

File: A071/20

Applicant: Shai & Marie Josee Bekman

Address: 30 Pamela Ct Maple

Agent: Joanna Fast

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	<input checked="" type="checkbox"/>	
TRCA	<input checked="" type="checkbox"/>	
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: October 1, 2020 (see next page for details)

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: 23

A071/20

Ward: 1

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: Shai & Marie Josee Bekman

Agent: Joanna Fast

Property: **30 Pamela Ct 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" within the Oak Ridges Moraine Countryside.

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 building height of 9.5m is permitted. (Schedule A)	1. To permit a maximum building height of 11.50m for the proposed detached dwelling.
2. A maximum lot coverage of 10% is permitted. (Schedule A)	2. To permit a maximum lot coverage of 15.96%. (13.82% dwelling; 2.14% covered structures)

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).

Adjournment History:

Hearing Date:	Members Absent from Hearing:	Status of Adjournment: (i.e. date/sine die)	Reason for Adjournment:
October 1, 2020	N/A	Adjourned Sine Die	Application adjourned to address Environmental/Policy staff comments.

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 13, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	1980 (Purchased October 30, 2019)

Applicant has advised that they cannot comply with By-law for the following reason(s):
Design restrictions

Adjournment Request: On September 17, 2021, the applicant was provided an opportunity to amend the application as zoning identified an additional variance '3. To permit a maximum combined driveway width of 16.18m.'

Development Planning comments:

In efforts to completing Development Planning's recommendation report for the above-noted file, it is recommended that the application re-evaluate the proposal to ensure the reduction in driveway width works towards preserving the mature trees along eastern interior lot line. Urban Design's revised comments have been provided, requesting that their comments be addressed accordingly prior to the September 30th Committee of Adjustment meeting date.

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.

The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001. Please note as of January 1, 2015 Accessible Parking Spaces are subject to the provisions of Ontario Regulation - O.Reg.413/12, Subsections 80.32 through 80.39, which supersede the current by-law requirements in By-law 1-88 as amended.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

Application under review

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A071/21.

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/default.aspx to learn how to apply for the curb cut/ reinstating permit.

The Owner/applicant shall apply for a pool permit for the proposed pool 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.

Recommended conditions of approval:

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. The owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures and include the measures in the lot grading drawing to

the satisfaction of DE to mitigate the impacts of additional storm runoff. 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.

Parks Development - Forestry:

Applicant has applied for a tree removal/permit through forestry. Forestry has no additional comments at this time.

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

Fire Department:

No comments no concerns

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Applicant Correspondence – Application Cover Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
 Region of York – No concerns or objections
 TRCA – 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:

- ✓ 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:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	Applicant to provide payment of Adjournment Fee (see Fee Schedule) prior to the rescheduling of Application A071/20, if required.

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. The owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures and include the measures in the lot grading drawing to the satisfaction of DE to mitigate the impacts of additional storm runoff. 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. 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

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

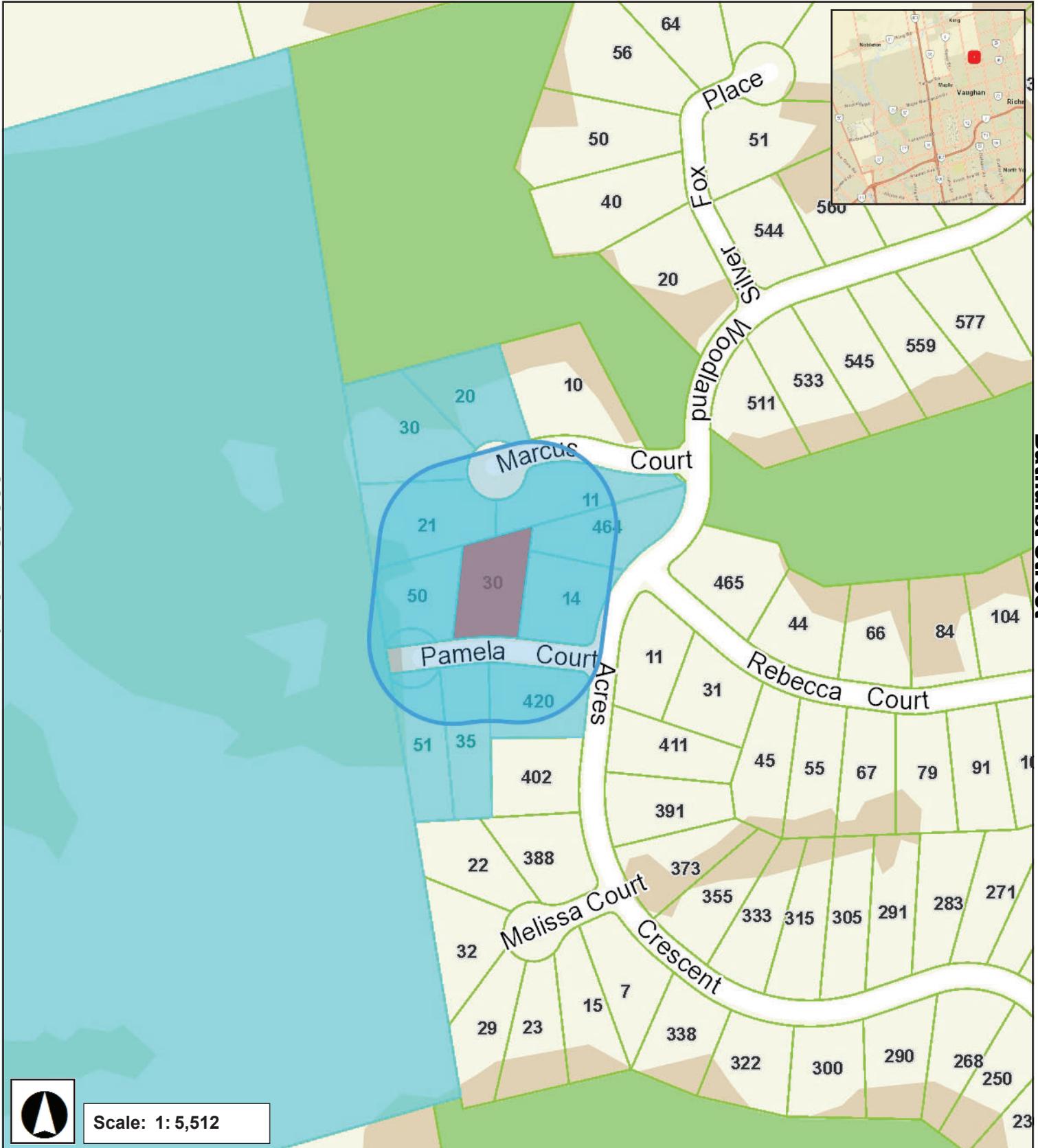
Plans & Sketches



LOCATION MAP - A071/20

30 PAMELA COURT, MAPLE

Kirby Road



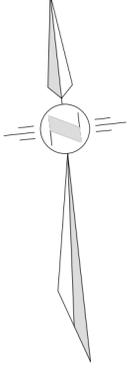
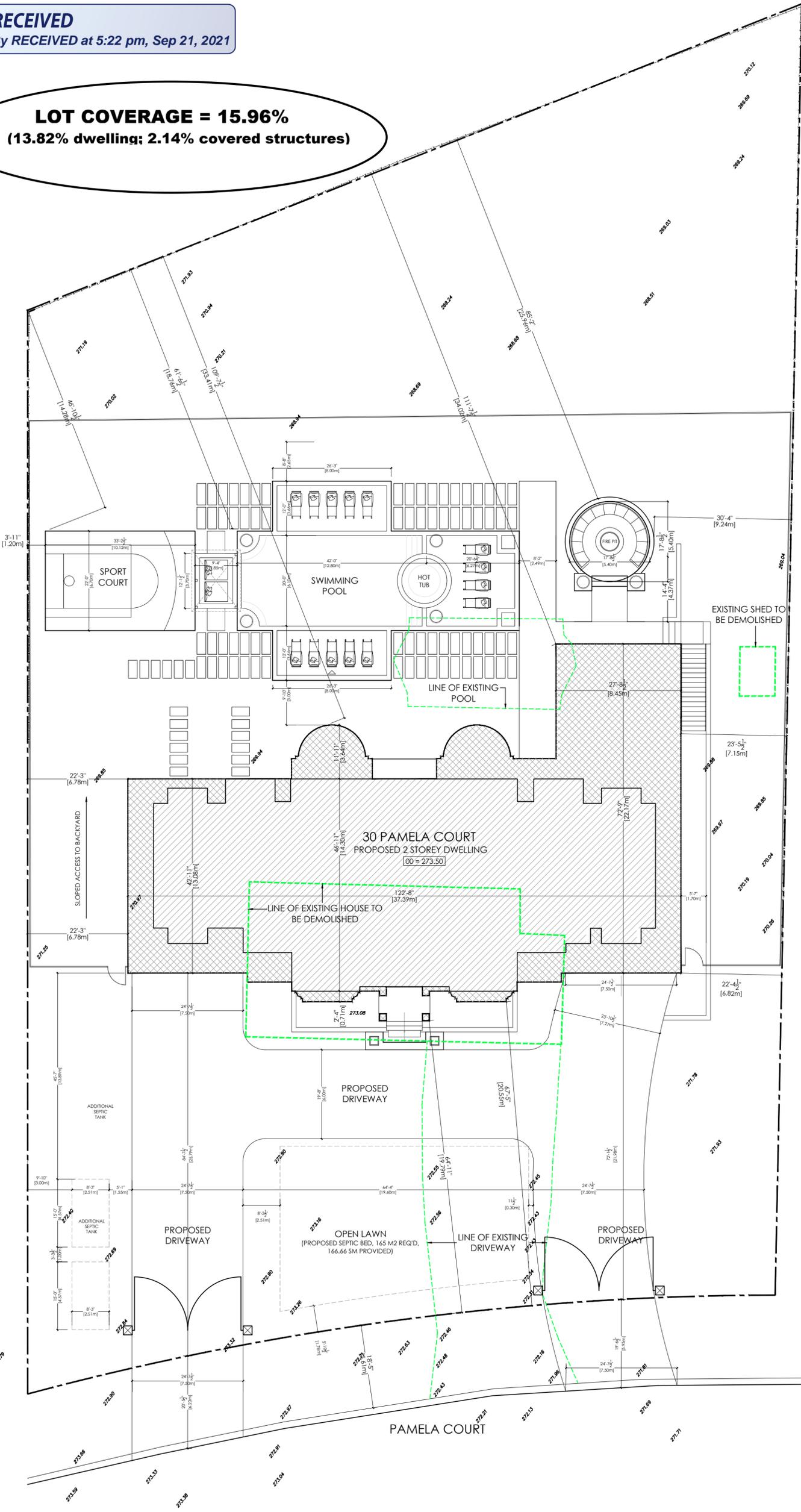
Teston Road

September 2, 2020 3:17 PM

RECEIVED
By RECEIVED at 5:22 pm, Sep 21, 2021

A071/20

LOT COVERAGE = 15.96%
(13.82% dwelling; 2.14% covered structures)



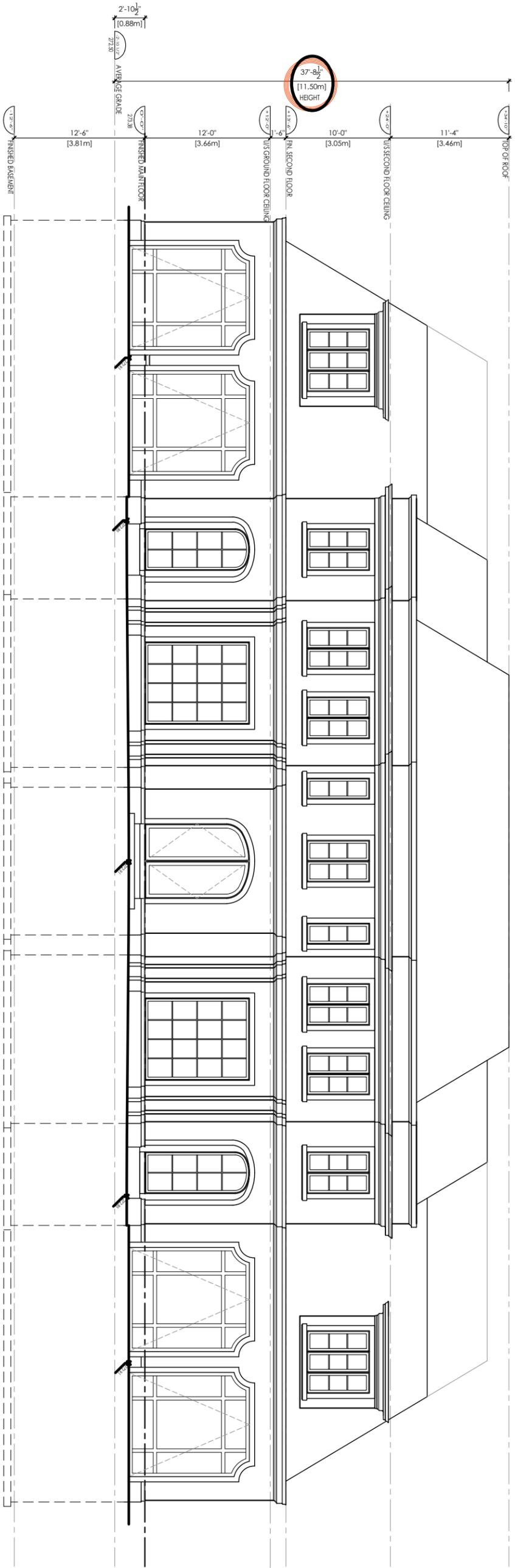
STATISTICS:	
LOT AREA:	4047.32 S.M. (43,565 S.F.)
LOT FRONTAGE:	50.53M
AVERAGE GRADE:	272.50
LOT COVERAGE:	645.94 S.M. (6,952.79 S.F.) = 15.96%
GFA:	1079.90 S.M. (11,624 S.F.) = 2.66X
HEIGHT:	11.50 M
SEPTIC BED AREA (FRONT OPEN LAWN):	166.66 SM
SEPTIC TANKS:	12.46 SM EA.

SITE PLAN
1/16" = 1'-0"



RICHARD WENGLER
ARCHITECT

PRIVATE RESIDENCE
30 PAMELA COURT
VAUGHAN, ONTARIO
SEPTEMBER 20, 2021
2045

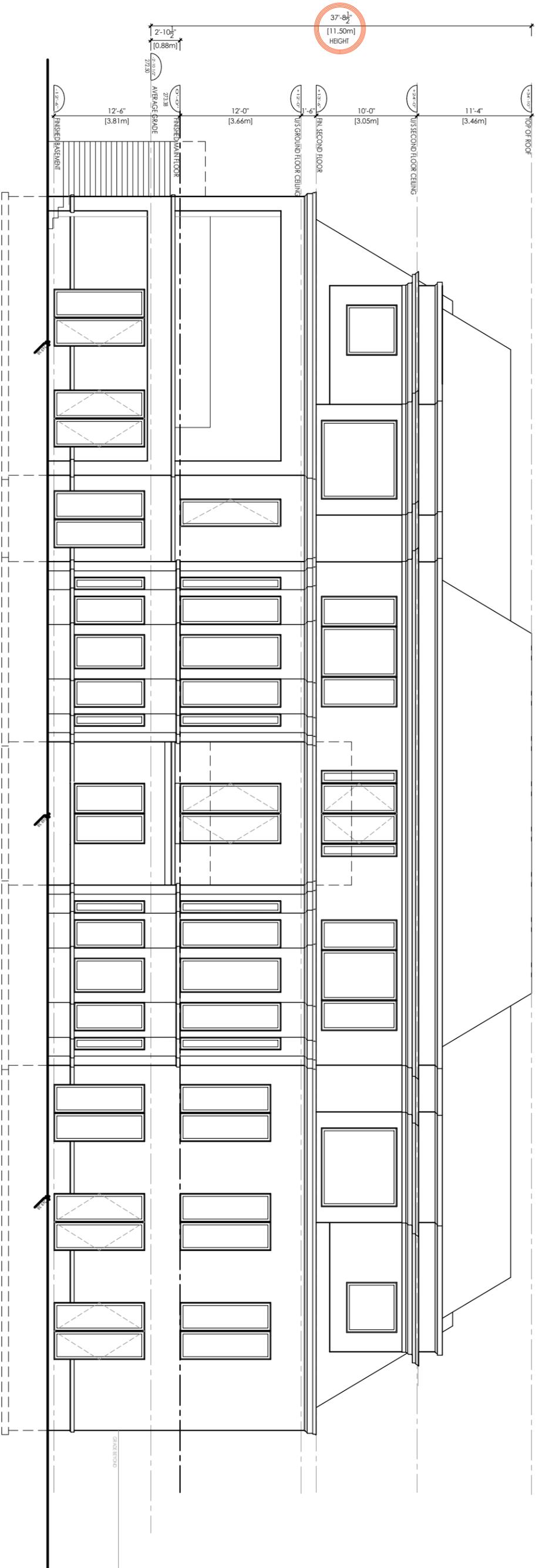


RICHARD WENGLE
ARCHITECT INC.

PRIVATE RESIDENCE

30 PAMELA COURT
VAUGHAN, ONTARIO
JULY 23, 2021
2045

 **FRONT ELEVATION**
SCALE: 3/32" = 1'-0"



37'-8 1/2"
[11.50m]
HEIGHT

TOP OF ROOF

11'-4"
[3.46m]

FIN. SECOND FLOOR CEILING

10'-0"
[3.05m]

FIN. SECOND FLOOR

12'-0"
[3.66m]

FIN. GROUND FLOOR CEILING

12'-6"
[3.81m]

FINISHED BASEMENT

2'-10 1/2"
[0.88m]

2'-3 3/8"
[0.723]

2'-0 1/2"
[0.625]

GRADE

PRIVATE RESIDENCE

30 PAMELA COURT
VAUGHAN, ONTARIO

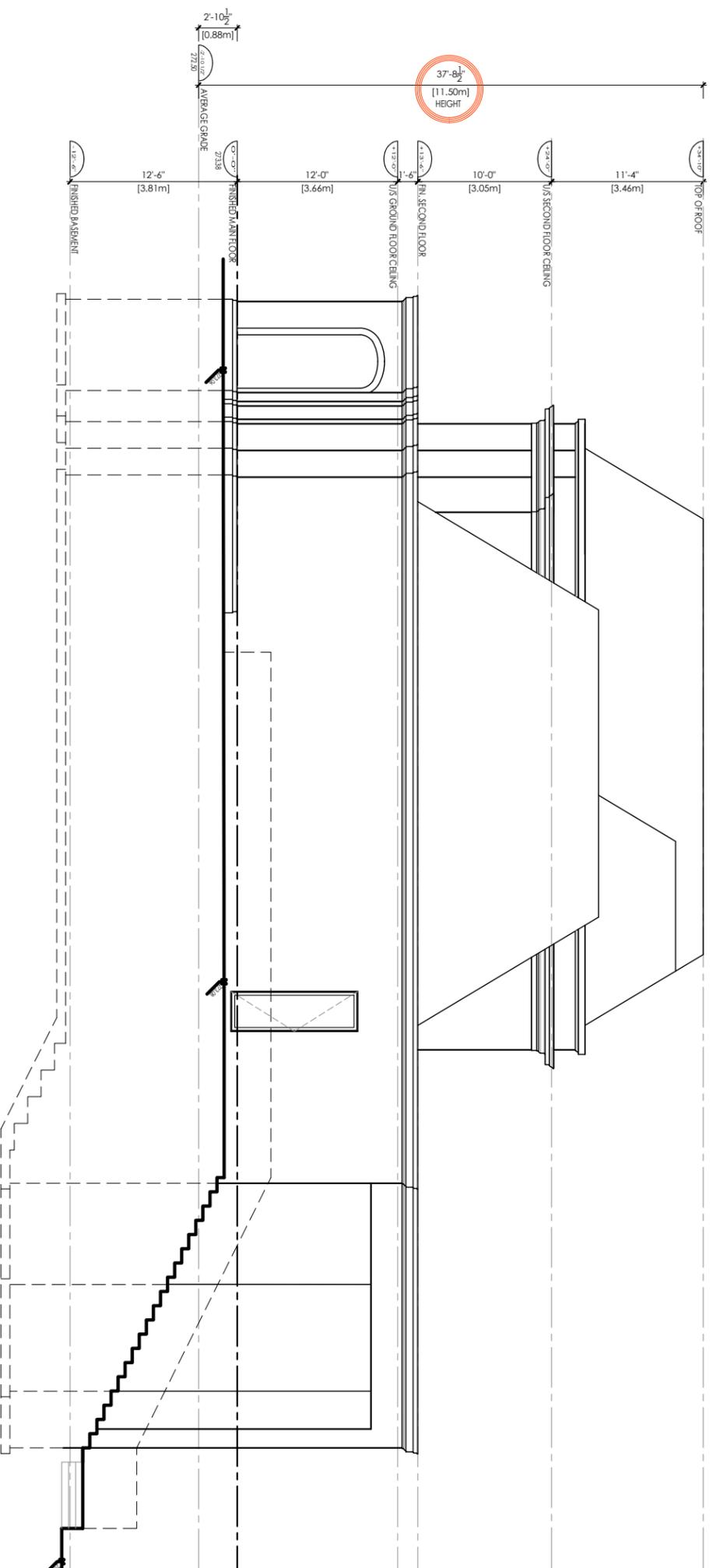
JULY 23, 2021

2045

REAR ELEVATION
SCALE: 3/32" = 1'-0"



RICHARD WENGLE
ARCHITECT INC.

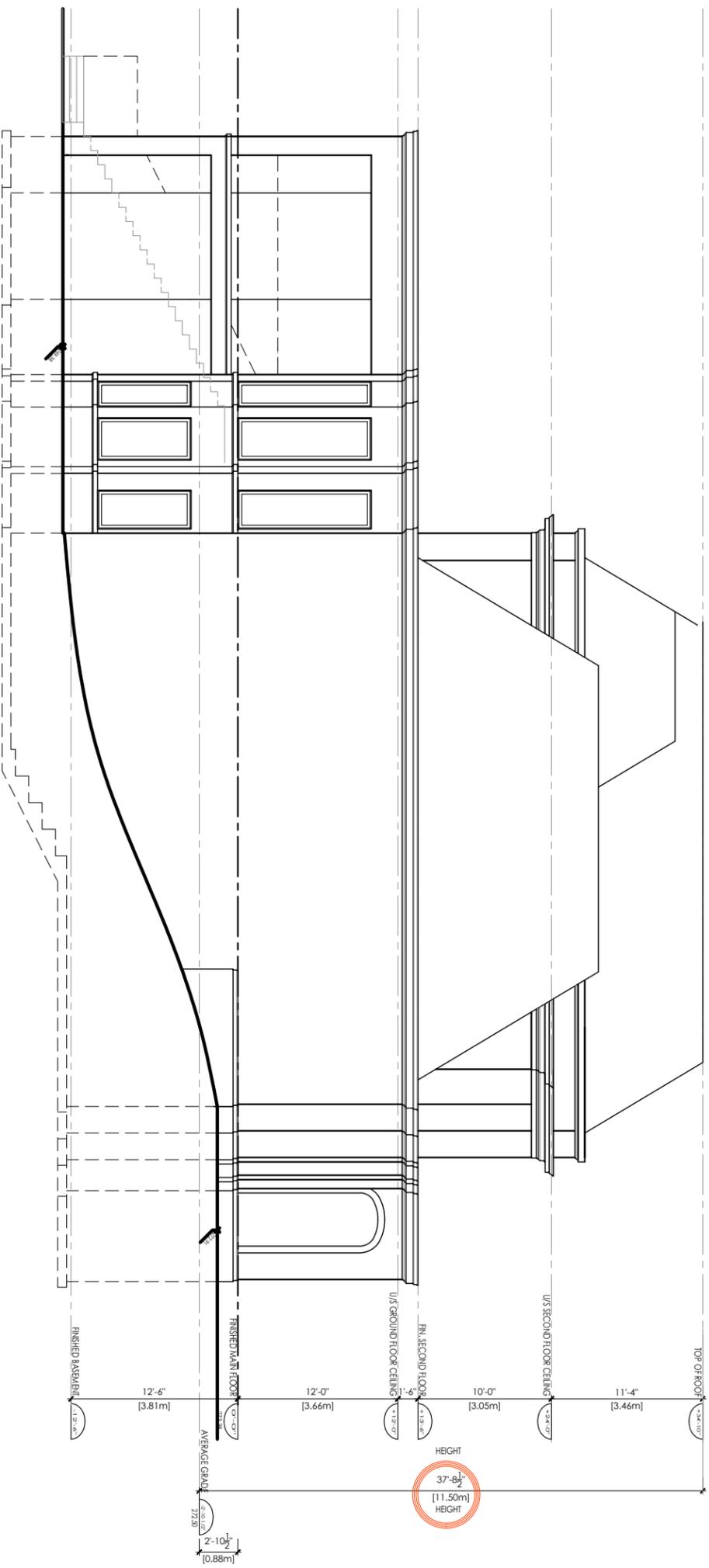


PRIVATE RESIDENCE

30 PAMELA COURT
 VAUGHAN, ONTARIO
 JULY 23, 2021
 2045

 **EAST ELEVATION**
 SCALE: 3/32" = 1'-0"





PRIVATE RESIDENCE

RICHARD WENGLE
ARCHITECT INC.



30 PAMELA COURT
VAUGHAN, ONTARIO
JULY 23, 2021
2045

WEST 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.

Applicant Correspondence – Application Cover Letter



RECEIVED

September 22, 2021

September 22, 2021

Committee of Adjustment

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attn: Ms. Christine Vigneault, Manager Development Services & Secretary Treasurer Committee of Adjustment

Dear Ms. Vigneault,

RE: Application for Minor Variance
Shai and Marie Josee Bekman
30 Pamela Court
City of Vaughan
File No. A071/21

Evans Planning Inc. acts on behalf of Shai and Marie Bekman, the owners of the property located at 30 Pamela Court in the City of Vaughan (the subject property). In March 2021, the Beckman's submitted an application for Minor Variance (File No. A071/20) to facilitate the construction of a single detached dwelling on the subject property. The application was scheduled to be heard by the Committee of Adjustment on May 20, 2021, but was adjourned in order to address comments from City Staff.

On July 23, 2021 Evans Planning Inc. submitted revised materials for application A071/20. Since the original application, the Site Plan was amended to shift the proposed dwelling towards the rear of the property, and relocate the required septic system to the front yard. This change to the design was implemented to improve tree protection and to reduce the number of required minor variances. The shifting of the dwelling has eliminated the need for a reduced front yard setback. The revised application requests a total of two minor variances:

- 1) **Maximum Lot Coverage:** To permit a lot coverage of 15.96%, whereas the By-law requires a maximum lot coverage of 10%.

The previously submitted plans initially proposed a lot coverage of 22.77%. It was determined that the coverage was miscalculated and was significantly less. The revised site plan now proposes a lot coverage of 15.96%. As per comments from City Planning Staff of May 3, 2021, it was noted that permitted minor variances in the Woodland Acres Subdivision for coverage have ranged between 11% - 17%. As such, the proposed lot coverage of 15.96% is consistent with other variances that have been permitted within this neighbourhood.

- 2) **Maximum Building Height:** To permit a building height of 11.5 metres, whereas the By-law requires a maximum building height of 9.5 metres.

Comments from Planning Staff of May 3, 2021 noted that the proposed building height should be reduced to 11.50 metres to be consistent with other variances for building height that have been approved in the Woodland Acres Subdivision. The revised plans now show a maximum building height of 11.50 metres.

Through the City's further review of the revised application, minor changes were requested by the Zoning Department and Urban Design. To address these comments the following revised materials are submitted for the City's review:

- Site Plan, dated September 20, 2021;
- Arborist Report & ORM Conformity Statement, dated September 20, 2021;
- Hard Landscape/Grading Plan (L-1), dated September 21, 2021;
- Tree Replacement Plan (L-2), dated September 21, 2021;
- Zoning Review Waiver; and
- Application Change Form

The modifications made to site development plans were very minor in nature. The following changes were made to the Site Plan and resubmitted materials:

- 1) Driveway Width: The width of the proposed driveways has been reduced to 7.5m to comply with the Zoning By-law standard.
- 2) The east driveway has been curved slightly to allow for tree protection at the easterly limit of the site. This will allow for trees 811 to 815 to be retained.

Please note that the changes to the Site Plan do not require any additions or modifications to the minor variances that have been requested.

I trust that these materials are sufficient for your review. Should you require any additional information or materials, please contact the undersigned at your earliest convenience.

Yours truly,



Joanna Fast
RPP, MCIP

cc. Shai and Marie Josee Bekmam

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

TRCA – No concerns or objections

Date: August 11th , 2021

Attention: Pravina Attwala

RE: Request for Comments

File No.: A071-20

Related Files:

Applicant Shai and Marie Josee Bekman

Location 30 Pamela Court



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

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Pravina Attwala

Subject: FW: REQUEST FOR COMMENTS - A071/20 (30 PAMELA COURT)

From: York Plan <yorkplan@trca.ca>

Sent: August-10-21 2:50 PM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

Cc: Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

Subject: [External] RE: REQUEST FOR COMMENTS - A071/20 (30 PAMELA COURT)

TRCA has no concerns with regard to the above noted application.

Should further clarification be required, please contact the undersigned at your earliest convenience.

Mark Howard, BES, MLA, MCIP, RPP

Senior Planner – Vaughan Review Area

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: mark.howard@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



Pravina Attwala

Subject: FW: REQUEST FOR COMMENTS - A071/20 (30 PAMELA COURT)

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

Sent: August-27-21 1:54 PM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

Subject: [External] RE: REQUEST FOR COMMENTS - A071/20 (30 PAMELA COURT)

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
464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca