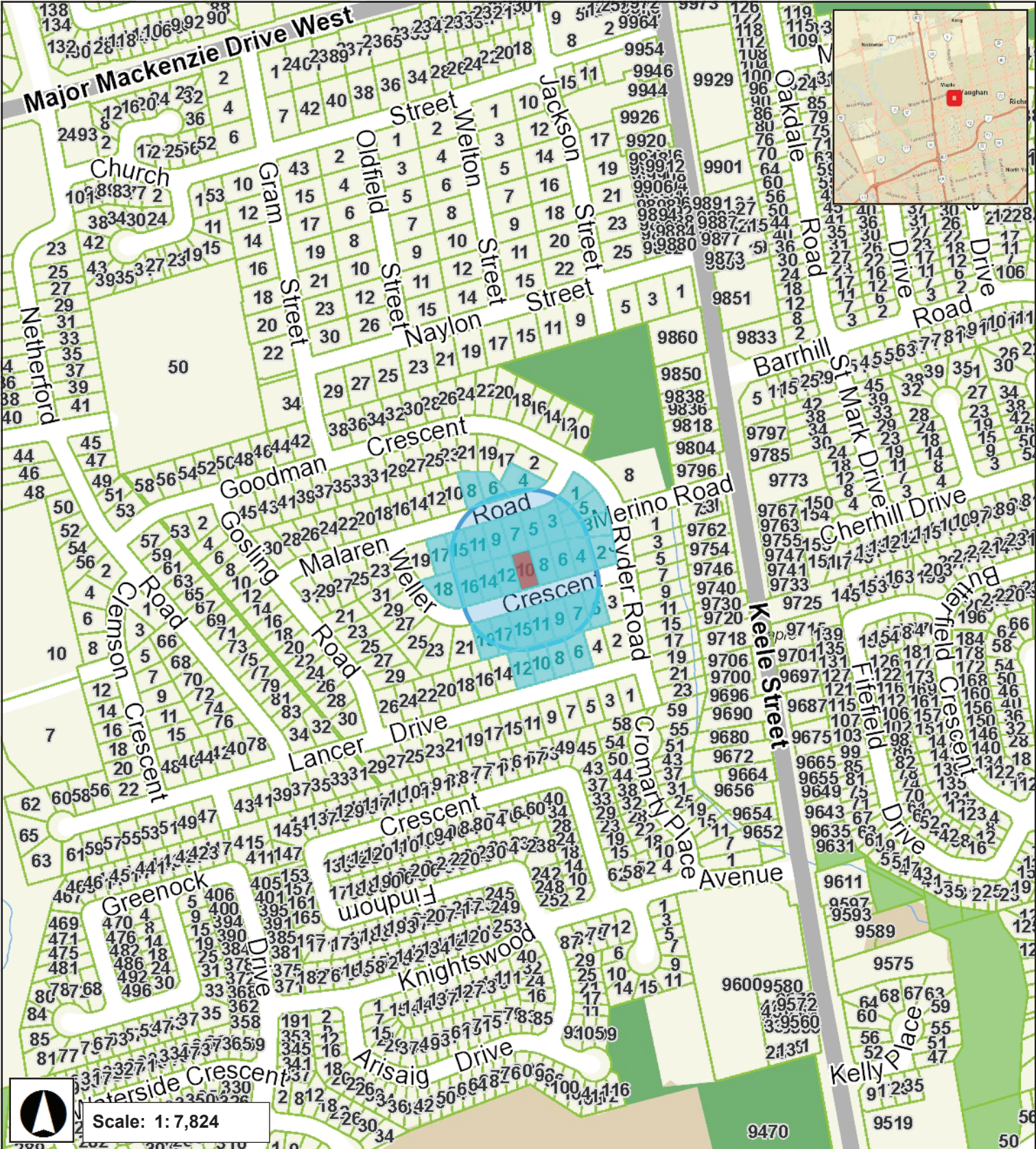




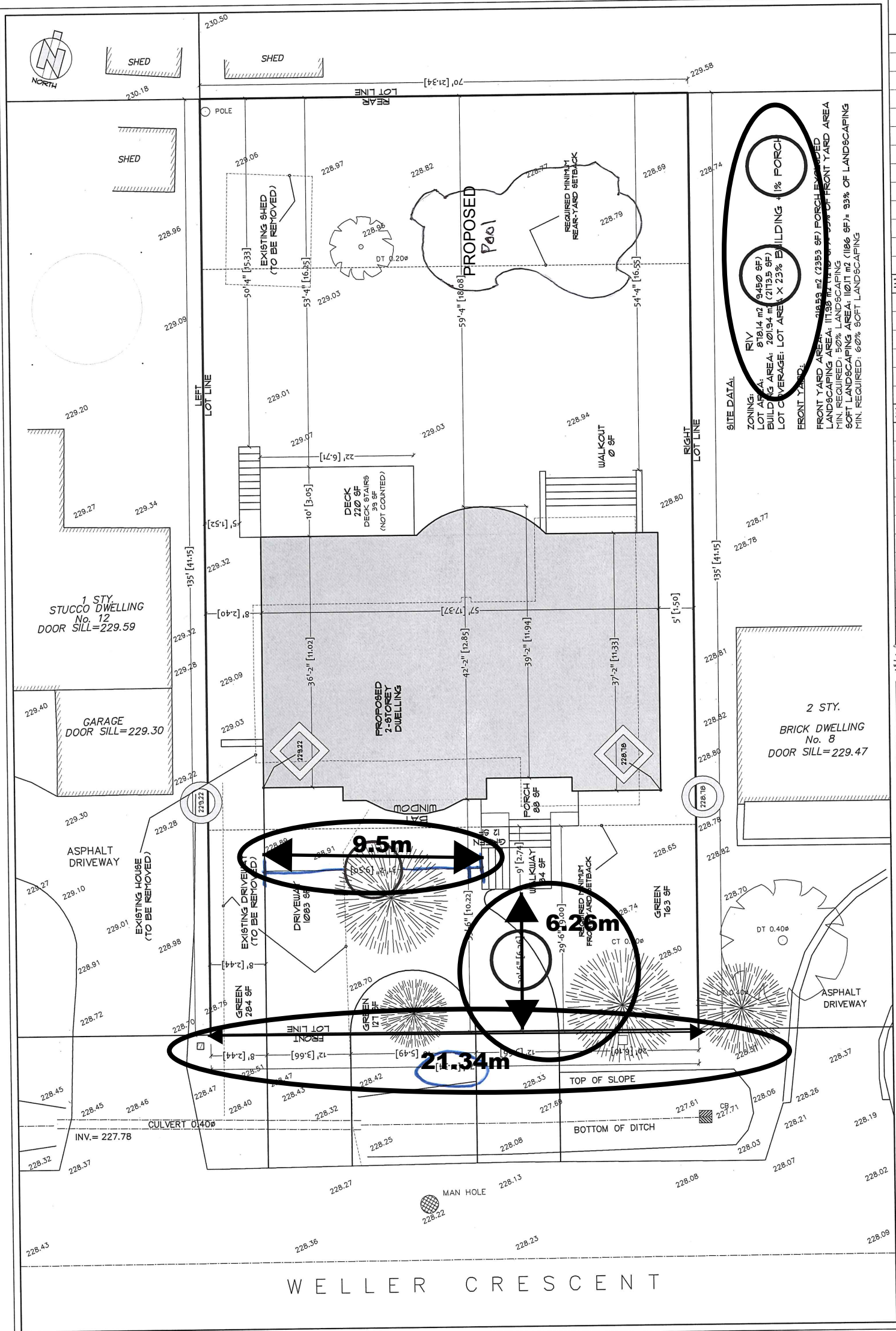
# A147/19 - Notification Map

10 Weller Crescent, Maple

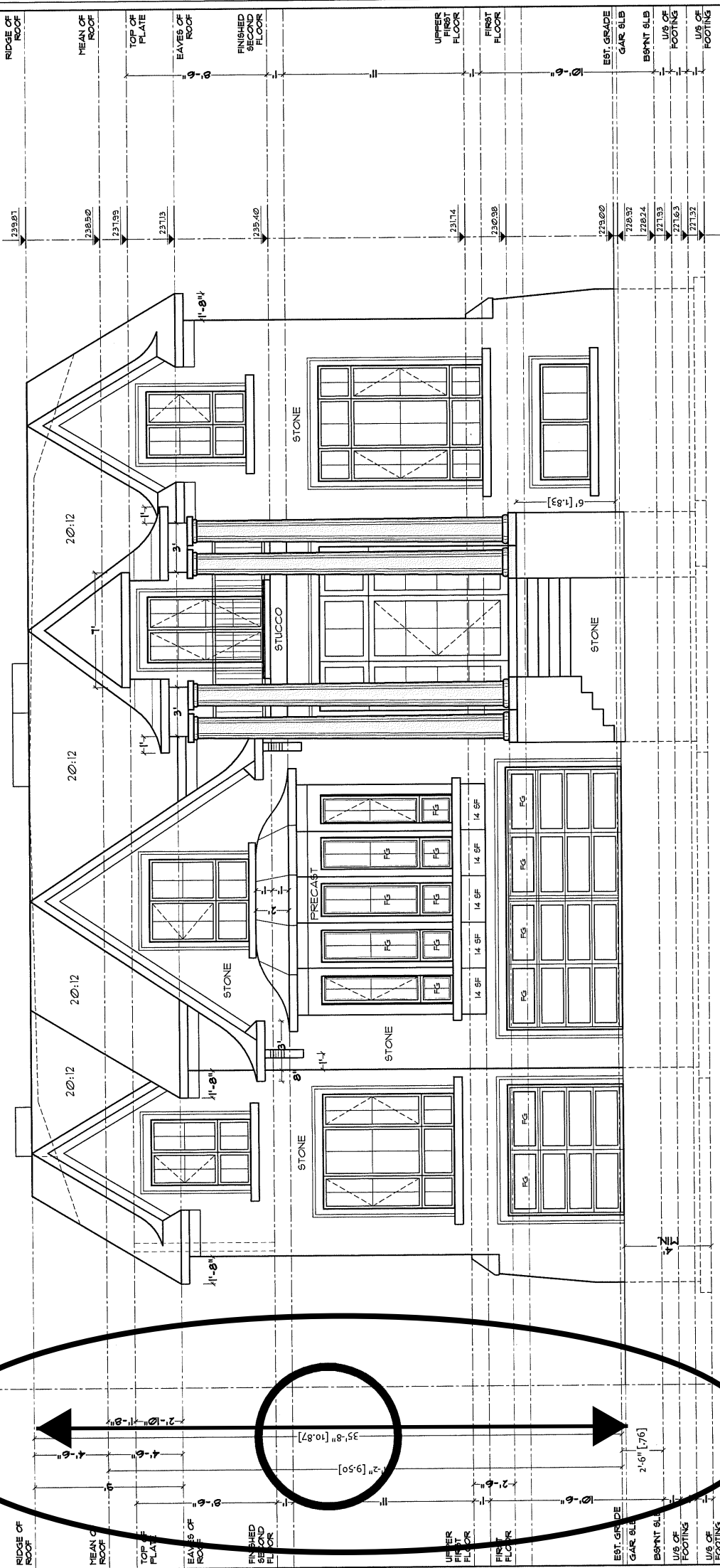
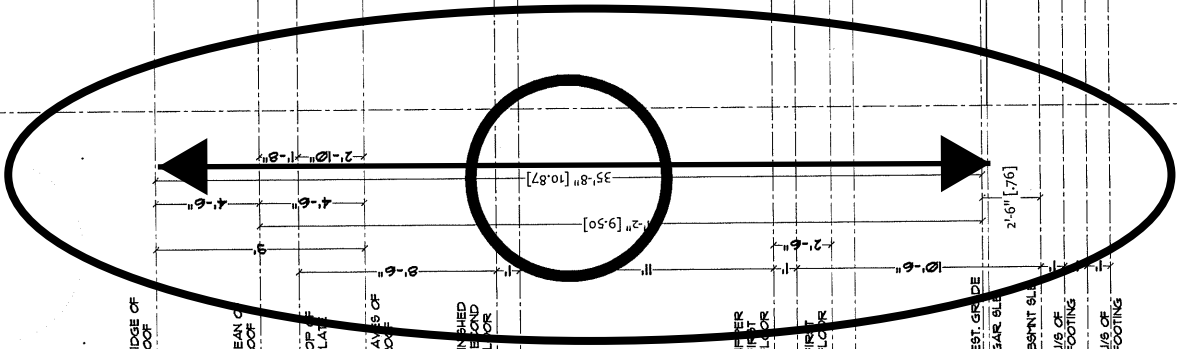
Major Mackenzie Dr











SOUTH ELEVATION

DATE	OCT. 10, 2019	PROJECT	10 WELLS CRES.	SCALE	3/16"=1'-0"	PROJECT	10 WELLS CRES.	SCALE	3/16"=1'-0"	FRONT ELEVATION	06
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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.

**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 – 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](mailto: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](mailto:tony.donofrio@alectrautilities.com)



**Vigneault, Christine**

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**From:** Skouros, Julia <Julia.Skouros@york.ca>  
**Sent:** Monday, November 18, 2019 11:07 AM  
**To:** Vigneault, Christine  
**Subject:** (A147/19) MVAR.19.V.0455 - 10 Weller Crescent

Hi Christine,

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 me using the information provided below.

Best,

**Julia Elena Skouros** | Assistant Planner, Community Planning, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 74886 | [Julia.Skouros@york.ca](mailto:Julia.Skouros@york.ca) | [york.ca](http://york.ca)

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

## MacPherson, Adriana

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**Subject:** FW: A147/19 - TRCA Comments

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**From:** Hamedeh Razavi <Hamedeh.Razavi@trca.ca>  
**Sent:** November-04-19 10:11 AM  
**To:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>  
**Subject:** RE: A147/19 - TRCA Comments

Good morning Adriana,

Thank you for sending the request. The property located on lands known municipally as **10 Weller Cr, Maple, ON** is not within TRCA Regulated Area, therefore, we do not have any concerns in this regard.

Please contact me if you have any questions.

Regards,

**Hamedeh Razavi** MURP  
Planner I  
Development Planning and Permits | Development and Engineering Services

T: [\(416\) 661-6600](tel:4166616600) ext. 5256  
E: [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca)  
A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)

