Staff Report Summary
Item \# 5
Ward \#3

## File: $\quad$ A156/20

## Applicant: Jason Gabriele

## Address:

## 186 Pine Valley Crescent, Woodbridge

## Agent: <br> Francesco Di Sarra

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 <br> Negative Comment | Condition(s) $\square$ |
| :---: | :---: | :---: |
| Committee of Adjustment | $\boxed{\square}$ | $\boxed{\square}$ |
| Building Standards |  |  |
| Building Inspection | $\checkmark$ |  |
| Development Planning |  |  |
| Development Engineering | $\checkmark$ | $\sqrt{7}$ |
| Parks, Forestry and Horticulture Operations | $\checkmark$ | $\checkmark$ |
| By-law \& Compliance |  |  |
| Financial Planning \& Development | $\checkmark$ |  |
| Fire Department |  |  |
| TRCA |  |  |
| Ministry of Transportation |  |  |
| Region of York | $\checkmark$ |  |
| Alectra (Formerly PowerStream) | $\checkmark$ |  |
| Public Correspondence (see Schedule B) |  |  |

Adjournment History: None
Background History: None
Staff Report Prepared By: Adriana MacPherson
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

A156/20 Ward: 3

Staff Report Prepared By: Adriana MacPherson, 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 |
|  | 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: | Jason Gabriele |
| Agent: | Francesco Di Sarra |
| Property: | 186 Pine Valley Crescent, Woodbridge |
| Zoning: | The subject lands are zoned RR and subject to the provisions of Exception 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 detached garage (with underground garage), a covered porch/patio and a swimming pool. |
|  | The proposed detached garage is located in the easterly side yard and the covered porch/patio and swimming pool are to be located in the rear yard. |

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

| By-law Requirement | Proposal |
| :--- | :--- |
| 1. A minimum side yard setback of 4.5 m is required. | 1. To permit a minimum side yard setback of 2.37 m for <br> the proposed accessory structure (detached <br> Garage). |
| 2. A maximum lot coverage of 10\% is permitted. | 2. To permit a maximum lot coverage of $17.6 \%$ <br> (Dwelling 14.4\%, Covered Porch $1.9 \%$ and <br> Detached Garage 1.3\%) |
| 3. A maximum height of 4.5m is permitted. | 3. To permit a maximum height of 6.85m 5.50m for the <br> proposed accessory structure (detached Garage). <br> *Applicant has updated building height to address <br> planning comments, updates are subject to zoning <br> review. |
| 4. A maximum height of 3.0m to the nearest part of <br> the roof is permitted. | 4. To permit a maximum height of 4.15m to the nearest <br> part of the roof. |
| 5. A swimming pool shall be constructed only in the <br> rear yard. | 5. To permit construction of a swimming pool which is <br> not located in the rear yard. |

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

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: 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 24, 2021
Applicant confirmed posting of signage on March 25, 2021

| Property Information |  |  |
| :--- | :--- | :--- |
| Existing Structures | Year Constructed |  |
| Dwelling | 1990 |  |
| Covered Porch | TBC |  |
| Garage | TBC |  |
| Pool | TBC |  |

Applicant has advised that they cannot comply with By-law for the following reason(s):

1. A minimum side yard setback of 4.5 m is required and we are requesting a side yard setback of 2.37 m .
2. Allowed lot coverage is $10 \%$, the existing coverage is $14.4 \%$ and we are proposing additional structures of a detached garage ( $1.3 \%$ ) and a covered porch (1.9\%) which increases the existing lot coverage by $3.2 \%$ and reaches 17.6\%.
3. The maximum height of 4.5 m is permitted for an accessory structure and we are proposing 5.5 m height.
4. The maximum height of 3.0 m to the nearest part of the roof is permitted and we are proposing 4.15 m .
5. A swimming pool shall be constructed only in the rear yard and we are requesting to construct a pool in the area which is not the rear yard.

Adjournment Request: The applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to permit time to address the following planning comments:

The Development Planning Department is not in position to support to support a maximum height of 6.85 m (variance 3) for an accessory structure (detached garage). We would like to work with you but DP recognizes accessory structures over 5.5 m are typically not supported especially when it does not comply with the interior yard setback.

DP staff recommends you slightly reduce the height of the nearest part of the roof (variance 4) to maintain the general intent and purpose of Zoning By-law 1-88.

No concerns with respect to variances 1,2, and 5 .
**Applicant has updated variance \#3 as per above chart. Revisions are subject to zoning review.

## Building Standards (Zoning Review):

Stop Work $\operatorname{Order}(\mathrm{s})$ and $\operatorname{Order}(\mathrm{s})$ 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 10 m 2

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:

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

## Development Engineering:

The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. 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 the pool permit.

The Development Engineering (DE) Department does not object to variance application A156/20 subject to the following condition(s):

The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit
https://www.vaughan.ca/services/residential/dev eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.

## Parks Development - Forestry:

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

Tree protection \& preservation methods must be followed according to City of Vaughan By-law 052-2018.
Arborist recommendations are to be followed as outlined in the Arborist Report.
Forestry will only accept cash-in-lieu tree replacement compensation for any proposed removals.
Recommend condition of approval:
Applicant/owner shall provide an Arborist Report and obtain a "Private Property Tree Removal \& Protection" permit through the forestry division prior to building permit approval.

## By-Law and Compliance, Licensing and Permit Services:

No comments to date.

## Financial Planning and Development Finance:

No comment, no concerns.

## Fire Department:

No comments to date.

## Schedule A - Plans \& Sketches

## Schedule B - Public Correspondence

None
Schedule C - Agency Comments
Alectra (Formerly PowerStream) - No concerns or objections
Region of York - No concerns or objections

## Schedule D - Previous Approvals (Notice of Decision)

None

## Staff Recommendations:

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

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application considers the following:
$\checkmark$ That the general intent and purpose of the by-law will be maintained.
$\checkmark$ That the general intent and purpose of the official plan will be maintained.
$\checkmark$ 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 <br> Christine Vigneault <br> $905-832-8585 \times 8332$ <br> christine.vigneault@vaughan.caApplicant to provide payment of Adjournment Fee (see Fee <br> Schedule) prior to the rescheduling of Application A156/20, if <br> required. |  |

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:
\(\left.\left.$$
\begin{array}{|l|l|l|}\hline & \text { Department/Agency } & \text { Condition } \\
\hline 1 & \begin{array}{l}\text { Development Planning } \\
\text { Roberto Simbana } \\
905-832-8585 \times 8810 \\
\text { roberto.simbana@vaughan.ca }\end{array} & \text { Application under Review } \\
\hline 2 & \begin{array}{l}\text { Development Engineering } \\
\text { Farzana Khan } \\
905-832-8585 \times 3608 \\
\text { Farzana.Khan@Vaughan.ca }\end{array} & \begin{array}{l}\text { The Owner/applicant shall submit the final Lot Grading } \\
\text { and/or Servicing Plan to the Development Inspection and } \\
\text { Lot Grading division of the City's Development Engineering } \\
\text { Department for final lot grading and/or servicing approval } \\
\text { prior to any work being undertaken on the property. Please } \\
\text { visit or contact the Development Engineering Department } \\
\text { through email at DEPermits@vaughan.ca or visit } \\
\text { https://www.vaughan.ca/services/residential/dev eng/permit }\end{array} \\
\text { s/Pages/default.aspx to learn how to apply for lot grading } \\
\text { and/or servicing approval. }\end{array}
$$\right\} \begin{array}{l}Applicant/owner shall provide an Arborist Report and obtain <br>
a "Private Property Tree Removal \& Protection" permit <br>
through the forestry division prior to building permit <br>

approval.\end{array}\right\}\)| Parks, Forestry and Horticulture |
| :--- |
| Operations |
| Zachary Guizzetti |
| 905-832-8585 x3614 |
| Zachary.Guizzetti@vaughan.ca |

## 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 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 Adriana MacPherson 

T 9058328585 Extension 8360
E CofA@vaughan.ca

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

# $\sqrt{\text { VIUGGAN }}$ <br> A156/20 - Notification Map 



March 17, 2021 11:00 AM



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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

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
utilities
Discover the possibilities

## 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

## MacPherson, Adriana

Subject:<br>FW: A156/20 - Request for Comments

From: Hurst, Gabrielle [Gabrielle.Hurst@york.ca](mailto:Gabrielle.Hurst@york.ca)
Sent: March-11-21 3:20 PM
To: MacPherson, Adriana [Adriana.MacPherson@vaughan.ca](mailto:Adriana.MacPherson@vaughan.ca)
Cc: Committee of Adjustment [CofA@vaughan.ca](mailto:CofA@vaughan.ca)
Subject: [External] RE: A156/20 - Request for Comments

Good afternoon Adriana,
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 4649675 ext 71538 | Gabrielle.hurst@york.ca | www.york.ca

