



File: A086/20

Applicant: Paolo DiBenedetto

Address: 150 Old Humber Crescent, Kleinburg

Agent: Georgio Lolos

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"/>	<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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York		
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson  
Hearing Date: Thursday, December 3, 2020



**Minor Variance  
Application**

Agenda Item: 2

**A086/20**

Ward: 1

**Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday, December 3, 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](http://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](mailto:cofa@vaughan.ca)

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto: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:** Paolo DiBenedetto
- Agent:** GEORGIO LOLOS
- Property:** **150 Old Humber Crescent, Kleinburg**
- Zoning:** The subject lands are zoned RR Rural Residential, and subject to the provisions of Exception 9(741) 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 single family dwelling and cabana. Relief is also being requested to permit two driveways.

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 front yard setback of 15.0 metres is required.	1. To permit a minimum front yard setback of 14.25 metres to the covered porch of the dwelling.
2. A maximum building height of 9.5 metres is permitted.	2. To permit a maximum building height of 11.99 metres measured from the average finished grade at the front of the dwelling to the highest point of the roof.
3. A maximum total of 67.0m2 is permitted for accessory buildings.	3. To permit a maximum of 83.3m2 for the accessory building (cabana).
4. A maximum building height of 4.5 metres and 3.0 metres to the nearest part of the roof is permitted.	4. To permit a maximum building height of 6.14 metres measured from the average finished grade at the front of the accessory building (cabana) to the highest point of the roof and 4.3 metres to the nearest part of the roof.
5. A maximum lot coverage of 10% is permitted.	5. To permit a maximum lot coverage of 27.36% for all covered areas (Dwelling 12.36%, Underground Garage 12.84%, Cabana 2.16%)
6. A maximum combined driveway width of 9.0 metres is permitted.	6. To permit a maximum driveway width of 10.13 metres.
7. Not more than one driveway shall be permitted on a lot.	7. To permit a second driveway on this lot.

**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](http://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 November 18, 2020

Applicant confirmed posting of signage on November 19, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling (Current)	1980
Dwelling (Proposed)	TBC
Cabana	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): Clients family needs.

#### 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

Any architectural or design element greater than 1.8 metres in height shall be setback the equal distance of its height. Please advise if this is the case.

Any retaining walls over 1.0 metre in height, shall be setback an equal distance to its height.

An A/C unit and/or open pool equipment shall be setback a minimum of 0.6 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

The applicant confirms that the lot coverage is 12.36% for the dwelling, 2.16% for the accessory building (cabana and lounge) and 12.84% for the garage underneath.

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 permission to construct a new two-storey dwelling with an underground parking garage, a swimming pool and cabana with the above noted variances.

On September 15th, 2020, Development Planning staff attended the subject property and observed existing site conditions and assessed the general neighbourhood character. The neighbourhood consists of large, open landscaped estate lots with large dwellings and amenity spaces. Several new custom-built dwellings have been recently constructed and/or are under construction.

Development Planning staff identified concerns with the submitted building heights and overall massing of the dwelling, cabana, and raised patio in the rear yard. The massing of the raised patio was most evident along the exterior lot line facing Old Humber Crescent and staff requested that the Owner consider alternative designs or incorporate landscaping into the design to fit within the existing neighbourhood character.

The Owner revised their proposal to address the concerns of the proposed design and worked with staff to reduce the overall heights of the dwelling and cabana from 12.84 m and 6.89 m to 11.99 m and 6.14 m, respectively, keeping with previous approvals in the vicinity. To address the massing concerns of the raised patio, the Owner provided an Arborist Report, Tree Inventory, Preservation, and Landscape Concept Plan by Landscaping Planning Landscape Architects, dated November 2nd, 2020, to provide enhanced screening on the site. The perimeter grade heights along the raised patio were also lowered by building the site up around it, thereby reducing its profile along the street line and reducing the visual impacts from the streetscape. In addition, a Planning Rationale prepared by Humphries Planning Group Inc. dated November 24, 2020 was submitted in support of the application.

Zoning By-law 1-88 defines Lot Coverage as “the percentage of the lot area covered by all buildings and structures above ground level, including accessory buildings...” As identified on the plans provided, the raised patio is above ground level, containing livable gross floor area beneath it and is considered coverage despite being uncovered and unenclosed. The proposed two-storey portion of the dwelling accounts for just 12.36% of the overall coverage, whereas 2.16% is for the detached cabana and 12.84% for the underground garage and basement area under the raised patio. The resulting variance for a lot coverage of 27.36% is therefore considered minor as the dwelling is within range of previous approvals in the neighbourhood and maintains substantial open space on the lot. As the perimeter heights along the raised patio were lowered and a substantial amount of landscaping was added, the massing impact of the additional lot coverage was reduced accordingly and therefore achieves an appropriate aesthetic that is compatible with the neighbourhood. The proposal also complies with the minimum building envelope requirements with the exception of the variance for the front yard setback to the covered porch, which is considered minor in nature.

The proposed building has a proposed maximum height of 11.99 m to the highest point of the flat portion of the roof. Despite the flat areas of the roof, it largely maintains the character of a sloped roof design from the street line, with a mid-point height of 9.63 m. As Zoning By-law 1-88 permits a maximum building height of 9.5 m from average grade to mid-point of the roof, the requested variance is minor in nature as it will not have adverse impacts on the streetscape. While the majority of the cabana is under the maximum height requirement of 4.5 m, it features an ornamental roof which complements the architecture of the proposed dwelling and therefore requires a variance for a height of 6.14 m. The cabana also complies with the rear and side yard setback requirements and is appropriately sized for the lot, contributing 2.16% towards the total lot coverage. Development Engineering staff had no concerns regarding drainage impacts to the neighbouring property. As such, the relief required for the cabana is considered minor in nature.

For neighbourhood context, the Committee of Adjustment approved Minor Variance Application A137/18 at 191 Old Humber Crescent for a maximum dwelling height of 12.5 m, maximum accessory building height of 5.89 m for a cabana, and an overall lot coverage of 22.53% including a combined 286.6 m<sup>2</sup> of floor area for all accessory buildings.

The proposed driveway width of 10.13 m includes the combined width of both driveways along their intended path of travel. Development Engineering staff reviewed the proposed second driveway and had no objections. As such, the requested variances pertaining to the driveways are considered minor in nature.

The Arborist Report, Tree Inventory, Preservation, and Landscape Concept Plan indicates a removal of 25 trees on the subject property. Based on the City of Vaughan’s Tree Replacement Formula, 15 replacement trees are required for replanting and will be provided on site as per the plans submitted. Urban Design and Cultural Heritage staff concur with the recommendations of the report and support the Landscape Concept Plan with only technical revisions required at this time. Should this application be approved, a condition to this effect is included in the conditions of approval.

In consideration of the Established Large Lot Neighbourhoods Policy (9.1.2.3) of VOP 2010, the proposal maintains the character of the established, large-lot neighbourhood as it demonstrates general conformity with the policy criteria. No changes to the lot frontage, area and configuration have been proposed. The building footprint complies with the zoning by-law requirements for setbacks, with the exception of the front yard setback to the covered porch, resulting in substantial open space on the lot with generous amenity and landscaped areas.

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.

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

If the Committee finds merit in the application, the following conditions of approval are recommended:

That the Arborist Report, Tree Inventory, Preservation and Landscape Concept Plan, by Landscape Planning Landscape Architects, dated November 2, 2020, be approved to the satisfaction of the Development Planning Department.

**Cultural Heritage (Urban Design):**

No Response

**Development Engineering:**

The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for the pool permit.

The owner/applicant shall apply and obtain the necessary curb cut permit through the Transportation Services Division.

The Development Engineering (DE) Department does not object to variance application A086/20 subject to the following condition(s):

1. The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for lot grading and/or servicing approval.
2. The Owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the increased lot coverage area from 10% to 27.35% in order to mitigate potential impacts on the municipal stormwater system.

**Parks, Forestry and Horticulture Operations:**

Tree Protection Fencing is to be installed to minimize the impact on the trees (over 20cm DBH) to be preserved prior demolition/construction and is to remain until the construction is completed. (applicable to Private and Public trees) as per By-Law 052-2018;

MLA 107A or ULA 110A Heavy Duty Tree protection fencing (plywood) is to be installed prior to construction and is to remain until construction is completed, as per By-Law 052-2018;

MLA 107B or ULA 110B Light Duty Tree protection fencing (Snow Fence) may be used where traffic sight lines will be affected within the road allowance, as per By-Law 052-2018;

No construction activity, grade changes, surface treatment, excavations of any kind or material storage is permitted within the Tree Protection Zone;

Tree protection & preservation methods must be followed according to City of Vaughan By-law (052-2018);

Municipal By-law 052-2018 directs that municipal and private trees shall be protected during all phases of construction. MLA-107B Light Duty Tree Hoarding Protection Detail (Snow Fence) shall be used for trees within the road allowance and MLA-107A Heavy Duty Tree Protection Detail (Plywood) for all other trees.

Recommended conditions of approval:

1. Applicant shall obtain a Private Property Tree Removal & Protection Permit (Construction/Infill) for the removal/injury to trees (over 20cm DBH) on the subject property and trees located within 6 metres of the subject property, as per By-Law 052-2018; Forestry has not yet received the private property tree removal and protection application.

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**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 By-laws 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.

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Application Justification Letter  
 Application Cover Letter  
 Public Correspondence- Letters of Support (194, 191, 175, 163 and 143 Old Humber Crescent)

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – 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:

	<b>Department/Agency</b>	<b>Condition</b>
1	Development Planning Brandon Bell  905-832-8585 x 8112 <a href="mailto:brandon.bell@vaughan.ca">brandon.bell@vaughan.ca</a>	That the Arborist Report, Tree Inventory, Preservation and Landscape Concept Plan, by Landscape Planning Landscape Architects, dated November 2, 2020, be approved to the satisfaction of the Development Planning Department.
2	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:jason.pham@vaughan.ca">jason.pham@vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.</li> <li>2. The Owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the increased lot coverage area from 10% to 27.35% in order to mitigate potential impacts on the municipal stormwater system.</li> </ol>
3	Parks, Forestry and Horticulture Operations Patrick Courchesne  905-832-8585 x 3617 <a href="mailto:Patrick.Courchesne@vaughan.ca">Patrick.Courchesne@vaughan.ca</a>	Applicant shall obtain a Private Property Tree Removal & Protection Permit (Construction/Infill) for the removal/injury to trees (over 20cm DBH) on the subject property and trees located within 6 metres of the subject property, as per By-Law 052-2018;

**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](mailto:cofa@vaughan.ca)

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](http://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](http://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](mailto: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**

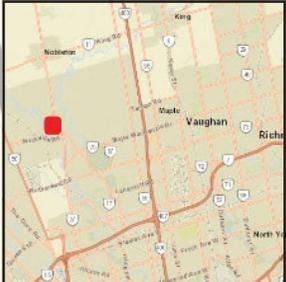
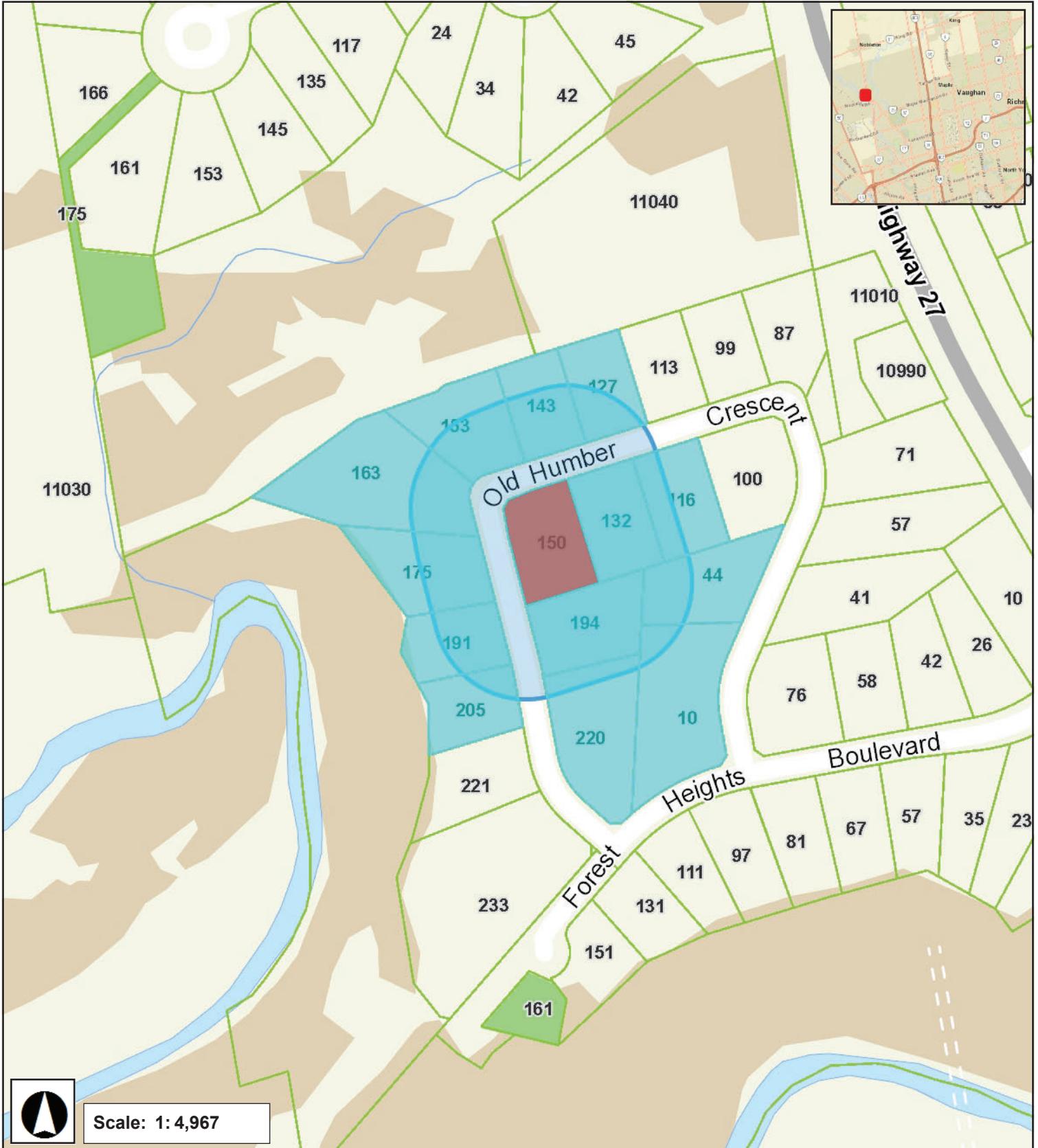
**Plans & Sketches**



# Notification Map - A086/20

150 Old Humber Crescent, Kleinburg

**Kirby Road**



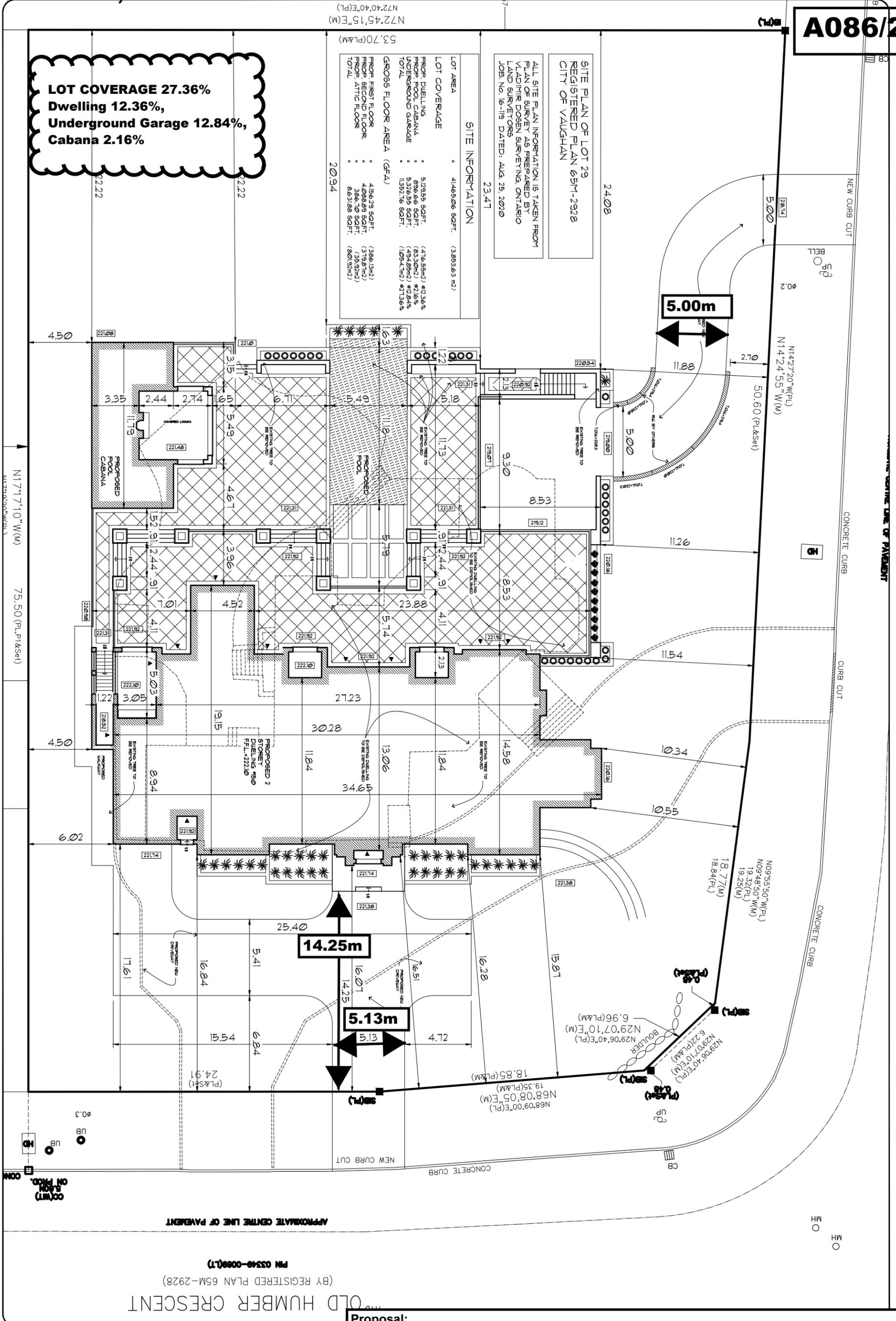
Scale: 1:4,967

**LOT COVERAGE 27.36%**  
**Dwelling 12.36%,**  
**Underground Garage 12.84%,**  
**Cabana 2.16%**

**SITE INFORMATION**  
 ALL SITE PLAN INFORMATION IS TAKEN FROM  
 PLAN OF SURVEY AS PREPARED BY  
 VLADIMIR DOSEN SURVEYING, ONTARIO  
 LAND SURVEYORS  
 JOB NO. 16-119 DATED: AUG. 25, 2020

**SITE INFORMATION**

LOT AREA	= 41465.06 SQ.FT. (3893.63 m <sup>2</sup> )
LOT COVERAGE	= 5125.55 SQ.FT. (476.55m <sup>2</sup> ) @12.36% = 396.66 SQ.FT. (365.00m <sup>2</sup> ) @2.16% = 1132.16 SQ.FT. (1054.11m <sup>2</sup> ) @27.36% TOTAL
GROSS FLOOR AREA (GFA)	= 4156.29 SQ.FT. (386.15m <sup>2</sup> ) = 4088.89 SQ.FT. (379.81m <sup>2</sup> ) = 386.10 SQ.FT. (35.92m <sup>2</sup> ) = 8631.88 SQ.FT. (801.91m <sup>2</sup> ) TOTAL



OLD HUMBER CRESCENT (BY REGISTERED PLAN 65M-2928) (FM 03348-0089(LT))

- Proposal:**
1. To permit a minimum front yard setback of 14.25 metres to the covered porch of the dwelling.
  2. To permit a maximum building height of 11.99 metres measured from the average finished grade at the front of the dwelling to the highest point of the roof.
  3. To permit a maximum of 83.3m<sup>2</sup> for the accessory building (cabana).
  4. To permit a maximum building height of 6.14 metres measured from the average finished grade at the front of the accessory building (cabana) to the highest point of the roof and 4.3 metres to the nearest part of the main roof.
  5. To permit a maximum lot coverage of 27.36% for all covered areas.
  6. To permit a maximum driveway width of 10.13 metres.
  7. To permit a second driveway on this lot.

**Distinctive & Innovative Design**

226-211 DUNCAN HILL RD  
 TORONTO, ONTARIO  
 M9B 3J8  
 TEL: (416) 635-5108  
 FAX: (416) 794-1198  
 gloriose@distinctivedesign.com

**BATTAGLIA ARCHITECT INC.**

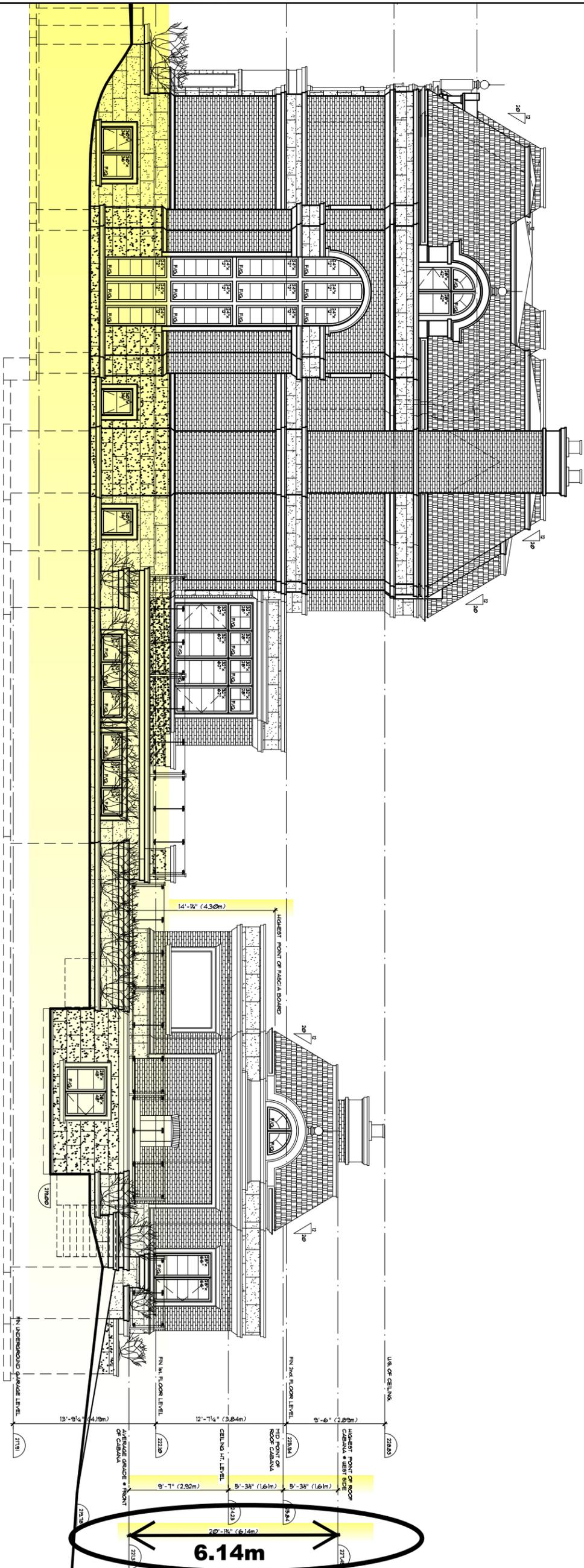
8888 KEELE ST. UNIT 8 TEL: (905) 508-2168  
 CONCORD, ONT. FAX: (416) 848-1961  
 L4K 2N1

PROPOSED 2 STOREY DWELLING FOR  
 DI BENEDETTO RESIDENCE  
 150 OLD HUMBER CRE  
 VAUGHAN, ONTARIO

**SITE PLAN**

DRAWN BY:	CHECKED BY:	SHEET
D. FOVEDA	G.L.	5/P.
DATE	SCALE	FILE
MAY. 2020	1/250	20-07





RIGHT (WEST) ELEVATION



NO.	REVISIONS	DATE
1	ISSUED FOR COA	09/17/2019
2	AS PER PLANNING COMMENTS	09/27/2019
3	RE-ISSUED FOR COA	09/27/2019

ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS TO FACE OF CURBWAY POINT SHOWN WITHIN CONCEPT PLAN. THE EXISTING CURBWAY POINT SHOWN WITHIN CONCEPT PLAN IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSES.

CONSULTING DESIGN BY:

**Georgia Lolas Design Inc.**  
 1560 OLD HATFIELD CR  
 VAUGHAN, ONTARIO



**Distinctive & Innovative Design**  
 2205 ST DUNCAN HILL RD  
 SCARBOROUGH, ONTARIO  
 M1S 4A5  
 TEL: (416) 635-5708  
 FAX: (416) 794-1798  
 glolas@distinctivedesign.com

**BATTAGLIA ARCHITECT INC.**

PROPOSED 2 STOREY DWELLING FOR:  
**DI BENEDETTO RESIDENCE**  
 1560 OLD HATFIELD CR  
 VAUGHAN, ONTARIO

DESIGN BY:	CHECKED BY:	SHEET
D. FOYEDA	G.L.	20-01
DATE	SCALE	FILE
MAY, 2019	NOT TO SCALE	20-01

# 150 Old Humber Crescent

Renderings v4.0

Revised Elevations



**Front Elevation**



**East Elevation**



**West Elevation**



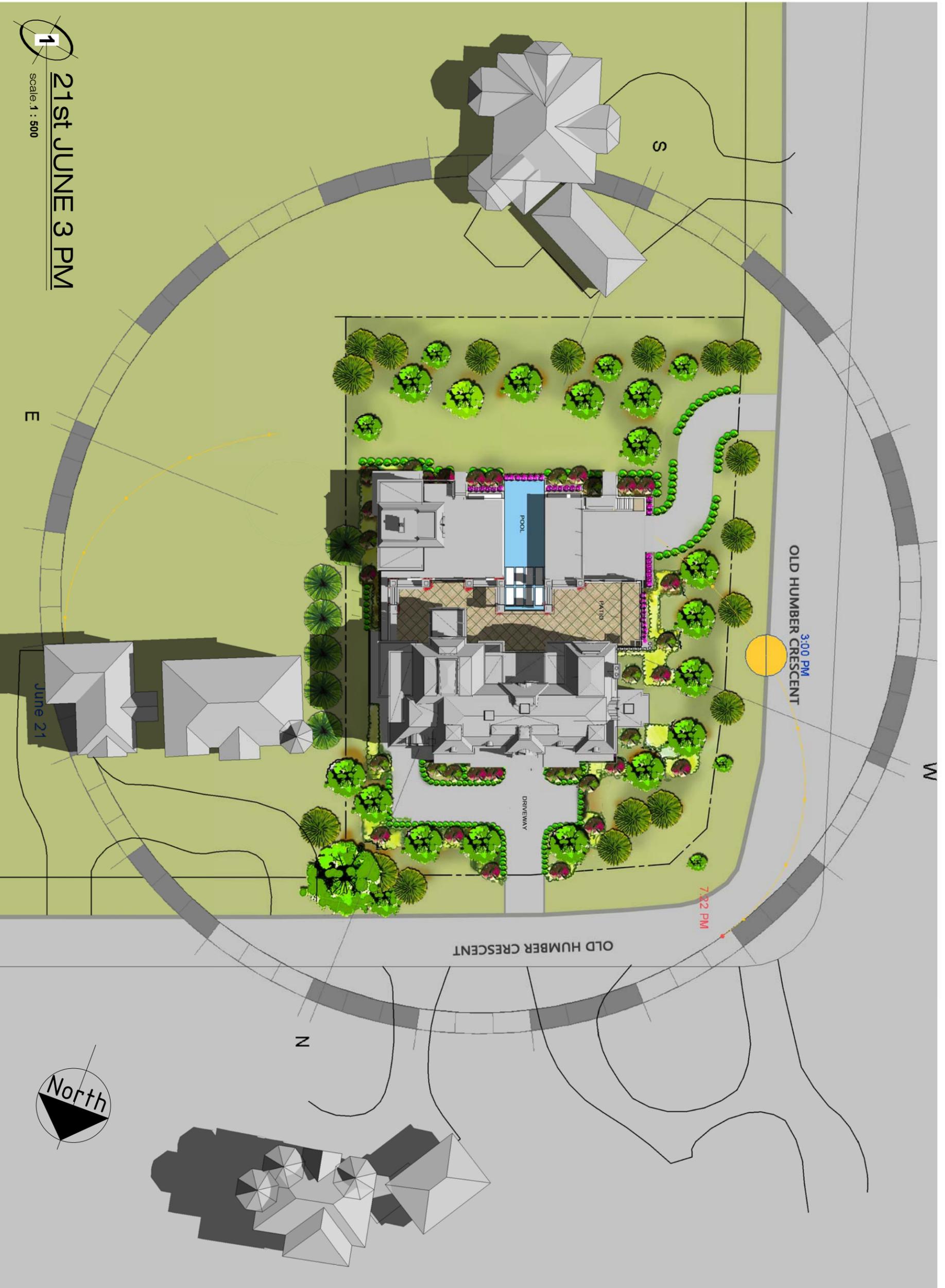
**South Elevation**



**South Aerial Perspective**







1  
 scale: 1 : 500  
**21st JUNE 3 PM**



REVISIONS		
No.	Description	Date



R. Bishop & Associates Inc.  
 1 Yonge Street, Suite 1801 Toronto, Ontario M5E 1W7  
 Mobile: +1 437 987 5388  
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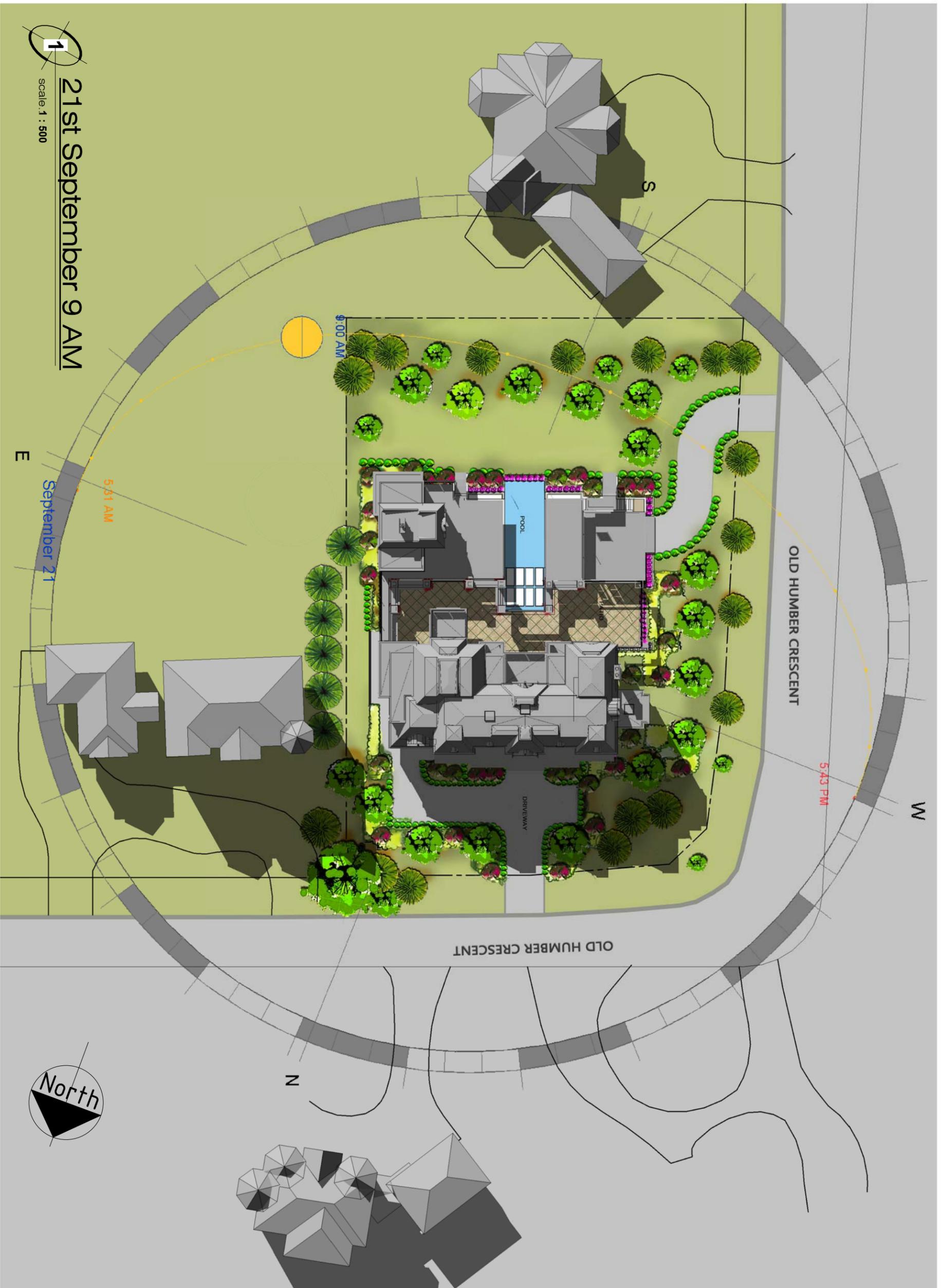
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PROJECT TITLE  
 150 OLD HUMBER CRES.  
 Vaughan, ON.

SHEET TITLE			
SUN PATH SHADOW DIAGRAM - SUMMER			
DRAWN BY	CHECKED BY	DRAWING NO.	FILE
RS/RB/JD/EG	RS/GJ	A103	
DATE	SCALE		
26/10/2020	1 : 500		



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No.	Description	Date

**MB**  
RESOURCES

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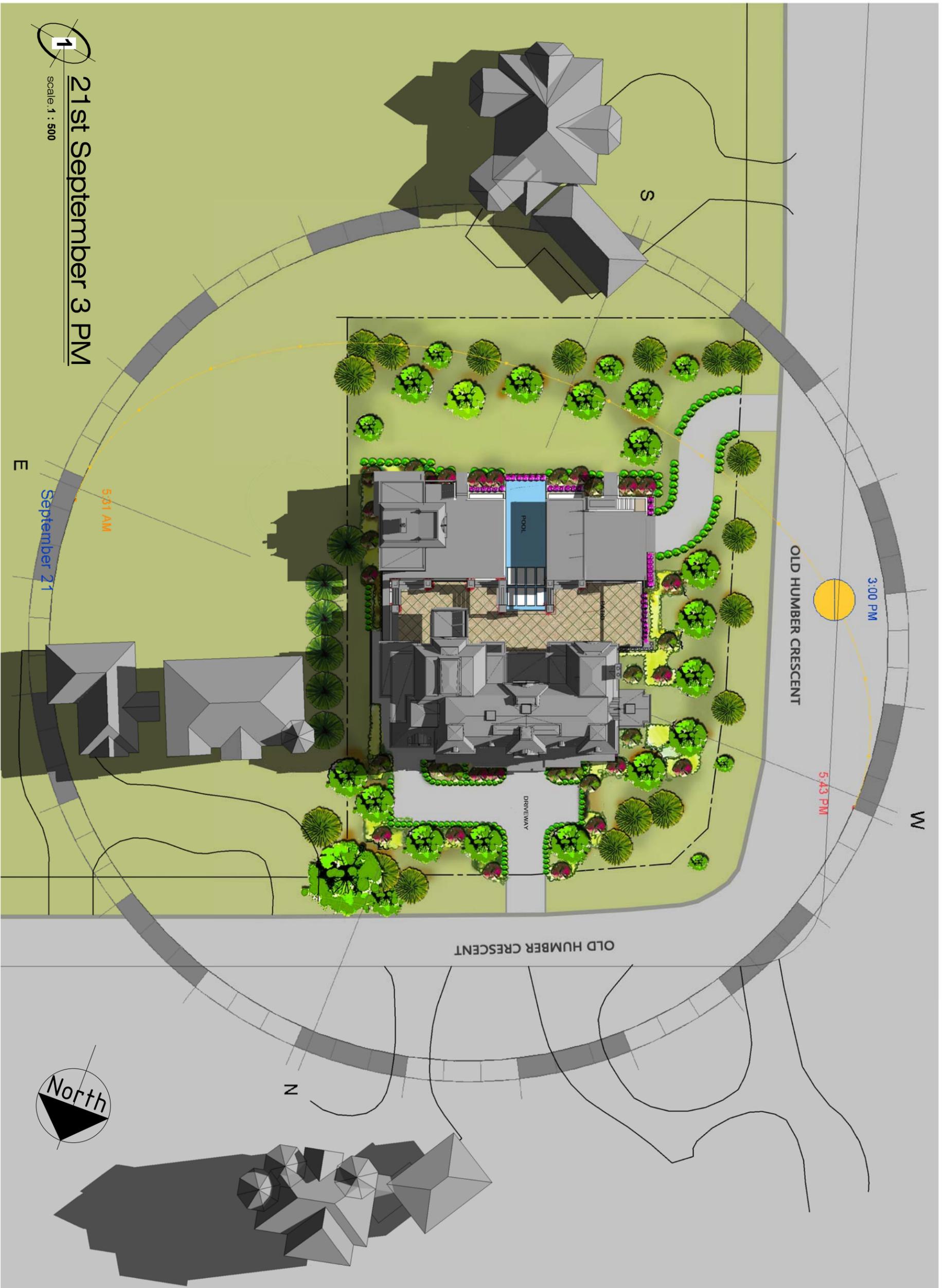
PROJECT TITLE  
**150 OLD HUMBER CRES.**  
Vaughan, ON.

SHEET TITLE			
SUN PATH SHADOW DIAGRAM - FALL			
DRAWN BY	CHECKED BY	DRAWING NO.	
RS/RB/JD/EG	RS/GJ	A104	
DATE	SCALE	FILE	
26/10/2020	1 : 500		



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DETAIL NO.

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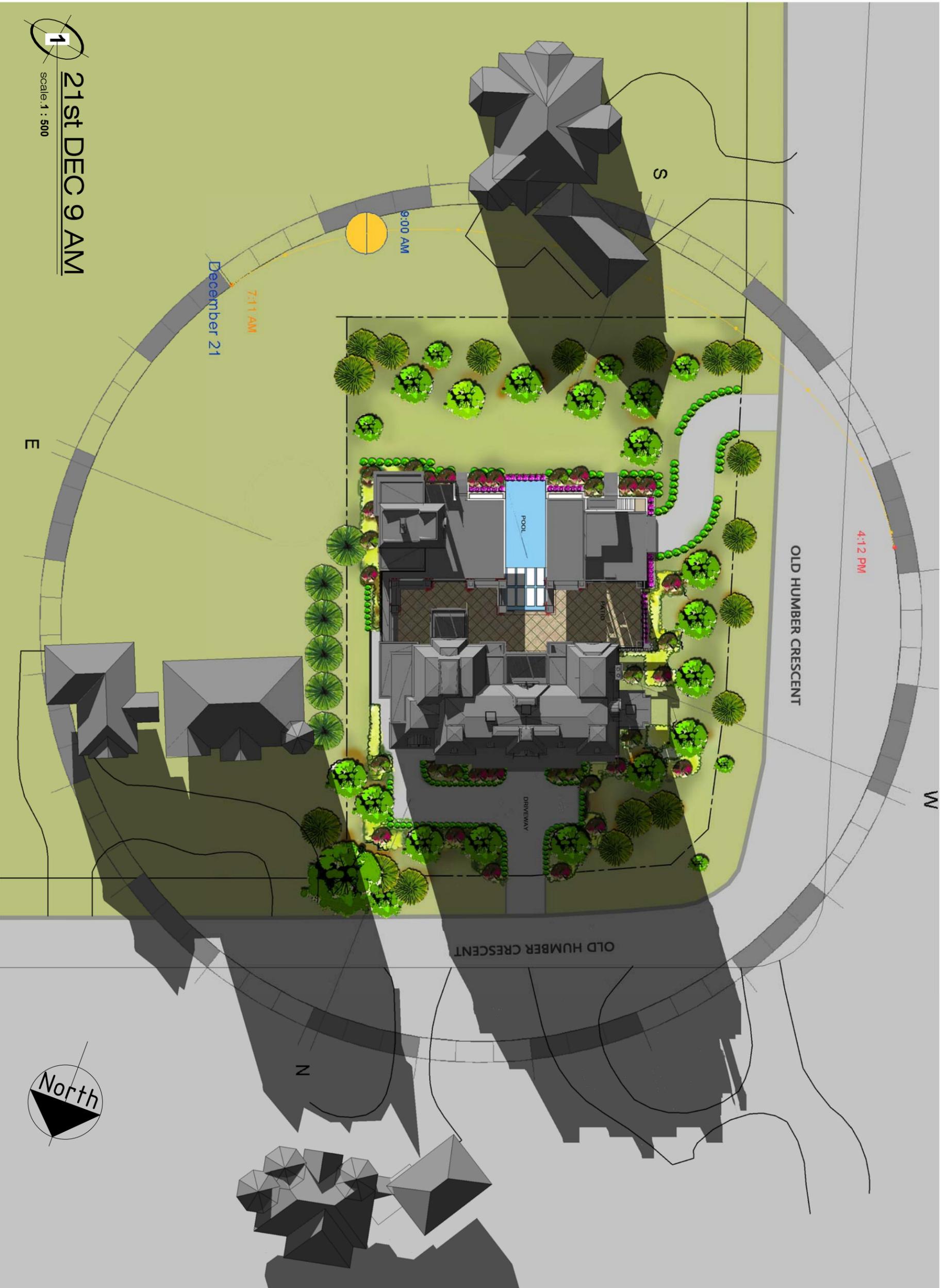
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PROJECT TITLE  
 150 OLD HUMBER CRES.  
 VAUGHAN, ON.

SHEET TITLE  
 SUN PATH SHADOW  
 DIAGRAM - FALL

DRAWN BY	RS/RB/ID/EG	CHECKED BY	RS/GJ	DRAWING NO.	A106
DATE	26/10/2020	SCALE	1:500	FILE	



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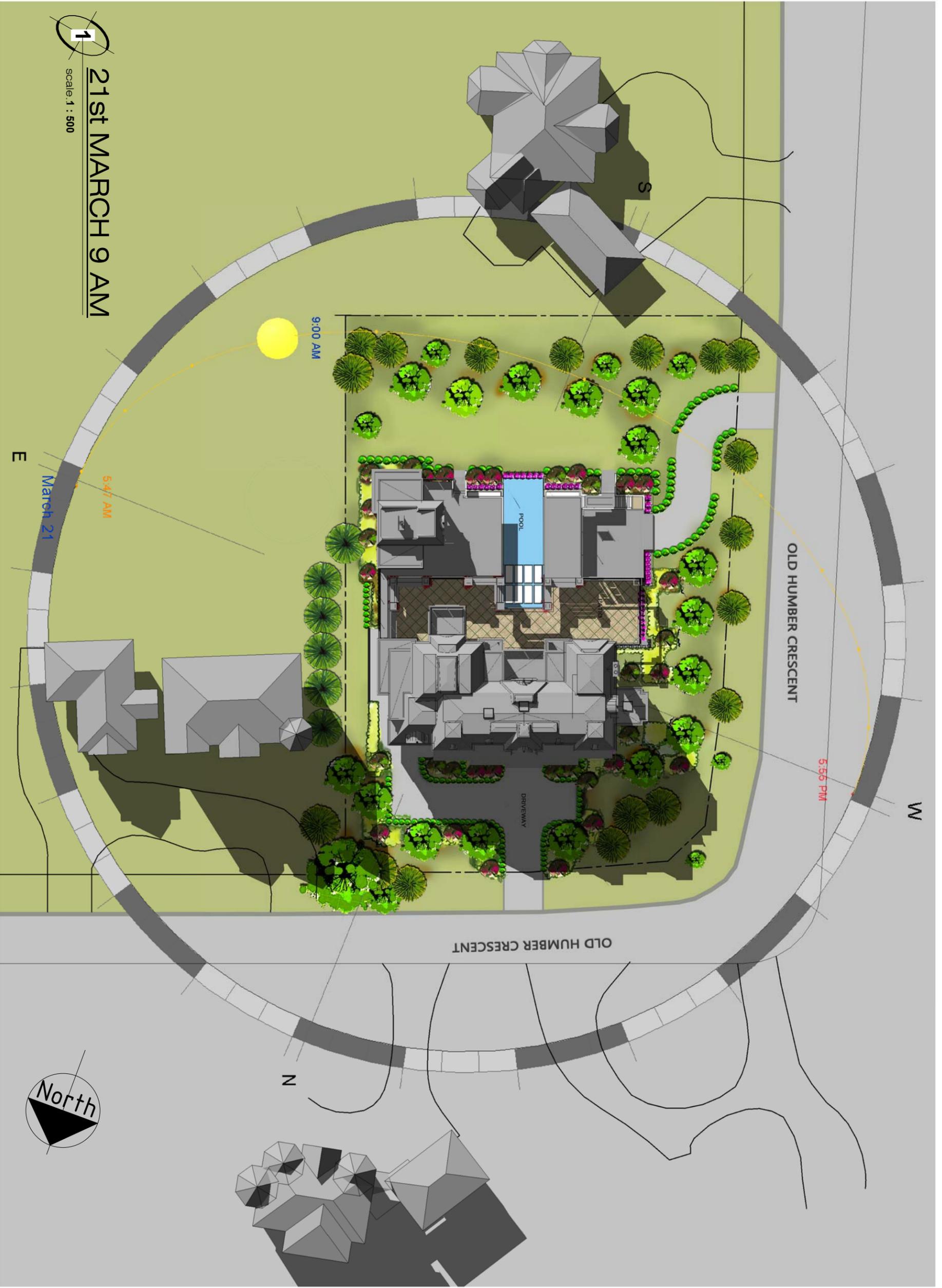
PROJECT TITLE  
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Vaughan, ON.

SHEET TITLE  
**SUN PATH SHADOW DIAGRAM - WINTER**

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DATE 26/10/2020	SCALE 1:500	FILE







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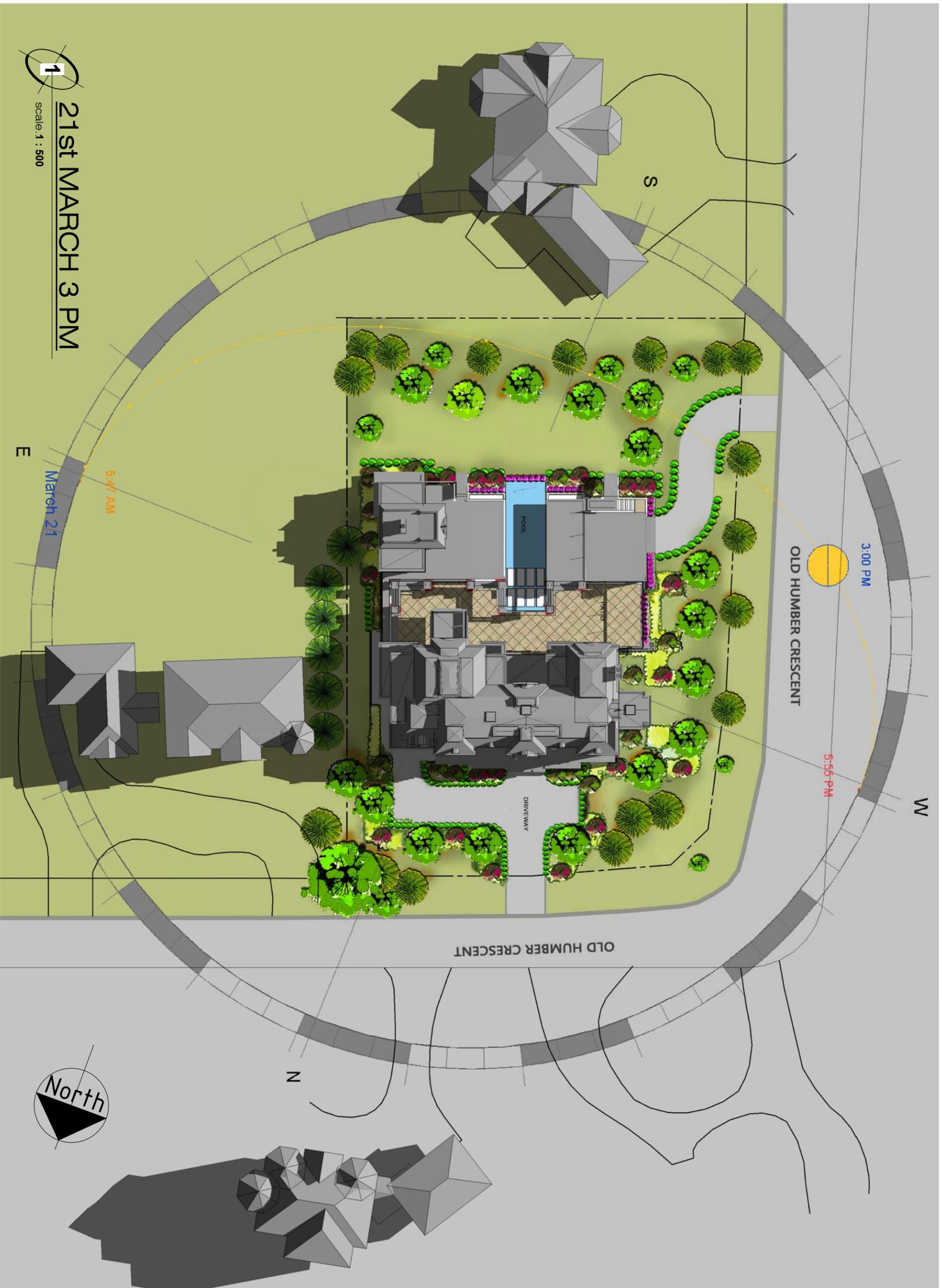


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PROJECT TITLE  
**150 OLD HUMBER CRES.**  
Vaughan, ON.

SHEET TITLE			
SUN PATH SHADOW			
DIAGRAM - SPRING			
DRAWN BY	CHECKED BY	DRAWING NO.	
RS/RB/JD/EG	RS/GJ	A110	
DATE	SCALE	FILE	
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March 21

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OLD HUMBER CRESCENT

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OLD HUMBER CRESCENT



REVISIONS		
No.	Description	Date



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PROJECT TITLE	150 OLD HUMBER CRESCENT, VAUGHAN, ON.		
SHEET TITLE	SUN PATH SHADOW DIAGRAM - SPRING		
DRAWN BY	RS/RB/JD/EG	CHECKED BY	RS/GJ
DATE	26/10/2020	SCALE	1 : 500
DRAWING NO.	A112	FILE	

## **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.

**Application Justification Letter**

**Application Cover Letter**

**Public Correspondence- Letters of Support (194, 191, 175, 163 and 143 Old Humber Crescent)**



RE: 150 Old Humber Crescent (City of Vaughan)

11-05-20

Please note:

We have prepared a covering letter expressing in point form detail our implemented adjustments to our plans that address comments from urban planning.

-We have adjusted our main front wall grade height from 221.07 to (221.56)

This adjustment has effected our overall main dwelling height as noted below.

-Original building height was 12.84m from original average grade of 221.07 to top of roof system and 10.94m to mid point of roof.

-Revised (proposed) building height from average grade of 221.56 to top of roof system to (11.99m) and (9.63m) to mid point of roof.

-Original Cabana height was 6.89m from fin. rear yard patio level of 221.31 to top of roof system.

-Revised (proposed) Cabana roof heights are noted below

-West face of Cabana from fin. patio level to top of roof system is 6.14m

-East face of Cabana from fin. patio level to top of roof system is 5.36m

Based on Urban planning concerns regarding the massing of the rear yard patio level above ground we have adjusted our perimeter grade heights as noted below

-Original heights on the south east corner of patio to grade was 2.21m and south west side was 2.93m

-Revised (proposed) heights on the south east corner of patio to grade is (0.30m) and south west corner is (0.76m)

NOTE: based on my conversation with the zoning examiner (Pia) she mentioned that she needed to have the height of the Cabana top of fascia board to fin. patio area.

This information has been implemented on the West Side Elevation at 4.30m

If anyone needs any further information please contact me via email or cell.

georgiololos@glolosdesigns.com

(416)617-7331

Thank you.



# HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

November 24, 2020  
HPGI File: L120AE

**Committee of Adjustment**  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON  
L6A 1T1

**ATTN: Christine Vigneault, Secretary Treasurer – Committee of Adjustment**

**Re: Planning Rationale  
Minor Variance Application A086/20  
150 Old Humber Crescent, Vaughan**

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Humphries Planning Group is the planning consultant for Paolo Di Benedetto, the legal registered owner of the property municipally addressed as 150 Old Humber Crescent in the City of Vaughan (the 'Subject Property'). This planning rationale is being submitted in support of the proposed Minor Variance Application (City File # A086/20) respecting the Subject Property in order to facilitate the development of a new two (2) storey single-detached residential dwelling with a pool and a cabana in replacement of the existing bungalow. The existing dwelling is proposed to be demolished. This letter will supplement previously submitted information and materials provided by others and provides an analysis and evaluation on how the proposed development and associated variances represent good planning in the context of Section 45(1) of the *Planning Act*.

## **Description of Property**

The Subject Property is located on the south side of Old Humber Crescent west of Highway 27 in the Village of Kleinburg and the City of Vaughan. The Subject Property is interior to the Kerrwood Estates residential community which is comprised of large-lot, estate type one-and-two storey dwelling units. It is noted that some homes have been facilitated through Minor Variance Applications - most recently including the property addressed as 191 Old Humber Crescent (A137/18).

The Subject Property is rectangular in shape and has total lot area of approximately 0.38 hectares (0.94 acres). The site is a corner lot located at the apex of the crescent and has a continuous frontage of approximately 43.76 metres on Old Humber Crescent. The property is currently access via a circular driveway with two points of access/egress onto Old Humber Crescent. Surrounding land uses include single-family residential dwellings with large building footprints and lot areas.

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PAGE 1 of 14

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~ Do Something Good Everyday! ~ STAY SAFE ~



**Figure 1: Air Photo of Subject Property**

**Description of Development Proposal**

The proposed development of the Subject Property is to permit the construction of a two (2) storey single detached residential dwelling unit with rear yard pool, raised rear yard patio, and accessory cabana with covered loggia. An underground garage is located beneath the raised rear yard patio and is accessed by a side yard driveway (west) extending from Old Humber Crescent. The primary dwelling façade and entrance has been orientated along the northern property frontage and is located such that it is in-line with adjacent dwellings, including 132 Old Humber Crescent, in order to ensure that consistent character is maintained along the streetscape and that sufficient front yard space is incorporated into the design. An additional 5.13 metre driveway entrance has been located along the main frontage (north) which extends up to a 25.40 wide parking area that is setback 6.84 metres from the street.

The residence proposes a gross floor area of 801.92 square metres (8,631.88 square feet) based on a footprint area of 467.55 square metres (5,129.55 square feet) which results in a coverage of approximately 12.36 % of the total site area. The accessory cabana, located at the south-east corner of the site, is proposed to have an area of 83.30 square metres (896.66 square feet) which translates to 2.16% coverage. Together, the proposed dwelling and pool cabana have a combined coverage of 14.52% of the area of the lot. Notwithstanding the above, an additional 498.85 square metres (5,326.55 square feet) of underground garage area is located beneath the rear yard patio, which is raised approximately 0.30 metres at the south-east corner and 0.76 metres at the south-west

corner above grade. The underground garage/raised rear patio account for an additional 12.84% of lot coverage. Despite being uncovered and unenclosed, and not associated with a habitable area, it is counted towards the overall lot coverage due to the excavated garage area below it. As such, the overall lot coverage of the proposed development is 27.36%. A statistical breakdown of the lot coverage is provided in the table below:

Proposed Lot Coverage		
Structure	G.F.A	%
Single Detached Dwelling	476.55 m2 (5,129.55 sq. ft.)	12.36%
Pool Cabana	83.30 m2 (896.66 sq. ft)	2.16%
Underground Garage	494.85 m2 (5,326.55 sq. ft.)	12.84%
<b>Total:</b>	<b>1,054 m2 (11,352.76 sq. ft.)</b>	<b>27.36%</b>

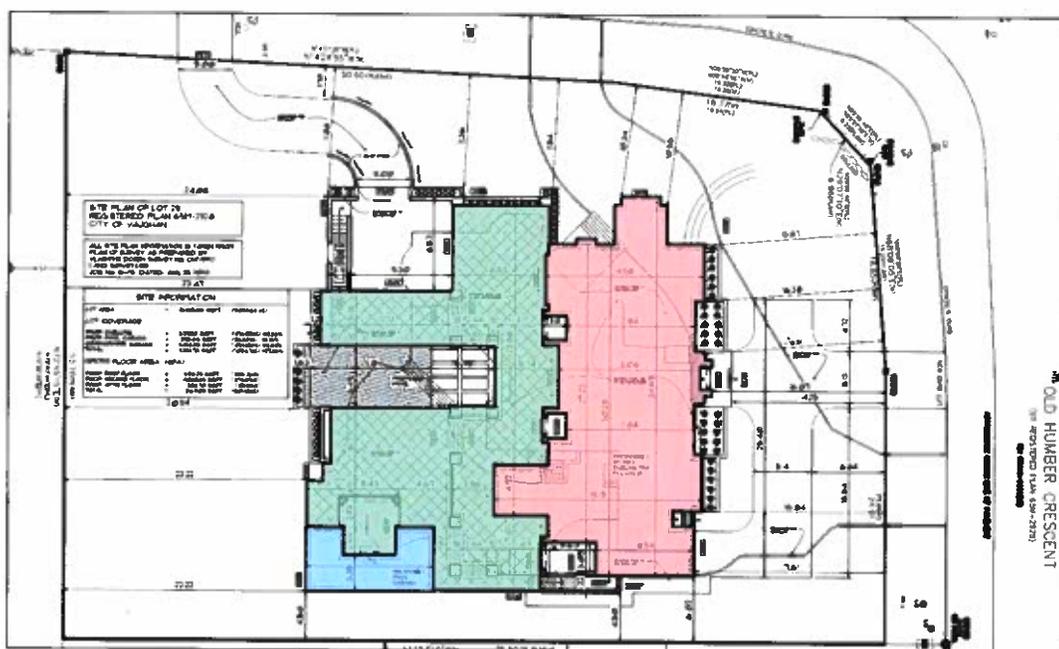


Figure 2: Proposed Site Plan

The proposed dwelling is approximately 11.99 metres high as measured from the average grade to the top of the roof systems. If taken from the mid-point of the roof, the proposed dwelling height is approximately 9.63 metres. It is noted that the buildings height has been reduced from 12.84 metres as originally proposed. The proposed

accessory pool cabana has been designed at a height of 6.14 metres along its western face and slopes downwards to 5.36 metres at its eastern end. The height of the cabana has also been reduced from 6.89 metres in order to address comments received from Planning Staff.

### **Proposed Variances**

The City of Vaughan Comprehensive Zoning By-law 1-88 zones the Subject Property as 'RR' - Rural Residential, and subject to the provisions of Exception 9(741), as amended. The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

1. *To permit a maximum front yard setback of 14.25 metres to the covered porch of a dwelling whereas a front yard setback of 15 metres is required.*
2. *The proposed maximum building height of 11.99 metres exceeds the maximum permitted building height of 9.5 metres; and,*
3. *To permit a maximum of 83.3 metres square for the cabana whereas a maximum total of 67.0 metres square is permitted for accessory buildings.*
4. *To permit a maximum building height of 6.14 metres for the cabana whereas a maximum building height of 4.5 metres is permitted for accessory buildings;*
5. *Whereas a maximum lot coverage of 10% is permitted, the development proposes a lot coverage of 27.36% (Dwelling =12.36%, Pool Cabana =2.16%, & Underground Garage =12.84%).*
6. *Whereas the Zoning By-law permits a driveway width of 9.0 metres, the development proposes a driveway width of 25.4 metres; and,*
7. *To permit a second driveway on the lot whereas not more than one driveway is permitted.*

### **Planning Analysis and Justification**

Section 45 (1) of the *Planning Act* provides that a minor variance may be granted if, in the opinion of the Committee of Adjustment, the following conditions are met:

- *The variance requested maintains the general intent and purpose of the Official Plan;*

- *The variance requested maintains the general intent and purpose of the Zoning By-law;*
- *The variance is desirable for the appropriate use of the land; and,*
- *The variance is minor in nature.*

The following is a summary of how the application meets the four tests of the *Planning Act*.

*Maintains the General Intent and Purpose of the Official Plan*

The Subject Property is identified as being located within the 'Community Areas' of the City of Vaughan's urban structure. Vaughan's existing Community Areas are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local retail, community facilities, schools and parks. These areas are expected to remain mostly stable, however, incremental change is expected as a natural part of maturing neighbourhoods.

Schedule '13' – Land Use of the VOP designates the subject property as "*Low-Rise Residential*" which is planned to consist of predominantly residential buildings in a low-rise form no greater than three storeys. Permitted building types include detached, semi-detached, townhouse dwelling units as well as public and private institutional buildings.

The Subject Property is also identified as being located within one of the City of Vaughan's Established Large Lot Neighbourhoods in accordance with Schedule 1B - "Areas Subject to Policy 9.1.2.3. These neighbourhoods form part of the City's mature neighbourhoods, which are typically characterized by their substantial rear, front and side yards, and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes. In accordance with Section 9.1.2.3 of the VOP 2010, a new dwelling replacing an existing one shall be of the same type, and building heights and massing should respect the scale of adjacent residential buildings. In order to maintain the low-density character of these areas and ensure opportunities for generous amenity and landscaping areas, lot coverage consistent with development in the area, as defined in the zoning by-law, is required to regulate the area of the building footprint within the building envelope.

The proposed development maintains the general intent and purpose of the Official Plan as the proposed dwelling unit would result in development that fits with the character of the surrounding neighbourhood and meets the compatibility criteria set out in Section 9.1.2.3 of the VOP 2010. The development has been designed to introduce a recognizable building form that is contextually appropriate and respects defining

elements of the Kerwood Estates neighbourhood including large front and rear yards, setbacks to adjacent houses, and development footprints proportionate to lot areas. Other defining elements of neighbourhood character including a high-quality architectural design and accompanying landscaping which have also been reinforced through the development proposal.

*Maintains the General Intent and Purpose of the Zoning By-law*

The City of Vaughan Comprehensive Zoning By-law 1-88 zones the Subject Property 'RR' - Rural Residential, and subject to the provisions of Exception 9(741), as amended. The 'RR' Zone permits single family detached dwellings and establishes a number of requirements that regulate the development of the site. The proposed development seeks to replace the existing single-family residential dwelling on the Subject Property and is therefore consistent with the permitted uses outlined in the Zoning By-law.

The proposed variances are also consistent with the intent and purpose of the By-law. More specifically, *coverage* is used to control the massing of buildings and its 'bulk' with respect to its established lot. The development proposes a lot coverage of 27.36% which exceeds the maximum lot coverage of 10%. Here, it is important to recognize that the underground garage area, located beneath the rear yard patio, has contributed to overall the coverage ratio by 12.84%. Despite being uncovered and unenclosed, and not associated with a habitable area, the raised rear yard patio is counted towards the overall lot coverage due to the excavated garage area below it. As such, the proposed variance is truly not representative of what will actually be perceived on the site as it includes an area that is below grade, not associated with the buildings perceived mass, and cannot be observed from any surrounding vantage point. The discernable volume of coverage on the lot is contained within the primary dwelling unit and accessory pool cabana footprint. Comparatively, if the underground garage area was to be removed from the total coverage calculation, the development would establish a coverage of 14.52%, producing a demonstrably different outcome in terms of the extent of relief sought. Even further, of that 14.52%, the rear yard cabana building accounts for approximately 2.16% of that calculation and is set further back to the interior of the site and has no visual impact to the streetscape. As such, it is important to consider that primary dwelling footprint is only 12.36% of the total area of the lot representing a quantitatively modest increase in lot coverage and not amounting to anything that could be described as undue or adverse in terms of impacts. It is further recognized that any replacement house on the lot, even one conforming to the 10% coverage regulation, could take on a scale and length having equal or greater impact than the proposal. The proposal does not build out to all zoning permissions, notably the rear yard setback

which is required to be a minimum of 15 metres whereas 20.23 metres is provided. It is also noted that the existing dwelling on the Subject property extends beyond the rear yard wall of the adjacent easterly building at 132 Old Humber Crescent creating a far greater visual impact than the newly proposed dwelling. The proposed building will not appear oversized because of the minor increase in coverage considering the estate lot character of the area.

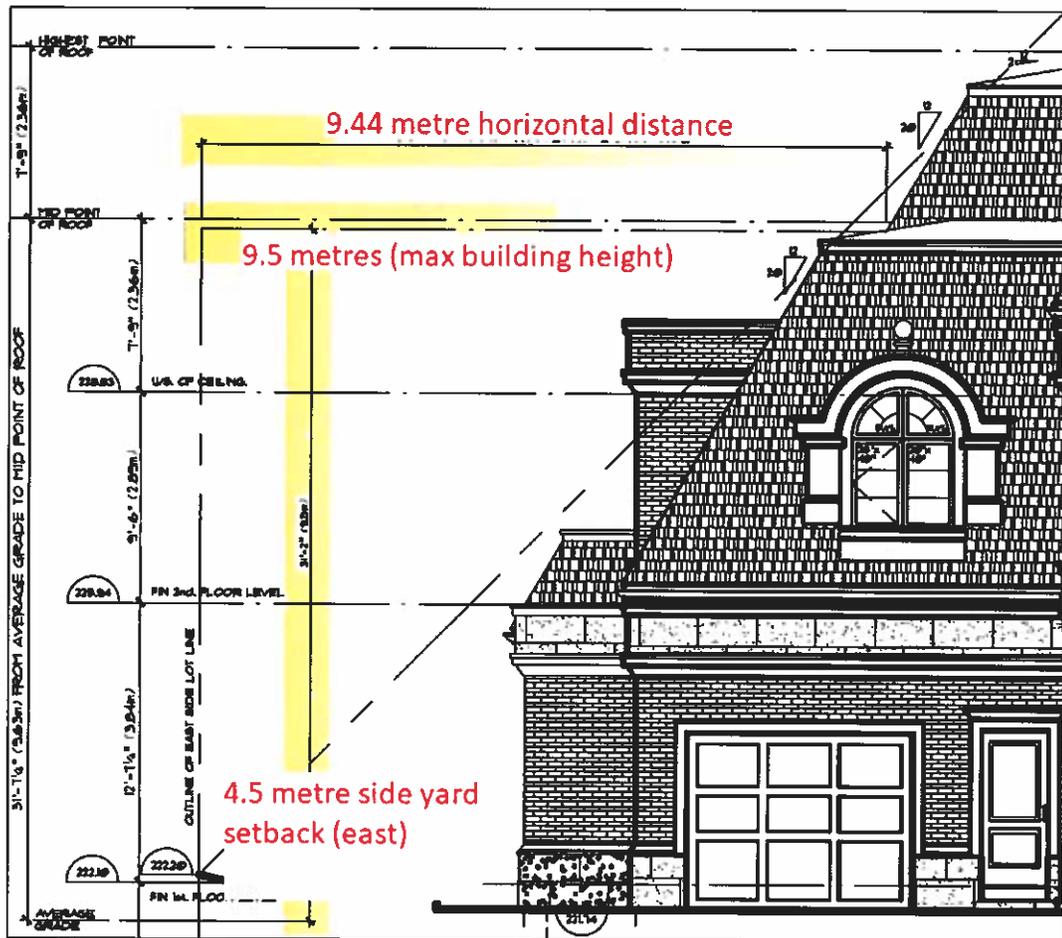


Figure 3: Building Height Section

The purpose and intent of regulating building height is to prevent impact related to the obstruction of views, overshadowing and to preserve a consistent and uniform streetscape character and pattern. The development proposes a building height of 11.99 metres. The visual appearance of the roof from the front elevation is pitched, and the mid-point measurement of the roof is 9.63 metres, which would slightly exceed the maximum height permission of Zoning By-law 1-88 by 0.15 metres. The immediate surrounding area is diverse in terms of prevailing heights and scale of buildings with

different characteristics of mixed roof styles and varied architectural styles. The height of the proposed development is not out of character with the scale of adjacent and surrounding dwelling units and the variance sought is relatively minor in consideration of the existing lotting fabric which places homes on large lots and further apart.

Additionally, the height exceedance (above 9.5 metres) begins approximately 9.44 metres from the easterly property line (See Figure 3). This horizontal setback will mitigate the actual and perceived mass of the building along the easterly building wall and ensures that existing views and light penetration are preserved. The proposed development is not anticipated to have a noticeable effect on streetscape scale or on the views from neighboring properties. Similarly, the proposed variance to permit a maximum height of 6.14 metres for the cabana is reasonable and appropriate as it will be relative and secondary in height to the proposed dwelling and will not alter the appearance of the streetscape given its location at the south-east corner of the site and away from view. Similar variances for building and accessory building height have been requested and granted in the neighbourhood including the property located at 191 Old Humber Crescent (A137/18) which proposed a building height of 12.5 metres and an accessory building height of 9.09 metres (detached garage). The application was supported by Planning Staff and was ultimately approved by the Committee of Adjustment in December 2018.

The intent of the maximum driveway width provisions is to limit the amount of paved or hard surfaces in the front yard and to control the size of openings extending onto a public street in order to facilitate safe vehicular movement. The proposed development has been designed with a driveway width of 5.13 metres, as measured from the Old Humber Crescent street line, which extends vertically towards the house and widens into a horizontal parking area measuring 25.40 metres perpendicular to the road. The Zoning By-law defines 'driveway' as "*a vehicular accessway providing access from a public highway to a building or property, a loading space, a parking area or a garage*". As such, the proposed parking area meets the definition of 'driveway' in accordance with the By-law and is therefore seen not to comply with the maximum driveway width provision, as defined. It is recognized that no differentiation is made between the driveway access onto the street or a parking area. Most of the width of the driveway, including those portions which extend to the street have been designed under the 9.0 metre maximum driveway width requirement (i.e. 5.13 metres). The variance is only required for the parking area along the front of the dwelling that is perpendicular to the street. The prevailing characteristics of the neighbourhood are large, circular driveways which allow for the parking of a number of vehicles in the front and side yards. The proposed driveway is consistent with the prevalent character of the properties in the



will not increase or impede traffic along Old Humber Crescent and will replicate and existing condition. It is also noted that most driveways in the neighbourhood are accessed via circular driveways with two points of access/egress.

The applicant is also seeking a minor increase of 16.3 metres square for the accessory cabana building. The planning department has previously supported a maximum area of 151.49 metres square for an accessory building in the area (153 Old Humber Crescent – A196-18), and therefore, the increase is considered to be acceptable to the neighbourhood. It is acknowledged that the cabana will not be utilized as habitable living space at any time.

In our professional opinion, the requested variances maintain the purpose and intent of the Zoning By-law and represent good planning.

*Desirable and Appropriate:*

Whether a minor variance is desirable and appropriate can be addressed by assessing the compatibility of the use within the context of the surrounding area and based on a legitimate and genuine measure of impact. It is our opinion that the requested variance is desirable for the development of the Subject Property as it is consistent with the function and intensity of uses permitted in the VOP and Zoning By-law and is therefore in keeping with the character the Kerwood Estates residential neighbourhood. The proposal represents a reasonable and compatible scale of development for the Subject Property.

Any impacts related to shadow, privacy or overlook are not materially different from the current condition. A Shadow Impact Study was prepared by the Georgio Lolos Design Inc. which demonstrates that the abutting property to the east, located at 132 Old Humber Crescent, will only experience partial shadowing of the rear yard after 3:00 p.m. in the month of September. Further, it is recognized that during the month of June, the neighbouring property (132 Old Humber Crescent) benefits from uninterrupted access to sunlight during peak sun times. The proposed development will not reduce the availability and access to sunlight, specifically in the abutting rear yards which provides private amenity space.

In light of the requested variances for coverage and height, the development has also been evaluated in terms of its impact on privacy and overlook, especially along the east building face which abuts 132 Old Humber Crescent. In order to minimize overlook, the building has been designed to be contained within a 45-degree angular plane along the eastern property line. Further, the associated height variance is only necessitated

because of the pitched roof design and would not create an inappropriately scaled building with elevated second-storey side windows, projections and/or terraces that produce privacy concerns for the 132 Old Humber Crescent site, which did not previously exist. It is important to note that the original proposed height of 12.84 has been reduced to 11.99 metres in order to alleviate the scale and height of the side wall and provide a more appropriate transition vis-a-vis the easterly neighbour. Lastly, the development introduces intensive landscaping along the eastern property limit including the planting of four (4) deciduous trees to enhance privacy and limit any perception of overlook.

It is our opinion that the proposal is desirable and appropriate for the use of the Subject Property and will not result in any undue or adverse impacts in terms of light, view or privacy to the property to the east, as compared to the building envelope permissions already present. Although, there may be some reduction in light and view, it would not be appreciable from any other as-of-right built form that could be proposed for the lot.

**Minor in Nature:**

The proposed development and requested variances will not materially alter the character of the area which is generally comprised of large lot, custom-built, estate type one-and-two-storey dwellings with substantial development footprints.



**Figure 5: Existing Driveway and Parking Area Pattern**

Additionally, the proposed variances are minor in their revision to the development standards and the relief sought is comparatively modest in the overall context of the estate subdivision and based on previous similar minor variance approvals. The variance for coverage has resulted from a technical interpretation of the By-law, related to an underground garage, and is not representative of the building's actual mass or volume in a physical sense. Similarly, the requested variance for driveway width stems from its orientation and parking area, which is found on other properties throughout the neighbourhood including 44, 99, 116, 127, 132, and 163 Old Humber Crescent (Figure 5). A second driveway access is typical of the area and is appropriate in this location given the site corner lot configuration and in recognition of the existing driveway design. The reduced front yard setback of .75 metres addresses and an architectural design element that will contribute positively to the overall building design and aesthetic. The minor increase in height is required due to the architectural design and roof pitch being proposed. The volume of the building beyond the current permitted height of 9.5 metres is contained within the mansard roof line and does not create undesirable side wall heights. Further, the height exceedance above the permitted 9.5 metres begins approximately 9.44 metres from the easterly property line tempering the perception of height. Further, the scale of the building has been appropriately deployed on the site to mitigate impacts to light, privacy and shadow. Lastly, the increase in the accessory cabana building height and size will not create a negative visual impact to surrounding properties and the proposed standards are relative and secondary in scale to the proposed dwelling and similar to other variances granted in the immediate area. Revisions made to the original application address primary concerns identified by Planning Staff and its perceived impact on surrounding properties.

The aforementioned variances are neither unique, uncharacteristic, excessive nor have they resulted in an overbuilding of the site, absolutely and/or in comparison, to as-of-right standards. Cumulatively, the variances respect and reinforce the neighbourhood character, and are qualitatively and quantitatively minor in that they would not create adverse intrusion burdening adjacent and abutting properties. The proposed development is supported by a number of surrounding property owners who have no objections to the proposed variances. In our opinion, it is appropriate under these circumstances to grant relief from the requested variances. The impact of doing so is minor in nature.

### **Conclusion**

Having regard to S.45(1) of the Planning Act, it is our professional planning opinion the proposed development requested variances, individually and collectively:

- Maintain the general intent and purpose of the official plan;
- Maintain the general intent and purpose of the zoning by-law;
- Are desirable for the appropriate development of the land, building or structure;  
and,
- Are minor in nature.

It is our opinion that the proposed development represents good planning, is in the public interest, and should be approved. We request that the enclosed materials be received and circulated for review by the Committee of Adjustment prior to the December 3, 2020 hearing date. Should you have any questions please contact the undersigned at ext. 224 or Jonathan Sasso at ext. 228

Yours truly,

**HUMPHRIES PLANNING GROUP INC.**



Rosemarie L. Humphries BA, MCIP, RPP  
President

cc. Paolo Di Benedetto, Owner  
Giorgio Lolos, Agent/Architect

To Whom It May Concern,

I am the owner / resident of 194 Old Humber Crescent.

After reviewing the proposed architectural plans and elevations for the project at 150 Old Humber Crescent, this letter is to show our positive support for this project and the variances the owners have requested.

Pasquale Corapi

Full Name

Signature

October 20, 2020

Date

To Whom It May Concern,

I am the owner / resident of 191 Old Humber Crescent.

After reviewing the proposed architectural plans and elevations for the project at 150 Old Humber Crescent, this letter is to show our positive support for this project and the variances the owners have requested.

LARRY & JOANNE CASINELLI

Full Name



Signature

OCTOBER 08, 2020

Date

To Whom It May Concern,

I am the owner / resident of 175 Old Humber Crescent.

After reviewing the proposed architectural plans and elevations for the project at 150 Old Humber Crescent, this letter is to show our positive support for this project and the variances the owners have requested.

Moira Romano

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Full Name



Signature

10/7/2020

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Date

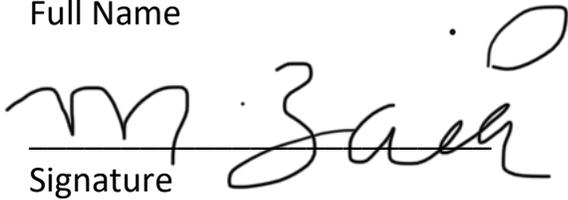
To Whom It May Concern,

I am the owner / resident of \_163\_\_\_\_\_ Old Humber Crescent.

After reviewing the proposed architectural plans and elevations for the project at 150 Old Humber Crescent, this letter is to show our positive support for this project and the variances the owners have requested.

**Mervet Zaia**

Full Name

A handwritten signature in black ink, appearing to read 'Mervet Zaia', written over a horizontal line. The signature is stylized and cursive.

Signature

**November 4, 2020**

Date

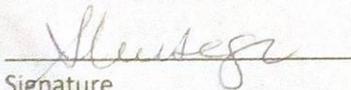
To Whom It May Concern,

I am the owner / resident of 143 Old Humber Crescent.

After reviewing the proposed architectural plans and elevations for the project at 150 Old Humber Crescent, this letter is to show our positive support for this project and the variances the owners have requested.

ALI SHIRBEGI

Full Name



Signature

OCT 7, 2020

Date

## **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**  
**MTO – Located outside of MTO permit control area**

## MacPherson, Adriana

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**Subject:** FW: A086/20 - Request for Comments

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

**Sent:** November-12-20 9:06 AM

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

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

**Subject:** [External] RE: A086/20 - Request for Comments

Good Afternoon Adriana,

MTO has reviewed the subject land(s) located at 150 Old Humber Crescent 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*

*437.833.9453*



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### 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](mailto:stephen.cranley@alectrautilities.com)

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)