VAUGHAN
Staff Report Summary
Ward \#

File:
Applicant:
Address: 21 Idleswift Dr Thornhill
Agent:

A177/21

Bahman Mehdizadeh-Azita Mohajer

Options Architects

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 <br> Negative Comment | Condition(s) $\square$区 |
| :---: | :---: | :---: |
| Committee of Adjustment | $\square$ |  |
| Building Standards | $\square$ |  |
| Building Inspection |  |  |
| Development Planning | $\sqrt{7}$ |  |
| Development Engineering | $\square$ | $\sqrt{7}$ |
| Parks, Forestry and Horticulture Operations | $\checkmark$ | $\checkmark$ |
| By-law \& Compliance | $\square$ |  |
| Financial Planning \& Development | $\square$ |  |
| Fire Department | $\square$ |  |
| TRCA |  |  |
| Ministry of Transportation | $\checkmark$ |  |
| Region of York | $\square$ |  |
| Alectra (Formerly PowerStream) | $\square$ |  |
| Public Correspondence (see Schedule B) | $\boxed{\square}$ |  |

Adjournment History: N/A
Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date:Thursday, September 30, 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: 15

Ward: 5

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date \& Time of Live Stream Hearing:

Thursday, September 30, 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:
Agent:
Property:
Zoning: The subject lands are zoned R1V Residential under By-law 1-88 as amended.
OP Designation:
Related Files:
Purpose:
Bahman Mehdizadeh-Azita Mohajer
Options Architects
21 Idleswift Dr Thornhill

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
None
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 minimum lot frontage of 30 metres is permitted <br> for the lot. | 1. To permit a minimum lot frontage of 24.38 metres <br> for the lot. |
| 2. A maximum lot coverage of 20\% is permitted for <br> the dwelling, garage and all covered areas. | 2. To permit a maximum lot coverage of $25.06 \%$ for <br> the dwelling, garage and all covered areas. <br> (22.87\% dwelling; $0.46 \%$ porch; $1.73 \%$ terrace) |
| 3. A maximum building height of 9.5 metres is <br> permitted measured from the average finished <br> grade at the front of the dwelling to the highest <br> point of the roof surface. | 3. To permit a maximum building height of 10.26 <br> metres measured from the average finished grade <br> at the front of the dwelling to the highest point of <br> the roof surface. |

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

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).

## 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 September 15, 2021
Applicant confirmed posting of signage on September 14, 2021

| Property Information |  |  |
| :--- | :--- | :---: |
| Existing Structures | Year Constructed |  |
| Dwelling | $+/-1957$ (Purchased 2013) |  |

Applicant has advised that they cannot comply with By-law for the following reason(s):
1 -The required lot frontage does not match with the existing frontage.
2-Based on the existing natural slope at the front yard of the building, height exceeds the max requirements. 3 -As per by-law 1-88 definition, the exceeded lot coverage is for covered porch which is not livable and should be approved by the Committee of Adjustment.

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 10 m 2 .

Lot coverage has been calculated as follows: $22.87 \%$ dwelling, $0.46 \%$ covered porch and $1.73 \%$ for the terrace.

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 0.6 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard of 7.5 metres.

## Building Inspections (Septic):

No comments received to date.

## Development Planning:

Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
The Owner is proposing to construct a two-storey single family dwelling in an established large-lot neighbourhood. The Development Planning Department recognizes the variance for lot frontage $(24.38 \mathrm{~m})$ is technical in nature and required to address an existing deficiency. The Development Planning Department has supported a maximum $23 \%$ lot coverage for two-storey single family dwellings in the area. Exceptions where greater lot coverage have been supported included covered, unenclosed porches and terraces in the total lot coverage calculation. The single-family dwelling has a proposed maximum lot coverage of $22.87 \%$ (main dwelling) and the remaining $2.19 \%$ lot coverage is associated with the covered, unenclosed porch ( $0.46 \%$ and the terrace (1.73\%).

The Development Planning Department can support the proposed maximum building height of 10.26 m as it is consistent with previous approvals in the area and therefore will not negatively impact the overall streetscape. An Arborist Report/Tree Preservation Plan, prepared by Redbud Forestry Consultants, dated August 4, 2021 was submitted by the Owner in support of the proposal. The Urban Design Division of the Development Planning Department has reviewed the Arborist Report/Tree Preservation Plan. and recommend the planting of four (4) trees in order to compensate for the trees being removed on-site. This exercise will be carried out through the tree permit process of the Parks, Forestry and Horticulture Operations Department.

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.

## Development Engineering:

The Development Engineering (DE) Department does not object to variance application A177/21.
As the proposed dwelling in the subject property is 247.98 m 2 , the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering

Department. Please note any in ground structure over 10 m 2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)

The proposed work by the owner is increasing the lot coverage in the subject property. The added hardscape may have impact on City's Storm Water management system. Stuff requires the owner/applicant to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts. Please provide DE with a LID brief explaining the measures taken prior to clearing the condition. (Condition attached)

The owner/applicant shall 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/de fault.aspx to learn how to apply for the curb cut/ reinstating permit.

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.

## Development Engineering Conditions:

1. 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 provide a brief to demonstrate the appropriate LID (Low-impact Development) measures and show the measures taken in the drawing to the satisfaction of DE to address the increased lot coverage from $20 \%$ to $25.06 \%$ in order to mitigate potential impacts on the municipal storm water system.

## Parks Development - Forestry:

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. (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.

## Parks Development - Forestry Conditions:

Applicant/owner shall apply for 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 no concerns

## Development Finance:

1. 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 Bylaw in effect at time of payment.
2. 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.
3. 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.
4. 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 no concerns

## Schedule A - Plans \& Sketches

## Schedule B - Public Correspondence

Public Correspondence (Deanna Sgro)

Alectra (Formerly PowerStream) - No concerns or objections
Region of York - No concerns or objections

## 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:
$\checkmark$ That the general intent and purpose of the by-law will be maintained.
$\checkmark$ That the general intent and purpose of the official plan will be maintained.
$\checkmark$ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
$\checkmark$ That the requested variance(s) is/are minor in nature.
Should the Committee adjourn this application the following condition(s) is required: None
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 <br> Farzana Khan | 1.The Owner/applicant shall submit the final Lot Grading and/or <br> Servicing Plan to the Development Inspection and Lot Grading <br> division of the City's Development Engineering Department for <br> final lot grading and/or servicing approval prior to any work being <br> undertaken on the property. Please visit or contact the <br> Development Engineering Department through email at <br> DEPermits@vaughan.ca or visit <br> https://www.vaughan.ca/services/residential/dev_eng/permits/Pa <br> ges/default.aspx to learn how to apply for lot grading and/or <br> servicing approval. <br> The owner/applicant shall provide a brief to demonstrate the |
| appropriate LID (Low-impact Development) measures and show |  |  |
| the measures taken in the drawing to the satisfaction of DE to |  |  |
| address the increased lot coverage from 20\% to 25.06\% 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 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

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






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## 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.

Public Correspondence (Deanna Sgro)

## Pravina Attwala

| From: | Deanna Sgro |
| :--- | :--- |
| Sent: | September-22-21 12:09 PM |
| To: | Committee of Adjustment; Alan Shefman |
| Subject: | [External] Minor Variance Application A177/21 |

Please accept this as notice of my concerns with the proposed application:

I am not opposed to the front yard setback variance sought.

I have some concerns regarding the lot coverage but not as it relates to the Porch or Terrace additions, but as to the actual home size.

My most significant concern is the height variance request. The structure is very tall with a short roof; it is at a high point of the street, the street slopes down and the proposed home will therefore appear even higher and more obtrusive. The plans attached reflect a request for a variance from street level but when one looks at the drawing there appears to be a sub level garage on the west end which will create a street visual with a height closer to 15 m . question whether the builder can dig further down to get the square footage they desire without having to build so high. To be clear, as presented I oppose the builder's request for a variance as to height.

Also I would like to alert the building department to possible drainage issues; please ensure the plans incorporate downspouts and drainage away from the existing homes west of the property. We slope down and water runs aggressively towards our homes and basements which will flood if the drainage is not properly directed to the street north of the property and/or the absolute rear or furthest south end of the property.

## Sincerely,

Deanna Sgro


## 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

| Date: | August $25^{\text {th }}, 2021$ |
| :--- | :--- |
| Attention: | Christine Vigneault |
| RE: | Request for Comments |
| File No.: | A177-21 |
| Related Files: |  |
| Applicant | Bahman Mehdizadeh-Azita Mohajer |
| Location | 21 Idleswift Dr, |

Discover the possibilities

## 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

From: Hurst, Gabrielle [Gabrielle.Hurst@york.ca](mailto:Gabrielle.Hurst@york.ca)
Sent: September-02-21 1:32 PM
To: Pravina Attwala [Pravina.Attwala@vaughan.ca](mailto:Pravina.Attwala@vaughan.ca)
Cc: Committee of Adjustment [CofA@vaughan.ca](mailto:CofA@vaughan.ca)
Subject: [External] RE: REQUEST FOR COMMENTS - A177/21 (21 IDLESWIFT DRIVE)

Good afternoon Pravina,
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 4649675 ext 71538 | gabrielle.hurst@york.ca |www.york.ca

