



File: A157/21

Applicant: Fabio Marchese

Address: 15 Gate House Court, Woodbridge

Agent: Organica Studio + Inc.

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	<input checked="" type="checkbox"/>	
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		
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, September 9, 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: 8

A157/21

Ward: 2

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, September 9, 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: Fabio Marchese

Agent: Organica Studio + Inc.

Property: 15 Gate House Court, Woodbridge

Zoning: The subject lands are zoned R2 Residential Zone Two, and subject to the provisions of Exception No. 9(1405) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential A", Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan.

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 eave and gutter encroachment of 0.50 metres is permitted. (S.3.14)	1. To permit a maximum eave and gutter encroachment and roof overhangs of 0.61 metres a required yard.
2. A maximum lot coverage of 40% is permitted for all covered areas. (Schedule A)	2. To permit a maximum lot coverage of 51.6% (Dwelling 39.5%, Cold Cellars Below Porches 6.2%, Eaves and Gutters 5.9%) for all covered areas.

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: 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 August 25, 2021

Applicant confirmed posting of signage on August 4, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): The 40% lot coverage is exceeded when including the excavated cold cellars below both the front and rear deck, and the roof overhangs.

Adjournment Request / File Review Comments:

On August 16, 2021, Development Planning provided the applicant with the following comments:

The Development Planning Department and Urban Design Division have reviewed Minor Variance Application A157.21 at 15 Gatehouse Court and provide the following comments:

- 1. Please annotate the width of the driveway on the Site Plan drawing.
- 2. If possible, minimize the visual impact of the added coverage by reducing the width of the driveway and incorporate two garage doors instead of one.

In response, the applicant provided an updated plan dimensioning the driveway width.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.
Building Permit No. 21-112004 for Single Detached Dwelling - New, Issue Date: (Not Yet Issued)

Lot coverage has been calculated as 39.5% for the dwelling, 6.2% for excavated porches and 5.9% for the area of the eaves and gutters over the allowable 0.50m encroachment.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential A", Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan.

The Owner is proposing to construct a two-storey single-family dwelling with the above noted variances. The proposed maximum lot coverage of 51.6% includes a dwelling coverage of 39.5%, 6.2% for excavated porches, and 5.9% for the covered area of eaves and gutters over the allowable 0.5 m encroachment. The dwelling coverage of 39.5% is within the maximum lot coverage of 40% permitted in the "R2" Residential Zone and is consistent with the adjacent two-storey dwellings along Gate House Court.

The proposed dwelling complies with the height and setback requirements of Zoning By-law 1-88, and therefore maintains the intended building envelope requirements of the "R2" zone. Portions of the dwelling consist of excavated cold cellar and storage areas on the basement floor that are slightly above-grade and located underneath the front porch and rear covered deck. Under Zoning By-law 1-88, lot coverage "means the percentage of lot area covered by all buildings and structures above ground level". The excavated cold cellar and storage areas are approximately 0.46 m above-grade and are therefore included in the calculation for lot coverage. Although 6.2% of the total lot coverage is contributed to the above-ground basement area underneath the front porch and rear covered deck, the visual impact on the streetscape and adjacent neighbours is negligible. The remaining 5.9% in lot coverage is attributed to the covered area of eaves and gutters over the allowable 0.5 m encroachment which is a result of the requested 0.61 m eave and gutter encroachment.

The proposed eave and gutter encroachment will not have adverse impacts on adjacent properties and is considered minor. Accordingly, 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:

Submitted drawings show proposed pool. To pursue this, 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.

Our record indicates that the owner/applicant has been issued a lot grading permit # 21-110095 EP from City of Vaughan dated May 03, 2021. The owner is now proposing works that result in the increase in the hard landscaping area of lot coverage from 40% to 51.6% which result in the difference of 11.6%. The additional hard surface lot coverage will have an impact on storm water runoff. In order to mitigate the water runoff, Staff recommend the owner to introduce Low-impact Development (LID) measures provided as part of a future lot grading permit e.g., flower gardens, Bioswales, Permeable pavement, Infiltration trenches. The owner/applicant shall apply for a revised lot grading permit.

Submitted approved grading drawings shows the proposed curb the owner/applicant will need to apply and obtain the necessary curb cut/ reinstating permit through the Transportation and Fleet Management Services. Please visit

https://www.vaughan.ca/services/residential/transportation/roads/curb_cuts_and_driveway_widening/Pages/default.aspx to learn how to apply for the curb cut/ reinstating permit.

The Development Engineering (DE) Department does not object to the minor variance application A157/21 subject to the following condition(s):

The owner/applicant shall obtain a revised lot grading permit by submitting the lot grading drawing to the Development Inspection and Lot Grading Division of the City's Development Engineering Department. The owner/applicant shall demonstrate the appropriate LID (Low-impact Development) measures and include them in the lot grading drawing to the satisfaction of DE to address the increased lot coverage from 40% to 51.6% to mitigate potential impacts of the additional storm water runoff. To learn how to apply for lot grading and/or servicing approval please contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit our website at:

https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx

Parks Development - Forestry:

Recommended conditions of approval:

1. An arborist report is required if injury or destruction of anyone (1) or more trees having a DBH (diameter at breast height, 1.4m) and/or base diameter of twenty (20) centimeters or more, or any multi-stemmed tree(s) having a combined DBH and/or base diameter of twenty (20) centimeters, unless authorized by permit to do so pursuant to By-law 052-2018.
2. All municipally owned trees of any size on or within 6 meters of the subject site shall be inventoried and included in the arborist report.

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 – Cover Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

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:

- ✓ 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 Iqbal Soomro 905-832-8585 x 3608 Iqbal.Soomro@Vaughan.ca	The owner/applicant shall obtain a revised lot grading permit by submitting the lot grading drawing to the Development Inspection and Lot Grading Division of the City’s Development Engineering Department. The owner/applicant shall demonstrate the appropriate LID (Low-impact Development) measures and include them in the lot grading drawing to the satisfaction of DE to address the increased lot coverage from 40% to 51.6% to mitigate potential impacts of the additional storm water runoff. To learn how to apply for lot grading and/or servicing approval please contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit our website at: https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx
2	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x 3614 Zachary.Guizzetti@vaughan.ca	1) An arborist report is required if injury or destruction of anyone (1) or more trees having a DBH (diameter at breast height, 1.4m) and/or base diameter of twenty (20) centimeters or more, or any multi-stemmed tree(s) having a combined DBH and/or base diameter of twenty (20) centimeters, unless authorized by permit to do so pursuant to By-law 052-2018. 2) All municipally owned trees of any size on or within 6 meters of the subject site shall be inventoried and included in the arborist report.

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 Ontario Land Tribunal (OLT) 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

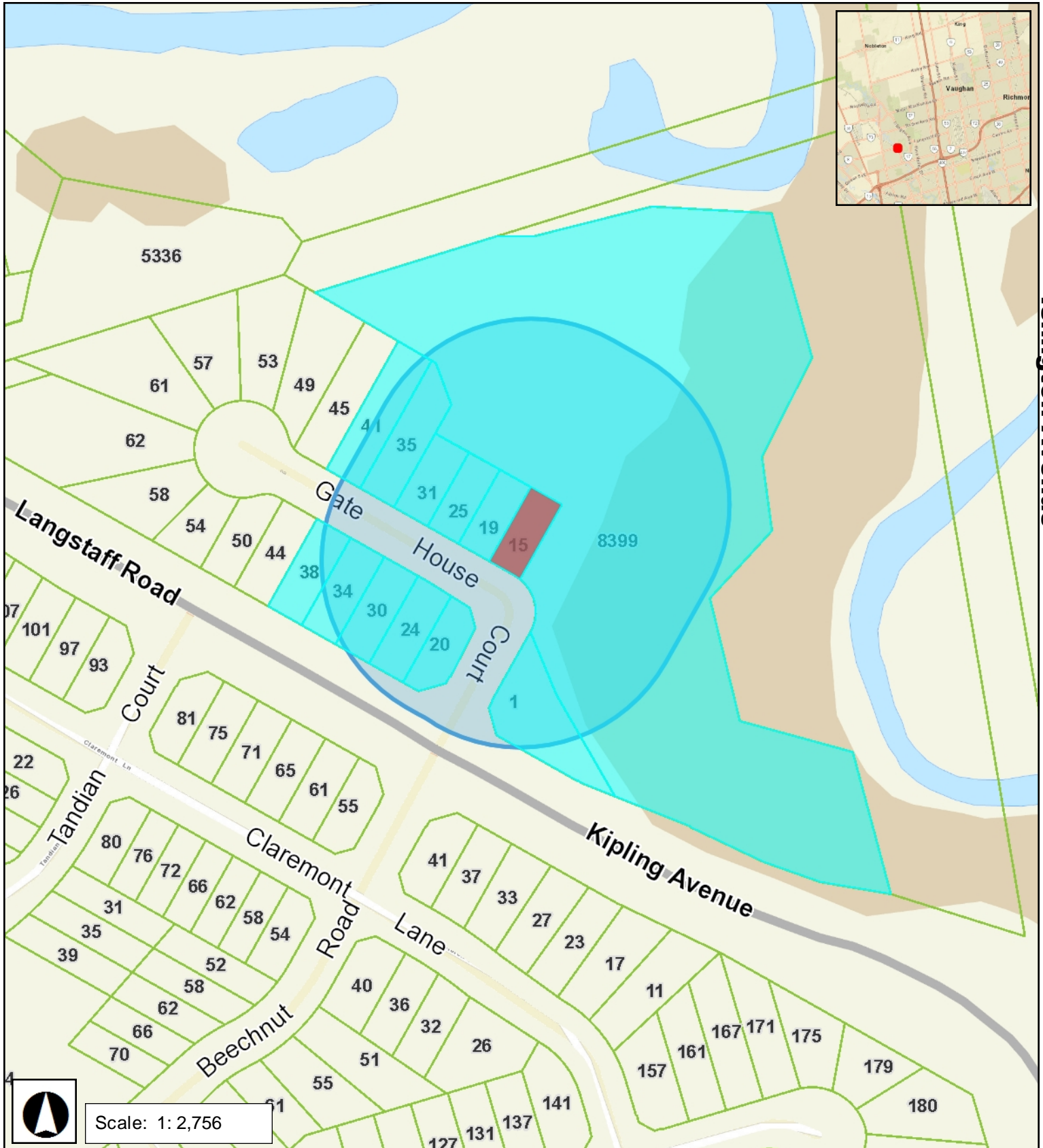
E CofA@vaughan.ca

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

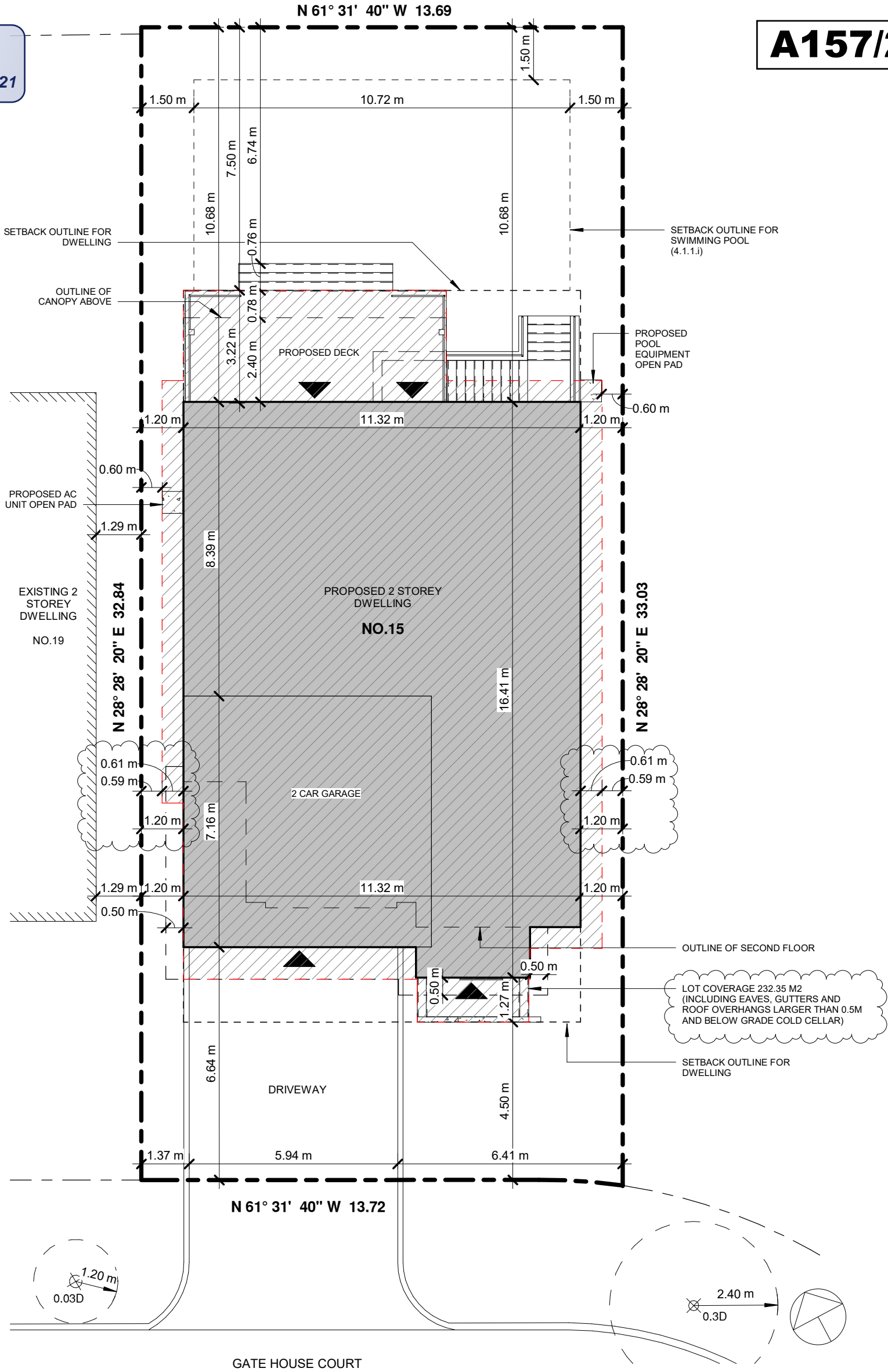
15 Gate House Court, Woodbridge



REVISED

3:21 pm, Aug 17, 2021

A157/21



1

A 1.0

PROPOSED SITE PLAN COA

1 : 125

LEGAL DESCRIPTION:
PART OF LOT 10 CONCESSION 8
REGISTERED PLAN: 65R - 37859
CITY OF VAUGHAN
MUNICIPALITY OF YORK

SITE INFORMATION:
ZONING B-LAW: 1 - 88
ZONING DESIGNATION: R2 (RESIDENTIAL)

EXISTING BUILDING METRICS

	METRIC	IMPERIAL
LOT AREA:	449.71 sq.m.	4,840.65 sf.

PROPOSED BUILDING METRICS

PROPOSED LOT COVERAGE (40% PERMITTED)	51.6% (232.35 sq.m.)
EAVE AND GUTTER ENCROACHMENT ON INTERIOR SIDE LOT LINES (0.5 m PERMITTED)	0.61 m 2'-0"

LOT COVERAGE BREAKDOWN

COVERED AREA OF DWELLING	39.5%	177.95 sq.m.
COVERED AREA OF EAVE AND GUTTER	5.9%	26.56 sq.m.
COVERED AREA OF FRONT COLD CELLAR	0.9%	4.03 sq.m.
COVERED AREA OF REAR COLD CELLAR	5.3%	23.83 sq.m.

organica
studio + inc.

architecture | interiors | design | research

MARCHESE RESIDENCE

15 GATE HOUSE COURT
WOODBRIIDGE, ON
L4L 9A2

FABIO MARCHESE

| 7-145 Birmingham Street | Toronto ON | M8V3Z8 |

| 905 832 5758 | organicastudio.ca | info@organicastudio.ca |

FILE NAME: X:\Organica Projects\2021\21007 - 15 Gatehouse Court\Revit Model\2021.06.24 - 21007 -
PLOT DATE: 2021-08-17 12:37:26 PM-0022.rvt

21007

08/17/2021

MARCHESE RESIDENCE

15 GATE HOUSE COURT
WOODBRIIDGE, ON
L4L 9A2

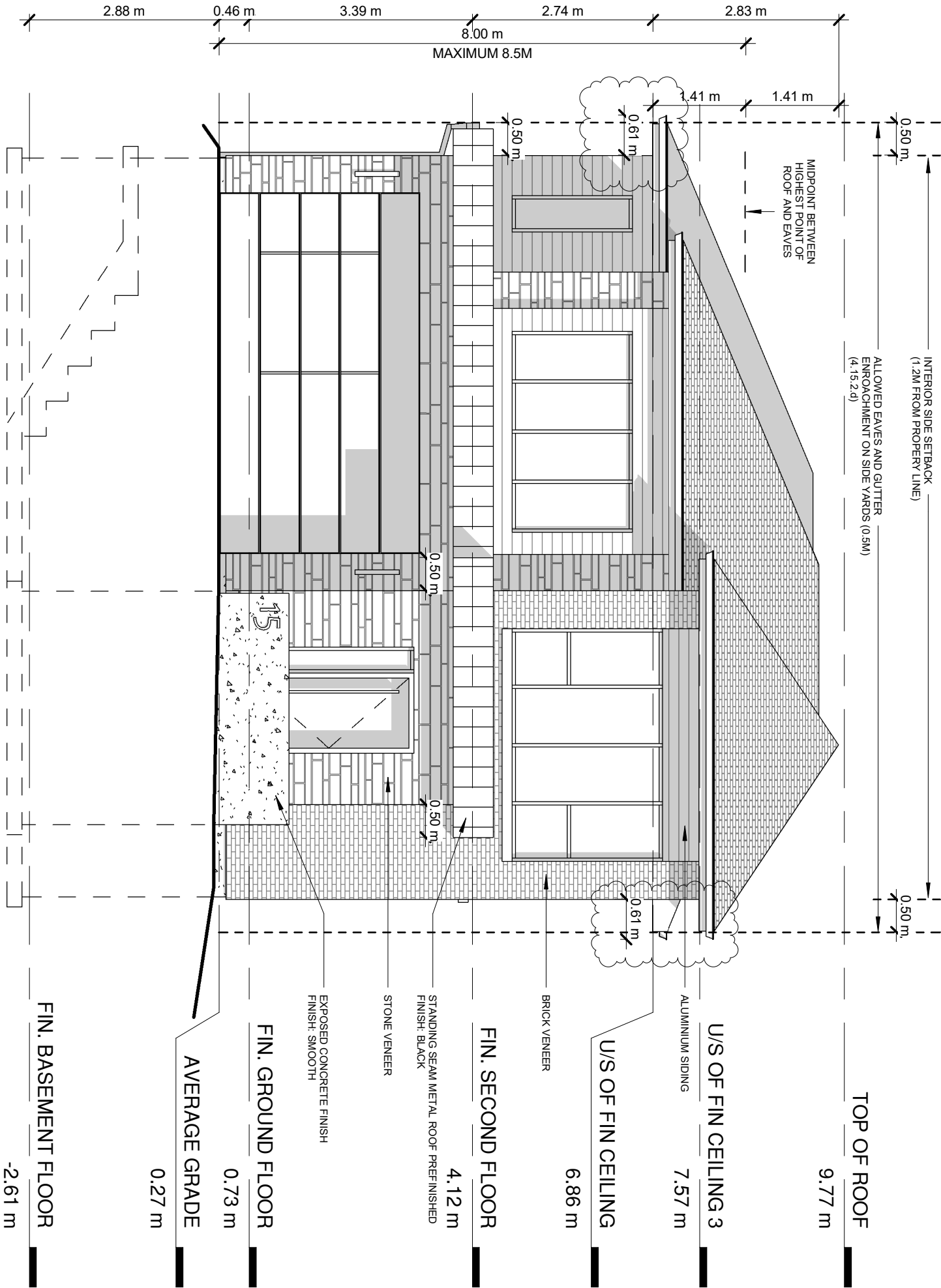
FABIO MARCHESE

| 7-145 Birmingham Street | Toronto ON | M8V3Z8 | 905 832 5758 | [organicastudio.ca](mailto:info@organicastudio.ca) | info@organicastudio.ca

1
A 3.0

1 : 75

NEW ELEVATION - SOUTH COA



MARCHESE RESIDENCE

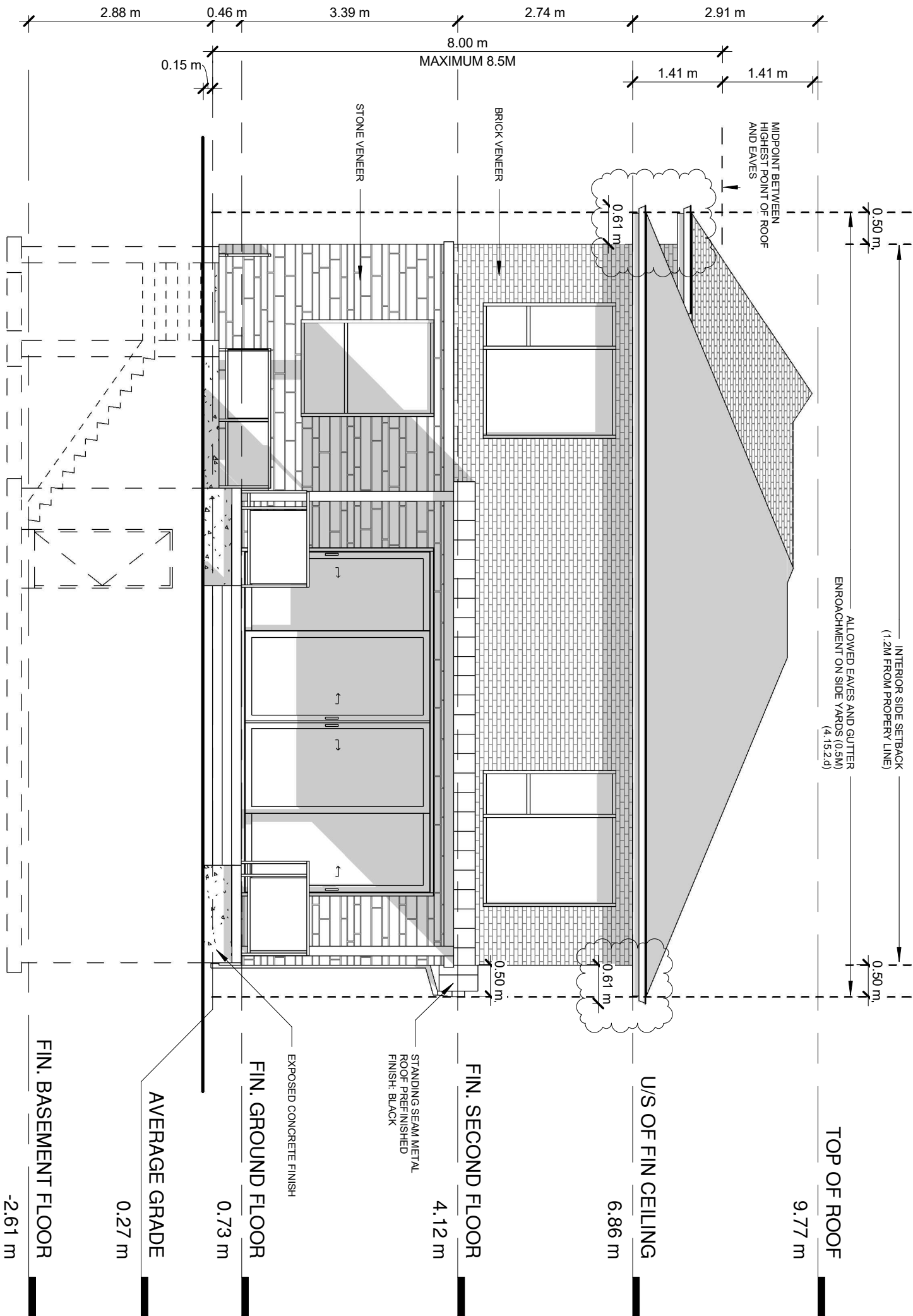
15 GATE HOUSE COURT
WOODBRIIDGE, ON
L4L 9A2

FABIO MARCHESE

| 7-145 Birmingham Street | Toronto ON | M8V3Z8 | 905 832 5758 | [organicastudio.ca](mailto:info@organicastudio.ca) | info@organicastudio.ca

NEW ELEVATION - NORTH COA

1
A 3.1
1 : 75



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 – Cover Letter

The Variances that are being requested with this application are minor in nature and consist of the following:

1. The permitted eaves encroachment on the side lot lines are 0.5m (zoning section 4.15.2.d) we are requesting side eaves encroachment of 0.61m. The distance between the eaves and the side lot line is 0.59m.
2. Lot Coverage: The permitted lot coverage for this property under an R2 zone is 40%. We are proposing a 51.6% lot coverage. The reasons for the high number are as follows:
 - Extended eaves to 0.61m – the eaves area are included in the lot coverage
The reason for the extended eaves is to provide greater shading and cooling for the home during the summer months and more natural daylight during the winter months. The home has been designed with various green features and the extended eaves is part of the synergy of the home.
 - Front Porch and rear deck is included in lot coverage as it has an excavated cold cellar beneath. The cold cellars are not more than 0.5m above the established grade. They will not provide any height or shadow issues with adjacent neighbors. And do not increase the ground or second floor building footprint.

We feel the variances requested are minor in nature and fit with the nature of the neighbourhood, as the home is not larger than what is currently within the streetscape.

Thank you,



Pasquale Aiello

Principal

B. Arch. Sci, Lic. Tech OAA, Int'l Assoc. AIA

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

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

Adriana MacPherson

Subject: FW: A157/21 - Request for Comments (15 Gate House Court, Woodbridge)

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

Sent: July-19-21 3:52 PM

To: Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A157/21 - Request for Comments (15 Gate House Court, Woodbridge)

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