



File: A166/20

Applicant: Samvel Shahbazyan and Lilit Hakobyan

Address: 15 Melissa Court, Maple

Agent: Evans Planning

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"/>	
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)		

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: 6

A166/20

Ward: 1

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: Samvel Shahbazyan and Lilit Hakobyan

Agent: Evans Planning

Property: 15 Melissa Court, Maple

Zoning: The subject lands are zoned RR 9(173) 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" and located within the "Oak Ridges Moraine Countryside" area

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 with attached 3 car garage and rear covered deck (loggia) and the installation of a proposed pool. Relief is also being requested to permit the width and angle of the proposed driveway.

The existing dwelling is to be demolished.

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

By-law Requirement	Proposal
1. The maximum lot coverage is 10%. [4.1.9, Schedule "A"]	1. The proposed lot coverage is 15%.
2. The maximum building height is 9.5 metres. [4.1.9, Schedule "A"]	2. The proposed building height is 10.0 metres.
3. The maximum width of a driveway at the street curb and a curb cut shall be six (6) metres. [4.1.4 f) i)]	3. The proposed width of the drive at the street curb and the curb cut is 8.55 metres.
4. The driveway located between a lot line abutting a street and a garage or dwelling wall in the front yard shall be not greater than 9.0 metres wide. [4.1.4 f) v)]	4. The driveway located between a lot line abutting a street and a garage or dwelling wall in the front yard is 15.68 metres wide.
5. The minimum angle of intersection between the centre line of a driveway and the street line shall be 60 degrees. [3.8 i)]	5. The proposed angle of intersection between the centre line of a driveway and the street line is 40 degrees.
6. Exterior stairways not exceeding one-half storey in height shall be permitted in any yard. [3.14 b)]	6. The exterior stairway within the interior side yard (at the east side) is one storey in height.
7. Exterior stairways may extend into a required interior side yard to a maximum distance of 0.3 metres. [3.14 c)]	7. The exterior stairway extends into the required interior side yard (at the east side) 1.22 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 12, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC
Loggia	TBC
In Ground Pool	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): The proposed home and outdoor amenities require a small increase in permitted lot coverage, Irregular sloping of lot necessitates higher outside stairs from amenity area to home area.

Adjournment Request: None

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.

Please note that the Zoning Review was based solely on the information submitted for (Application Form, Site Plan, Front Elevation). A complete review with all zoning by-law provisions could not be completed based on the information provided.

Please note that the proposed coverage was based solely on the information provided on the application. No statistics were provided in conjunction with the submitted drawings, and lot coverage could not be calculated based on the drawings submitted.

Please note that any proposed Air Conditioner Unit and/or Swimming Pool Equipment shall comply with the minimum required yards and permitted yard encroachments within Section 3.14.

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

The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and located within the "Oak Ridges Moraine Countryside" area

Application under review.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A166/20 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 shall obtain a “Private Property Tree Removal & Protection” permit through the forestry division prior to building permit approval.

Applicant/owner shall amend the arborist report to the satisfaction of the forestry division.

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 would recommend altering the location of the proposed septic. Tree removals within the existing woodlands should be avoided.

Forestry will not issue a tree removal permit until Policy Planning and Environmental Sustainability have provided clearance for any tree removals located within the woodlands.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date

Development Finance:

No comments.

Fire Department:

No comments received 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
- MTO – Located outside of MTO permit control area

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.

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

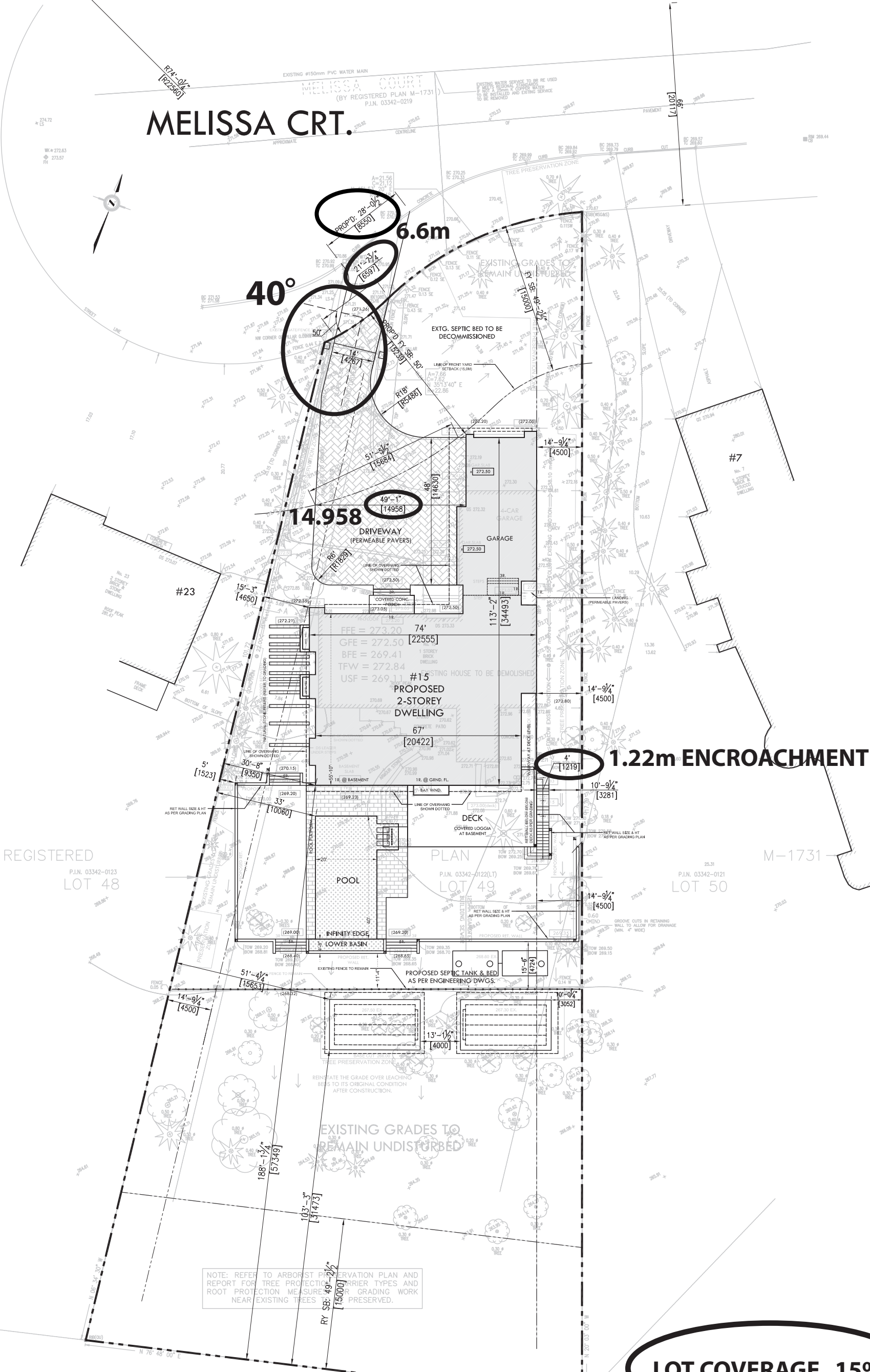
E CofA@vaughan.ca

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

MELISSA CRT.



- Proposal:**
- 1. The proposed lot coverage is 15%.
 - 2. The proposed building height is 10.0 metres.
 - 3. The proposed width of the drive at the street curb and the curb cut is 8.55 metres.
 - 4. The driveway located between a lot line abutting a street and a garage or dwelling wall in the front yard is 15.68 metres wide.
 - 5. The proposed angle of intersection between the centre line of a driveway and the street line is 40 degrees.
 - 6. The exterior stairway within the interior side yard (at the east side) is one storey in height.
 - 7. The exterior stairway extends into the required interior side yard (at the east side) 1.22 metres.

LOT COVERAGE 15%

021	S.Z.
021	S.Z.

A1

SITE PLAN

SCALE 1/32"=1'-0"

Zanjani Architect Inc.
15 Allstate Pkwy, Unit 664
Markham, ON L3R 5B4
T: 416.917.8285
E: info@zanjaniarchitect.com

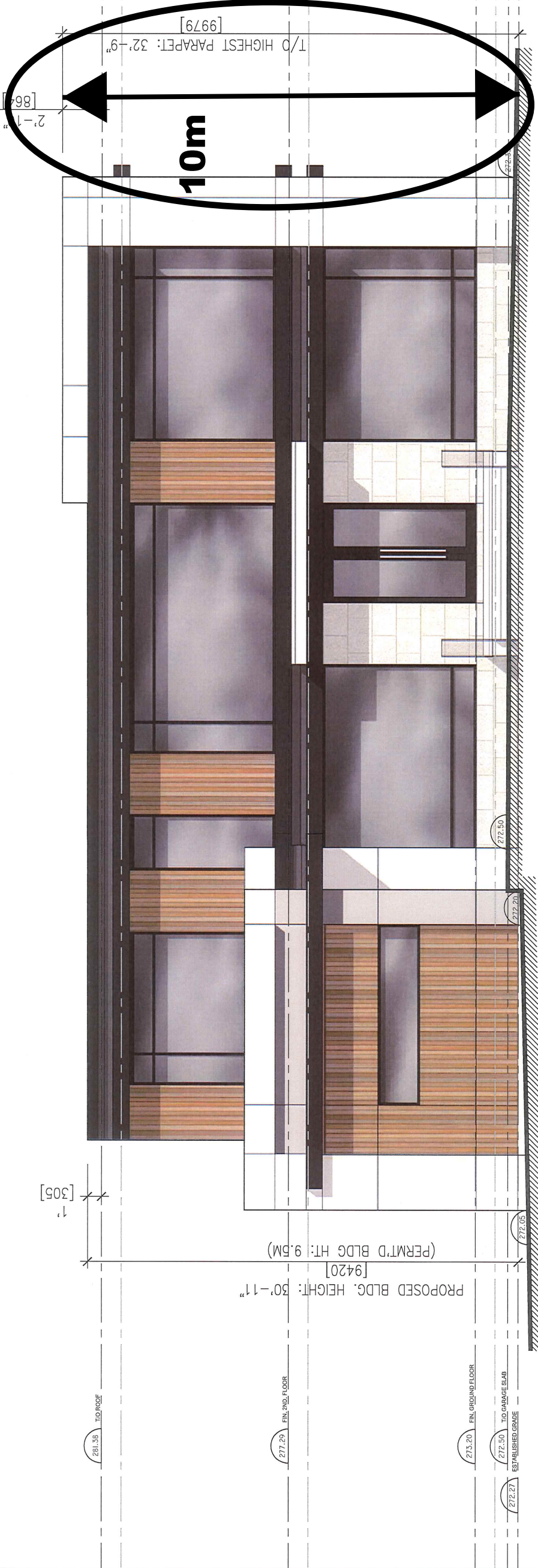
Issued:			
01	DRAFT FOR DISCUSSION	NOV. 09. 2020	S.Z.
02	FOR COA SCHEMATIC	DEC. 24. 2020	S.Z.

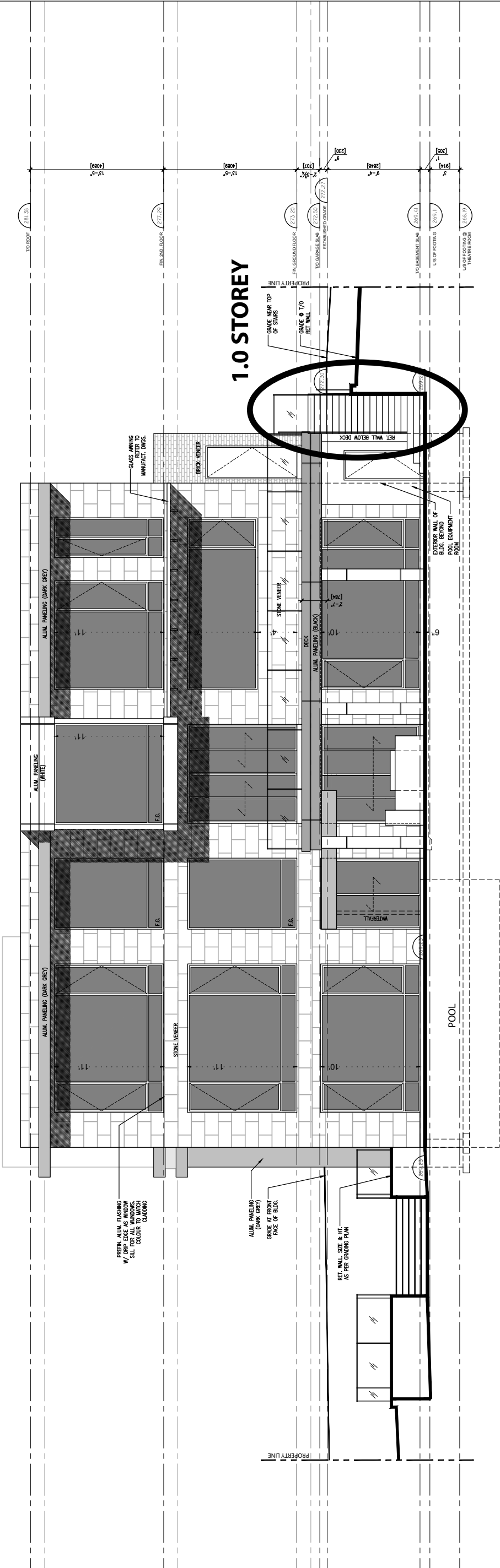
Issued:			

A6

15 MELISSA CRT.
VAUGHAN . ON

FRONT ELEVATION
SCALE 1/8"=1'-0"





Zanjani Architect Inc.
15 Allstate Pkwy, Unit 664
Markham, ON L3R 5B4
T: 416.917.8285
E: info@zanjaniarchitect.com

Issued:			
01	DRAFT FOR DISCUSSION	NOV. 09. 2020	S.Z.
02	FOR CLIENT REVIEW	JAN. 28. 2021	S.Z.

Issued:			

A9

15 MELISSA CRT.
VAUGHAN . ON

REAR (SOUTH) ELEVATION
SCALE 3/32"=1'-0"

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
- 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: A166/20 - Request for Comments

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: April-16-21 10:39 AM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Subject: [External] RE: A166/20 - Request for Comments

Good morning 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: A166/20 - Request for Comments

From: Mulrenin, Colin (MTO) <Colin.Mulrenin@ontario.ca>
Sent: April-14-21 4:55 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>
Subject: [External] RE: A166/20 - Request for Comments

Good afternoon,

As the property at 15 Melissa Court is outside the MTO permit control area, MTO has no comments.

Colin Mulrenin (he/him) | 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