



File: A038/20

Applicant: Rom-Grand Kipling Two Ltd

Address: 19 Morning Sparrow Drive, Kleinburg

Agent: Liana Dimaranan

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of 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)		
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
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)		

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, July 9, 2020



**Minor Variance
Application**

Agenda Item: 12

A038/20

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, July 9, 2020 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: Rom-Grand Kipling Two Ltd

Agent: Liana Dimaranan

Property: **19 Morning Sparrow Drive, Kleinburg**

Zoning: The subject lands are zoned RD4, Residential Detached Zone Four, and subject to the provisions of Exception 9(1414) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 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
A minimum setback of 7.5 metres is required.	To permit a minimum Rear yard setback of 7.10 metres to a dwelling.

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. 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: None

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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on June 24, 2020

Applicant confirmed posting of signage on June 18, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): Standard corner model unable to fit on lot due to slightly smaller lot depth. Complying would require significant revisions to model which has already been sold to purchaser.

Adjournment Request: None

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.

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'): "Low-Rise Residential"

The Owner has submitted a Minor Variance application to facilitate the development of a new single-family dwelling on the subject lands with the above-noted variance.

The reduced rear yard setback is minimal and is has no adverse impacts on the neighbouring properties. 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.

Cultural Heritage (Urban Design):

No Response.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A038/20.

Parks, Forestry and Horticulture Operations:

Forestry has no comments.

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

Location Map
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

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.

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.

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.

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

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: 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. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business day prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video 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

Schedule A: Plans & Sketches

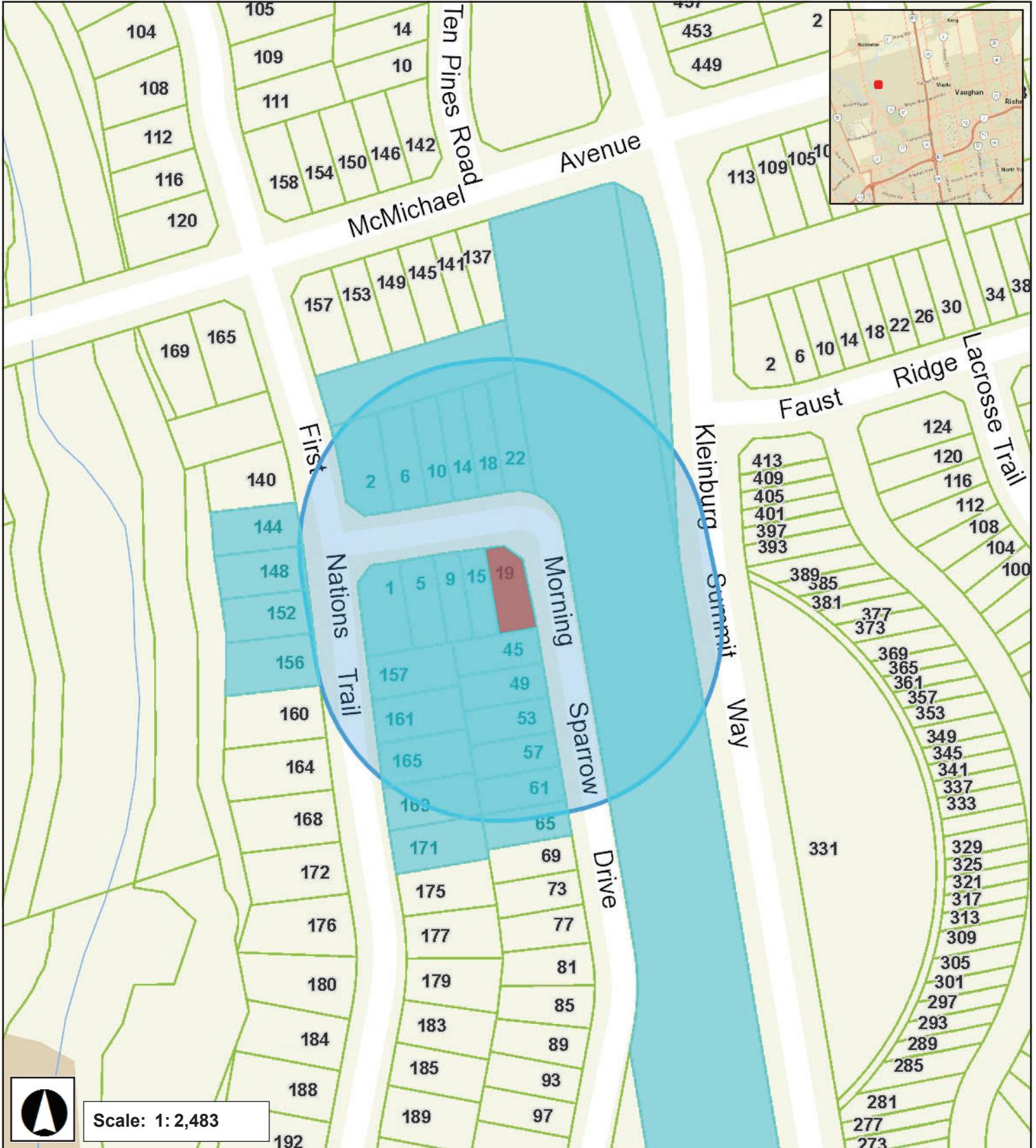
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



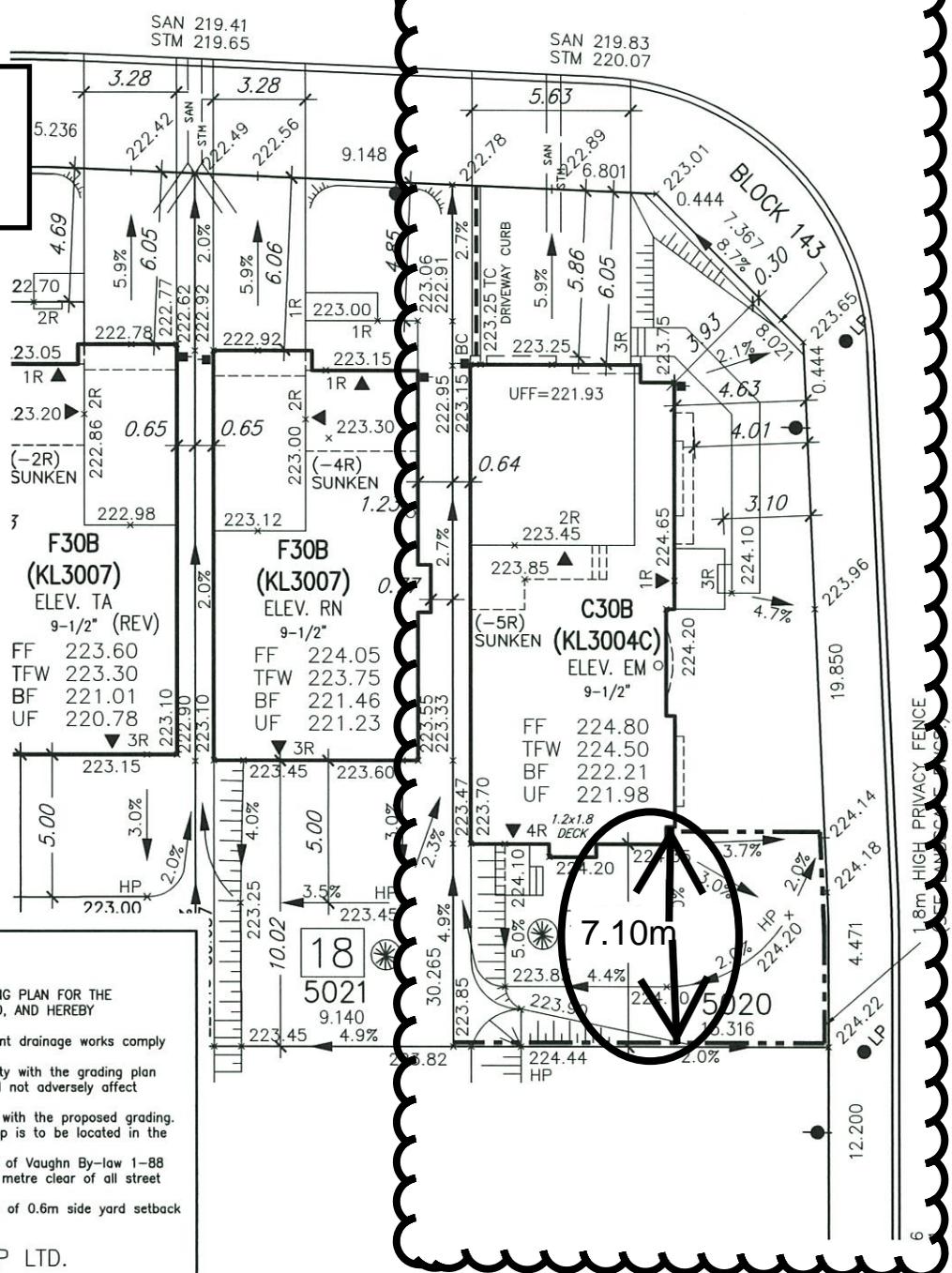
A038/20 - Location Map

19 Morning Sparrow Drive, Kleinburg



Scale: 1: 2,483

Proposal:
1. To permit a minimum Rear yard setback of 7.10 metres to a dwelling.



MORNING SPARROW DRIVE

LOT: 17

WE HAVE REVIEWED THE SITE AND GRADING PLAN FOR THE PROPOSED BUILDING TO BE CONSTRUCTED, AND HEREBY CERTIFY THAT:

1. The proposed grading and appurtenant drainage works comply with sound engineering principles.
2. The proposed grading is in conformity with the grading plan approved for this subdivision and will not adversely affect adjacent lands.
3. The proposed building is compatible with the proposed grading.
4. The proposed water service curb stop is to be located in the grassed portion of the front yard.
5. The driveway conforms with the City of Vaughn By-law 1-88 as amended and is a minimum 1.0 metre clear of all street landscape catchbasins.
6. The proposed building is a minimum of 0.6m side yard setback from the drainage swale.

SCS CONSULTING GROUP LTD.
DATE: April 16, 2020

(CWC) : ROOF DRAINS TO CONNECT TO CLEAR WATER COLLECTOR (CWC) REFER TO DETAIL 'C' (BY OTHERS)

NOTE: DESIGN SANITARY AND STORM INVERTS SHOWN MAY DIFFER FROM AS-BUILT INVERTS. BUILDER TO CONFIRM INVERTS PRIOR TO CASTING OF FOOTINGS.

It is the builder's complete responsibility to ensure that all plans submitted for approval fully comply with the Architectural Guidelines and all applicable regulations and requirements including zoning provisions and any provisions in the subdivision agreement. The Control Architect is not responsible in any way for examining or approving site (lotting) plans or working drawings with respect to any zoning or building code or permit matter or that any house can be properly built or located on its lot.

This is to certify that these plans comply with the applicable Architectural Design Guidelines approved by the City of VAUGHAN.

byip - C:\ACAD DWGS\15035-KLEINBURG\15035-KLEINBURG-PH5-SP1.dwg - Tue, Apr 14 2020 - 6:13 PM

● LP LIGHT POLE	FF FINISHED FLOOR ELEVATION	— — — — — RETAINING WALL
⊕ H HYDRANT	UF UNDERSIDE FOOTING ELEVATION	- - - - - ACoustical FENCE (SEE LANDSCAPE PLAN)
⊠ TRANSFORMER	BF FIN. BASEMENT FLOOR SLAB	- - - - - PRIVACY FENCE (SEE LANDSCAPE PLAN)
⊕ WATER SERVICE	TFW TOP OF FOUNDATION WALL	- - - - - CHAIN LINK FENCE (SEE LANDSCAPE PLAN)
SAN — SANITARY CONNECTION	UFR UNDERSIDE FOOTING AT REAR	⊠ AIR CONDITIONER
STM — STORM CONNECTION	UFF UNDERSIDE FOOTING AT FRONT	⊕ ENGINEERED FILL (REFER TO ENGINEERED FILL CERTIFICATE)
□ CATCH BASIN	UFS UNDERSIDE FOOTING AT SIDE	⊠ REAR YARD INFILTRATION TRENCH (SEE INFILTRATION DETAILS BY OTHERS.)
▲ EXTERIOR DOOR LOCATION	W.O.D. WALK OUT DECK	
○ SIDE WINDOW LOCATION	W.O.B. WALK OUT BASEMENT	
→ SWALE DIRECTION	REV REVERSE PLAN	
⊠ CABLE TELEVISION PEDESTAL	EMBAKMENT 3:1 SLOPE	
● BELL PEDESTAL	PROPOSED VALVE	
SUMP SUMP PUMP REQUIRED	⊠ SUPER MAIL BOX	
⊕ RLCB LEAD - CAUTION WHEN EXCAVATING LOWER FOOTING TO BELOW LEAD	— H — HYDRO SERVICE LATERAL	

NOTE: BUILDER TO VERIFY ELEVATIONS OF SANITARY AND STORM LATERALS IN RELATION TO BASEMENT USE ELEVATION FOR COMPLIANCE WITH MUNICIPAL STANDARDS PRIOR TO EXCAVATION.

NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND ALL OTHER SERVICES, WITH THE CONSULTANT'S DRAWINGS. IF MIN. DIMENSIONS ARE NOT MAINTAINED, BUILDER IS TO RELOCATE AT HIS OWN EXPENSE.

Client:
MATTAMY HOMES

Project Name:
**KLEINBURG SUMMIT
PHASE 5 (NORTH)
KLEINBURG, ONTARIO**

Sheet Title
LOT No:
17
65M-4605

Scale:
1:250

Date:
APR. 14, 2020.

Drawn by:
BILL YIP

Checked by:

Q4 Architects Inc.
2171 Avenue Road, Suite 302
Toronto, Ontario M5M 4B4
TEL: (416) 322-6334
FAX: (416) 322-7294
EMAIL: info@q4architects.com

Ontario Association of Architects
FRANCES MARTIN DI GIUSEPPE
LICENCE 7216

Drawing No.
1 OF 1

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.

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.-

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



Discover the possibilities

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 & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: [External] RE: A038/20 (19 Morning Sparrow Drive, Kleinburg) - REQUEST FOR COMMENTS (Vaughan Committee of Adjustment)

From: Development Services <developmentsservices@york.ca>

Sent: May-11-20 3:48 PM

To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Subject: [External] RE: A038/20 (19 Morning Sparrow Drive, Kleinburg) - REQUEST FOR COMMENTS (Vaughan Committee of Adjustment)

Hello Adriana,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A/038/20 (19 Morning Sparrow Drive) and has no comments. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

Tiffany Wong, B.E.S. | Associate Planner, Programs and Process Improvement,
Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | tiffany.wong@york.ca | www.york.ca

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



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