

ITEM #6.3:

**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A237/22
43 Muzich Pl Woodbridge**

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	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	X	X	Recommend Approval w/Conditions
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X	X	General Comments
By-law & Compliance, Licensing & Permits	X	X		No Comments or Concerns
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				
Region of York *Schedule B	X	X	X	General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
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 **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 MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None	
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**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A237/22
43 Muzich Pl Woodbridge**

FILE MANAGER: Pravina Attwala, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.3	CITY WARD #: 3
APPLICANT:	Mauro Rossi (c/o Frank Loprieta)
AGENT:	Weston Consulting (c/o Kayly Robbins and Eleni Mermigas)
PROPERTY:	43 Muzich Place, Woodbridge
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	B015/22, A236/22, A237/22
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit reduced lot area on the retained land to facilitate Consent Application B015/22. Relief is also being requested to permit the construction of a proposed single family dwelling and cabana and increased maximum driveway width on the retained land .

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

The subject lands are zoned R1A(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.588 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A maximum building height of 9.5m is permitted. [Table 7-3]	To permit a maximum building height of 10.0m. variance confirmed by zoning review waiver
2	A minimum rear yard setback of 2.4m is required to the proposed accessory building (Cabana). [4.1.2.1.b]	To permit a minimum rear yard setback of 1.67m to the proposed accessory building (Cabana). variance removed by zoning review waiver
3	A minimum lot area of 3,000m ² is required. [14.588]	To permit a minimum lot area of 1,490m ² . variance confirmed by zoning review waiver
4	A maximum building height of 3.0m is permitted for the proposed residential accessory building (Cabana). [4.1.4.1]	To permit a maximum building height of 4.5m for the proposed residential accessory building (Cabana) variance revised by zoning review waiver

The subject lands are zoned R1 – Residential and subject to the provisions of Exception 9(901) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
5	A maximum lot coverage of 35% is permitted. [Schedule A]	To permit a maximum lot coverage of 37.5%. variance confirmed by zoning review waiver
6	A maximum building height of 9.5m is permitted. [Schedule A]	To permit a maximum building height of 10.0m. variance confirmed by zoning review waiver
7	The maximum width of a driveway at the curb cut shall be 6.0m. [4.1.4.f]	To permit a maximum driveway width of 7.73m at the curb cut. variance confirmed by zoning review waiver
8	A minimum rear yard setback of 7.5m is required to the proposed accessory building (Cabana). [Schedule A]	To permit a minimum rear yard setback of 2.4m to the proposed accessory building (Cabana). variance revised by zoning review waiver
9	A minimum lot area of 3,000m ² is required. [9(901)]	To permit a minimum lot area of 1,490m ² . ? variance confirmed by zoning review waiver

Zoning By-law 1-88		Variance requested
		1
40	A maximum building height of 4.5m is permitted for the proposed residential accessory building (Cabana). [4.1.1.b]	To permit a maximum building height of 5.0m for the proposed residential accessory building (Cabana) variance removed by zoning review waiver
11	A maximum height of 3.0m is permitted to the nearest point to the roof for the proposed accessory building. (Cabana). [4.1.1.b]	To permit a maximum height of 3.45m to the nearest point to the roof for the proposed accessory building. (Cabana). variance confirmed by zoning review waiver

HEARING INFORMATION

DATE OF MEETING: Thursday , November 17, 2022

TIME: 6:00 p.m.

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

LIVE STREAM LINK: 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 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:

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.

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:	November 3, 2022
Date Applicant Confirmed Posting of Sign:	October 31, 2022
Applicant Justification for Variances: *As provided by Applicant in Application Form	Minor relief is required from the City's zoning by-law to recognize the proposed building height, lot coverage, height of an accessory structure, minimum rear yard from an accessory structure, maximum driveway width from curb to street line, maximum driveway width.
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	Development Planning provided the following to the applicant on October 28, 2022 Development Planning has reviewed the above noted Consent and Minor Variance Applications and has some comments regarding the proposal. While we do not have any concerns with the proposed severance or the proposal for Lot B (A236/22), we do have some concerns with Lot A (A237/22). We are not in a position to support the variances associated with the cabana as currently shown. We recommend reducing the height of the cabana to minimize the massing impact it will have on the surrounding properties. Vegetative screening should also be introduced to further screen the cabana from the rear. I

COMMITTEE OF ADJUSTMENT COMMENTS

	have included comments from our Urban Design division attached, which have concerns to the same effect.
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:	Yes
<p>*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.</p> <p>*A revised submission may be required to address staff / agency comments received as part of the application review process.</p> <p>*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.</p>	
<p>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.</p> <p>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.</p>	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	<ol style="list-style-type: none"> 1. That a Surveyors Certificate confirming lot area is submitted. 2. That Consent Application B015/22 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.

BUILDING STANDARDS (ZONING) COMMENTS

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

DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	<ol style="list-style-type: none"> 1. That the final Arborist Report and Tree Preservation Plan be approved to the satisfaction of the Development Planning Department. 2. That the final Landscape Plan, which shall include plantings between the proposed cabana and rear lot line, be approved to the satisfaction of the Development Planning Department.

DEVELOPMENT ENGINEERING COMMENTS

Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
<p>The owner/applicant shall apply and obtain the necessary curb cut/ reinstating permit through the Transportation and Fleet Management Services. Please visit the curb cut permit link provided above to learn how to apply for the curb cut/ reinstating permit.</p> <p>As the proposed dwelling in the subject property is 317.64m², 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)</p>	
Development Engineering Recommended Conditions of Approval:	<p>The Minor Variance application A237/22 shall be approved in conjunction with consent application B015/22</p> <p>The Owner/applicant shall submit a revised 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</p>

DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#)
 [Link to Pool Permit](#)
 [Link to Curb Curt Permit](#)
 [Link Culvert Installation](#)

the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: No comments no concerns

PFH Recommended Conditions of Approval:

Applicant/owner shall provide an arborist report to the satisfaction of the forestry division.

DEVELOPMENT FINANCE COMMENTS

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.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

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.

Development Finance Recommended Conditions of Approval:

None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments no concerns

BCLPS Recommended Conditions of Approval:

None

BUILDING INSPECTION (SEPTIC) COMMENTS

None

Building Inspection Recommended Conditions of Approval:

None

FIRE DEPARTMENT COMMENTS

None

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	Staff & 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

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

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	Committee of Adjustment christine.vigneault@vaughan.ca	<ol style="list-style-type: none"> 1. That a Surveyors Certificate confirming lot area is submitted. 2. That Consent Application B015/22 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Development Planning joshua.cipolletta@vaughan.ca	<ol style="list-style-type: none"> 1. That the final Arborist Report and Tree Preservation Plan be approved to the satisfaction of the Development Planning Department. 2. That the final Landscape Plan, which shall include plantings between the proposed cabana and rear lot line, be approved to the satisfaction of the Development Planning Department.
3	Development Engineering ian.reynolds@vaughan.ca	<ol style="list-style-type: none"> 1. The Minor Variance application A237/22 shall be approved in conjunction with consent application B015/22 2. The Owner/applicant shall submit a revised 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 the grading permit link provided above to learn how to apply for lot grading and/or servicing approval
4	Parks, Forestry and Horticulture Operations zachary.quizzetti@vaughan.ca	Applicant/owner shall provide an arborist report to the satisfaction of the forestry division.
5.	Region of York niranjan.rajevan@york.ca	Prior to the approval of the application, the City of Vaughan shall confirm that adequate water supply and sewage capacity has been allocated for the proposed new dwellings.

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.

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.

IMPORTANT INFORMATION – PLEASE READ

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.

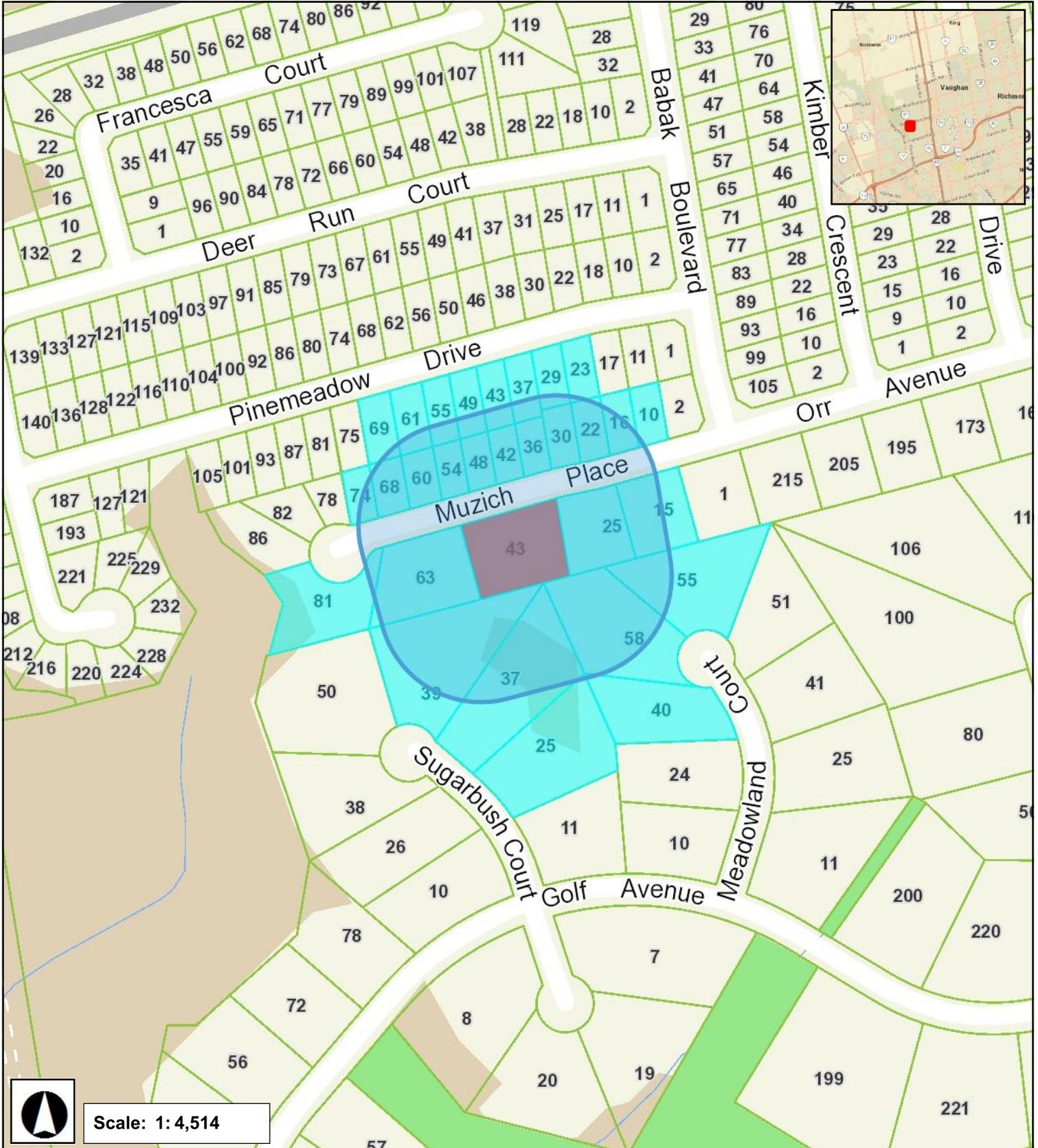
SCHEDULE A: DRAWINGS & PLANS



LOCATION MAP - B015/22, A236/22, A237/22

43 MUZICH PLACE, WOODBRIDGE

RUTHERFORD ROAD



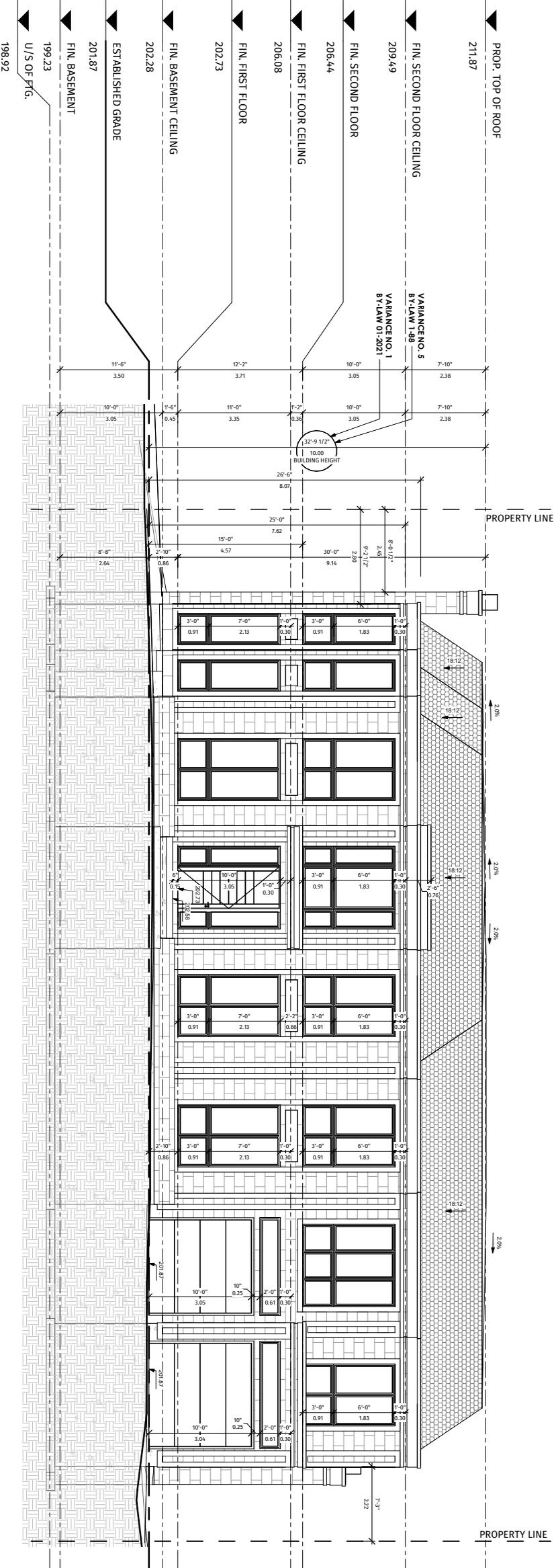
LANGSTAFF ROAD

November 1, 2022 10:51 AM

RECEIVED
 By RECEIVED at 4:05 pm, Nov 01, 2022

PLANS PREPARED BY APPLICANT

A237/22



FRONT ELEVATION (NORTH) - PROPOSED

1 : 1/50

This drawing is an unperfected document. It is provided for your information only and does not constitute a contract. The contractor must verify and accept the information shown on this drawing before construction begins.

This drawing is not to be scaled.

The designer is not responsible for the accuracy of survey data submitted to the appropriate authorities or for the accuracy of the information provided by the contractor. The designer is not responsible for the accuracy of the information provided by the contractor. The designer is not responsible for the accuracy of the information provided by the contractor.

The copyright of this drawing is held by Contempstudio and it is not to be reproduced without the express written permission of the designer.

contempstudio

1140 The University Avenue, Ottawa, Ontario, Canada
 T1R 8B9 | 613-720-0771 | 613-662-5191

The undersigned has reviewed and takes responsibility for this design, and has the authority to execute the same on behalf of the client. The undersigned is not responsible for any errors or omissions in the design or for any damages resulting from the work.

QUALIFICATION INFORMATION:
 Registered Urban Designer & Architect under 32.4.3.(5)
 Division C of the Ontario Building Code.

NAME: MAREN AZEVEDO
 SIGNATURE: *Maren Azevedo*
 BCN: 4830

REGISTRATION INFORMATION:
 Registered unless design is exempt under 32.2.7,
 Division C of the Ontario Building Code.
 CONTEMPSTUDIO
 44972

FIRM NAME: BCN
 NEW 2 STOREY DWELLING
 AT

43 Muzich Pl, Lot A
 Vaughan, ON

Front Elevation

Project number: 2022.18
 Rev. no.:
 Scale: 1 : 1/50
 Date: 10/31/22
 Drawn by: R.S.
 Approved by: M.Z.

Drawing number: A7

The drawing is an unperfected design. It is provided for the use of the client and is not to be used for any other purpose. The contractor shall verify and accept the information. The contractor shall be responsible for the design and construction of the project. The contractor shall be responsible for the design and construction of the project. The contractor shall be responsible for the design and construction of the project.

contempstudio

1140 The University, Toronto, Ontario M5S 1A7
 T: (416) 778-0071 F: (416) 642-8981

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code. The work is shown on the attached documents.

QUALIFICATION INFORMATION
 Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.

NAME: AMEN AZEINI
 SIGNATURE: *Amen Azeini*
 BCIN: 4830

REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.7 Division C of the Ontario Building Code.
 CONTINO STUDIO 44972

FIRM NAME: BCIN
 NEW 2 STOREY DWELLING

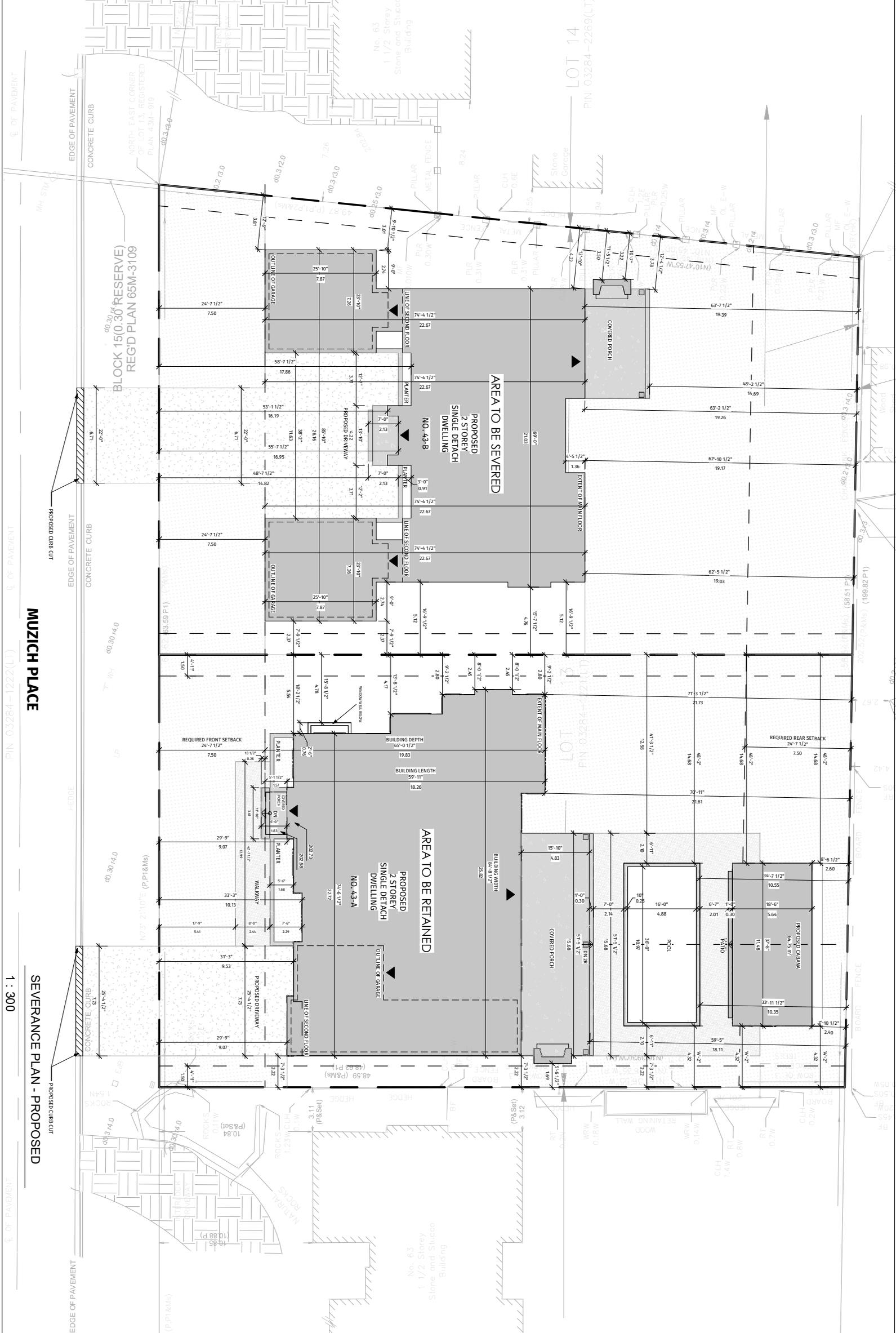
AT
 43 Muzich Pl, Lot A
 Vaughan, ON

Severed Site Plan

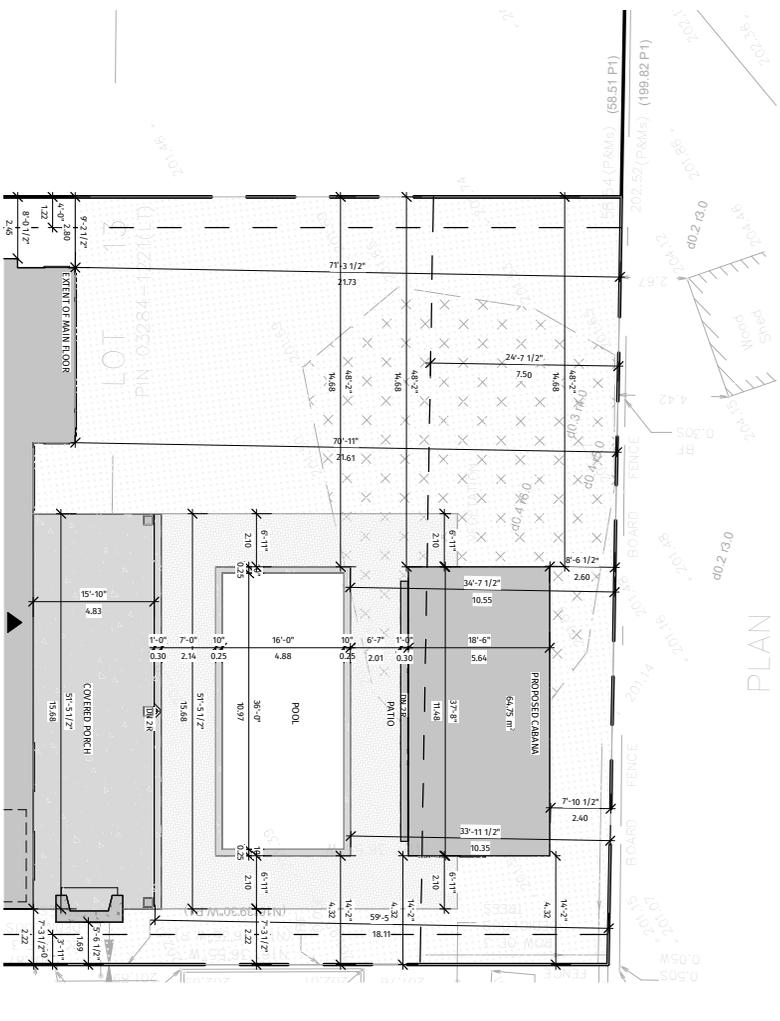
Project number: 2022-18
 Rev. no.:
 Scale: 1 : 300
 Date: 10/31/22
 Drawn by: Author
 Approved by: M.Z.

Drawing number:

A1.1

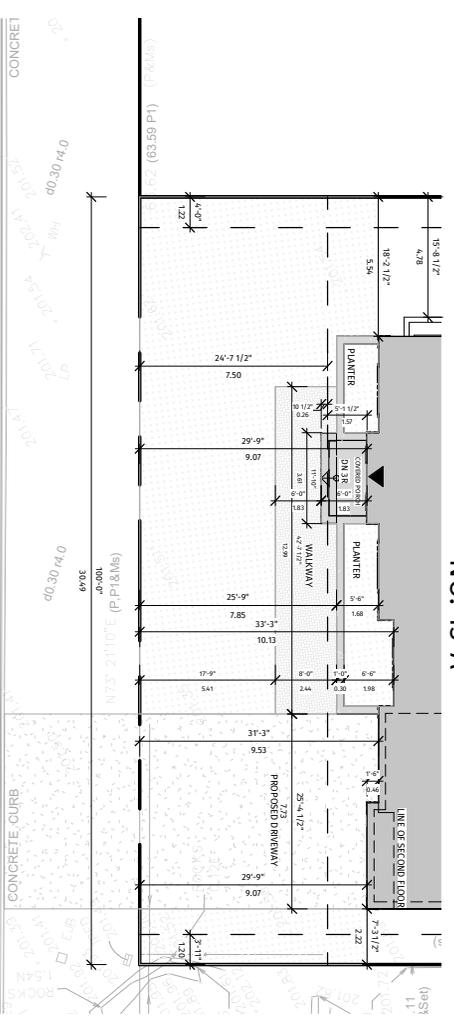


1 : 300



**PROPOSED
2 STOREY
SINGLE DETACH
DWELLING**

NO. 43-A

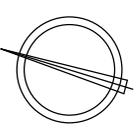


REAR YARD LANDSCAPING PLAN - PROPOSED

1 : 300

FRONT YARD LANDSCAPING PLAN - PROPOSED

1 : 300



Front Yard Landscaping Calculations		
Required	Proposed	
Total Front Yard Area	288.04 m ²	3,100.49 sf
Permitted Encroachments	3.65 m ²	39.33 sf
Porch	2.20 m ²	23.67 sf
Planters	5.05 m ²	54.34 sf
Removed Area	10.90 m ²	117.24 sf
Front Landscape Area	144.02 m ²	2,883.15 sf
Front Landscape %	50%	96%

Front Yard Landscaping		
Driveway	29.48 m ²	317.33 sf
Walkway	7.74 m ²	772.21 sf
Total Hard L.A	101.22 m ²	1,089.54 sf
Front Landscape Area	166.29 m ²	1,893.61 sf
Front Landscape %	60%	63%

Front Soft Landscaping		
Rear Landscape Area	345.63 m ²	5,145.29 sf
Rear Landscape %	50%	68%

Rear Yard Landscaping Calculations		
Required	Proposed	
Total Rear Yard Area	691.26 m ²	7,440.88 sf
Permitted Encroachments	75.29 m ²	810.45 sf
Porch	9.56 m ²	102.91 sf
Steps	1.92 m ²	19.82 sf
Finishes	61.82 m ²	665.45 sf
Pool	64.75 m ²	698.88 sf
Cabana	213.25 m ²	2,295.99 sf
Removed Area		
Rear Landscape Area	478.01 m ²	5,145.29 sf
Rear Landscape %	50%	68%

Rear Hard Landscaping		
Pool	97.51 m ²	1,049.58 sf
Total Hard L.A	97.51 m ²	1,049.58 sf
Rear Landscape Area	288.51 m ²	4,095.71 sf
Rear Landscape %	60%	80%

Rear Soft Landscaping		
Proposed		
Proposed (Built)		
Proposed (Hard)		
Proposed (Soft)		
Property		
Setbacks		
Entrance		
Entrance		

The drawing is an unperfected design. It is provided for your information only. The contractor shall verify all dimensions and conditions on the site before construction. The contractor shall be responsible for any changes or modifications to the design. The drawing is not to be scaled.

The designer is not responsible for the accuracy of survey information, or for the accuracy of any other information provided to the designer. The designer shall be responsible for the accuracy of the design. The designer shall be responsible for the accuracy of the design. The designer shall be responsible for the accuracy of the design.

contempstudio

1140 The Quadrant, Suite 100, Ottawa, Ontario K1P 7Y7
T: (613) 720-0771 F: (613) 642-1891

The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code, as shown on the attached documents:

QUALIFICATION INFORMATION
Required unless design is exempt under 3.2.4.1.6
Division C of the Ontario Building Code.

NAME: MARIAN ZARZINI
SIGNATURE: *Marian Zarzini*
BCN: 4830

REGISTRATION INFORMATION
Required unless design is exempt under 3.2.4.1.7
Division C of the Ontario Building Code.
CONTEMPSTUDIO 44972
FIRM NAME: BCIN

NEW 2 STOREY DWELLING
AT
43 Muzich Pl, Lot A
Vaughan, ON

Front & Rear Yard Landscaping

Project number: 2022-18
Rev. no.:
Scale: As indicated
Date: 10/31/22
Drawn by: R.S.
Approved by: M.Z.

Drawing number:
A2

This drawing is an unperfected design. It is provided as is and is the property of Contempo Studio. The contractor shall verify and accept the accuracy of the information provided. Contempo Studio is not responsible for any errors or omissions. Contempo Studio is not responsible for any errors or omissions.

The designer is not responsible for the accuracy of survey, structural, mechanical, electrical, plumbing, or other information provided by others. The designer is not responsible for any errors or omissions.

The contractor shall verify and accept the accuracy of the information provided. Contempo Studio is not responsible for any errors or omissions.

The copyright of this drawing is held by Contempo Studio and it is not to be reproduced without the express written permission of Contempo Studio.

contempostudio

1140 The University, Toronto, Ontario M5S 1Y7
 T: (416) 778-0071 F: (416) 642-1091

The undersigned has reviewed and takes responsibility for this design, and has the authority to execute the requirements set out herein and to certify the work shown on the attached documents.

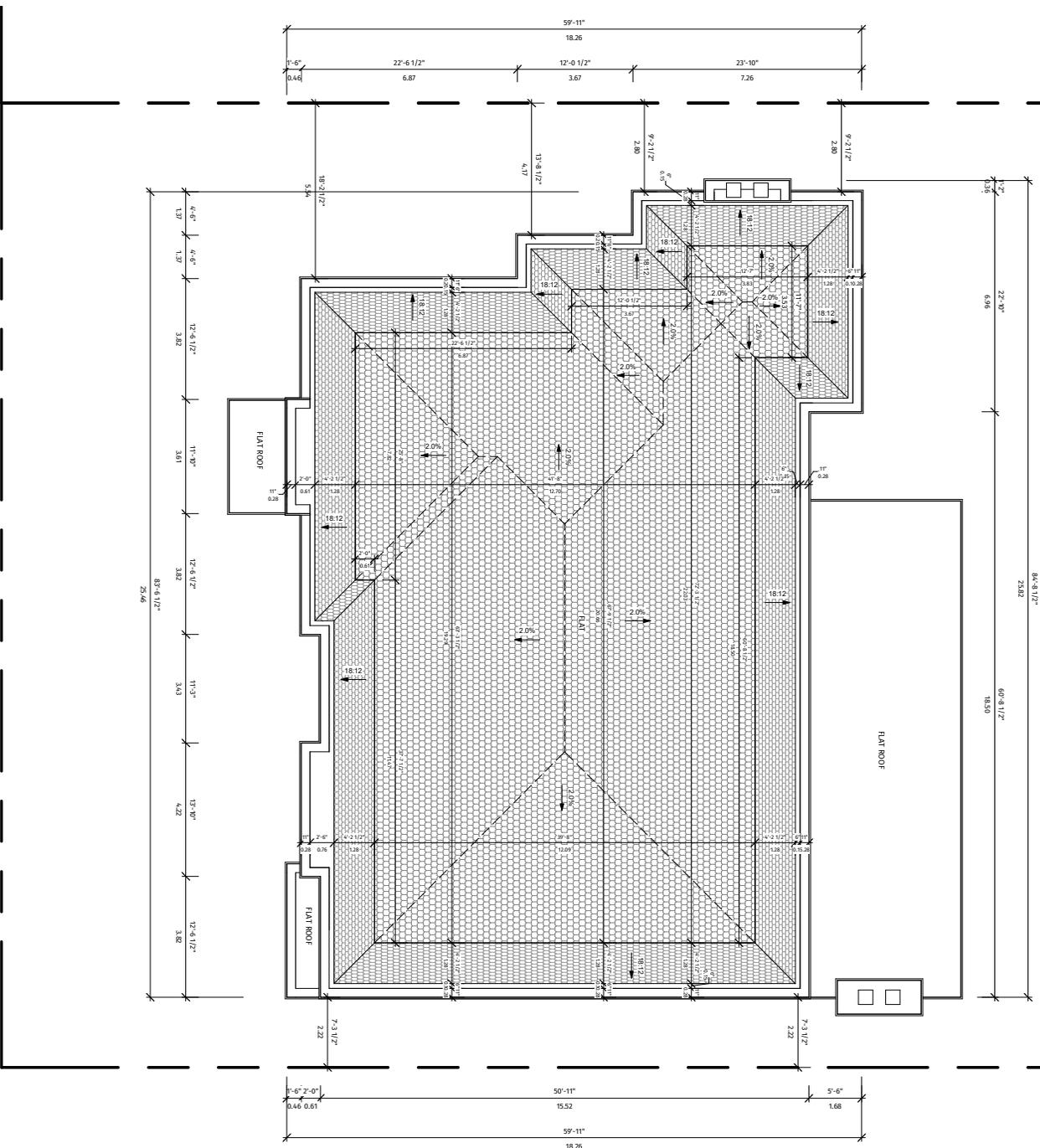
QUALIFICATION INFORMATION:
 Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.

MAHDI AZIZI 4830
 NAME SIGNATURE BCIN

REGISTRATION INFORMATION:
 Required unless design is exempt under 3.2.4.7 Division C of the Ontario Building Code.
 CONTEMPO STUDIO 44972
 FIRM NAME BCIN

NEW 2 STOREY DWELLING
 AT
 43 Muzich Pl, Lot A
 Vaughan, ON

Roof Plan



ROOF AREAS
 FLAT ROOF AREA 298.99m² 75.38%
 SLOPE ROOF AREA 97.67m² 24.62%
 TOTAL ROOF AREA 396.66m² 100%

ROOF PLAN - PROPOSED

1 : 200

Project number: 2022-18
 Rev. no.:
 Scale: 1 : 200
 Date: 10/9/22
 Drawn by: R.S.
 Approved by: M.Z.

Drawing number:

A6

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contempstudio

1140 The Observatory, Toronto, Ontario M6C 1P7
 Tel: (416) 778-0071 Fax: (416) 642-1091

The undersigned has reviewed and takes responsibility for this design, and has the authority to execute the requirements set out in the contract documents and the drawings shown on the attached documents.

QUALIFICATION INFORMATION:
 Registered unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.

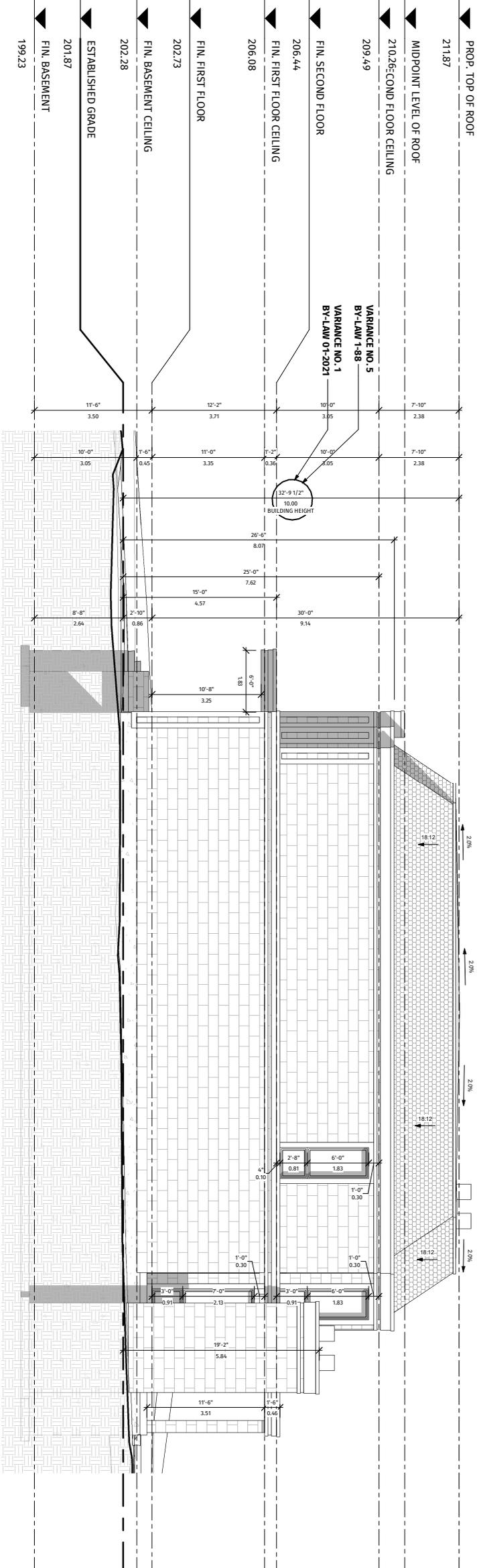
NAME: MAMEN ABIZINI
 SIGNATURE: *Mamen Abizini*
 BCN: 4830

REGISTRATION INFORMATION:
 Required unless design is exempt under 3.2.4.7, Division C of the Ontario Building Code.
 CONTEMP/STUDIO 44972

FIRM NAME: BCIN
 NEW 2 STOREY DWELLING

AT
 43 Muzich Pl, Lot A
 Vaughan, ON

Right Elevation



RIGHT ELEVATION (WEST) - PROPOSED

1 : 150

Project number: 2022.18

Rev. no.: 1

Scale: 1 : 150

Date: 10/31/22

Drawn by: R.S.

Approved by: M.Z.

Drawing number:

A8

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contempstudio

1140 The Greenway, Toronto, Ontario M6P 1P7
 Tel: (416) 778-0071 Fax: (416) 642-1891

The undersigned has reviewed and takes responsibility for this design, and has the authority to execute the requirements set out herein on the attached documents:

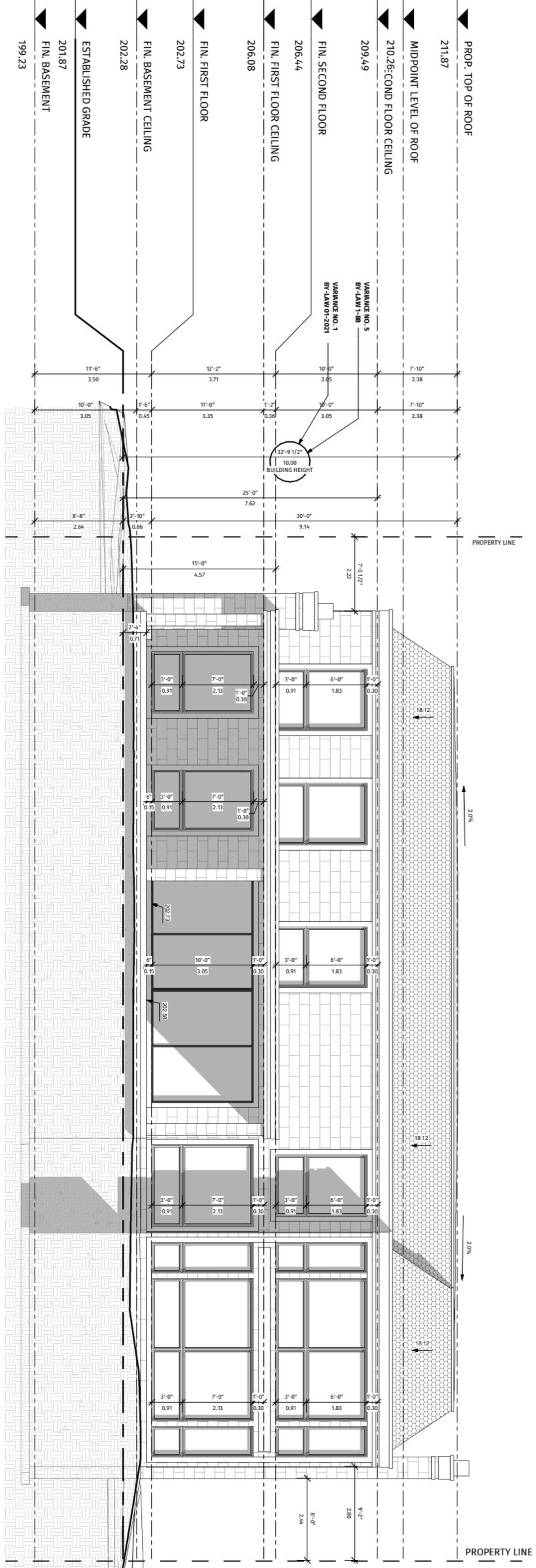
Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.

QUALIFICATION INFORMATION
 NAME: MAREN ZARZINI
 SIGNATURE: *Maren Zarzini*
 BCIN: 4830

REGISTRATION INFORMATION
 Required unless design is exempt under 3.2.4.7 Division C of the Ontario Building Code.
 FIRM NAME: CONTEMPSTUDIO
 BCIN: 44972

NEW 2 STOREY DWELLING
 AT
 43 Muzich Pl, Lot A
 Vaughan, ON

Rear Elevation



REAR ELEVATION (SOUTH) - PROPOSED

1 : 150

Project number: 2022.18
 Rev. no.:
 Scale: 1 : 150
 Date: 10/31/22
 Drawn by: R.S.
 Approved by: M.Z.

Drawing number:
A9

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contempostudio

1140 The University Avenue, Ontario, Canada M5S 1Y7
 Phone: 1 (416) 778-0071 Fax: (416) 642-1091

The undersigned has reviewed and takes responsibility for this design, and has the authority to execute the same. The design is based on the information and materials provided to the undersigned and meets the requirements set out in the attached documents.

Required unless design is exempt under 3.2.4.3.(5) Division C of the Ontario Building Code.

NAME: **MAHDI ABIZINI** 44972
 SIGNATURE: *Mahdi Abizini*
 BCIN: 44972

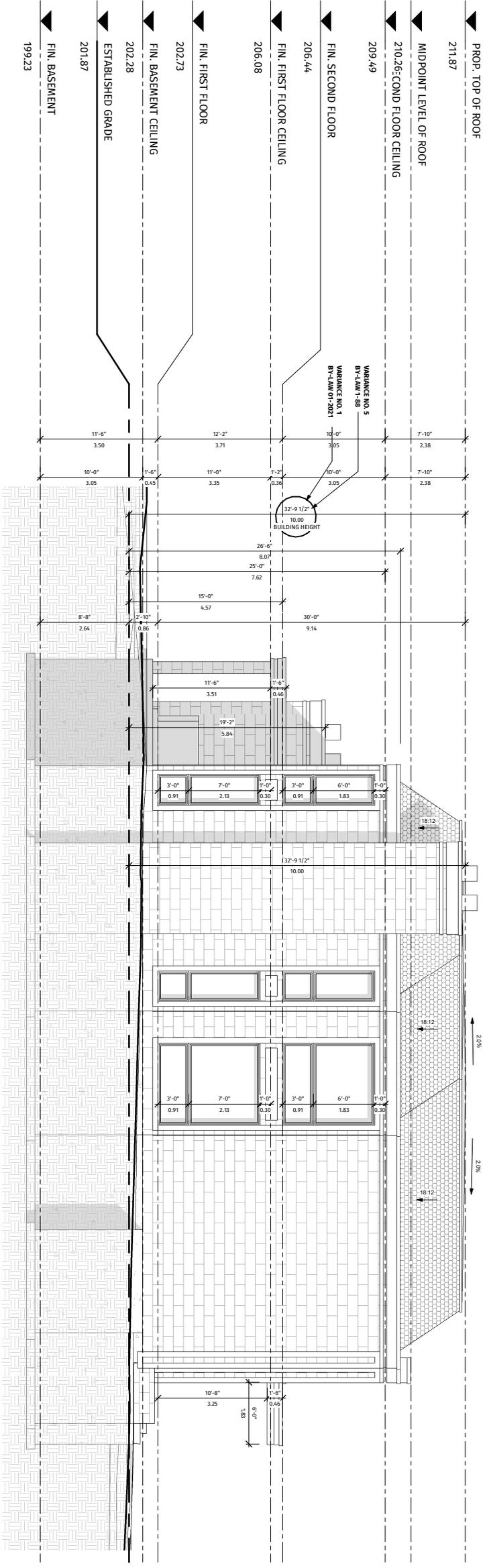
REGISTRATION INFORMATION:
 Required unless design is exempt under 3.2.4.7, Division C of the Ontario Building Code.

CONTRINO STUDIO 44972
 FIRM NAME: BCIN:

NEW 2 STOREY DWELLING
 AT

43 Muzich Pl, Lot A
 Vaughan, ON

Left Elevation



LEFT ELEVATION (EAST) - PROPOSED

1 : 150

Project number: 2022.18
 Rev. no.:
 Scale: 1 : 150
 Date: 10/31/22
 Drawn by: R.S.
 Approved by: M.Z.

Drawing number:
A10

SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X		General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	X	X	X	General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
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	X	X	Recommend Approval w/conditions
Building Standards (Zoning)	X	X		General Comments

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: November 9, 2022
Name of Owner: Mauro Rossi
Location: 43 Muzich Place
File No.(s): B015/22, A236/22 & A237/22

Proposal: To divide a lot in two and apply for variances to facilitate the construction of a dwelling proposed for each lot and a cabana on "Lot A".

B0015/22

The Owner has submitted Consent Application file B015/22 to sever a 1,510.0 m² portion of the subject lands identified as "Lot B" on the submitted site plan, and to retain a 1,490.0 m² portion of the subject lands identified as "Lot A", for the purpose of creating a new residential lot fronting onto Muzich Place.

A236/22 (Severed Lands)

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

1. To permit a maximum building height of 10.02 m.
2. To permit a maximum driveway width of 11.63 m.
3. To permit a minimum lot area of 1,510 m².

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

1. A maximum building height of 9.5 m is permitted.
2. A maximum driveway width of 9.0 m is permitted.
3. A minimum lot area of 3,000 m² is required.

Proposed Variance(s) (By-law 1-88):

4. To permit a maximum building height of 10.02 m.
5. To permit a maximum driveway width of 11.63 m.
6. To permit a maximum driveway width of 6.70 m at the curb cut.
7. To permit a minimum lot area of 1,510 m².

By-Law Requirement(s) (By-law 1-88):

4. A maximum building height of 9.5 m is permitted.
5. A maximum driveway width of 9.0 m is permitted.
6. A maximum driveway width of 6.0 m at the curb cut is permitted.
7. A minimum lot area of 3,000 m² is required.

A237/22 (Retained Lands)

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

1. To permit a maximum building height of 10.0 m.
2. To permit a minimum lot area of 1,490 m².
3. To permit a maximum building height of 4.5 m for the proposed residential accessory building (Cabana).

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

1. A maximum building height of 9.5 m is permitted.
2. A minimum lot area of 3,000 m² is required.
3. A maximum building height of 3.0 m is permitted for the proposed residential accessory building (Cabana).

Proposed Variance(s) (By-law 1-88):

4. To permit a maximum lot coverage of 37.5%.
5. To permit a maximum building height of 10.0 m.
6. To permit a maximum driveway width of 7.73 m at the curb cut.
7. To permit a minimum rear yard setback of 2.4 m to the proposed accessory building (Cabana).

8. To permit a minimum lot area of 1,490 m².
9. To permit a maximum height of 3.45 m to the nearest point to the roof for the proposed accessory building (Cabana).

By-Law Requirement(s) (By-law 1-88):

4. A maximum lot coverage of 35% is permitted.
5. A maximum building height of 9.5 m is permitted.
6. The maximum width of a driveway at the curb cut shall be 6.0 m.
7. A minimum rear yard setback of 7.5 m is required to the proposed accessory building (Cabana).
8. A minimum lot area of 3,000 m² is required.
9. A maximum height of 3.0 m is permitted to the nearest point to the roof for the proposed accessory building (Cabana).

Official Plan:

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

Comments:B015/22

The Owner is proposing to sever the subject lands to develop a single detached dwelling on the proposed severed lands (Lot B) and one on the retained lands (Lot A). The above noted variances are required to facilitate the consent. The severed and retained lands meet the minimum lot frontage requirements of the "R1A(EN) – First Density Residential Zone" and "R1 - Residential Zone" under Zoning By-laws 001-2021 and 1-88 respectively.

The subject lands are an undeveloped lot in a low-rise residential neighbourhood. The neighbourhood is characterized by one and two-storey single detached dwellings with a large range of lot frontages and areas. The lot frontages on the south side of Muzich Place are greater than the lot frontages on the north side. The subject lands are situated on the south side of Muzich Place where lot frontages have a range of approximately 38 m to 50 m. The subject lands currently have the largest frontage on the street with a frontage of approximately 63 m.

The subject lands are designated "Low-Rise Residential" by VOP 2010. Policies 10.1.2.47.a (i-vi) speak to looking to the local lot pattern (configuration, size, height, etc.) when determining the appropriateness of a consent. As the Zoning By-law implements an Official Plan, the zone provisions are to be used as a guide to assess whether the proposed development is appropriate with respect to the Official Plan policies.

The lot frontages of the severed and retained lands, 32.47 m and 30.48 m respectively, comply with the requirements of Zoning By-laws 001-2021 and 1-88. The proposed lot areas for the severed and retained lands, 1,510.0 m² and 1,490.0 m² respectively, do not comply with the requirements of site-specific exceptions 14.929 and 9(1289) under Zoning By-laws 001-2021 and 1-88. The site-specific exceptions require a minimum lot area of 3,000 m², which is the area of the existing lot. This exception was intended to reflect the applicable policy at the time: OPA #240 "Woodbridge Community Plan", which is no longer in effect with the implementation of VOP 2010. With respect to appropriateness with the surrounding neighbourhood lot pattern, the proposed lot frontages and areas are similar to the existing lots east of the subject lands on the south side of Muzich Place and Orr Avenue, with lot frontages and areas of approximately 40 m and 1,990 m² respectively. The proposed lots are also larger than the lots to the north, which maintain lot frontages and areas of approximately 18 m and 616 m²-720 m² respectively. The subject lands abut the rear corners of pie-shaped lots of the large lot neighbourhood to the south. The corners are largely vegetated, with the built form set further back. No adverse impacts are anticipated to the large lot neighbourhood to the south.

Therefore, the proposed lots respect both the size and configuration of the existing neighbourhood lotting fabric.

A236/22

The Development Planning Department has no objection to Variances 1 and 4 for the proposed height of the dwelling as the increase is minor in nature, maintains the existing character of the neighbourhood, and is in line with previous approvals along Muzich Place and Orr Avenue.

The Development Planning Department has no objection to Variances 2, 5 and 6 for the proposed 11.63 m driveway. The maximum driveway width is measured in between the two attached garages, which establish a courtyard-like appearance in front of the dwelling. The driveway width leading up to the courtyard is 6.7 m along its length and complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in effect.

The Development Planning Department has no objection to Variances 3 and 7 as the proposed lot area respects the existing lotting fabric of the neighbourhood and is similar to the existing lots along the south side of Muzich Place and Orr Avenue.

A237/22

The Development Planning Department has no objection to Variances 1 and 5 for the proposed height of the dwelling as the increase is minor in nature, maintains the existing character of the neighbourhood and is in line with previous approvals along Muzich Place and Orr Avenue.

The Development Planning Department has no objection to Variances 2 and 8 as the proposed lot area respects the existing lotting fabric of the neighbourhood and is similar to the existing lots along the south side of Muzich Place and Orr Avenue.

Upon recommendations from the Development Planning Department, the Owner has revised their application by increasing the rear yard setback and reducing the height of the proposed cabana. The Development Planning Department has no objection to Variances 3, 7 and 9 for the revised cabana. The height of the cabana is in line with previous approvals in the neighbourhood and the rear yard setback now complies with Zoning By-law 001-2021. The Owner will be providing vegetative buffering to the rear of the cabana to further screen the cabana from the neighbouring properties. A condition to this effect is recommended in the Condition of Approval. With the establishment of vegetation, the cabana will not pose adverse massing impacts to the neighbouring properties and an appropriate area for maintenance access is maintained.

The proposed dwelling, covered porches, and cabana have lot coverages of 26.90%, 6.26%, and 4.35% respectively. The increase in total lot coverage is minor in nature, will not pose a significant visual impact to the adjacent properties, and complies with Zoning By-law 001-2021. As such, the Development Planning Department has no objection to Variance 4 for the increase in lot coverage.

The Development Planning Department has no objection to Variance 6 for the proposed driveway width as the increase is minor in nature and complies with Zoning By-law 001-2021.

Accordingly, the Development Planning Department has no objection to the requested severance and is of the opinion that the proposal maintains the intent of the severance policies in VOP 2010 and the consent criteria stipulated in Section 51(24) of the Planning Act, R.S.O. 1990, c P.13. The Development Planning Department is also of the opinion that the requested variances for the proposal are minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-laws, and is desirable for the appropriate development of the lands.

Recommendation:

The Development Planning Department recommends approval of the applications, subject to the following conditions:

Conditions of Provisional Consent/Approval:

If the Committee finds merit in the applications, the following conditions are recommended:

B015/22

1. That the conditions pertaining to Minor Variance file A237/22 shall be fulfilled and the variances be in effect.

A236/22

None

A237/22

1. That the final Arborist Report and Tree Preservation Plan be approved to the satisfaction of the Development Planning Department.
2. That the final Landscape Plan, which shall include plantings between the proposed cabana and rear lot line, be approved to the satisfaction of the Development Planning Department.

Comments Prepared by:

Joshua Cipolletta, Planner I

David Harding, Senior Planner

To: Committee of Adjustment
From: Faegheh Gholami, Building Standards Department
Date: October 18, 2022
Applicant: Mauro Rossi
Location: 43 Muzich Place
 PLAN 65M3109 Lot 13
File No.(s): A237/22

Zoning Classification:

The subject lands are zoned R1A(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.588 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A maximum building height of 9.5m is permitted. [Table 7-3]	To permit a maximum building height of 10.0m.
2	A minimum rear yard setback of 2.4m is required to the proposed accessory building (Cabana). [4.1.2.1.b]	To permit a minimum rear yard setback of 1.67m to the proposed accessory building (Cabana).
3	A minimum lot area of 3,000m ² is required. [14.588]	To permit a minimum lot area of 1,490m ² .
4	A maximum building height of 3.0m is permitted for the proposed residential accessory building (Cabana). [4.1.4.1]	To permit a maximum building height of 5.0m for the proposed residential accessory building (Cabana)

The subject lands are zoned R1 – Residential and subject to the provisions of Exception 9(901) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance requested
5	A maximum lot coverage of 35% is permitted. [Schedule A]	To permit a maximum lot coverage of 37.5%.
6	A maximum building height of 9.5m is permitted. [Schedule A]	To permit a maximum building height of 10.0m.
7	The maximum width of a driveway at the curb cut shall be 6.0m. [4.1.4.f]	To permit a maximum driveway width of 7.73m at the curb cut.
8	A minimum rear yard setback of 7.5m is required to the proposed accessory building (Cabana). [Schedule A]	To permit a minimum rear yard setback of 1.67m to the proposed accessory building (Cabana).
9	A minimum lot area of 3,000m ² is required. [9(901)]	To permit a minimum lot area of 1,490m ² .
10	A maximum building height of 4.5m is permitted for the proposed residential accessory building (Cabana). [4.1.1.b]	To permit a maximum building height of 5.0m for the proposed residential accessory building (Cabana)

11	A maximum height of 3.0m is permitted to the nearest point to the roof for the proposed accessory building. (Cabana). [4.1.1.b]	To permit a maximum height of 3.45m to the nearest point to the roof for the proposed accessory building. (Cabana).
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Staff Comments:

Stop Work Order(s) and Order(s) 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

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: November 8th 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A236-22 & A237-22**

Related Files:

Applicant Mauro Rossi

Location 43 Muzich Place



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

E-mail: stephen.cranley@alectrautilities.com

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

Email: Mitchell.Penner@alectrautilities.com

Pravina Attwala

Subject: FW: [External] RE: A237/22 & A236/22 (43 MUZICH PLACE) - REQUEST FOR COMMENTS

From: Development Services <developmentsservices@york.ca>

Sent: November-08-22 1:59 PM

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

Subject: [External] RE: A237/22 & A236/22 (43 MUZICH PLACE) - REQUEST FOR COMMENTS

Hi Pravina,

The Regional Municipality of York has completed its review of the above minor variances (A237/22 & A236/22) and has the following condition:

1. Prior to the approval of the application, the City of Vaughan shall confirm that adequate water supply and sewage capacity has been allocated for the proposed new dwellings.

Many thanks,
Niranjan

Niranjan Rajevan, M.Pl. | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

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

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Please consider the environment before printing this email.

Pravina Attwala

Subject: FW: [External] RE: A236/22 (43 MUZICH PLACE) - REQUEST FOR COMMENTS

From: Kristen Regier <Kristen.Regier@trca.ca>
Sent: November-09-22 4:01 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Subject: [External] RE: A236/22 (43 MUZICH PLACE) - REQUEST FOR COMMENTS

Hi Pravina,

After reviewing TRCA mapping, I can confirm that the site at 43 Muzich Place is located outside of TRCA's Regulated Area. As such, we do not have comments on MV Application A236/22, A237/22 or B015/22 at this time.

Please let me know if you have any questions.

Best,

Kristen Regier
Planner I
Development Planning and Permits | Development and Engineering Services
Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)
E: kristen.regier@trca.ca
A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None