

File: A141/20

Applicant: Enio Varano & Lina Genco Varano

Address: 174 Blackburn Blvd Woodbridge

Agent: Lou Parente

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 | | |
| Cultural Heritage (Urban Design) | | |
| Development Engineering | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks, Forestry and Horticulture Operations | <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) | | |

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, February 4, 2021



Minor Variance
Application

Agenda Item: 13

A141/20

Ward: 3

Staff Report Prepared By: Pravina Attwala, 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

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: Enio Varano & Lina Genco Varano

Agent: Lou Parente

Property: 174 Blackburn Blvd Woodbridge

Zoning: The subject lands are zoned R1, Residential Zone and subject to the provisions of Exception 9(589) 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 cabana and pool to be located in the rear yard

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

| By-law Requirement | Proposal |
|---|---|
| 1. The nearest part of the roof of an accessory building shall not be more than three (3) metres above finished grade. [4.1.1 b)] | 1. The nearest part of the roof of the proposed accessory building (cabana) is 3.4 metres above finished grade. |
| 2. The minimum side yard is 1.5 metres. [9(589) ci), Schedule T-54] | 2. The proposed side yard is 1.2 metres. |
| 3. The minimum rear yard is 7.5 metres. [9(589) ci), Schedule T-54] | 3. The proposed rear yard is 1.5 metres. |
| 4. In an R1 Zone, where the area of a rear yard of a lot is greater than 135 sq. m., a minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 sq. m shall be composed of soft landscaping. [4.1.2 b)] | 4. The portion of the rear yard in excess of 135 sq. m. is 49.9% soft landscaping. |

Background (previous applications approved by the Committee on the subject land): N/A

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: 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 January 21, 2021

Applicant confirmed posting of signage on January 15, 2021

| Property Information | |
|----------------------|------------------|
| Existing Structures | Year Constructed |
| Dwelling | 1980 |

Applicant has advised that they cannot comply with By-law for the following reason(s):
Based on homeowners’ requirements for a cabana size and pool we cannot meet the rear yard and side yard setbacks as the structure would encroach on a existing patio and the existing house kitchen projection.

Adjournment Request: None.

Building Standards (Zoning Review):

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

Building Permit No. 20-112470 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

Application Under Review

Cultural Heritage (Urban Design):

There are no cultural heritage concerns for this application.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A141/20 subject to the following condition(s):

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 or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.

Parks Development - Forestry:

Applicant/owner shall obtain an arborist report to the satisfaction of the forestry division.

Once the “Private Property Tree Removal & Protection” permit has been issued, the condition will be lifted.

Prior to permit issuance, Forestry staff shall inspect and approve the tree protection (Hoarding). Tree protection shall be installed to the satisfaction of the Forestry division.

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

Arborist recommendations are to be followed as outlined in the Arborist Report.

By-Law and Compliance, Licensing and Permit Services:

No comments.

Financial Planning and Development Finance:

No comment no concerns.

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

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 **adjourn** this application the following condition(s) is required: N/A

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

| | Department/Agency | Condition |
|---|--|---|
| 1 | Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.khan@vaughan.ca | 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 or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval. |
| 2 | Development Planning Roberto Simbana 905-832-8585 x 8810 roberto.simbana@vaughan.ca | Application Under Review |

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

T 905 832 8585 Extension 8002
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.

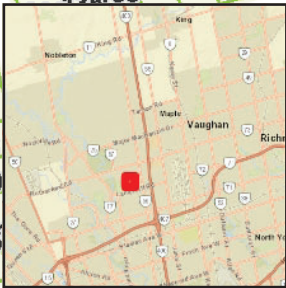
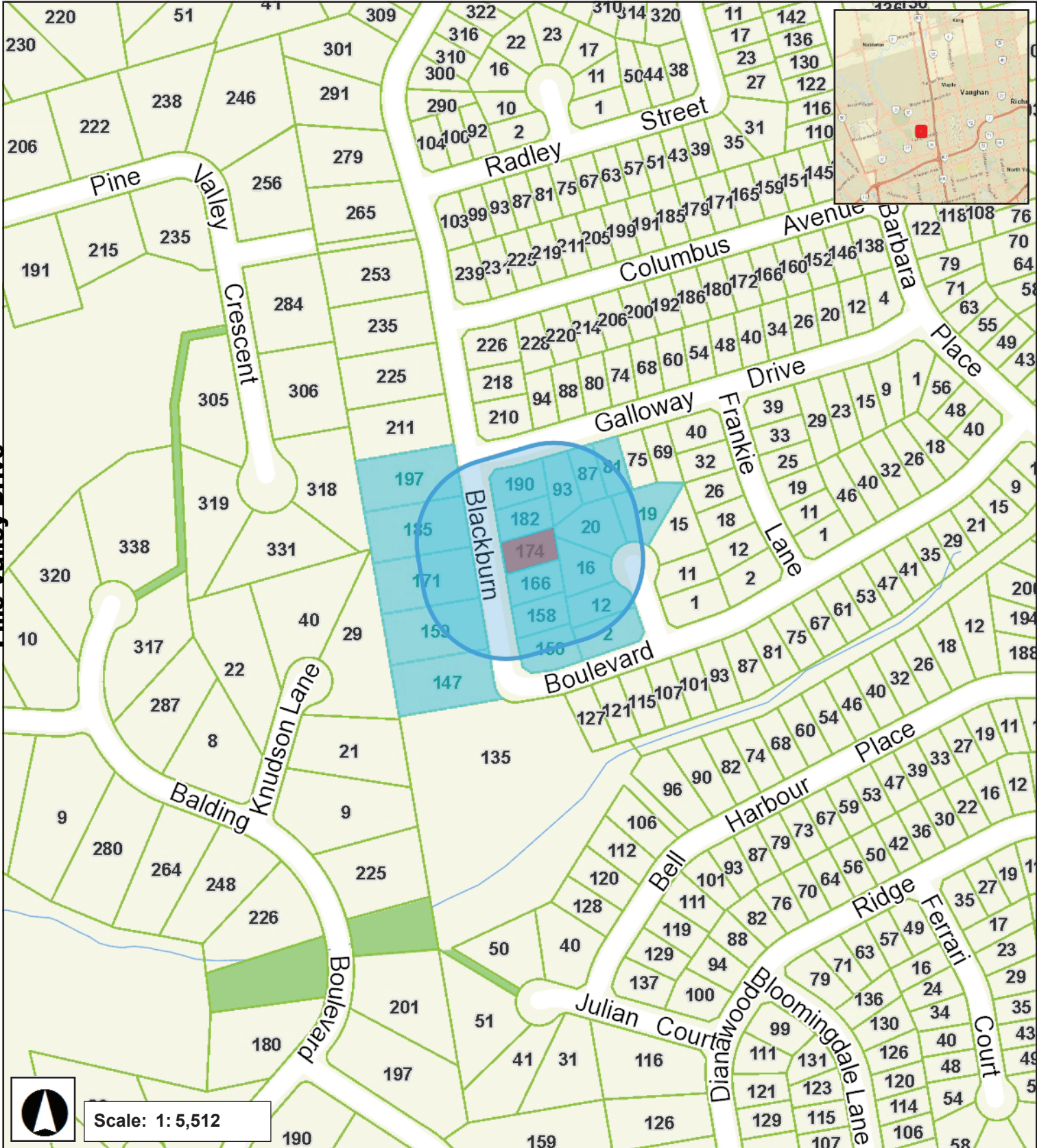
Location Map
Plans & Sketches



LOCATION MAP - A141/20

174 BLACKBURN BLVD. WOODBRIDGE

Rutherford Road

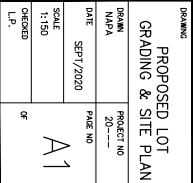


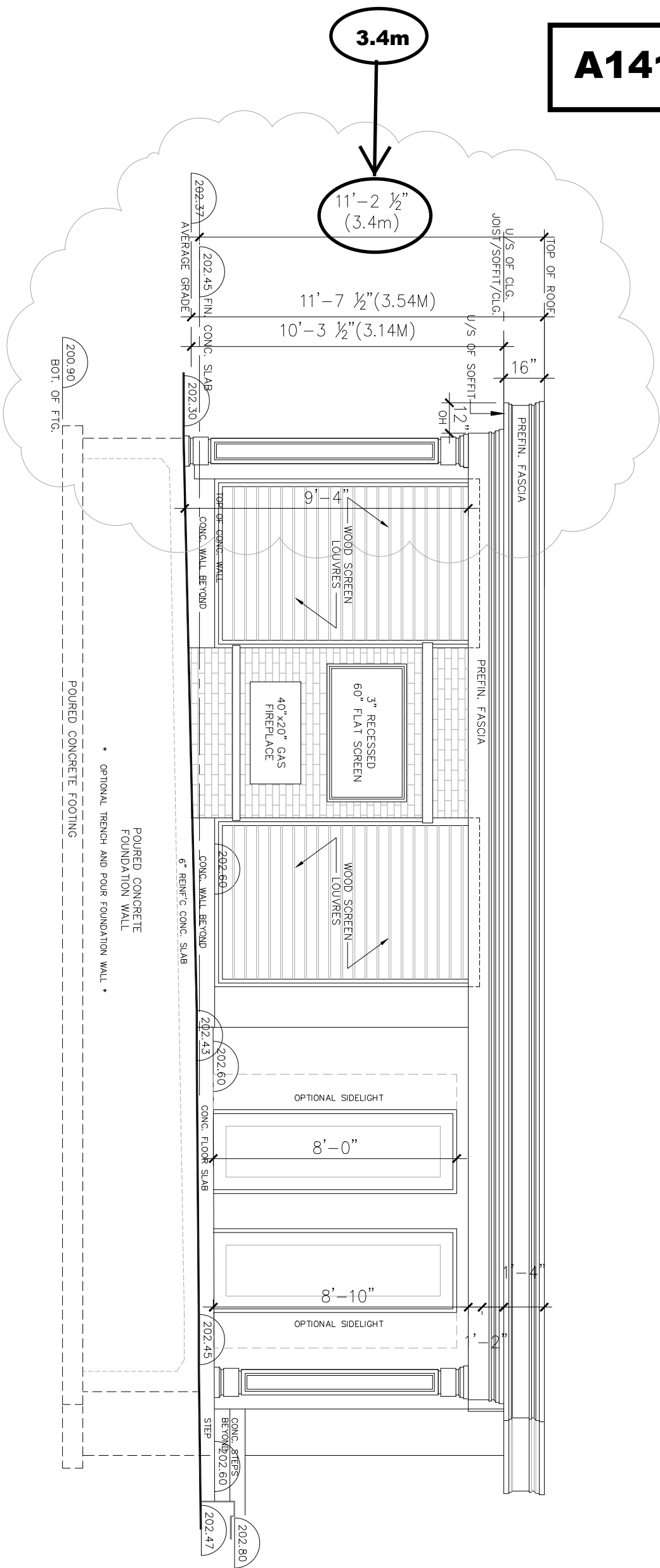
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Langstaff Road

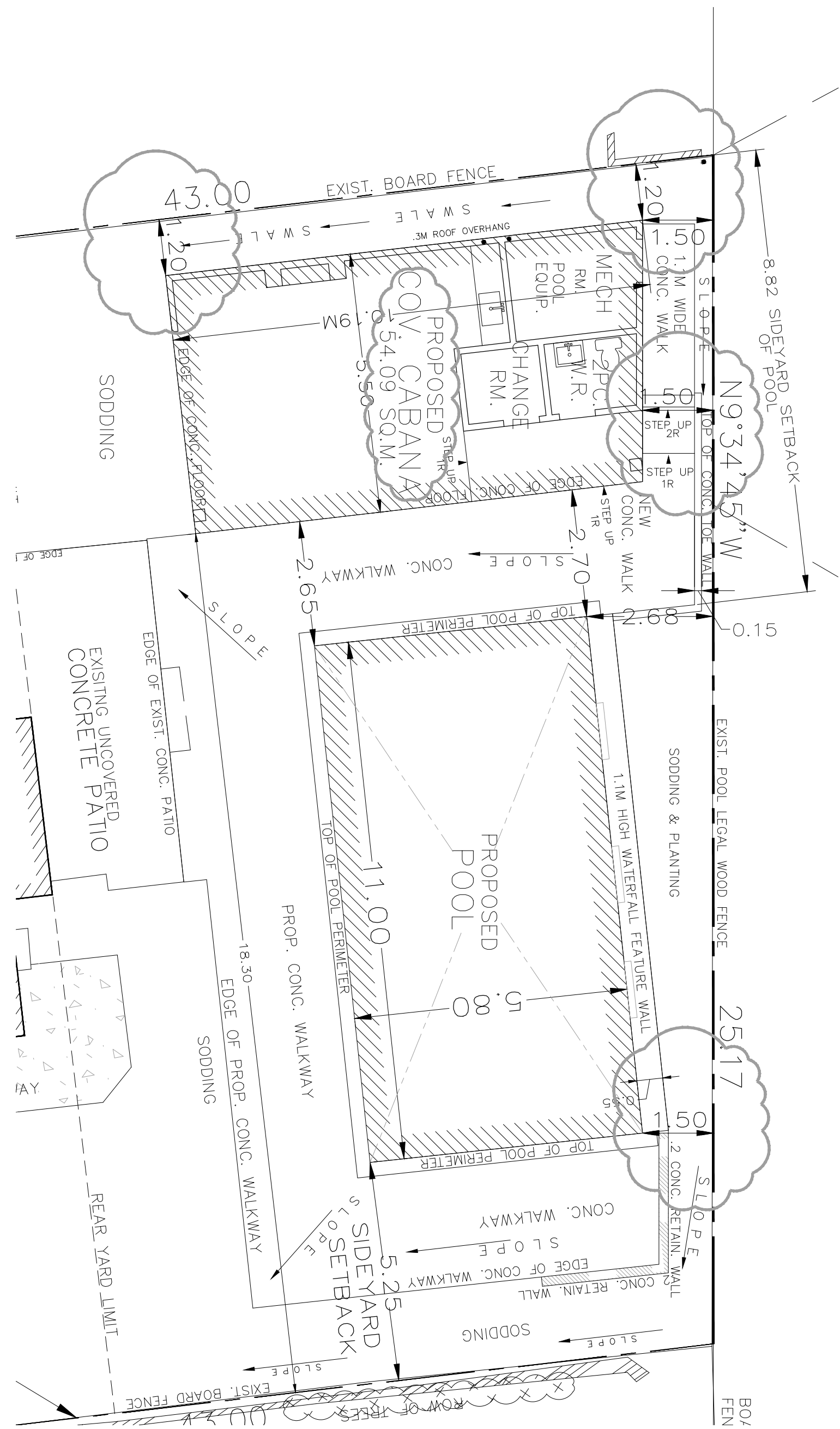
January 7, 2021 4:18 PM

SOFT LANDSCAPING = 49.9%





SOUTH ELEVATION
Scale: 1/4" = 1'-0"



CONCRETE CURB

CURB CUT

CURB CUT

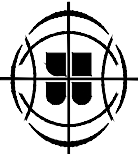
CONCRETE CURB

BLACKBURN BOULEVARD
(DEDICATED BY REGISTERED PLAN 65M-2536)

C/L OF PAVEMENT

C/L OF PAVEMENT

© COP-RIGHT 2020 Guido Papa Surveying – A Division of



GUIDO PAPA SURVEYING

A Division of J.D. B

UNIT B7 - 9135 KEELE ST., VAU

T: (289) 553-5961 F: (289) 553-5998

DRAWN BY: A.A.

CHECKED BY: V.G.P.

F

SITE ANALYSIS

PF
SC/

| | | | |
|---------------------|--|---|--------------|
| ZONING | R1 | PROPOSED CABANA | |
| LOT AREA | 1075.01 SQ.M. | FRONT YARD SETBACK (WEST) | 31.26M |
| LOT COVERAGE | ----- | SIDE YARD (NORTH) SETBACK | .06M |
| MAX. ALLOWABLE COV. | ----- | SIDE YARD (SOUTH) SETBACK | 18.90M |
| PROPOSED LOT COV. | 29.06% | REAR YARD SETBACK (EAST) | 1.50M |
| GRD. FLOOR AREA | 176.81 SQ.M. | HEIGHT TOP OF ROOF | 3.51M |
| GARAGE AREA | 77.47 SQ.M. | HEIGHT U/S OF SOFFIT | 3.05M |
| COVERED PORCH FRONT | 3.98 SQ.M. | | |
| PROP. CABANA | 54.09 SQ.M. = 5.03% of Lot | REAR YARD AREA | 356.36 SQ.M. |
| | ZONING BY-LAW NOT EXCEED 10% OF LOT AREA | SOFT LANDSCAPING | 110.56 SQ.M. |
| | OR 67 SQ.M. WHICHEVER IS LESS | HARD LANDSCAPING | 245.80 SQ.M. |
| | | INCLDS. POOL, SIDEWALK PATIO & CABANA FOOTPRINT | |
| TOTAL FOOTPRINT | 312.35 SQ.M. | | |
| PERCENT COVERAGE | 29.06% | | |

LOT 92



GENERAL NOTES

ALL DIMENSIONS ARE THE RESULT OF A SURVEY AND THE FIELD TO BE RECONSTRUCTED IN ACCORDANCE WITH THE SURVEY DATA. THE FIELD TO BE RECONSTRUCTED SHALL BE RECONSTRUCTED IN ACCORDANCE WITH THE SURVEY DATA.

DO NOT SCALE DIMENSIONS. ALL DIMENSIONS TO BE ACCORDING TO BEST BUILDING CODE.

The undersigned has reviewed and found satisfactory for the design and construction of the foundation and retaining wall. The undersigned is not responsible for the design and construction of the foundation and retaining wall. The undersigned is not responsible for the design and construction of the foundation and retaining wall.



| | | |
|----|------------------------|--------------|
| 1 | DESIGN | NOV 25, 2020 |
| 2 | REV. FOR ZONING NOTICE | NOV 25, 2020 |
| 3 | REV. FOR ZONING NOTICE | NOV 25, 2020 |
| 4 | DESIGN | NOV 25, 2020 |
| 5 | DESIGN | NOV 25, 2020 |
| 6 | DESIGN | NOV 25, 2020 |
| 7 | DESIGN | NOV 25, 2020 |
| 8 | DESIGN | NOV 25, 2020 |
| 9 | DESIGN | NOV 25, 2020 |
| 10 | DESIGN | NOV 25, 2020 |

NAPA
design

Napa Design Group Inc.
416 930-6387
info@napadesign.com
www.napadesign.com

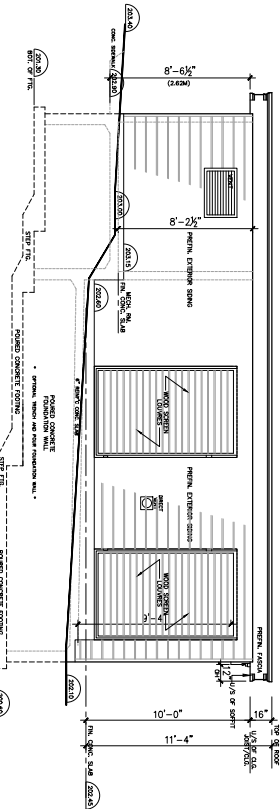
PROJECT

PROPOSED
IN-GROUND POOL
& CABANA
Entire
Varano
174 BLAGDEN BLVD.
Vaughan, Ontario
L4L 7J7
416 254 4713

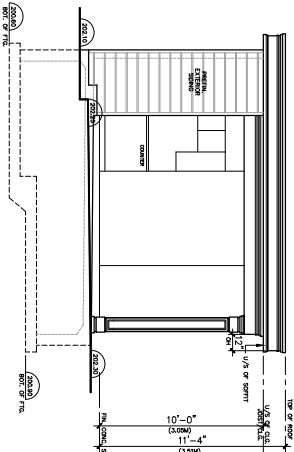
DRAWING

PLANS, ELEVATION
DETAILS & NOTES

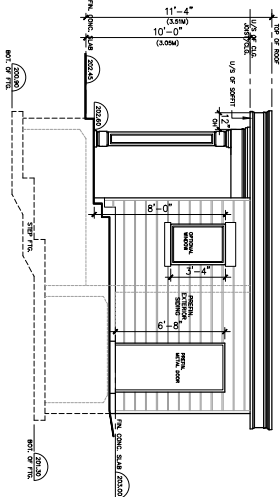
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|-----------------------|--------------------|
| DRAWN NAPA | PROJECT NO. 20- |
| DATE SEP/20 | PAGE NO. 20- |
| SCALE 1/4" = 1'-0" | A2 |
| CHECKED L.P. | OF - |



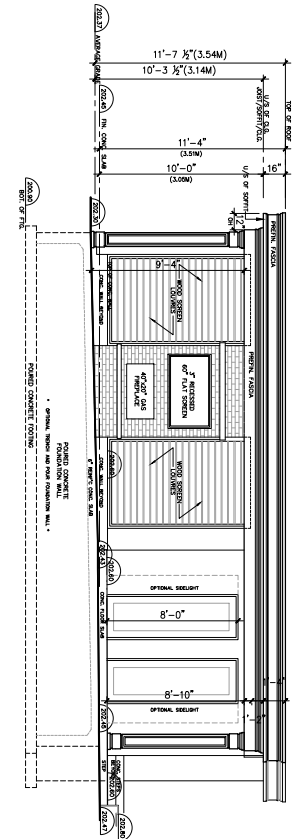
NORTH ELEVATION
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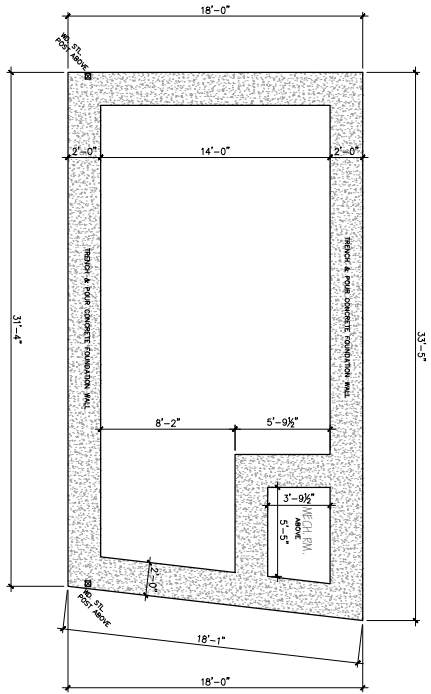
WEST ELEVATION
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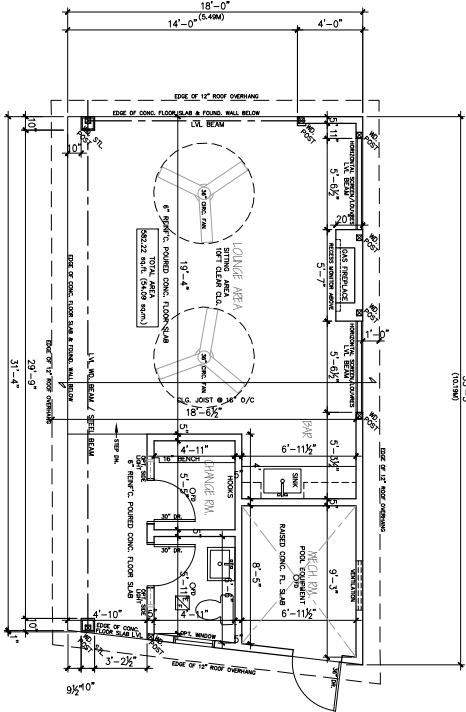
EAST ELEVATION
Scale: 1/4"=1'-0"



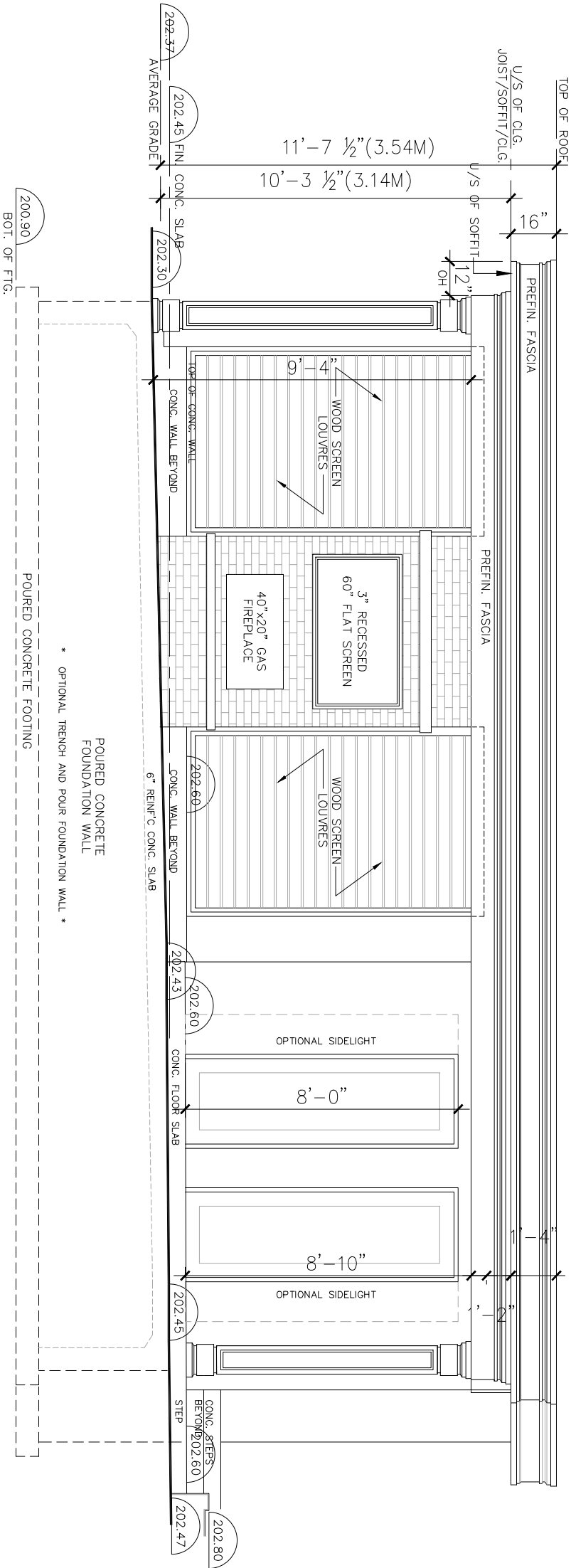
SOUTH ELEVATION
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FOUNDATION PLAN
Scale: 1/4"=1'-0"

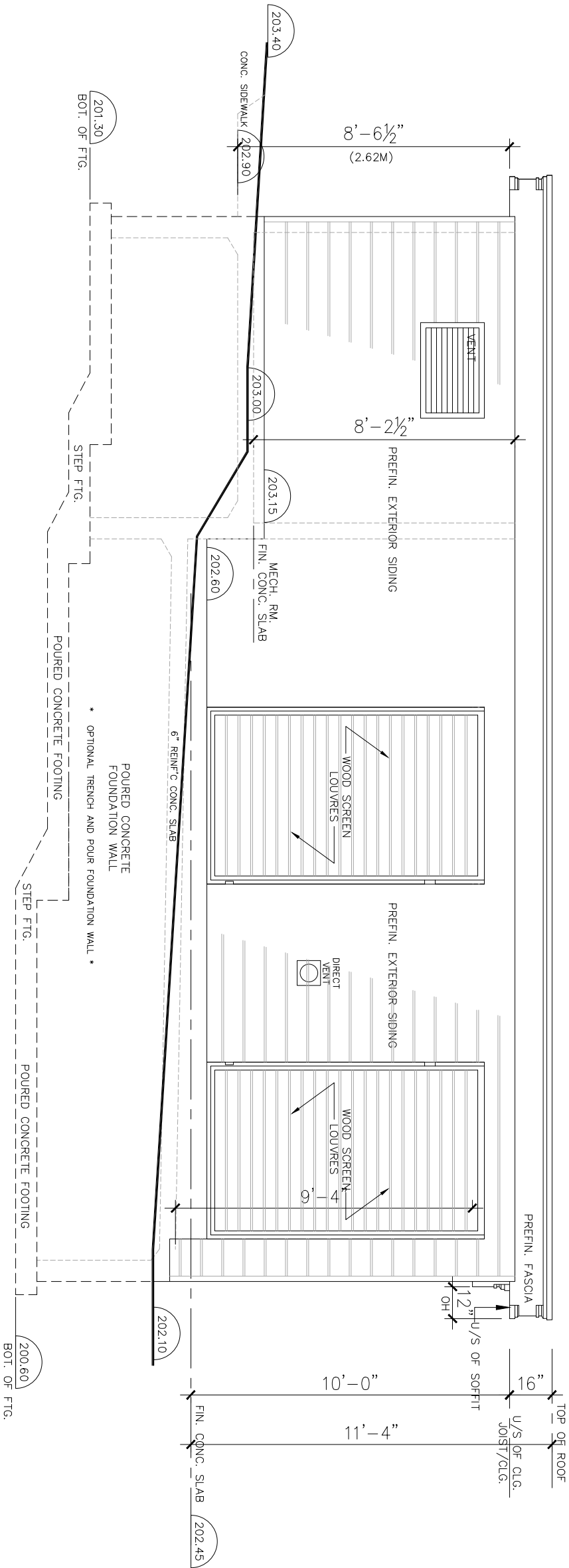


FLOOR PLAN
Scale: 1/4"=1'-0"



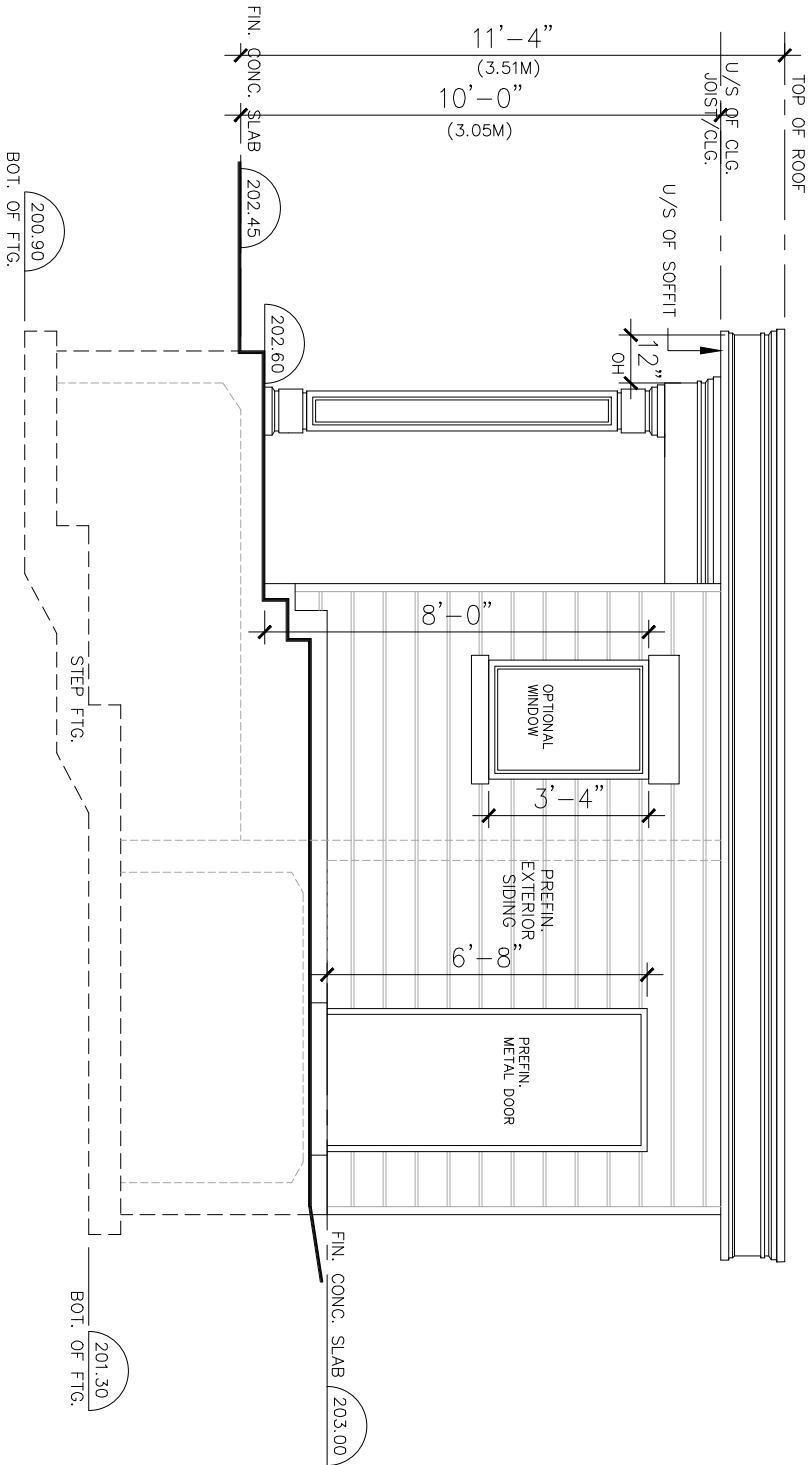
SOUTH ELEVATION

Scale: 1/4" = 1'-0"



NORTH ELEVATION

Scale: 1/4" = 1'-0"



EAST ELEVATION
Scale: 1/4" = 1'-0"

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

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, 03-9), 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

Attwala, Pravina

Subject: FW: A141/20 - REQUEST FOR COMMENTS

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

Sent: December-22-20 3:16 PM

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

Subject: [External] RE: A141/20 - REQUEST FOR COMMENTS

Good afternoon

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