



File: A042/20

Applicant: Frank and Daniela Meleca

Address: 77 Bestview Crescent, Maple

Agent: None.

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)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
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: Lenore Providence
Hearing Date: Thursday, September 10, 2020



Minor Variance Application

Agenda Item: 06

A042/20

Ward: 1

Staff Report Prepared By: Lenore Providence, 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 see Important Information on next page for instructions or contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8585. Ext. 8332.

Written comments and public deputation requests must be received by noon on the last business day prior to the scheduled hearing.

- Applicant:** Frank and Daniela Meleca
- Agent:** None.
- Property:** 77 Bestview Crescent, Maple ON
- Zoning:** The subject lands are zoned RV4 and subject to the provisions of Exception 9(946) 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 existing covered and enclosed deck located in the rear yard.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
The minimum rear yard is 7.5 metres. [4.15.6, Schedule "A1"]	The proposed rear yard is 4.76 metres.

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 **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 24, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2002
Deck	Unknow, proposed to enclose and cover

Applicant has advised that they cannot comply with By-law for the following reason(s): We have been living in our house for 19 years. Shortly after moving in, we had the builder build the deck after realizing that there was no privacy in the back of our home. The deck has always had walls with a roof, sunroofs, and window openings. We have never had any neighbors complain or question the design of the deck. The purpose the deck was built this way was so that we could have our privacy and ensure privacy for our neighbors, as we could see directly into their homes before the deck being build. The houses and neighbors directly behind us and beside us have commented on how grateful they are for us having a deck build this way. If we had a deck with no walls, they would have no choice but to keep their curtains closed for privacy all day all the time. The original deck began to detach itself from the house which was becoming very unsafe. For the safety and privacy of our family and those around us, we decided to rebuild the deck, keeping privacy and safety of the utmost importance.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: Order No. 19-000403, Order to Comply for Construction of foundation, deck and exterior wall located in the rear yard, has been undertaken prior to obtaining the required building permit., Issue Date: Sep 30, 2019.

Building Permit(s) Issued: Building Permit No. 19-002052 for Single Detached Dwelling - Alteration, 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): "Low-Rise Residential"

The Owner is requesting to construct an elevated covered rear yard deck with the above noted variance.

At the request of Development Planning, the Owners have revised their initial proposal which contemplated a fully enclosed rear yard deck. With the current proposal, the Owner and his agent have removed most of the wall(s), installed railings and increased the openings of the deck itself.

The Planning Department has no objection to the rear yard reduction, given the Owner is proposing a rear yard setback that is compatible in height and consistent with the general location of surrounding decks in the area. Development Planning has conducted a site visit and is of the opinion that the proposed changes discussed above will minimize any negative effects (shadowing, massing and privacy) caused onto the surrounding properties. In addition, the width and total area of the deck being proposed remains comparable with other decks in the neighbourhood and compliant with Zoning By-law 1-88.

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 comments or concerns.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A042/20.

Parks, Forestry and Horticulture Operations:

Forestry has no comments at this time

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No comments or concerns.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None.

Schedule C - Agency Comments

MTO – Located outside of MTO permit control area
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. Recommended conditions of approval: N/A

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 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

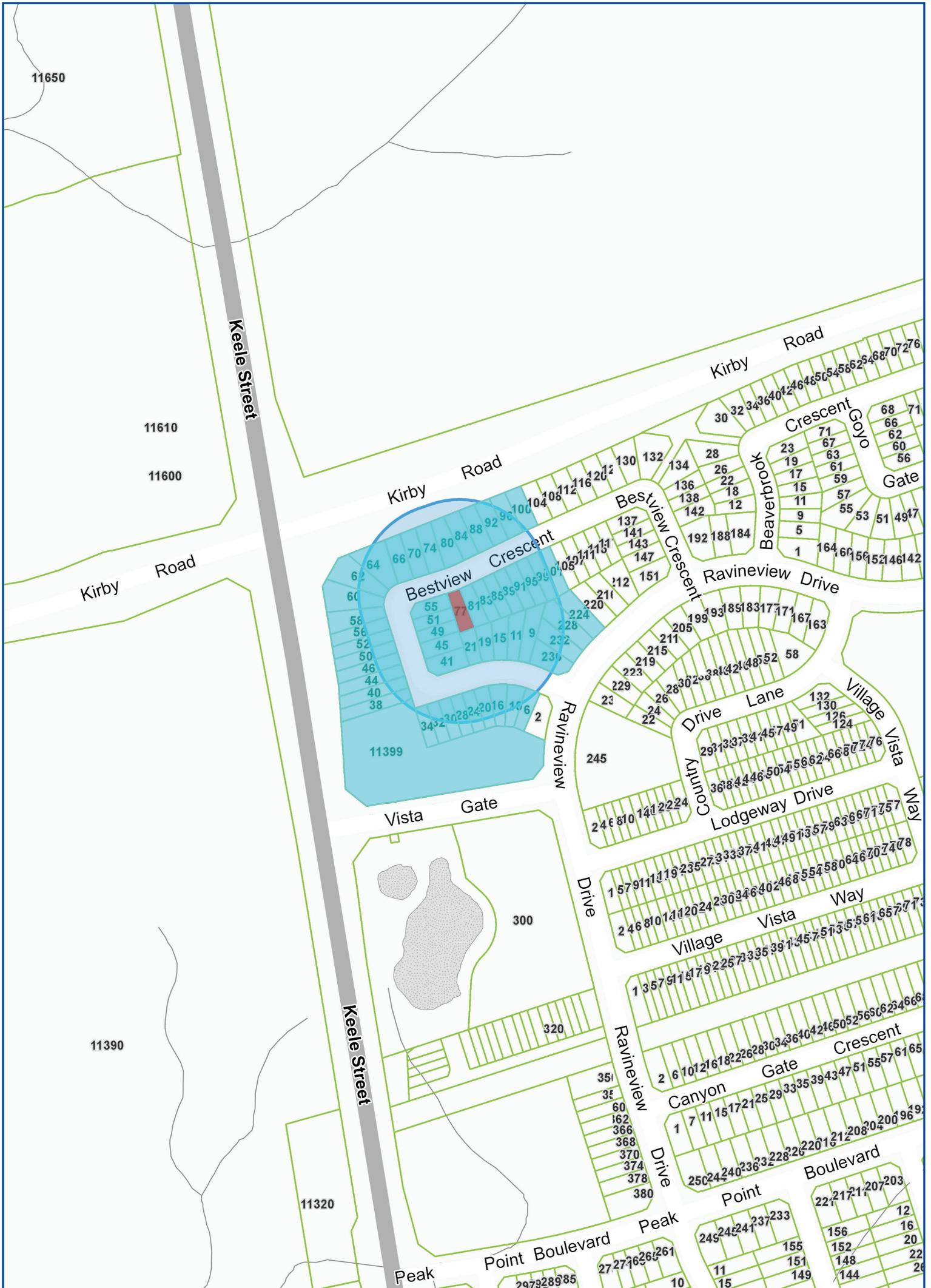
T 905 832 8585 Extension 8394
E CofA@vaughan.ca

Schedule A: Plans & Sketches

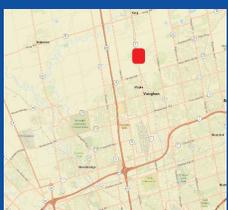
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map

Plans & Sketches



Map Information:



Title:

77 BESTVIEW CRESCENT, MAPLE

LOCATION MAP - A042/20

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:3,564

0 0.06 km



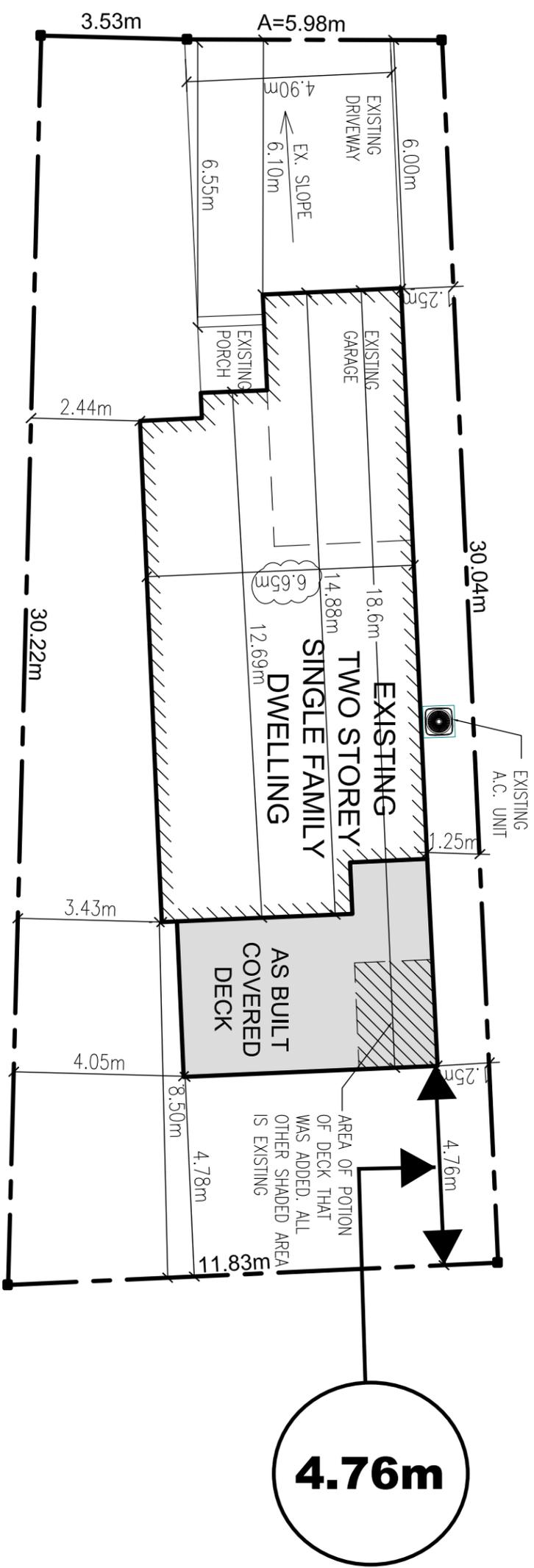
Created By:

Infrastructure Delivery
Department
May 15, 2020 5:15 PM

Projection:
NAD 83
UTM Zone
17N



A042/20



AS BUILT SITE PLAN
SCALE : 3/32" = 1'-0"



SITE STATISTIC	
ZONING	=
LOT AREA	= 320.7 s.m
BUILDING FOOTPRINT	= 114.6s.m
LOT COVERAGE	= 35.73%
OCCUPANCY GROUP	= C
EX. GARAGE	= 20.2s.m
EX. SECOND FLOOR GFA	= 78.9s.m
EX. GROUND FLOOR GFA	= 66.2s.m
AS BUILT ENCLOSED COVERED DECK FLOOR GFA	= 26.8s.m
PROPOSED TOTAL GFA	= 171.9s.m
EX. FRONT SET BACK	= 6.00m
PROPOSED SIDE SETBACK	= 4.05m
AS BUILT SIDE SETBACK	= 1.25m
AS BUILT REAR SETBACK	= 4.76m
AS BUILT ADDITION HEIGHT	= 5.63m

AS BUILT DRAWINGS

REVISION DATE 28 MAY 2020

Client Name & Address:

FRANK MELECA

77 BESTVIEW CRESCENT
MAPLE, ON L6A 3T1

Project address

77 BESTVIEW CRESCENT
MAPLE, ON L6A 3T1

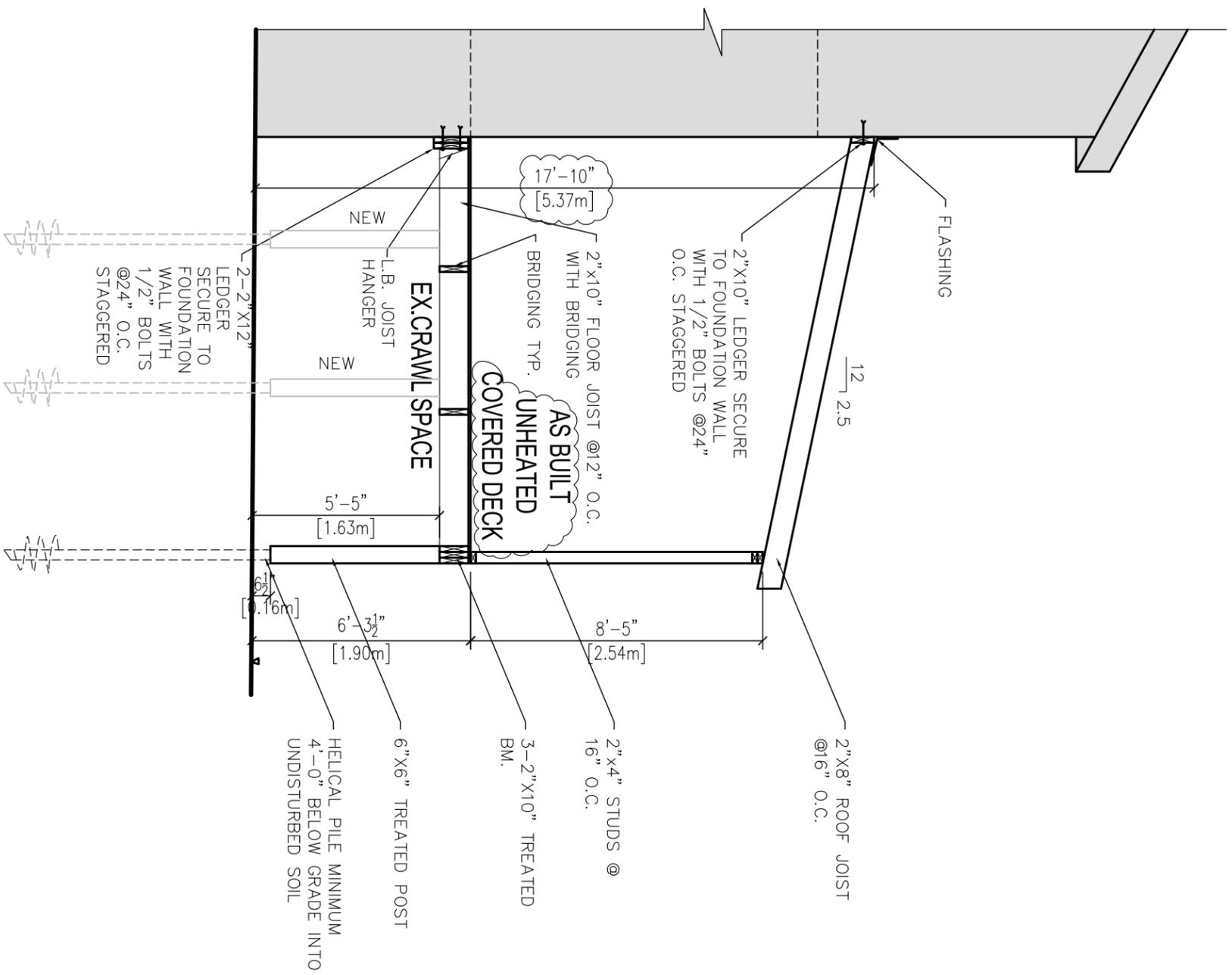
Date: 09 DEC. 2019 Scale: As shown Drawing No. **A1.0**

A042/20



A042/20





AS BUILT BUILDING SECTION
 SCALE : 1/4" = 1'-0"

AS BUILT DRAWINGS

REVISION 2: 19 MAY, 2020

Client Name & Address:		
FRANK MELECA		
77 BESTVIEW CRESCENT		
MAPLE, ON L6A 3T1		
Project address		
77 BESTVIEW CRESCENT		
MAPLE, ON L6A 3T1		
Date:	Scale:	Drawing No.
09 DEC, 2019	As shown	A2.4

AS BUILT DRAWINGS

REVISION 1: 06 FEB. 2020

Client Name & Address:

FRANK MELECA
77 BESTVIEW CRESCENT
MAPLE, ON L6A 3T1

Project address:

77 BESTVIEW CRESCENT
MAPLE, ON L6A 3T1

Date:

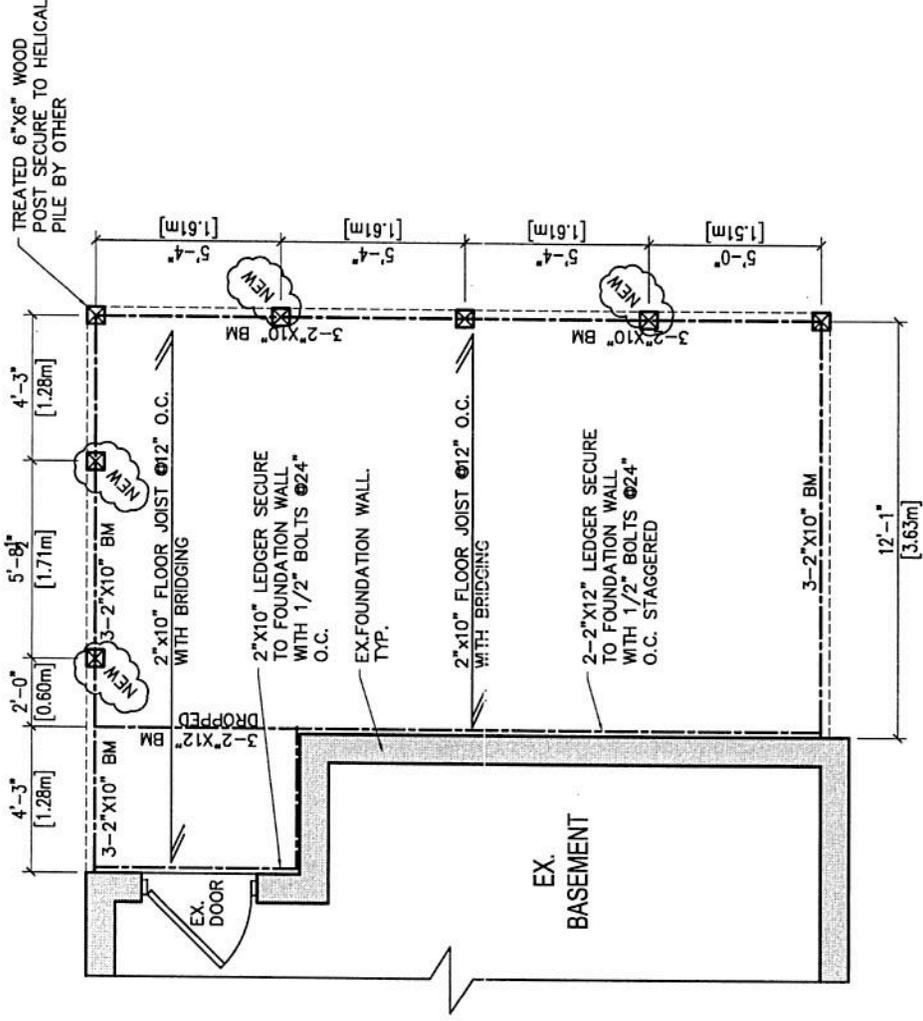
09 DEC. 2019

Scale:

As shown

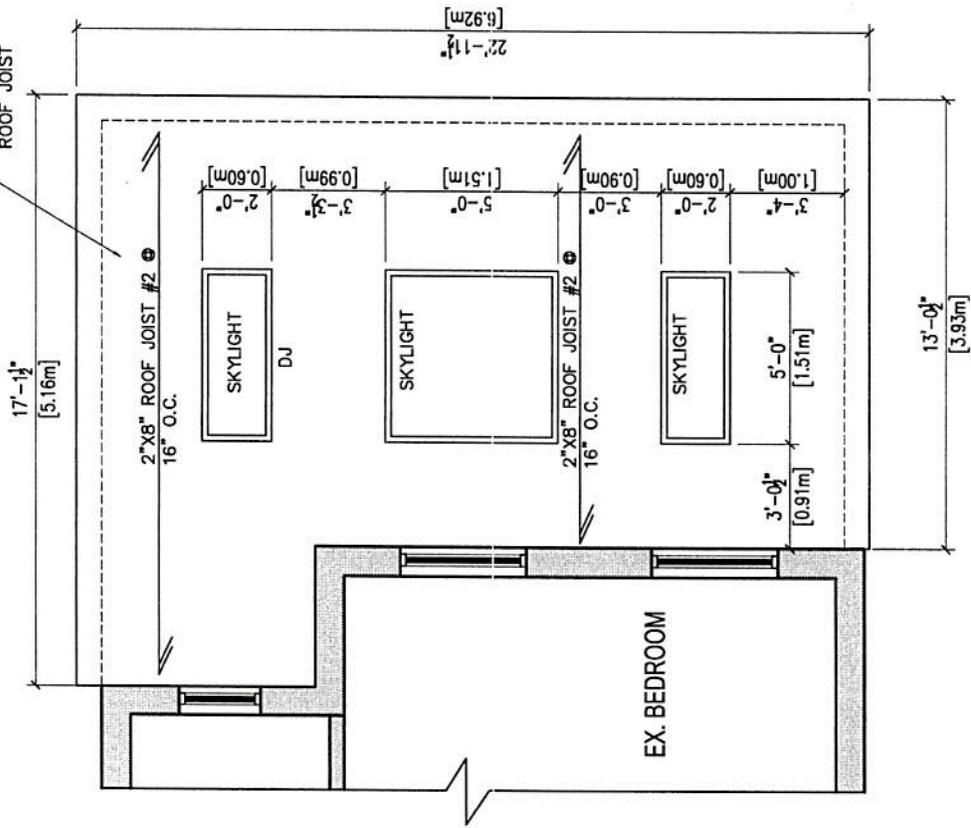
Drawing No.

A1.1





3 LAYERS OF ROOF FELT
1/2" PLY WOOD ON
ROOF JOIST



AS BUILT DRAWINGS

AS BUILT ROOF FLOOR PLAN
SCALE : 1/4" = 1'-0"

Client Name & Address:

FRANK MELECA
77 BESTVIEWCRESCENT
MAPLE, ON L6A 3T1

Project address

77 BESTVIEWCRESCENT
MAPLE, ON L6A 3T1

Date:

09 DEC. 2019

Scale:

As shown

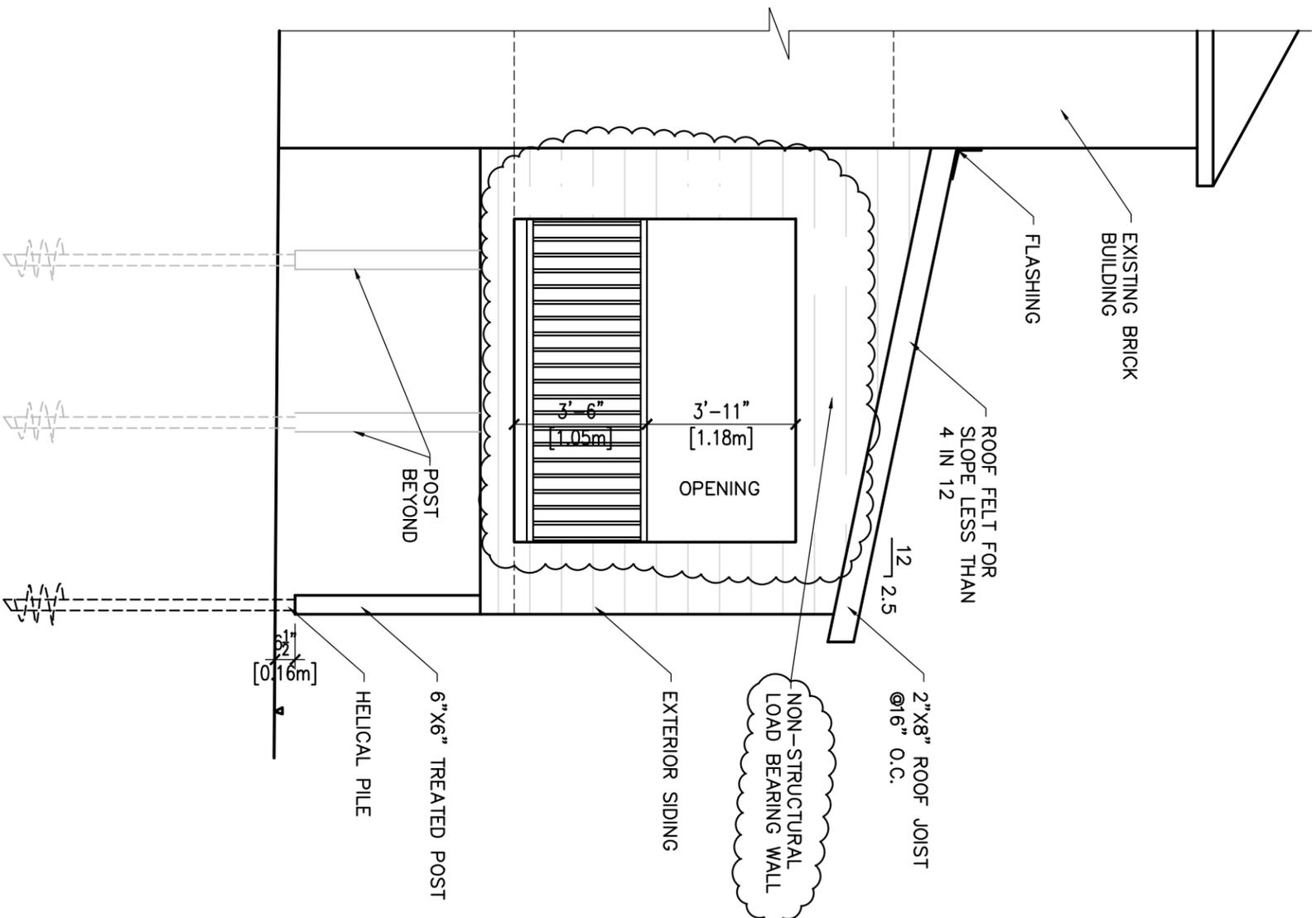
Drawing No.

A1.3

A042/20

Revised

August 4, 2020



AS BUILT WEST ELEVATION
SCALE : 1/4" = 1'-0"

AS BUILT DRAWINGS

REVISION 3: 30 JULY 2020

Client Name & Address:

FRANK MELECA

77 BESTVIEW CRESCENT

MAPLE, ON L6A 3T1

Project address

77 BESTVIEW CRESCENT

MAPLE, ON L6A 3T1

Date:

09 DEC. 2019

Scale:

As shown

Drawing No.

A2.1

AS BUILT DRAWINGS

REVISION 1: 06 FEB. 2020

Client Name & Address:

FRANK MELECA
77 BESTVIEW CRESCENT
MAPLE, ON L6A 3T1

Project address:

77 BESTVIEW CRESCENT
MAPLE, ON L6A 3T1

Date:

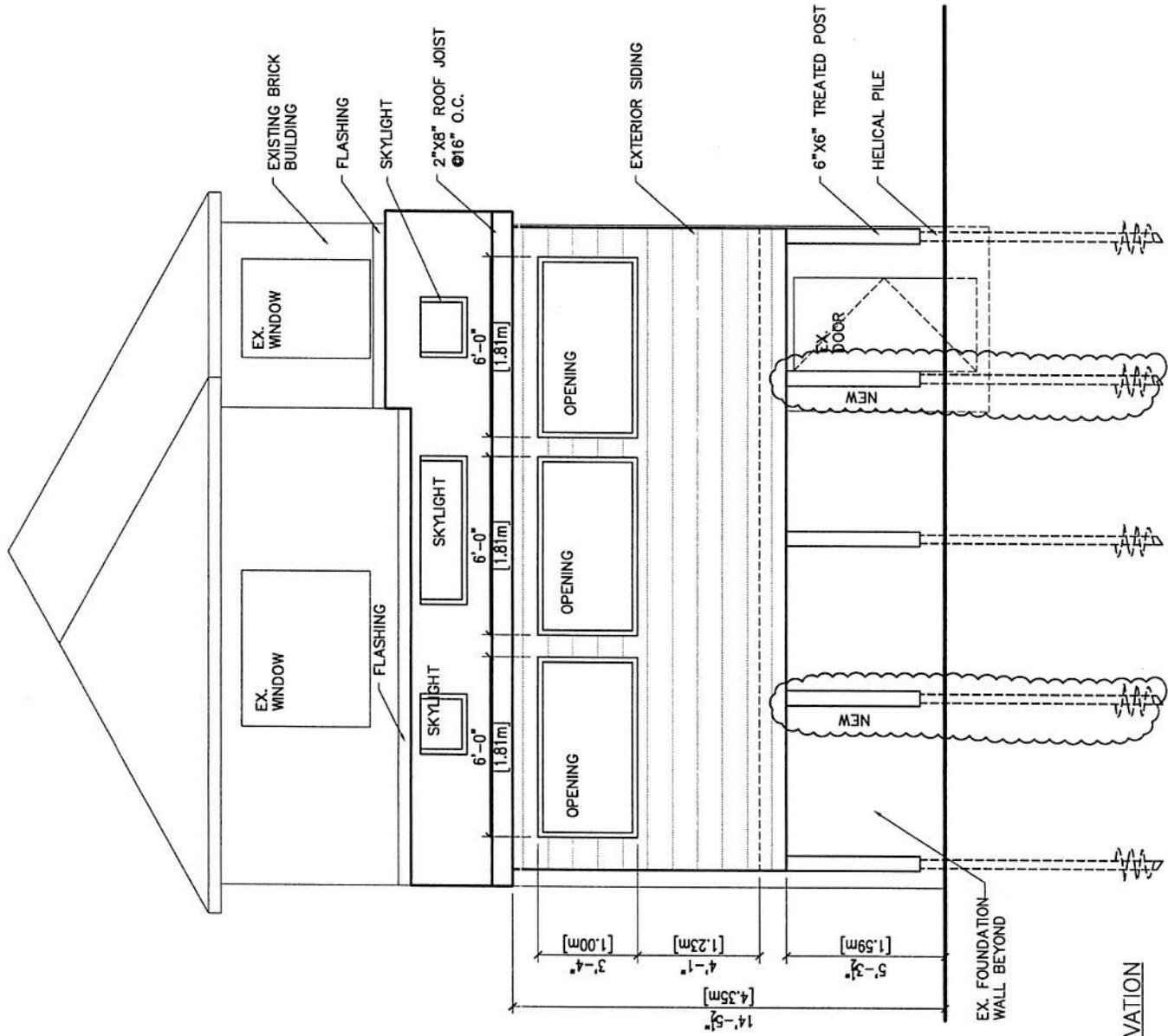
09 DEC. 2019

Scale:

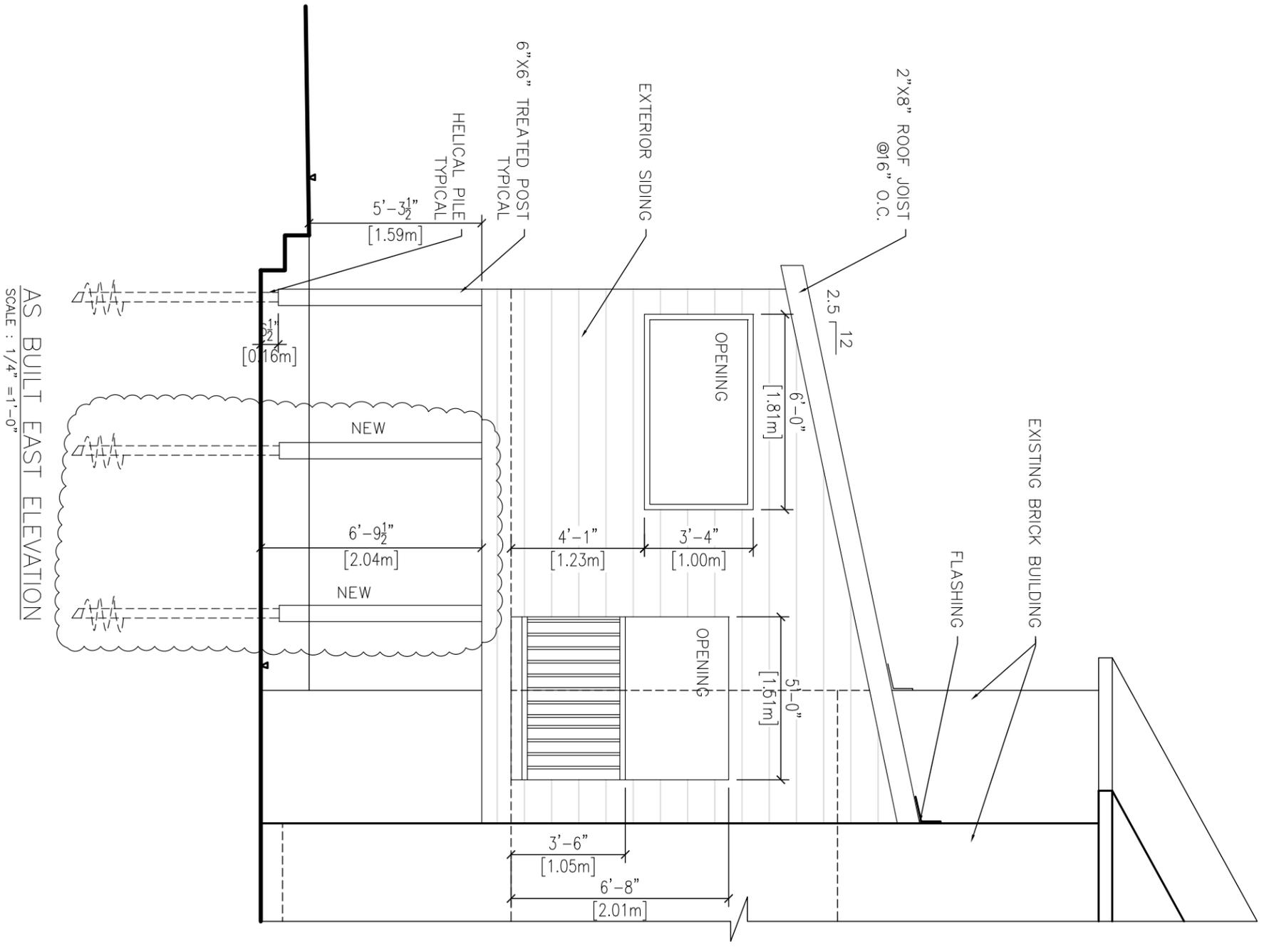
As shown

Drawing No.

A2.2



AS BUILT SOUTH ELEVATION
SCALE : 1/4" = 1'-0"



AS BUILT EAST ELEVATION
SCALE : 1/4" = 1'-0"

AS BUILT DRAWINGS

REVISION 1: 06 FEB. 2020

Client Name & Address:		Drawing No.
FRANK MELECA 77 BESTVIEW CRESCENT MAPLE, ON L6A 3T1		
Project address:		Scale:
77 BESTVIEW CRESCENT MAPLE, ON L6A 3T1		
Date:	09 DEC. 2019	As shown

DECK ATTACHED

(1) PIECE OF 18 O.A. MIN. 2" THICK HOUSE RIM BOARD AND DECK LEDGER BOARD
NOTE: ALUMINUM FLASHING IS NOT PERMITTED.

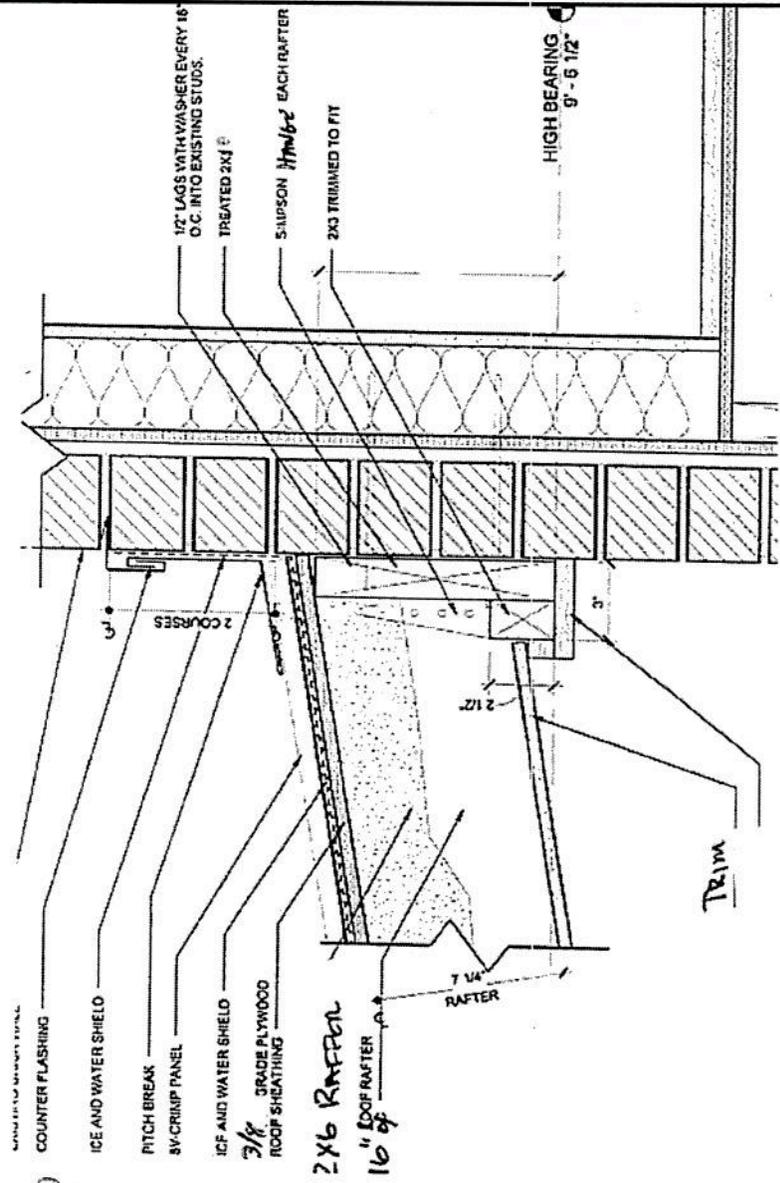
SEE TABLE FOR SPACING

JOIST HANGER

LAG SCREWS MUST PROJECT AT LEAST 1/2" BEYOND THE INTERIOR SIDE OF THE HOUSE RIM BOARD

STAGGERED 1/2" DIA HDG LAG SCREWS THAT EXTEND AT LEAST 1/2" BEYOND INTERIOR FACE OF HOUSE RIM BOARD OR 1/2" HDG THRU BOLTS

FLASHING (EXPLODED VIEW)



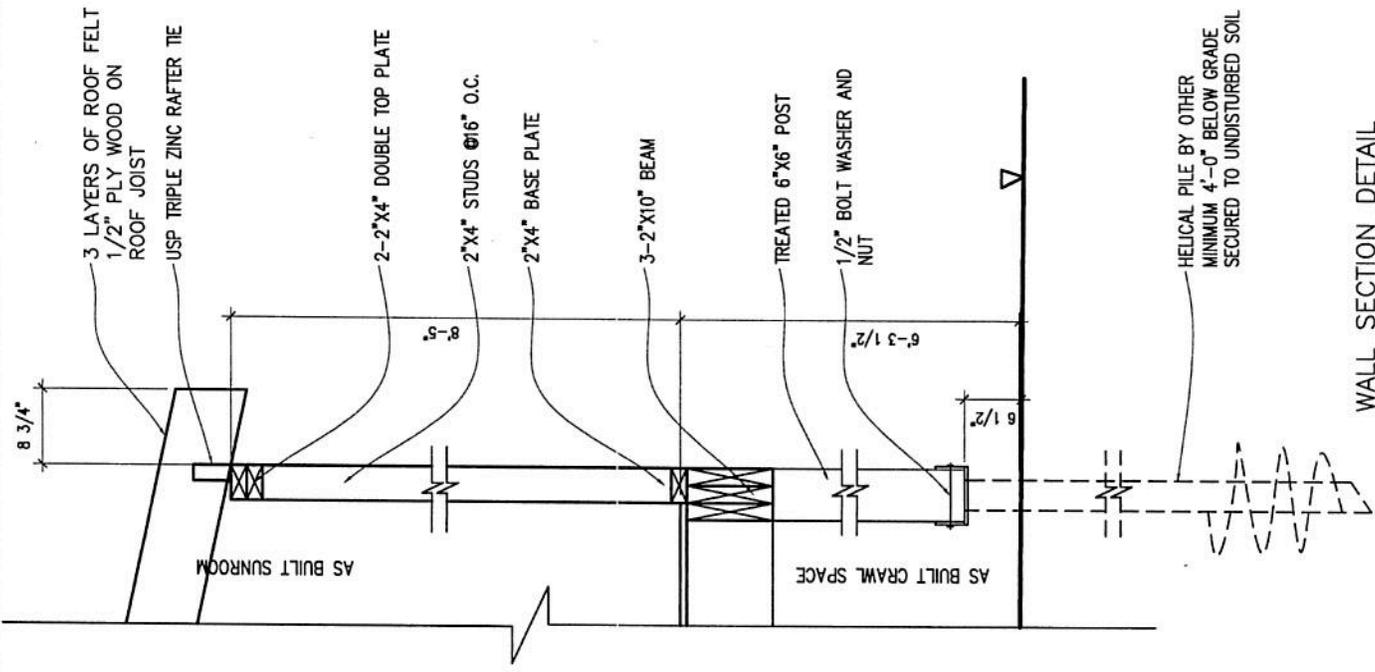
TYP. ADDITION CONNECTION TO EXISTING BUILDING
N.T.S.

TYP. ROOF CONNECTION TO EXISTING BUILDING
N.T.S.

Client Name & Address: FRANK MELECA 77 BESTVIEW CRESCENT MAPLE, ON L6A 3T1
Project address: 77 BESTVIEW CRESCENT MAPLE, ON L6A 3T1
Date: 09 DEC. 2019 Scale: As shown Drawing No. A3.1

AS BUILT DRAWINGS

Client Name & Address: FRANK MELECA 77 BESTVIEW CRESCENT MAPLE, ON L6A 3T1	
Project address: 77 BESTVIEW CRESCENT MAPLE, ON L6A 3T1	
Date: 09 DEC. 2019	Scale: As shown
Drawing No. A3.2	



WALL SECTION DETAIL
SCALE: 1/2" = 1'-0"

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.-

MTO – Located outside of MTO permit control area
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Providence, Lenore

Subject: FW: A042/20 - REQUEST FOR COMMENTS - 77 Bestview Crescent, Maple (Full Circulation)

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

Sent: August-04-20 1:16 PM

To: Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; Vigneault, Christine <Christine.Vigneault@vaughan.ca>

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

Subject: [External] RE: A042/20 - REQUEST FOR COMMENTS - 77 Bestview Crescent, Maple (Full Circulation)

Good Afternoon Christina,

MTO has reviewed the subject land(s) located at 77 Bestview Cres. 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

From: Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>

Sent: August 4, 2020 11:51 AM

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

Cc: Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>

Subject: FW: A042/20 - REQUEST FOR COMMENTS - 77 Bestview Crescent, Maple (Full Circulation)

Please TAA



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

Providence, Lenore

Subject: FW: RESPONSE: A042/20 - REQUEST FOR COMMENTS - 77 Bestview Crescent, Maple (Full Circulation)

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

Sent: August-04-20 3:35 PM

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

Subject: [External] RESPONSE: A042/20 - REQUEST FOR COMMENTS - 77 Bestview Crescent, Maple (Full Circulation)

Good afternoon Lenore,

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

Regards,

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