VAUGHAN Staff Report Summary

Ward #3

File: A018/21

Applicant: Anna Castelli

22 Dianawood Ridge, Woodbridge Address:

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	\checkmark
Committee of Adjustment		
Building Standards		
Building Inspection	\checkmark	
Development Planning	VX	
Cultural Heritage (Urban Design)	\checkmark	
Development Engineering		\checkmark
Parks, Forestry and Horticulture Operations	\checkmark	\checkmark
By-law & Compliance	\checkmark	
Financial Planning & Development	\checkmark	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York		
Alectra (Formerly PowerStream)		
Public Correspondence (see Schedule B)		

Adjournment History: None

Background History: None

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, March 18, 2021

*Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).



Minor Variance Application Page 2 Agenda Item: 11

A018/21

Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live	Thursday, March 18, 2021 at 6:00 p.m.
Stream Hearing:	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 <u>cofa@vaughan.ca</u>
	To make an electronic deputation at the meeting please contact the Committee of Adjustment at <u>cofa@vaughan.ca</u> 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:	Anna Castelli
Agent:	Salvatore Castelli
Property:	22 Dianawood Ridge, Woodbridge
Zoning:	The subject lands are zoned R1, Residential Zone, and subject to the provisions of Exception 9(382) 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, swimming pool and pool equipment pad 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. A minimum Rear yard setback of 7.5 metres is	1. To permit a minimum Rear Yard setback of 3.16
required (Schedule A).	metres to an Accessory Structure (Cabana).
2. A maximum encroachment of 0.5 metres is	2. To permit a maximum Eave encroachment of 0.61
required (Section 3.14 a)).	metres for an Accessory Structure (Cabana).
3. A minimum of 60% of the Rear yard in excess of	3. To permit a minimum of 41.57% of Soft
135m2 shall be soft landscaping (Section 4.1.2 b)).	Landscaping in the rear yard.
4. A maximum Rear yard encroachment of 1.5 metres	4. To permit a maximum Rear yard Encroachment of
is permitted (Section 3.14 h)).	5.55 metres for Ground mounted pool equipment.

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

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 March 3, 2021

Applicant confirmed posting of signage on February 26, 2021

Property I	nformation
Existing Structures	Year Constructed
Dwelling	1982

Applicant has advised that they cannot comply with By-law for the following reason(s): Rear setback from the cabana is less than the city bylaw. Softscape percentage is less than the city bylaw.

Adjournment Request: The applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to permit time to address Development Planning comments relating to variance #3.

Building Standards (Zoning Review):

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

Building Permit No. 20-112736 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.

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.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is requesting to permit the construction of an accessory structure (cabana), pool and pool equipment with a rear yard landscape reduction with the above noted variances.

Development Planning staff have no objections to variances 1, 2, and 4, as the maximum eave and ground mounted pool equipment encroachment is minor and a reduction in rear yard setback to the proposed cabana is consistent to existing accessory structures in the immediate. The ground mounted pool equipment and cabana will not impact the adjacent properties as they remain compliant to the interior side yard setback and height provisions of Zoning By-law 1-88. With respects to variance 3, Development Planning staff have recommended the Owner increase their rear yard soft landscape area (41.57%) in order to improve the permeability of the rear yard, help balance the softscape and hardscape features and remain compatible with other properties in the area. On this basis, the Development Planning Department cannot support the reduced rear yard soft landscape percentage and recommend variance 3 be refused.

In support of the minor variance application, the Owner submitted a Tree Inventory and Protection Plan (prepared by The Urban Arborist, dated February 8, 2021). The Urban Design Division of the Development Planning Department has reviewed the plan and is satisfied.

The Development Planning Department is of the opinion that variances 1, 2, and 4 are 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 variances 1, 2, 4 and **refusal** of variance 3, as noted above.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A018/21. 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 <u>https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</u> to learn how to apply for lot grading and/or servicing approval.
- 2. The owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the reduced soft landscaping coverage from 60% to 41.57% in order to mitigate potential impacts on the municipal storm water system.

Staff Report A018/21

Parks Development - Forestry:

Applicant shall install tree protection hoarding as per the arborist report prior to starting any site works.

Recommended condition of approval:

Applicant shall apply for a Construction Private Tree Removal and Protection Permit.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No comments.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None.

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections & York Region (no concerns)

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.
- \checkmark 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 A018/21, if required.
	905-832-8585 x 8332 <u>christine.vigneault@vaughan.ca</u>	

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	Department/Agency Development Engineering Farzana Khan 905-832-8585 x 3608 <u>Farzana.Khan@Vaughan.ca</u>	 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/Pa ges/default.aspx to learn how to apply for lot grading and/or servicing approval. 2. The owner/applicant shall demonstrate appropriate LID (Low- impact Development) measures to the satisfaction of DE to address the reduced soft landscaping coverage from 60% to 41.57% in order to mitigate potential impacts on the municipal storm water system.

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	Department/Agency	Condition
2	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x 3614 Zachary.Guizzetti@vaughan.ca	Applicant shall apply for a Construction Private Tree Removal and Protection Permit.

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 <u>cofa@vaughan.ca</u>

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

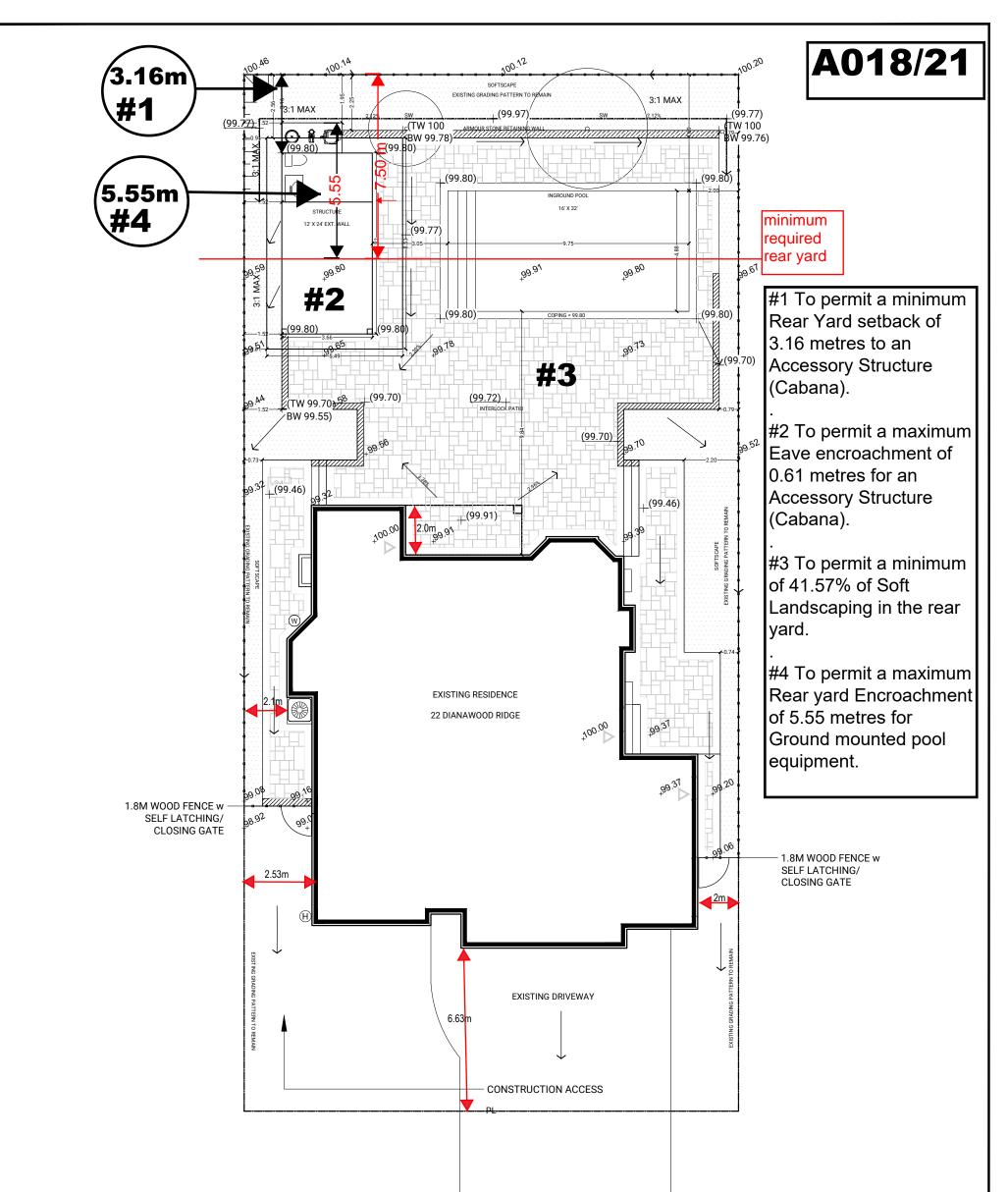
T 905 832 8585 Extension 8394 E <u>CofA@vaughan.ca</u>

Schedule A: Plans & Sketches

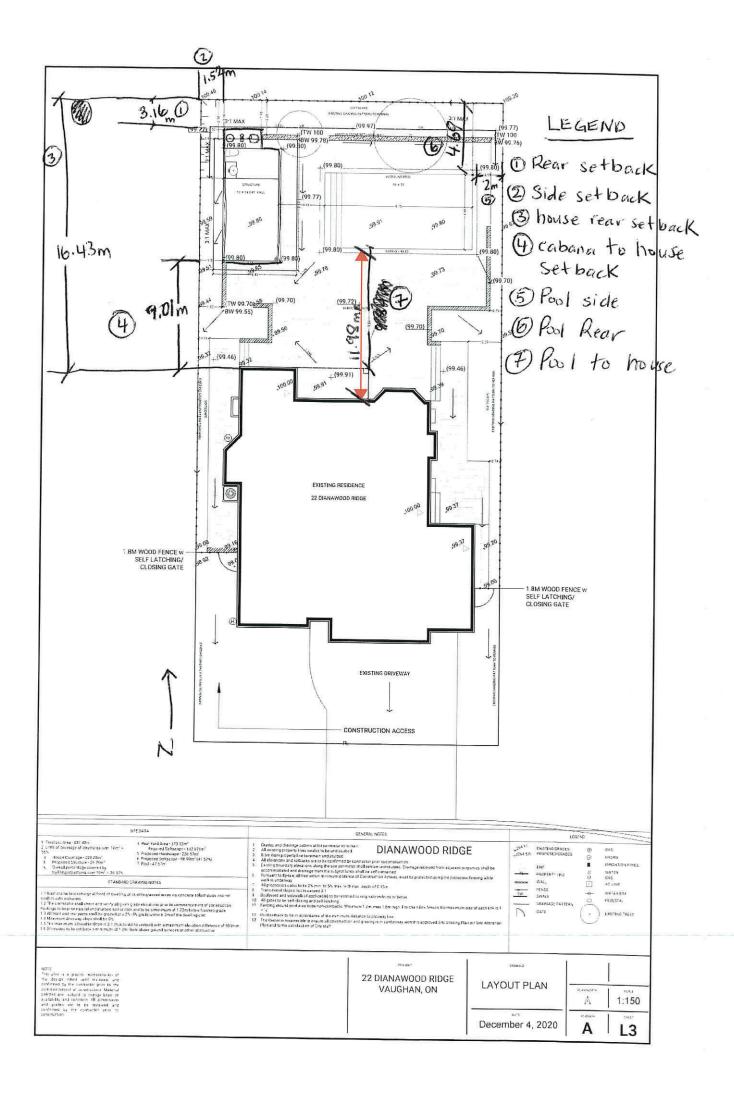
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

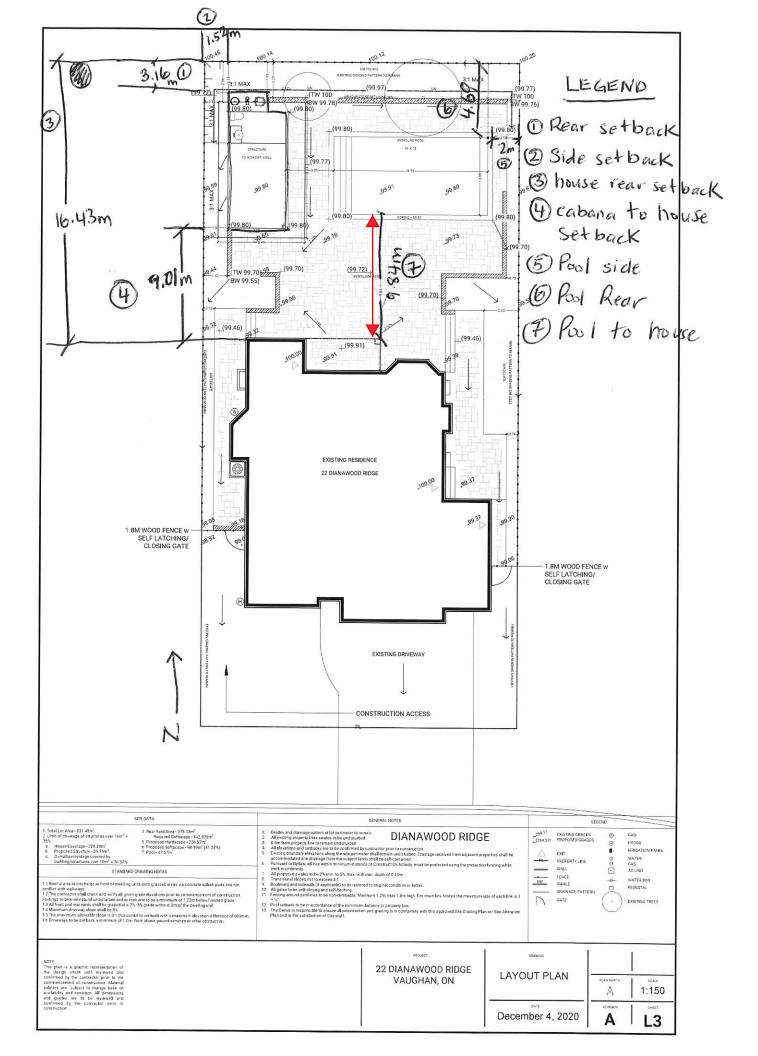
Location Map Plans & Sketches

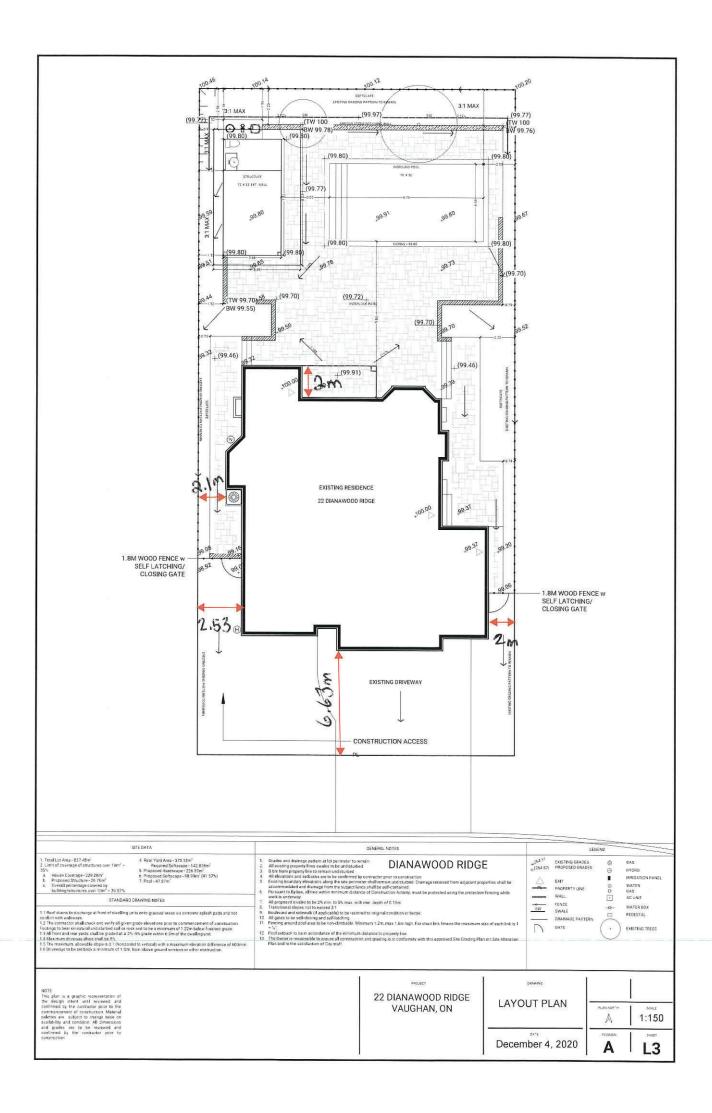




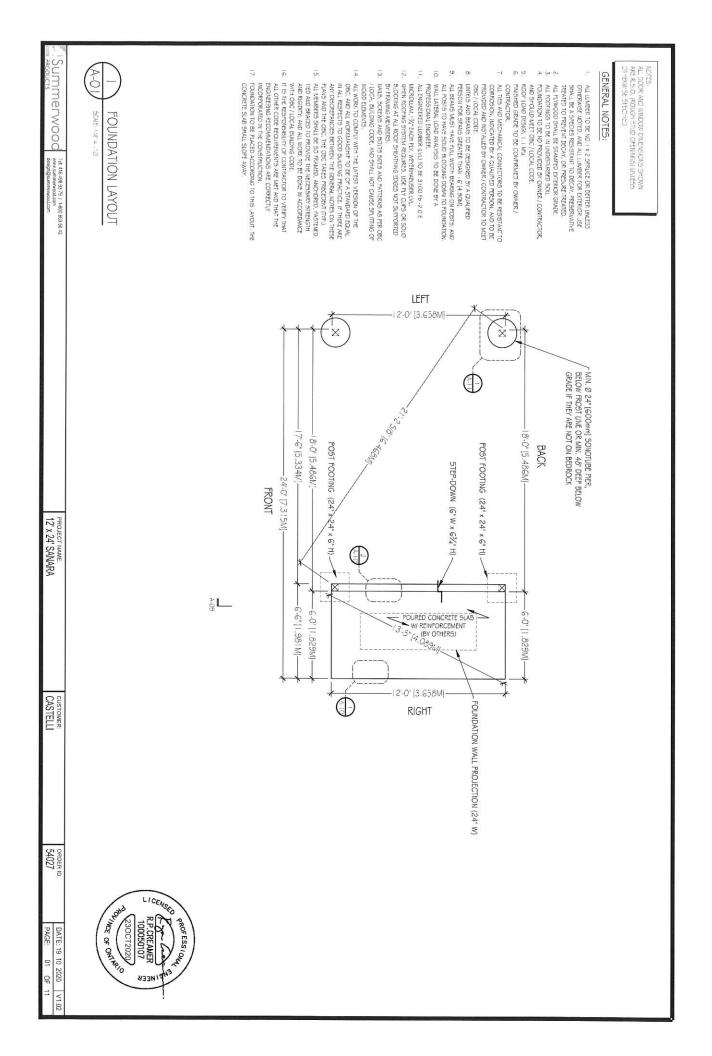
SITE DATA		GENERAL NOTES			LEGEND
1. Total Lot Area - 837.48m ² 2. Limit of coverage of structures over 10m ² = 35% 4. Rear Yard Area - 373.13m ² Required Softscape - 142.878m ² 5. Proposed Hardscape - 226.57m ² 6. Proposed Structure - 26.76m ² 7. Pool - 47.57m ² 6. Overall percentage covered by building/structures over 10m ² = 30.57% STANDARD DRAWING NOTES 11 Roof drains to discharge at front of dwelling units onto grassed areas via concrete splash pads and not conflict with walkways. 1.2 The contractor shall check and verify all given grade elevations prior to commencement of construction. Footings to bear on natural undisturbed soil or rock and to be a minimum of 1.22m below finished grade. 1.3 All front and rear yards shall be graded at a 2% -5% grade within 6.0m of the dwelling unit. 1.4 Maximum driveway slope shall be 8%. 1.5 The maximum, allowable slope is 3.1 (horizontal to vertical) with a maximum elevation difference of 600mm. 1.6 Driveways to be set back a minimum of 1.0m, from above ground services or other obstruction.	 accommodated and drainage from the subject la Pursuant to By-law, all tree within minimum dista work is underway. All proposed swales to be 2% min. to 5% max. wi Transitional slopes not to exceed 3:1. Boulevard and sidewalk (if applicable) to be restr 10. All gates to be self-closing and self-latching. Frencing around pool area to be non-climbable. M - %. Qol setback to be in accordance of the minimur 	ed DIANAVVOUD RIDC by contractor prior to construction. heter shall remain undisturbed. Drainage received from adjacent p inds shall be self-contained. ince of Construction Activity, must be protected using the protect th min. depth of 0.15m. ored to original condition or better. linimum 1.2m, max 1.8m high. For chain link fences the maximum	oroperties shall be ion fencing while n size of each link is 1	264.11 EXISTING GRADE PROPOSED GRADE PROPORTY LINE WALL FENCE SW SWALE DRAINAGE PATTI GATE	DES (+) HYDRO ■ IRRIGATION PANEL © WATER @ GAS E AC UNIT WATER BOX □ PEDESTAL
NOTE This plan is a graphic representation of the design intent until reviewed and confirmed by the contractor prior to the commencement of construction. Material palettes are subject to change base on availability and condition. All dimensions and grades are to be reviewed and confirmed by the contractor prior to construction.		PROJECT 22 DIANAWOOD RIDGE VAUGHAN, ON		DRAWING UT PLAN DATE Der 4, 2020	PLAN NORTH SCALE A 1:150 REVISION SHEET A L3

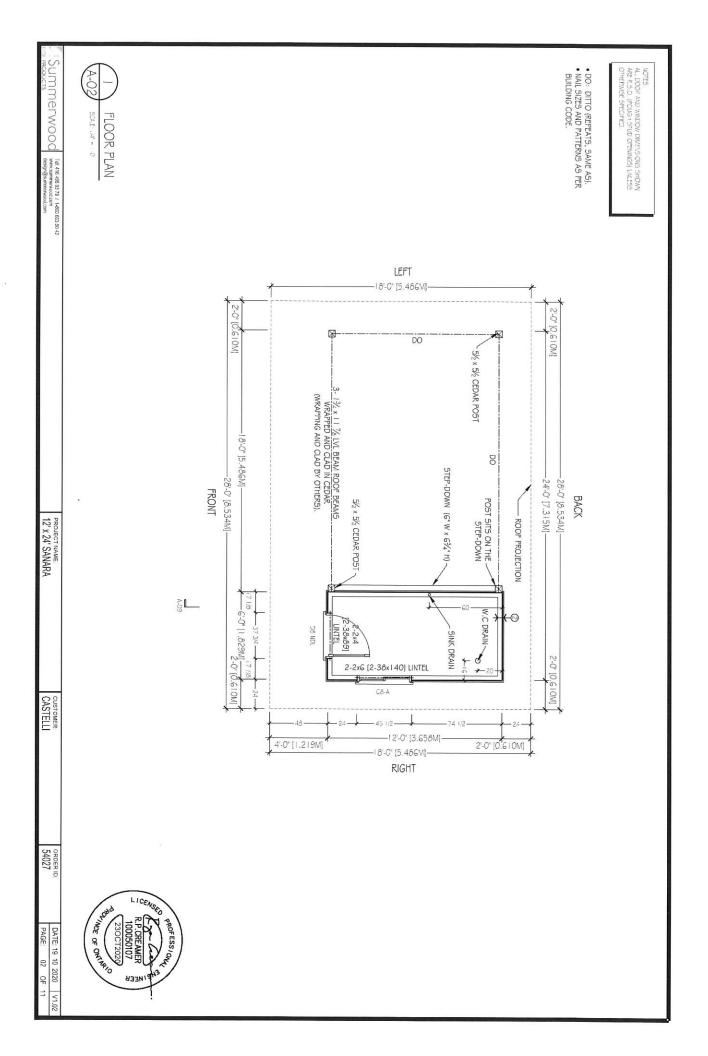


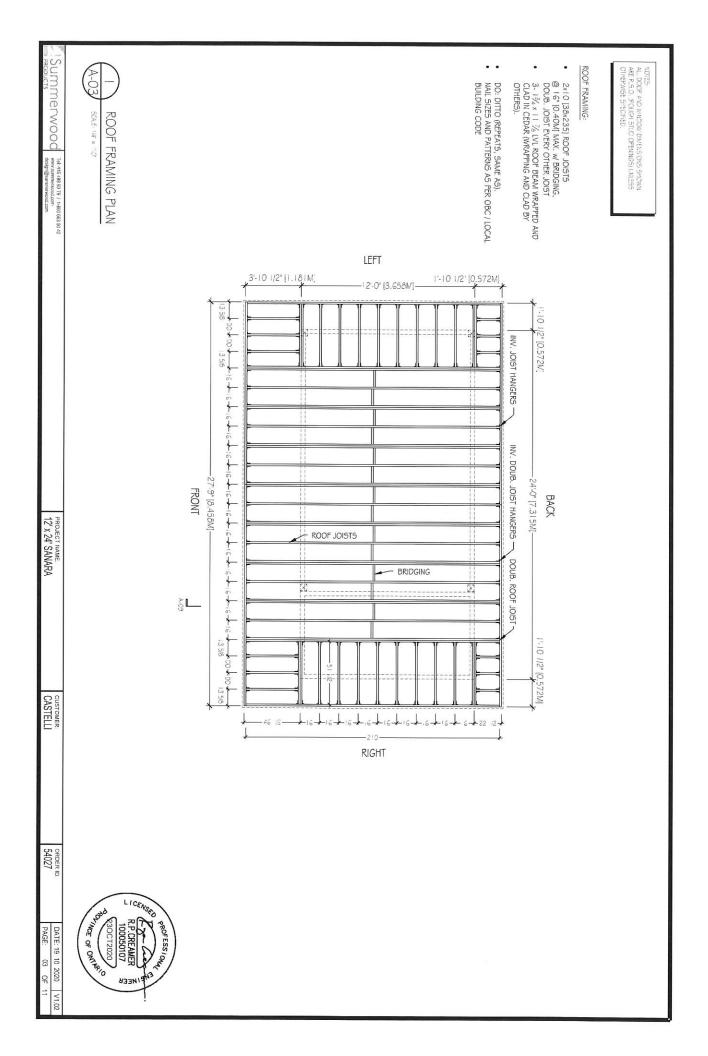


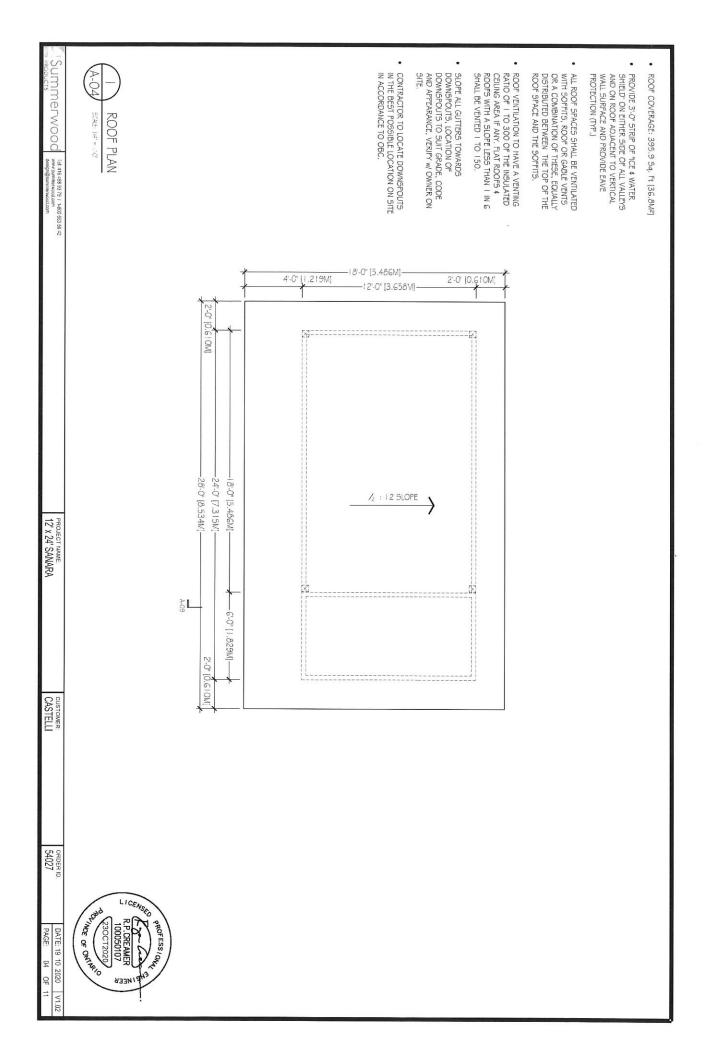


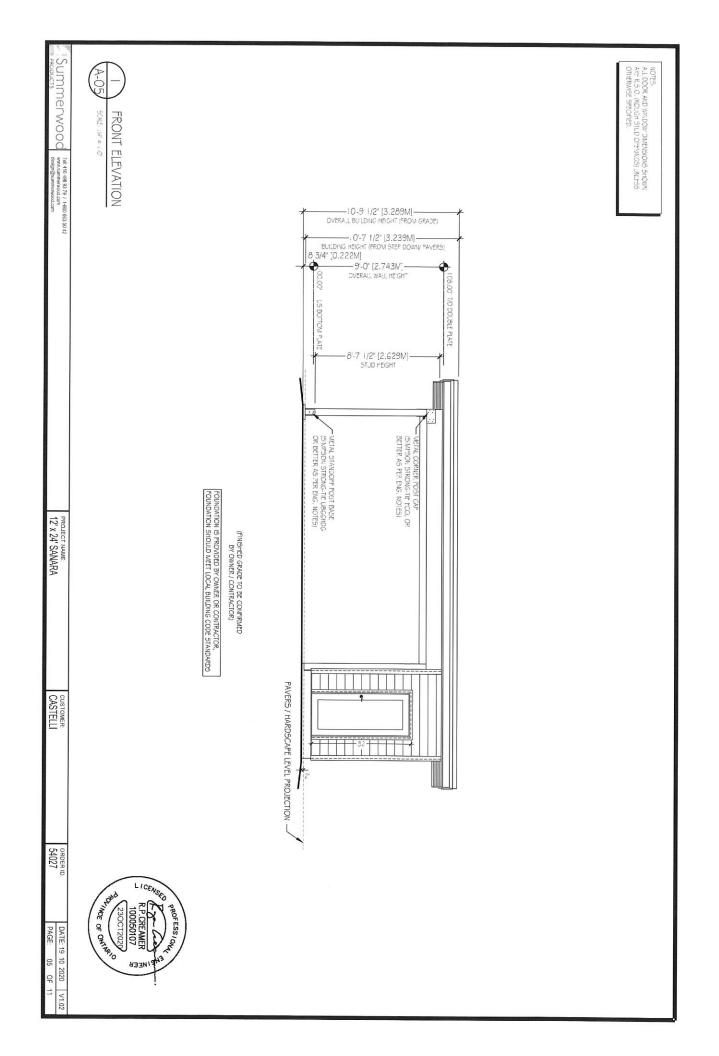
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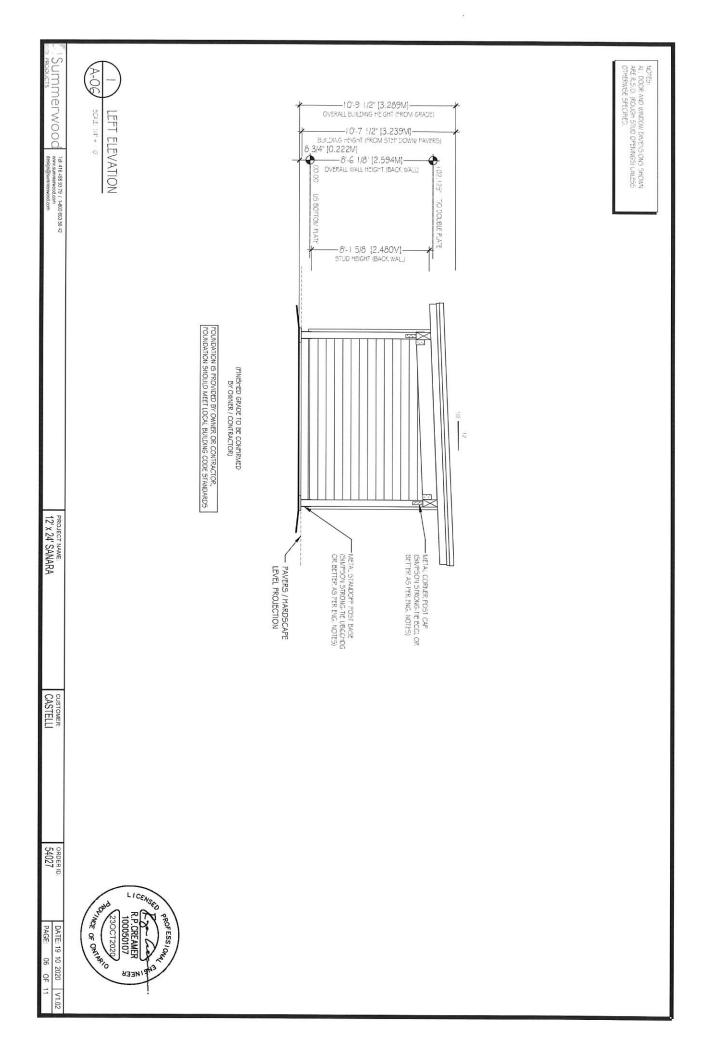


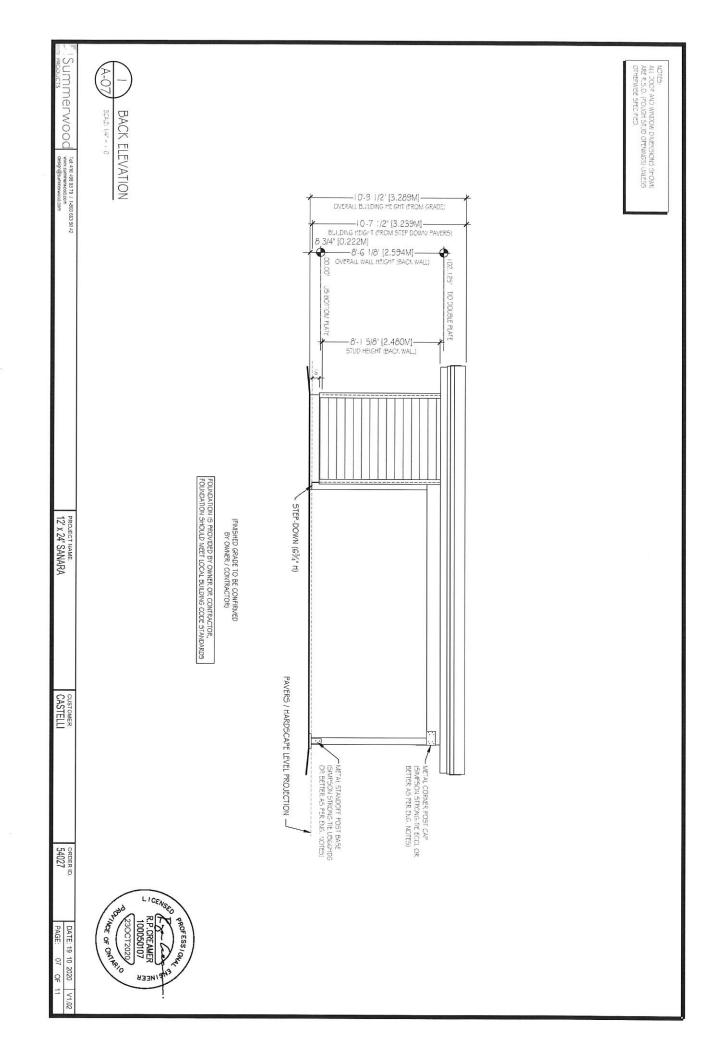


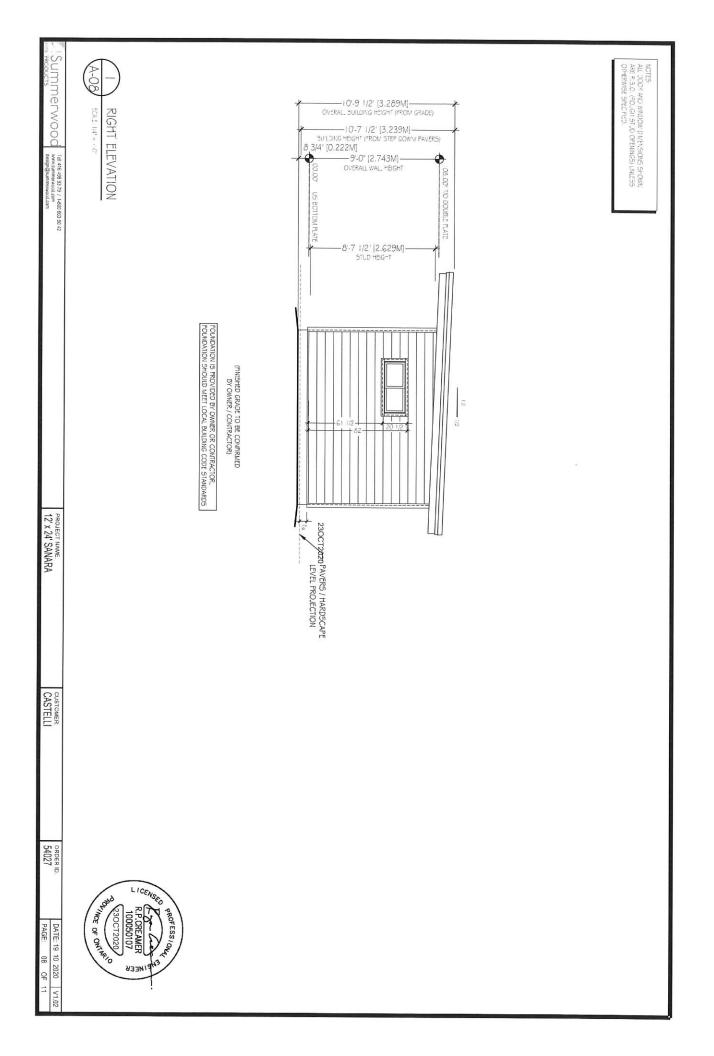


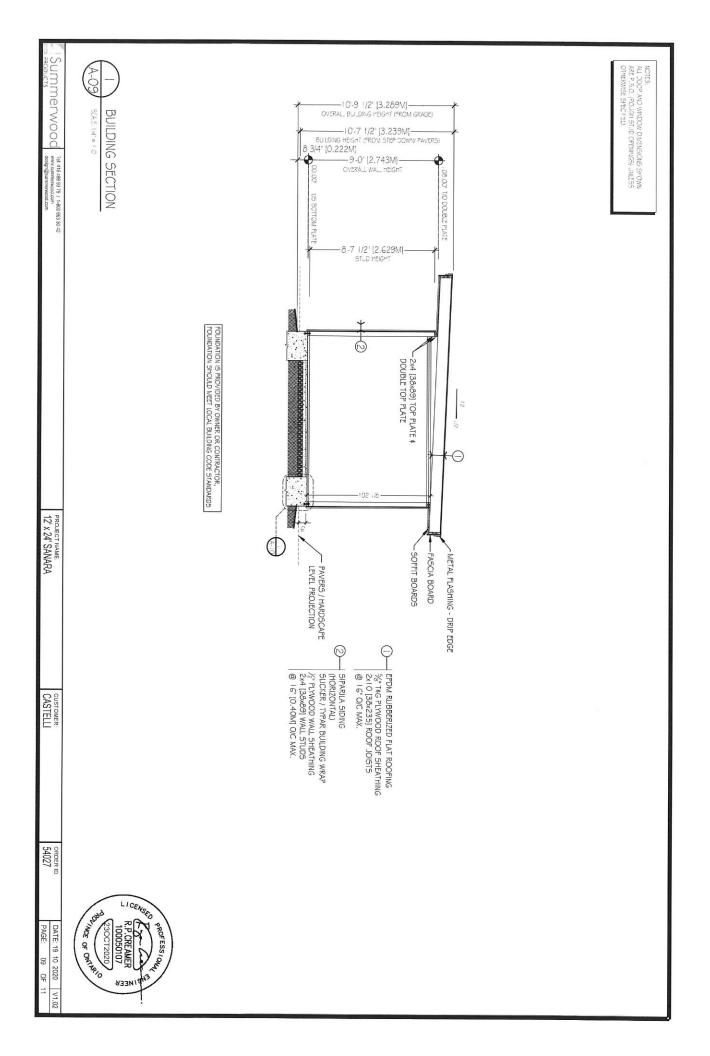


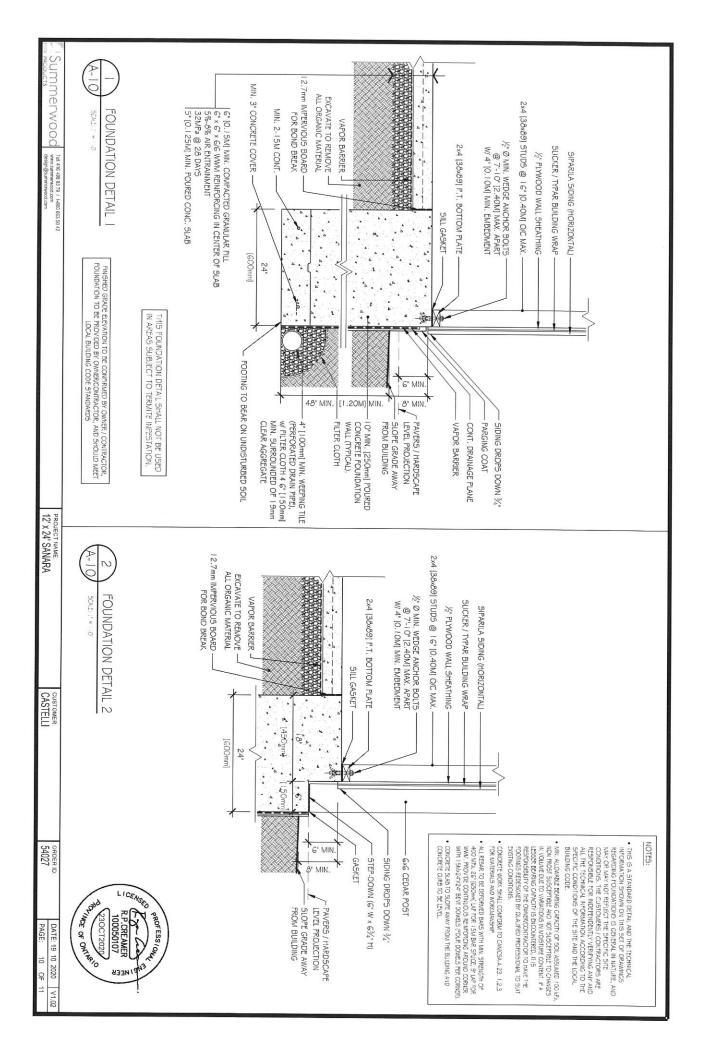


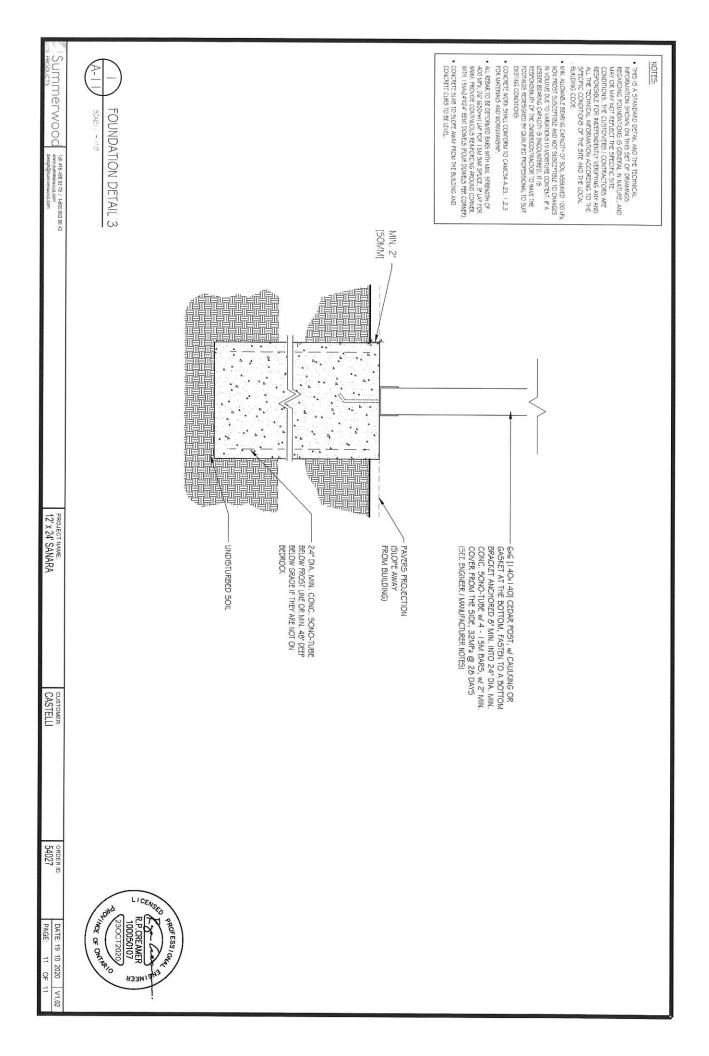












Schedule B: Public Correspondence Received

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

Alectra (Formerly PowerStream) – No concerns or objections York Region - No concerns

preparation of this staff report will be provided as an addendum.-



COMMENTS:

X

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: <u>stephen.cranley@alectrautilities.com</u>

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

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject: FW: A018-21 - REQUEST FOR COMMENTS - 22 Dianawood Rdge Woodbridge (FULL CIRCULATION)

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

Sent: March-11-21 10:25 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Subject: [External] RE: A018-21 - REQUEST FOR COMMENTS - 22 Dianawood Rdge Woodbridge (FULL CIRCULATION)

Good morning Lenore,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | The Regional Municipality of York| 1-877 464 9675 ext 71538 | <u>Gabrielle.hurst@york.ca</u> |<u>www.york.ca</u>