

COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A079/22

AGENDA ITEM NUMBER: 6.8	CITY WARD #: 2
APPLICANT:	Jyoti Aggarwal, Jyoti and Vivek Aggarwal
AGENT:	Bhashkar Joshi
PROPERTY:	226 Monte Carlo Drive, Woodbridge ON
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
(2010) DESIGNATION:	
RELATED DEVELOPMENT	None
APPLICATIONS:	
*May include related applications for minor	
variance, consent, site plan, zoning amendments etc.	
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the existing
	deck and stairs in the rear yard, A/C unit in the northerly side yard and
	hard landscaping (walkway) in the southerly side yard. The existing
	stairs in the rear yard are used to facilitate access to a secondary suite.

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	\boxtimes	×		General Comments
Building Standards (Zoning Review)	×	X		General Comments
Building Inspection (Septic)	×			
Development Planning	×			Recommend Approval/No Conditions
Development Engineering	×	×		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	×	\boxtimes		No Comments no concerns
By-law & Compliance, Licensing & Permits	×			
Development Finance	\boxtimes	×		Recommend Approval/No Conditions
Real Estate				
Fire Department		\boxtimes		
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	×	\boxtimes		No Comments no concerns
Ministry of Transportation (MTO)	×			
Region of York	⊠	×		Recommend Approval/No Conditions
	\boxtimes	\boxtimes		Recommend Approval/No Conditions
	× ×	⊠		
Bell Canada				Conditions
Bell Canada YRDSB	\boxtimes	\boxtimes		Conditions
Bell Canada YRDSB YCDSB				Conditions
Bell Canada YRDSB YCDSB CN Rail				Conditions
Bell Canada YRDSB YCDSB CN Rail CP Rail				Conditions
Alectra Bell Canada YRDSB YCDSB CN Rail CP Rail TransCanada Pipeline Metrolinx				Conditions

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

All personal information collected because of this public meeting (including both written and oral submissions) 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.

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None.				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see Schedule D for a copy of the Decisions listed below		
File Number	Date of Decision	Decision Outcome
None		

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A079/22

FILE MANAGER: Lenore Providence, Administrative Coordinator - Committee of Adjustment

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AGENT:	Bhashkar Joshi
PROPERTY:	226 Monte Carlo Drive, Woodbridge ON
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS: *May include related applications for minor variance, consent, site plan, zoning amendments etc.	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the existing deck and stairs in the rear yard, A/C unit in the northerly side yard and hard landscaping (walkway) in the southerly side yard. The existing stairs in the rear yard are used to facilitate access to a secondary suite.

The following variances have been requested from the City's Zoning By-law:

CUT AND PASTE OVER THIS TABLE FROM ZONING REPORT (USE TABLE IN PUBLIC NOTICE)

HEARING INFORMATION	
Date & Time of Hearing:	Thursday, May 12, 2022 at 6:00 p.m.
Watch the hearing live at: Vaughan.ca/LiveCouncil	

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the Request to Speak Form and submit to cofa@vaughan.ca

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

THE DEADLINE TO <u>REGISTER TO SPEAK</u> OR <u>SUBMIT WRITTEN COMMENTS</u> ON THE ABOVE NOTED FILE(S) IS <u>NOON</u> ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider 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.

INTRODUCTION

That the requested variance(s) is/are minor in nature.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS		
Date Public Notice Mailed:	April 27, 2022	
Date Applicant Confirmed Posting of Sign:	April 26, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	THE HARD LANDSCAPE IS PERMITED ENCROACH UP TO 0.6M FROM AN WHEREAS THE PROPOSED HARD (WALKWAY) IS PROPOSED TO ENGINE INTERIOR LOT LINE. SIMILARLY, THE OPEN, UNENCLOSE STAIRS MAY ENCROACH 1.8M INTEXTERIOR SIDE, AND REAR YARD PROPOSED SITE PLAN DEPICTS TACCESS STAIR TO THE PROPOSE SUITE ENCROACHES 2.7M INTO THE REQUIRED REAR YARD SETB	Y LOT LINE. LANDSCAPE CROACH UP TO SED ACCESS O THE FRONT, D. WHEREAS THE THAT THE ED SECONDARY HE REAR YARD.
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice None		
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. *A revised submission may be required to address staff / agency comments received as part of the application review process.		
*Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice. Adjournment Fees:		
In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.		
An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.		s requested by the
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:	None	

BUILDING STANDARDS (ZONING) COMMENTS Stop work orders and orders to comply: There are no outstanding Orders on file

Building Permit(s) Issued: 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.

Building Standards Recommended None **Conditions of Approval:**

DEVELOPMENT PLANNING COMMENTS	
**See Schedule C for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS

<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u>

Given that the owner has confirmed that there are no flooding issues because of the decreased setback of the existing side yards concrete paths and the owner has verbal support from the neighbor,

Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation The Development Engineering (DE) Department does not object to variance application A079/22. Development Engineering Recommended Conditions of Approval:

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Parks:	
Forestry: Forestry has no comment at this time.	
Horticulture:	
PFH Recommended Conditions of None	
Approval:	

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended None	
<u>-</u>	INOHE
Conditions of Approval:	

BY-LAW AND COMPLIANCE, LIC	ENSING AND PERMIT SERVICES COMMENTS
No comments received to date.	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS			
No comments received to date.			
Building Inspection Recommended Conditions of Approval:	None		

FIRE DEPARTMENT COMMENTS				
No comments received to date.				
Fire Department Recommended Conditions of Approval:	None			

SCHEDULES TO STAFF REPORT				
	*See Schedule for list of correspondence			
Schedule A	Drawings & Plans Submitted with the Application			
Schedule B	Development Planning & Agency Comments			
Schedule C (if required)	Correspondence (Received from Public & Applicant)			
Schedule D (if required)	Previous COA Decisions on the Subject Land			

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:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL					
	All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval "if				
	required". If a condition is no longer required after an approval is final and binding, the condition may be waived by				
the respective department or agency requesting conditional approval. A condition cannot be waived without written					
consent from the respective department or agency.					
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION			
	None				

IMPORTANT INFORMATION – PLEASE READ

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 (see condition chart above for contact). 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.

IMPORTANT INFORMATION - PLEASE READ

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

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 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.

SCHEDULE A: DRAWINGS & PLANS

G



226 MONTE CARLO DRIVE, WOODBRIDGE

NOTIFICATION MAP - A079/22

Disclaimer:



Scale: 1: 2,622 0.04 km



Created By: Infrastructure Delivery Department April 20, 2022 5:13 AM

NAD 83 UTM Zone

Received

SITE PLAN

<u>}-1</u>

OUT OF THE BOX ENGINEERING INC.

7 ARCHWAY TRAIL BRAMPTON, ON.

bhaskar@outoftheboxeng.com 416-835-6620

L6P 4E3

DRAWING TITLE & NO. :

CHECKED BY: BJ DRAWN BY: MH

SCALE: DATE:

3/32": 1'

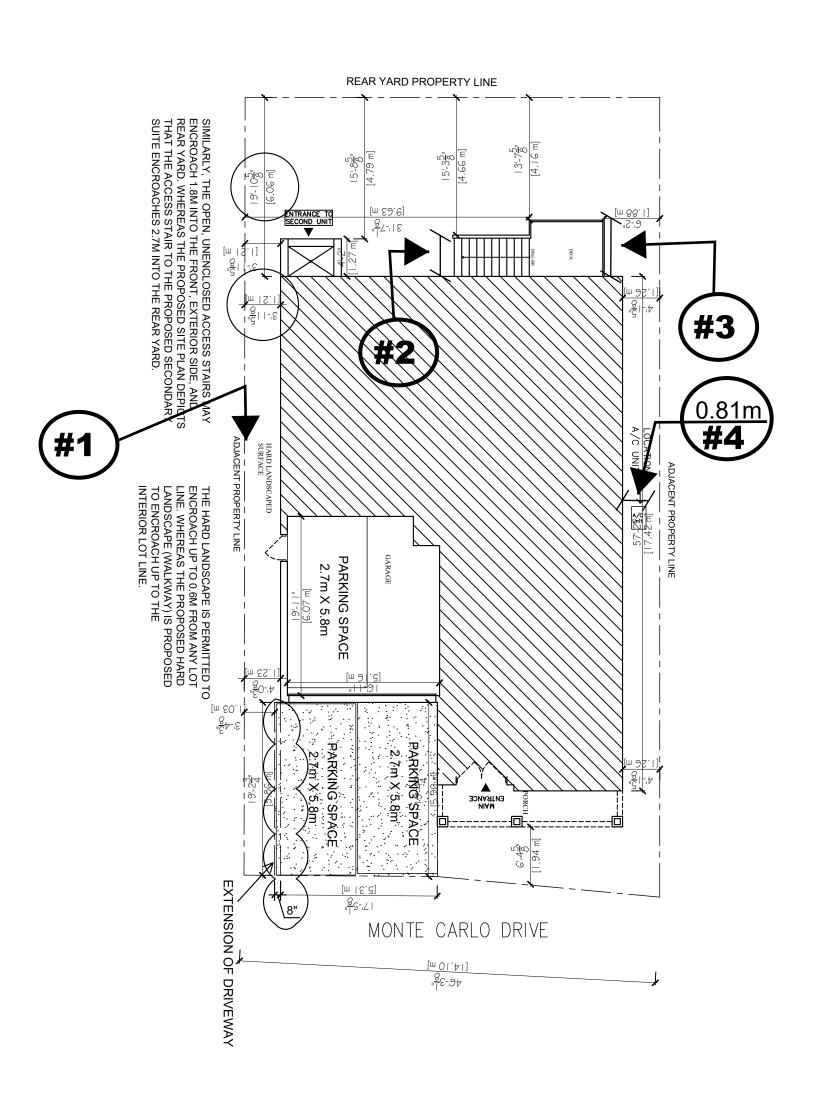
WOODBRIDGE, ON, L4H1R3 CANADA, LOT 190

ADDRESS:-

BOUNCE OF ONTARIO

226 MONTE CARLO DR

March 18, 2022



LICENSED PROFESSIONA.

B. V. JOSHI 100130684

22 NOV 2021

GENERAL NOTES:

**ALL EXISTING SITE CONDITIONS & ALL DIMENSIONS ON DRAWINGS MIST BE CEDED AND VERRED ON SITE BY CONTRACTOR. ANY WARMACES OF DISCREPANCES MUST BE REPORTED TO THE WESSERF (NORMER PROR TO COMMENCEMENT OF THE WORK, ALL THE WORK SHALL BE CARRED DUT IN ACCORDANCE WITH THE LITEST VERSION OF OWNERO BUILDING CODE:

**ALL FRE SHETT SYSTEM TO BE ACTIVE DURING AND AFTER CONSTRUCTION.

CONTRACTION.

**CONTRACTION TO MAKE GOOD TO MATCH EXISTING. CONTRACTOR TO MAKE GOOD TO MATCH EXISTING. CONTRACT DOCUMENTS ARE THE COPYRIGHT OF THE DESIGNER.

DO NOT SOLAT THE DRAWINGS.

**DO NOT SOLAT THE D 핥

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	×	\boxtimes		No comment no concern
Ministry of	×			
Transportation (MTO)				
Region of York	X			Recommend Approval/No Conditions
Alectra	×			Recommend Approval/No Conditions
Bell Canada	\boxtimes			
YRDSB				
YCDSB				
CN Rail				
CP Rail				
TransCanada Pipeline				
Metrolinx				
Propane Operator				
Development Planning	×			Recommend Approval/No Conditions



To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: May 12, 2022

Name of Owner: Jyoti and Vivek Aggarwal

Location: 226 Monte Carlo Drive

File No.(s): A079/22

Proposed Variance(s) (By-law 001-2021):

- 1. To permit the hard landscaping to encroach up to the interior lot line 0.0 m.
- 2. To permit the access stairs to encroach 2.7 m into the required rear yard
- 3. To permit the deck to encroach 3.34 m into the rear yard setback.
- 4. To permit the A/C unit to encroach 0.81 m into the required yard.

By-Law Requirement(s) (By-law 001-2021):

- 1. Hard Landscaping is permitted to encroach up to 0.60 m from any lot line.
- 2. Open, unenclosed access stairs are permitted to encroach 1.8 m into the rear yard setback.
- The deck is permitted to encroach 2.4 m into the rear yard setback.
 The wall mounted A/C unit is permitted to encroach 0.60 m into the minimum required yard.

Official Plan:

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

Comments:

The Owner is requesting permission to maintain an existing hard landscape walkway, stairs, rear yard deck, and A/C unit with the above noted variances.

The Development Planning Department has no objection to Variance 1 as the Development Engineering Department has reviewed the walkway and is satisfied that drainage along the side yard will be maintained. The hard landscape walkway facilitates the required 1.2 m clear path to the basement entrance for a secondary suite.

The Development Planning Department has no objection to Variance 2 and 3 as the existing setbacks to the stairs and deck maintains an appropriate area for access and drainage, and will not have adverse impacts to the neighbouring properties.

The Development Planning Department has no objection to Variance 4 as the increased encroachment will not impact the safe access into the rear yard. Additionally, the Development Engineering Department has reviewed the existing A/C unit and has no objection.

Accordingly, the Development Planning Department can support the required variances and 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

memorandum



Comments Prepared by: Joshua Cipolletta, Planner I Chris Cosentino, Senior Planner



Date: April 19th, 2022

Attention: Christine Vigneault

RE: Request for Comments

File No.: A079-22

Related Files:

Applicant Jyoti Aggarwal, Vivek Aggarwal

Location 226 Monte Carlo Drive



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

Mitchell Penner

Supervisor, Distribution Design-Subdivisions

Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

Lenore Providence

Subject: FW: [External] RE: A079/22, REQUEST FOR COMMENTS - Vaughan - 226 Monte Carlo Drive,

Woodbridge

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

Sent: April-21-22 11:03 AM

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

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

Subject: [External] RE: A079/22, REQUEST FOR COMMENTS - Vaughan - 226 Monte Carlo Drive, Woodbridge

Good morning Lenore,

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

Gabrielle

Gabrielle Hurst mcip rpp | Programs and Process Improvement| Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

Lenore Providence

Subject: FW: [External] RE: A079/22, REQUEST FOR COMMENTS - Vaughan - 226 Monte Carlo Drive,

Woodbridge

From: York Plan <yorkplan@trca.ca>

Sent: April-19-22 12:23 PM

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

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

Subject: [External] RE: A079/22, REQUEST FOR COMMENTS - Vaughan - 226 Monte Carlo Drive, Woodbridge

TRCA wishes to confirm that it has no interests or concerns with the above noted application.

Based on a review of our available mapping, the subject property is not within TRCA's Regulated Area. As such, a permit from TRCA pursuant to Ontario Regulation 166/06 would not be required for any development or site alteration on the property. Furthermore, the site is not within the Well Head Protection Area for Quantity control (WHPA-Q2) per the Source Protection Plan, so no water balance would be required.

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

Mark Howard, BES, MLA, MCIP, RPP

Senior Manager – Toronto, Durham & York East Review Areas Development Planning and Permits | Development and Engineering Services Toronto and Region Conservation Authority (TRCA)

T: (416) 661-6600 ext 5269 E: mark.howard@trca.ca

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca



Lenore Providence

Subject: FW: [External] RE: A079/22, REQUEST FOR COMMENTS - Vaughan - 226 Monte Carlo Drive,

Woodbridge

From: Gordon, Carrie <carrie.gordon@bell.ca>

Sent: April-19-22 11:06 AM

To: Lenore Providence <Lenore.Providence@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca> **Subject:** [External] RE: A079/22, REQUEST FOR COMMENTS - Vaughan - 226 Monte Carlo Drive, Woodbridge

Hello Lenore,

Bell Canada has no comments for this minor variance.

Kind regards,

Carrie Gordon

Carrie Gordon



Associate, External Liaison Right of Way Control Centre 140 Bayfield St, Fl 2 Barrie ON, L4M 3B1 T: 705-722-2244/844-857-7942

E -70E 736 4600

F:705-726-4600

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None.				