

File: A217/21

Applicant: Brian Petracco & Tanya Abdulla

Address: 83 Netherford Rd Maple

Agent: Udinese Consulting

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 | | |
| Development Planning | <input checked="" type="checkbox"/> | |
| Development Engineering | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks, Forestry and Horticulture Operations | <input checked="" type="checkbox"/> | |
| By-law & Compliance | <input checked="" type="checkbox"/> | |
| Financial Planning & Development | <input checked="" type="checkbox"/> | |
| Fire Department | <input checked="" type="checkbox"/> | |
| TRCA | | |
| Ministry of Transportation | | |
| Region of York | <input checked="" type="checkbox"/> | |
| Alectra (Formerly PowerStream) | <input checked="" type="checkbox"/> | |
| Public Correspondence (see Schedule B) | <input checked="" type="checkbox"/> | |

Adjournment History: N/A

Background History: N/A

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

A217/21

Ward: 1

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 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:** Brian Petracco & Tanya Abdulla
- Agent:** Udinese Consulting
- Property:** **83 Netherford Rd Maple**
- Zoning:** The subject lands are zoned R1V 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 minimum interior side yard setback of 1.5 metres is required. [Schedule A] | 1. To permit a minimum northerly interior side yard setback of 1.35 metres. |
| 2. A minimum interior side yard setback of 1.5 metres is required. [Schedule A] | 2. To permit a minimum southerly interior side yard setback of 1.25 metres. |
| 3. A maximum building height of 9.5 metres is permitted. [Schedule A] | 3. To permit a maximum building height of 10.5 metres. |
| 4. A maximum lot coverage of 20% is permitted. [Schedule A] | 4. To permit a maximum lot coverage of 27.96%. (23% dwelling; 0.68% porch; 4.28% loggia) |

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: 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 25, 2021

| Property Information | |
|----------------------|-----------------------|
| Existing Structures | Year Constructed |
| Dwelling | 1961 (Purchased 2021) |

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

The provisions of the City's zoning By-law cannot be complied with as follows:

The proposed increase to 27.96% lot coverage (23% dwelling/building & 4.96% covered porch and loggia) and the reduction in the side yard setbacks to 1.25m and 1.35m is requested to accommodate the attached garage and living requirements for the homeowner due to the lot size being smaller than the minimum R1V zoning for lot area and lot frontage.

The proposed increase in building height to 10.5m is requested to accommodate the living requirements of the homeowner.

Committee of Adjustment recommended conditions of approval: None

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.

1. The Applicant has advised that an easement exists on the subject lands, in favour of Bell Canada, as in Instrument No. VA41685. It is the owner's responsibility to determine the limits of the subject property and the existence of any registered easements or restrictions.
2. A door providing entry from the exterior wall into the garage was shown on the Site Plan for previous circulation and has now been removed. Should the Applicant wish to add a door in the future, the Applicant shall be advised that no exterior stairway/steps are permitted in the proposed interior side yard setback of 1.25 metres.
3. Proposed lot coverage has been rounded up to the nearest one hundredth.
4. The Applicant shall be advised that the window wells, as depicted on the Elevation Drawing and the Site Plan, shall not exceed 1 metre in height.
5. The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.
6. Comments have been provided based on the documents/drawings submitted with this application.

Building Inspections (Septic):

No comments received to date

Development Planning:

Please see Schedule C for Development Planning comments/conditions.

Development Engineering:

As the proposed dwelling in the subject property is 143.96 m², 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 m² 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. Staff 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 contact Transportation and Fleet Management Services (Joint Operations Centre) if there is any work required related to the driveway culvert. Please visit https://www.vaughan.ca/services/residential/transportation/roads/culvert_installation/Pages/default.aspx for more information.

The Development Engineering (DE) Department does not object to variance application A217/21 subject to the following condition(s):

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 27.96% in order to mitigate potential impacts on the municipal storm water system.

Parks Development - Forestry:

Applicant/owner has applied for a "Private Property Tree Removal & Protection" permit through the forestry division.

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 By-law 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

Agent Correspondence – Cover Letter

Public Correspondence (81 Netherford Road; 73 Netherford Road; 68 Netherford Road; 70 Netherford Road; 69 Netherford Road; 72 Netherford Road; 74 Netherford Road; & 37 Lancer Drive) – Letters of support

Schedule C - Development Planning & Agency Comments

Development Planning Comments

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: 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 Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca | <ol style="list-style-type: none"> 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 27.96% 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

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.

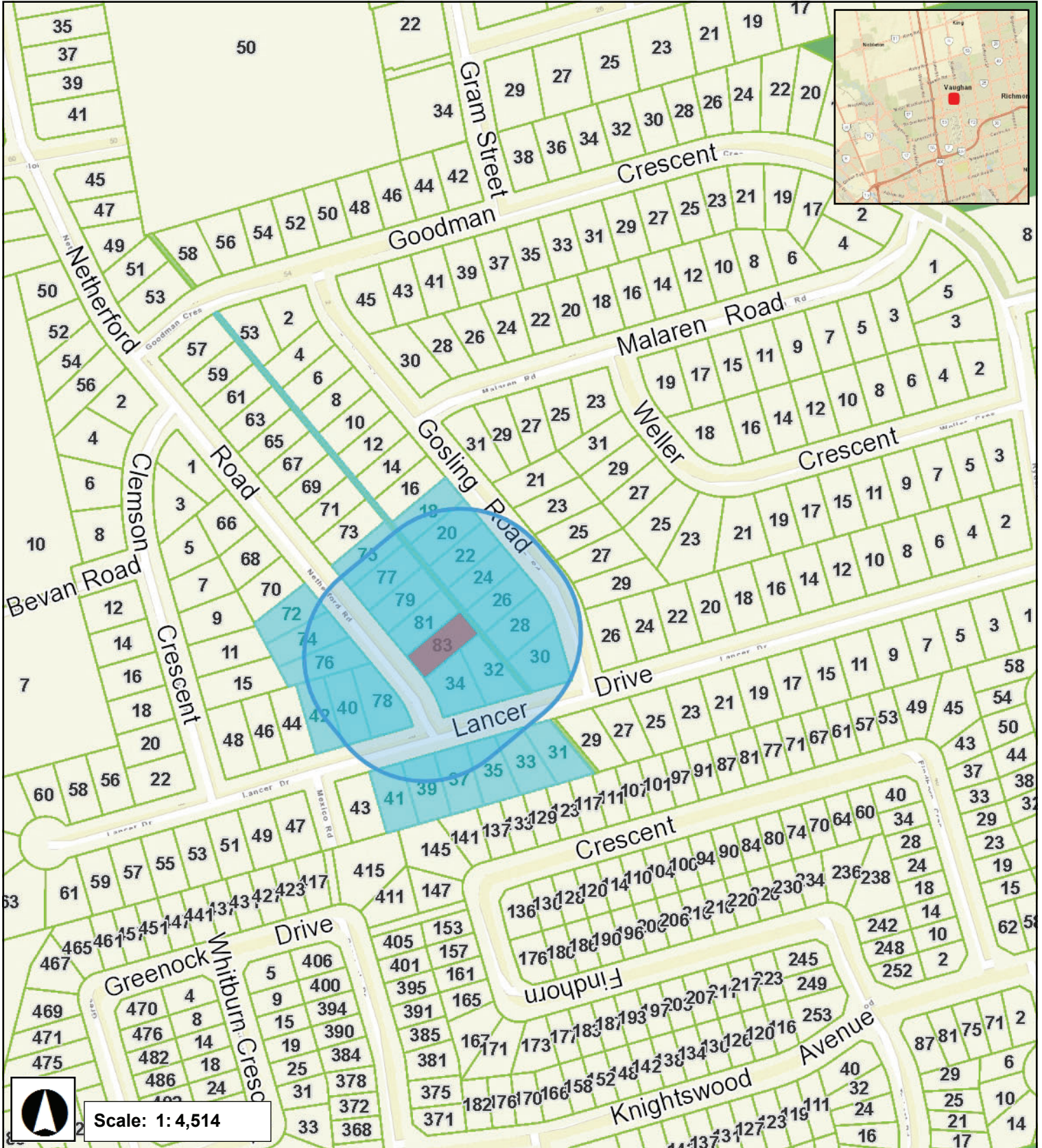
Location Map
Plans & Sketches



LOCATION MAP A217/21

83 NETHERFORD ROAD, MAPLE

Major Mackenzie Drive

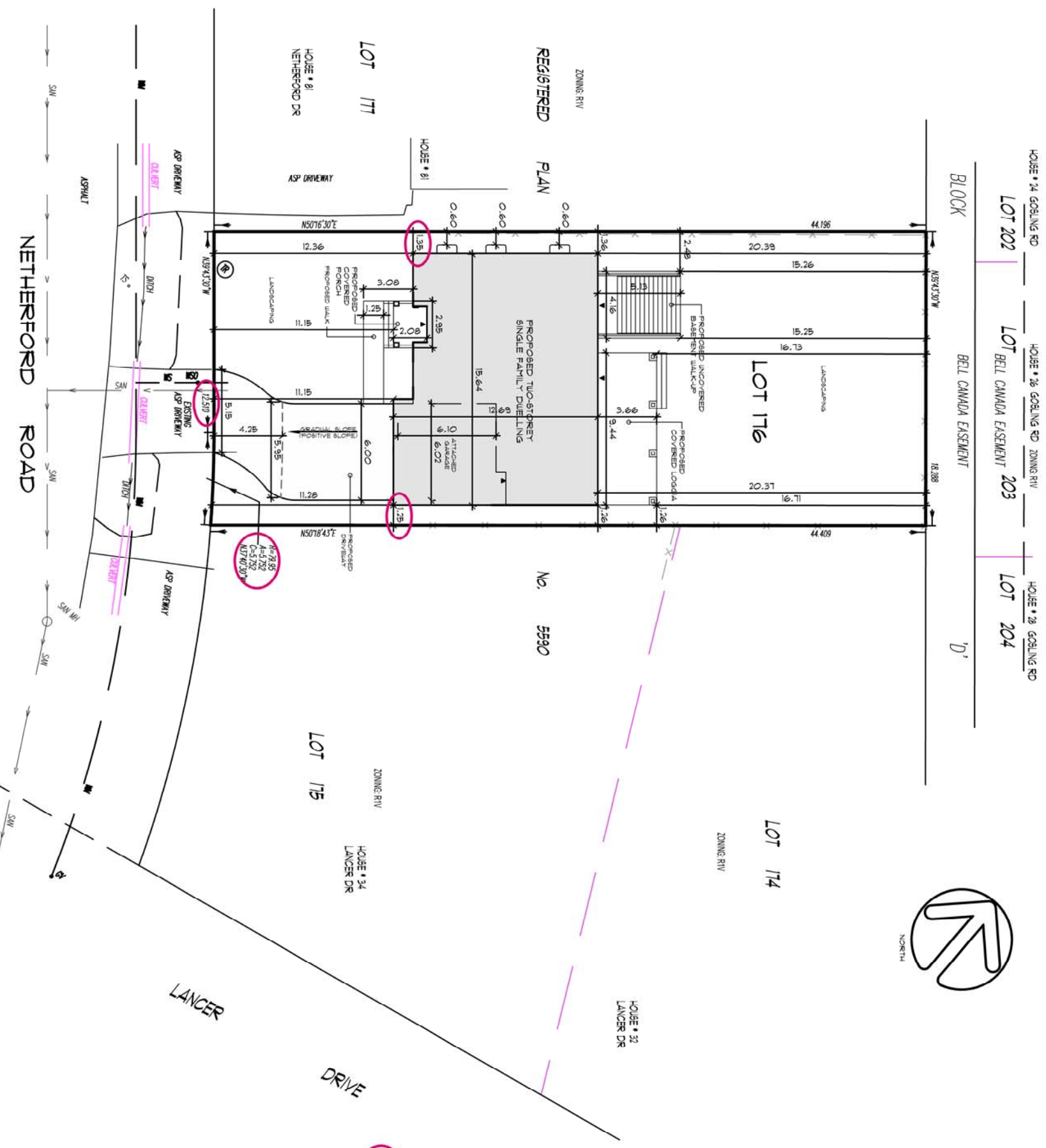


Rutherford Road

October 27, 2021 12:42 PM

A217/21

RECEIVED
By RECEIVED at 3:54 pm, Oct 21, 2021



KEY PLAN
NOT TO SCALE

DESCRIPTION
PROPOSED TWO-STOREY
SINGLE FAMILY DWELLING FOR:
83 NETHERFORD ROAD

LOT 176, REGISTERED PLAN No. 5590
GEOGRAPHIC TOWNSHIP OF VAUGHAN
COUNTY OF YORK
NOW IN THE
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

*** PERTINENT SITE INFORMATION**
ZONING - R1V (OLD VILLAGE RESIDENTIAL)

LOT AREA - 807,671 M² (80,937.5 SQ./FT.)
EXISTING BUILDING AREA - 142,179 M² (15,367.07 SQ./FT.) 17.66%

PROPOSED LOT COVERAGE AREAS :

| | |
|---|---|
| DWELLING/BUILDING - 185.72 M ² (1999.11 SQ./FT.) | 23.00 % |
| COVERED PORCH - 5.52 M ² (59.44 SQ./FT.) | 0.68 % |
| COVERED LOGGIA - 34.56 M ² (371.00 SQ./FT.) | 4.28 % |
| TOTAL | 225.80 M² (2430.55 SQ./FT.) 27.96 % |

(UNCOVERED BASEMENT WALK-UP AREA NOT INCLUDED - 21,371 M²)

GROUND FLOOR AREA - 143.96 M² (549.65 SQ./FT.)
GROSS FLOOR AREA - 329.68 M² (3548.76 SQ./FT.)
FRONT YARD AREA - 203.74 M² (2193.05 SQ./FT.)

LANDSCAPED FRONT YARD AREAS :
SOFT LANDSCAPING - 128.64 M² (1384.68 SQ./FT.) 63.13 % (MIN. 60 %)
HARD LANDSCAPING - 75.10 M² (808.37 SQ./FT.) 36.87 %

BUILDING HEIGHT :
MAXIMUM BUILDING HEIGHT - 9.5 M (31'-2")
PROPOSED BUILDING HEIGHT - 10.5 M (34'-5")

*** DISCLAIMER**
ALL AREAS, DIMENSIONS AND LOCATIONS SHOWN ARE APPROXIMATE AND MAY VARY. E.T.O.E.
ALL SURVEY INFORMATION SHOWN HAS BEEN PROVIDED BY:
414 SEAWARD CO. LTD.
ONTARIO LAND SURVEYOR
1575 HIGHWAY 7A, WEST UNIT 2A
PO BOX OFFICE BOX #16
SCARBOROUGH, ONTARIO
M1B 4A6
TEL: (905) 985-3600
FAX: (905) 985-2347

COMMENTS/REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|-------|---------------------------|
| 1 | 09/21 | MINOR VARIANCE SUBMISSION |

DO NOT SCALE DRAWINGS

ALL DIMENSIONS MUST BE CHECKED AND VERIFIED BY THE CONTRACTOR/BUILDER. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO EDISON DESIGNS PRIOR TO CONSTRUCTION OTHERWISE CONTRACTOR/BUILDER ASSUMES TOTAL LIABILITY AND RESPONSIBILITY UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR/BUILDER BE HELD RESPONSIBLE FOR ANY CONSTRUCTION WORK IN ACCORDANCE WITH THE DRAWINGS/CONTRACT DOCUMENTS. ALL THE DRAWINGS/CONTRACT DOCUMENTS ARE NOT TO BE USED INDEPENDENTLY OF ALL OTHER DRAWINGS/CONTRACT DOCUMENTS. ANY REVISIONS TO THE DRAWINGS/CONTRACT DOCUMENTS SHALL BE THE PROPERTY OF EDISON DESIGNS AND SHALL NOT BE REPRODUCED, ALTERED OR SUBMITTED FOR REVISIONS UNLESS PERMISSION IS OBTAINED IN WRITING FROM EDISON DESIGNS. ANY REVISIONS TO THE DRAWINGS/CONTRACT DOCUMENTS SHALL BE SIGNED IN ORIGINAL RED INK BY THE PRINCIPAL DESIGNER OF EDISON DESIGNS.

Custom Homes
Residential
Commercial
Industrial
Land Development
Consulting

Edison Designs

Website: www.edisondesigns.com
Email: info@edisondesigns.com
Tel: 905.668.5123

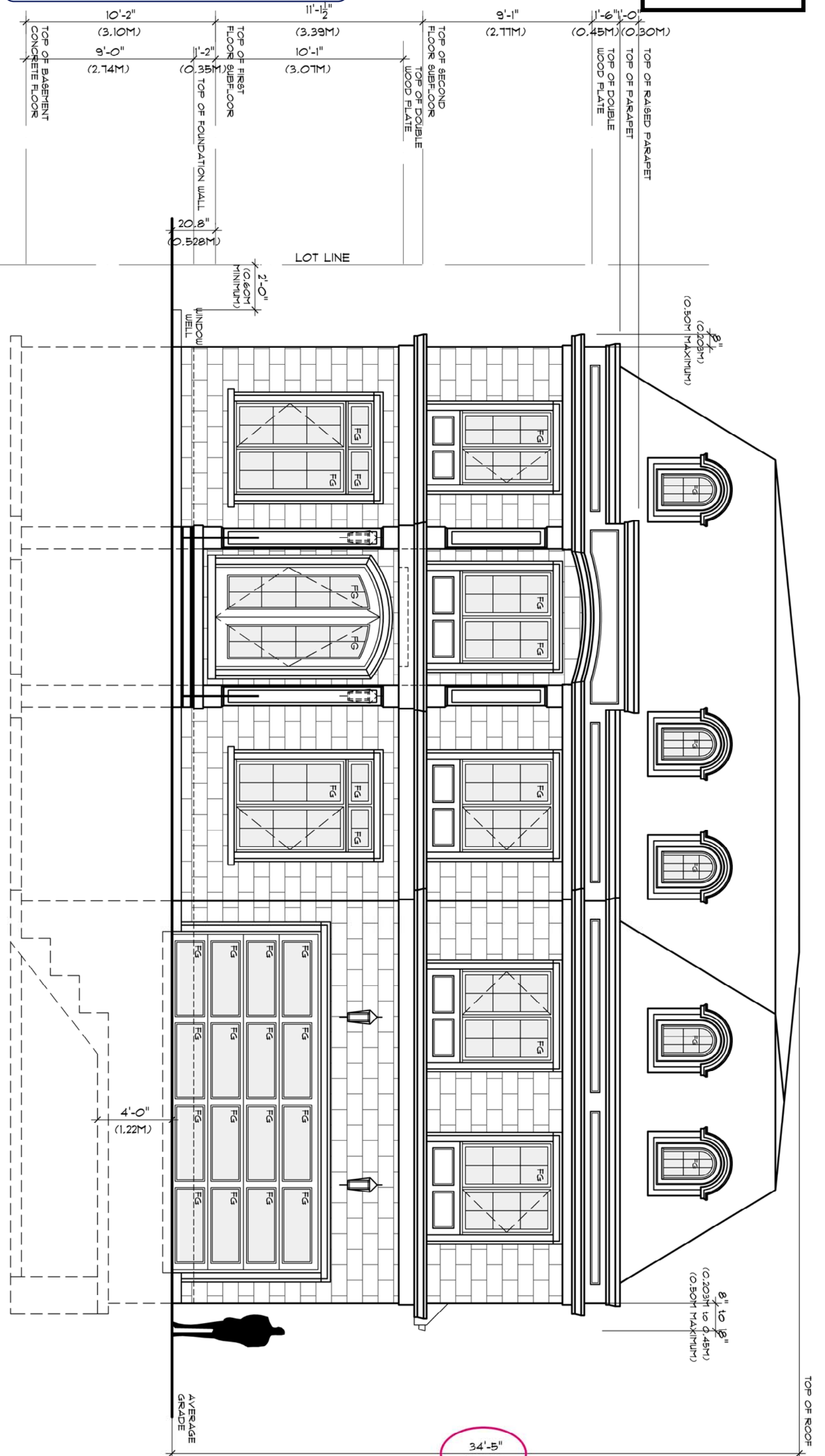
P.O. Box 80090 RPO Roseland Garden, Whitby, Ontario L1R

| | | | |
|--|-----------------------------|------------------------------------|----------------------------------|
| CLIENT: PRIVATE 83 NETHERFORD ROAD, VAUGHAN, ONTARIO | | DRAWING TITLE: SITE PLAN | PROJECT NO.: 21-052520 |
| PROJECT: PROPOSED TWO-STOREY SINGLE FAMILY DWELLING 83 NETHERFORD ROAD, VAUGHAN, ONTARIO | DRAWN BY: M.E. | SCALE: 1:300 | DRAWING NO.: |
| | DESIGNED BY: J.E. | DATE: 10/15/21 | A-1 |

COPYRIGHT © 2021 EDISON DESIGNS

A217/21

RECEIVED
By RECEIVED at 3:55 pm, Oct 21, 2021



| NO. | DATE | DESCRIPTION |
|-----|-------|---------------------------|
| 1 | 09/21 | MINOR VARIANCE SUBMISSION |

DO NOT SCALE DRAWINGS

ALL DIMENSIONS MUST BE CHECKED AND VERIFIED BY THE CONTRACTOR/BUILDER. ANY ERRORS OR OMISSIONS SHALL BE REPORTED TO EDISON DESIGNS PRIOR TO CONSTRUCTION. OTHERWISE CONTRACTOR/BUILDER ASSUMES TOTAL LIABILITY AND RESPONSIBILITY UNDER NO CIRCUMSTANCE SHALL THE CONTRACTOR/BUILDER OR SUB-CONTRACTORS PROCEED WITH ANY CONSTRUCTION WORK IN VIOLATION.

EDISON DESIGNS IS NOT IN ANY WAY RESPONSIBLE FOR THE FAILURE OF THE CONTRACTOR/BUILDER TO OBTAIN ALL NECESSARY PERMITS OR TO COMPLY IN ACCORDANCE WITH THE DRAWINGS/CONTRACT DOCUMENTS. ALL THE DRAWINGS/CONTRACT DOCUMENTS ARE NOT TO BE READ INDEPENDENTLY OF SPECIFICATIONS AND THE PROPERTY OF EDISON DESIGNS AND SHALL NOT BE REPRODUCED, ALTERED OR SUBMITTED FOR PERMITS UNLESS PERMISSION IS GIVEN IN WRITING AND THE SUBMITTAL REPRESENTS AN AGREEMENT TO BE OPEN TO EDISON DESIGNS FOR REVIEW BY THE PROJECT ARCHITECT/ENGINEER.

Custom Homes
Residential
Commercial
Industrial
Land Development
Consulting

Edison Designs

Website: www.edisondesigns.com
Tel: 905.668.5123
Email: info@edisondesigns.com
P.O. Box 80090 RPO Rossland Garden, Whitby, Ontario L1R

CLIENT:
PRIVATE

83 NETHERFORD ROAD, VAUGHAN, ONTARIO

PROJECT:
PROPOSED TWO-STORY SINGLE FAMILY DWELLING

83 NETHERFORD ROAD, VAUGHAN, ONTARIO

DRAWING TITLE:
WEST (FRONT) ELEVATION

DRAWN BY:
M.E.

SCALE:
3/16" = 1'-0"

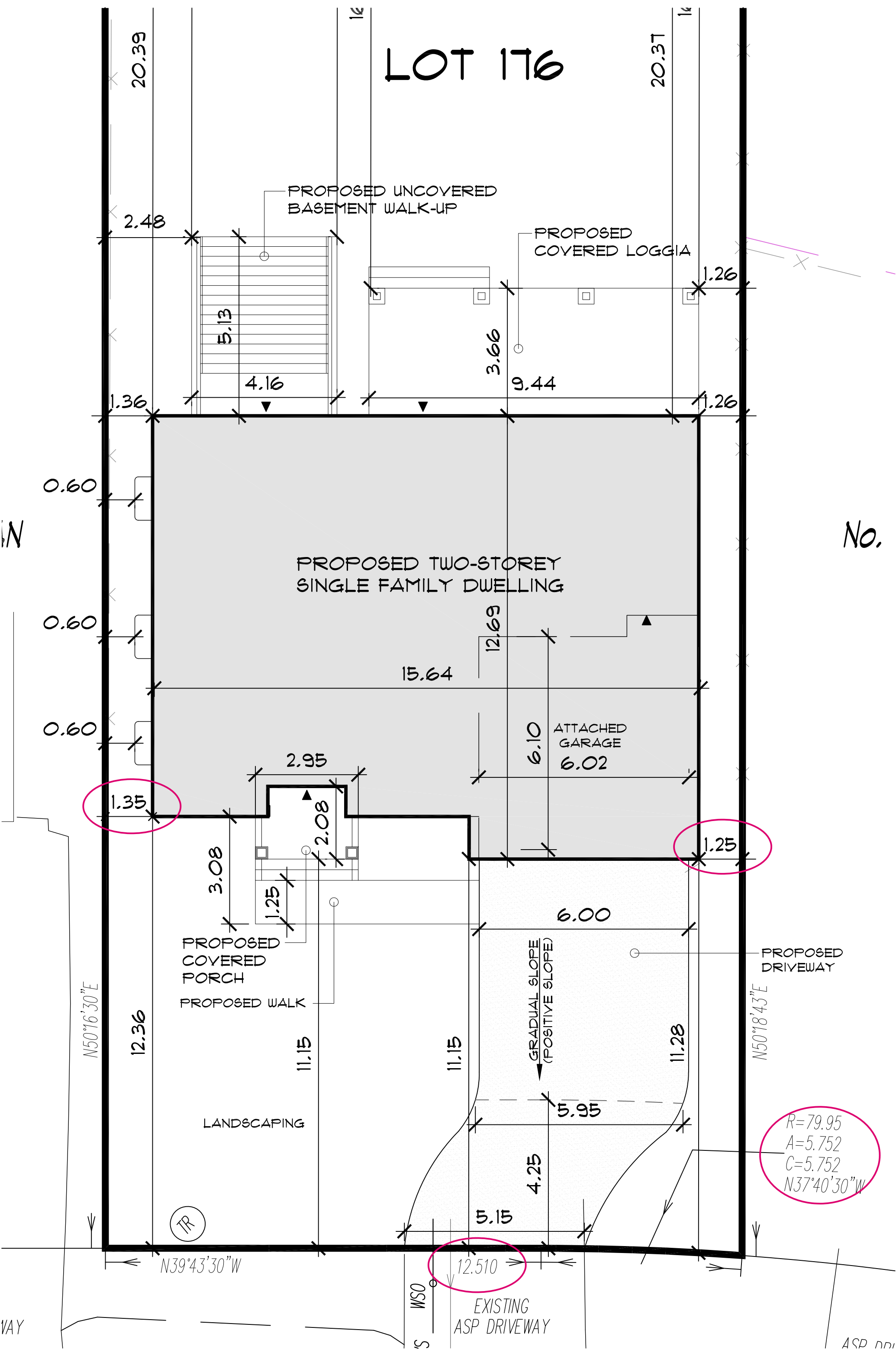
DESIGNED BY:
J.E.

DATE:
10/15/21

PROJECT NO.
21-052520

DRAWING NO.
A-2

LOT 176



No.

$R=79.95$
 $A=5.752$
 $C=5.752$
 $N37^{\circ}40'30''W$

VAY

ASP nni

FOR CONSTRUCTION PURPOSES ONLY

PLAN OF TOPOGRAPHICAL DETAIL

83 NETHERFORD ROAD
 OF LOT 176, REGISTERED PLAN No. 5590,
 GEOGRAPHIC TOWNSHIP OF VAUGHAN,
 COUNTY OF YORK,
 NOW IN THE,

CITY OF VAUGHAN

REGIONAL MUNICIPALITY OF YORK

SCALE - 1 : 200

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES
 AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



NOTES.

- LOT AREA = 808 SQ.M.
- EXISTING BUILDING AREA = 142.7 SQ.M.
- EXISTING ZONING IS RIV - OLD VILLAGE RESIDENTIAL ZONE.

BENCHMARK.

- CITY OF VAUGHAN - BENCHMARK
- STATION: 10515960123
- VERTICAL DATUM: HT-1997
- VERTICAL ACCURACY: FOURTH ORDER
- ORTHOMETRIC ELEV: 237.225 METRES

LEGEND.

- 250.00 - DENOTES EXISTING ELEVATIONS
- - - - - FENCE
- TR - DENOTES TREE
- NSO - DENOTES WATER SHUT-OFF
- HP - DENOTES HYDRO POLE
- EX - DENOTES EXISTING
- SW - DENOTES SWALE
- CLF - DENOTES CHAIN LINK FENCE
- ASP - DENOTES ASPHALT
- NS - DENOTES WATER SERVICE
- WM - DENOTES WATER MAIN
- SAN - DENOTES SANITARY
- TS - DENOTES TRAFFIC SIGN
- GV - DENOTES GATE VALVE

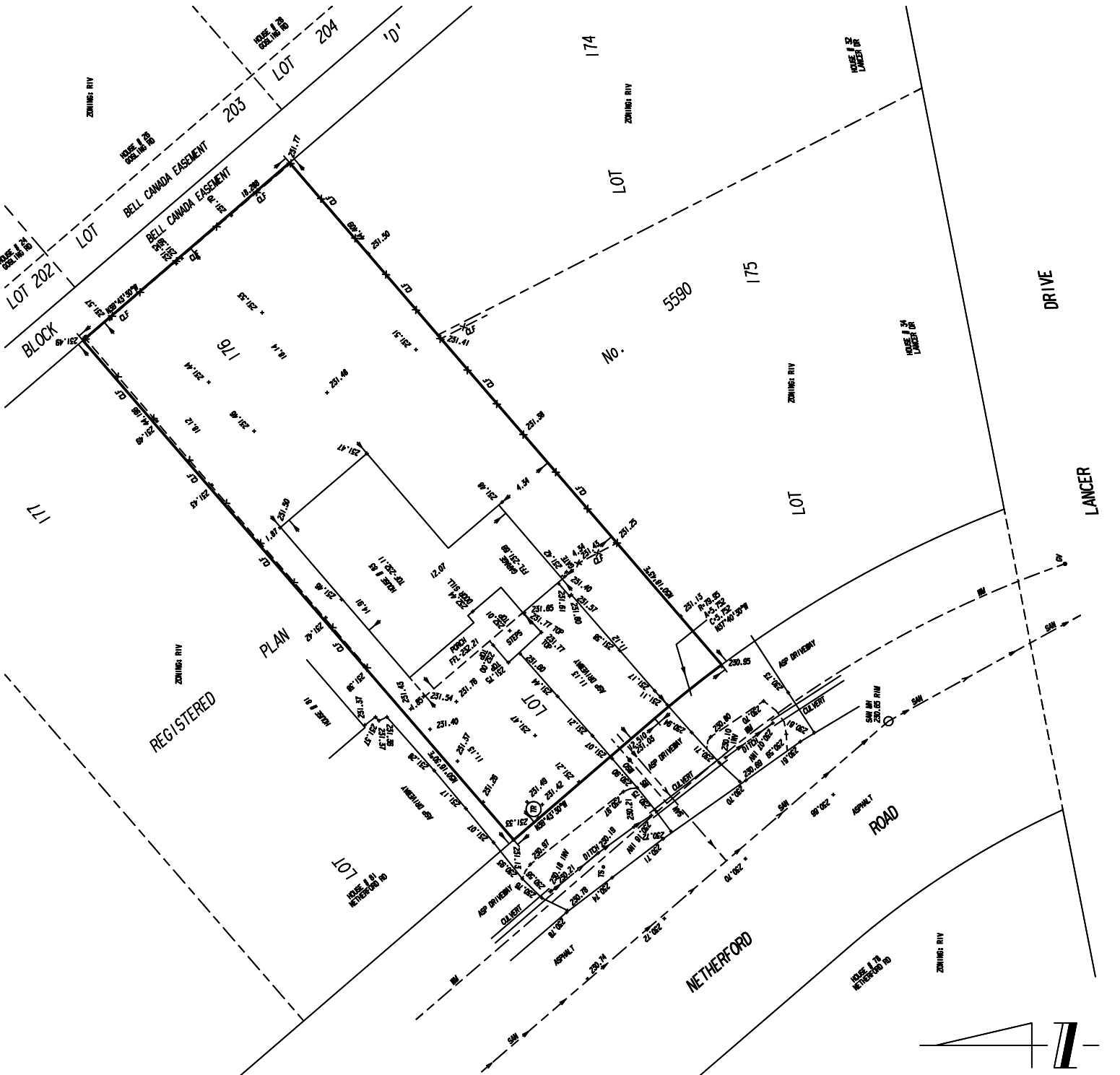
SURVEYOR'S CERTIFICATE.

I CERTIFY THAT:
 1. THE FIELDWORK SHOWN ON THIS SURVEY WAS COMPLETED ON
 THE 19th DAY OF JULY, 2021.

JULY 19, 2021
 REVISED SEPTEMBER 10, 2021

H. F. GRANDER Co. Ltd.
 ONTARIO LAND SURVEYOR
 1575 HIGHWAY 7A WEST, UNIT 2A
 PORT PERRY, ONTARIO
 L9L 1A6
 TEL. (905) 965-3600
 FAX. (905) 965-2347

CADFILE: 8191-TP-2.DPD
 PROJECT No. 8191-TP



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.

Agent Correspondence – Cover Letter

Public Correspondence (81 Netherford Road; 73 Netherford Road; 68 Netherford Road; 70 Netherford Road; 69 Netherford Road; 72 Netherford Road; 74 Netherford Road; & 37 Lancer Drive) – Letters of support



UDINESE CONSULTING

September 22, 2021

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

Attention: Ms. Christine Vigneault

Dear Ms. Vigneault:

**Re: Proposed Minor Variance Application
Brian Petracco and Tanya Abdulla
83 Netherford Road – Maple**

Udinese Consulting is the planning consultant for Brian Petracco and Tanya Abdulla, registered owners of 83 Netherford Road in the City of Vaughan (herein referred to as the “subject property”). The subject property is zoned R1V (Old Village Residential) and designated Low-Rise Residential in the Vaughan Official Plan 2010 ('VOP 2010'). Enclosed is an application for a Minor Variance with the purpose of seeking relief from Zoning By-Law 1-88 for the maximum lot coverage, interior side yard setbacks (north and south) and maximum building height regulations. The objective of this communication is to provide planning rationale in support of the application in accordance with the Planning Act, section 45 (1).

Property Description

The Subject Property is located west of Keele Street and North of Lancer Drive, fronting on the east side of Netherford Road in a residential subdivision. The subject property is a key lot, with the south side abutting multiple neighboring rear yards, in addition to having another lot backing onto the subject property’s rear yard. The lot frontage of the subject property is approximately 60 feet and the lot depth is approximately 145 feet deep. The property is currently developed with an older bungalow. The neighborhood has experienced significant redevelopment, specifically, newer bungalows and 2 storey-homes. The intention is to demolish the current dwelling and rebuild a new 2 storey-home.

The Proposed Minor Variances

The objective of this minor variance application is to seek relief from the Zoning By-law for variances to maximum lot coverage, interior side yard setbacks and maximum building height to construct a 2-storey single family detached dwelling as follows:

- 1) To permit a maximum lot coverage of 27.95% (22.99% dwelling, 0.68% covered porch, 4.28% covered loggia), whereas a maximum lot coverage of 20% is permitted under Zoning By-law 1-88.
- 2) To permit an interior side yard setback on the north side of 1.35 meters and to permit an interior side yard setback on the south side of 1.25 meters, whereas the minimum interior side yard setbacks permitted are 1.5 meters under Zoning By-law 1-88.
- 3) To permit a maximum building height of 10.5 meters, whereas the maximum building height of 9.5 meters is required under Zoning By-law 1-88.

Planning Rationale

The Planning Act, section 45 (1) establishes 4 tests that a minor variance must meet in order to be considered, which are summarized as follows:

- 1) The general intent and purpose of the Zoning By-law will be maintained.
- 2) The general intent and purpose of the Official Plan will be maintained.
- 3) The requested variances are acceptable for the appropriate development of the subject lands.
- 4) The requested variances are minor in nature.

With regard to maintaining the general intent and purpose of the Official Plan and the Zoning By-law, the proposal maintains both the general intent and purpose of the Official Plan and Zoning By-law. The general intent and purpose of the Zoning By-law 1-88 is maintained as single detached dwelling is a permitted use. The proposed variances would result in a dwelling which would be similar to the dwellings currently being approved and built in the neighbourhood and would maintain the character and streetscape of the area. The proposed loggia is located at the rear of the dwelling and would not be visible from the street. The general intent and purpose of the Official Plan is maintained as the proposed dwelling complies with the Low-Rise Residential designation by creating and maintaining neighborhoods consistent of Low-Rise Residential Dwellings.

The proposed increase to 27.95% lot coverage (22.99% dwelling/building & 0.68% covered porch and 4.28% loggia) and the reduction in the side yard setbacks to 1.25m and 1.35m is a result of the lot being a key lot and having a slightly smaller frontage and lot area than the typical lots in the neighbourhood. Given that the dwellings to the south abut the proposed dwelling with the rear yards, the reduction in the side yard for the proposed dwelling would not adversely impact the neighbours and with the large separation between the dwellings the reduction in the setback would not be noticed from the street. The resulting dwelling would have a similar mass and scale to the other dwellings being developed in the neighbourhood.

The proposed increase in building height to 10.5m is requested to accommodate the living requirements of the home owner. The new homes being built in the immediate area have similar heights and the proposed dwelling would maintain the streetscape.

The requested variances maintain the general intent and purpose and are desirable for the appropriate development of the land. With regards to the coverage of the Loggia, the proposed 4.28% will not be visible from the street and does not alter the existing streetscape. Further, the proposed variances are minor in nature as they do not change the main purpose of the dwelling as a low rise residential building, do not adversely impact the adjacent neighbours and is consistent with all the new builds being approved in the neighbourhood.

Conclusion

The information provided above demonstrates that the proposed variances are consistent with the City's Official Plan and Zoning By-law and the changing nature of the neighborhood. The massing and scale of the proposed dwelling maintains the character and streetscape of the existing community. Therefore, making use of the property in the manner proposed is both an efficient use of the land and functionally appropriate. The proposal maintains the character of the existing community, represents good planning and also demonstrates that both the public and private interest matters have been satisfactorily addressed. The requested variances maintain the intent of the Official Plan and Zoning By-law, are minor in nature and are desirable for the appropriate development of the subject property.

We trust the above and enclosed is satisfactory, and we request that this application be scheduled for the October 28, 2021 Committee of Adjustment meeting date. If you have any questions, please contact the undersigned at (416) 988-8098.

Yours very truly,
UDINESE CONSULTING



Daniele Cudizio, MCIP, RPP

I, Concetta di Santo Owner of 81 Netherford have reviewed the drawings and variances requested by the owners of 83 Netherford Road. We have no objection and are in support of the application.

Date: Sept 12, 2021



Signature: _____

I, Julia Bertram Owner of 73 Netherford Rd. have reviewed the drawings and variances requested by the owners of 83 Netherford Road. We have no objection and are in support of the application.

Date: Sept 12 / 21

Signature:  _____

I, MATTHEW ZAMBRI Owner of 68 NETHERFORD have reviewed the drawings and variances requested by the owners of 83 Netherford Road. We have no objection and are in support of the application.

Date: 02/12/23

Signature:  _____

I, Piero Paolella Owner of 70 Netherford have reviewed the drawings and variances requested by the owners of 83 Netherford Road. We have no objection and are in support of the application.

Date: Sept. 12 / 2021

Signature



I, Christine Granzotto Owner of 69 Netherford Rd have reviewed the drawings and variances requested by the owners of 83 Netherford Road. We have no objection and are in support of the application.

Date: Sept 12/2021

Signature: 

I, Angela Celetti Owner of 72 Netherford Road have reviewed the drawings and variances requested by the owners of 83 Netherford Road. We have no objection and are in support of the application.

Date: September 12, 2021

Signature:  _____

I, GABRIEL Owner of 74 NETHERFORD RD have reviewed the drawings and variances requested by the owners of 83 Netherford Road. We have no objection and are in support of the application.

Date: Sept. 12/2021

Signature



(

I, LUISA MOLICONE Owner of 37 LANCER DR have reviewed the drawings and variances requested by the owners of 83 Netherford Road. We have no objection and are in support of the application.

Date: SEPT 12, 2021

Signature:  _____

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.-

Development Planning Comments

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: Brian Petracco and Tanya Abdulla
Location: 83 Netherford Road
File No.(s): A217/21

Proposed Variance(s):

1. To permit a minimum northerly interior side yard setback of 1.35 m.
2. To permit a minimum southerly interior side yard setback of 1.25 m.
3. To permit a maximum building height of 10.02m for a dwelling.
4. To permit a maximum lot coverage of 27.96%.

By-Law Requirement(s):

1. A minimum interior side yard setback of 1.5 m is required. [Schedule A]
2. A minimum interior side yard setback of 1.5 m is required. [Schedule A]
3. A maximum building height of 9.5m is permitted. [Schedule A]
4. A maximum lot coverage of 20% is permitted. [Schedule A]

Official Plan:

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

Comments:

The Owner is requesting permission to construct a two-storey single detached dwelling within an established large-lot neighbourhood with the above noted variances.

The Development Planning Department has no objection to the variances, as the proposed footprint remains consistent and compatible to other dwellings in the immediate neighbourhood. In terms of the interior side yard setbacks, a minor reduction of 0.25 m is appropriate given the southerly lot line abuts the rear yards of the two adjoining lots (32 & 34 Lancer Drive) where a setback of 6 m or greater is provided (to the nearest dwelling). With respect to the northerly interior side yard setback of 1.35 m, a reduction of 15 cm is minimal and continues to maintain the general intent and purpose of the By-law. Development Planning staff have supported a maximum 23% lot coverage for two-storey single detached 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 dwelling (with attached garage) has a proposed maximum lot coverage of 23% and the remaining 4.96% lot coverage is associated with the covered porch and loggia, which remain unenclosed and considered non-livable areas. The Development Planning Department can support the proposed maximum building height of 10.02 m as the overall mass and scale of the roof does not visually disrupt the existing streetscape.

In support of this application, the Owner has submitted a Planning Justification Letter, prepared by Udinese Consulting, dated September 22, 2021. The Development Planning Department has reviewed the letter and concur with its findings.

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 condition of approval is recommended:

None

Comments Prepared by:

Roberto Simbana, Planner I
Chris Cosentino, Senior Planner

Date: October 22nd , 2021

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A217-21**

Related Files:

Applicant Brian Petracco Tanya Abdulla

Location 83 Netherford Road



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: A217/21 (83 NETHERFORD ROAD) - REQUEST FOR COMMENTS

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

Sent: October-26-21 1:22 PM

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

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

Subject: [External] RE: A217/21 (83 NETHERFORD ROAD) - REQUEST FOR COMMENTS

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