

File:

VAUGHAN Staff Report Summary

Item # 11

Ward #1

| Applicant: | Ajay and Rama Mehra |
|------------|---------------------|

A205/21

2 Creedmore Court, Kleinburg Address:

ANT Homes (Mike Stevenson) 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 | V | |
| Building Standards | V | |
| Building Inspection | V | |
| Development Planning | V | $\overline{\checkmark}$ |
| Development Engineering | V | $\overline{\checkmark}$ |
| Parks, Forestry and Horticulture Operations | V | |
| By-law & Compliance | V | |
| Financial Planning & Development | V | |
| Fire Department | | |
| TRCA | | |
| Ministry of Transportation | | |
| Region of York | $\overline{\mathbf{V}}$ | |
| Alectra (Formerly PowerStream) | $\overline{\mathbf{V}}$ | |
| Public Correspondence (see Schedule B) | | |

| Adjournment History: None. |
|----------------------------|
| Background History: None. |
| |

Staff Report Prepared By: Lenore Providence Hearing Date: November 18, 2021

Agenda Report A205/21 Page 2



Minor Variance Application

Agenda Item: 11

A205/21 Ward: 1

Staff Report Prepared By: Lenore Providence Assistant Secretary Treasurer

Date & Time of Live Stream Hearing:

Thursday, November 18, 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: Ajay and Rama Mehra

Agent: ANT Homes (Mike Stevenson)

Property: 2 Creedmore Court, Kleinburg

Zoning: The subject lands are zoned RD1 and subject to the provisions of Exception

9(1316) under By-law 1-88 as amended.

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

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 11.0 metres is permitted | To permit a maximum building height of |
| (Schedule A3, By-law 1-88a.a.). | 11.69 metres. |
| 2. A maximum interior garage width of 9.0 metres is | 2. To permit a maximum interior garage width |
| permitted (Schedule A3, By-law 1-88a.a.). | of 13.35 metres. |
| 3. A maximum eave and gutter encroachment of 0.5 | 3. To permit a maximum eave and gutter |
| metres is permitted (Section 3.14, By-law 1-88a.a.). | encroachment of 0.55 metres. |

Background (previous applications approved by the Committee on the subject land): None.

Adjournment History: None.

Staff & Agency Comments

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

Committee of Adjustment:

Public notice was mailed on November 3, 2021

Applicant confirmed posting of signage on November 2, 2021

| Property Information | |
|--------------------------|------------------|
| Existing Structures | Year Constructed |
| Land is currently vacant | TBD |

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

- 1. In efforts to work with the local topography, and stitch the proposed dwelling into the area; proposed grades slope from back to front yard. This causes the grade at the front elevation to be lower than the back and side yards. building height at the rear and exterior side yards are within the standard 11m max building height.
- 2. Proposed 3 car garage w/ exterior man door, and required interior stairs to house w/ landing increase the width beyond standard. This has been mitigated by turning the garage doors to the side yard and providing a breezeway that meets the standard interior width facing the Creedmoor Court
- 3. In efforts to maintain architectural details and design: 1'6" eaves are proposed throughout. @ 3 locations as marked on plans project by 0.55m into required side yard setback vs the standard 05m allowed.

Committee of Adjustment recommended conditions of approval: None.

Adjournment Request / File Review History: None.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file

Building Permit No. 21-114647 for Single Detached Dwelling - New, Issue Date: (Not Yet Issued)

The portion of the driveway between the street line and the street curb shall not exceed six (6) metres in width (Section 4.1.4, By-law 1-88a.a.).

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 Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority.

Building Inspections (Septic):

No comments received to date.

Development Planning:

Please see Schedule C for Development Planning comments/conditions.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A205/21subject to the following condition(s):

 Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder about the proposed work to the subject property and provide a copy of the acknowledgement letter/email from the developer/builder to the City's Development Engineering Department.

Additional comments:

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.

Parks Development - Forestry/Horticulture:

No comment no concerns

By-Law and Compliance, Licensing and Permit Services:

No comment 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.
- 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
- 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 received to date

Schedule A - Plans & Sketches

Schedule B - Public Correspondence - None

Schedule C - Development Planning & Agency Comments

Development Planning Comments – Recommend approval with conditions 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:

- ✓ 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 Planning | The Owner shall submit a revised Landscape Plan to the |
| | Michael Torres | satisfaction of the Development Planning Department. |
| | 905-832-8585 x 8933 | |
| | Michael.Torres@vaughan.ca | |
| | | |
| 2 | Development Engineering | Staff have confirmed that the property is located within an |
| | Farzana Khan | unassumed subdivision. The Owner/applicant shall provide |
| | | satisfactory notification to the developer/builder about the |
| | 905-832-8585 x 3608 | proposed work to the subject property and provide a copy of the |
| | Farzana.Khan@Vaughan.ca_ | acknowledgement letter/email from the developer/builder to the |
| | | City's Development Engineering Department. |

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.

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 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

Schedule A: Plans & Sketches

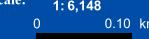
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map Site Plan & Sketches



Disclaimer:

nable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the informat ty or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.

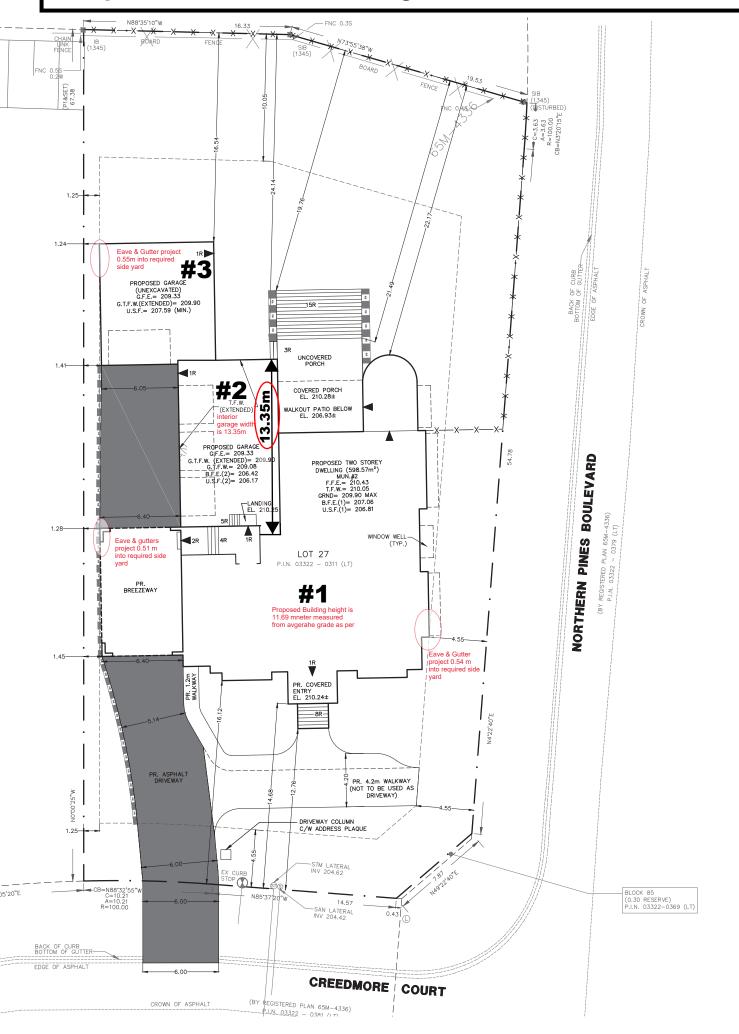


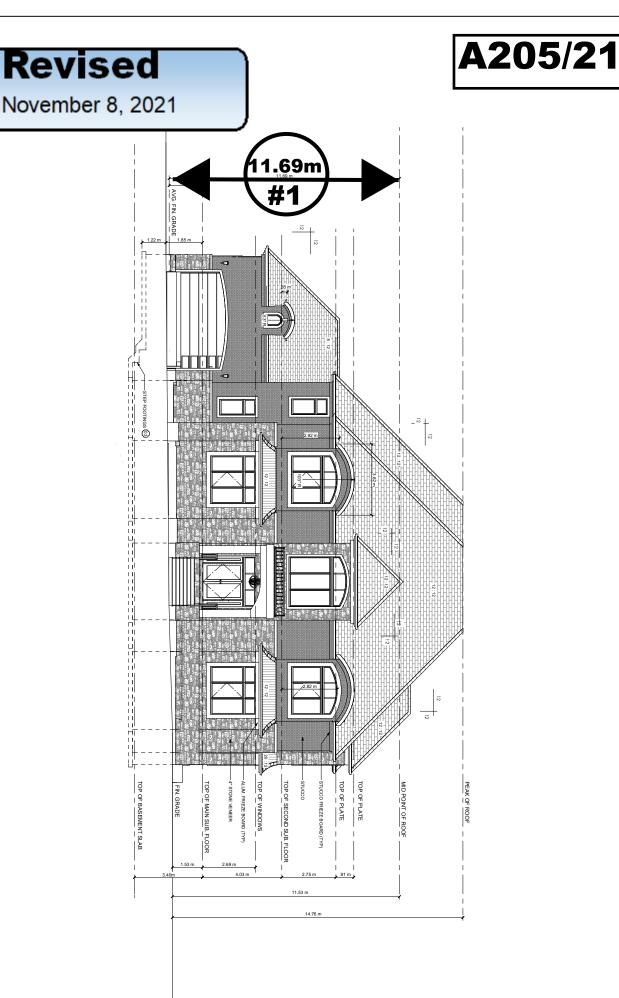


UTM Zone

Created By: Infrastructure Delivery Department November 2, 2021 12:16 PM

- 1. To permit a maximum building height of 11.69m.
- 2. To permit a maximum interior garage width of 13.35m.
- 3. To permit a maximum eave and gutter encroachment of 0.55m.







A.N.T HOMES Innisfil 705-431-2268

MEHRA RESIDENCE

Lot 27 Creedmoor Court Kleinburg

A-6

1/16"=1'-0"

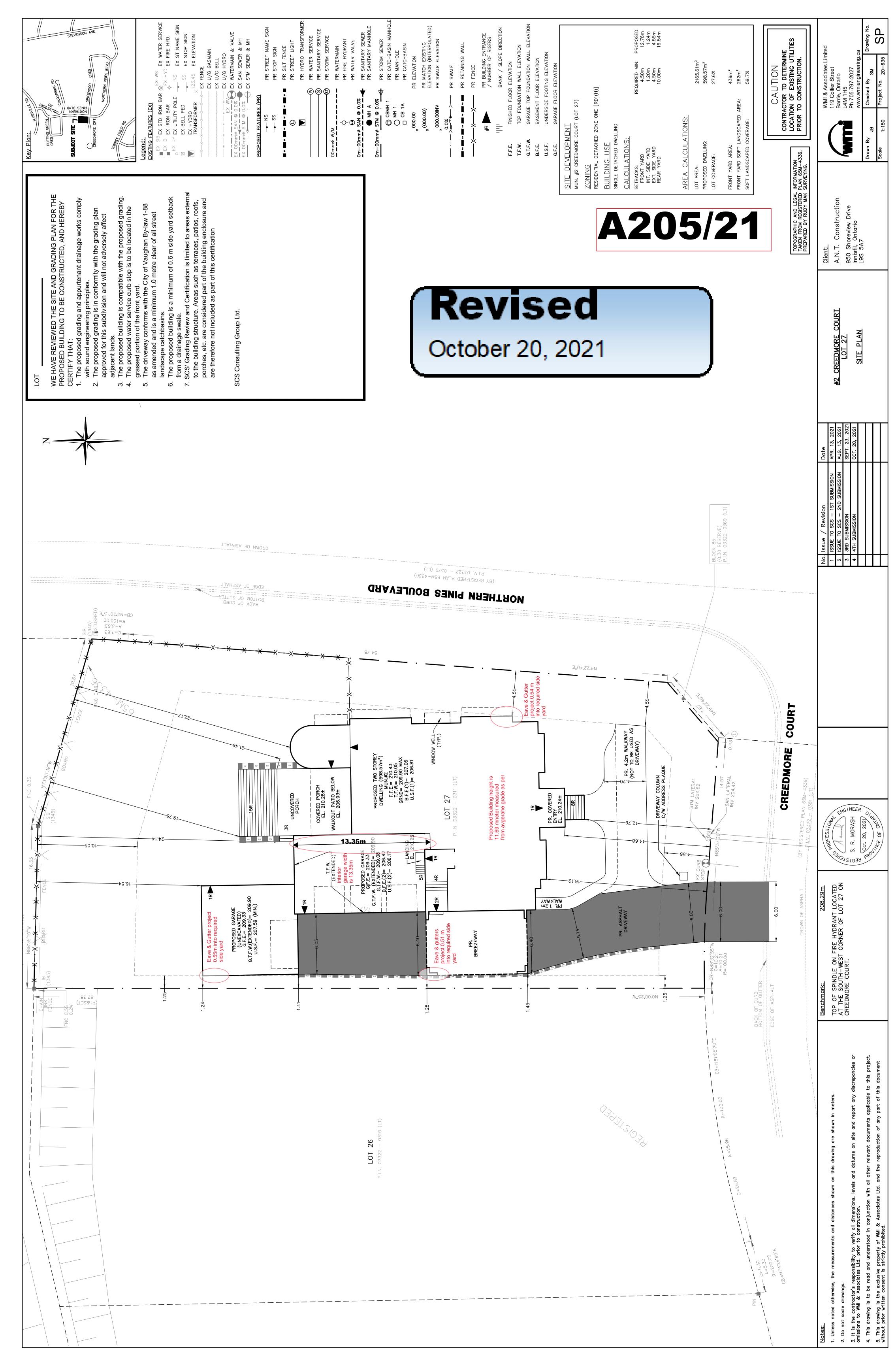
ELEVATION

FRONT

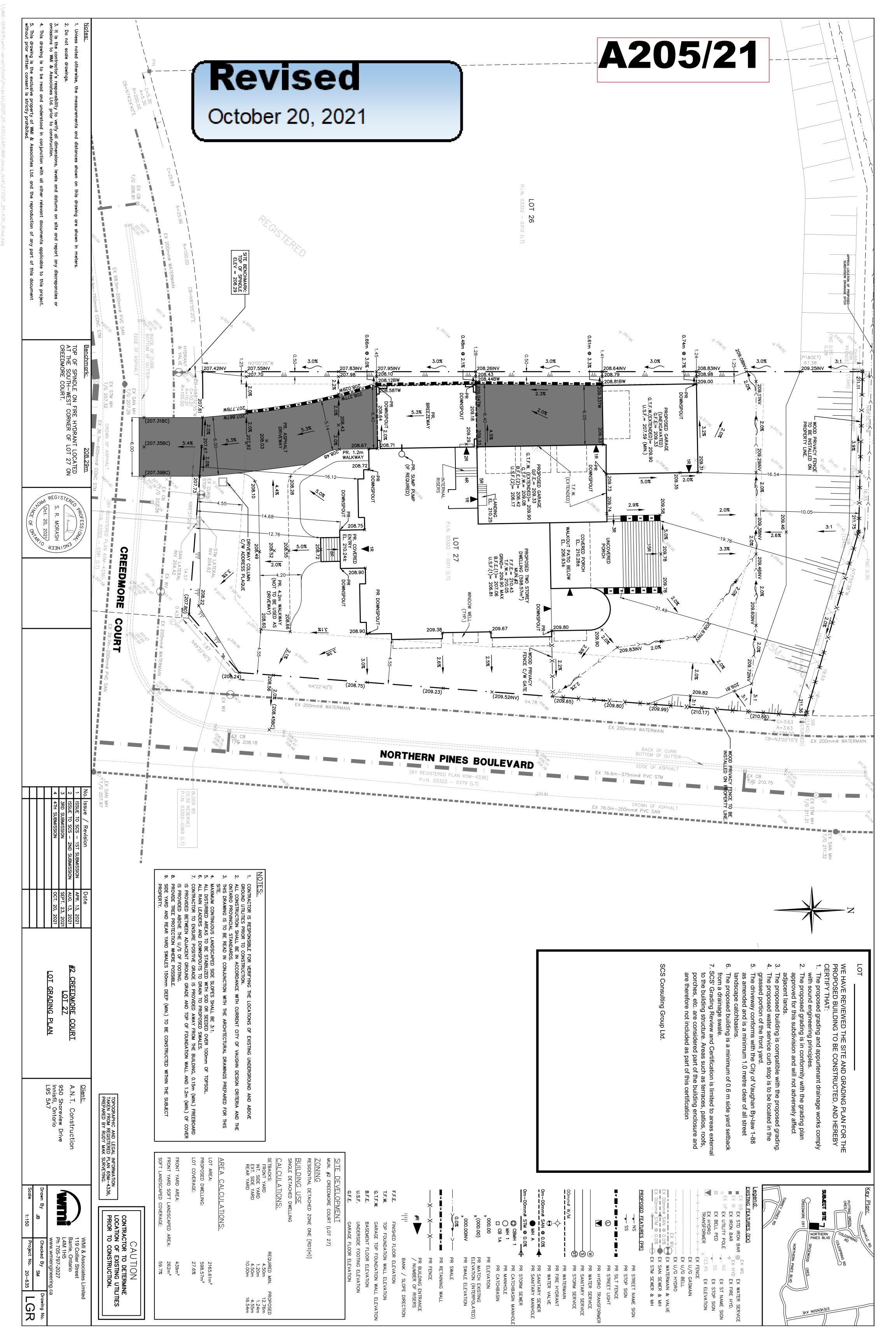
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ISSUED FOR VARIANCE NO

NOV. 2, 2021

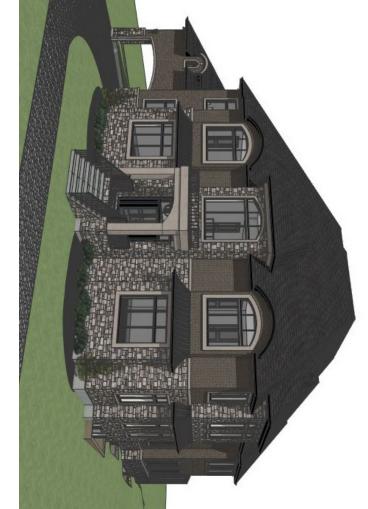


 $\label{local-condition} \\ | WMI-SERVER \\ | wmi-server \\ | Data \\ | Projects \\ | 2020 \\ | 202-635 \\ | CAD \\ | wMI \\ | Issue_No^2 \\ | WMI-SERVER \\ | WMI-SER$





REAR ISOMETRIC



FRONT ISOMETRIC

A.N.T HOMES Innisfil 705-431-2268

HOMES

A Division of 1157391 Ontario Inc.

MEHRA RESIDENCE

Lot 27 Creedmoor Court Kleinburg

<u>}</u>-

TITLE PAGE

3/64"=1'-0"

8"×14"

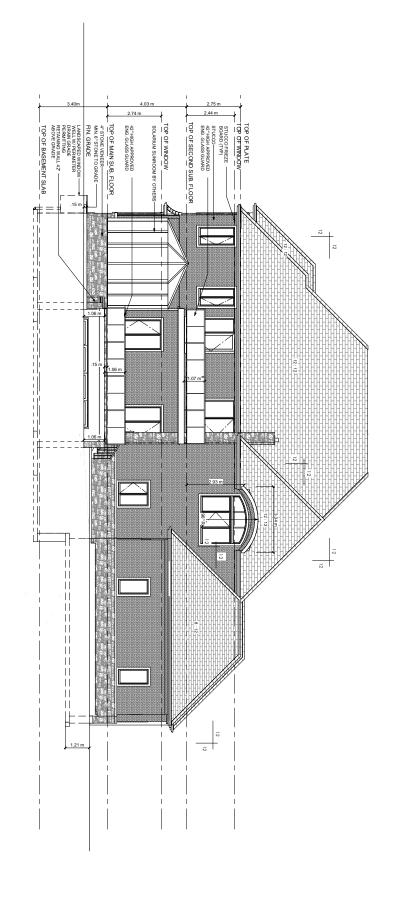
NOV. 2, 2021

ISSUED FOR VARIANCE

A205/21

Revised

November 8, 2021



A.N.T HOMES Innisfil 705-431-2268

HOMES

A Division of 1157391 Ontario Inc.

Lot 27 Creedmoor Court Kleinburg

MEHRA RESIDENCE

ELEVATION A-7

REAR

1/16"=1'-0"

8"×14"

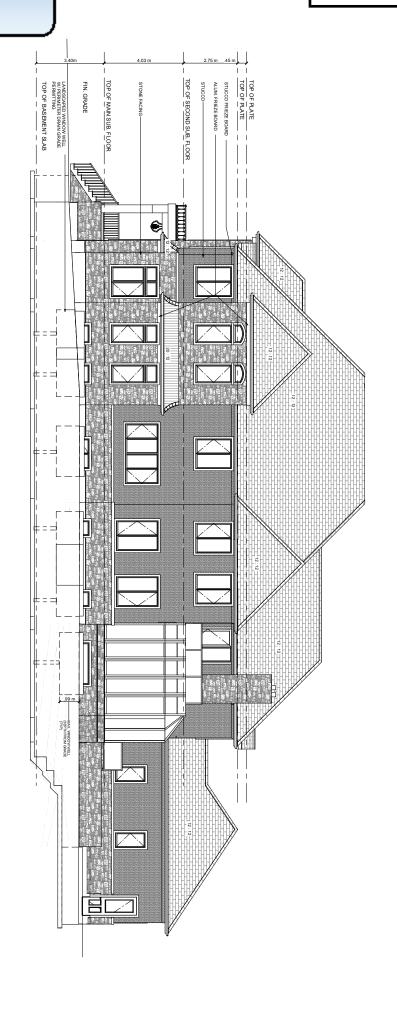
NOV. 2, 2021

ISSUED FOR VARIANCE

Revised

November 8, 2021

A205/21



RIGHT

A-8 1/16"=1'-0"

8"×14"

MEHRA RESIDENCE

Lot 27

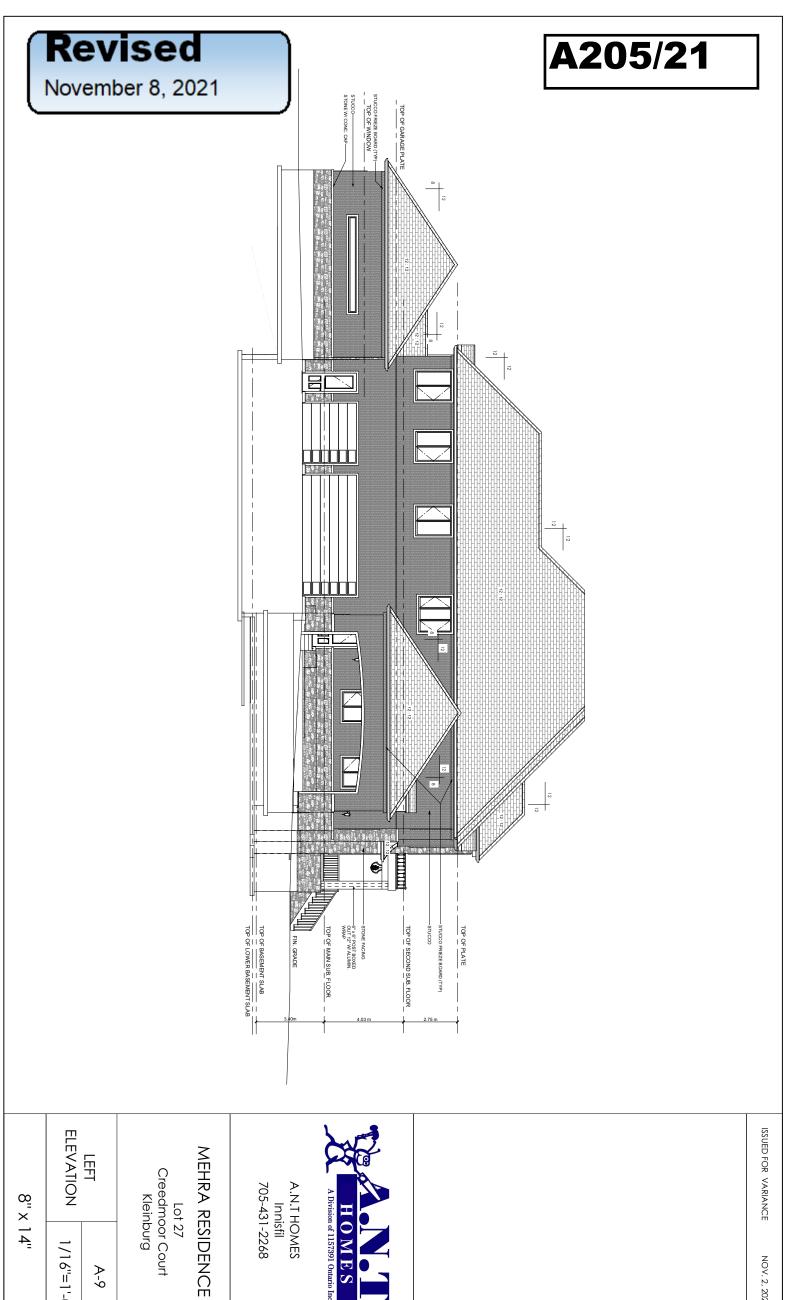
Creedmoor Court

Kleinburg

A.N.T HOMES Innisfil 705-431-2268 HOMES
A Division of 1157391 Ontario Inc.

ISSUED FOR VARIANCE

NOV. 2, 2021



8"×14"

1/16"=1'-0"

A-9

Lot 27 Creedmoor Court Kleinburg

A.N.T HOMES Innisfil 705-431-2268 HOMES

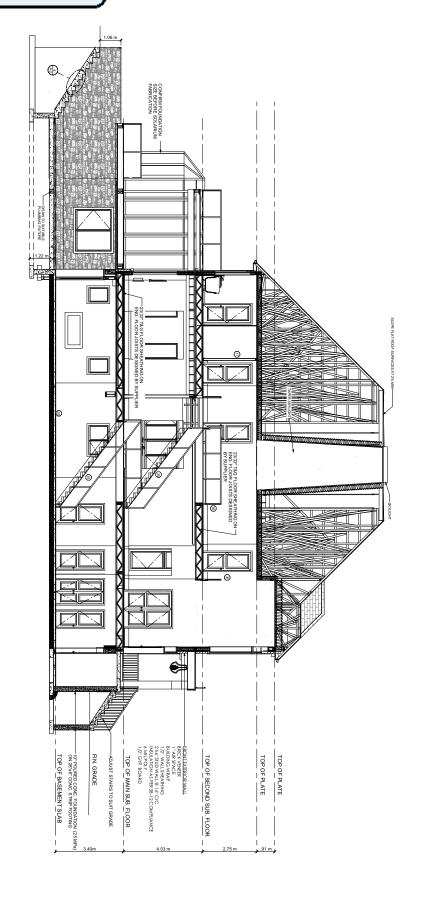
A Division of 1157391 Ontario Inc.

NOV. 2, 2021

Revised

November 8, 2021

A205/21



A.N.T HOMES Innisfil 705-431-2268

HOMES

A Division of 1157391 Ontario Inc.

MEHRA RESIDENCE

Lot 27 Creedmoor Court Kleinburg

A-10

1/16"=1'-0"

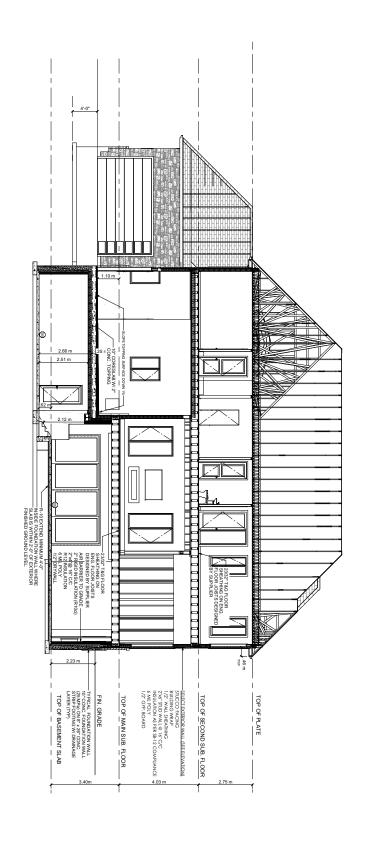
BUILDING SECTION

8"×14"

Revised

November 8, 2021

A205/21



HOMES

A Division of 1157391 Ontario Inc.

A.N.T HOMES Innisfil 705-431-2268

MEHRA RESIDENCE

Lot 27 Creedmoor Court Kleinburg

A-11

1/16"=1'-0"

8"×14"

BUILDING SECTION

ISSUED FOR VARIANCE

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: Development Planning & 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.-

Development Planning Comments – Recommend approval with conditions Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections





To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: November 18, 2021

Name of Owner: Ajay and Rama Mehra

Location: 2 Creedmore Court

File No.(s): A205/21

Proposed Variance(s):

1. To permit a maximum building height of 11.69 m.

- To permit a maximum interior garage width of 13.35 m.
 To permit a maximum eave and gutter encroachment of 0.55 m.

By-Law Requirement(s):

- 1. A maximum building height of 11 m is permitted (Schedule A3, By-law 1-88a.a.).
- 2. A maximum interior garage width of 9 m is permitted (Schedule A3, By-law 1-88a.a.).
- 3. A maximum eave and gutter encroachment of 0.5 m is permitted (Section 3.14, By-law 1-88a.a.).

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Comments:

The Owner is proposing to construct a two-storey single detached dwelling with the above-noted variances.

The Development Planning Department has no objection to the proposed building height of 11.69 m, which is measured to the mid-point of the roof due to the sloped roof design. The scale and massing of the proposed dwelling is consistent with the built form of the existing estate lot character of the neighbourhood, and the variations in height of the balance of the roofline minimize the impact to the streetscape.

The requested maximum interior garage width of 13.35 m is for a proposed three car garage. The Development Planning Department has no objection to the requested variance, as the garage will be located along the side of the proposed dwelling and not be visible from the street, and the request is similar to previous approvals by the Committee of Adjustment in the surrounding area.

The Development Planning Department has no objection to Variance 3, as the proposed maximum eave and gutter encroachment of 0.55 m represents a minor deviation from the required 0.5 m and will not have a noticeable impact on adjacent properties.

Urban Design staff have reviewed the application and have recommended that a revised Landscape Plan be provided to ensure appropriate screening of the dwelling. A condition to this effect has been included in the Conditions of Approval. Urban Design staff are also satisfied that a letter from the Control Architect of the subdivision confirming there are no concerns with the proposed development has been provided by the Owner.

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.

Recommendation:

The Development Planning Department recommends approval of the application, subject to the following condition:

memorandum



Conditions of Approval:

If the Committee finds merit in the application, the following condition(s) of approval are recommended:

1. The Owner shall submit a revised Landscape Plan to the satisfaction of the Development Planning Department.

Comments Prepared by:

Michael Torres, Planner I Chris Cosentino, Senior Planner



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: stephen.cranley@alectrautilities.com

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

Email: tony.donofrio@alectrautilities.com

Lenore Providence

To: Zhao, Linda

Cc: Hurst, Gabrielle; Committee of Adjustment

Subject: RE: [External] RE: Request for Comments: A205/21 (2 Creedmore Court, Kleinburg)

From: Zhao, Linda <Linda.Zhao@york.ca>

Sent: November-10-21 3:43 PM

To: Lenore Providence < Lenore. Providence@vaughan.ca>

Cc: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>; Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: Request for Comments: A205/21 (2 Creedmore Court, Kleinburg)

Hi Lenore,

The Regional Municipality of York has completed its review of the minor variance application and has no comment.

Thank you,

Linda Zhao | Planning Assistant – Student | Planning and Economic Development, Corporate Services |

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 (905)-830-4444 x74886 | Linda.Zhao@york.ca | www.york.ca

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



Our Mission: Working together to serve our thriving communities - today and tomorrow.