

VAUGHAN Staff Report Summary

Item # 10

Ward #

File: A120/20

Applicant: Mosaik Pinewest Estates Inc

189 Cannes Ave Woodbridge ON Address:

Rob Vitullo Agent:

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

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

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

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, December 3, 2020



Minor Variance Application

Agenda Item: 10

A120/20 Ward: 3

Staff Report Prepared By: Lenore Providence, 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

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: Mosaik Pinewest Estates Inc

Agent: Rob Vitullo

Property: 189 Cannes Avenue, Woodbridge

Zoning: The subject lands are zoned RD3 Residential Detached Zone Three, and subject to

the provisions of Exception No. 9(1370) 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.

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

By-law Requirement	Proposal
A minimum rear yard setback of 7.5 metres is	To permit a minimum rear yard setback of 6.75
required to the dwelling.	metres to the dwelling.

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 November 18, 2020

Applicant confirmed posting of signage on <enter date>

Property Information		
Existing Structures	Year Constructed	
Dwelling	To be constructed	

Applicant has advised that they cannot comply with By-law for the following reason(s): We sold the house and it doesn't meet the required flankage.

Adjournment Request: N/A

Building Standards (Zoning Review):

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

Building Permit No. 20-111756 for Single Detached Dwelling - New (Repeat Housing) (No Arch. Exam), 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.

An A/C unit and/or pool equipment shall be setback a minimum of 0.60 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.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner has submitted a Minor Variance application to facilitate the development of a new single-detached dwelling on the subject lands with the above-noted variance.

The reduced rear yard setback is minimal and is has no adverse impacts on the neighbouring properties. 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.

Cultural Heritage (Urban Design):

The subject parcel of land lies in an area identified as a being of some archaeological potential, and consideration shall be maintained. As such, the following standard clauses shall apply:

- i. Should archaeological resources be found on the property during construction activities, all work must cease, and both the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Department shall be notified immediately.
- ii. In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services. In the event of a future development application that involves further soil disturbance an archaeological assessment by a professional licensed archaeologist may be required and conditions of approval may apply.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A120/20.

Parks, Forestry and Horticulture Operations:

No comments or concerns

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges Bylaws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Fire Department:

No Response.

Schedule A - Plans & Sketches

Schedule B – Public Correspondence

None.

Schedule C - Agency Comments

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

Schedule D - Previous Approvals (Notice of Decision)

None.

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

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

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

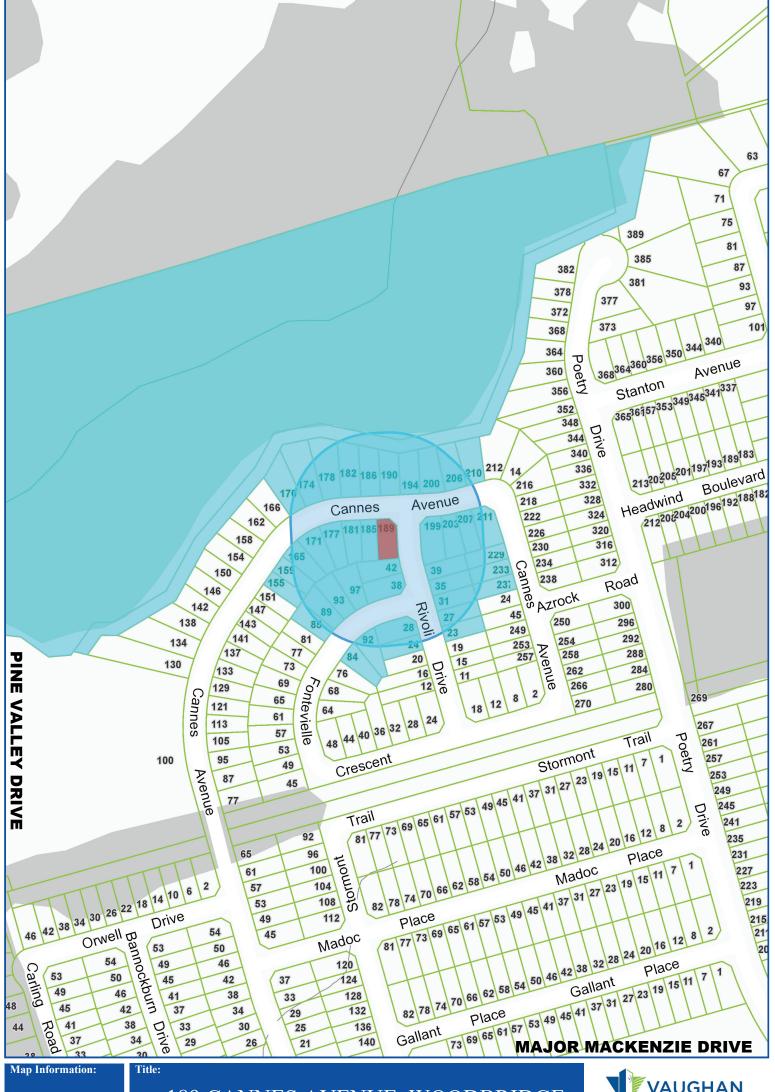
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 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.

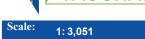
Location Map Plans & Sketches



189 CANNES AVENUE, WOODBRIDGE

A120/20 - NOTIFICATION MAP







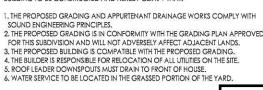
Created By:

It is the builder's complete responsibility to ensure that all plans submitted for approval fully comply with the Architectural Guidelines and all applicable regulations and requirements including zoning provisions and any provisions in the subdivision agreement. The Control Architect is not responsible in any way for examining or approving site (lotting) plans or working drawings with respect to any zoning or building code or permit matter or that any house can be properly built or located on its lot.

This is to certify that these plans comply with the applicable Architectural Design Guidelines approved by the City of VAUGHAN.

CONSULTANTS CERTIFICATION:

I HAVE REVIEWED THE SITE AND GRADING PLAN FOR THE PROPOSED BUILDING TO BE CONSTRUCTED AND HEREBY CERTIFY THAT:



SCHAEFFERS AND ASSOCIATES

DATE



A120/20

LOT NUMBER LOT AREA(m)² BLDG AREA(m)² LOT COVERAGE(%) No. OF STOREYS MEAN HEIGHT(m) PEAK HEIGHT(m)

> LEGEND SP X FFE FINISHED FLOOR SUMP PUMP TOP OF FOUNDAT WALL BELL PEDESTAL TFW CABLE PEDESTAL CATCH BASIN USF UNDER SIDE FOOTING DBL. CATCH BASIN UNDER SIDE FOOTING @ REAR * USFR ENGINEERED FILL UNDER SIDE FOOTING @ GARAGE HYDRO CONNECTION USFG TOP OF ENGINEERED FILL FIRE HYDRANT TEF STREET LIGHT NUMBER OF RISERS TO STALE LIGHT R TRANSFORMER WOD WALKOUT DECK SEWER CONNECTIONS 2 LOTS LOB LOOKOUT BASEMENT SEWER CONNECTIONS 1 WOR WALK OUT BASEMENT REV REVERSE PLAN WATER CONNECTION STANDARD PLAN WATER VALVE CHAMBER HYDRANT AND VALVE Δ DOOR WINDOW HYDRO METER Md AIR CONDITIONING H DOWN SPOUT TO SPLASH PAD GAS METER MANHOLE - STORM • DOWNSPOUT CONNECTED TO STM SWALE DIRECTION MANHOLE - SANITARY CHAINLINK FENCE
> PRIVACY FENCE
> SOUND BARRIER POOTING TO BE EXTENDED TO 1.22 (MIN) BELOW GRADE NOTE: USF IS BASED ON 150mm (6") FOOTING DEPTH. CONTRACTOR TO CONFIRM WITH WORKING DRAWINGS FOR SPECIFIC SIZES THAT MAY SUPERSEDE THIS SIZE.

NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE

LOT 37

456.51

167.54

36.7

N/A

N/A

BUILDING STATISTICS REG. PLAN No. ZONE

DECK LINE(m)

ISSUED OR REVISION COMMENTS DATE NO. DESCRIPTION ISSUED FOR C OF A 12-AUG-20 ESG MSA

WWW.RNDESIGN.COM T:905-738-3177 WWW.THEPLUSGROUP.CA

I, MARTHA SANDOVAL DECLARE THAT I HAVE REVIEWED AND TAKEN DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LTD, UNDER DIVISION, CART-3 SUBSECTION-3,2,4 OF THE BUILDING CODE. I AM QUALIFIED AND THE FIRM IS REGISTERED IN THE APPROPRIATE CLASSES / CATEGORIES.

QUALIFIED DESIGNER BCIN:
FIRM BCIN:
DATE:

SIGNATURE:

MOSAIK HOMES

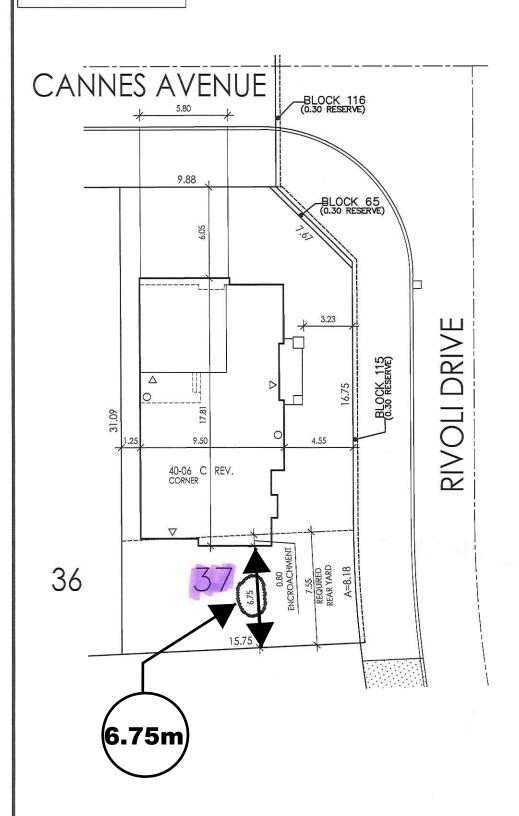
PROJECT/LOCATION

THE VIEW, PHASE 2 VAUGHAN

DRAWING

SITE PLAN

DRAWN BY	SCALE
ESG	1:250
PROJECT No.	LOT NUMBER
17023	LOT 37



1. STANDARD DRAWING AND LOT GRADING CRITERIA OF THE CITY OF VAUGHAN IN THE REGIONAL MUNICIPALITY OF YORK CONSTITUTE PART OF THE PROJECT DRAWINGS FOR THE

1. STANDARD DRAWING AND LOT GRADING CRITERIA OF THE CITY OF VAUGHAN IN THE REGIONAL MUNICIPALITY OF YORK CONSTITUTE PART OF THE PROJECT DRAWINGS FOR THE SUBDIVISION.

2. MINIMUM GRADIENT OF GRASS SWALES ALONG SIDE AND REAR LOT LINES SHALL BE 2%. THE PROPOSED ELEVATION OF THE SIDE YARD SHALL BE A MINIMUM OF 0.15M BELOW THE FINISHED GRADE AT THE BUILDING LINE. THE MAXIMUM SWALE GRADIENT SHALL BE 5%.

3. TAKE UP REAR YARD GRADE DIFFERENCE USING SLOPES BETWEEN 2.0% AND 5.0% FOR A MAXIMUM OF 6.0 METERS OF THE REAR YARD AREA AND SLOPES OF 3 HORIZONTAL AND 1 VERTICAL MAXIMUM TO THE REAR LOT LINE. USE RETAINING WALLS IF GRADE DIFFERENCE IS MORE THAN 0.60M. CONSTRUCT RETAINING WALLS WITHIN THE REAR LOT LINE.

4. EDGE OF DRIVEWAYS ARE TO BE A MINIMUM OF 1.0M FROM EDGE OF STREET CATCHBASIN AND STREET FURNITURE. THE BUILDER IS TO VERIFY THE LOCATION AND TO INFORM THE ENGINEER IF THIS DIMENSION CANNOT BE MAINTAINED PRIOR TO EXCAVATION FOR THE FOOTINGS.

5. IF THE DISTANCE BETWEEN THE WALLS OF ADJACENT UNITS IS LESS THAN 1.8M. A SIDE YARD DRAINAGE SWALE SHALL BE CONSTRUCTED AND SURFACED WITH 0.13M, LIMESTONE SCREENING OVERLALD BY PATIO SLAB WALKWAY.

6. BRICK LINE SHALL BE 0.15M ABOVE SOD ELEVATION.

7. ALL ROOF LEADERS SHALL DISCHARGE AT THE FRONT OF DWELLING UNIT ON TO GRASSED AREAS ON CONCRETE SPLASH PADS. ROOF DOWNSPOUTS ARE NOT PERMITTED AT THE REAR OF THE HOUSE.

REAR OF THE HOUSE.

8. FOOTINGS CONSTRUCTED NEXT TO A CATCHBASIN LEAD PIPE OR OTHER MUNICIPAL SERVICE SHALL BE INSTALLED BELOW THE LEAD PIPE EXCAVATION, FOOTINGS MUST BE CONSTRUCTED ON UNDISTURBED SOIL. SOIL CONSULTANTS VERIFICATION REQUIRED.

9. ALL NEW FENCES REQUIRED ABUTTING PUBLIC LANDS AND OR EXISTING PROPERTIES SHALL BE CONSTRUCTED WITH MATERIAL INCLUDING FOUNDATIONS COMPLETELY ON PRIVATE LANDS AND TOTALLY CLEAR OF ANY 9.3M RESERVES.

10. IN LOTS WITH REAR LOT CATCHBASINS, THE MIN. SIDE YARD WIDTH SHALL BE 1.2M ALONG THE CATCHBASIN LEAD.

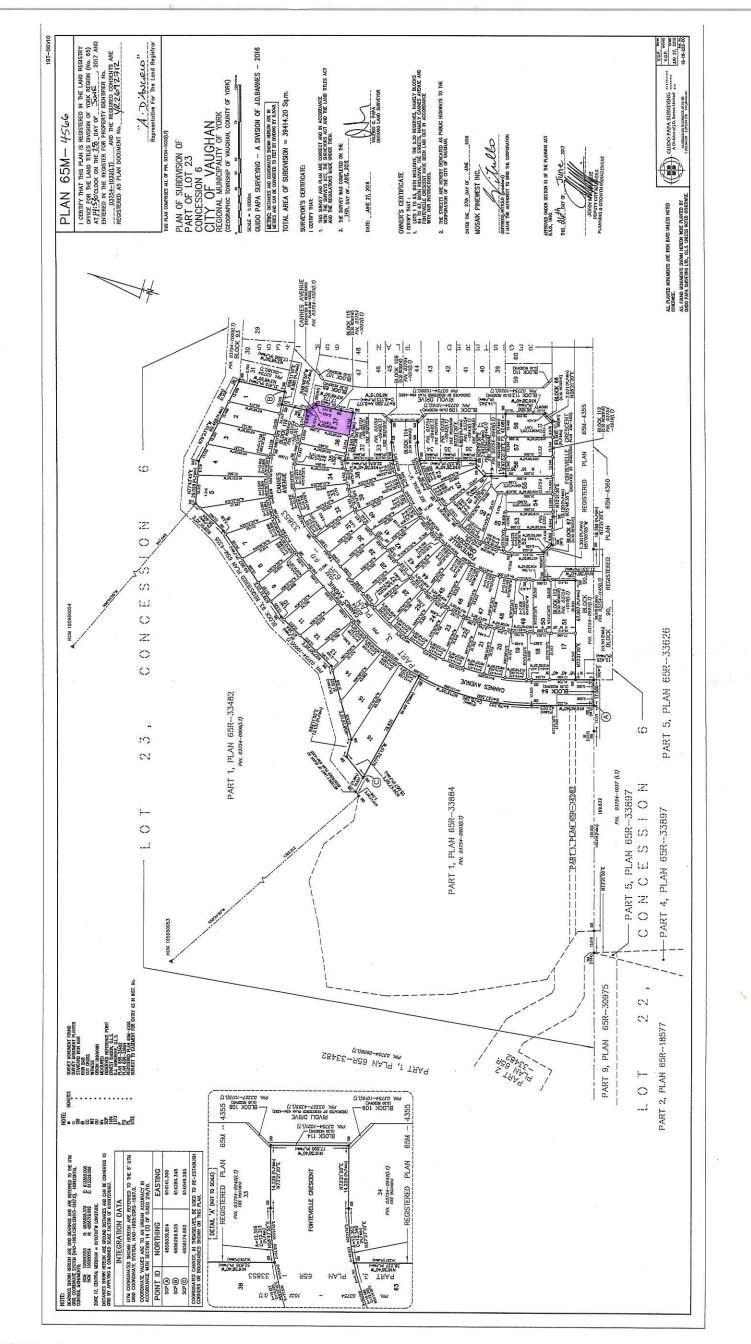
11. REFER TO DETAIL ON SCHAEFFER DWG. FOR "BACK TO FRONT" DRAINAGE LOT, IF CLEARANCE BETWEEN BUILDINGS IS 1.80m OR LESS.

12. SOIL CONSULTANTS VERIFICATION IS REQUIRED FOR FOOTINGS CONSTRUCTED ON ENGINEERED FILL LOTS.

13. THE BUILDER MUST VERIFY THE AS CONSTRUCTED ON SANITARY AND STORM SERVICES INVERTS AND INFORM THE ENGINEER IF THE MINIMUM 2% GRADE CANNOT BE MAINTAINED PRIOR TO PLACING OF CONCRETE FOOTINGS.

14. TOP SOIL DEPTH IN BOULEVARD MUST BE MIN, 0.45M

15. BUILDERS TO STAKE OUT CURB DEPRESSION.



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

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T Supervisor, Distribution Design, ICI & Layouts (North) **Phone**: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio

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

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject:

FW: A120-20 - REQUEST FOR COMMENTS - 189 Cannes Avenue, Woodbridge, (full circulation)

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

Sent: November-10-20 11:54 AM

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

Subject: [External] RE: A120-20 - REQUEST FOR COMMENTS - 189 Cannes Avenue, Woodbridge, (full circulation)

Good Morning 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 | The Regional Municipality of York | 1-877 464 9675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca | <a h

Providence, Lenore

Subject: FW: A120-20 - REQUEST FOR COMMENTS - 189 Cannes Avenue, Woodbridge , (full circulation)

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

Sent: November-02-20 2:11 PM

To: Vigneault, Christine < Christine. Vigneault@vaughan.ca>

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

Subject: [External] RE: A120-20 - REQUEST FOR COMMENTS - 189 Cannes Avenue, Woodbridge, (full circulation)

Good Afternoon Christine,

MTO has reviewed the subject land(s) located at 189 Cannes Ave. 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

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

Sent: November 2, 2020 1:42 PM

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

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

Subject: FW: A120-20 - REQUEST FOR COMMENTS - 189 Cannes Avenue, Woodbridge, (full circulation)

Dan Della Mora

Senior Project Manager <u>Dan.DellaMora@ontario.ca</u>