



File: A148/20

Applicant: Steve and Louise Cohen

Address: 34 Franmore Circle, Thornhill

Agent: Ronald Heeralall - Lumon Canada Inc

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		
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: None

Background History: None

Staff Report Prepared By: Lenore Providence
Hearing Date: Thursday, April 8, 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

Agenda Item: 03

A148/20

Ward: 5

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, April 8, 2021 at 6:00 p.m.

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

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

Please submit written comments by mail or email to:

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

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

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

Applicant: Steve and Louise Cohen

Agent: Ronald Heeralall - Lumon Canada Inc

Property: 34 Franmore Circle, Thornhill

Zoning: The subject lands are zoned R3 Residential Zone Three, and subject to the provisions of Exception No. 9(471), 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 one storey addition at the rear of the dwelling. The addition is to function as a glass enclosure around the existing pool.

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

By-law Requirement	Proposal
A minimum rear yard setback of 7.5 metres is required.	To permit a minimum rear yard setback of 6.06 metres to the addition of the dwelling.

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

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 March 24, 2021

Applicant confirmed posting of signage on March 22, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	1982
Shed	2019-Prior
Pool	2020

Applicant has advised that they cannot comply with By-law for the following reason(s): We require the proposed setback so that there is comfortable walking space around the pool. If we maintain the required setback it will be too tight.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: Order No. 20-112036, Order to Comply for Construction without a permit - pool enclosure, Issue Date: Oct 07, 2020

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

Please note the following:

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

The height of the accessory building (shed) is less than 2.5 metres; therefore, no variance is required.

An air conditioning unit and/or pool equipment on a pad outdoors, shall be setback a minimum of 0.6 metres from the interior side lot line; and be setback a minimum of 6.0 metres from the rear lot line.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

Application under review.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A148/20 subject to the following condition(s)

1. 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:

No comments or concerns

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 or concerns

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Public Correspondence (230 Arnold Avenue, Thornhill)

Public Correspondence (56 Franmore Circle, Thornhill)

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None

Staff Recommendations:

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

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

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

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

	Department/Agency	Condition
1	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	1) 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.

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.

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 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

STEVE COHEN

34 FRANMORE CIRCLE

VAUGHAN, ONTARIO

L4J 3C1

GENERAL NOTES

1. THESE DRAWINGS DETAIL THE INSTALLATION
2. DESIGN IS IN ACCORDANCE WITH CAN3-S157-M83 STRENGTH.
3. STRUCTURE AND ALL MATERIALS ARE IN ACCORDANCE WITH CURRENT EDITIONS OF THE NATIONAL BUILDING CODE OF CANADA 2015 AND THE 2012 ONTARIO BUILDING CODE.

FOLLOW ALL NOTES AND RECOMMENDATIONS CONTAINED WITHIN THESE DRAWINGS.

1.1 DESIGN CRITERIA

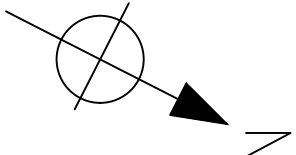
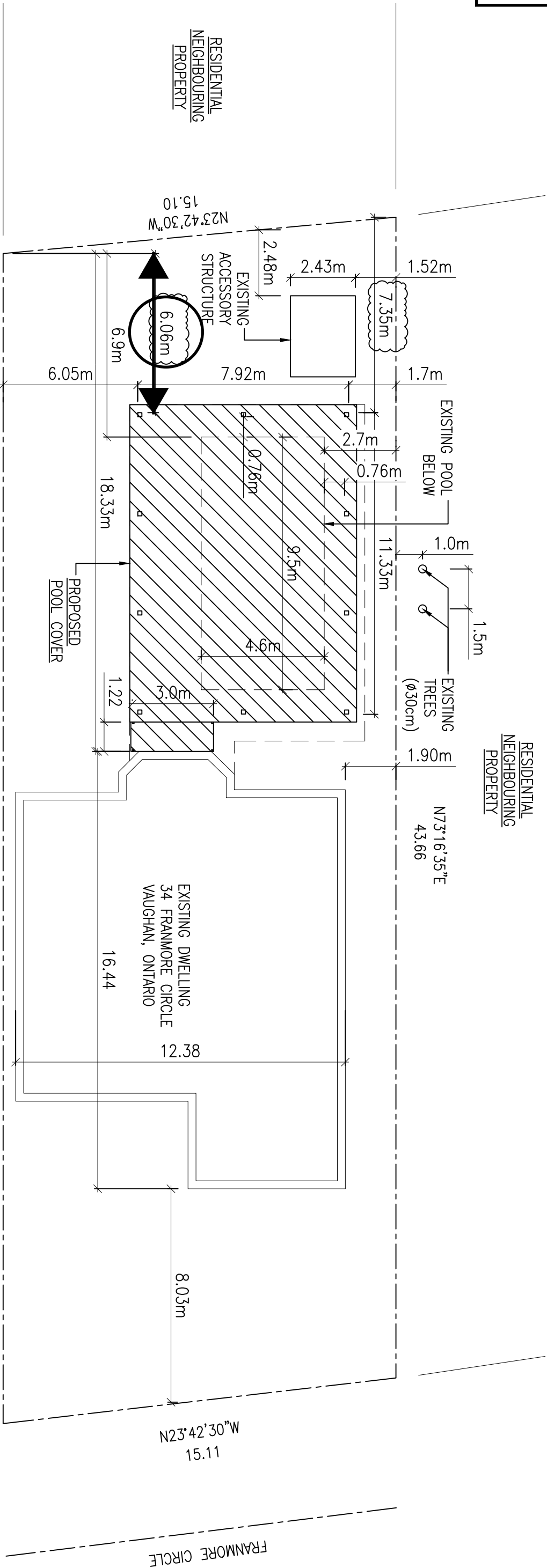
1. PREVAILING CODE: OBC 2012
2. SNOW LOAD:..Ss= 1.0 kPa
3. RAIN LOAD:....Sr= 0.4 kPa
4. WIND LOAD:
 - a. 1 in 10:..... 0.36 kPa
 - b. 1 in 50:..... 0.46 kPa
5. DEAD LOAD:..DL= 0.49 kPa

LOCATION: VAUGHAN, ONTARIO

<div><div><div>600 ZENWAY BLVD, UNIT 5 VAUGHAN, ONTARIO L4H 3M9 P: 877-707-7427 F: 877-258-7977</div></div><div>CANADA</div></div>		VT4 PATIO COVER TITLESHEET		DRAWN BY : RH	APPROVED BY:
DATE : 08 MAY 2020		SCALE : Full		REV. No.	REVISION :
PROJECT No. 50379863		DRAWING : T			

A148/20

TOTAL LOT =658 m ²	LOT COVERAGE:	PROPOSED LOT COVERAGE
	DWELLING FOOTPRINT (INCLUDING GARAGE)	=39%
	=169 m ²	
	PROPOSED PATIO COVER	
	=89 m ²	
	DWELLING FOOTPRINT + PATIO COVER	
	=257.08 m ²	



NEW

March 12, 2021

1 SITE PLAN
SCALE: 1:150

RESIDENTIAL
NEIGHBOURING
PROPERTY

RESIDENTIAL
NEIGHBOURING
PROPERTY

RESIDENTIAL
NEIGHBOURING
PROPERTY

RESIDENTIAL
NEIGHBOURING
PROPERTY

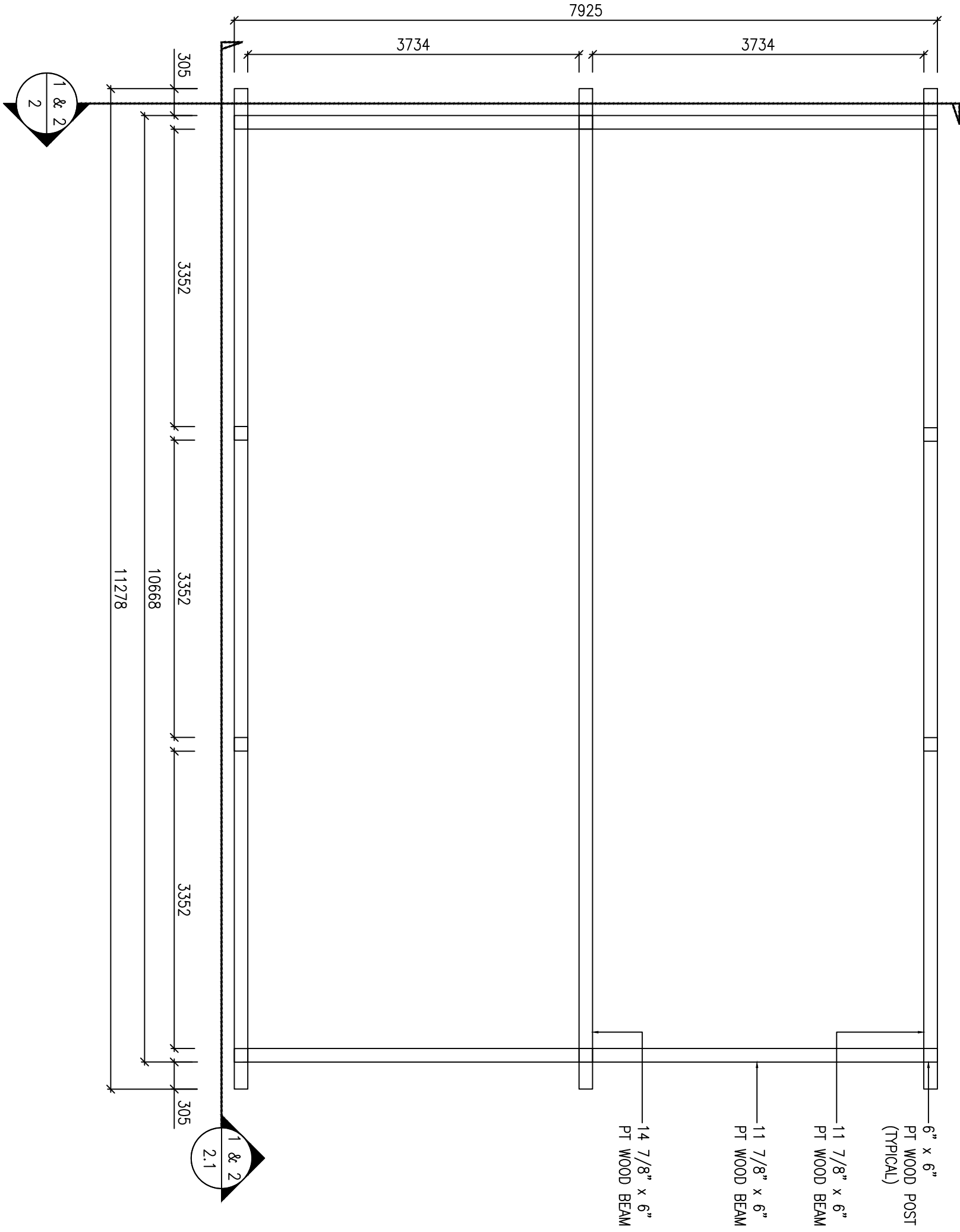
RESIDENTIAL
NEIGHBOURING
PROPERTY

EXISTING DWELLING
34 FRANMORE CIRCLE
VAUGHAN, ONTARIO




34 FRANMORE CIRCLE
STEVE COHEN
VT4 PATIO COVER
REAR YARD SITE PLAN

DRAWN BY :	RH	APPROVED BY:	
DATE :	08 MAY 2020	SCALE :	1:150
REV. No.		REDATE :	
PROJECT No.	50379863	DRAWING :	S



1 STEEL STRUCTURE
1 SCALE: 1:30

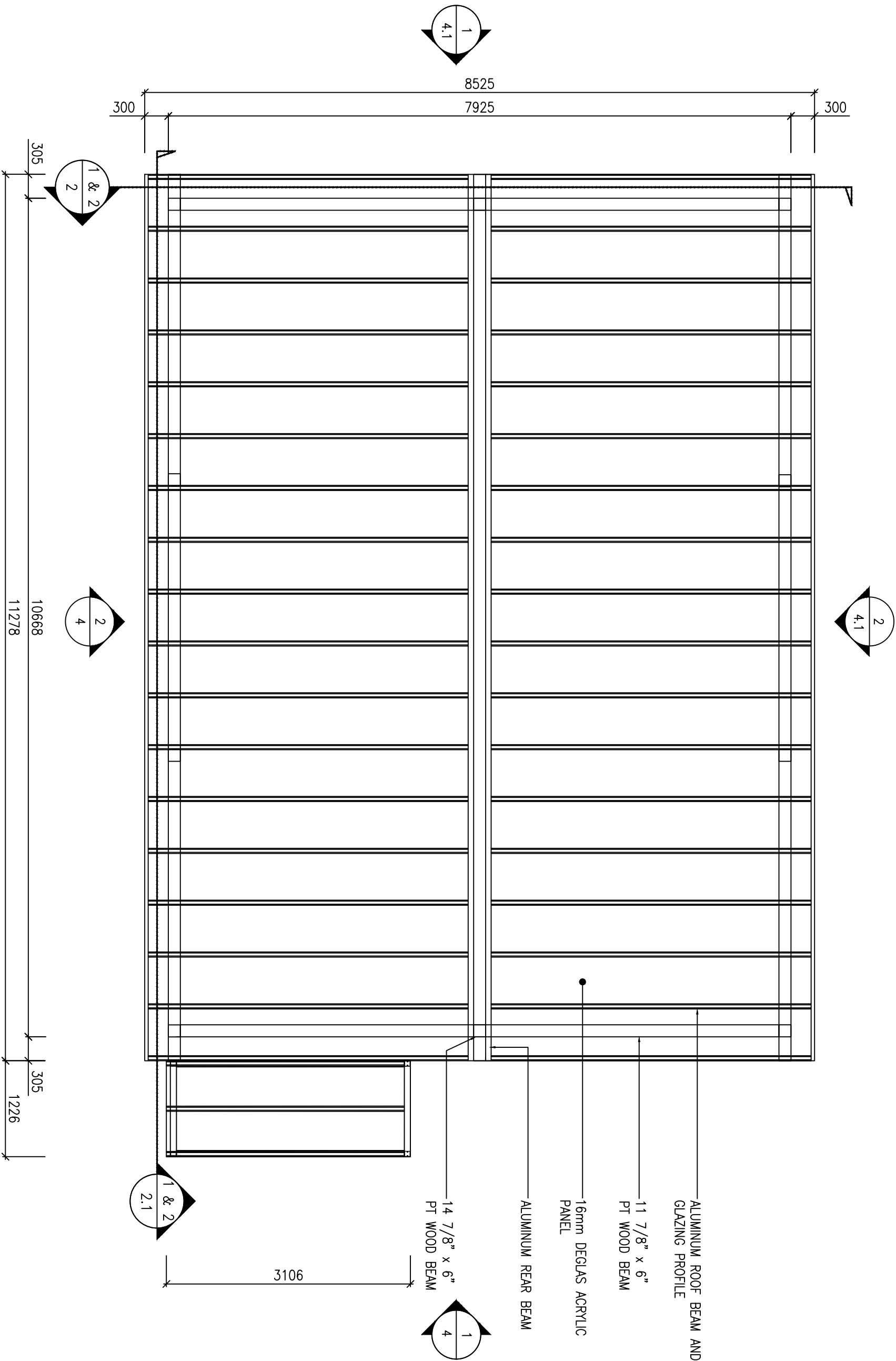


600 ZENWAY BLVD, UNIT 5
VAUGHAN, ONTARIO L4H 3A9
P: 877-707-7427 F: 877-258-7977

CANADA

34 FRANMORE CIRCLE
STEVE COHEN
PATIO COVER LAYOUT

DRAWN BY : RH	APPROVED BY:
DATE : 08 MAY 2020	SCALE : QS noted
REV. No.	REVISION :
PROJECT No. 50379863	DRAWING : 1



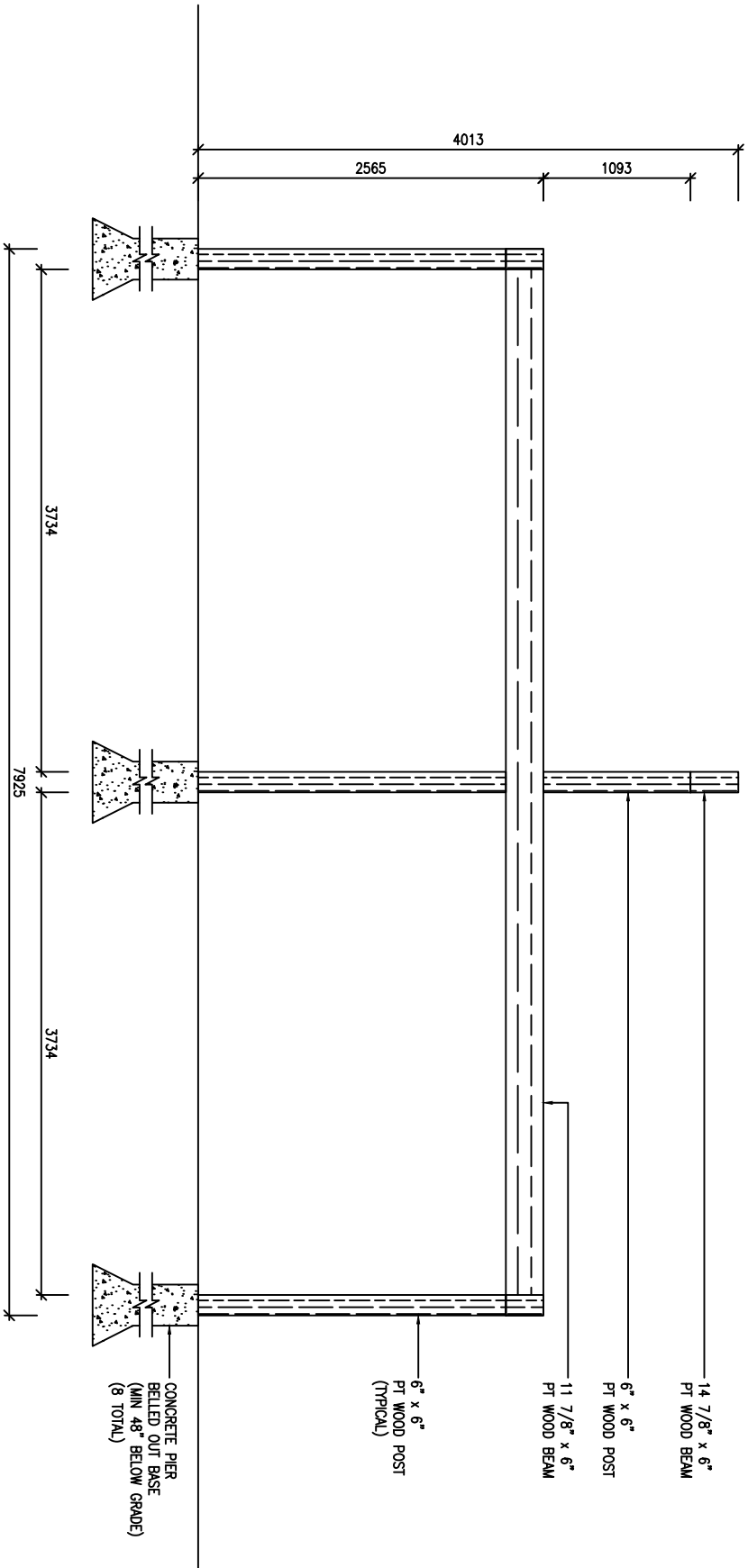
1 PATIO COVER LAYOUT
1.1 SCALE: 1:50



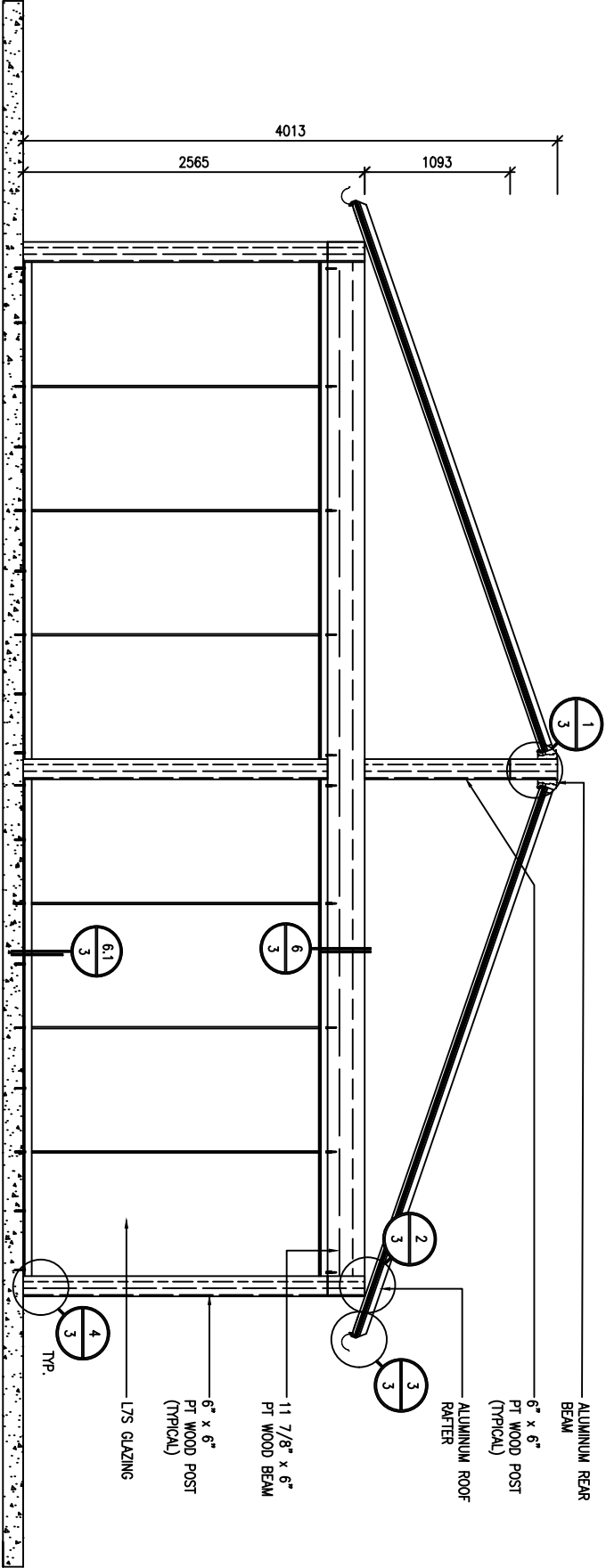
600 ZENWAY BLVD, UNIT 5
VAUGHAN, ONTARIO L4H 3A9
CANADA
P: 877-707-1427 F: 877-258-1977

34 FRANMORE CIRCLE
STEVE COHEN
PATIO COVER LAYOUT


DRAWN BY : RH		APPROVED BY:	
DATE : 08 MAY 2020	SCALE : 1:50	PROJECT No. 50379863	DRAWING : 1.1
REV. No.	REVISION :		

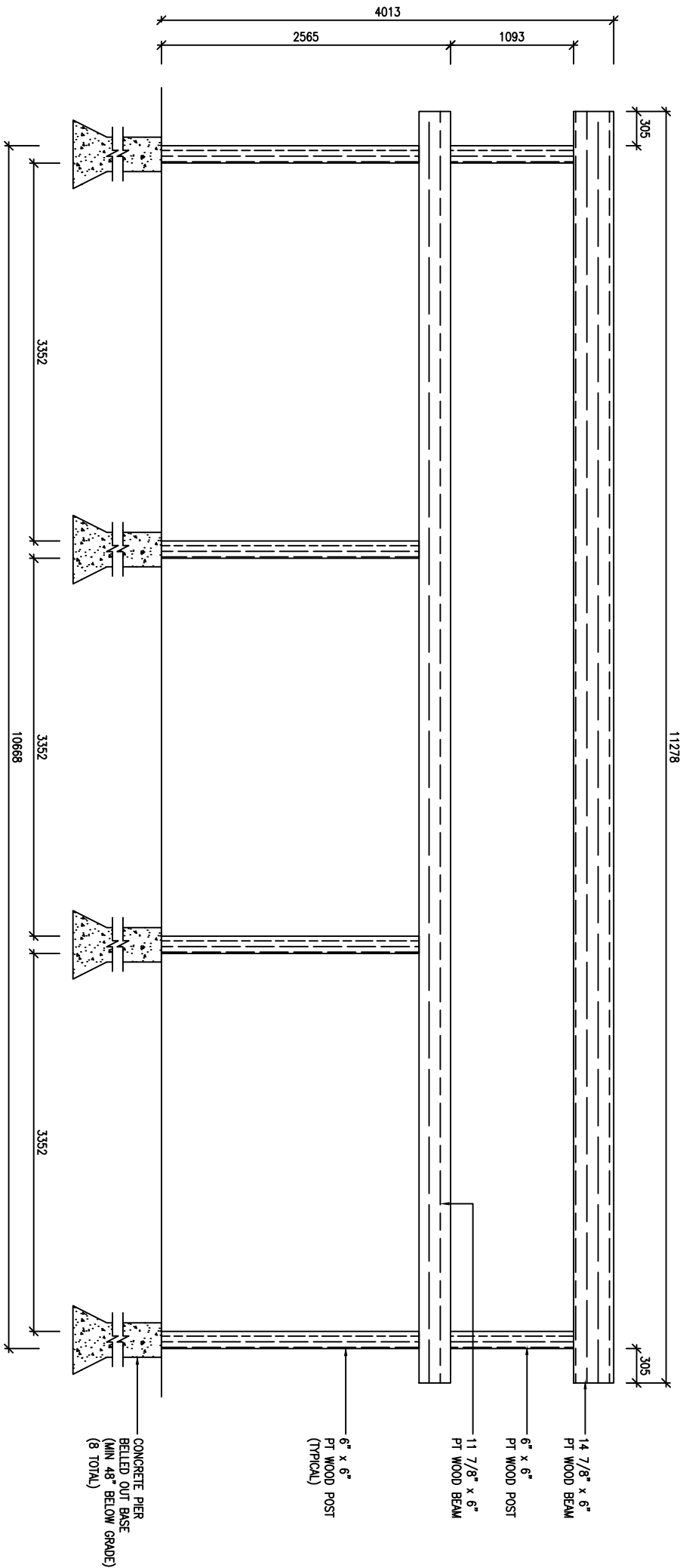


1 CROSS SECTION
2 SCALE: 1:50

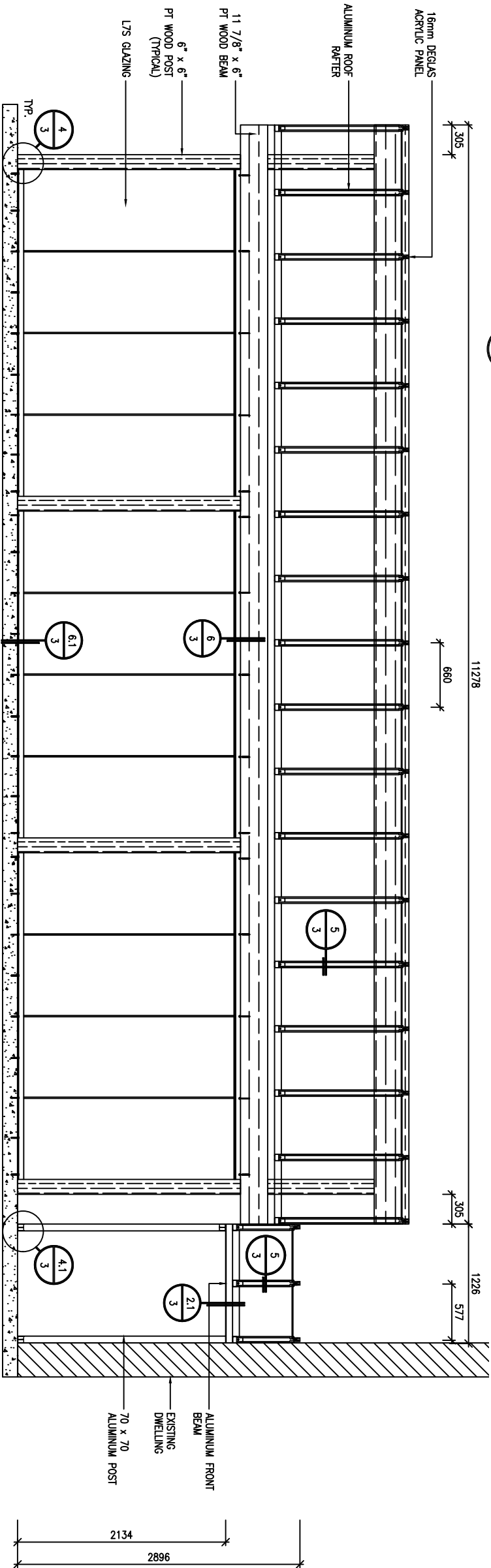


2 CROSS SECTION
1 SCALE: 1:50


		34 FRANMORE CIRCLE STEVE COHEN VT4 PATIO COVER CROSS SECTION	
DRAWN BY : RH		APPROVED BY:	
DATE : 08 MAY 2020		SCALE : 1:30	
REV. No.		REV/DATE :	
PROJECT No. 50379863		DRAWING : 2	



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2.1 SCALE: 1:50



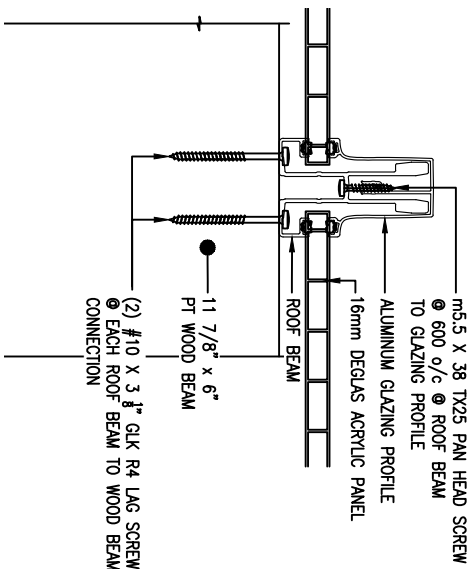
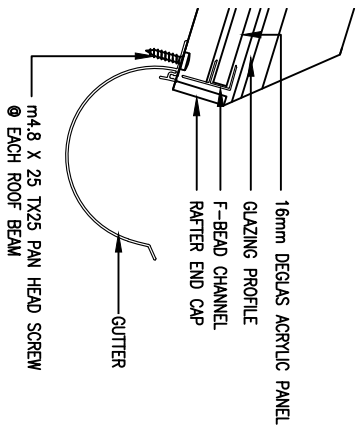
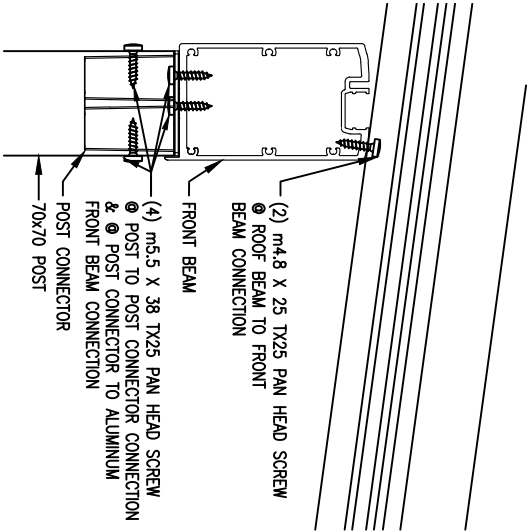
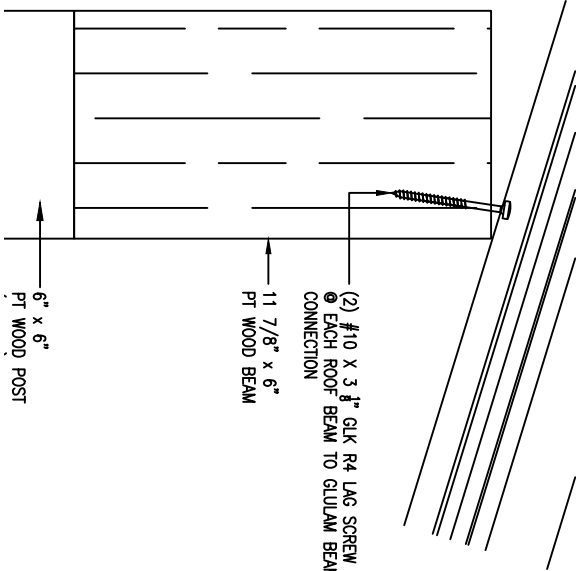
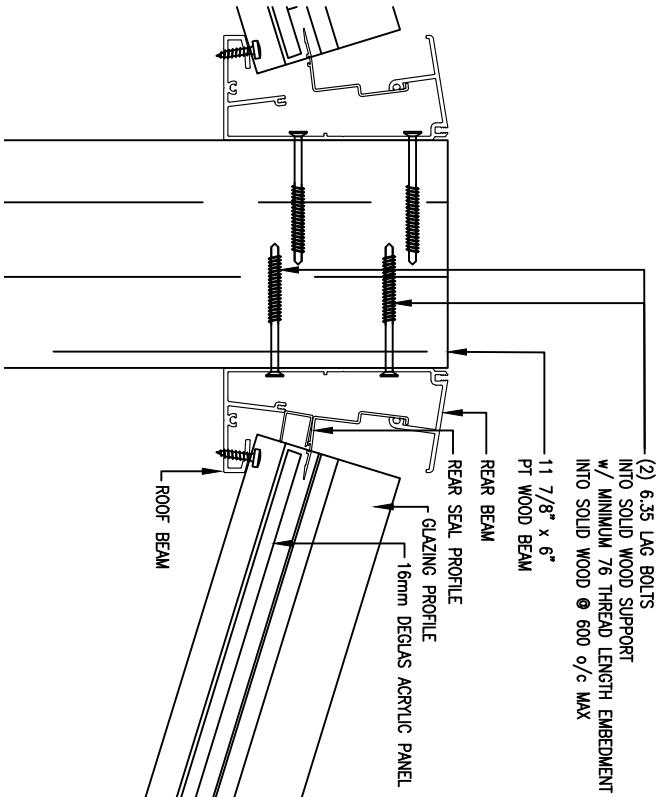
2 CROSS SECTION
2.1 SCALE: 1:50



600 ZENWAY BLVD, UNIT 5
VAUGHAN, ONTARIO L4H 3A9
P: 877-707-1427 F: 877-258-1977

34 FRANMORE CIRCLE
STEVE COHEN
VT4 PATIO COVER
CROSS SECTION

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DATE : 08 MAY 2020	SCALE : 1:50
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PROJECT No. 50379863	DRAWING : 2.1



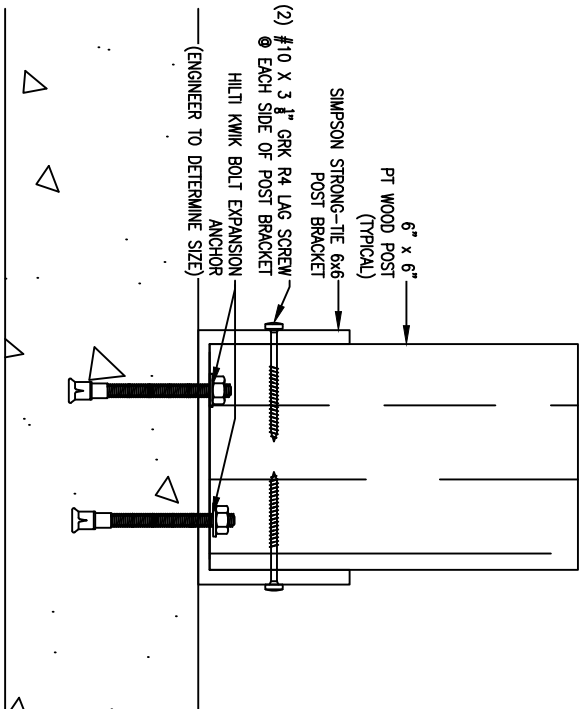
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SCALE: 1:5

2 WOOD BEAM DETAIL
SCALE: 1:5

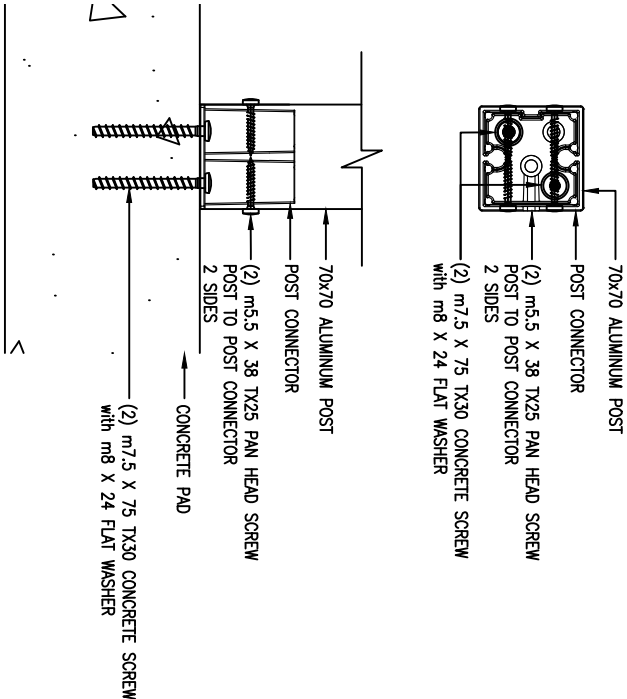
2.1 FRONT BEAM/POST DETAIL
SCALE: 1:5

3 GUTTER DETAIL
SCALE: 1:5

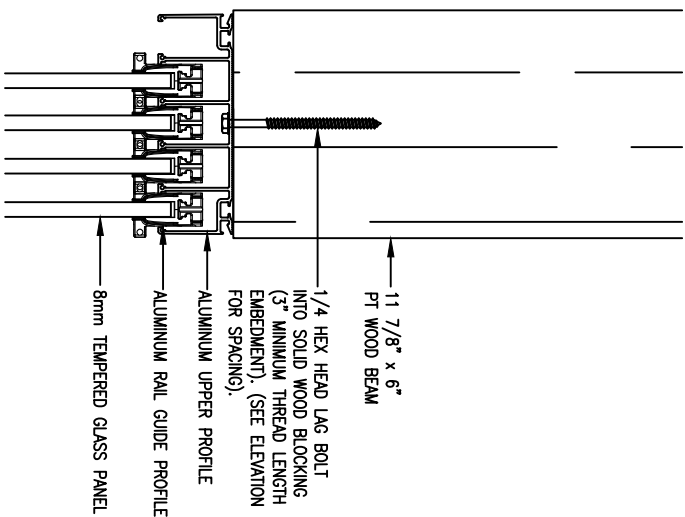
5 ROOF BEAM DETAIL
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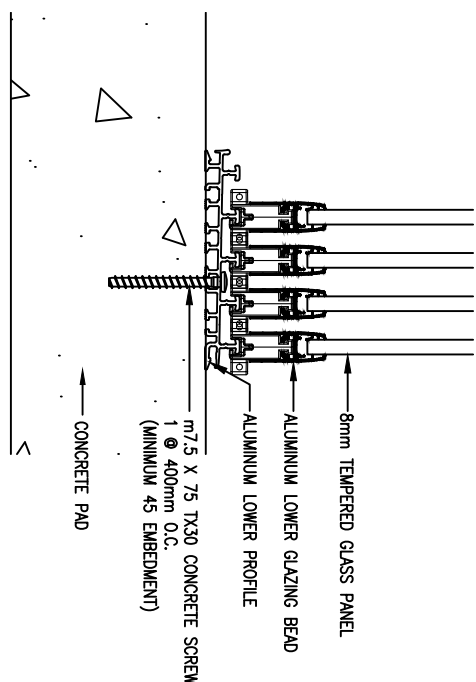
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SCALE: 1:5



4.1 BASE DETAIL
SCALE: 1:5



6 LTS UPPER PROFILE
SCALE: 1:5

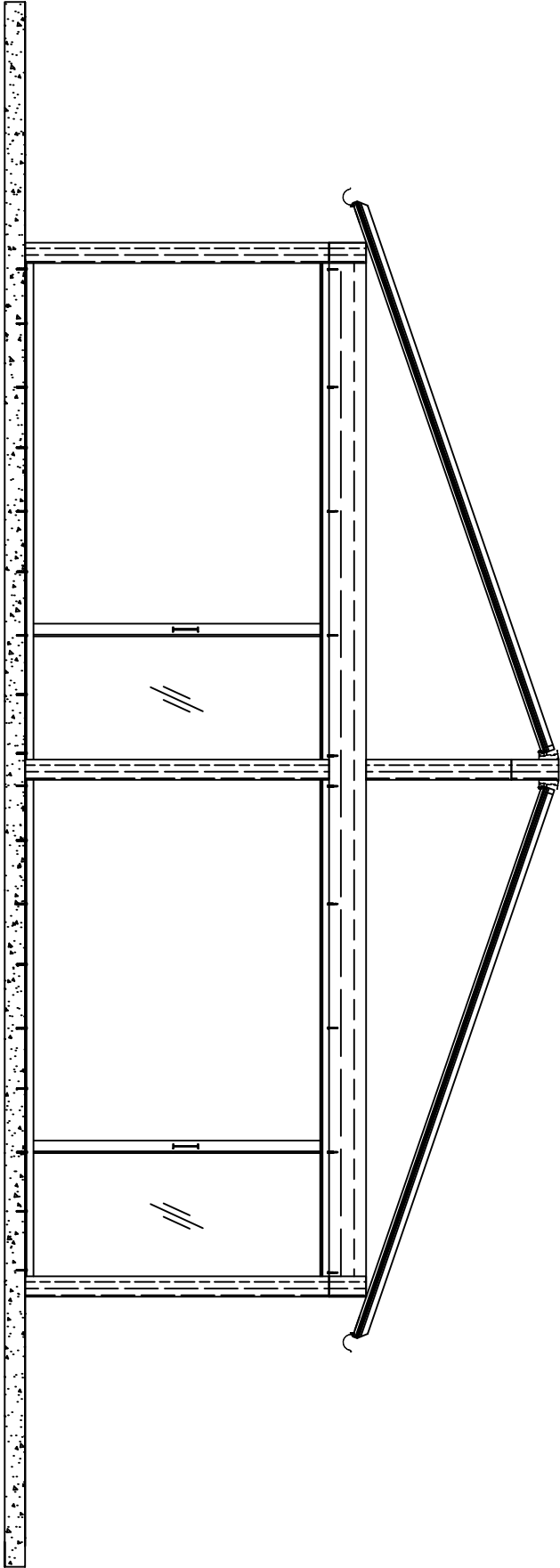


6.1 LTS LOWER PROFILE
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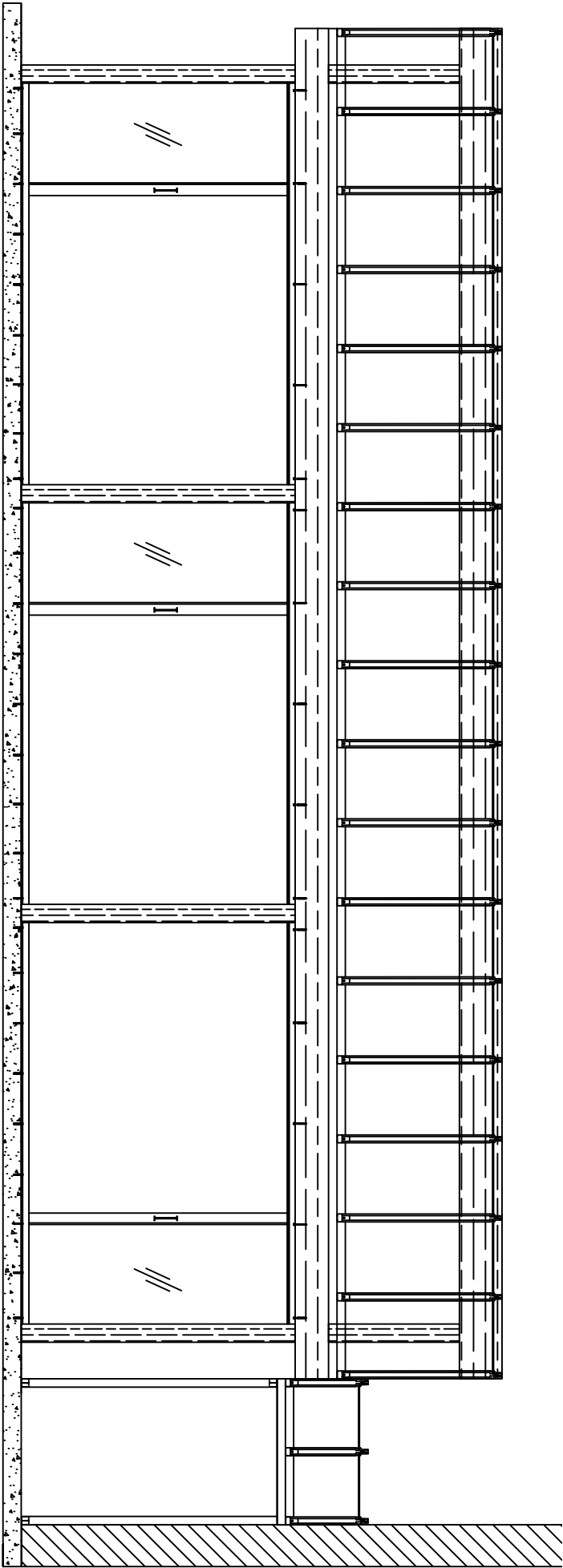


34 FRANMORE CIRCLE
STEVE COHEN
VT4 PATIO COVER
DETAILS

DRAWN BY :	RH	APPROVED BY :	
DATE :	08 MAY 2020	SCALE :	1:5
REV. No.		REV/DATE :	
PROJECT No.	50379863	DRAWING :	3

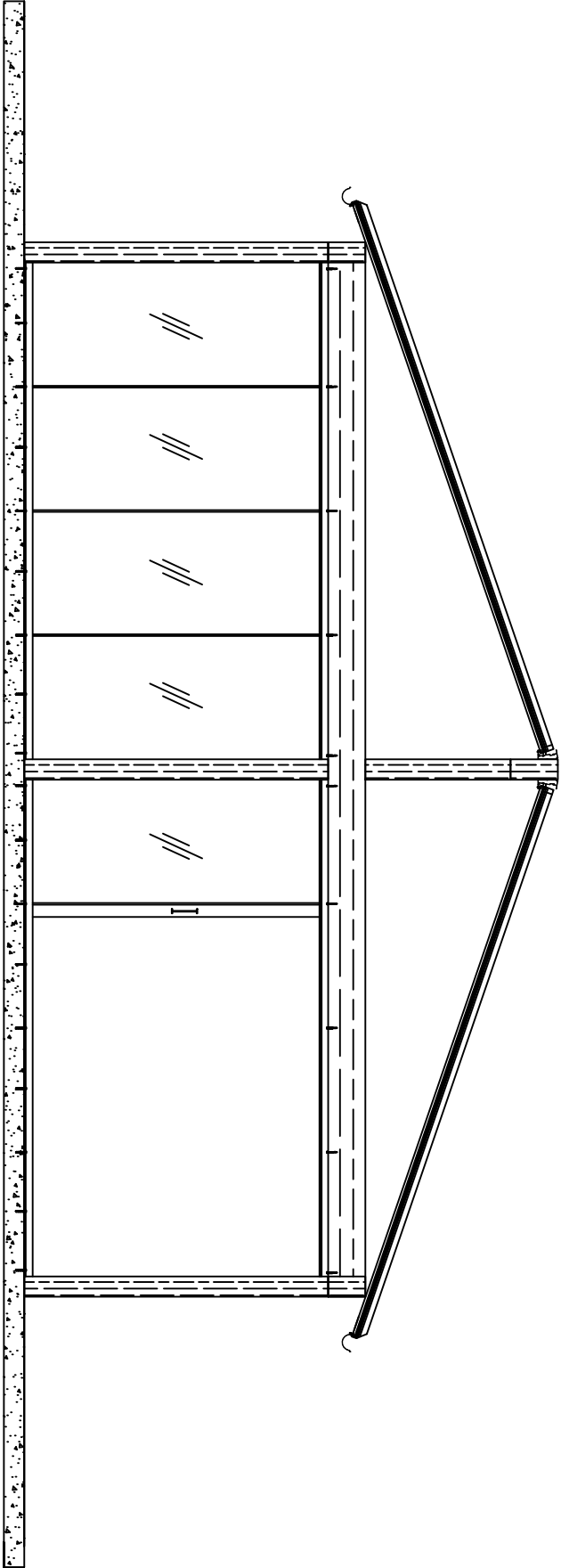


1
ELEVATION
4
SCALE: 1:50

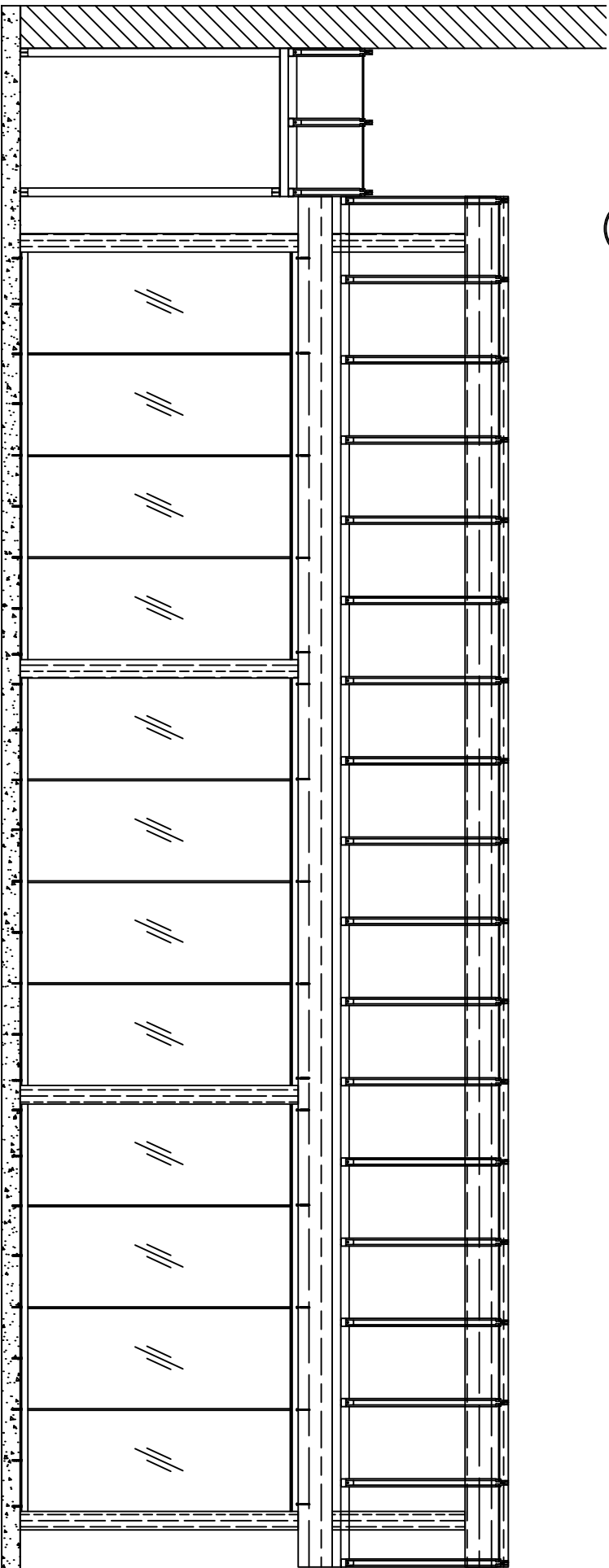


2
ELEVATION
4
SCALE: 1:50

 600 ZENWAY BLVD, UNIT 5 VAUGHAN, ONTARIO L4H 3A9 P: 877-707-1427 F: 877-258-1977 CANADA		34 FRANMORE CIRCLE STEVE COHEN VT4 PATIO COVER CROSS SECTION		DRAWN BY : RH	APPROVED BY:
DATE : 08 MAY 2020		SCALE : 1:30			
REV. No.		REV/DATE :			
PROJECT No. 50379863		DRAWING : 4			



1
ELEVATION
4
SCALE: 1:50



2
ELEVATION
4.1
SCALE: 1:50

 CANADA		34 FRANMORE CIRCLE STEVE COHEN VT4 PATIO COVER ELEVATION		DRAWN BY : RH		APPROVED BY:	
		DATE :		SCALE :			
		08 MAY 2020		1:50			
		REV. No.		REV/DATE :			
PROJECT No.		50379863		DRAWING :		4.1	

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.

A148/20 – Public Correspondence (230 Arnold Avenue, Thornhill)
A148/20 – Public Correspondence (56 Franmore Circle, Thornhill)

RABBI AVROHOM BITTERMAN
RAV. ATERES MORDECHAI

בס"ד



March 15, 2021

Committee of Adjustment
City of Vaughan
2414 Major Mackenzie Drive
Vaughan, Ontario L6A 1P7

Re: Minor Variance Application – Louise and Steve Cohen
City File: A148/20
34 Franmore Circle, Thornhill, ON

To Whom It May Concern,

I have known Steve and Louise Cohen for the past number of years and act as their spiritual advisor. The Cohen family adheres to a strict Orthodox code of conduct as set out in religious law. This includes modesty in behavior as well as modesty in dress.

In keeping with religious law Mr. & Mrs. Cohen must have their pool covered so as not to be seen by anyone while swimming on their property.

If I can help in any way, please do not hesitate to contact me at [REDACTED]

Sincerely

Rabbi Avrohom Bitterman
Rav, Ateres Mordechai

Providence, Lenore

From: blau francine <[REDACTED]>
Sent: March-26-21 2:46 PM
To: Committee of Adjustment
Subject: [External] RE: Minor Variance application A148/20

RE: Minor Variance application A148/20

We are neighbours to the side of 34 Franmore Circle. We see no problem with the addition of the glass enclosure around the existing pool. It is for the Cohen family's quiet enjoyment and we see no reason why it should be impeded.

Mark and Francine Blau
56 Franmore Circle, Thornhill

Schedule C: Agency Comments

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

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

COMMENTS:

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

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

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

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

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

References:

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

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

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

E-mail: stephen.cranley@alectrautilities.com

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

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject: FW: [External] RE: A148-20 - REQUEST FOR COMMENTS - 34 Franmore Circle, Thornhill (FULL CIRCULATION)

From: Development Services <developmentservices@york.ca>

Sent: January-15-21 4:21 PM

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

Subject: [External] RE: A148-20 - REQUEST FOR COMMENTS - 34 Franmore Circle, Thornhill (FULL CIRCULATION)

Hello,

The Regional Municipality of York has completed its review of MVAR.20.V.0476 (**A148-20**) and has no comments.

Thank you,

Anson Wong | Associate Planner, Programs and Process Improvement,
Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71516 | anson.wong@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence

