

File: A077/21**Applicant:** Giuseppe Di Manno**Address:** 110 Pine Valley Crescent, Woodbridge**Agent:** Allyssa Hrynyk

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"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
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: Adriana MacPherson

Hearing Date: Thursday, April 29, 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: 31

A077/21

Ward: 3

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, April 29, 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: Giuseppe Di Manno

Agent: Allyssa Hrynyk

Property: 110 Pine Valley Crescent, Woodbridge

Zoning: The subject lands are zoned RR 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 single family dwelling.

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

By-law Requirement	Proposal
1. A maximum lot coverage of 10% is permitted	1. To permit a maximum lot coverage of 16.74% (9.46% house, 4.15% garage, 3.13% sunroom).
2. A maximum building height of 9.5 metres is permitted.	2. To permit a maximum building height of 11.81 metres.

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 April 14, 2021

Applicant confirmed posting of signage on April 14, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling (existing)	1960
Dwelling (proposed)	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): The proposed style of the home takes its inspiration for the renaissance period which was based on strong symmetry and order. The additional height is needed to provide property proportion and scale appropriate to this style of architecture. The additional coverage is needed to include an attached cabana and symmetrical garages on each side.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(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 10m2

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"

Application under review.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A077/21. subject to the following condition(s):

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.

Parks Development - Forestry:

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

Applicant/owner shall be liable for any tree damages as a result of construction as per By-law 052-2018.

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. (if applicable).

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.

Revise Arborist Report to reflect 35 replacement trees instead of the listed 33.

Recommended condition of approval:

Applicant/owner shall 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 received to date

Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Fire Department:
No comments received to date

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
Applicant Correspondence (Application Cover Letter)

Schedule C - Agency Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
MTO – Located outside of MTO permit control area

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 Planning Roberto Simbana 905-832-8585 x 8810 roberto.simbana@vaughan.ca	Application under review.
2	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	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.
3	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x3614 Zachary.Guizzetti@vaughan.ca	Applicant/owner shall obtain a “Private Property Tree Removal & Protection” permit through the forestry division prior to building permit 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.

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

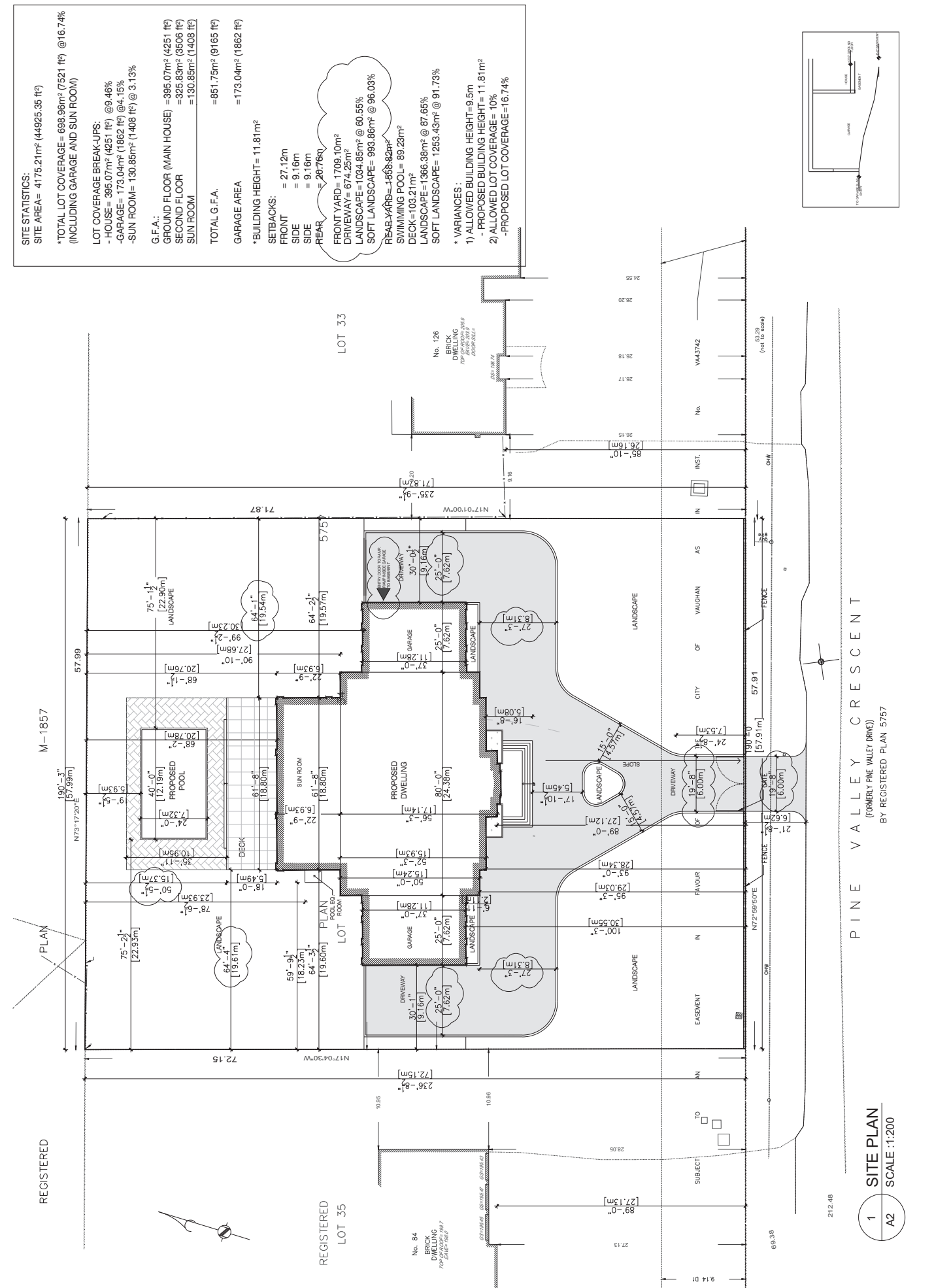
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Schedule A: Plans & Sketches

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

1. To permit a maximum lot coverage of 16.74% (9.46% house, 4.15% garage, 3.13% sunroom).
2. To permit a maximum building height of 11.81 metres.

[illegible]

Giancarlo Garofalo Architect Inc.
www.ggarchitect.ca

THE GENERAL CONTRACTOR SHALL REPORT AND VERIFY ALL DIMENSIONS AND REPORT ERRORS AND OMISSIONS TO THE ARCHITECT. DRAWINGS MUST NOT BE SCALED.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY:

Consultant
Address
Address
Phone
Fax
e-mail

ONTARIO ASSOCIATION
OF ARCHITECTS
Giuseppe Garofalo
GIUSEPPE GAROFALO
LICENCE
3604

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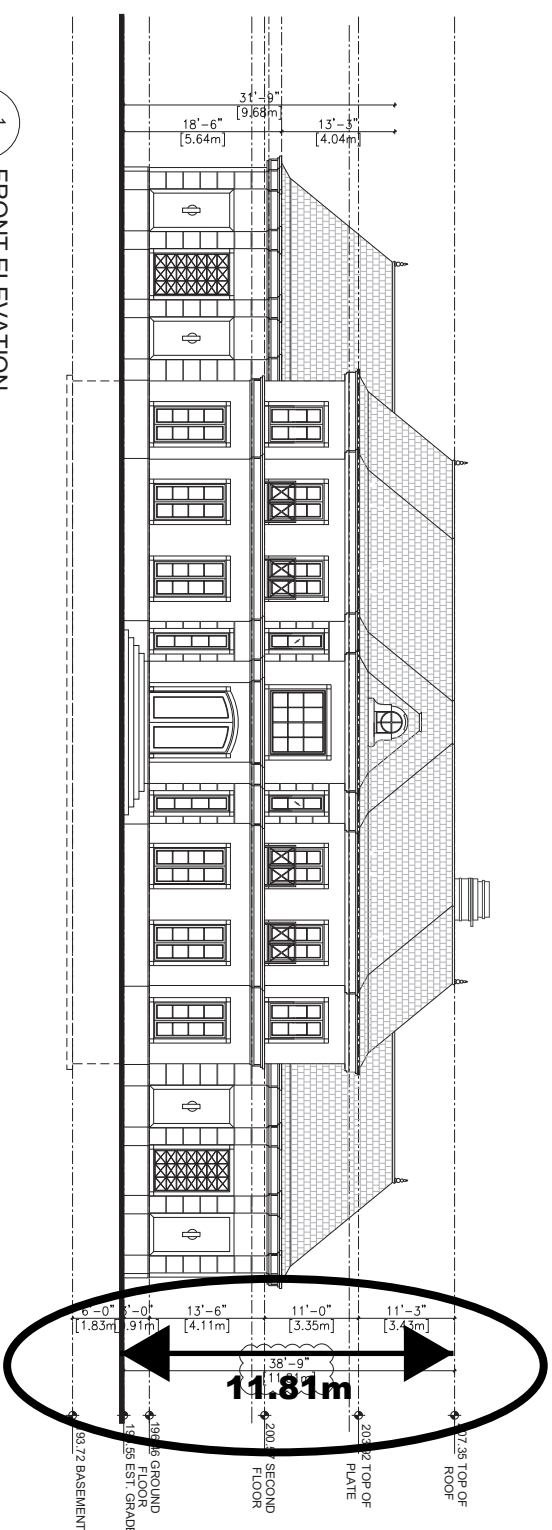
DIMANNO RESIDENCE
110 Pine Valley Crescent, Woodbridge, ON L4L 2W4

PROPOSED
FRONT ELEVATION

Project number	
Date	DEC 2020
Drawn by	H.P.
Checked by	G.G.

A6

Scale	as noted
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1 FRONT ELEVATION
A6 SCALE : 1:100

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www.ggarchitect.ca

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Consultant
Address
Address
Phone
Fax
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ONTARIO ASSOCIATION
OF
ARCHITECTS
Leanne
GIANCANTO BARONALLO
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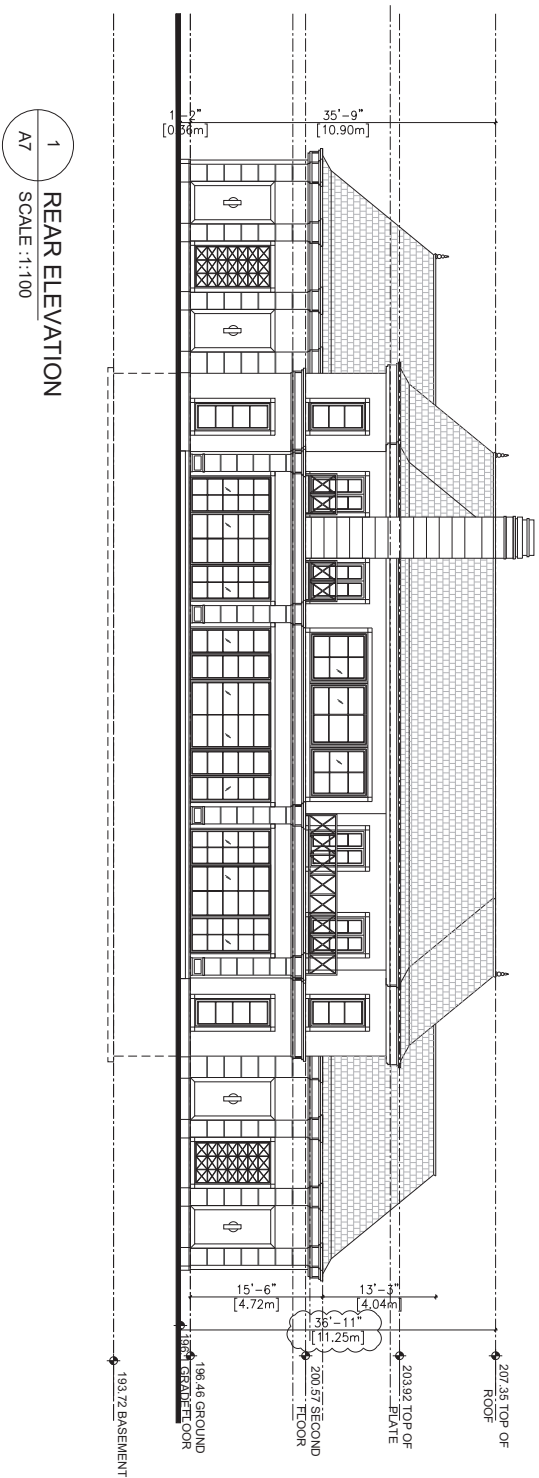
DIMANNO RESIDENCE
1110 Pine Valley Crescent, Woodbridge, ON L4L 2W4

PROPOSED
REAR ELEVATION

Project number	
Date	DEC 2020
Drawn by	H.P.
Checked by	G.G.

A7

Scrib	as noted
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1 REAR ELEVATION
A7 SCALE : 1:100

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www.ggarchitect.ca

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Consultant
Address
Address
Phone
Fax
e-mail



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OF ARCHITECTS
GIANCARLO GAROFALO
LICENCE
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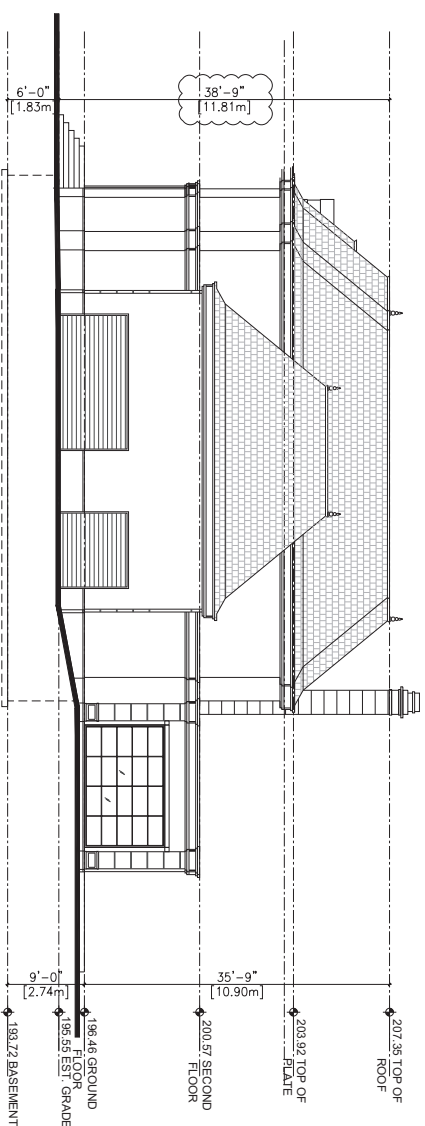
DIMANNO RESIDENCE
110 Pine Valley Crescent, Woodbridge, ON L4L 2W4

PROPOSED
RIGHT SIDE ELEVATION

Project number	
Date	DEC 2020
Drawn by	H.P.
Checked by	G.G.

A8

Scale	as noted
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1	RIGHT SIDE ELEVATION
A8	SCALE : 1:100

Giancarlo Garofalo Architect Inc
www.ggarchitect.ca

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS COUNTERSIGNED BY:

Fax
e-mail

ONTARIO ASSOCIATION
OF
ARCHITECTS
John A. Garofalo
GAROFALO GAROFALO
LICENCE
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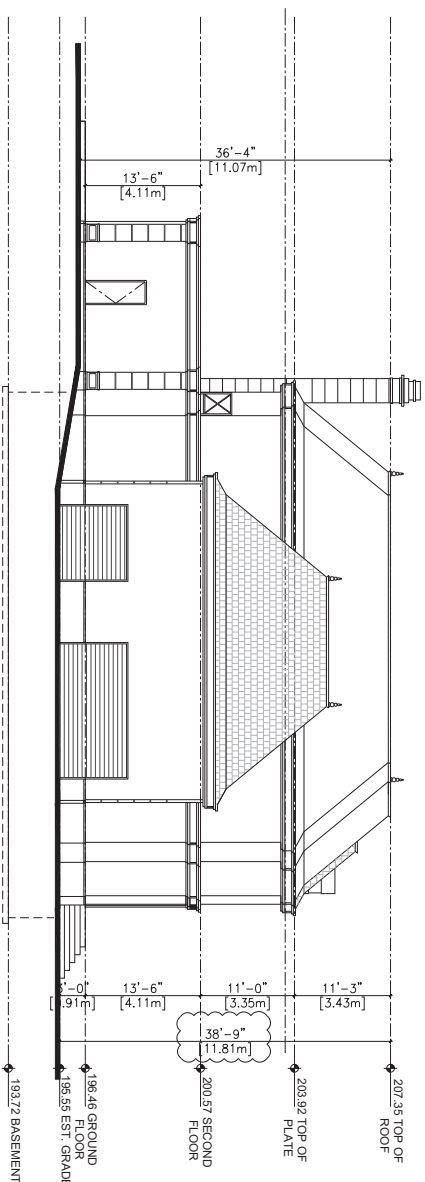
DIMANNO RESIDENCE
110 Pine Valley Crescent, Woodbridge, ON L4L 2W4

PROPOSED
LEFT SIDE ELEVATION

Project number	
Date	DEC 2020
Drawn by	H.P.
Checked by	G.G.

A9

Scale	as noted
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1	LEFT SIDE ELEVATION
A9	SCALE :1:100

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.

Applicant Correspondence (Application Cover Letter)

February 16, 2020

MGP File: 21-2985

Office of the City Clerk
c/o Committee of Adjustment
Vaughan City Hall, Level 100
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

via email: cofa@vaughan.ca

Attention: Committee of Adjustment

**RE: Appliation for Minor Variance
 110 Pine Valley Crescent**

Malone Given Parsons Ltd. has been retained by the owner of 110 Pine Valley Crescent, Joe Di Manno, to submit an Application for Minor Variance to support the construction of a new single detached dwelling. This letter provides details with regards to the requested variances and a land use planning summary in support of the application.

The owner wishes to construct a new single family detached home on the property, to replace the existing single family home on the property constructed in and around 1960 (**Figure 1**). A minor variance is sought from **Zoning Bylaw 1-88** from the 10% coverage limitation and the 9.4 metre height limit of the Rural Residential (RR) zone to permit 17% coverage and a building height of 11.81 metres. The requested variance is minor in nature given the large size of the property and will not create any negative impacts on the adjacent uses. The variance is in keeping with the character of the street and neighbourhood, as many lots along Pine Valley Crescent have been granted similar scaled variances to support the construction of larger homes. The variance supports the objectives and policies of the Official Plan and intent of the Zoning By-law.

Figure 1: Air Photo of 110 Pine Valley Crescent



Source: Google Imagery 2021

In accordance with Section 45(1) of the Planning Act, a minor variance can be granted if it meets the following four tests.

1. The variance is desirable for the appropriate development and use of the land.

The proposal is in keeping with the characteristics of the street and neighbourhood and consistent with the planned use of the land. Like other homes on the street and in the neighbourhood, increases in coverage and height have been granted of a similar extent (**Figure 2 and 3**). The additional height permissions will only be applied near the centre of the building/lot as the proposed home features a hipped roof design and steps down to one story attached garages on each side.

2. The variance is minor in nature.

To assess whether the requested variance is minor in nature one must consider the impacts the variance may create, if any. The extent of the impact of the variance on neighbouring properties and the neighbourhood as a whole is minor to nonexistent. The requested variance from 10% coverage to 17% will maintain the front, rear and sideyard setbacks and provides for plenty of amenity and landscaping space remains consistent with the homes along Pine Valley Crescent. The additional ~2 metres in height will not create any negative impacts with overlook or shadow given that proposed house steps down to one storey on each side. The proposed variances will not cause any conflict with the homes on the adjacent lots.

3. The variance maintains and meets the general intent and purpose of the bylaw.

The variances maintains and is in keeping with the general intent and purpose of Zoning Bylaw 1-88 Rural Residential Zone through the continued use of the property for low density, single family dwelling on large lots and adherence to all the other standards apart from the coverage and height standards.

4. The variance maintains and meets the intent and purpose of the Official Plan.

The variance supports the goal of the Vaughan Official Plan (VOP) which seeks to maintain the stability of existing residential communities, direct well designed, context-sensitive development, and provide for a wide range of housing choices. The VOP requires new development to respect and reinforce the existing and planned context and physical character of the established neighbourhood within which it is located. More specifically, the property falls within Vaughan's Established Large Lot Neighbourhoods and is subject to the policies of 9.1.2.3 that strive to preserve the character of established, large-lot neighbourhoods. These policies require that new development in *Established Large Lot Neighbourhoods* maintain the established pattern of setbacks, building height and lot coverage consistent with the existing character, scale and homes in the area. The proposed home maintains the setbacks of the established zone provisions and the variance for height (see **Figure 2-3** for examples of existing homes on Pine Valley Crescent) and coverage (**Figure 1**) is consistent with other new homes on Pine Valley Crescent.

Figure 2: 113 Pine Valley Crescent



Source: Google, Street View (July 2018)

Figure 3: 143 Pine Valley Crescent



Source: Google, Street View (July 2018)

For the reasons detailed in this letter, it can be concluded that the requested variance maintains the purpose and intent of the Official Plan and Zoning Bylaw, is appropriate and desirable, and is minor in nature and therefore should be granted. We thank the City and the Committee for their time in reviewing this matter and are available to provide any additional information that may be required to assist in your review.

Yours very truly,
Malone Given Parsons Ltd.



Allyssa Hrynyk, MCIP, RPP, AICP, MUDS
Senior Planner - Urban Design

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
- MTO – Located outside of MTO permit control area

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: FW: A077/21 - Request for Comments

From: Development Services <developmentservices@york.ca>
Sent: April-11-21 1:44 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A077/21 - Request for Comments

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

Gabrielle

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

MacPherson, Adriana

Subject: FW: A077/21 - Request for Comments

From: Mulrenin, Colin (MTO) <Colin.Mulrenin@ontario.ca>
Sent: April-08-21 11:13 AM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>
Subject: [External] RE: A077/21 - Request for Comments

Good morning,

The property at 110 Pine Valley Crescent is not within the MTO permit control area and MTO has no comments.

Colin Mulrenin | Corridor Management Officer | York
Highway Corridor Management Section – Central Operations
159 Sir William Hearst Avenue | Ministry of Transportation
7th Floor, Building D | Downsview, Ontario | M3M 0B7
Colin.Mulrenin@ontario.ca