



File: A039/20

Applicant: 2572486 ONTARIO LTD. (Dang Trinh)

Address: 36 Creedmore Court, Kleinburg

Agent: M. Behar Planning & Design Limited
(Chris Pereira)

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 <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None

Background History: None



Minor Variance
Application

Agenda Item: 1

A039/20

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, February 4, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: 2572486 Ontario Ltd. (Dang Trinh)

Agent: M. Behar Planning & Design Limited (Chris Pereira)

Property: 36 Creedmore Court, Kleinburg

Zoning: The subject lands are zoned RD1, Residential and subject to the provisions of Exception 9(1316) 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 with attached garage.

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

By-law Requirement	Proposal
1. A maximum building height of 11 metres is permitted.	1. To permit a maximum building height of 13.05 metres.
2. No garage shall project into the front yard more than 2.0m beyond the most distant point of any wall of the dwelling facing the street at ground floor level.	2. To permit a garage to project into the front yard a maximum of 10.72 metres beyond the most distant point of any wall of the dwelling facing the street at ground floor level.
3. A minimum interior garage length of 6.0 metres is required.	3. To permit a minimum interior garage length of 5.79 metres.

Background (previous applications approved by the Committee on the subject land): None

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on January 20, 2021

Applicant confirmed posting of signage on January 8, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC
Cabana	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): To design a custom home within an approved plan of subdivision, variances are required to specific performance standards.

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. 20-000479 for Single Detached Dwelling - New - Not Yet Issued

Building Permit No. 20-000480 for Shed/Gazebo - New - Not Yet Issued

A separate permit shall be obtained from the Engineering Department for the proposes private swimming pool.

Zoning has reviewed the proposed dwelling for a single family dwelling unit only. The proposed separate/alternate entrance at the rear wall of the dwelling shall not be used to facilitate a secondary suite.

Drawings submitted for building permit for the dwelling and the accessory structure must be revised to reflect changes proposed for this minor variance application.

The subject lands appear to be located within the Wellhead Protection Area - Kleinburg.

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

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 single family dwelling, cabana and swimming pool with the above noted variances.

Development Planning staff identified concerns with the original proposal which included a building height of 13.77 m and a garage projection of 14.68 m. The massing of the projection combined with the excessive building height would not be compatible with the neighbourhood as it would create an inconsistent streetscape along Creedmore Court. Staff requested that the Owner consider alternative designs or reduce the variances 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 height of the dwelling to 13.05 m, which is keeping with previous approvals in the area and the overall projection of the garage was reduced to 10.72 m. Staff are satisfied with the revised proposal and consider the variances minor in nature as they are keeping with the existing estate lot character of the neighbourhood. As a result of the reduced width of the garage, the Owner worked with staff to add a garage on the front wall of the dwelling. As such, the interior garage length of 5.79m is appropriate as the minimum required amount of parking spaces have been provided on the lot.

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.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A039/20.

Parks Development - Forestry:
Recommended condition of approval:

Access agreement required if utilizing park/greenspace to enter rear lot to perform work.

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

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

Fire Department:
No comment.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
A039/20 – Public Correspondence (26 Creedmore Court)

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)
None

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

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	Parks, Forestry and Horticulture Operations Patrick Courchesne 905-832-8585 x 3617 Patrick.Courchesne@vaughan.ca	Access agreement required if utilizing park/greenspace to enter rear lot to perform work.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – Development Charges

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

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

Notice to Public

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

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

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

Schedule A: Plans & Sketches

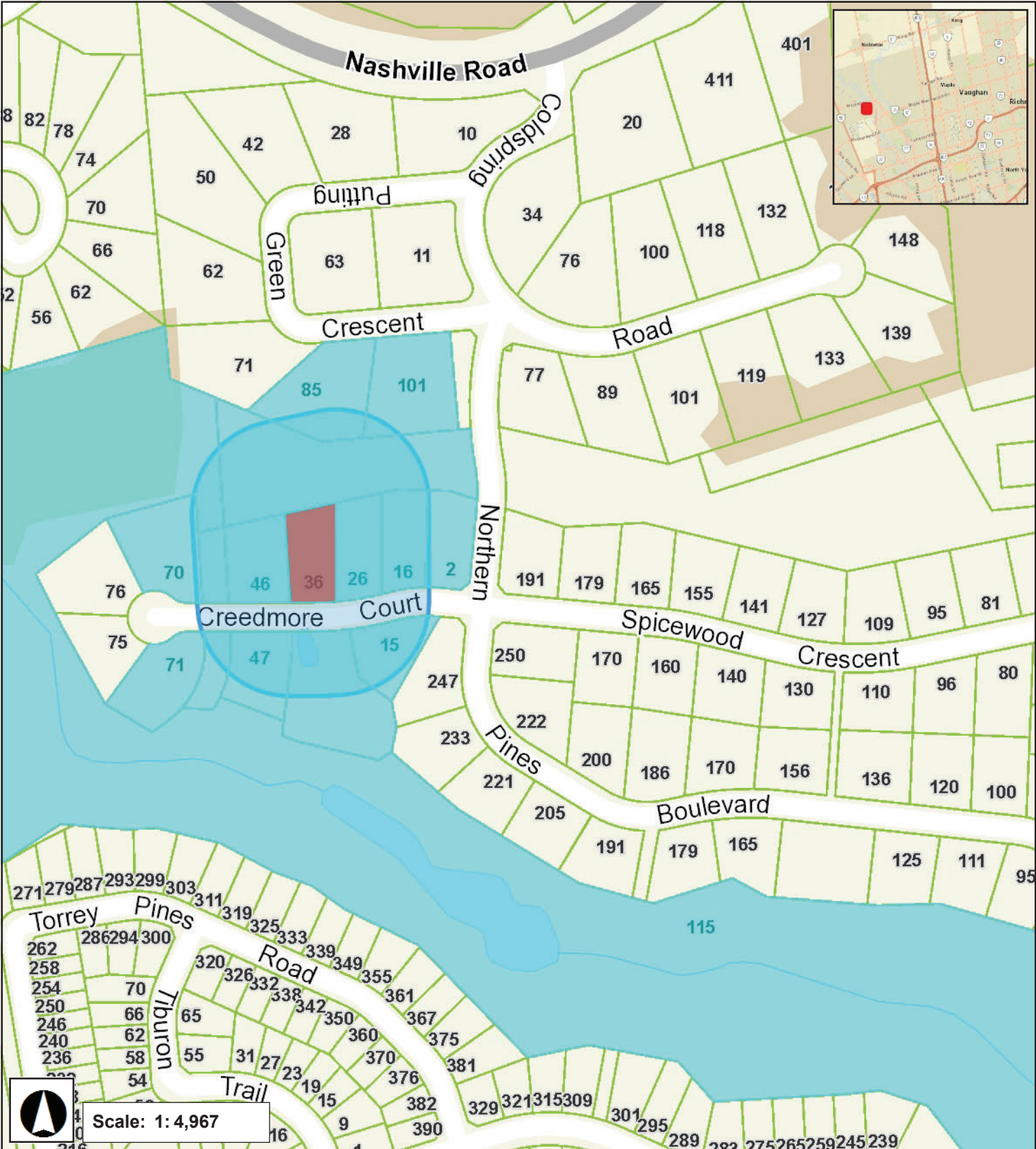
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



A039/20 - Notification Map

36 Creedmore Court, Kleinburg



Major Mackenzie Drive

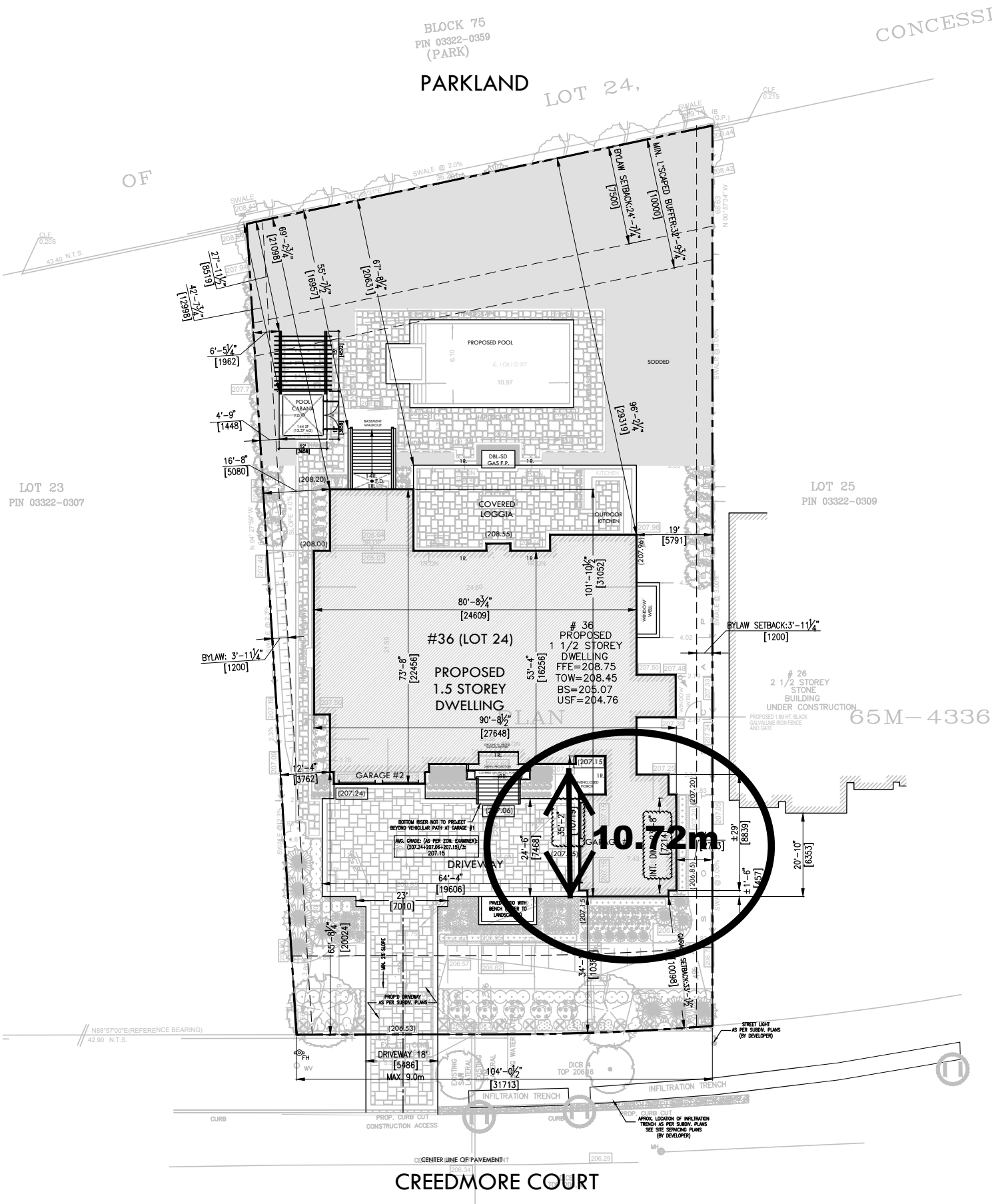
January 7, 2021 2:20 PM

Highway 27

Proposal:

- 1. To permit a maximum building height of 13.05 metres.
- 2. To permit a garage to project into the front yard a maximum of 10.72 metres beyond the most distant point of any wall of the dwelling facing the street at ground floor level.
- 3. To permit a minimum interior garage length of 5.79 metres.

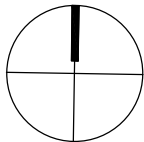
A039/20



Zanjani Architect Inc.

15 Allstate Pkwy, Unit 664
Markham, ON L3R 5B4
T: 416.917.8285
E: info@zanjaniarchitect.com

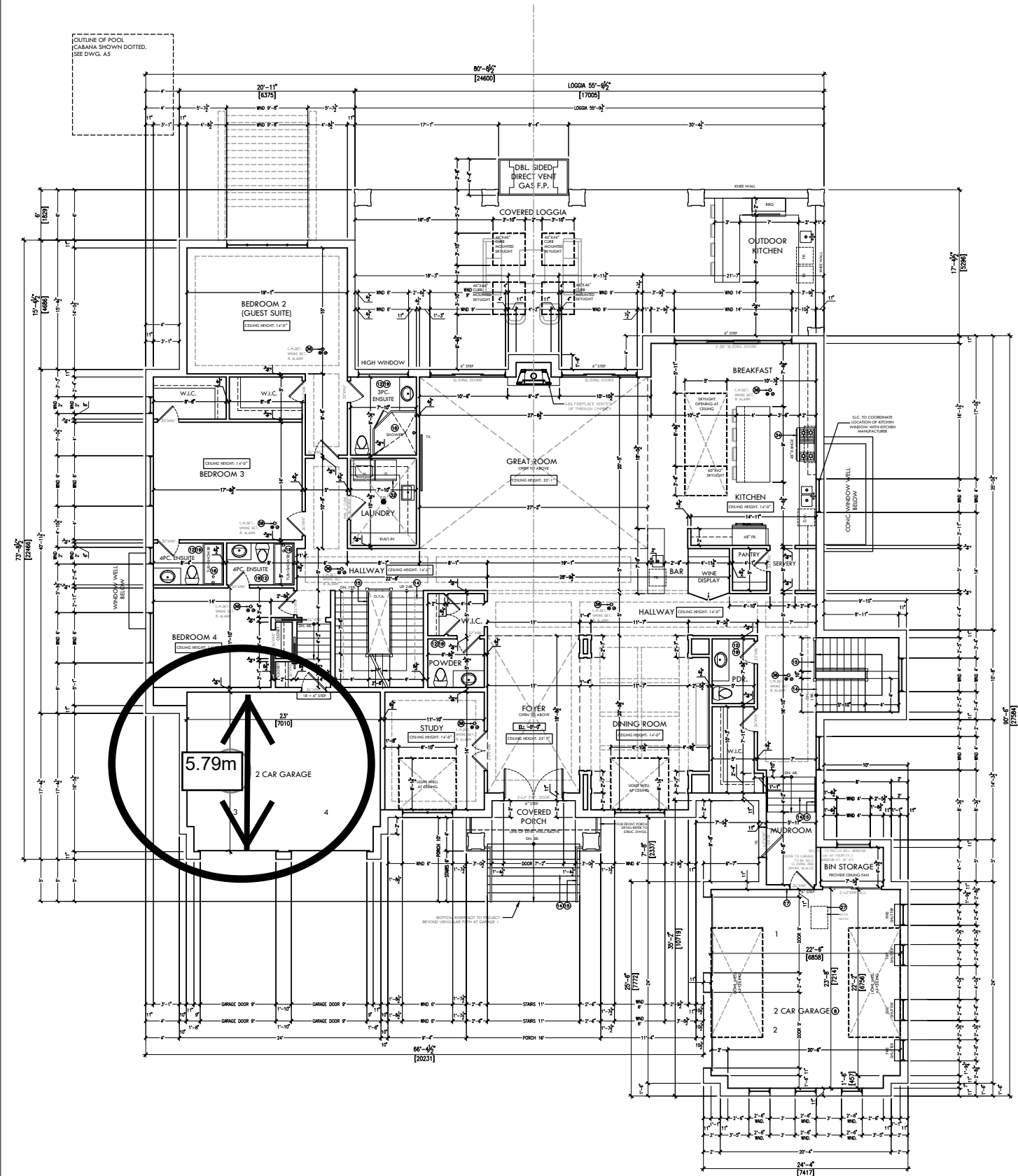
05	FOR C.O.A. RESUBMISSION	DEC. 22. 2020	S.Z.
04	FOR C.O.A. SUBMISSION	NOV. 27. 2020	S.Z.
03	FOR SIGNOFF GARAGE + BLDG. HT. REV.	NOV. 25. 2020	S.Z.
02	FOR DISCUSSION	NOV. 13. 2020	S.Z.
01	RE-ISSUED FOR C.O.A.	MAY. 02. 2020	S.Z.
Issued:			



A1

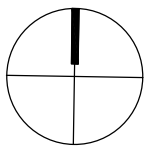
PROPOSED 1.5-STOREY DWELLING 36 (LOT24) CREEDMORE CRT.
KLEINBURG. ON

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



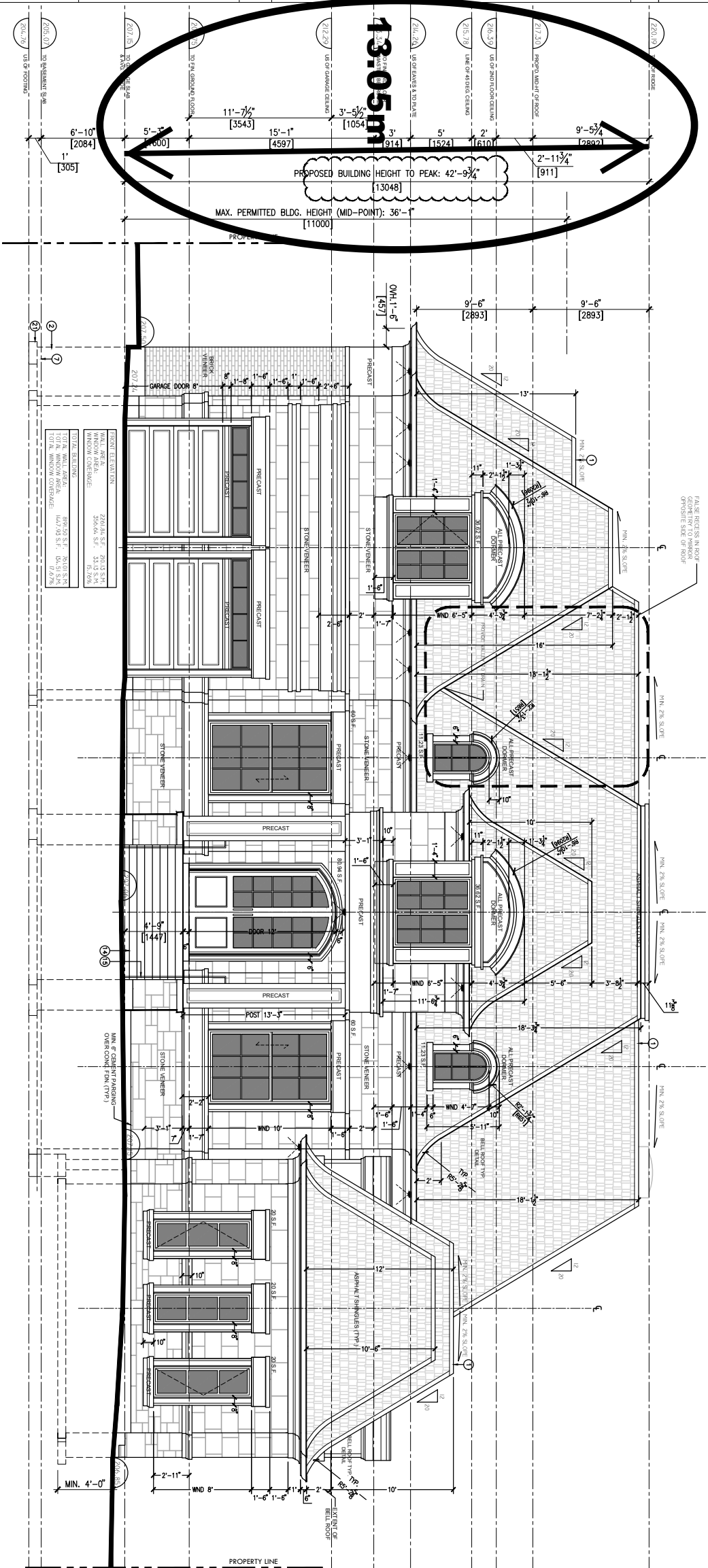
Zanjani Architect Inc.
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Markham, ON L3R 5B4
T: 416.917.8285
E: info@zanjaniarchitect.com

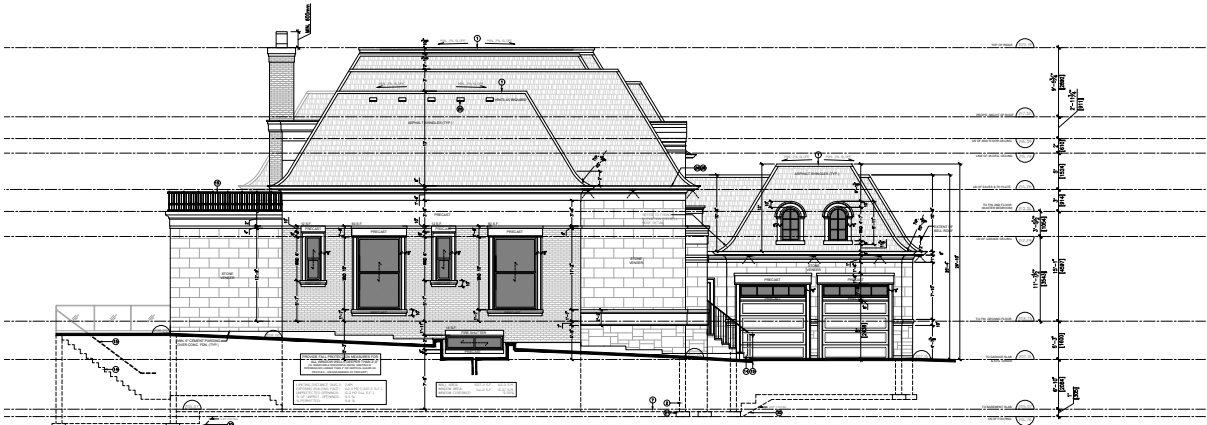
04	FOR C.O.A. SUBMISSION	NOV. 27. 2020	S.Z.
03	FOR SIGNOFF, GARAGE + BLDG. HT. REV.	NOV. 25. 2020	S.Z.
02	RE-ISSUED FOR C.O.A.	MAY. 02. 2020	S.Z.
01	FOR C.O.A.	APR. 12. 2020	S.Z.
Issued:			



A3

04	FOR C.O.A. SUBMISSION	NOV. 27, 2020	S.Z.
03	FOR SIGNOFF GARAGE + BLDG. HT. REV.	NOV. 26, 2020	S.Z.
02	RE-ISSUED FOR C.O.A.	MAY. 02, 2020	S.Z.
01	FOR C.O.A.	APR. 12, 2020	S.Z.





Zaniani Architect Inc. 15 Airside Pkwy. Unit 666 Markham, ON L3R 9B4 T: 416.977.8285 E: info@zanianichitect.com					
04	FOR C.O.A. SUBMISSION	NOV. 27, 2020	S.Z.	A7	
03	FOR SIGNOFF GARAGE - BLDG. HT. REV.	NOV. 26, 2020	S.Z.		
02	RE-ISSUED FOR C.O.A.	MAY 02, 2020	S.Z.		
01	FOR C.O.A.	APR. 12, 2020	S.Z.		
Issued:					

PROPOSED 1.5-STOREY DWELLING 36 (LOT24) CREEDMORE CRT. SIDE (WEST) ELEVATION

MARKHAM, ONT. KLEINBURG, ON

SCALE: 1/8"=1'-0"



Zaniani Architect Inc.				A8			
15 Airside Pkwy. Unit 6664	04 FOR C.O.A. SUBMISSION	NOV. 27, 2020	S.Z.				
Markham, ON L3R 9B4	03 FOR SIGNOFF GARAGE - BLDG. HT. REV.	NOV. 26, 2020	S.Z.				
T: 416.977.8285	02 RE-ISSUED FOR C.O.A.	MAY 02, 2020	S.Z.				
E: info@zanianichitect.com	01 FOR C.O.A.	APR. 12, 2020	S.Z.				
Issued:							

PROPOSED 1.5-STORY DWELLING 36 (LOT24) CREEDMORE CRT. REAR (NORTH) ELEVATION

KLINBURG, ON SCALE: 3/32"=1'-0"



Zanjani Architect Inc.						
15 Albion Pkwy, Unit 664 Markham, ON L3R 5B4 T: 416.977.8285 E: info@zanjanarchitect.com						
04	FOR C.O.A. SUBMISSION		NOV. 27, 2020	S.Z.	A9	
03	FOR SIGNOFF GARAGE + BLDG. HT. REV.		NOV. 26, 2020	S.Z.		
02	RE-ISSUED FOR C.O.A.		MAY 02, 2020	S.Z.		
01	FOR C.O.A.		APR. 12, 2020	S.Z.		
Issued:						

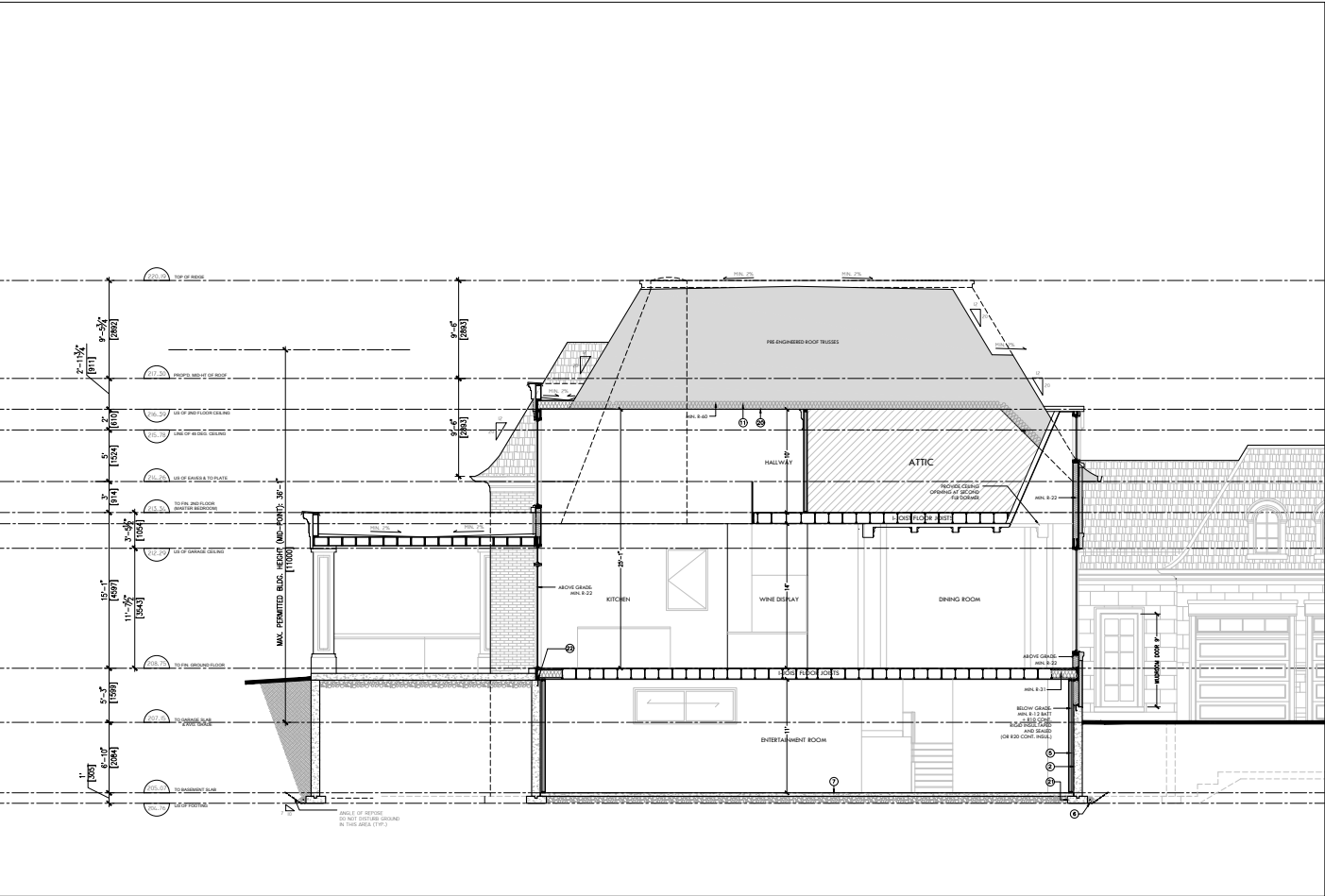
PROPOSED 1.5-STORY DWELLING

36 (LOT24) CREEDMORE CRT.

KLEINBURG, ON

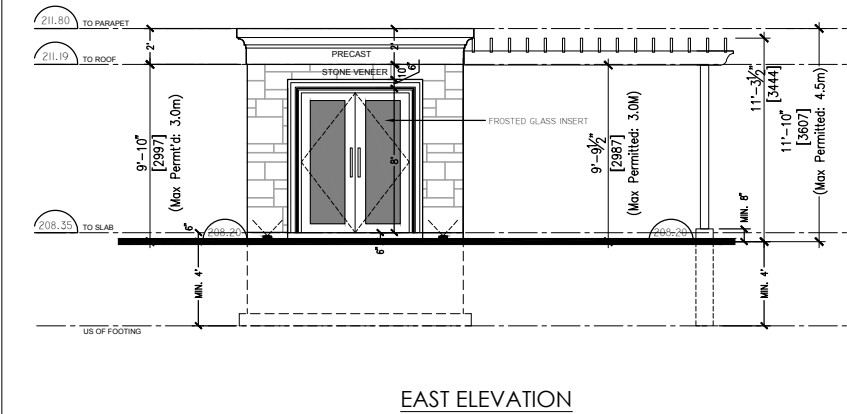
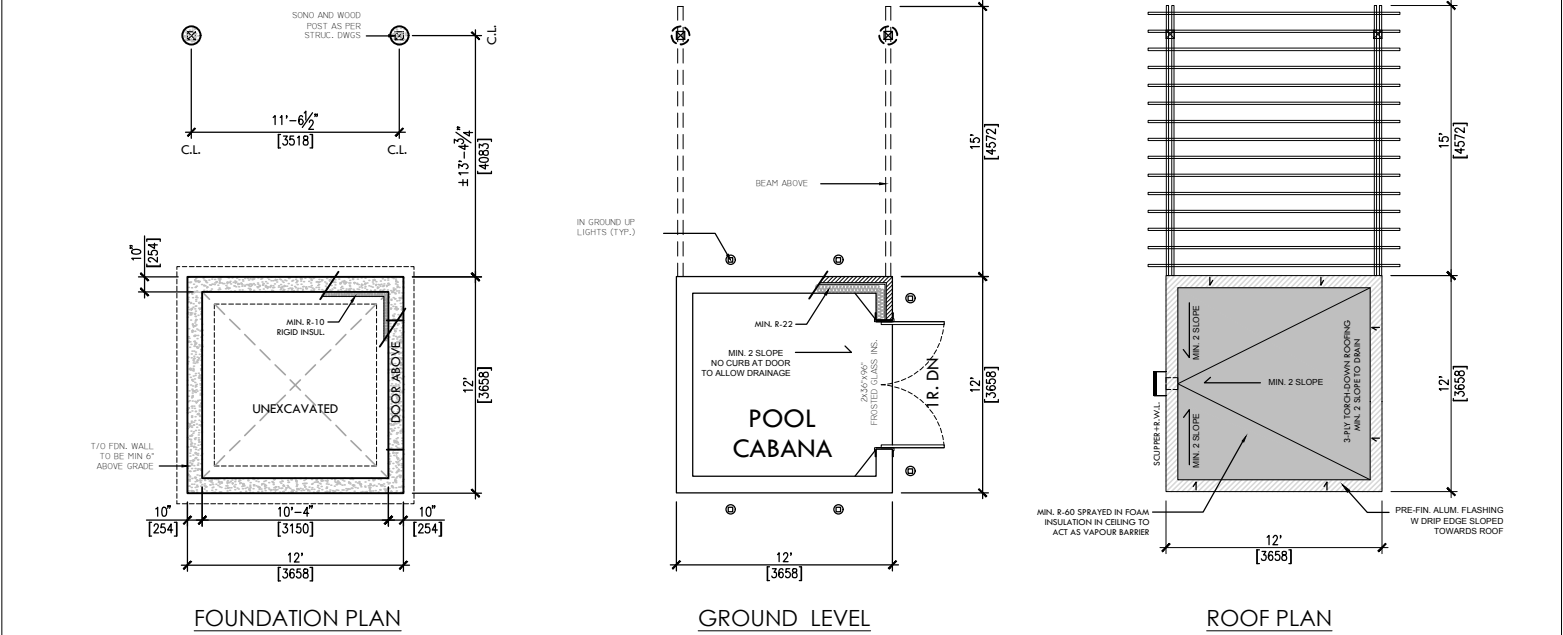
SIDE (EAST) ELEVATION

SCALE: 1/8"=1'-0"

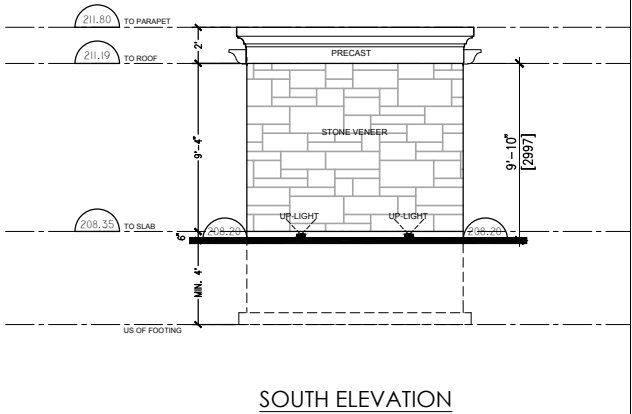


Zaniani Architect Inc. 15 Airborne Pkwy Unit 6664 Markham, ON L3R 5B4 T: 416.977.8285 E: info@zanianichitect.com	04 FOR C.O.A. SUBMISSION	NOV. 27, 2020	S.Z.
	03 FOR SIGNOFF GARAGE + BLDG. HT. REV.	NOV. 26, 2020	S.Z.
	02 RE-ISSUED FOR C.O.A.	MAY 02, 2020	S.Z.
	01 FOR C.O.A.	APR. 12, 2020	S.Z.
	Issued:		

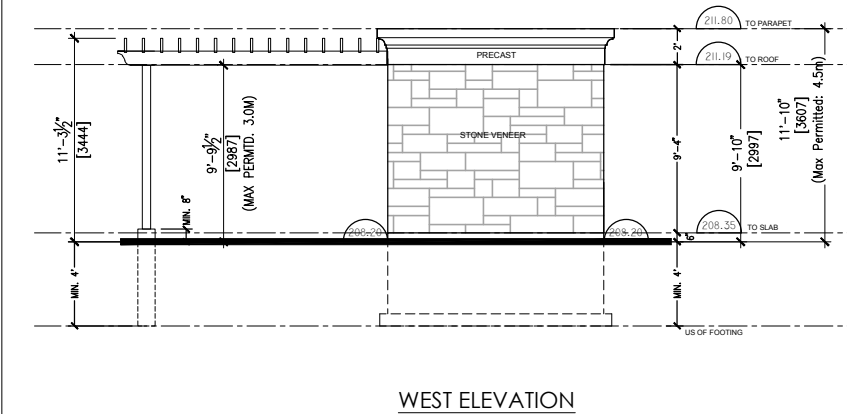
PROPOSED 1.5-STORY DWELLING 36 (LOT24) CREEDMORE CRT. SECTION
KLEINBURG, ON SCALE: 3/32"=1'-0"



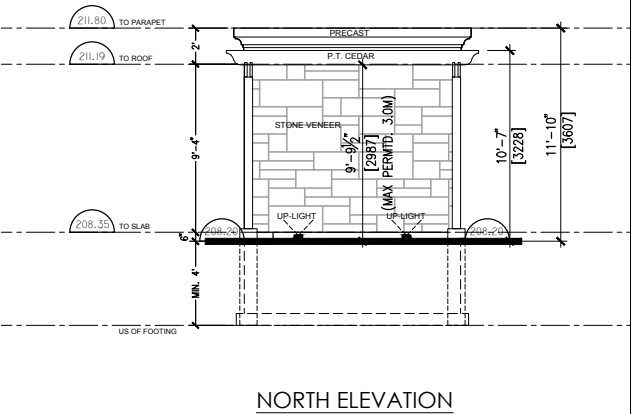
EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



NORTH ELEVATION

36 (LOT 24) CREEDMORE CRT.

COMMITTEE OF ADJUSTMENT

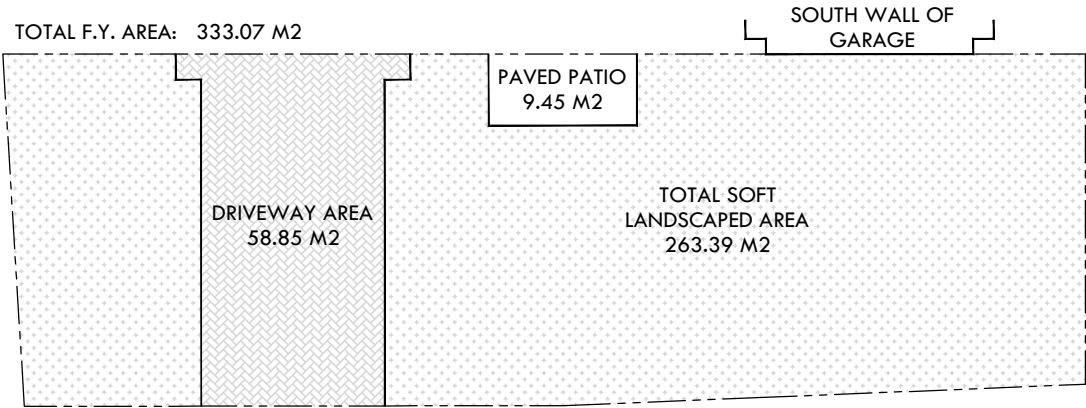
SITE STATISTICS

ZONING BYLAW SUMMARY

ZONING	RDI - EX. I3I6	
COVERAGE	N/A	
DENSITY	N/A	
HEIGHT	11.0M	
SETBACKS	FRONT	4.5M
	REAR	7.5M
	SIDE	1.2M
LOT AREA:	23743.76 SF 2205.80 M2	
PROP. GFA:		
GROUND FLOOR:	4,420 S.F.	410.70 M2
SECOND FLOOR:	1,439 S.F.	133.68 M2
TOTAL GFA:	5,859 S.F.	544.38 M2
FIN. BASEMENT AREA:	4,371 S.F.	406.12 M2
BLDG. COVERAGE:	5,658 S.F.	525.69 M2
* INCL. FRONT PORCH / EXCL. LOGGIA, FRONT PORCH STEPS, BASEMENT WALKOUT		
LOT COVERAGE:	23.83%	
PROP. HEIGHT:	13.04M	
PROP. BLDG. LENGTH:	AS SHOWN	
INDOOR PARKING:	4	

FRONT YARD	(A)	TOTAL FRONT YARD AREA	333.07 M2
	(B)	DRIVEWAY AREA + PAVED PATIO	68.30 M2
	(C)	TOTAL SOFT LANDSCAPED AREA	263.39 M2

REAR YARD	(A)	TOTAL REAR YARD AREA	838.61 M2
	(B)	REAR SOFT L'SCAPED AREA PROVIDED	502.97 M2
	MIN. SOFT LANDSCAPED AREA REQUIRED: (838.61 M2- 135 M2) X 60%= 422.16 M2		



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.

A039/20 – Public Correspondence (26 Creedmore Court)

LETTER OF SUPPORT

Date: July 16 / July 2020

Committee of Adjustment,
Development Services, City of Vaughan
Committee of Adjustment

Dear Sir, Madam:

As the owners of 26 Creedmore, it is our pleasure to write this letter to express our full support for the construction of the new single family dwelling located at 36 (lot 24) Creedmore Crt., Vaughan.

Mr. Trinh, the owner of 36 Creedmore Crt. has been in contact with us from the initial stages of the proposal. We have reviewed the architectural drawings with him as well as the full list of minor variances issued by the City of Vaughan, and have no objections to any of the variances.

We are in full support this proposal as we think the new dwelling will be a well-suited addition to our street and the neighbourhood.

Sincerely,

Name(s): Marco Spotto

Signature(s): [Signature]

Date: July 16 2020

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

COMMENTS:

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

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

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

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

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

References:

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

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

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

E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A039/20 - Request for Comments

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

Sent: January-15-21 10:12 AM

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

Cc: Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: A039/20 - Request for Comments

Good morning Adriana,

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