

VAUGHAN Staff Report Summary

Item 13

Ward 4

Applicant: Frank Nudo & Jill Ashley Toffoli

55 Glenheron Cr Maple Address:

Frasca Giorgio 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	√ ×
Committee of Adjustment	\square	
Building Standards	\square	
Building Inspection		
Development Planning	$\overline{\square}$	
Development Engineering	\square	$\overline{\mathbf{V}}$
Parks, Forestry and Horticulture Operations	\square	
By-law & Compliance	$\overline{\square}$	
Financial Planning & Development	V	
Fire Department	V	
TRCA		
Ministry of Transportation	$\overline{\square}$	
Region of York	V	
Alectra (Formerly PowerStream)	\square	
Public Correspondence (see Schedule B)		
Adjournment History: N/A		
Background History: N/A		
Background inclory. 14/71		

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday, June 10, 2021



Minor Variance Application

Agenda Item: 13

A090/21 Ward: 4

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing:

Thursday, June 10, 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: Frank Nudo & Jill Ashley Toffoli

Agent: Frasca Giorgio

Property: 55 Glenheron Cr Maple

Zoning: The subject lands are zoned RD3 Residential Detached Zone Three and subject to

the provisions of Exception No. 9(1205) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Residential"

Related Files: None

Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction

of two proposed cabanas to be located in the rear yard and a loggia to be attached

to the rear of the existing dwelling.

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

Dy Jaw Danviroment	Dwonoool
By-law Requirement	Proposal
A minimum setback of 7.5 metres is required from the rear lot line to the accessory buildings. (S.4.1.1)	To permit a minimum setback of 0.93 metres from the rear lot line to the accessory buildings.
2. A minimum setback of 1.2 metres is required from the interior side lot line to the accessory buildings. (S.4.1.1)	2. To permit a minimum setback of 0.60 metres from the interior side lot line to the accessory buildings.
3. A maximum building height of 3.0 metres is permitted from the average finished grade to the nearest part of the roof for an accessory building. (S.4.1.1.)	3. To permit a maximum building height of 3.14 metres from the accessory building to the nearest part of the roof (loggia).
4. Where the area of a rear yard is greater than 135m2, a minimum of 60% of that portion of the rear yard in excess of 135m2 shall be composed of soft landscaping.	4. To permit a minimum rear yard soft landscaping of 44%.

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

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: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on May 26, 2021

Applicant confirmed posting of signage on May 26, 2021

Property I	nformation
Existing Structures	Year Constructed
Dwelling	2011

Applicant has advised that they cannot comply with By-law for the following reason(s): Setbacks and requirements seem to be too restrictive for proposed cabana 2 and soft landscaping in the rear yard. In regards to the height variance of the loggia, we cannot comply due to heights of existing conditions (door).

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

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval. An A/C unit and/or pool equipment shall be setback a minimum of 1.2 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard.

Building Inspections (Septic):

No response

Development Planning:

Official Plan: Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Residential"

The Owner is requesting permission to construct a loggia and accessory structures (2 cabana's) in the rear yard. Development Planning Department has no concerns with the proposed variances given the area of the cabanas complies with Zoning By-law 1-88. In regard to reduction of rear yard soft landscape, the Development Engineering is satisfied with the reduction and a similar development in the area has been supported by Development Planning Department and approved by Committee of Adjustment. Overall, the Development Planning Department is of the opinion the proposal will not impact the abutting properties and remains compatible to other rear yard amenity areas.

The Development Planning Department is of the opinion 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 Development Engineering (DE) Department does not object to variance application A090/21. 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.2) The owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the reduced soft landscaping coverage from 60% to 44% in order to mitigate potential impacts on the municipal storm water system.

Parks Development - Forestry:

No comments or concerns.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns.

Development Finance:

No comment no concerns

Fire Department:

No comments or concerns.

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

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 adjourn this application the following condition(s) is required: N/A

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/Pages/
		default.aspx to learn how to apply for lot grading and/or servicing
		approval.2) The owner/applicant shall demonstrate appropriate LID
		(Low-impact Development) measures to the satisfaction of DE to
		address the reduced soft landscaping coverage from 60% to 44% in
		order to mitigate potential impacts on the municipal storm water
		system.

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 <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

T 905 832 8585 Extension 8002 E CofA@vaughan.ca

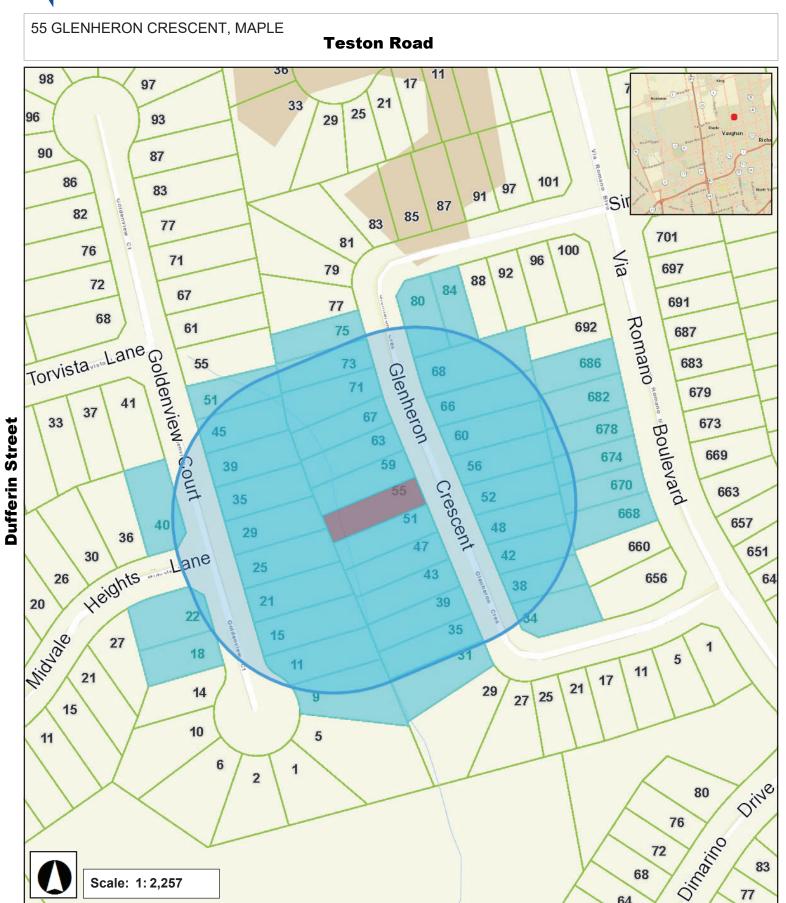
Schedule A: Plans & Sketches

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.

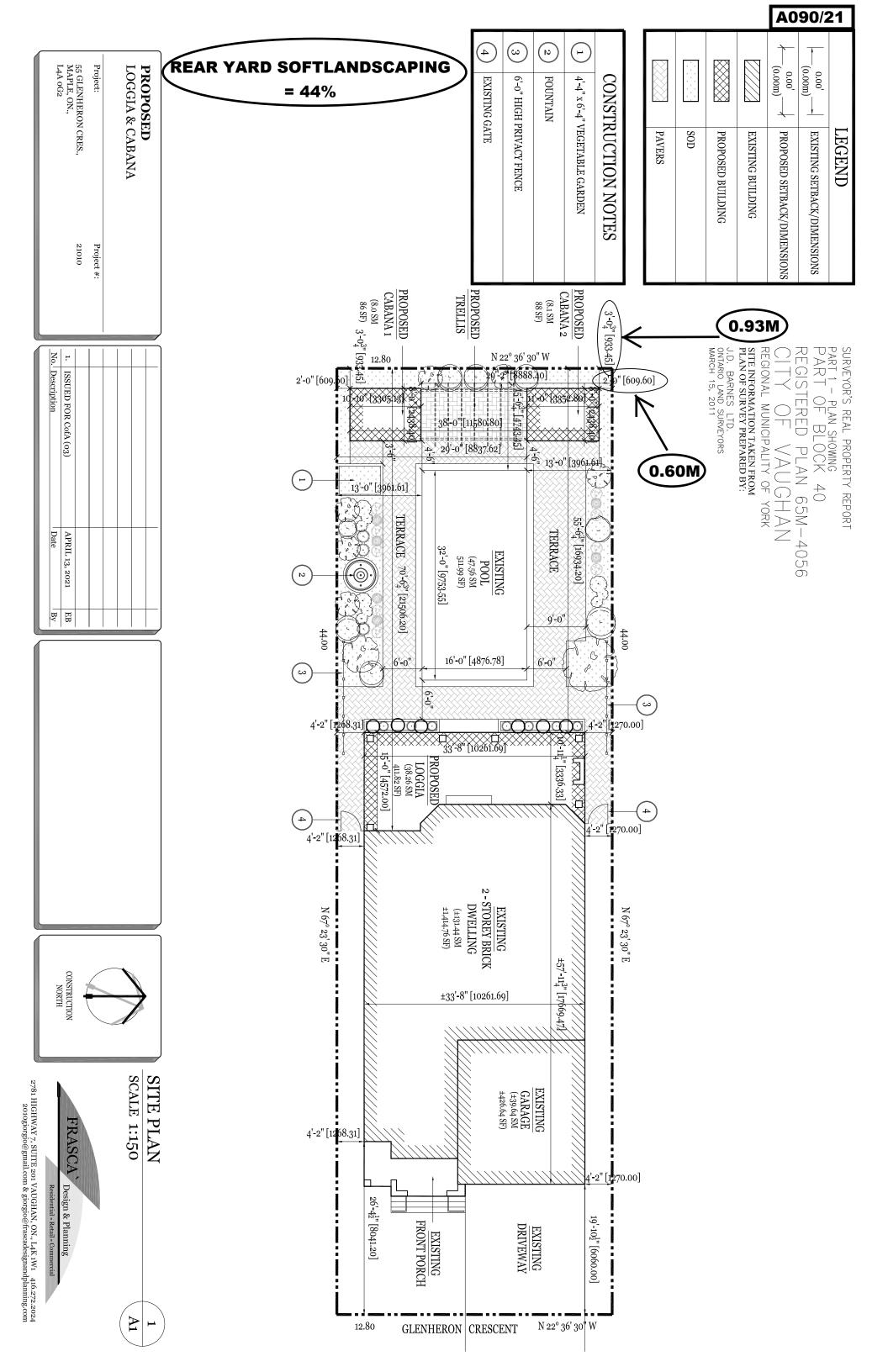
Location Map Plans & Sketches



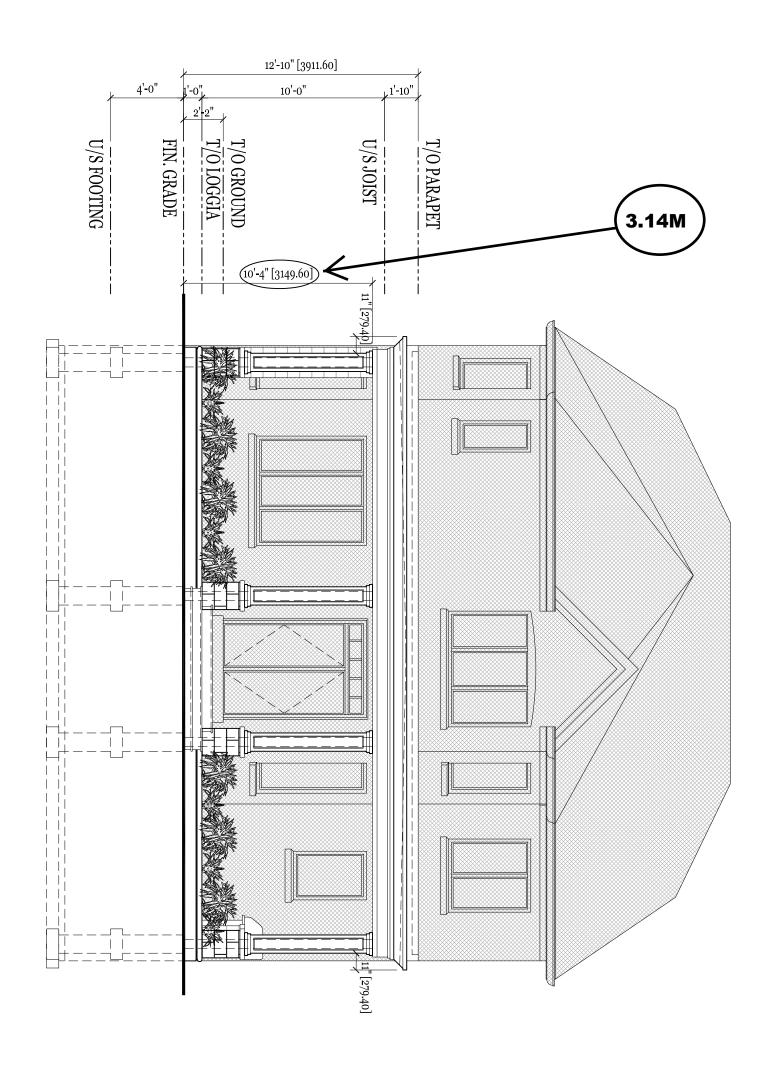
LOCATION MAP - A090/21

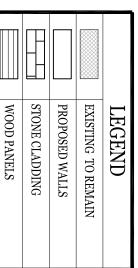


Major Mackenzie Drive



A090/21







Design & Planning
Residential - Retail - Commercial A_3

55 GLENHERON CRES., MAPLE, ON., L4A 0G2

21010 Project #:

No. | Description

ISSUED FOR CofA (03)

APRIL 13, 2021

EΒ

PROPOSED LOGGIA & CABANA

2781 HIGHWAY 7, SUITE 201 VAUGHAN, ON., L4K 1W1 416.272.2024 2010giorgio@gmail.com & giorgio@frascadesignandplanning.com

	1.42% 8.0 SM	N/A	LOT COVERAGE
	2.55 M	3.0 M	MAX. HEIGHT (TO NEAREST POINT OF ROOF)
6.	4.41 M	4.5 M	MAX. HEIGHT (TO ROOF PEAK)
٠ <u>٠</u>	0.93 M	0.6 M	REAR SETBACK (WEST)
.	0.60 M	0.6 M	SIDE SETBACK (SOUTH)
3. FR(0.60 M	0.6 M	SIDE SETBACK (NORTH)
			ACCESSORY STRUCTURE (PROPOSED CABANA 1)
io F	PROPOSED	PERMITTED	
J .t	6.79%	N/A	LOT COVERAGE
	3.14 M	3.0 M	MAX. HEIGHT (TO NEAREST POINT OF ROOF)
1 1	3.91 M	4.5 M	MAX. HEIGHT (TO ROOF PEAK)
	16.93 M	7.5 M	REAR SETBACK (WEST)
(TO N	1.27 M	1.2 M	SIDE SETBACK (SOUTH)
	1.27 M	1.2 M	SIDE SETBACK (NORTH)
			ACCESSORY STRUCTURE (PROPOSED LOGGIA)
	PROPOSED	PERMITTED	
	EXISTING) .23 SF)	563.19 SM (EXISTING) (6,062.23 SF)	TOT
		RD_3	ZONING
F		CITY OF VAUGHAN	
AC		ACCESSORY STRUCTURES	ACCESS
		SITE DATA	SI
1			

1.43% 8.1 SM	10% OR 67 SM (WHICHEVER IS LESSER)	LOT COVERAGE
2.55 M	3.0 M	MAX. HEIGHT (TO NEAREST POINT OF ROOF)
4.41 M	4:5 M	MAX. HEIGHT (TO ROOF PEAK)
0.93 M	7.5 M	REAR SETBACK (WEST)
0.60 M	1.2 M	SIDE SETBACK (SOUTH)
0.60 M	1.2 M	SIDE SETBACK (NORTH)
		ACCESSORY STRUCTURE (PROPOSED CABANA 2)
PROPOSED	PERMITTED	

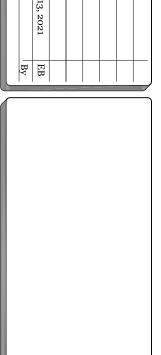
* SOFT LANDSCAPING INCLUDES ONLY SOD

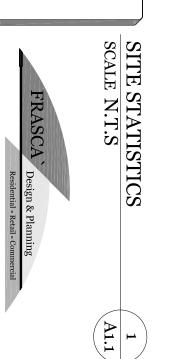
	SOFT LANDSCAPING *	TOTAL REAR YARD AREA			
	60% (MIN.) OF LANDSCAPED AREA IN EXCESS OF 135 SM SOFT LANDSCAPING (78.75 SM REQ'D)	-	PERMITTED	REAR YARD	
(SOD 44% 57.49 SM (618.81 SF)	266.25 SM (2,865.89 SF)	AREAS		

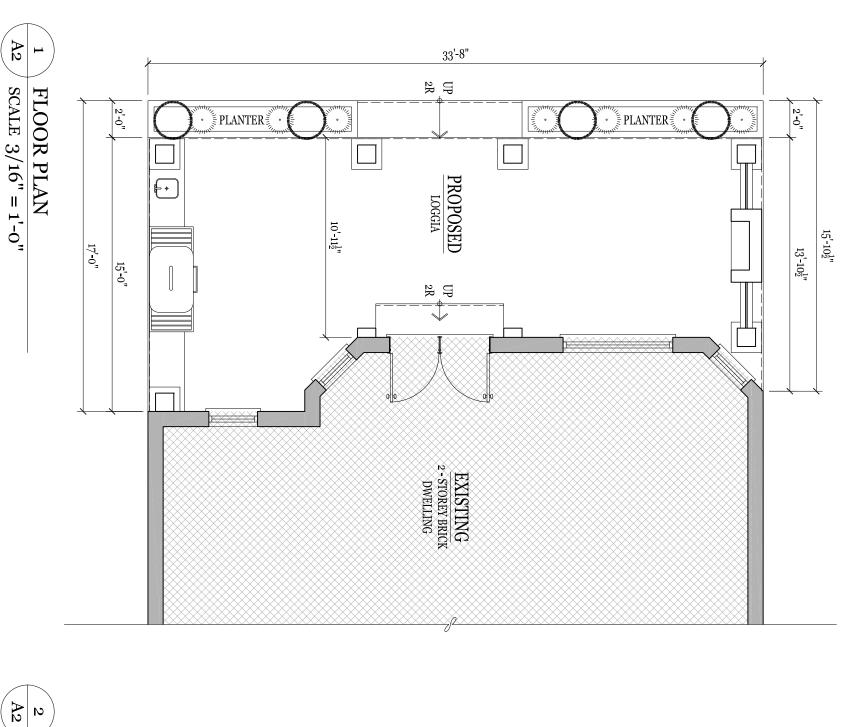
	SITE AREAS	REAS	
	EXISTING	PROPOSED	LOT COVERAGE
1. EXISTING DWELLING	±131.44 SM (±1,414.76 SF)	-	23.33%
2. EXISTING GARAGE	±39.64 SM (±426.64 SF)		7.04%
3. EXISTING FRONT PORCH	±8.23 SM (±88.62 SF)	-	1.46%
4. PROPOSED LOGGIA	ı	38.26 SM (411.82 SF)	6.79%
5. PROPOSED CABANA 1	ı	8.0 SM (86 SF)	1.42%
6. PROPOSED CABANA 2	·	8.1 SM (88 SF)	1.43%
TOTAL LOT PERMITT	TOTAL LOT COVERAGE $(1+2+3+4+5+6)$ PERMITTED LOT COVERAGE N/A	+4+5+6) E N/A	41.47%

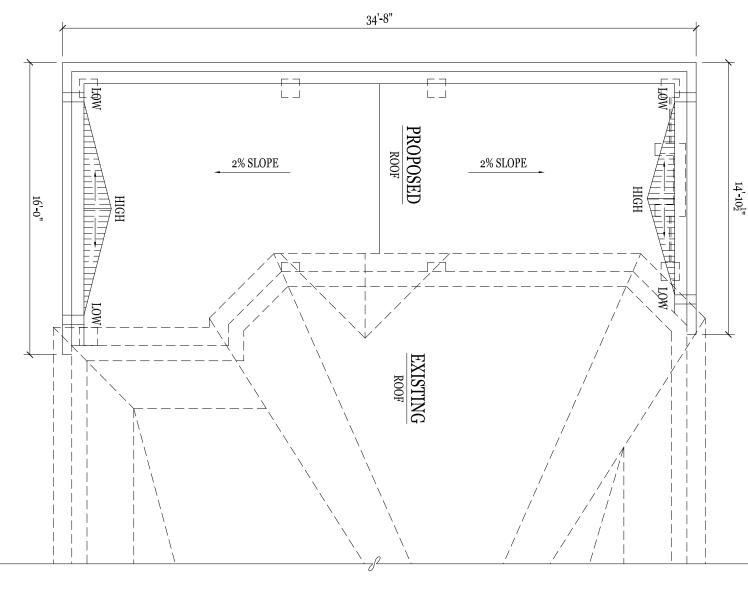
L4A 0G2	55 GLENHERON CRES., MAPLE, ON	Project:	LOGGIA & CABANA	PROPOSED
	21010	Project #:		
 1	1			

	<u>.</u>	1.			
ivo: Description		ISSUED FOR CofA (03)			
Date		APRIL 13, 2021			
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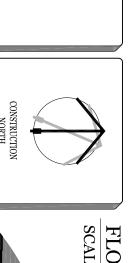




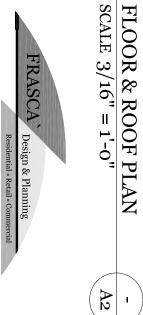
PROPOSED WALL

EXISTING TO REMAIN EXISTING TO REMAIN

LEGEND



FLOOR & ROOF PLAN PROPOSED LOGGIA



RIL 13, 2021			
EB			

SCALE 3/16" = 1'-0"

ROOF PLAN

	Date	APRIL 13, 2021				
_	Bv	EB				
						١

55 GLENHERON CRES., MAPLE, ON., L4A oG2

21010 Project #:

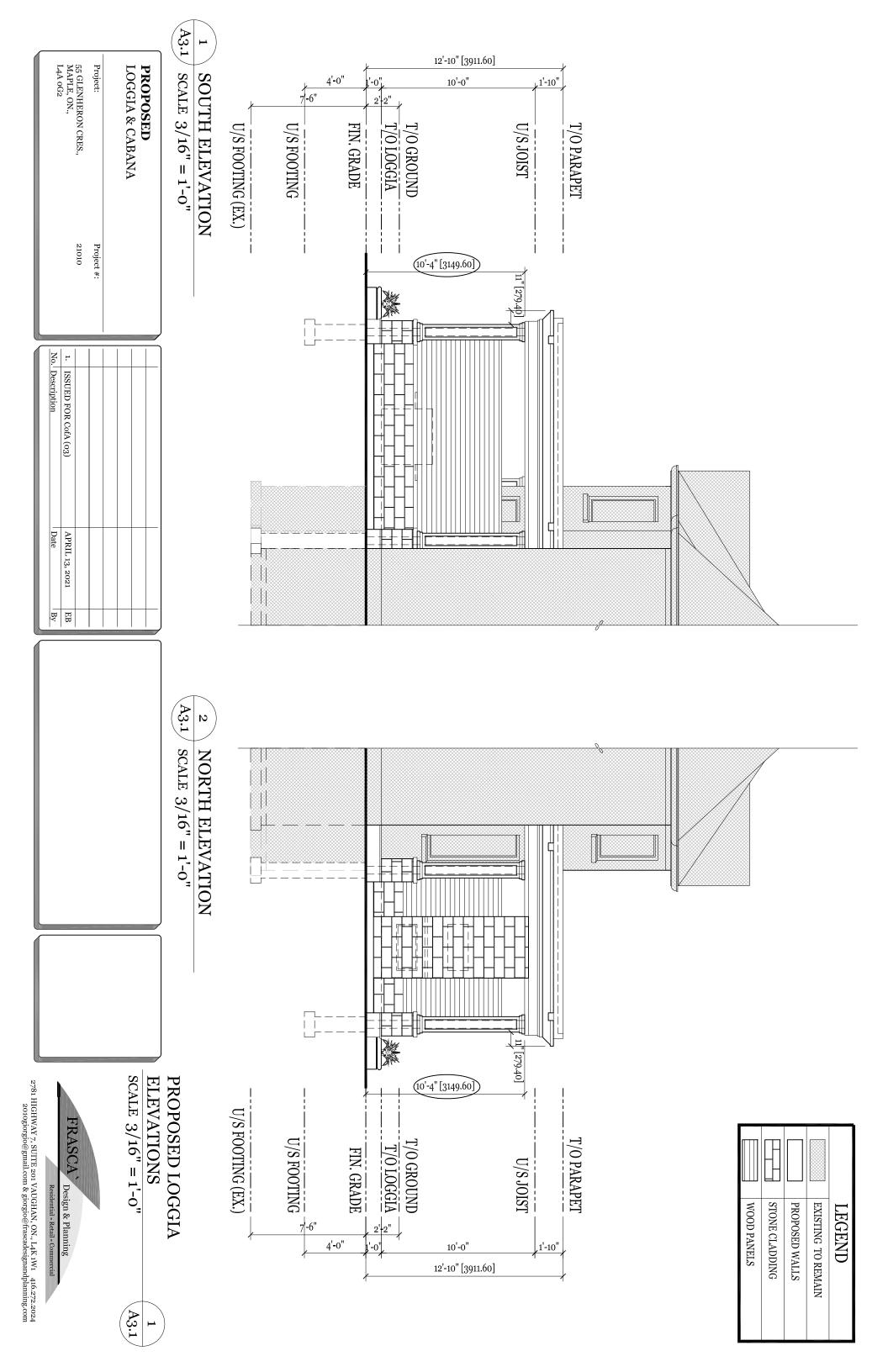
No. | Description

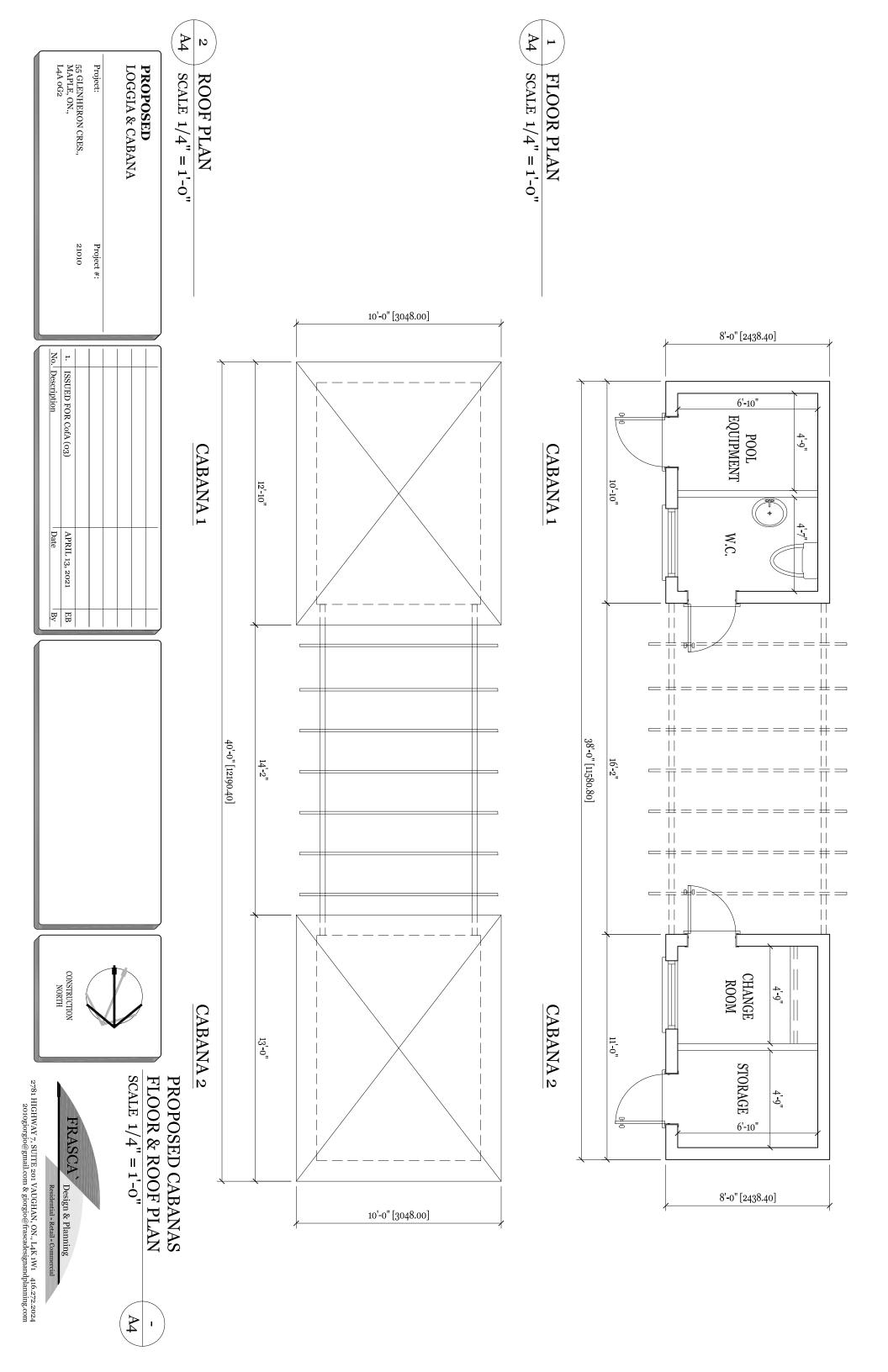
ISSUED FOR CofA (03)

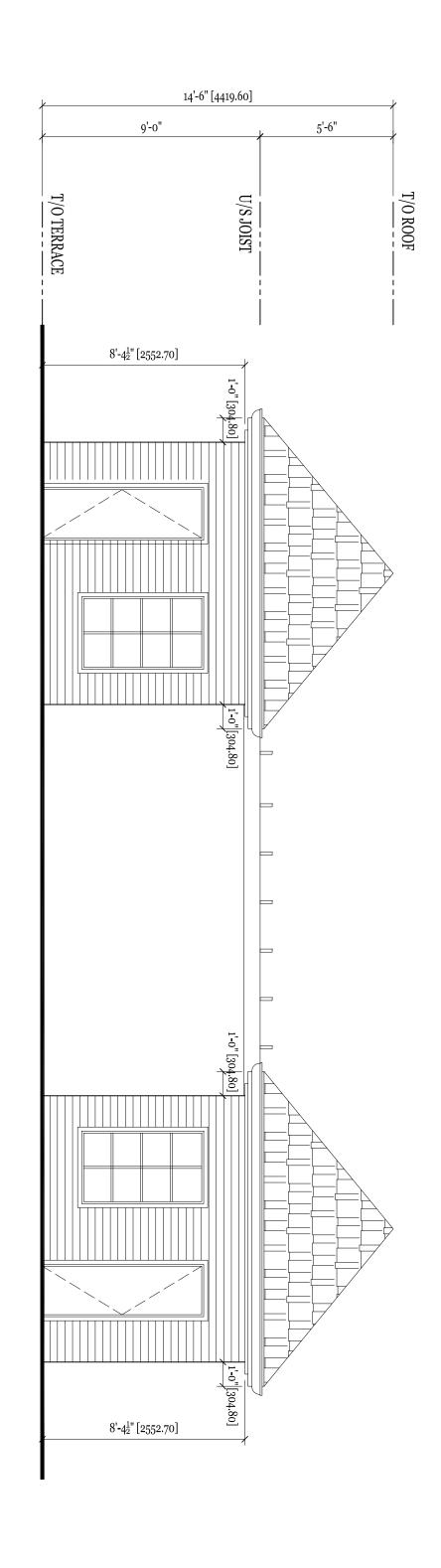
Project:

PROPOSED LOGGIA & CABANA

CONSTRUCTION NORTH







COMPOSITE WOOD SIDING

PROPOSED WALLS
ROOF SHINGLES

LEGEND



2781 HIGHWAY 7, SUITE 201 VAUGHAN, ON., L4K 1W1 416.272.2024 2010giorgio@gmail.com & giorgio@frascadesignandplanning.com 55 GLENHERON CRES., MAPLE, ON., L4A oG2

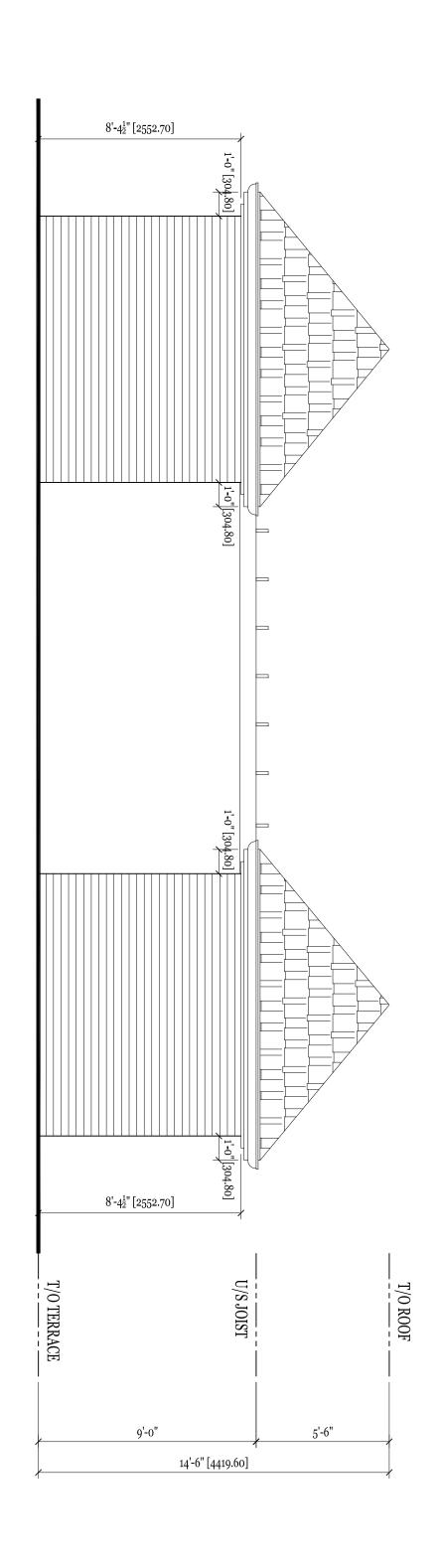
> Project #: 21010

No. | Description

1. ISSUED FOR CofA (03)

APRIL 13, 2021

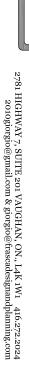
EB By PROPOSED LOGGIA & CABANA



COMPOSITE WOOD SIDING

PROPOSED WALLS
ROOF SHINGLES

LEGEND



FRASCA

Design & Planning
Residential - Retail - Commercial

SCALE 1/4'' = 1'-0''

A5.1

PROPOSED CABANAS WEST ELEVATION

55 GLENHERON CRES., MAPLE, ON., L4A oG2

> Project #: 21010

No. | Description

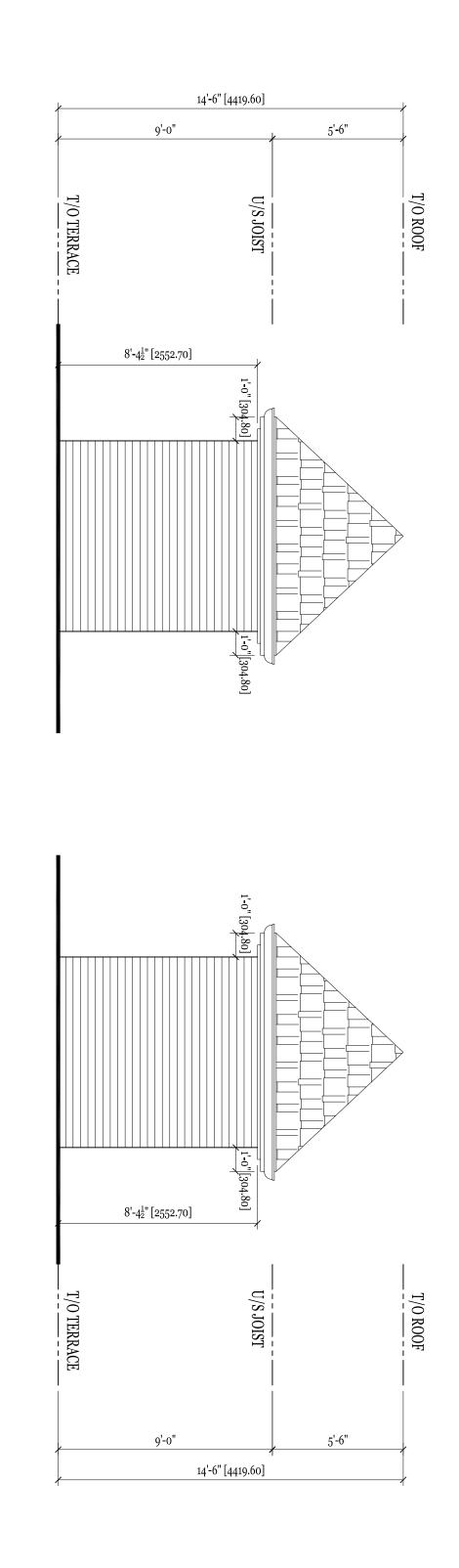
1. ISSUED FOR CofA (03)

APRIL 13, 2021

EB

Project:

PROPOSED LOGGIA & CABANA



COMPOSITE WOOD SIDING

PROPOSED WALLS
ROOF SHINGLES

LEGEND

A5.2

SCALE 1/4" = 1'-0"

A5.2

SCALE 1/4" = 1'-0"

ELEVATIONS SCALE 1/4" = 1'-0"

A5.2

2781 HIGHWAY 7, SUITE 201 VAUGHAN, ON., L4K 1W1 416.272.2024 2010giorgio@gmail.com & giorgio@frascadesignandplanning.com

FRASCA`

Design & Planning
Residential - Retail - Commercial

PROPOSED CABANAS

NORTH ELEVATION

SOUTH ELEVATION

PROPOSED LOGGIA & CABANA

55 GLENHERON CRES., MAPLE, ON., L4A oG2

> Project #: 21010

No. Description

1. ISSUED FOR CofA (03)

APRIL 13, 2021

EΒ

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.
X	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: temail: only.donofrio@alectrautilities.com

Supervisor, Subdivisions (Alectra East)

Phone: 1-877-963-6900 ext. 24419

Mr. Tony D'Onofrio

Attwala, Pravina

Subject: FW: A090/21 - REQUEST FOR COMMENTS

From: Mulrenin, Colin (MTO) <Colin.Mulrenin@ontario.ca>

Sent: May-05-21 4:12 PM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>
Cc: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>
Subject: [External] Re: A090/21 - REQUEST FOR COMMENTS

Good afternoon,

As the property at 55 Glenheron Crescent is not within MTO permit control area, MTO has no comments.

Colin Mulrenin (he/him) I Corridor Management Officer I 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

Colin.Mulrenin@ontario.ca

Attwala, Pravina

Subject: FW: A090/21 - REQUEST FOR COMMENTS

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: May-10-21 11:45 AM

To: Attwala, Pravina < Pravina. Attwala@vaughan.ca> **Cc:** Committee of Adjustment < CofA@vaughan.ca>

Subject: [External] RE: A090/21 - REQUEST FOR COMMENTS

Good morning Pravina,

The Regional Municipality of York has completed it 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