VAUGHAN Staff Report Summary

Item 5

Ward 2

File: B010/20

Jennifer Zafar **Applicant:**

91 Fanshore Dr Woodbridge Address:

Joanna Ieraci 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	$\overline{\mathbf{V}}$	\checkmark
Building Standards	$\overline{\mathbf{V}}$	
Development Planning		
Cultural Heritage (Urban Design)		
Development Engineering	$\overline{\mathbf{V}}$	$\overline{\mathbf{V}}$
Parks, Forestry and Horticulture Operations	$\overline{\checkmark}$	
By-law & Compliance		
Financial Planning & Development	$\overline{\mathbf{V}}$	$\overline{\mathbf{V}}$
Real Estate Department	$\overline{\mathbf{V}}$	
Fire Department		
TRCA		
Ministry of Transportation	$\overline{\checkmark}$	
Region of York	V	
Alectra (Formerly PowerStream)	V	
Public Correspondence (see Schedule B)		

Adjournment History: N/A		
Background History: N/A		

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday, September 10, 2020



Consent Application

Agenda Item: 5

B010/20

Ward: 2

Prepared By: Pravina Attwala Assistant Secretary Treasurer

Date & Time of Live Stream Hearing:

Thursday, September 10, 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: Jennifer Zafar

Agent: Joanna Ieraci

Property: 91 Fanshore Dr Woodbridge

Zoning: The subject lands are zoned RV4(WS), Residential Urban Village Zone 4, and

subject to the provisions of Exception 9(988) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Related Files: None

Purpose: Consent is being requested to sever a parcel of land for residential purposes,

approximately 125.58 square metres (shown as Part 1 on the draft reference plan

submitted with the application) as a lot addition, to be merged on title with the abutting lands to the west (municipally known as 93 Fanshore Drive).

The existing single family dwelling on the subject lands is to remain.

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, "B001/17".

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 August 26, 2020

Applicant confirmed posting of signage on August 25, 2020

Existing Building or Structures on the subject land: The existing single-family dwelling on the retained lands is to remain. The severed lands are vacant.

Recommended conditions of approval:

- 1. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.
- 2. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies **only** to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.
- 3. That the severed parcel be merged on title with the abutting land to the west, municipally known as 93 Fanshore Drive and that the applicant's solicitor provides an undertaking in writing that this condition will be fulfilled (please obtain standard undertaking form from Committee of Adjustment staff). Please note that Subsection 50 (3) or (5) of the Planning Act, R.S.O, 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent.
- 4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

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 proposed consent is for the severance of a parcel of land identified as Part 1 of Lot 7, Plan 65M-3374 on the attached schedule (submitted by the applicant) and is intended to be merged with the abutting property to the west identified as Lot 6, Plan 65M-3374.

A Surveyors Certificate of Lot Areas, Frontages and Depths as per the definitions in Section 2.0 of By-law 1-88 is required in order to confirm compliance with the By-law requirements.

Development Planning:

Application Under Review

Development Engineering:

The Development Engineering (DE) Department does not object to consent application B010/20 subject to condition(s):

- 1. The Owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.
- 2. The Owner shall provide conceptual site grading plan(s) for both the severed and retained parcels to the satisfaction of the Development Engineering (DE) Department. The plan(s) should identify all existing and proposed services, existing and proposed elevations, and acceptable access. The owner shall ensure each property is self-draining and not allowing property rainwater run-off to be draining to the adjacent properties. The property line swale to be designed and graded to the satisfaction of Development Engineering Department.

Parks, Forestry and Horticulture Operations

No comments or concerns.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns.

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 Bylaws 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.

Recommended condition of approval:

The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

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 MTO – Located outside of MTO permit control area

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 standard to which provincial interests, provincial and local policies and goals are implemented. Accordingly, review of the application considers the following:

- ✓ Conform to Section 51(24) as required by Section 53(12) of the Planning Act.
- ✓ Conform to the City of Vaughan Official Plan.
- ✓ Conform to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Should the Committee find it appropriate to approve this application, the following conditions have been recommended:

	Department/Agency		Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaugan.ca		That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.
			That the severed parcel be merged on title with the abutting land to the west, municipally known as 93 Fanshore Drive and that the applicant's solicitor provides an undertaking in writing that this condition will be fulfilled (please obtain standard undertaking form from Committee of Adjustment staff). Please note that Subsection 50 (3) or (5) of the Planning Act, R.S.O, 1990, as amended, applies to any subsequent conveyance of or transaction involving the parcel of land that is subject of this consent. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.
2	Development Planning Brandon Bell 905-832-8585 x 8112 brandon.bell@vaughan.ca	Un	der Review.
3	Development Engineering Jason Pham / Brad Steeves 905-832-8585 x 8716	1.	The Owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant

	Department/Agency	Condition
	jason.pham@vaughan.ca	 shall submit a draft reference plan to the Development Engineering Department for review prior to deposit. The Owner shall provide conceptual site grading plan(s) for both the severed and retained parcels to the satisfaction of the Development Engineering (DE) Department. The plan(s) should identify all existing and proposed services, existing and proposed elevations, and acceptable access. The owner shall ensure each property is self draining and not allowing property rainwater run-off to be draining to the adjacent properties. The property line swale to be designed and graded to the satisfaction of Development Engineering Department.
4	Development Finance Nelson Pereira	The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance
	905-832-8585 x 8393 nelson.pereira@vaughan.ca	Department (contact Nelson Pereira to have this condition cleared).

Warning:

Conditions must be fulfilled within <u>one year</u> from the date of the giving of the Notice of Decision, failing which this application shall thereupon be deemed to be refused. No extension to the last day for fulfilling conditions is permissible.

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.

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 more information please contact the City of Vaughan, Committee of Adjustment

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

Schedule A: Plans & Sketches

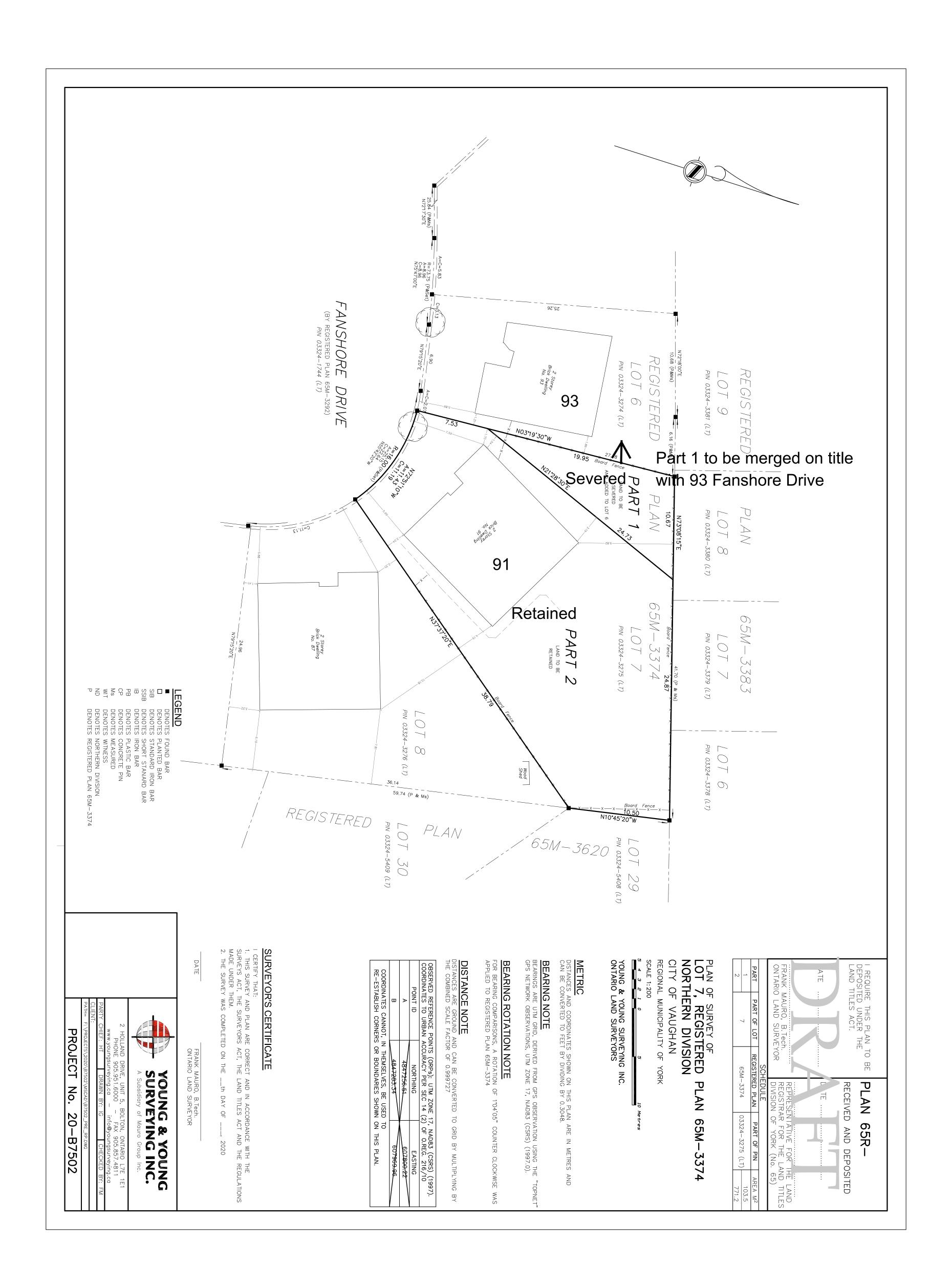
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

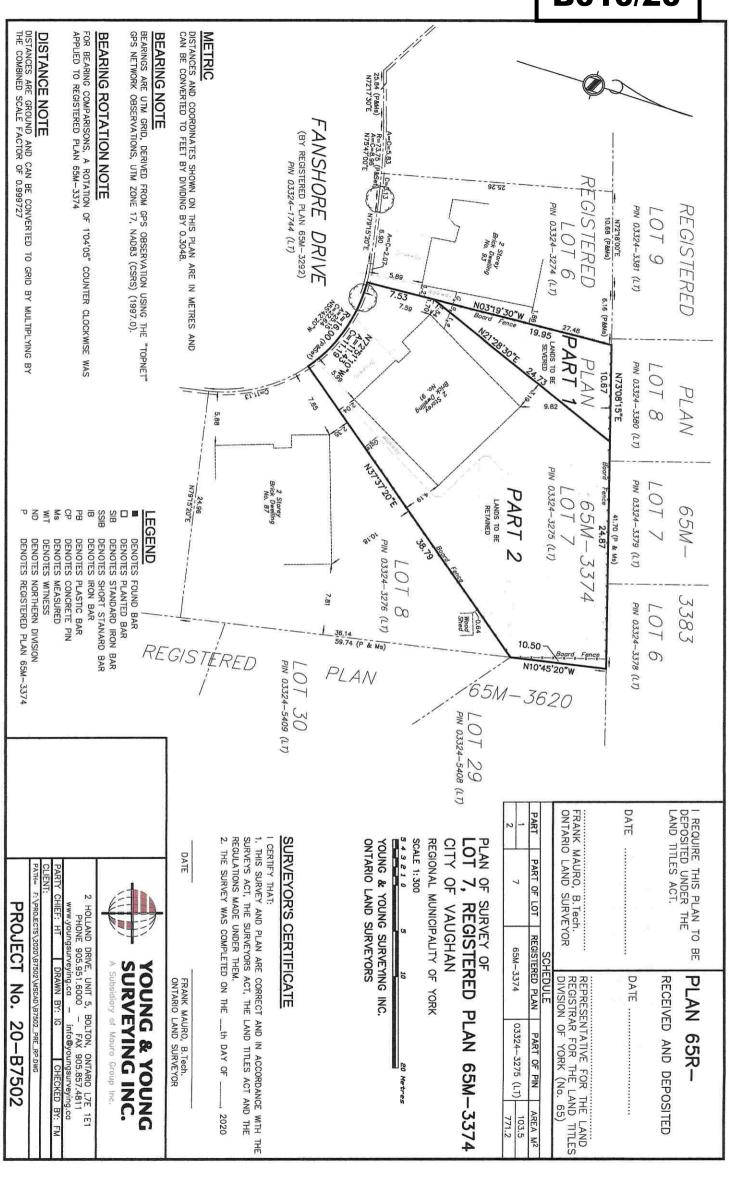
Location Map Plans & Sketches



LOCATION MAP B010/20

Rutherford Road





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

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 MTO – Located outside of MTO permit control area



COMMENTS:

	We have reviewed the proposed Consent Application and have no comments or objections to its approval.
X	We have reviewed the proposed Consent Application and have no objections to its approval, subject to the following comments (attached below).
	We have reviewed the proposed Consent Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Consent 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

Fax: 905-532-4401

E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

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

Fax: 905-532-4401

Email: tony.donofrio@alectrautilities.com

Attwala, Pravina

Subject: FW: B010/20 - 91 Fanshore Drive Woodbridge REQUEST FOR COMMENTS (Vaughan Committee of

Adjustment)

From: Hajjar, Alexander (MTO) <Alexander.Hajjar@ontario.ca>

Sent: August-28-20 1:01 PM

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

Cc: Scholz, Kevin (MTO) < Kevin. Scholz@ontario.ca >; Committee of Adjustment < CofA@vaughan.ca >

Subject: [External] RE: B010/20 - 91 Fanshore Drive Woodbridge REQUEST FOR COMMENTS (Vaughan Committee of

Adjustment)

Good Afternoon Pravina,

MTO has reviewed the subject land(s) located at 91 Fanshore Dr. in the City of Vaughan. The subject lands are outside the MTO permit control area and therefore do not require a permit from this office.

Best Regards,

Alexander Hajjar

Transportation Technician Highway Corridor Management Section Ministry of Transportation, MTO 416.235.4504

Attwala, Pravina

Subject: FW: B010/20 - 91 Fanshore Drive Woodbridge REQUEST FOR COMMENTS (Vaughan Committee of

Adjustment)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: August-28-20 3:31 PM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>;

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

Subject: [External] RE: B010/20 - 91 Fanshore Drive Woodbridge REQUEST FOR COMMENTS (Vaughan Committee of

Adjustment)

Good afternoon Pravina,

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

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | 1-877 464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca | www.york.ca