

### VAUGHAN Staff Report Summary

### Item 16

Ward 4

File:	A214/21

**Applicant:** Natalia Gontcharov

59 Forecastle Rd Concord Address:

Intequa Designs Agent:

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	√×
Committee of Adjustment	$\square$	
Building Standards	$\square$	
Building Inspection		
Development Planning	$\square$	
Development Engineering	$\square$	
Parks, Forestry and Horticulture Operations	$\square$	
By-law & Compliance	$\overline{\square}$	
Financial Planning & Development	$\overline{\mathbf{V}}$	
Fire Department	$\overline{\mathbf{V}}$	
TRCA		
Metrolinx	$\square$	
Region of York	$\overline{\mathbf{V}}$	
Alectra (Formerly PowerStream)	$\overline{\mathbf{V}}$	
Public Correspondence (see Schedule B)		
Adjournment History: N/A		
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Background History: N/A		

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday, November 18, 2021



### Minor Variance Application

Agenda Item: 16

**A214/21** Ward: 4

### Staff Report Prepared By: Pravina Attwala, 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 <a href="Vaughan.ca/LiveCouncil">Vaughan.ca/LiveCouncil</a>

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: Natalia Gontcharov

Agent: Intequa Designs

Property: 59 Forecastle Rd Concord

**Zoning:** The subject lands are zoned RV3 (WS) Residential and subject to the provisions of

Exception 9(1039) 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 existing

unheated sunroom located in the rear yard.

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

By-law Requirement	Proposal
A minimum setback from the rear lot line to the nearest part of the addition shall be 6.0 metres.	To permit a minimum setback of 2.5 metres from the rear lot line to the nearest part of the addition to the
hearest part of the addition shall be 0.0 metres.	dwelling.

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

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

### Adjournment History: N/A

### **Staff & Agency Comments**

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

### **Committee of Adjustment:**

Public notice was mailed on November 3, 2021

Applicant confirmed posting of signage on October 27, 2021

Property Information		
Existing Structures	Year Constructed	
Dwelling	2000 (Purchased 2017)	

Applicant has advised that they cannot comply with By-law for the following reason(s): Structural work is existing (The roof, the floor only the walls are currently non existent) It goes against the set back by law

Committee of Adjustment recommended conditions of approval: None

### **Building Standards (Zoning Review):**

Stop Work Order(s) and Order(s) to Comply: Order No. 21-118206, Order to Comply for rear covered porch, Issue Date: Jul 07, 2021.

Building Permit No. 21-117861 for Single Detached Dwelling - Alteration, (Not Yet Issued)

Please note that an air conditioning unit 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 6.0 metres..

### **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 A214/21.

### **Parks Development - Forestry:**

Please note that Forestry comments do not supersede the requirements of other commenting departments/agencies, including Development Planning with respect to the requirement of an Arborist Report and other tree protection requirements. Arborist Reports and other tree protection requirements may be required by other commenting departments to facilitate the review process of your application for the purpose of finalizing recommendations to the Committee of Adjustment.

### By-Law and Compliance, Licensing and Permit Services:

No comments or 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 or concerns

Schedule A - Plans & Sketches

### Schedule B - Public Correspondence

None

### Schedule C - Development Planning & Agency Comments

Development Planning Comments
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
Metrolinx – 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.

### **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.

**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

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.

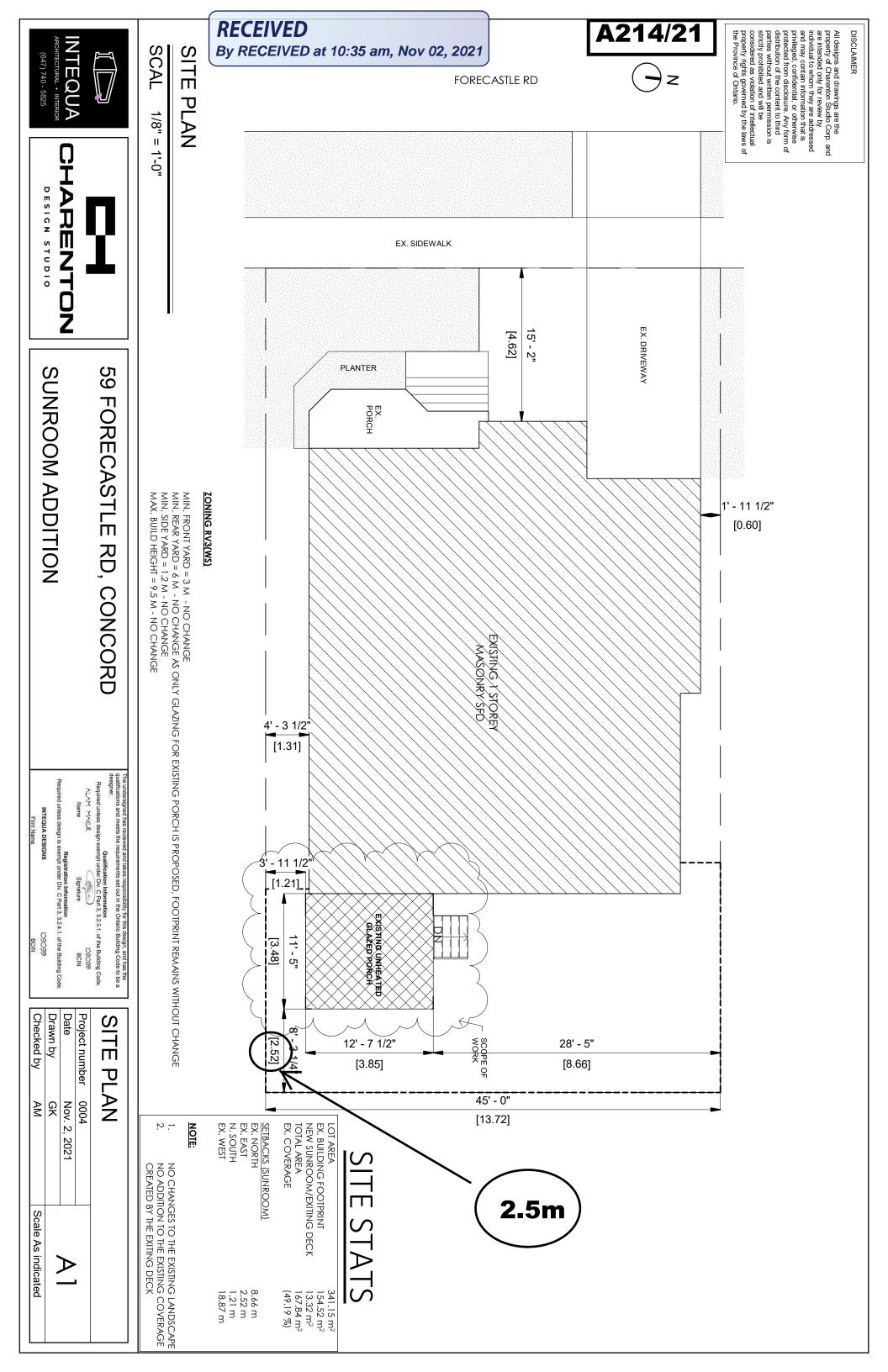
Location Map Plans & Sketches



**Keele Street** 

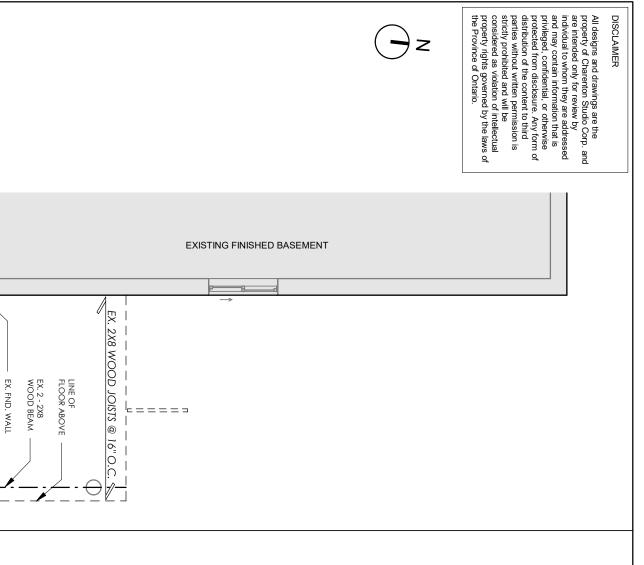
### **LOCATION MAP A214/21**

**Langstaff Road** 

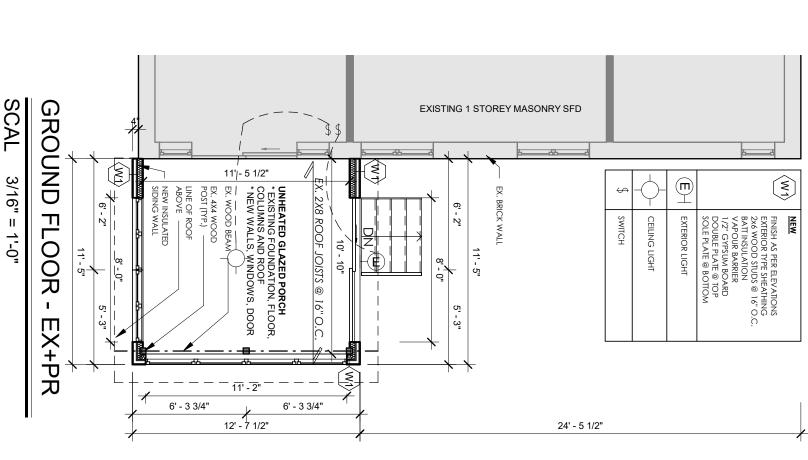


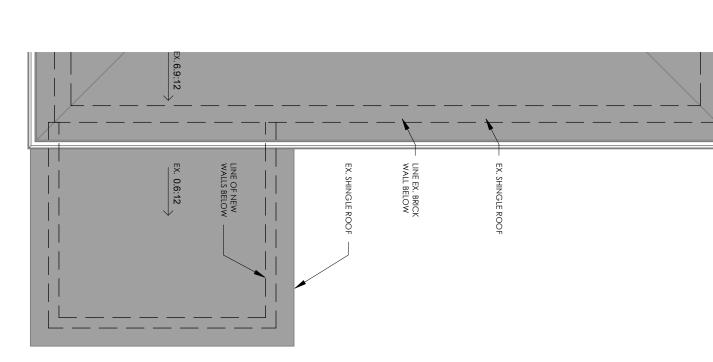


EX. CONCRETE FOUNDATION PIER (TYP.)



DISCLAIMER





### **EX. ROOF PLAN**

SCAL

3/16" = 1'-0"

		**			0.500
Checked by	Drawn by	Date	Project number 0004	T L AIN O	
AM	GK	August 31, 2021	0004		
Scale As indicated	í				

DESIGN STUDIO

SUNROOM ADDITION

SCAL

3/16" = 1'-0"

59 FORECASTLE RD, CONCORD

Required unless design exem
ALAM MAKLR
Name

ndersigned has reviewed and takes responsibility for this design, and has the cations and meets the requirements set out in the Ontario Building Code to be a ter-

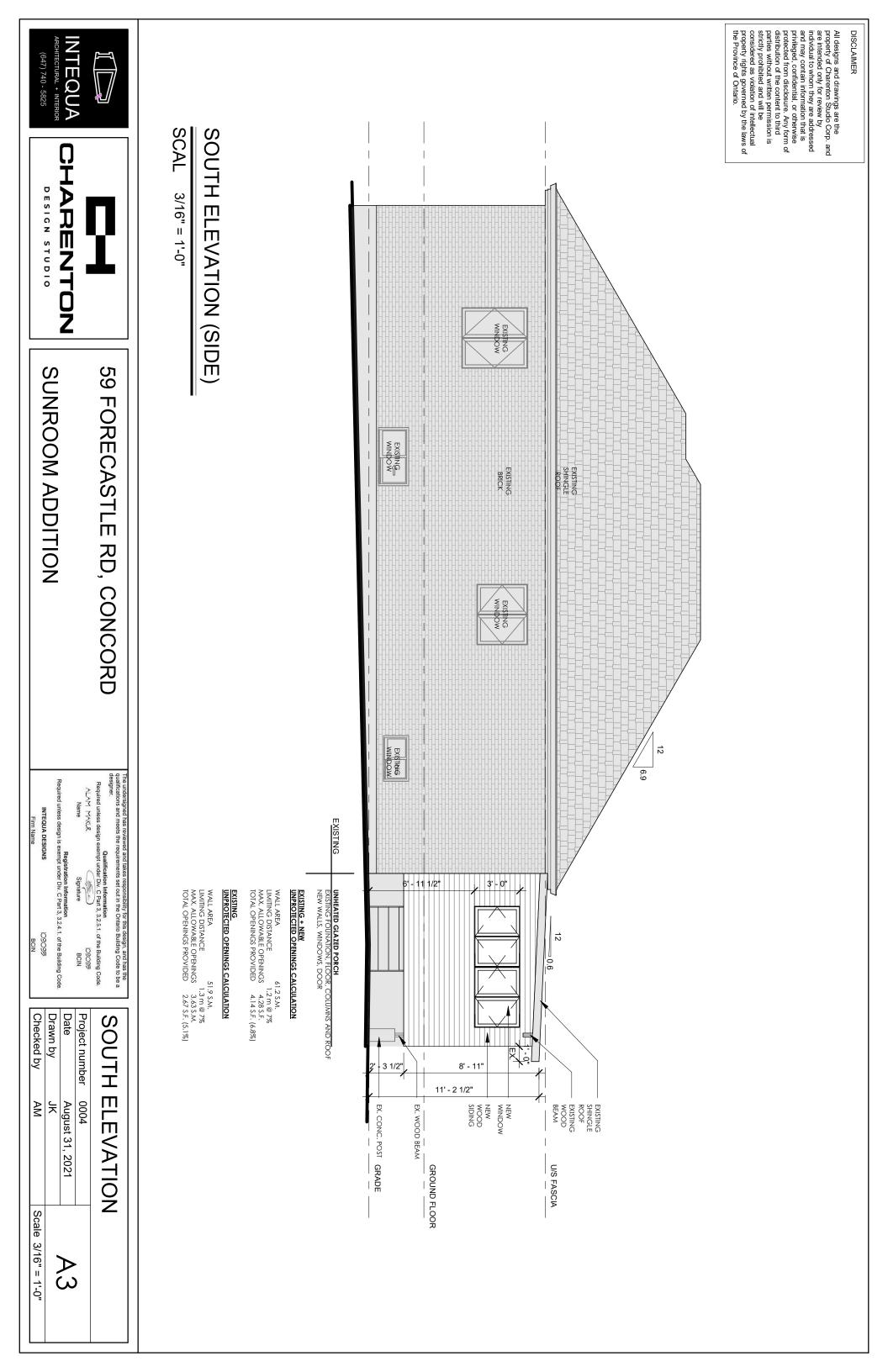
Qualification Information empt under Div. C Part 3, 3.2.5.1. of the Building Code

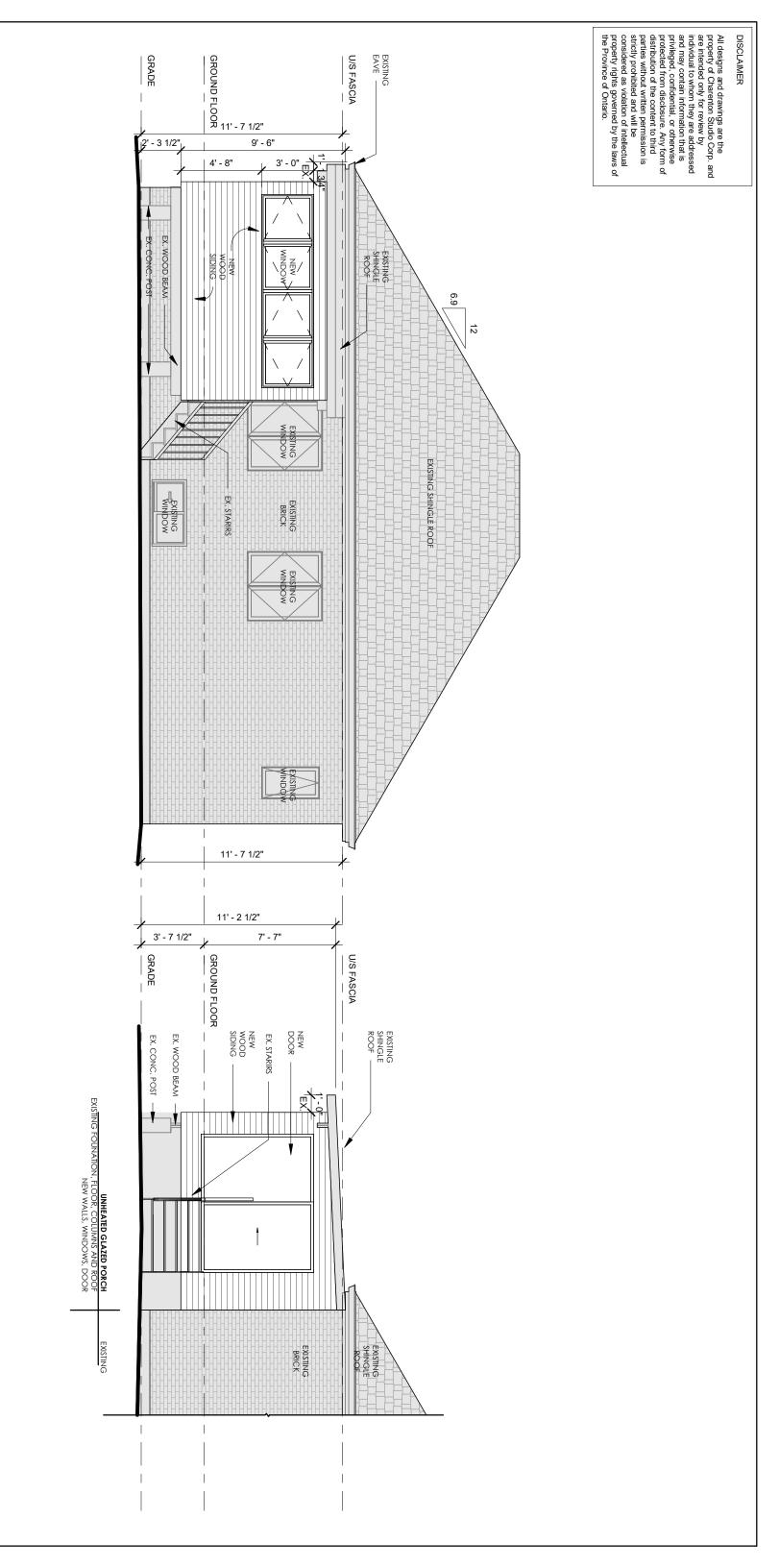
BCIN

Registration Information Registration Information Required unless design is exempt under Div. C Part 3, 3.2.4.1. of the Building Cod

INTEQUA DESIGNS

**EX. FOUNDATION PLAN** 





## EAST ELEVATION (REAR)

SCAL 3/16" = 1'-0"



INTEQUA

(647) 740 - 5825

# 59 FORECASTLE RD, CONCORD

SUNROOM ADDITION

	INTEQUA DESIGNS	Registration Information Required unless design is exempt under Div. C Part 3, 3.2.4.1, of the Building Code.	Name	ALAM MAKUR	Qualification Information  Required unless design exempt under Div. C Part 3, 3.2.5.1. of the Building Code.	designer.	qualifications and meets the requirements set out in the Ontario Building Code to be a	The second contract of
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SCAL

3/16" = 1'-0"

NORTH ELEVATION (SIDE)

### 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
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections
Metrolinx – 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: Natalia Gontcharov

**Location:** 59 Forecastle Road

File No.(s): A214/21

### Proposed Variance(s):

1. To permit a minimum setback of 2.5 m from the rear lot line to the nearest part of the addition to the dwelling.

### By-Law Requirement(s):

1. A minimum setback from the rear lot line to the nearest part of the addition shall be 6.0 m. (Schedule A1)

### Official Plan:

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

### Comments:

The Owner is requesting permission to construct an addition (sunroom) at the rear side of an existing dwelling with the above noted variance.

It is the understanding of the Development Planning Department that the proposed sunroom is to be constructed on the existing covered deck and that the deck floors and stairs currently exist. The only works proposed is the construction of walls to enclose the area. Prior to finalizing comments, the Development Planning Department received confirmation that the proposed sunroom does not extend any further into the rear yard than the existing deck does. Although, the Building Standards Department has interpreted this proposal as an addition it is important to distinguish that this area will remain unheated and is considered non-livable area.

The Development Planning Department can support a rear yard setback of 2.5 m as the sunroom complies with the side yard setbacks, maximum building height and maximum lot coverage requirements of Zoning By-law 1-88.

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.

### **Conditions of Approval:**

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

### **Comments Prepared by:**

Roberto Simbana, Planner I Letizia D'Addario, Senior Planner



Date: October 18<sup>th</sup> , 2021

Attention: Christine Vigneault

**RE:** Request for Comments

File No.: A214-21

**Related Files:** 

**Applicant** Natalia Gontcharov

**Location** 59 Forecastle Road



### **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

### **Pravina Attwala**

**Subject:** FW: A214/21 (59 FORECASTLE ROAD) - REQUEST FOR COMMENTS

From: Alexandra Goldstein < Alexandra. Goldstein@metrolinx.com>

**Sent:** October-20-21 3:14 PM

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

Subject: [External] RE: A214/21 (59 FORECASTLE ROAD) - REQUEST FOR COMMENTS

### Good afternoon,

Thank you for circulating the above listed application for 59 Forecastle Road for Metrolinx review. I note that the subject property is located greater than 300 meters from any Metrolinx rail corridor and as such it falls outside of our zone of influence. Please remove Metrolinx from all future circulations related to this site.

Kind regards,

### **Pravina Attwala**

Subject: FW: A214/21 (59 FORECASTLE ROAD) - REQUEST FOR COMMENTS

From: Wong, Tiffany <Tiffany.Wong@york.ca>

**Sent:** November-01-21 12:19 PM

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

Subject: [External] RE: A214/21 (59 FORECASTLE ROAD) - REQUEST FOR COMMENTS

Hello Pravina,

The Regional Municipality of York has completed its review of the above minor variance and provide the following comment:

1. York Region's Water Resources department would like to note the proximity of the development to an identified area of concern due to known high water table conditions and confined artesian aquifer conditions, which could have geotechnical implications with respect to construction activities including, but not limited to, dewatering (short-term or long-term), foundation construction, and building stability.

Thank you,

Tiffany Wong, B.E.S. | Planner, Development Planning

Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877-464-9675 ext. 71521 | tiffany.wong@york.ca | www.york.ca

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





