

VAUGHAN Staff Report Summary

Item #21

Ward #1

File:	A155/20
	/ \ OO/ L O

Background History: None

Applicant: Leonardo Lotta and Isabel Florez

43 Cardish Street, Kleinburg Address:

Fausto Cortese Architects Inc. **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	$\overline{\mathbf{V}}$	
Building Inspection	$\overline{\mathbf{V}}$	
Development Planning		
Cultural Heritage (Urban Design)		
Development Engineering	$\overline{\mathbf{V}}$	
Parks, Forestry and Horticulture Operations	$\overline{\mathbf{V}}$	
By-law & Compliance		
Financial Planning & Development	$\overline{\mathbf{V}}$	
Fire Department		
TRCA		
Bell Canada	V	
Region of York	$\overline{\mathbf{V}}$	
Alectra (Formerly PowerStream)	V	
Public Correspondence (see Schedule B)		
Adjournment History: None		

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, February 4, 2021



Minor Variance Application

Agenda Item: 21

A155/20 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

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: Leonardo Lotta and Isabel Florez

Agent: Fausto Cortese Architects Inc.

Property: 43 Cardish Street, Kleinburg

Zoning: The subject lands are zoned R1 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 rear loggia.

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

By-law Requirement	Proposal
1. The minimum required front yard is 7.5 metres.	1. The proposed front yard is 6.3 meters to the
[4.1.9, Schedule "A"]	canopy, 6.58 metres to the roof eaves, and 6.3
	metres to the excavated porch (cold cellar).
2. Eaves shall not project more than 0.5 metres into a	2. The proposed eaves at the first and second storey
required yard. [3.14 a)]	project 0.82 metres into the required interior side
	yard at both the east and west sides. [3.14 a)]
3. The maximum permitted lot coverage is 30%.	3. The proposed lot coverage is 35.73% (Dwelling &
[4.1.9, Schedule "A"]	Garage 30%, Covered Porch 1.08%, Rear Loggia
	4.65 %)

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

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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 20, 2021

Applicant confirmed posting of signage on January 24, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling with rear Loggia	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): The design does not conform to the zoning by-law.

Adjournment Request: The applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to permit time to address revisions to the arborist report as requested by Urban Design.

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.

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):

Application under Review

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A155/20 subject to the following condition:

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:

Comments:

A private property tree removal & protection permit application was received by Forestry on December 11, 2020. The application is under review with Forestry.

Tree protection or Hoarding shall be installed and approved to the satisfaction of Forestry.

Any tree protection measures, and compensation requirements will be dealt through the private property tree removal permit process with the Forestry Division.

Recommended conditions of approval:

- 1. A private property tree removal & protection permit must be obtained by the applicant through the tree removal application process with Forestry Division. Application was received by Forestry Division on December 11, 2020 and is currently under review.
- 2. Tree protection (hoarding) must be installed and approved by Forestry Division, prior to the start of demolition and/or construction and is to remain until construction is completed.

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 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 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

None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections Bell – Comments no conditions

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:

	Department/Agency	Condition
1	Committee of Adjustment	Applicant to provide payment of Adjournment Fee (see Fee
	Christine Vigneault	Schedule) prior to the rescheduling of Application A155/20, if required.
	905-832-8585 x 8332	·
	christine.vigneault@vaughan.ca	

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 Planning	Application under review.
	Roberto Simbana	
	905-832-8585 x 8810	
	roberto.simbana@vaughan.ca	
2	Development Engineering	The Owner/applicant shall submit the final Lot Grading and/or
	Farzana Khan	Servicing Plan to the Development Inspection and Lot Grading
		division of the City's Development Engineering Department for
	905-832-8585 x 3608	final lot grading and/or servicing approval prior to any work being
	farzana.khan@vaughan.ca	undertaken on the property. Please visit or contact the
		Development Engineering Department through email at

	Department/Agency	Condition
		DEPermits@vaughan.ca or visit
		https://www.vaughan.ca/services/residential/dev_eng/permits/Pa
		ges/default.aspx to learn how to apply for lot grading and/or
		servicing approval.
3	Parks, Forestry and Horticulture	A private property tree removal & protection permit must be
	Operations	obtained by the applicant through the tree removal application process with Forestry Division. Application was received by
	Patrick Courchesne	Forestry Division on December 11, 2020 and is currently under review.
	905-832-8585 x 3617	2. Tree protection (hoarding) must be installed and approved by
	Patrick.Courchesne@vaughan.ca	Forestry Division, prior to the start of demolition and/or
		construction and is to remain until construction is completed.

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.

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.

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 XXXX E CofA@vaughan.ca

Schedule A: Plans & Sketches

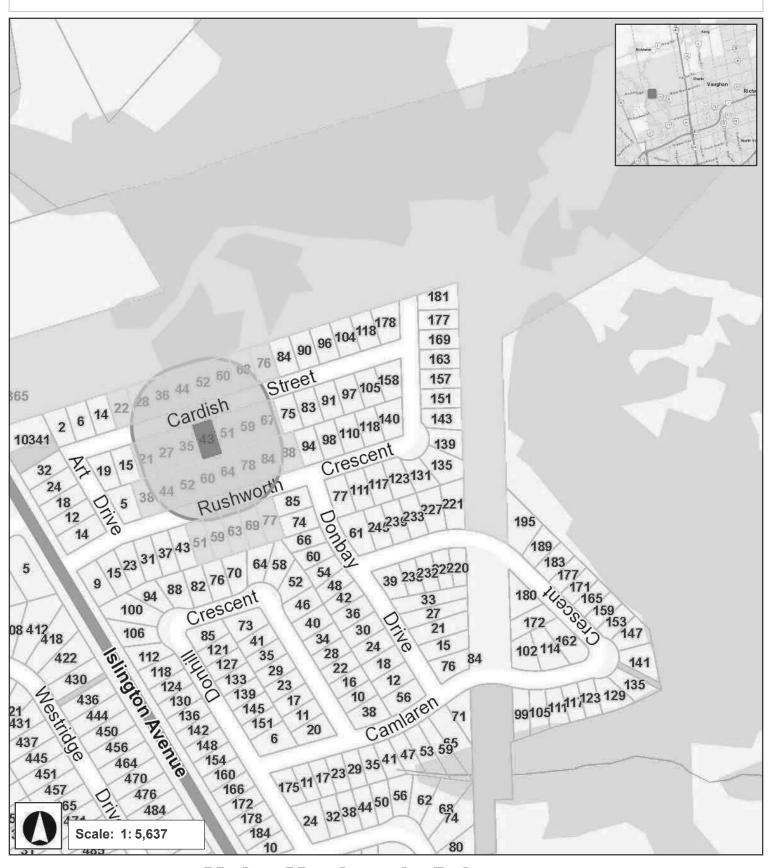
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map Plans & Sketches

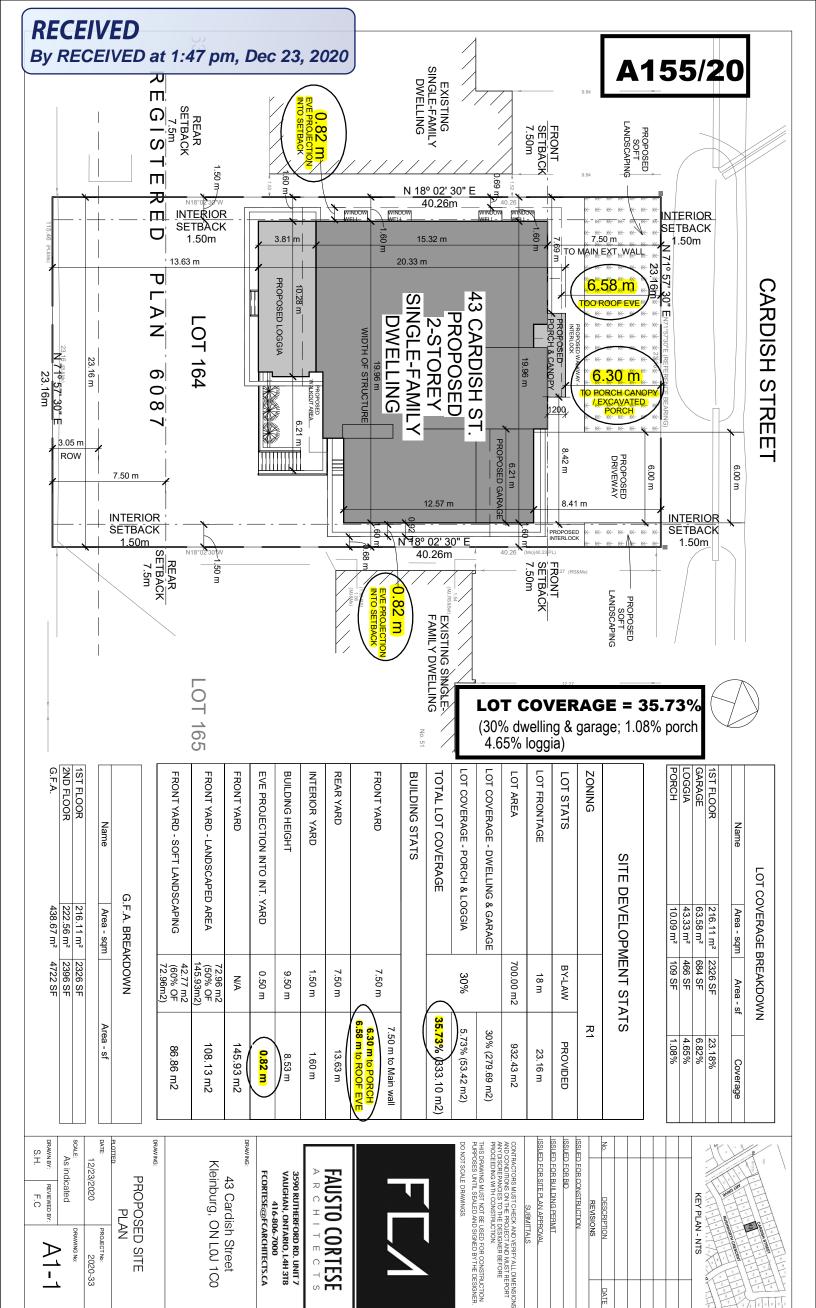


VAUGHAN A155/20 -Notification Map

43 Cardish Street, Kleinburg

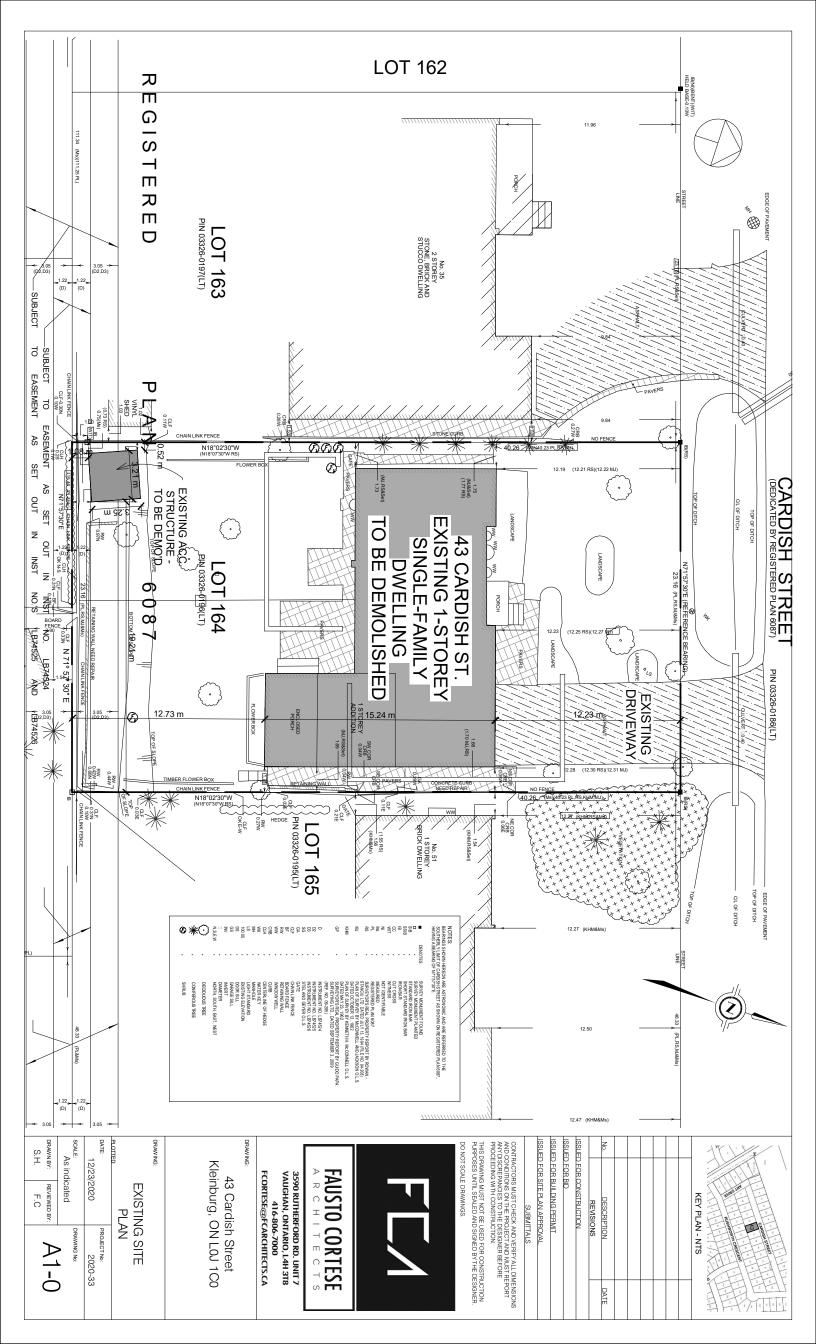


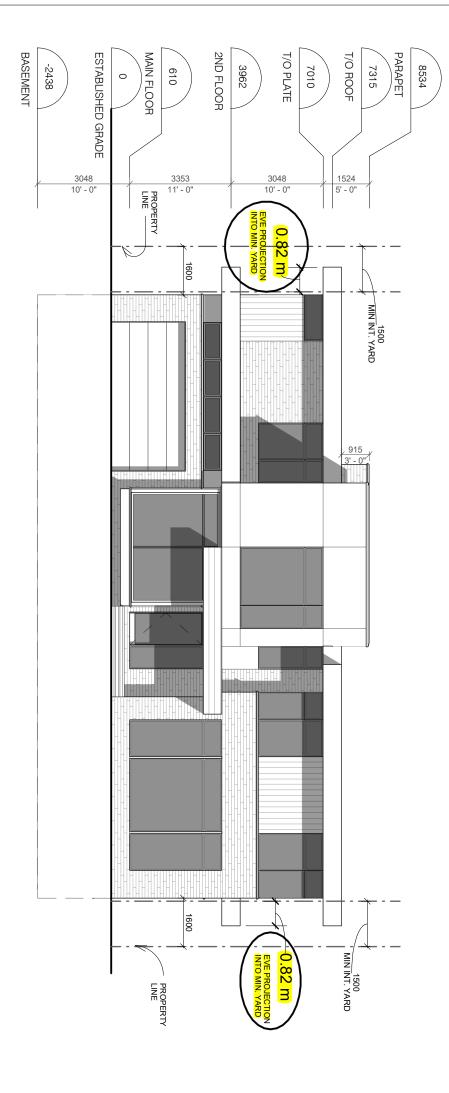
Major Mackenzie Drive



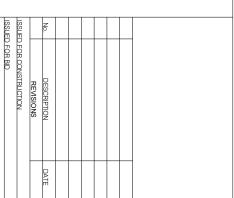
DATE

2020-33









ISSUED FOR SITE PLAN APPROVAL SSUED FOR BUILDING PERMIT

SUBMITTALS

CONTRACTORS MUST CHECK AND YERRY ALL DIMENSIONS AND CONDITIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER

DO NOT SCALE DRAWINGS.



FAUSTO CORTESE

FCORTESE@FCARCHITECTS.CA 3590 RUTHERFORD RD. UNIT 7 VAUGHAN, ONTARIO, L4H 3T8 416-806-7000

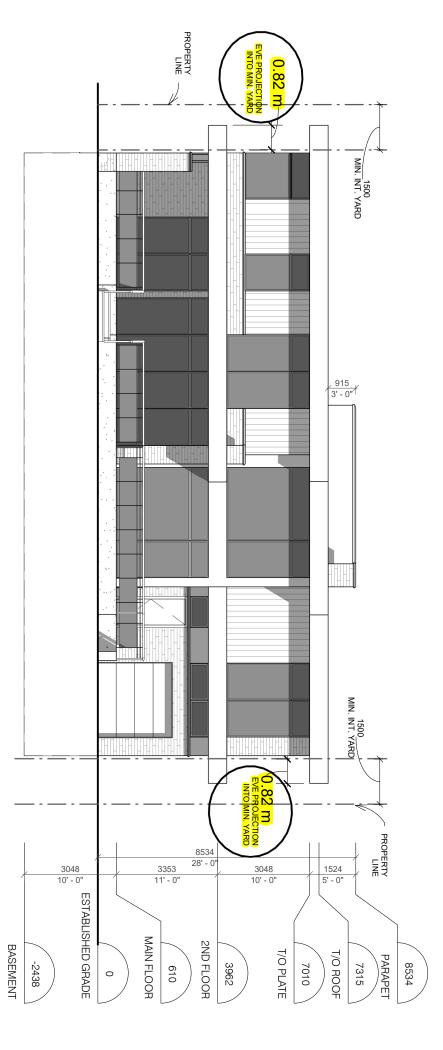
Kleinburg, ON LOJ 1C0 43 Cardish Street

DRAWING:

FRONT ELEVATION (N)

S.H. 12/23/2020 1:125 PROJECT No: 2020-33

REVIEWED BY: F.C A3-0

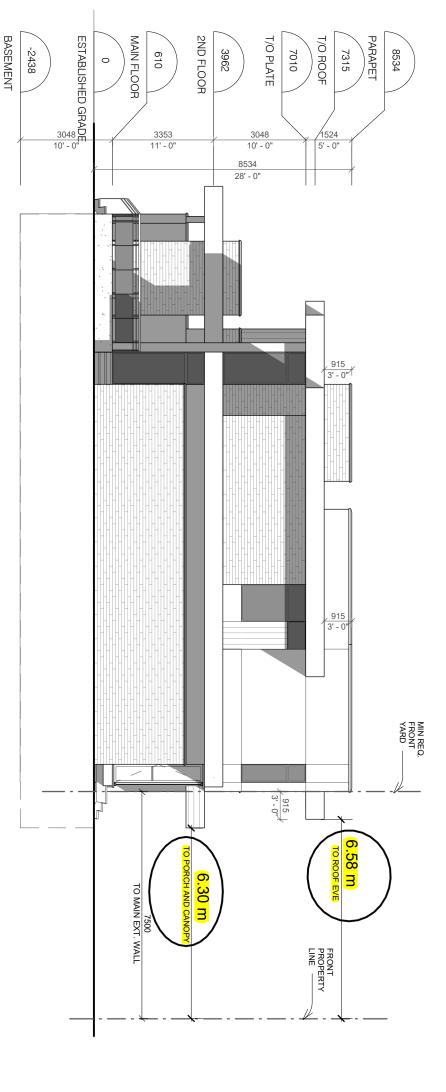


SOUTH ELEVATION
1: 125

S.H.

REVIEWED BY:





1:125

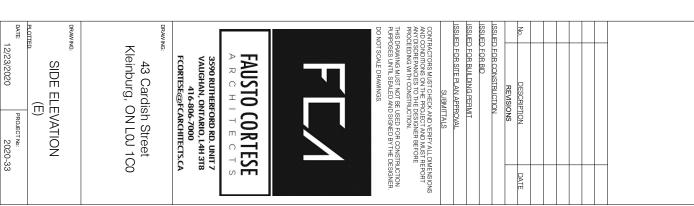
DRAWN BY: S.H.

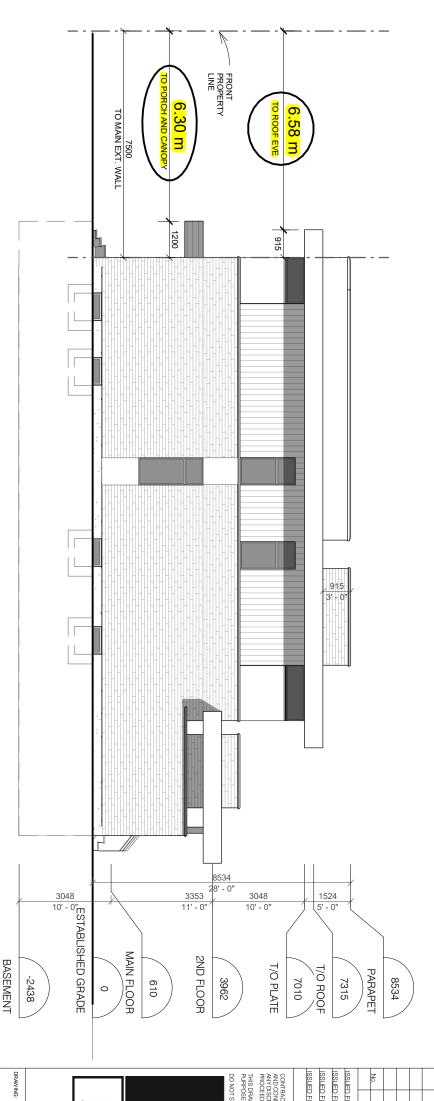
REVIEWED BY:

A3-2

1:125

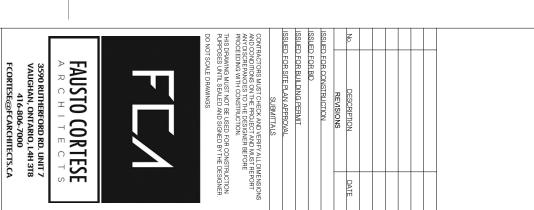
EAST ELEVATION





WEST ELEVATION

1:125



43 Cardish Street Kleinburg, ON LOJ 1C0

SIDE EI	ELEVATION
PLOTTED:	8
DATE:	PROJECT No:

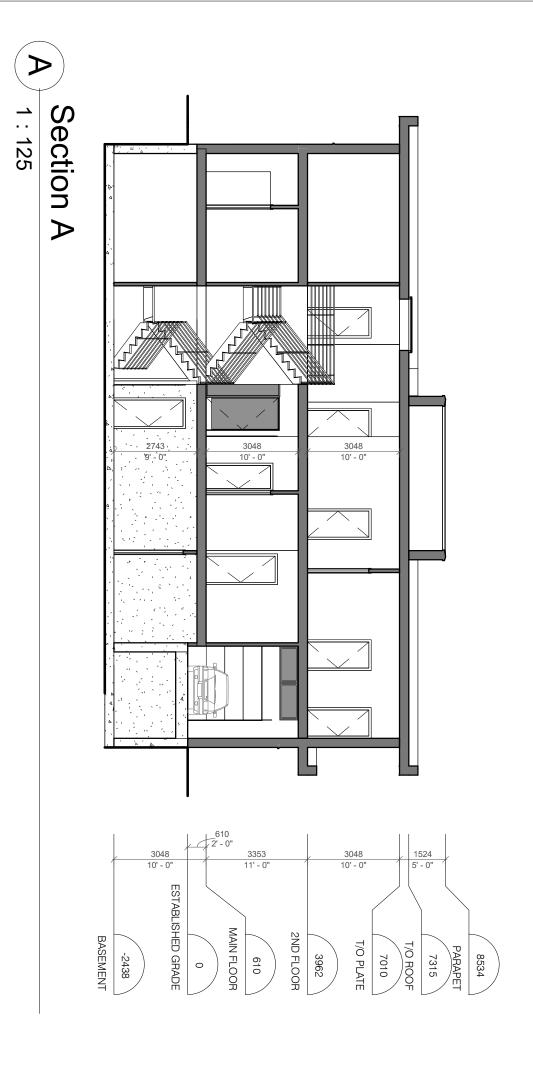
12/23/2020

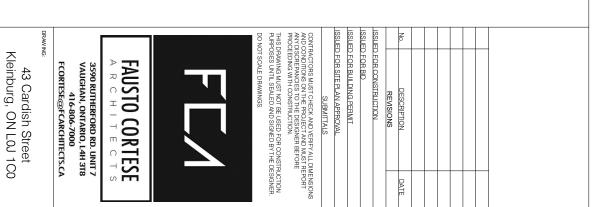
2020-33

1:125

DRAWN BY: S.H.

REVIEWED BY: A3-3





DATE:

PROJECT No:

2020-33

SECTION A

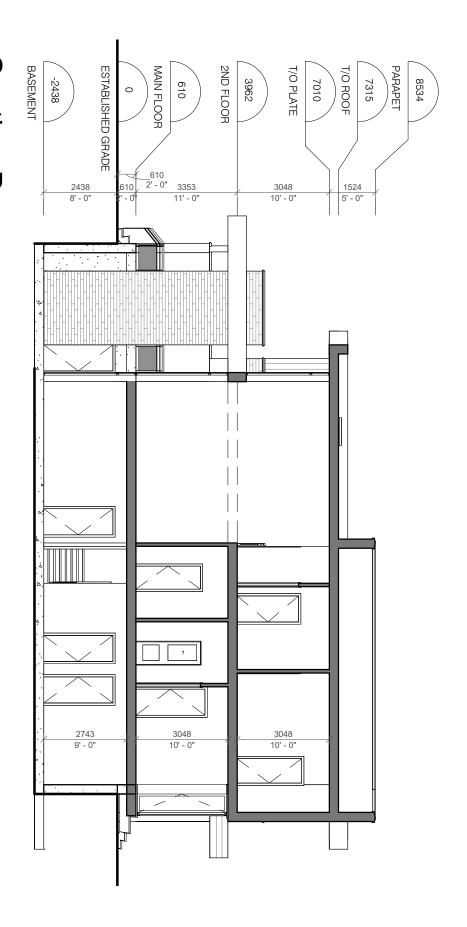
12/23/2020

1:125

S.H.

REVIEWED BY:

A4-0





1:125

DATE:

PROJECT No:

2020-33

12/23/2020

1:125

DRAWN BY: S.H.

REVIEWED BY: F.C

A4-1

DESCRIPTION

NO.

DESCRIPTION

REVISIONS

USSUED FOR BUILDING PERMIT

USSUED FOR BUILDING PERMIT

USSUED FOR SITE PLAN APPROVAL

SEND CONDITIONS ON THE PROJECT AND MUST REPORT
ANY DISORPHACIES TO THE DESIGNER REPORE
PROCEDING WITH CONSTRUCTION

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION
PURPOSES UNTIL SELD AND SIGNED BY THE DESIGNER.

DO NOT SCALE DRAWINGS.

FAUSTIO CORTESE

A R C H | T E C T S

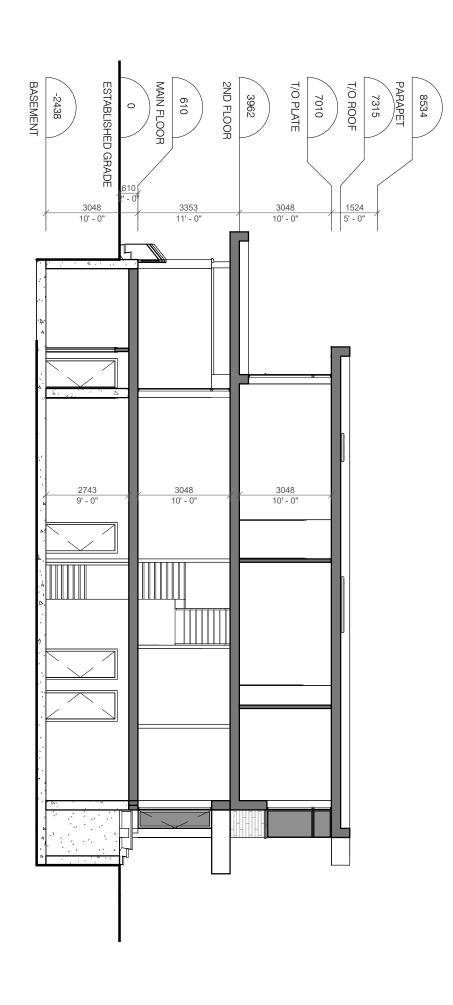
3590 RUTHERFORD RD. UNIT 7
VAUGHAN, ONTARIO, 14H 3TB
416-806-7000
FCORTESE@FCARCHITECTS.CA

DRAWING:

DRAWING:

SECTION B

SECTION B





(C) 1:125

DATE:

PROJECT No:

2020-33

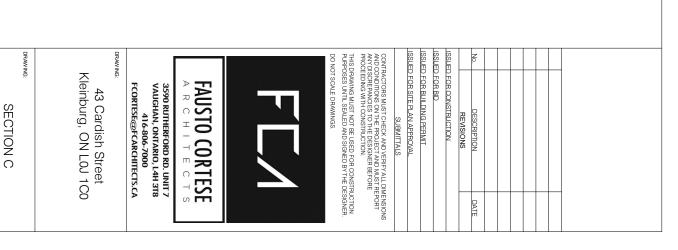
12/23/2020

1:125

DRAWN BY: S.H.

REVIEWED BY:

A4-2



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 Bell – Comments no conditions



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

MacPherson, Adriana

Subject: FW: A155/20 - REQUEST FOR COMMENTS

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

Sent: January-14-21 12:59 PM

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

Providence, Lenore < Lenore. Providence@vaughan.ca> **Subject:** [External] RE: A155/20 - REQUEST FOR COMMENTS

Good afternoon Pravina

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

MacPherson, Adriana

Subject: FW: A155/20 - Bell Canada Comments

Attachments: image004.emz

From: Gordon, Carrie < carrie.gordon@bell.ca >

Sent: December-24-20 8:16 AM

To: Attwala, Pravina < Pravina. Attwala@vaughan.ca>

Subject: [External] RE: A155/20 - REQUEST FOR COMMENTS

Good morning Pravina,

Thank you for the Minor Variance circulation. Upon review of this Minor Variance it appears that Bell has an easement at this address and kindly request that should any of the construction encroach within our rear lot 4 foot easement boundaries that the proponent contact me for encroachment consent.

Happy Holidays!

Carrie Gordon

External Liaison – Right of Way Control Centre 140 Bayfield St, Fl 2 Barrie ON, L4M 3B1

T: 705-722-2244/844-857-7942

F:705-726-4600



