

# VAUGHAN Staff Report Summary

Item # 14

Ward # 1

A148/19 File:

Applicant: Mattamy (Monarch) Limited, 2509923

Ontario Inc. and 2509924 Ontario Inc.

59 Klein Mills Rd Kleinburg ON Address:

Charlie Frise - Mattamy (Monarch) Limited Agent:

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	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	$\overline{\checkmark}$	
Building Standards	$\square$	
Building Inspection	$\overline{\square}$	
Development Planning	$\square$	
Cultural Heritage (Urban Design)	$\overline{\square}$	
Development Engineering	V	
Parks Department		
By-law & Compliance	$\overline{\checkmark}$	
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York		
Alectra (Formerly PowerStream)	$\overline{\checkmark}$	
Public Correspondence (see Schedule B)		
Adjournment History: None		

Adjournment History: None.	
Background History: None.	

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 12, 2019



Minor Variance Application

Agenda Item: 14

**A148/19** Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, December 12, 2019

**Applicant:** Mattamy (Monarch) Limited, 2509923 Ontario. Inc. and 2509924 Ontario. Inc.

Agent: Charlie Frise - Mattamy (Monarch) Limited

Property: 59 Klein Mills Road, Kleinburg ON

**Zoning:** The subject lands are zoned RD2 9(1413) and subject to the provisions of Exception

under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "KN Low Rise Residential I", Volume 2, Section 11.8 North Kleinburg-

Nashville Secondary Plan

Related Files: None

Purpose: Relief from the by-law is being requested to permit the construction of a proposed

deck to be located at the rear of the proposed 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 Rear Yard setback of 5.7 metres is	1. To permit a minimum a Rear Yard setback of 4.95
required.	metres to a deck.

#### 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 November 27, 2019

Applicant confirmed posting of signage on November 21, 2019

Property Information		
Existing Structures	Year Constructed	
Dwelling	Proposed	

Applicant has advised that they cannot comply with By-law for the following reason(s): Should this application be denied, we would be unable to meet the obligations as per our agreement with the homeowners

#### Adjournment Request: N/A

## **Building Standards (Zoning Review):**

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

Building Permit No. 19-001855 for Single Detached Dwelling - New (Repeat Housing) (No Arch. Exam), Issue Date: (Not Yet Issued)

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:**

Vaughan Official Plan 2010 ('VOP 2010'): "KN Low Rise Residential I", Volume 2, Section 11.8 North Kleinburg-Nashville Secondary Plan

The Owner is proposing to build a deck in the rear yard with the above-noted variance.

The proposed deck is not covered and/or enclosed and is appropriately sized as adequate open space in the rear yard remains. 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 Response.

#### **Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A148/19.

#### **Parks Development:**

No comments or concerns

## By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

## **Financial Planning and Development Finance:**

No comments 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.

#### **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.

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.

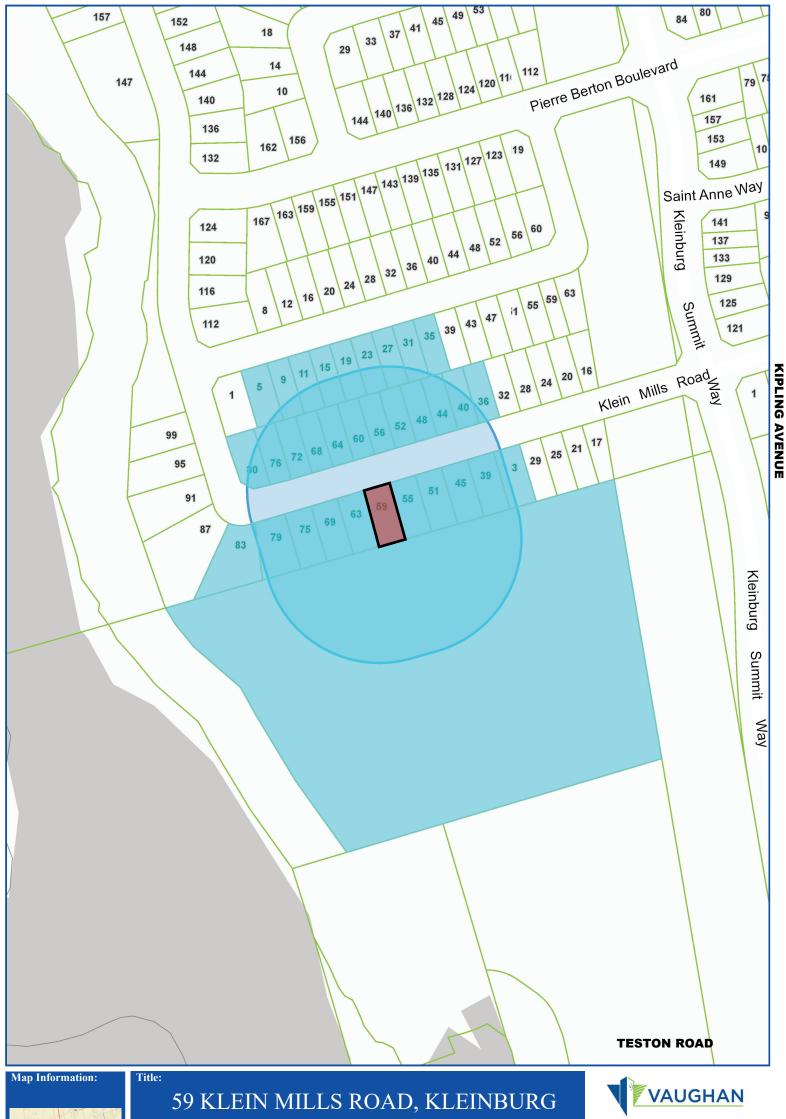
For further information please contact the City of Vaughan, Committee of Adjustment

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

## Schedule A: Plans & Sketches

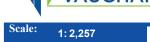
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map Sketches



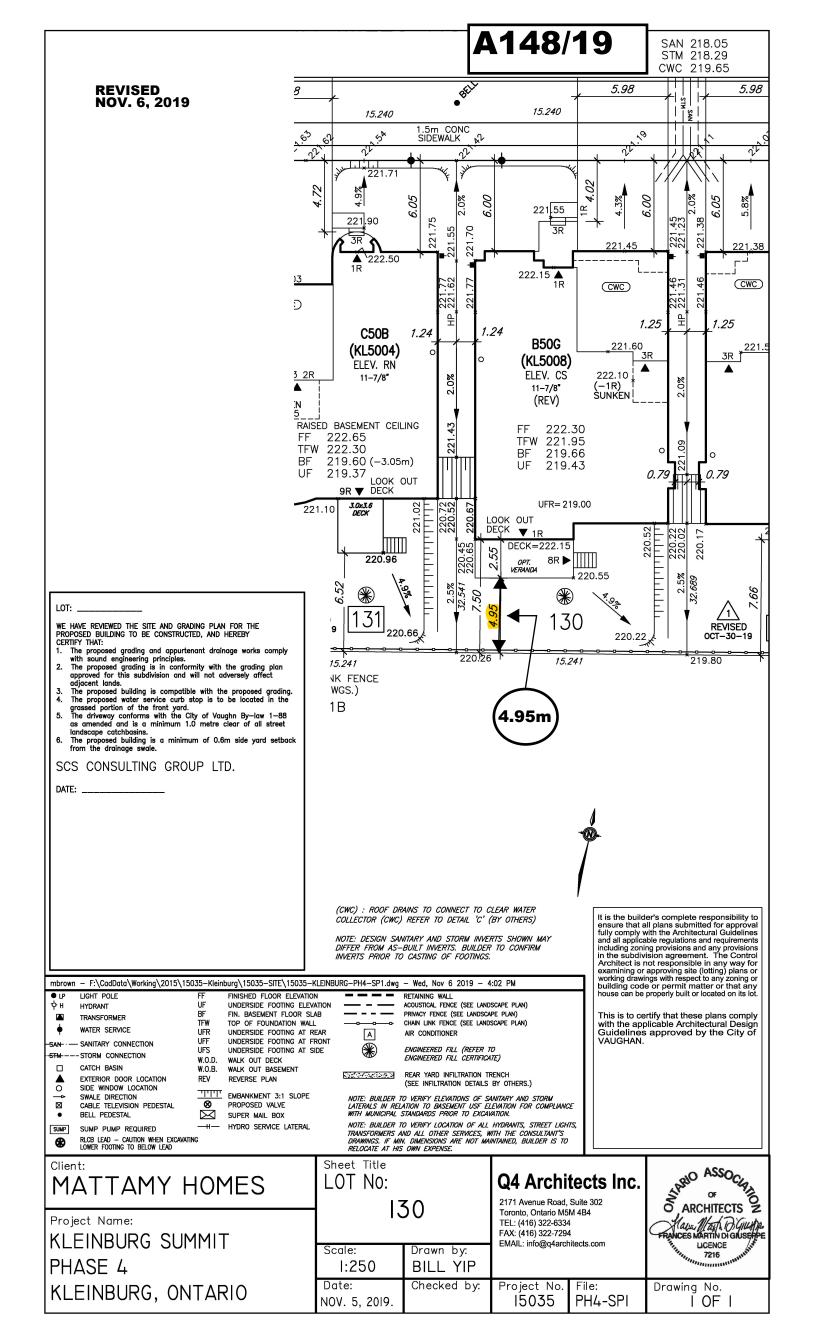


**NOTIFICATION MAP - A148/19** 









## 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



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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

 $\textit{\textbf{E-mail}}: \underline{stephen.cranley@alectrautilities.com}$ 

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

*Fax:* 905-532-4401

Email: tony.donofrio@alectrautilities.com