

VAUGHAN Staff Report Summary

Item 13

Ward 2

)40/20
•

Applicant: 1051727 Ontario Limited

5289 Hwy 7 Woodbridge Address:

KFA Architects and Planners Inc. **Agent:**

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	Positive Comment	Condition(s)
	Negative Comment	√ ×
Committee of Adjustment	V	
Building Standards	V	
Building Inspection	V	
Development Planning	V	$\overline{\square}$
Cultural Heritage (Urban Design)		
Development Engineering	$\overline{\checkmark}$	
Parks, Forestry and Horticulture Operations	$\overline{\checkmark}$	
By-law & Compliance		
Financial Planning & Development	V	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	$\overline{\checkmark}$	
Alectra (Formerly PowerStream)	$\overline{\checkmark}$	
Public Correspondence (see Schedule B)		
Adjournment History: N/A		
Background History: N/A		

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, July 9, 2020



Minor Variance Application

Agenda Item: 13

A040/20 Ward: 2

Staff Report Prepared By: Lenore Providence, 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: 1051727 Ontario Limited

Agent: Neha Kulkarni - KFA Architects and Planners Inc.

Property: 5289 Hwy 7, Woodbridge

Zoning: The subject lands are zoned RM2, Multiple Residential Zone and subject to the

provisions of Exception 9(1441) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed Use", subject to Area

Specific Policy 12.10: Kipling Avenue and Highway 7 and subject to a Maximum

Height of four (4) storeys and a Floor Space Index (FSI) of 1.82.

Related Files: DA.14.046

Purpose: Relief from the Zoning By-law is being requested to permit the continued

construction of stacked townhouses on Blocks D and E (as shown on Plan A001

prepared by KFA Architects and Planners Inc.).

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 interior side yard setback of 0.90	1. To maintain a minimum interior side yard setback of
metres is required.	0.77 metres.
2. A minimum rear yard setback of 3.0 metres is	2. To maintain a minimum rear yard setback of 2.88
required. (Coles Ave)	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 **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 29, 2020

Property Information		
Existing Structures	Year Constructed	
Stacked Townhouses	Under construction	

Applicant has advised that they cannot comply with By-law for the following reason(s): Interior side yard setback and rear yard setback are minor vairances to the zoning by-law approved file #Z.12.008 and OMB Decision Number PL121343 as these are the building setbacks built on site currently.

Adjournment Request: None.

Building Standards (Zoning Review):

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

Building Permit No. 17-000417 for Retaining Wall - New, Issue Date: Jun 13, 2017

Building Permit No. 17-002560 for Underground Garage(Resid.Bldg) - Interior Unit Alteration, Issue Date: Oct 05, 2018

Building Permit No. 17-002560 for Underground Garage(Resid.Bldg) - New, Issue Date: Dec 18, 2017

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:

Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Mixed Use", subject to Area Specific Policy 12.10: Kipling Avenue and Highway 7 and subject to a Maximum Height of four (4) storeys and a Floor Space Index (FSI) of 1.82.

The Owner is requesting permission to maintain setbacks related to a stacked townhouse development. Site Development Application File DA.20.021 has been submitted concurrently with Draft Plan of Condominium File 19CDM-20V001 to recognize as-built condominium conditions for 169 stacked townhouse units (originally approved through Site Development File DA.14.046) and is currently under review by the Development Planning Department.

Variances 1 and 2 are small deviations from the setback requirements resulting from reported as-built conditions and are considered minor in nature as they have no adverse impacts on neighbouring properties.

Accordingly, the Development Planning Department is of the opinion that the requested variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application, subject to the following condition:

If the Committee finds merit in the application, the following condition of approval is recommended:

That Site Development Application File DA.20.021 and Draft Plan of Condominium File 19CDM-20V001 are approved to the satisfaction of the Development Planning Department.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A040/20.

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

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 Planning	That Site Development Application File DA.20.021 and Draft
	Brandon Bell	Plan of Condominium File 19CDM-20V001 are approved to the satisfaction of the Development Planning Department.
	905-832-8585 x 8112 brandon.bell@vaughan.ca	

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;

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 <u>Vaughan.ca/LiveCouncil</u>. To make an electronic deputation, residents must complete and submit a <u>Public Deputation Form</u> no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit <u>www.vaughan.ca</u>

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.

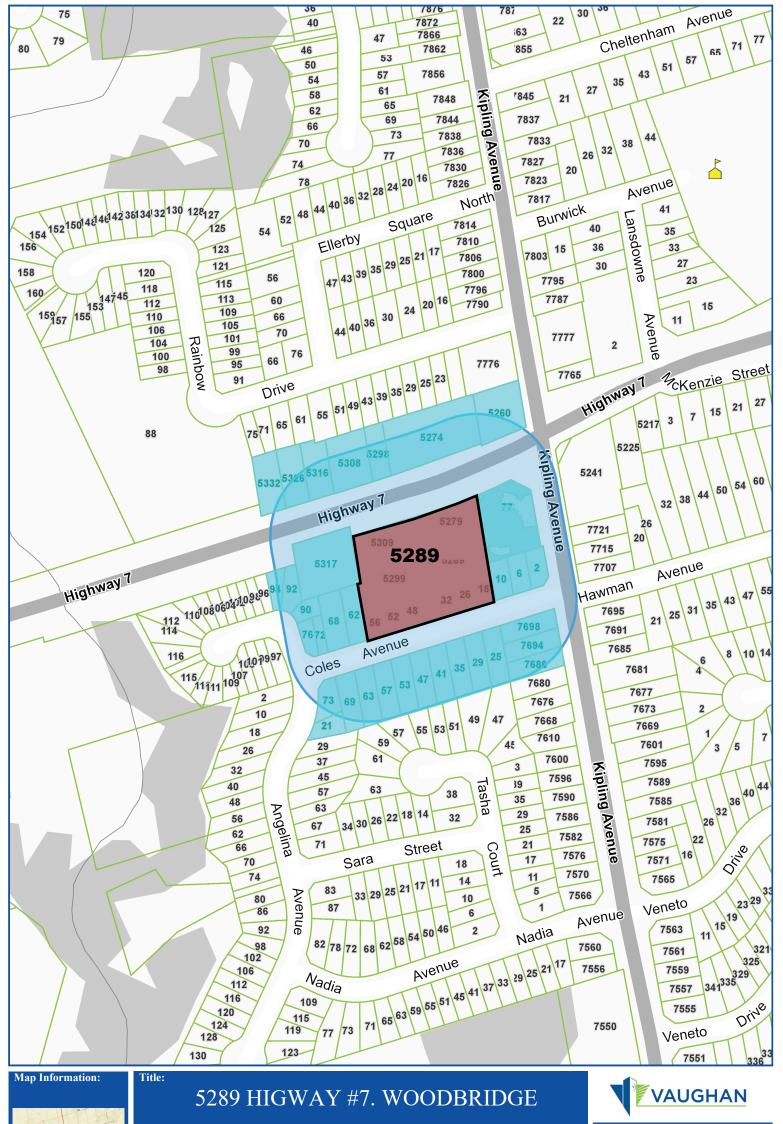
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8002 E CofA@vaughan.ca

Staff Report A040/20 Page 7 Schedule A: Plans & Sketches

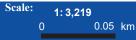
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map Plans & Sketches



Disclaimer:

NOTIFICATOIN MAP = A040/20





Created By:



A001

STATISTICS

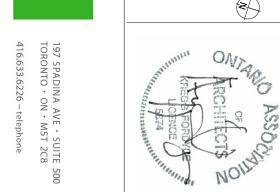
09001

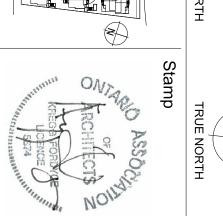
25/04/2014

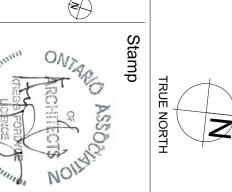
1:250

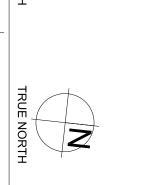
416.633.6226 - te















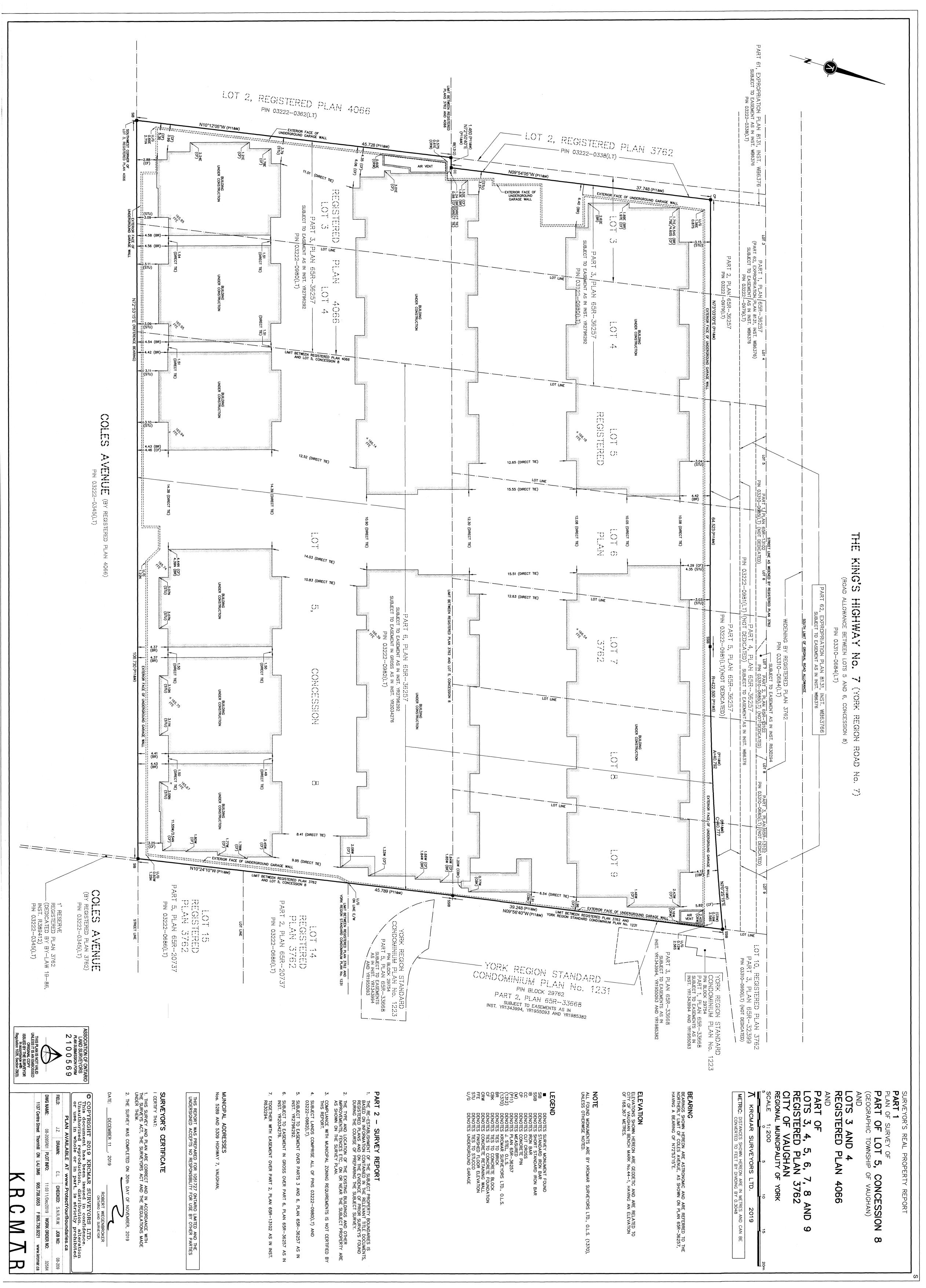
Re Issued for building Permit Re Issued for building Permit 06.09.2017 23.11.2017 01.12.2015 04.08.2015 28.09.2016 03.04.2020 13.04.2018 08.09.2016 04.03.2020 08.06.2018 31.03.2017 26.01.2017 21.12.2016 24.11.2016 20.06.2014 30.10.2018

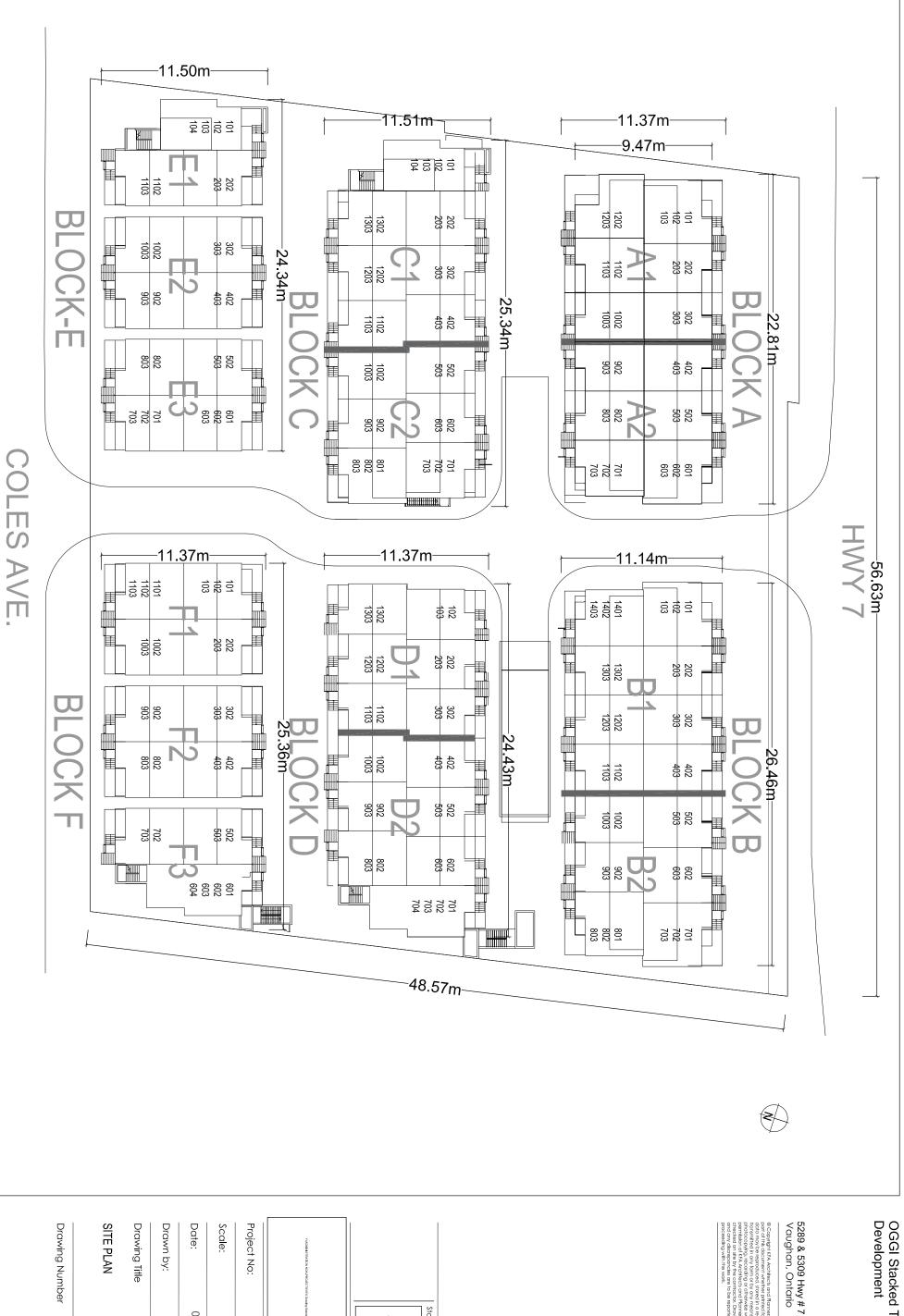
Issued for OMB Settlement Re-Issued for SPA ied for SPA 29.02.2012 04.11.2013

© Copyright KFA Architects and Planners Inc., all rights reserved. No part of this document whether printed form or supplied as digital data may be reproduced, stored in a retrieval system or transmitted in any form or by any means, mechanical photocopying, recording or otherwise without the prior written permission of KFA Architects and Planners Inc..

All dimensions to be checked on site by the contractor. Drawings are not to be scaled, and any discrepancies are to be reported to the Architect before proceeding with the work. Issued Date

5289 Highway 7 Vaughan ON L4L 1Y8





Stamp

09/19/2017

SLN

09001

OGGI Stacked Townhouses
Development

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



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

E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

Supervisor, Subdivisions (Alectra East) *Phone*: 1-877-963-6900 ext. 24419

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject:

FW: RESPONSE A040-20 - REQUEST FOR COMMENTS - 5289 Hwy 7 Woodbridge (Full Circulation)

From: Development Services <developmentservices@york.ca>

Sent: May-27-20 10:47 AM

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

Subject: [External] RESPONSE A040-20 - REQUEST FOR COMMENTS - 5289 Hwy 7 Woodbridge (Full Circulation)

Good Morning Lenroe,

The Regional Municipality of York has completed its review of the above minor variance and has no comment. Best,

Gabrielle

Gabrielle Hurst mcip rpp | Associate Planner, Community Planning and Development Services | Corporate Services The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877 464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca