

VAUGHAN Staff Report Summary

Item #10

Ward #2

File:	A163/20
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Arber and Yllka Skilja **Applicant:**

21 Twilight Terrace, Woodbridge Address:

David Lang 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.

Positive Comment Negative Comment	▼
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Adjournment History: None
Background History: None

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, February 25, 2021



Minor Variance Application

Agenda Item: 10

A163/20 Ward: 2

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing:

Thursday, February 25, 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: Arber and Yllka Skilja

Agent: David Lang

Property: 21 Twilight Terrace, Woodbridge

Zoning: The subject lands are zoned R1 and subject to the provisions of Exception 9(145)

under By-law 1-88 as amended

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low Rise Residential" within the

Woodbridge Centre Secondary Plan (Volume 2, Section 11.11)

Related Files: None

Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction

of a proposed covered and unenclosed deck to be located at the rear of the existing

dwelling and to permit the existing retaining wall.

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

By-law Requirement	Proposal
1) An encroachment of a covered deck is not	1) To permit a maximum encroachment of 3.73
permitted (Section 3.14c)).	metres for a partly covered balcony.
2) A minimum rear yard setback of 5.7 metres is	2) To permit a minimum rear yard setback of 5.5
required to a balcony.	metres for a partly covered balcony.
3) A maximum lot coverage of 20% is permitted.	3) To permit a maximum lot coverage of 23%
	(Dwelling (including garage) 17%, Rear Deck
	(covered portion) 3%, Front Porch 3%)
3) A minimum interior side yard setback of 1.79	4) To maintain an interior side yard setback of 0.45m
metres is required to an existing retaining wall, the	to an existing retaining wall with a height of 1.79
setback should be a distance equal to its height	metres.
when exceeding 1.0 metres. (Section 4.1.1j)).	

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

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: 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 February 10, 2021

Applicant confirmed posting of signage on February 9, 2021

Property Information		
Existing Structures	Year Constructed	
Dwelling	1970	
Rear Yard Deck	TBC	

Applicant has advised that they cannot comply with By-law for the following reason(s): Existing rear yard setback is restricting adequate depth for any usable deck area.

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. 20-113623 for Single Detached Dwelling - Alteration, 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.

The architectural drawings regarding the permit, depict a Retain Wall establishing the pool deck. It appears that at the North corner of the Retaining Wall is closer to the interior side lot line than the total height of the retaining wall to the pool deck. That is where a retaining wall exceeds 1.0 metres in height, the retaining wall shall be setback a minimum distance from any property line a distance equal to it's height.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority.

Please note Section 4.1.1(b) that states the maximum height of an accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three (3) metres above finished grade.

An A/C unit and/or pool equipment shall be setback a minimum of 1.2 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 is requesting permission to construct a 2nd storey deck along the width of the rear of the dwelling with a covered portion and to maintain a retaining wall at the north end of the property with the above noted variances.

A site visit was conducted on February 9, 2021, to assess the potential implications caused by the proposed variances and confirm the proposal meets the four tests of *the Planning Act*. Development Planning staff observed an existing rear yard 2nd storey deck on-site and the Owner is requesting to maintain the width but increase the depth from 1.48 m to 3.73 m with a roof over a portion at the north-east end of the dwelling. The increase in depth and covered deck results in a rear yard setback deficiency of 0.2 m and an increase in lot coverage which will not be visible by the adjacent properties as the existing vegetation on site provides adequate screening. Development Planning staff is of the opinion the proposal maintains the general intent and purpose of Zoning By-law 1-88. The Development Engineering Department has reviewed the reduction in the interior side yard setback to the existing retaining wall and have no concerns.

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:

Given that the neighbour at 25 Twilight Terrace has confirmed that there are no flooding issues because of the decreased setback of the retaining wall the Development Engineering (DE) Department does not object to variance application A163/20.

Parks Development - Forestry:

Forestry has no conditions for the proposed partially covered deck in rear yard.

Forestry would have concerns regarding future pool installation in rear yard, as indicated in sketch. A tree removal/protection permit would be required if applicant is planning on installing a pool in rear yard.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No comments received to date.

Schedule A - Plans & Sketches

Schedule B - Public Correspondence

None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) - 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: 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.

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

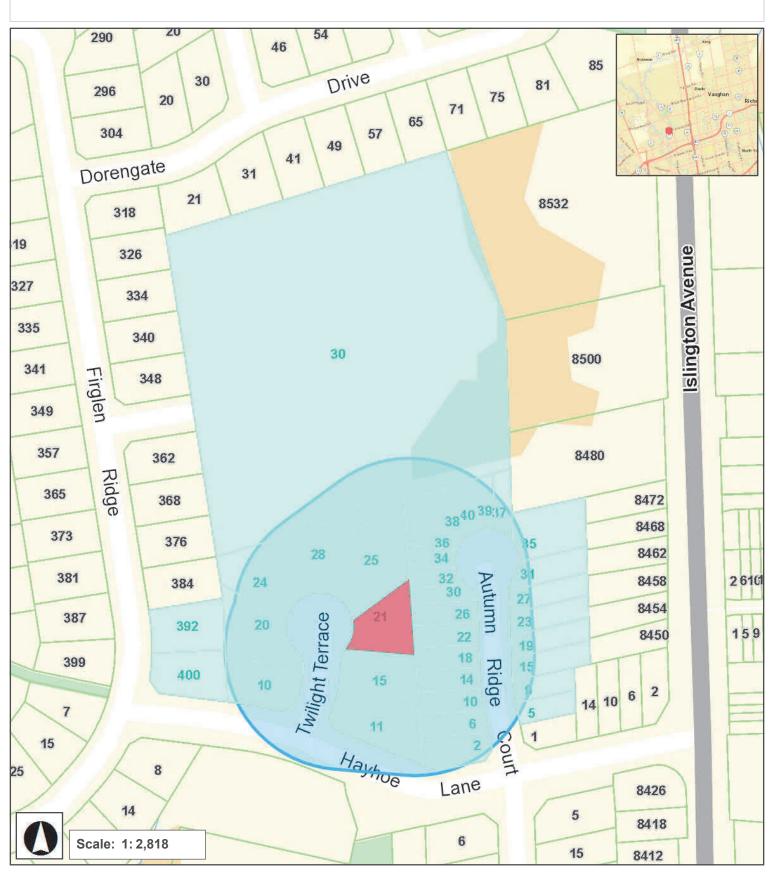
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map Plans & Sketches



VAUGHAN A163/20 - Notification Map

21 Twilight Terrace, Woodbridge



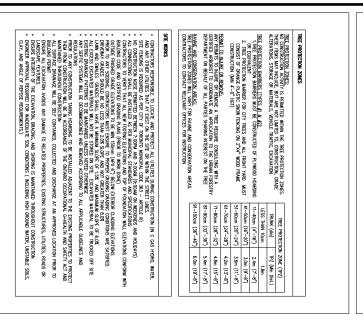
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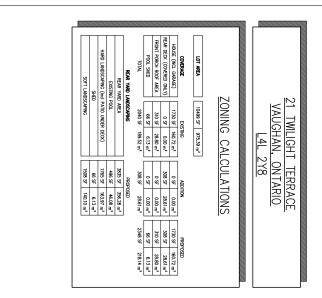
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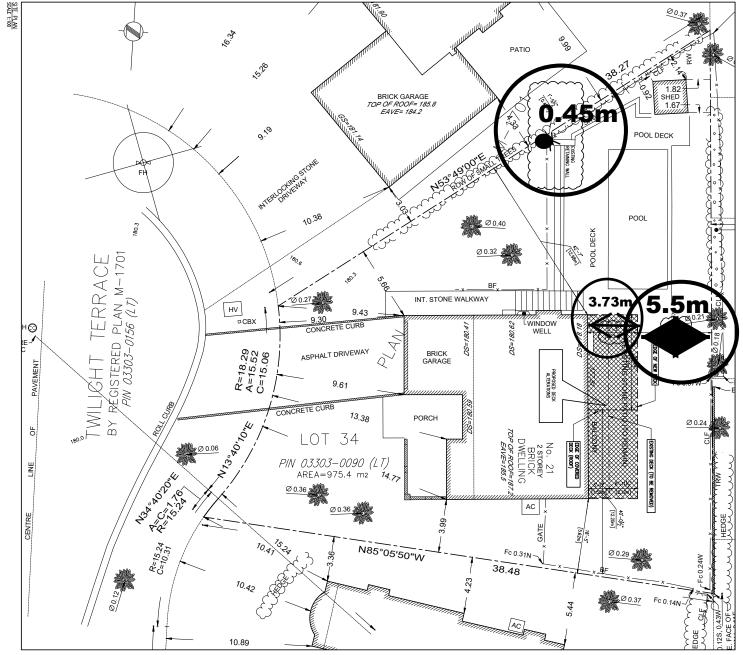
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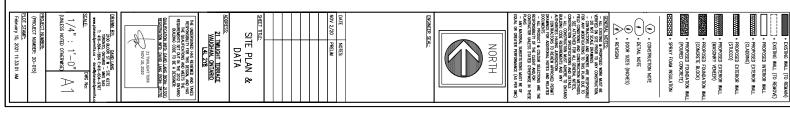
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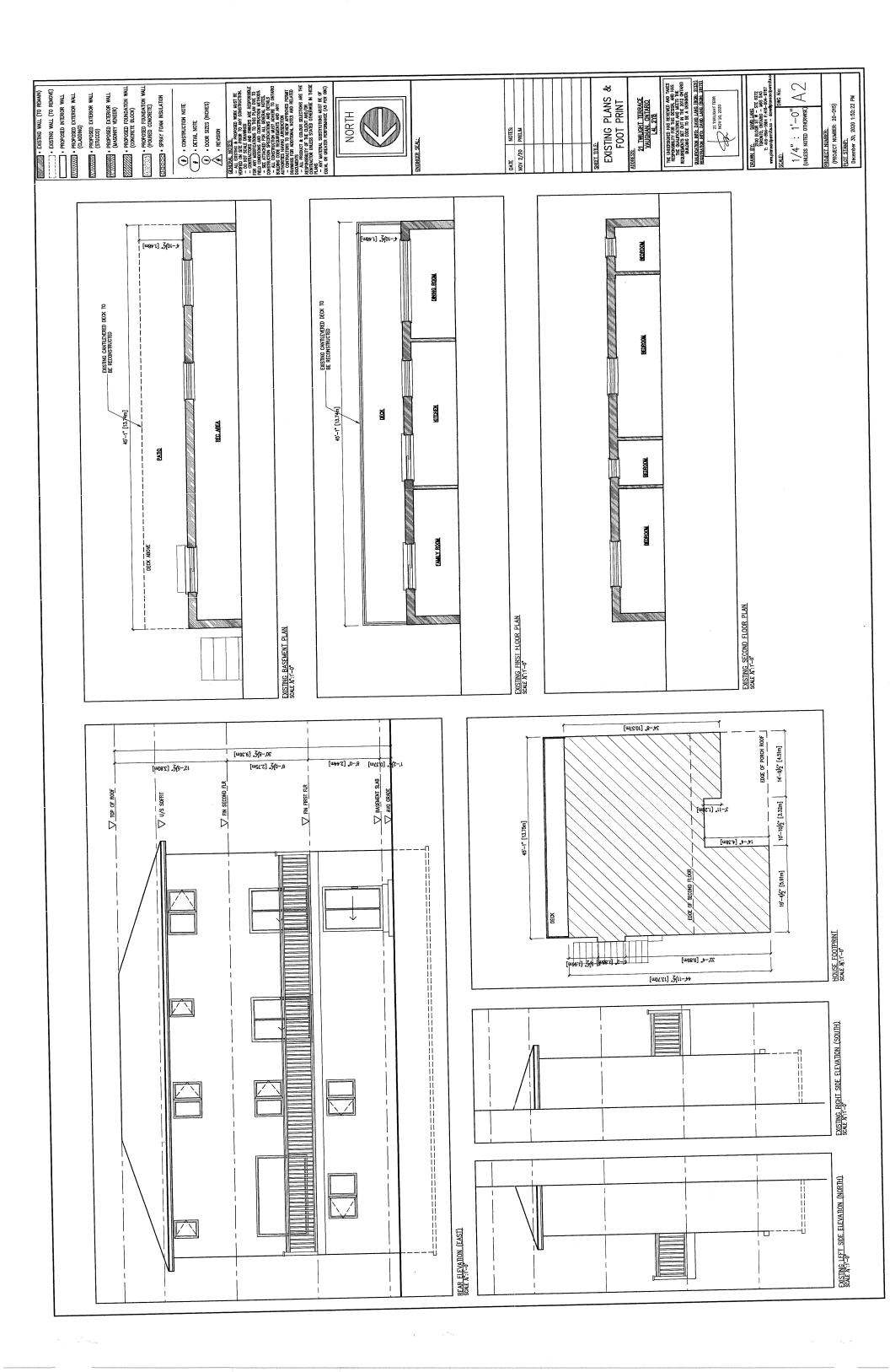
- 1) To permit a maximum encroachment of 3.73 metres for a partly covered balcony .
- 2) To permit a minimum rear yard setback of 5.5 metres for a partly covered balcony.
- 3) To permit a maximum lot coverage of 23%.
- 4) To maintain an interior side yard setback of 0.45m to an existing retaining wall with a height of 1.79 metres.

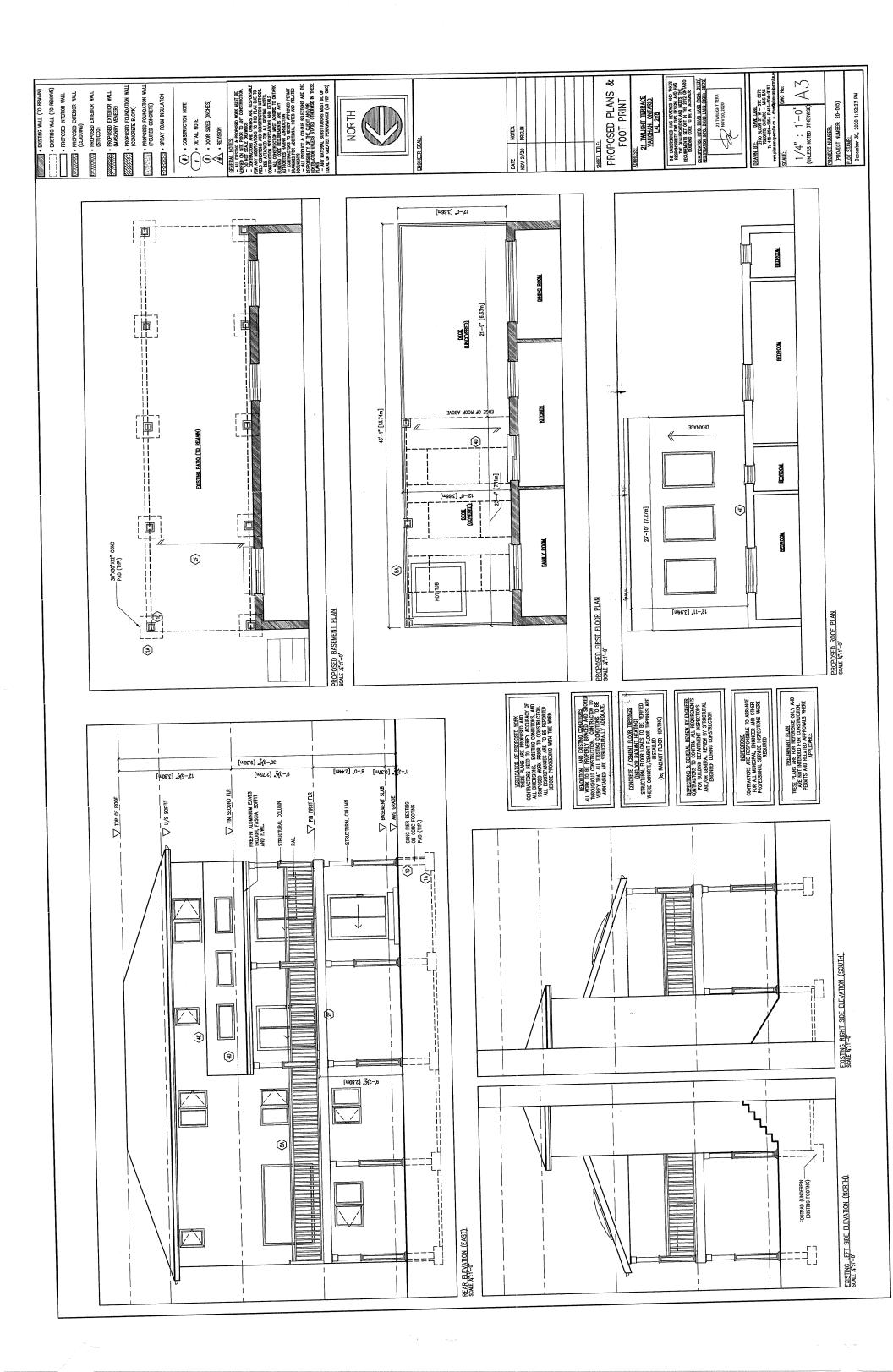


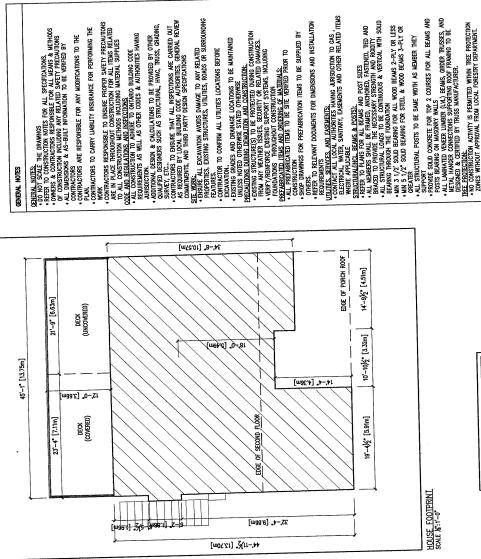












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CONSTRUCTION NOTES AND DETAILS:

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(#) • CONSTRUCTION NOTE

FT DETAIL NOTE * · REMSION

(F) • DOOR SIZES (INCHES)

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MASONRY VENEER)

. EXISTING WALL (TO REMOVE)

- PROPOSED INTERIOR WALL

• EXISTING WALL (TO REMAIN

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STAIR • Min Head Room: 6'-5" • Min Wath: 2'-10"

DOWNERS FOR ADDRIVEN, HOTES AND RELATED DOCUMENTS

— ALL PRODUCT & CALOUR SEZETIONS ARE THE RESOURBUIT OF THE CLIBIT MAND/OR CONTRACTOR INLESS STATED OTHERWISE IN THESE PANS.

— ANY MATTERAL SIBSTITUTIONS MIST BE OF FOU

NORTH

GENERAL NOTES.

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HIN WORDE, 24"-14"

**RESPELLINES, 4 "K"-1-7"

**REMULINES, 8 "K"-14"

**REMOUNTS, 8 "K"-14"

**REMOUNTS, 9 "K"-14

GLAGOS.

GLAGOS REQUEED FOR ALL APEAS WITH 3 OR WORE RISERS OR ALLAKOST LEED EXCESS S.

ADACIST LEED EXCESS S.

AND AGREERS TO FACILITIE CLIMBING BETWEEN 4" & 354"

AND AT SPACING BETWEEN PICKETS S.

AND RITEROR GLARO HEIGHT TO BE 554" QLANOINGS & STARS NOTES.

NOTES.

WETER TO GOE TABLE 8.88.2 FOR LOAD SPECIFICATIONS LOADS GLAROS GLAROS.

NOTES FOR ALL EXTERIOR STABLISS:

• CONTACTE STARS WITH 3 ON MORE RISERS RECURE FOUNDATION

• NOD STARS SHALL NOT BE IN DIRECT CONTACT WITH GROUND

UNLESS TREATED TO PREVENT DECAY OR RESTING ON CONCRETE PAD NOTES • REFER TO OBC SB-7 DETAILS FOR ALL SPECIFICATIONS FOR EXTERIOR GUARDS AND HANDRAILS CONNECTIONS GUARDS. • Min exterior guard height to be 35½" (42" where grade exceeds 6"-0")

PROPOSED PLANS & FOOT PRINT ADDRESS:

21 TWLIGHT TERRACE VAUGHAN, ONTARIO L4L 278

THE UNDERSORID HAS REWRIND AND TAKES RESPONSIBILITY FOR THIS DELIBORATION WEETS THE CHARLENTS SET OUT IN THE 2012 ONTAIN BUILDING CODE TO BE A DESIGNED.

DRAWN BY: DAVD LANG 8272 TOO BLOOK ST W - STE 8272 TOORITO, ONTARO - MSS 545 T: 416-864-1864 F:416-804-9787 www.piersem.demila.co - dow@biensem.demila.co - dow.demila.co - dow.demila

A4 PLOT STAMP: December 30, 2020 1:52:24 PM

PROJECT NUMBER: (PROJECT NUMBER: 20-015)

1/4": 1"-0" (unless noted otherwise)

QUALFICATION INFO. DAND LANG (BICH: 21331) REGSTRATION INFO. DAND LANG (BICH: 28170) 21 TWILIGHT TERR NOV 10, 2020

















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



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