

<b>ITEM #: 6.25</b>	<b>COMMITTEE OF ADJUSTMENT REPORT</b> <b>MINOR VARIANCE APPLICATION</b> <b>A227/22</b> <b>203 Via Toscana Woodbridge</b>
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**COA REPORT SUMMARY**

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Staff 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	X	X		General Comments
Building Standards -Zoning Review *Schedule B	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning *Schedule B	X			Application Under Review
Development Engineering	X	X		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	X	X		General Comments
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X		No Comments or Concerns
Real Estate				
Fire Department	X			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		General Comments
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				

PUBLIC & APPLICANT CORRESPONDENCE				
*Please see <b>Schedule C</b> of this report for a copy of the public & applicant correspondence listed below.				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
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 <b>Schedule D</b> for a copy of the Decisions listed below		
File Number	Date of Decision MM/DD/YYYY	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 A227/22

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

<b>AGENDA ITEM NUMBER: 6.25</b>	<b>CITY WARD #: 3</b>
<b>APPLICANT:</b>	Thiarajah and Niwaleswary Ranjan
<b>AGENT:</b>	Varatha Design Associates (Ken Varatha)
<b>PROPERTY:</b>	203 Via Toscana, Woodbridge
<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit a side (basement) entrance into the existing dwelling.

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

The subject lands are zoned R3(EN), subject to the provisions of Exception 14.920 under By-law 01-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
	None	

The subject lands are zoned RD3, Residential Zone subject to the provisions of Exception 9(1280) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
1	The minimum interior side yard setback to a door shall be 1.8 metres where a door providing access to the dwelling or an attached garage. (Schedule "A3" General Notes, C.)	To permit a minimum interior side yard setback of 1.24 metres to a door where a door providing access to the dwelling or an attached garage.

### HEARING INFORMATION

**DATE OF MEETING:** September 22, 2022

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](https://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](mailto: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](mailto: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 REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON 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:

INTRODUCTION	
<p>That the general intent and purpose of the by-law will be maintained.</p> <p>That the general intent and purpose of the official plan will be maintained.</p> <p>That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.</p> <p>That the requested variance(s) is/are minor in nature.</p> <p>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.</p>	

COMMITTEE OF ADJUSTMENT COMMENTS		
Date Public Notice Mailed:	September 8, 2022	
Date Applicant Confirmed Posting of Sign:	September 6, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	The dwelling was built with the side yard setback of 1.24m where as required is.1.8m	
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:	No	
*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.		
Committee of Adjustment Comments:	Development Planning advised on September 14, 2022 that they require a revised Site Plan drawing annotating the “Existing Tree to Remain”. It will be listed as a condition of approval and can be provided after the meeting date.	
Committee of Adjustment Recommended Conditions of Approval:	None	

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
Application Under Review	
Development Planning Recommended Conditions of Approval:	TBD

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The Development Engineering (DE) Department does not object to variance application A227/22.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comment	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING 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:

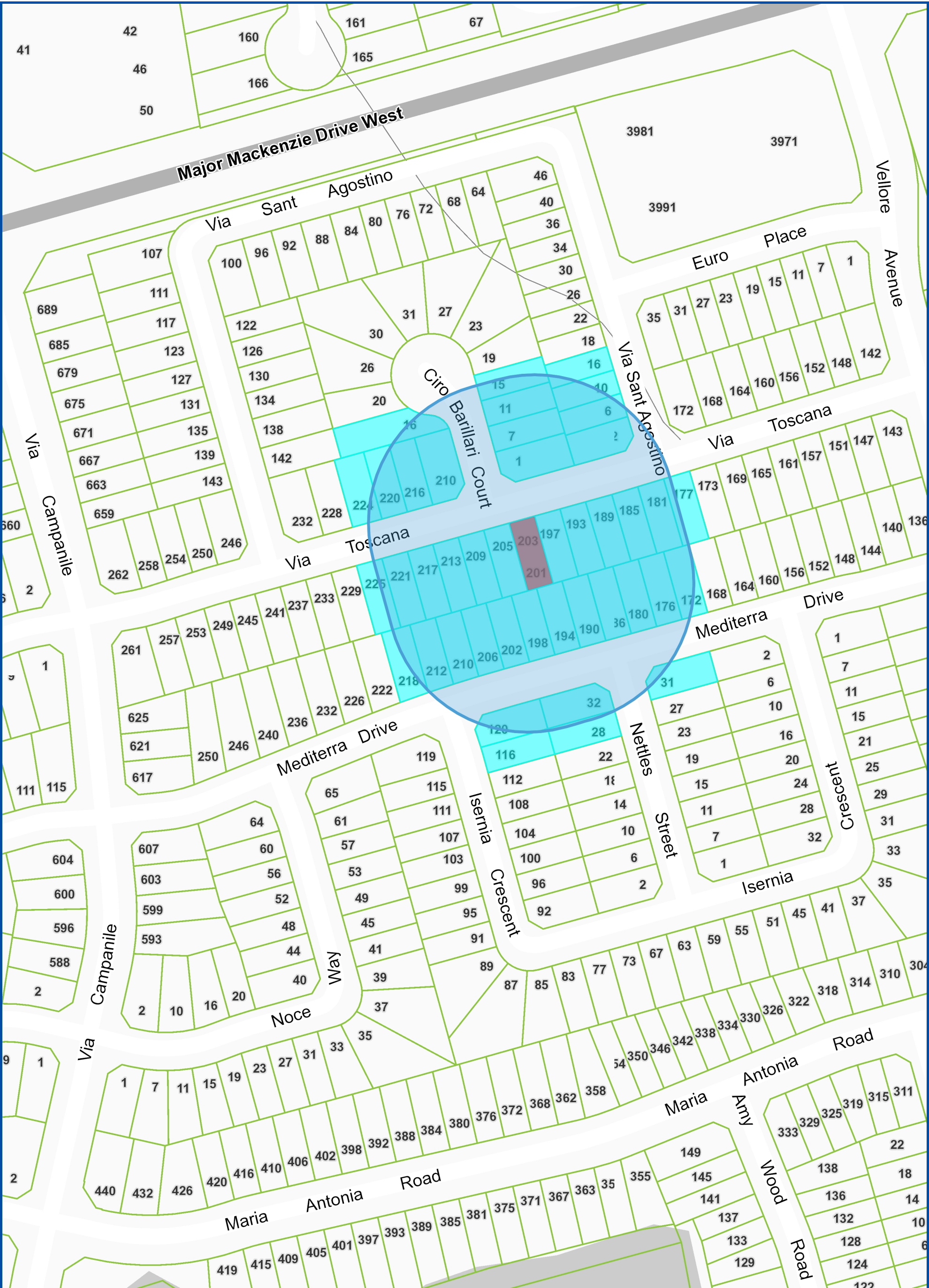
SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.		
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Planning <a href="mailto:joshua.cipolletta@vaughan.ca">joshua.cipolletta@vaughan.ca</a>	Application Under Review

IMPORTANT INFORMATION – PLEASE READ
<b>CONDITIONS:</b> 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.

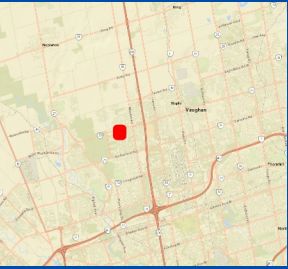
IMPORTANT INFORMATION – PLEASE READ	
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.</p> <p>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.</p> <p>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.</p> <p>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.</p>	
<p><b>DEVELOPMENT CHARGES:</b> 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.</p> <p>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.</p> <p>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</p> <p>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.</p>	
<p><b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.</p>	

**SCHEDULE A: DRAWINGS & PLANS**





Map Information:



Title:

# NOTIFICATION MAP - A227/22

## 203 VIA TOSCANA, WOODBRIDGE

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:2,257

0 0.04 km



Created By:  
Infrastructure Delivery  
Department  
August 17, 2022 5:15 PM

Projection:  
NAD 83  
UTM Zone  
17N



PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT

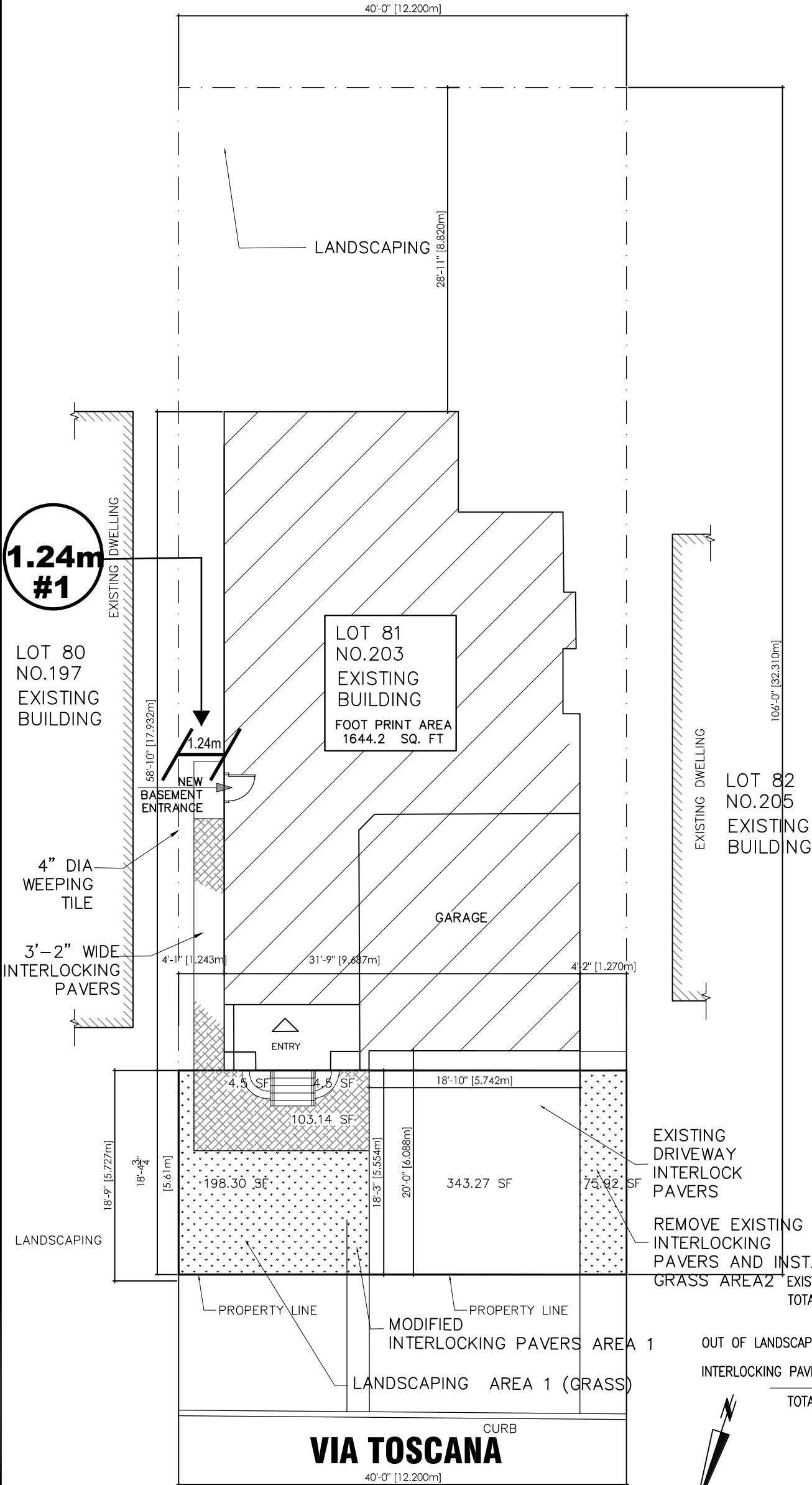
Received

August 29, 2022

A227/22

SITE STATISTICS:

SITE ADDRESS:203 VIA TOSCANA, MARKHAM  
LOT AREA: 4,236 square ft= ( 393.53 SQ.M.)  
GROUND FLOOR SPACE : 1249.3 square ft.( 116.07 SM)  
BASEMENT AREA : 1084.88 square ft. square ft ( 100.78m²)  
SECOND FLOOR AREA :1332.38 square ft square ft. (123.7m²)



SITE PLAN

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

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN, AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE O.B.C TO BE A DESIGNER

QUALIFICATION INFORMATION:

K.RANAGAVARATHA (B.C.I.N) 26147

REGISTRATION INFORMATION:

VARATHA DESIGN ASSOCIATES (B.C.I.N) 33937

OWNERS: THIAGARAJAH RANJAN  
NIWALASWARY RANJAN

DRAWING TITLE:  
SITE PLAN

PROJECT:

NEW BASEMENT RENOVATIONS TO EXISTING DWELLING  
203 Via Toscana

ALL DRAWINGS AND RELATED DOCUMENTS ARE COPYRIGHT PROPERTY OF VARATHA DESIGN ASSOCIATES. AND MUST BE RETURNED UPON REQUEST. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR WHOLE IS FORBIDDEN WITHOUT DESIGNER'S CONSENT IN WRITING.

DRAWINGS NOT TO BE SCALED  
CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES OR ERRORS BEFORE COMMENCING ANY PART OF THE WORK

THE DESIGNER HAS NOT BE RETAINED TO CARRY OUT GENERAL REVIEW OF THE WORK AND ASSUMES NO RESPONSIBILITY FOR THE FAILURE OF THE CONTRACTOR OR SUBCONTRACTORS TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS

MYLARS/VELUMS ARE ISSUED TO THE CLIENTS ON THE UNDERSTANDING THAT NO CHANGES ARE TO BE MADE TO THE CONTRACT DOCUMENTS WITHOUT WRITTEN CONSENT OF THE DESIGNER.

2	ISSUED FOR COA	K.V	AUG.26/22
1	ISSUED FOR BP	K.V	JUN13,22
	REVISION/ISSUED TO	BY	DATE

VARATHA DESIGN ASSOCIATES

Architectural & Engineering Services

Varatha Ken

Architectural Designer

TEL: (416) 284 7945

CELL: (416) 725 2041

TORONTO Ont. email: kvaratha@hotmail.com

SCALE: 3/32"=1'-0"	CAD FILE :	JOB No.: 22127
DATE: JUN13,22	DWG NO: A1	OF 6
DRAWN BY: M.F	CHECKED BY: K.V	DATE OF PRINT: JUN13,22

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X	X		General Comments
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B				
Propane Operator *Schedule B				
Development Planning	X			Application Under Review
Building Standards (Zoning)	X	X		General Comments

**To:** Committee of Adjustment  
**From:** Christian Tinney, Building Standards Department  
**Date:** August 30, 2022  
**Applicant:** Thiarajah and Niwaleswary Ranjan  
**Location:** PLAN 65M4140 Lot 81 municipally known as 203 Via Toscana  
**File No.(s):** A227/22

**Zoning Classification:**

The subject lands are zoned R3(EN), subject to the provisions of Exception 14.920 under By-law 01-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
	None	

The subject lands are zoned RD3, Residential Zone subject to the provisions of Exception 9(1280) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
1	The minimum interior side yard setback to a door shall be 1.8 metres where a door providing access to the dwelling or an attached garage. (Schedule "A3" General Notes, C.)	To permit a minimum interior side yard setback of 1.24 metres to a door where a door providing access to the dwelling or an attached garage.

**Staff Comments:**

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

There are no outstanding Orders on file

**Building Permit(s) Issued:**

Building Permit No. 20-113595 for Single Detached Dwelling - Alteration, Issue Date: (Not Yet Issued)

**Other Comments:**

General Comments		
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.	

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

\* Comments are based on the review of documentation supplied with this application.

**Date:** August 18<sup>th</sup> , 2022

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **A227-22**

**Related Files:**

**Applicant** Thigarajah Ranjan

**Location** 203 Via Toscana

**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

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mitchell Penner  
Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)



**Lenore Providence**

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**Subject:** FW: [External] FW: A227/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Attachments:** APPCIRC\_A227\_22.pdf

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**From:** Development Services <developmentservices@york.ca>

**Sent:** August-22-22 12:22 PM

**To:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] FW: A227/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hello,

The Regional Municipality of York has completed its review of the minor variance application A227/22 and has no comment.

Thank you,

**Maryam Ahmed, B.U.R.PL.** | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 x74528 | [maryam.ahmed@york.ca](mailto:maryam.ahmed@york.ca) | [www.york.ca](http://www.york.ca)

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



Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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