



File: A063/20

Applicant: Rose and Carmen Tamburro

Address: 40 Dalcairney Road, 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"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
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



Minor Variance
Application

Agenda Item: 08

A063/20

Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, October 1, 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](https://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: Rose and Carmen Tamburro

Agent: None

Property: 40 Dalcairney Road, Maple

Zoning: The subject lands are zoned R4, Residential Zone and subject to the provisions of Exception 9(893) under By-law 1-88 as amended.

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

Related Files: None

Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed one storey addition located at the rear of the existing dwelling. Relief is also being requested to permit the existing shed.

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

By-law Requirement	Proposal
1. The minimum rear yard is 9.0 metres. [Exception 9(893) ai), Schedule T-93]	1. The proposed rear yard for the rear addition is 7.9 metres, and for the existing garden shed in the rear yard is 0.3 metres.
2. The minimum side yard is 1.2 metres. [Exception 9(893) ai), Schedule T-93]	2. The proposed side yard for the rear addition is 0.68 metres, and for the existing garden shed in the rear yard is 0.35 metres.

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 September 16, 2020

Applicant confirmed posting of signage on September 14, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2002
Addition	2002
Shed	2002

Applicant has advised that they cannot comply with By-law for the following reason(s): Rear yard set-back does not comply to zoning 9m minimum. Side yard setback does not comply to zoning 1.2m min. (consistent with current home set back). Shed does not comply as well.

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. 20-000862 for Single Detached Dwelling - Addition, Issue Date: (Not Yet Issued)

Please note that as required by by-lae 1-88, section 4.1.1 b) the maximum height of any accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three (3) metres above finished grade.

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 permit an existing shed in the rear yard and the construct a rear yard addition to the main dwelling with the above noted variances.

The Development Planning Department has no objection to the deficiencies as the existing shed and proposed addition is surrounded by soft landscape, which Development Engineering staff have confirmed will not cause water drainage issues on-site. Development Planning staff are of the opinion the proposed addition remains proportionally balanced to the width of the dwelling and in an optimal location, as the closest wall of the addition is similar in distance to the rear lot line as the neighbouring property to the south (36 Dalcairney Road).

The Development Planning Department has no objection to the interior side yard setback of the shed and addition is appropriate given the distance to its neighbouring properties. The Development Engineering staff has also reviewed the reduced interior side yard and have no objections). In addition, the rear yard addition provides an interior side yard setback that is consistent with the area.

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:

Additional Comments:

The Development Engineering (DE) Department had concerns for the 0.3m setback along the rear yard and side yard from the existing garden shed. The applicant/owner has provided a letter of acknowledgement from the respective neighbor confirming they have had no issues with drainage since the installation of the garden shed. The Development Engineering (DE) Department has also sent out an inspector from the lot grading division to verify if there would be any possible chance of drainage blockage and have confirmed through inspection that the garden shed does not show any signs of previous ponding or issues.

The Development Engineering (DE) Department does not object to variance application A063/20 subject to the following condition(s):

The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading approval prior to any work being undertaken on the property (1-storey addition). Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.

Parks, Forestry and Horticulture Operations:
No comments.

By-Law and Compliance, Licensing and Permit Services:
No comments.

Financial Planning and Development Finance:
No comments.

Fire Department:
No comments.

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 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 Engineering Jason Pham 905-832-8585 x 8716 jason.pham@vaughan.ca	The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading approval prior to any work being undertaken on the property (1-storey addition). Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.

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](https://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.

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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

Lenore Providence

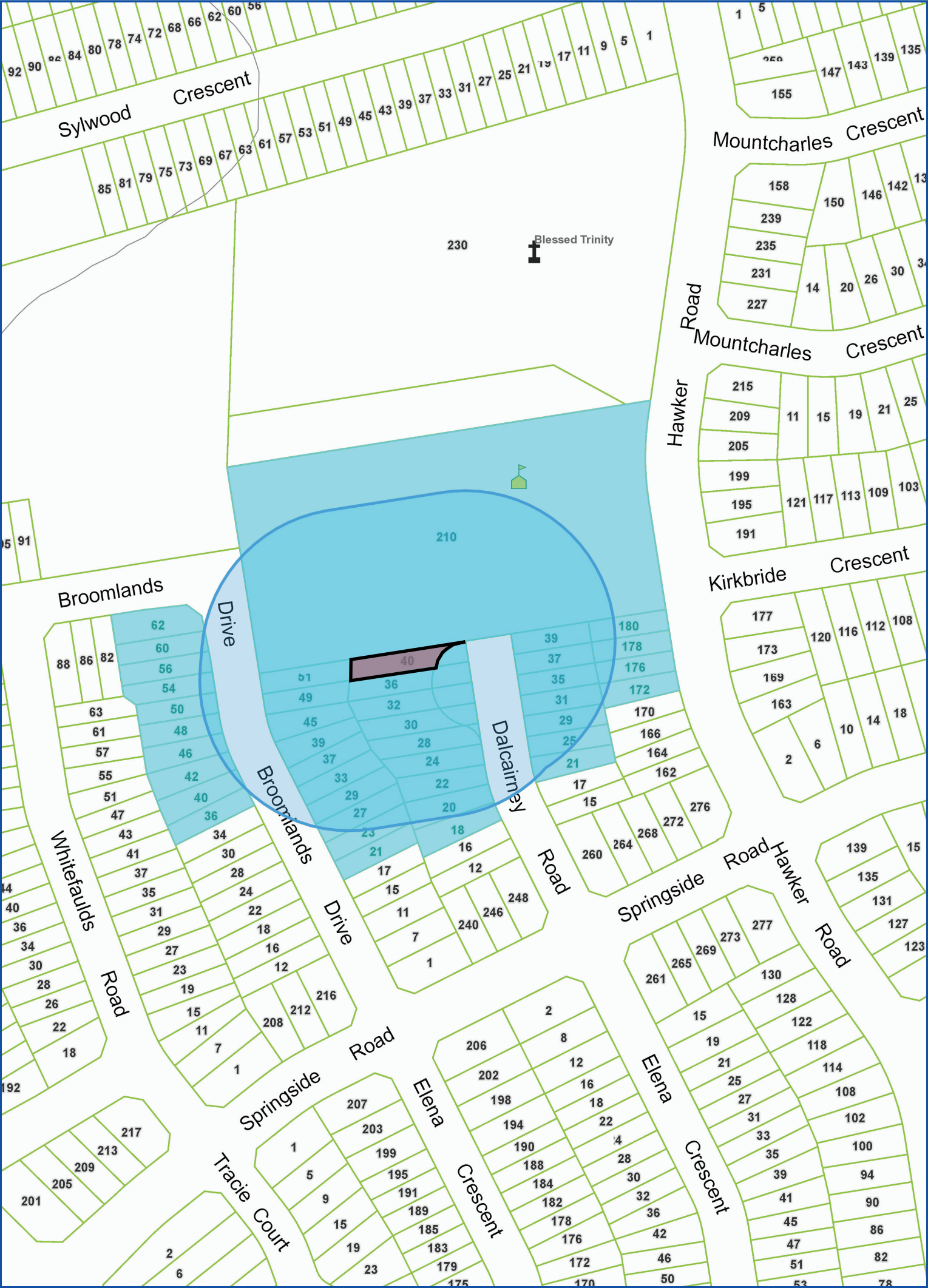
T 905 832 8585 Extension 8394

E CofA@vaughan.ca

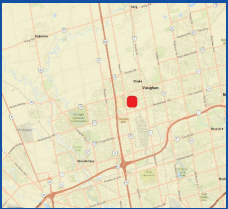
Schedule A: Plans & Sketches

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:

40 DALCAIRNEY ROAD, MAPLE

LOCATION MAP - A063/20

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: 1:2,121

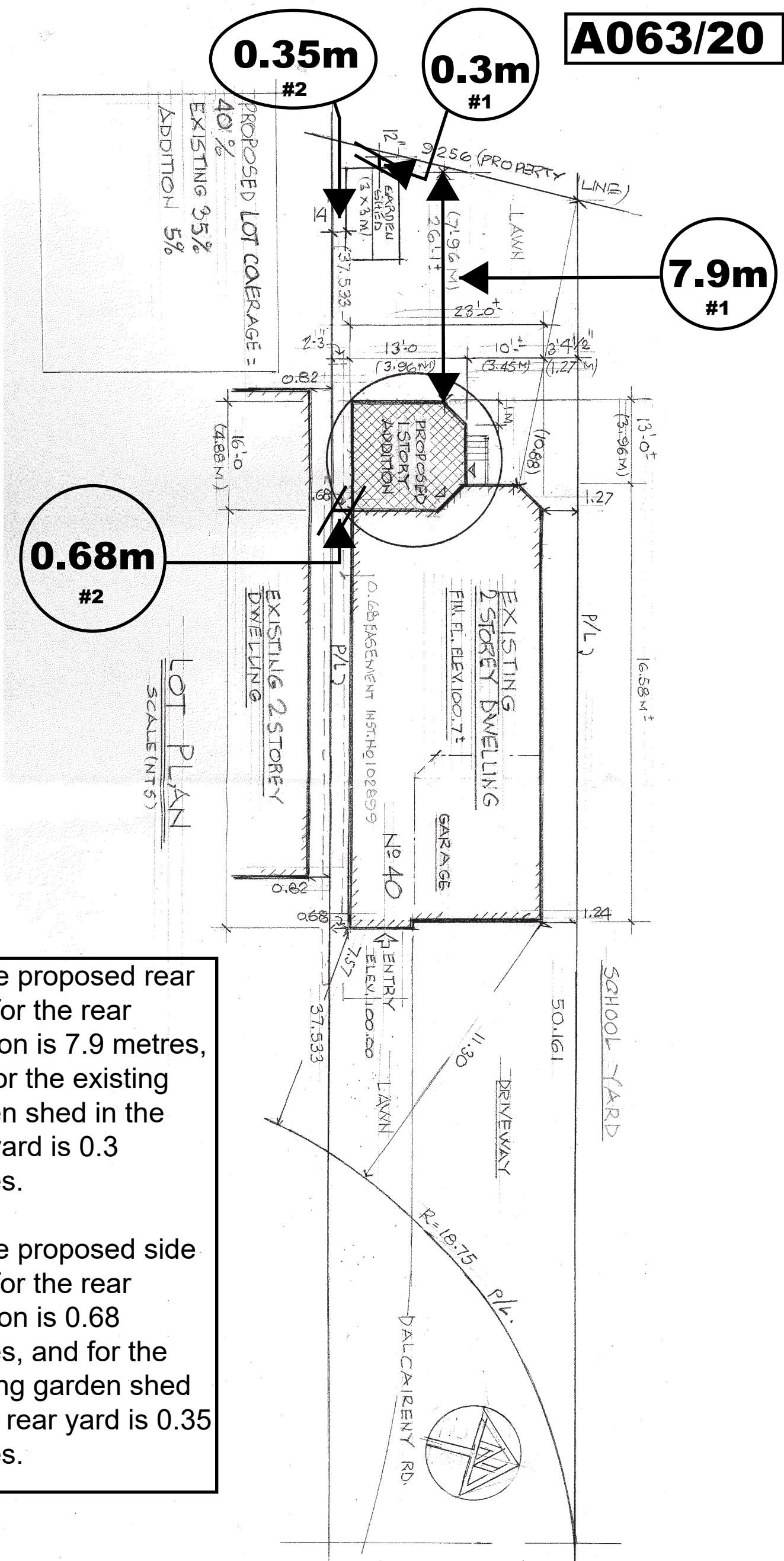
0 0.03 km



Created By:

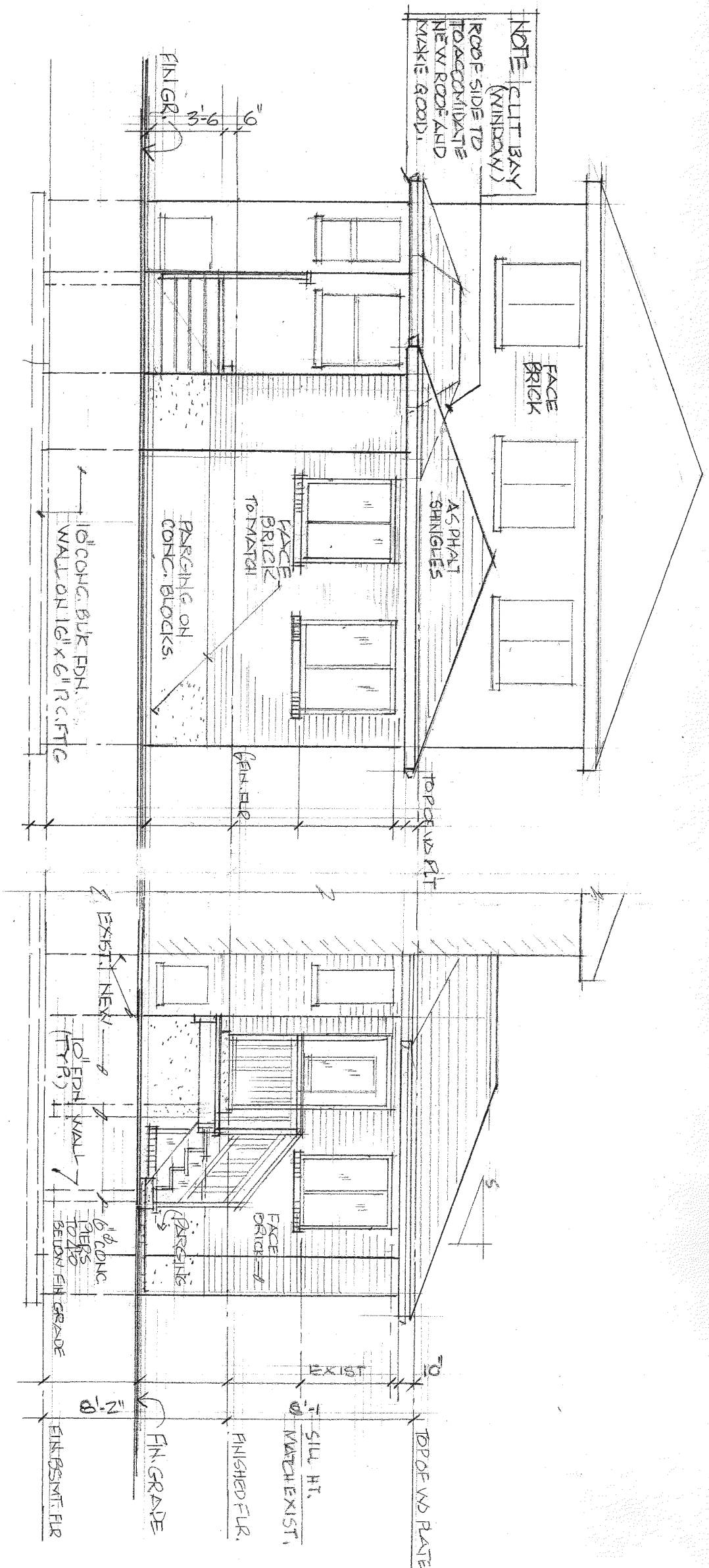
Infrastructure Delivery
Department
August 3, 2020 12:36 PM

Projection:
NAD 83
UTM Zone
17N

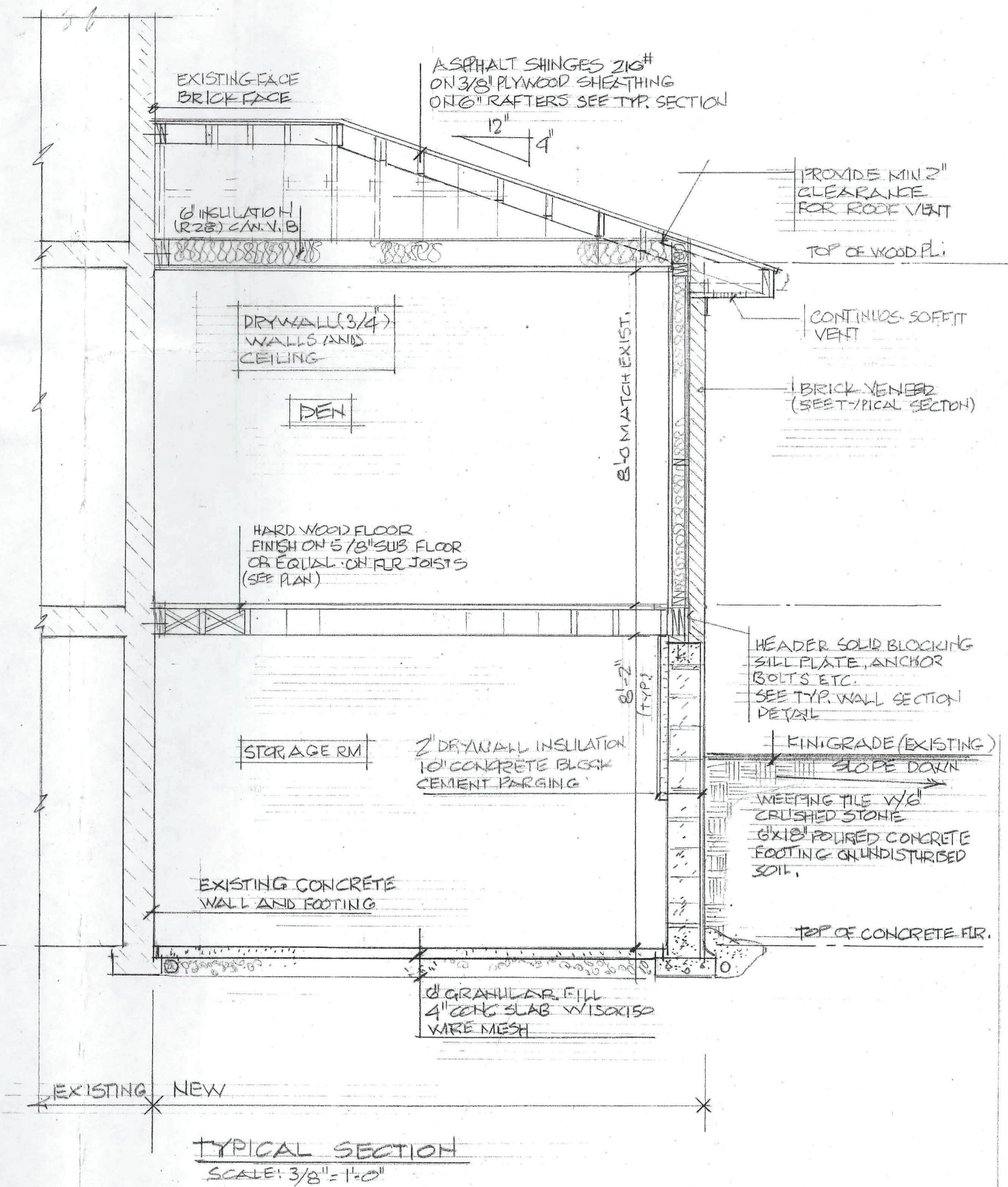


1. The proposed rear yard for the rear addition is 7.9 metres, and for the existing garden shed in the rear yard is 0.3 metres.

2. The proposed side yard for the rear addition is 0.68 metres, and for the existing garden shed in the rear yard is 0.35 metres.



NOTE: 1
SOUTH ELEVATION
BLANK WALL.
ALUMINUM SIDING.
SEE TYP. DETAIL BELOW



NOTE: ALL WORK TO BE DONE
IN ACCORDANCE O.B.C.
LATEST REVISION

EXISTING LOT COVERAGE 35%
ADDITION: 5%
PROPOSED LOT COVERAGE 40%

FILE NO

PROPOSED ADDITION FOR
MR. CARMEN AND ROSE E. TAMBURRO
LOCATED AT N 40 DEL CARNEY RD.
CITY OF VAUGHAN P.C.
TEL: 905-303-5358 E.M.

FLOOR PLANS: TYPICAL SECTIONS/DETAILS

DATE
JULY 10/20

PLAN NO 65R-241

LOT NO 186

PLANS & DETAILS

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
- MTO – Located outside of MTO permit control area

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

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: A063-20 - REQUEST FOR COMMENTS - 40 Dalcairney Rd Maple (Full Circulation)

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

Sent: August-19-20 4:30 PM

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

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

Subject: [External] RE: A063-20 - REQUEST FOR COMMENTS - 40 Dalcairney Rd Maple (Full Circulation)

Good Afternoon Lenore,

MTO has reviewed the subject land(s) located at 40 Dalcairney Rd. 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

Providence, Lenore

Subject: FW: A063-20 - REQUEST FOR COMMENTS - 40 Dalcairney Rd Maple (Full Circulation)

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

Sent: September-01-20 3:35 PM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>; adriana.machperson@vaughan.ca; Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: A063-20 - REQUEST FOR COMMENTS - 40 Dalcairney Rd 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 | 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