VAUGHAN Staff Report Summary

Item # 09

Ward #3

File: A	022/21
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Applicant: Domenic and Sara Oliveri

16 Dianawood Ridge, Woodbridge Address:

Great Room Inc. Agent:

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	\checkmark ×
Committee of Adjustment		
Building Standards		
Building Inspection		
Development Planning		
Development Engineering		
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
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: 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 Page 2 Agenda Item: 09

A022/21

Ward: 3

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live	Thursday, April 8, 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:	Domenic and Sara Oliveri
Agent:	Great Room Inc.
Property:	16 Dianawood Ridge, Woodbridge
Zoning:	The subject lands are zoned R1 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 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
 A minimum rear yard setback of 7.5 metres to the proposed Cabana is required. 	1. To permit a minimum rear yard setback of 2.52 metres to the proposed Cabana.
2. A minimum interior side yard setback of 1.5 metres to the proposed Cabana is required.	 To permit a minimum interior side yard setback of 1.25 metres to the proposed Cabana.

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.

Staff Report A022/21

Committee of Adjustment:

Public notice was mailed on March 24, 2021

Applicant confirmed posting of signage on March 24, 2021

Property Information		
Existing Structures	Year Constructed	
Dwelling	1985	
Cabana	TBC	
In Ground Pool	TBC	

Applicant has advised that they cannot comply with By-law for the following reason(s): The current zoning Bylaw is too restrictive with regards to rear yard Cabana's

Adjournment Request: N/A

Building Standards (Zoning Review):

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

Building Permit No. 20-114222 for Single Detached Dwelling - Addition, Issue Date: Jan 07, 2021

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"

The Owner is requesting permission to construct a cabana in the rear with the above noted variances. At the request of the Development Planning Department, the Owner has revised his initial proposal to increase the rear yard soft landscape from 37.5 % to 62.5 %, thereby, complying and eliminating the required variance for minimum soft landscape of 60%.

In support of this application, the Owner submitted an Arborist Report, prepared by Noica Consulting Inc., dated February 6, 2021. The Urban Design Division of the Development Planning Department has reviewed the Arborist Report and has no concerns with respect to the proposed works.

The Development Planning Department has no objection to the proposed variances, given the accessory structure is appropriately distanced to the adjacent dwellings and situated in an area that provides sufficient soft landscaping. The reduction in rear and interior side yard setback is offset by the fact the cabana complies with the height and area provisions of Zoning By-law 1-88.

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:

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 A022/21. 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 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 Comment

By-Law and Compliance, Licensing and Permit Services: No Comment.

Staff Report A022/21

Financial Planning and Development Finance: No comment, no concerns

Fire Department: No comment.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections York Region – No concerns or objections MTO – Located outside of MTO permit control area

Schedule D - Previous Approvals (Notice of Decision)

N/A

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.
- ✓ 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	The Owner/applicant shall submit the final Lot Grading and/or
	Farzana Khan	Servicing Plan to the Development Inspection and Lot Grading
		division of the City's Development Engineering Department for final
	905-832-8585 x 3608	lot grading and/or servicing approval prior to any work being
	Farzana.Khan@Vaughan.ca	undertaken on the property. Please visit or contact the
		Development Engineering Department through email at
		DEPermits@vaughan.ca or visit
		https://www.vaughan.ca/services/residential/dev_eng/permits/Page
		s/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 <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 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 A022/21 - Location Map



Langstaff Road

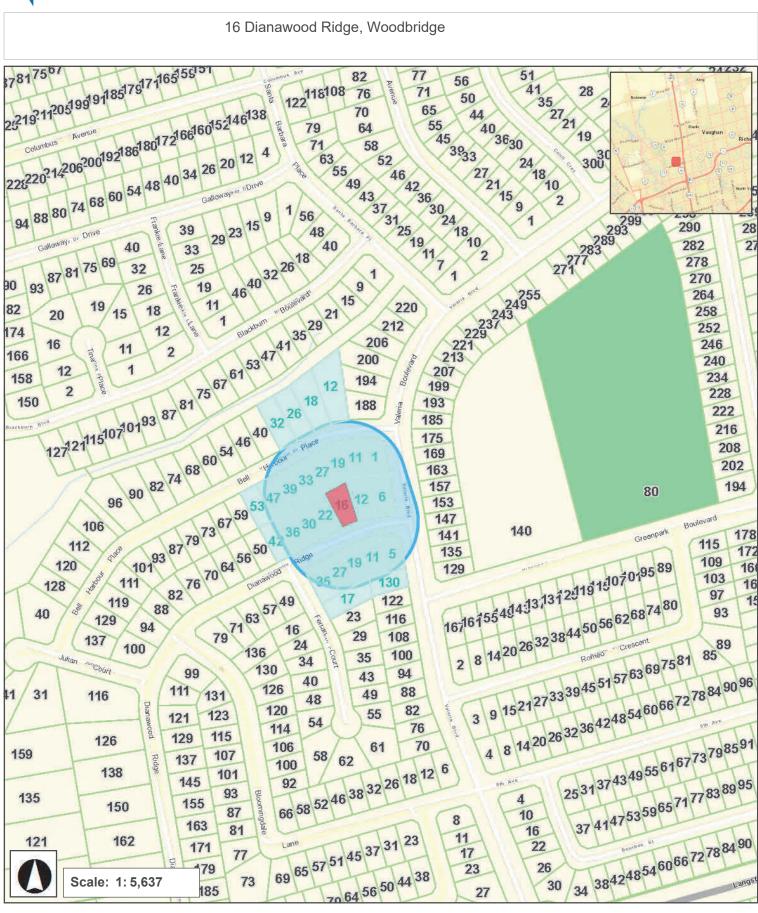
March 23, 2021 2:06 PM

Weston Road



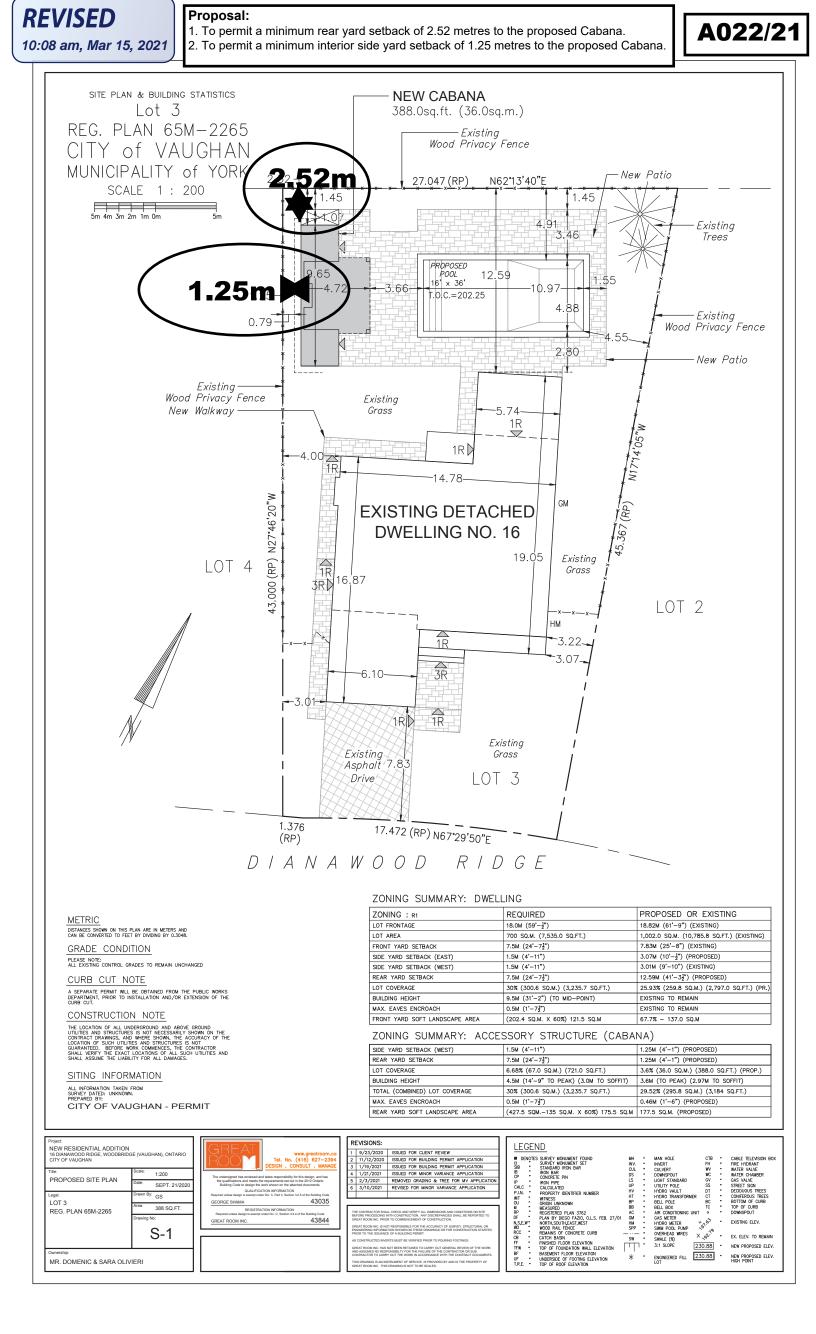
Weston Road

VAUGHAN A022/21 - Notifcation Map



Langstaff Road

February 19, 2021 9:43 AM







OUTDOOR SHOWER OPTIONAL PRIVACY SCREEN 0 7'-4" WASH BENCH ROOM 7'2" × 6'10" HOOKS **LOUNGE** 14'0"(12'0") × 15'4" BAR FR. 31'-8" [9.65m] GAS FIREPLACE 65" LED 31'-8" [9.65m] 31'-8" 17'-0" \bigotimes (), J 7'-4" POOL⁴ MECH. 7'2" × 6'10" 8'-6" 7'-0" 15'-6" [4.72m]

CABANA GROUND FLOOR PLAN

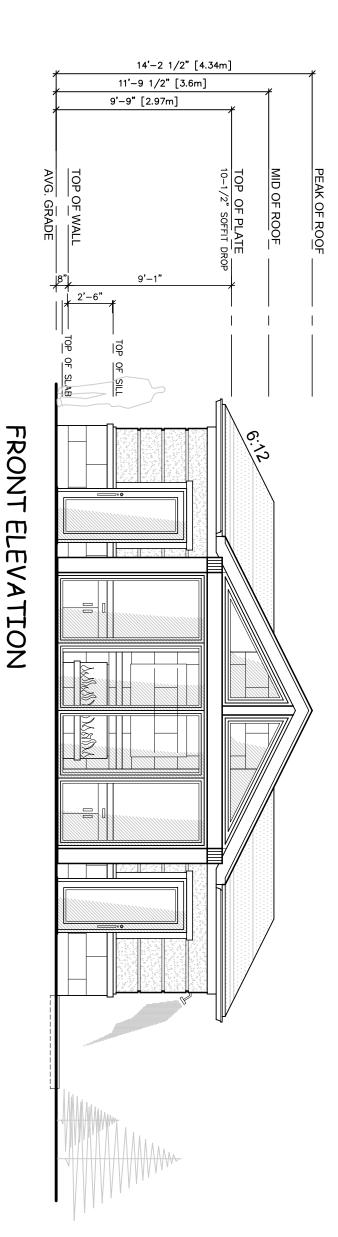
ENCLOSED BUILDING AREA = 140 sq.ft. COVERED AREA = 248 sq.ft. COVERAGE = 388 sq.ft.

orientation of home way be reversed and purchaser agrees to accept the same steps may way at any externore entrance ways due to grading variance. Note actual floor space may vary from the stated floor area all renderings are artists concept. Dimensions, specifications and architectural detailing are subject to major variance, e & 0.e.



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ARTISTS IMPRESSION Organization of Hole way be increased and management to accept the same, steps way way at moto defining bittinger ways but to groups whence, note, actuly, ficore space way way from the sunde floor mean, all requerings are artists concept, dualisations, specifications and argument replande are subject to wave waves. E & O.E.

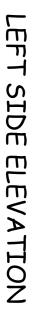


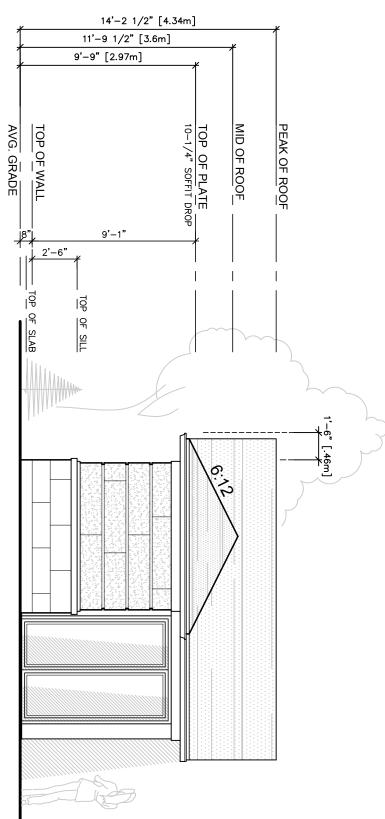
16 Dianawood Ridge Ground Floor Plan Concept 4

GREAT

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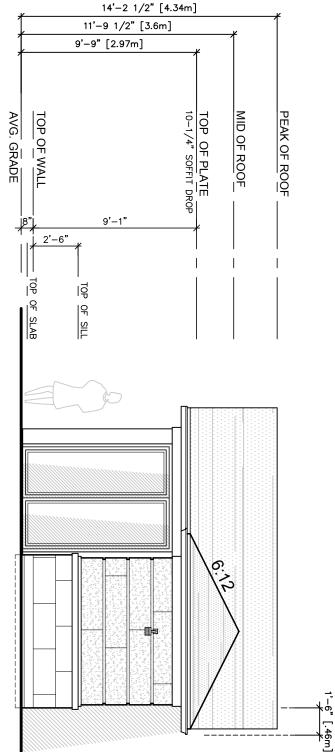
16 Dianawood Ridge Ground Floor Plan Concept 4

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ARTISTS IMPRESSION

RIGHT SIDE ELEVATION

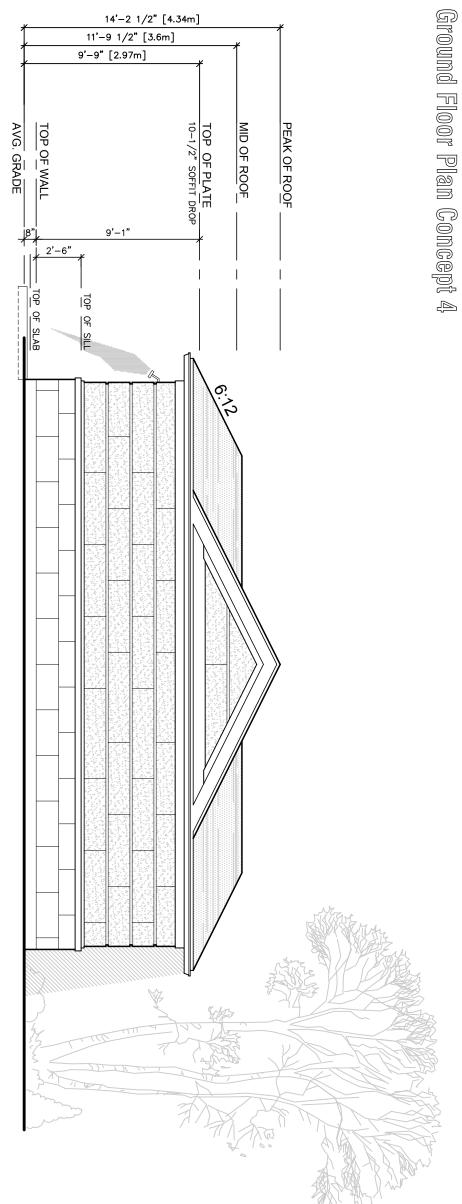


16 Dianawood Ridge Ground Floor Plan Concept 4



ARTISTS IMPRESSION Organization of how we recess no previous ages to accept the saw, steps we wer at an detended differer was due to groups werker, hore actual rock space we way from the state floor area, all requering are affects concept, duescand, specerations and areating are subject to many warker. If a cl

REAR ELEVATION



16 Dianawood Ridge

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 or objections MTO – Located outside of MTO permit control area



COMMENTS:

X We

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

MacPherson, Adriana

Subject: FW: A022/21 - Request for Comments

From: Development Services <developmentservices@york.ca> Sent: March-29-21 1:36 PM To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca> Subject: [External] RE: A022/21 - Request for Comments

Good afternoon Adriana

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

Gabrielle

MacPherson, Adriana

Subject:FW: A022/21 - Request for CommentsAttachments:A022-21 - CIRC.pdf

From: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>
Sent: February-17-21 11:49 AM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Vigneault, Christine <Christine.Vigneault@vaughan.ca>
Subject: [External] FW: A022/21 - Request for Comments

This site is not within MTO permit control area and MTO has no concerns.

Cameron Blaney I Corridor Management Planner I Simcoe & York Highway Corridor Management Section – Central Operations 159 Sir William Hearst Avenue I Ministry of Transportation 7th Floor, Building D I Downsview, Ontario I M3M 0B7 416-358-7871 Cameron.Blaney@ontario.ca