

<b>ITEM #6.13:</b>	<b>COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A256/22 150 Upper Post Rd Maple ON L6A 4J9</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	X		Recommend Approval/No Conditions
Development Engineering	X	X		Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X		No Comments or Concerns
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	X	General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	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				
<i>*Please see <b>Schedule C</b> of this report for a copy of the public &amp; applicant correspondence listed below.</i>				
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  
A256/22  
150 Upper Post Rd Maple ON L6A 4J9**

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

<b>ITEM NUMBER: 6.13</b>	<b>CITY WARD #: 4</b>
<b>APPLICANT:</b>	Zaida Maulgue
<b>AGENT:</b>	Pool Craft (Olusola Egunjobi)
<b>PROPERTY:</b>	150 Upper Post Road, Maple
<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 the construction of a proposed (uncovered) deck located in the rear yard.

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

**The subject lands are zoned R1 Residential Zone and subject to the provisions of Exception 14.915 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	The maximum permitted encroachment for the uncovered platform into the required 7.5m rear yard setback is 2.4m. Section 4.13 Table 4-1	To permit a maximum encroachment for the uncovered platform of 3.48m into the required 7.5m rear yard setback.

**The subject lands are zoned RD1 Residential Detached zone and subject to the provisions of Exception 9(1275) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
2	The maximum permitted encroachment for the deck is 1.8m into the required 7.5m rear yard setback. Section 3.14 c)	To permit a maximum encroachment of 3.48m for the deck into the required 7.5m rear yard setback.

### 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](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:	
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	
<b>Date Public Notice Mailed:</b>	November 3, 2022
<b>Date Applicant Confirmed Posting of Sign:</b>	October 28, 2022
<b>Applicant Justification for Variances:</b> <small>*As provided by Applicant in Application Form</small>	The required setback (7.5m) by the zoning bylaw will make the proposed deck impossible to build.
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b>  <small>*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.</small>  <small>*A revised submission may be required to address staff / agency comments received as part of the application review process.</small>  <small>*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.</small>	No
<b>Adjournment Fees:</b> 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 <b>after</b> the issuance of public notice.	
<b>Committee of Adjustment Comments:</b>	None
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None

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

DEVELOPMENT PLANNING COMMENTS	
<b>**See Schedule B for Development Planning Comments.</b>	
<b>Development Planning Recommended Conditions of Approval:</b>	None

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 Owner/Applicant has already received a grading permit for the outdoor pool, from The Development Engineering (DE) Department.	
The Development Engineering (DE) Department does not object to the variance application A256/22.	
<b>Development Engineering Recommended Conditions of Approval:</b>	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Forestry has no comments at this time	
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	
None	
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 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	TRCA <a href="mailto:Kristen.regier@trca.ca">Kristen.regier@trca.ca</a>	That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.

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 ( <b>see condition chart above for contact</b> ). 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**

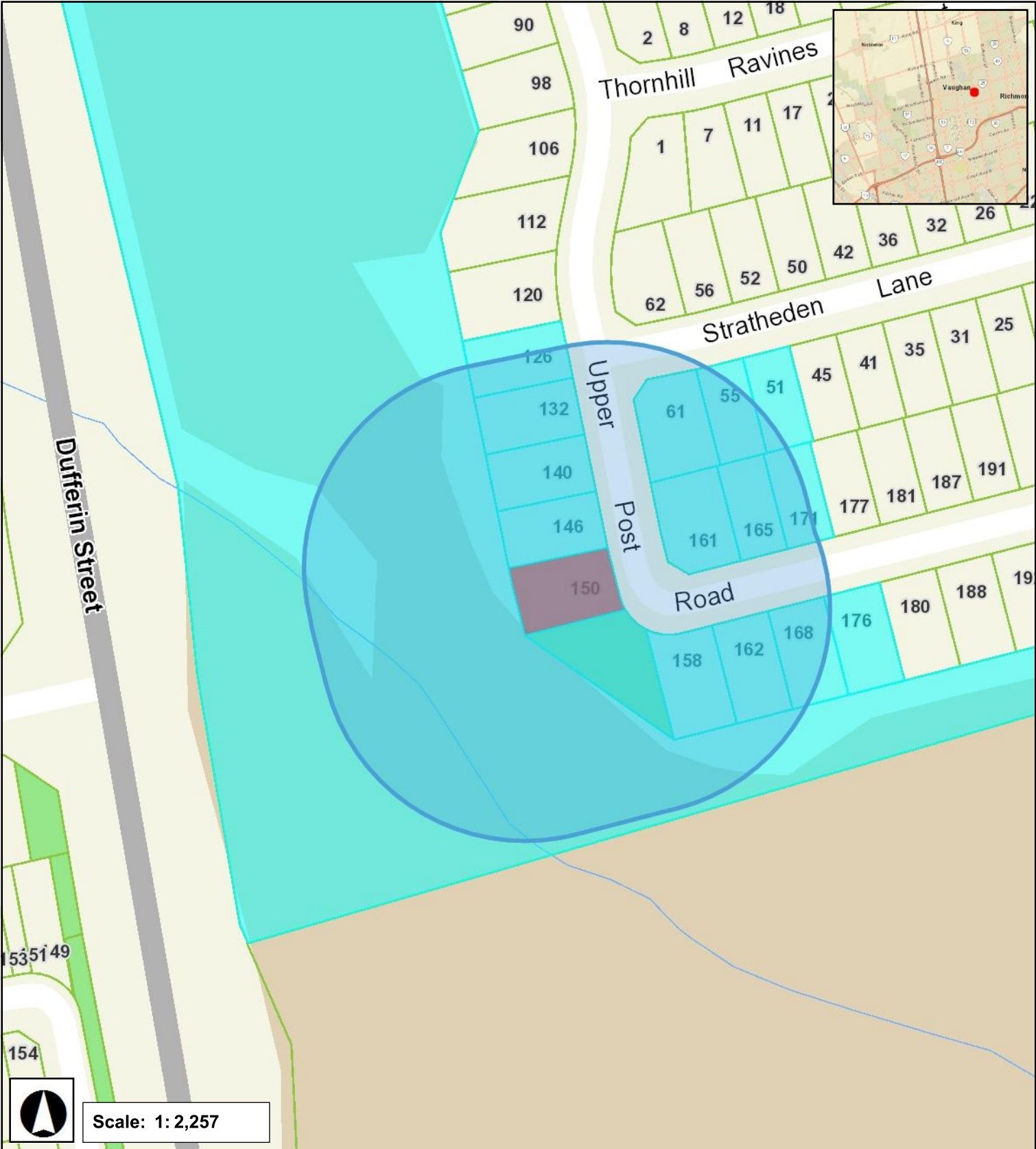




# LOCATION MAP - A256/22

150 UPPER POST ROAD, MAPLE

**Major Mackenzie Drive**



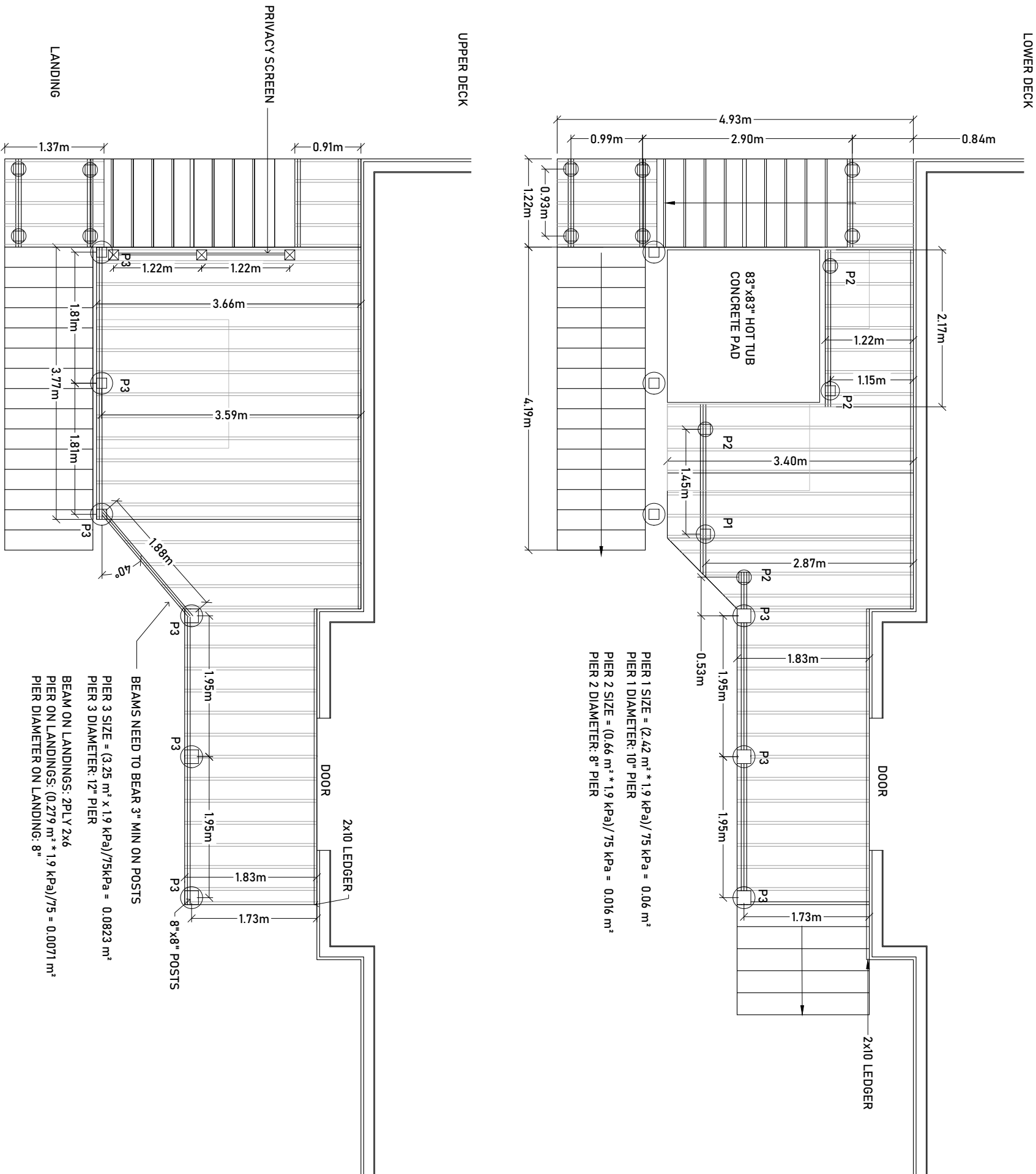
**Rutherford Road**

October 6, 2022 12:41 PM

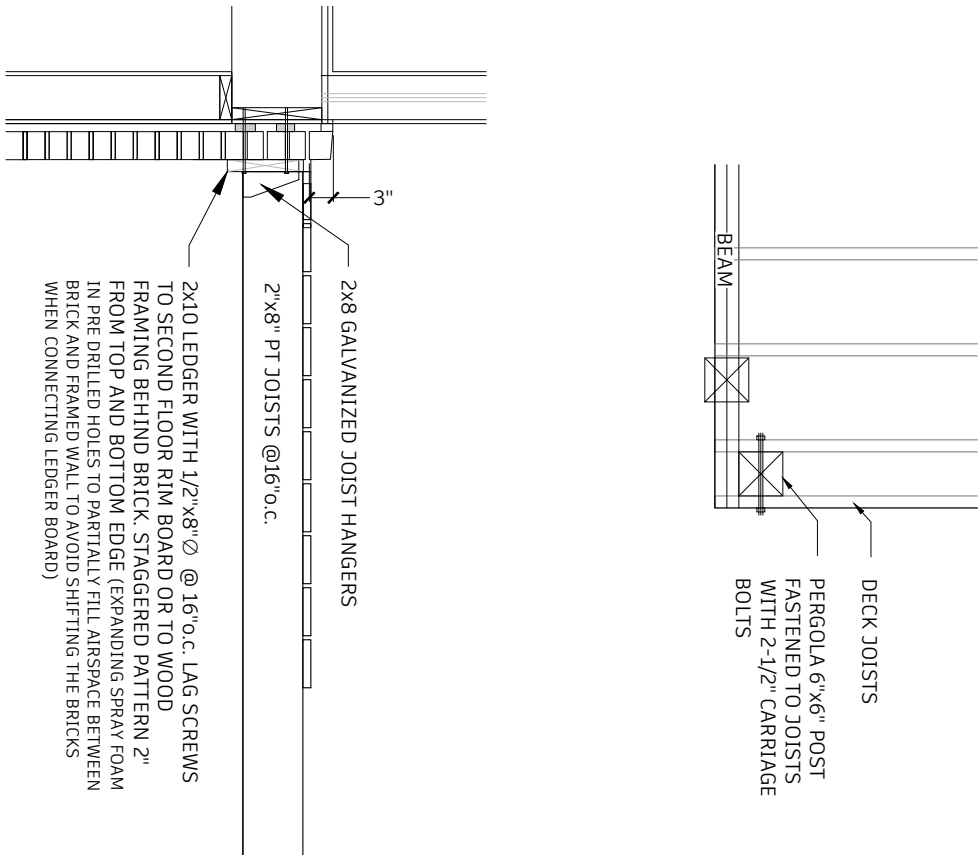




FLOOR PLAN  
Scale: 3/16" = 1"

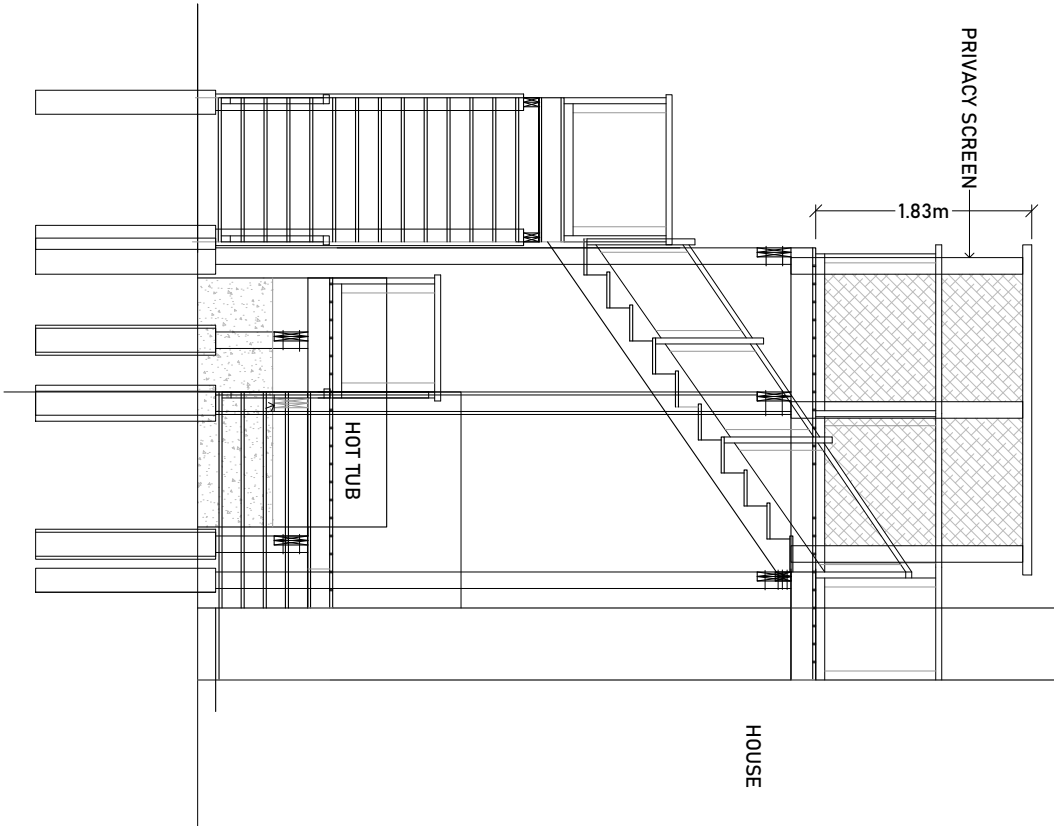
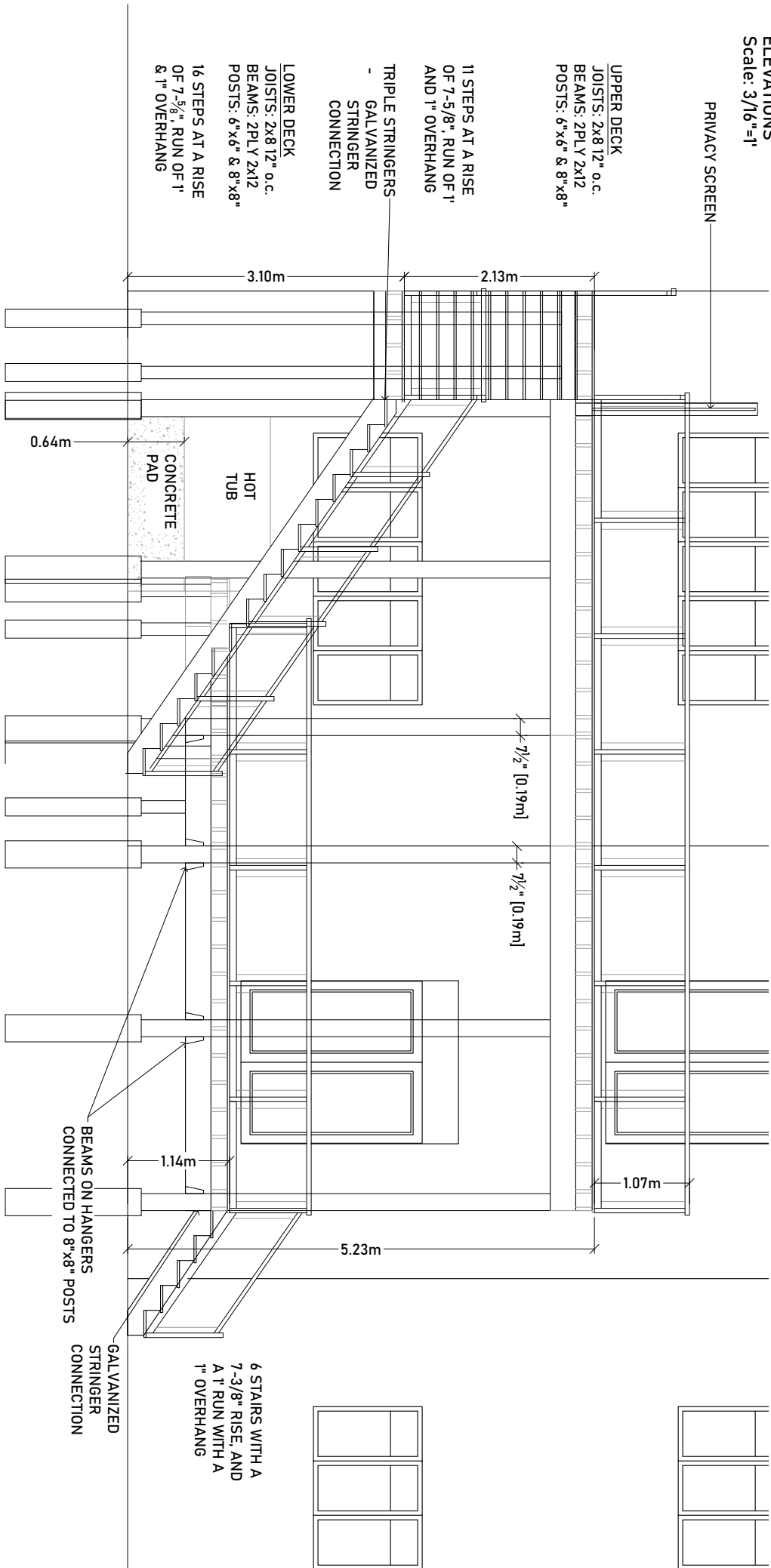


PRIVACY SCREEN AND LEDGER BOARD DETAILS  
Scale: 1/2"=1'

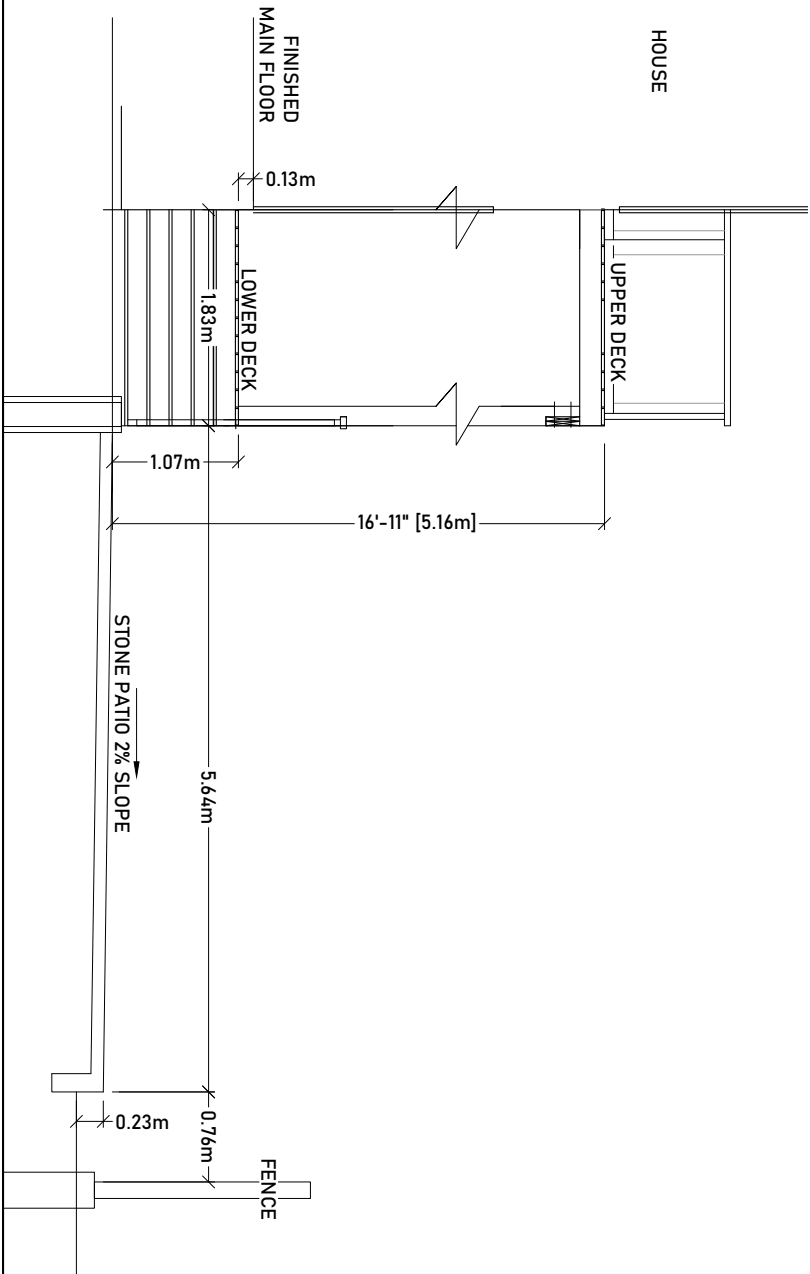


The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached documents.			
<b>Qualification Information</b> Required unless design is exempt under Div. C - 32.5.1. of the OBC		Name	
Required unless design is exempt under Div. C - 32.4.1. of the OBC		Firm Name	
Registration Information		100332	
Designer		BCIN	
209 DESIGN		101521	
Dana Evans		BCIN	
15905 Sideroad 17		Signature	
Sunderland Ontario		101521	
647-297-8300		BCIN	
209 DESIGN		PROJECT	
PROPOSED ADDITION		150 Upper Post Rd	
Vaughan, Ontario		L6A 4J9	
DATE		SEPT 13, 2022	
SCALE		AS NOTED	
DRAWING		UPPER & LOWER DECK PLAN	
REVISION FOR PERMIT APPLICN		SEPT 2022	
REVISION FOR PERMIT APPLICN		AUG 2022	
ISSUED FOR PERMIT APPLICN		JUN 2022	
DESCRIPTION		DATE	
22-041		PAGE	
2/3			

ELEVATIONS  
Scale: 3/16"=1'



SECTION 1  
Scale: 3/16"=1'



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 to design the work shown on the attached documents.

**Qualification Information**  
Required unless design is exempt under Div. C - 32.5.1, of the OBC

Name

Signature

100332  
BCIN

**Registration Information**  
Required unless design is exempt under Div. C - 32.4.1, of the OBC

Firm Name

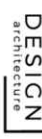
101521  
BCIN

DESIGNER

209 DESIGN

Dana Evans  
15905 Sideroad 17  
Sunderland Ontario  
647-297-8300

PROPOSED ADDITION  
150 Upper Post Rd  
Vaughan, Ontario  
L6A 4J9



DATE		SEPT 13, 2022	
SCALE		AS NOTED	
DRAWING		ELEVATIONS	
3	REVISION FOR PERMIT APPLICN	SEPT 2022	
2	REVISION FOR PERMIT APPLICN	AUG 2022	
1	ISSUED FOR PERMIT APPLICN	JUN 2022	
No.	DESCRIPTION	DATE	PAGE
			3/3

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	X	X	General Comments
Ministry of Transportation (MTO) *Schedule B				
Region of York *Schedule B	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		Recommend Approval/no 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 08, 2022

**Name of Owner:** Zaida Maulgue

**Location:** 150 Upper Post Road

**File No.(s):** A256/22

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**Proposed Variance(s) (By-law 01-2021):**

- 1) To permit a maximum encroachment for the uncovered platform of 3.48 m into the required 7.5 m rear yard setback.

**By-Law Requirement(s) (By-law 01-2021):**

- 1) The maximum permitted encroachment for the uncovered platform into the required 7.5m rear is 2.4 m. [S 4.13 Table 4-1]

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

- 2) To permit a maximum encroachment for the uncovered platform of 3.48 m into the required 7.5 m rear yard setback.

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

- 2) The maximum permitted encroachment for the deck is 1.8 into the required 7.5 m rear yard setback. [S. 3.14 c]

**Official Plan:**

Vaughan Official Plan 2010 ("VOP2010"): "Low-Rise Residential" by Schedule 13 – Land Use and "Oak Ridges Moraine Settlement Area" by Schedule 4 – OakRidges Moraine Conservation Plan & Greenbelt Areas.

**Comments:**

The Owner is requesting permission to construct a deck (uncovered platform) at the rear wall of an existing single-detached dwelling with the above noted variances.

The Development Planning Department has no objections to the variances, as only the north portion of the rear yard deck (uncovered platform) is proposed to utilize the full extent of the relief. Given the deck is uncovered and complies with maximum height and minimum side yard setback of both By-laws there no negative massing, use, or drainage impacts anticipated to the abutting properties.

The Development Planning Department is of the opinion that the requested variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-laws, and are desirable for the appropriate development of the land.

**Recommendation:**

The Development Planning Department recommends approval of the application.

**Conditions of Approval:**

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

None

**Comments Prepared by:**

Roberto Simbana, Planner I  
David Harding, Senior Planner

**To:** Committee of Adjustment  
**From:** Bernd Paessler, Building Standards Department  
**Date:** September 26, 2022  
**Applicant:** Zaida Maulgue  
**Location:** PLAN 65M4053 Lot 20 municipally known as 150 Upper Post Road  
**File No.(s):** A256/22

**Zoning Classification:**

The subject lands are zoned R1 Residential Zone and subject to the provisions of Exception 14.915 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The maximum permitted encroachment for the uncovered platform into the required 7.5m rear yard setback is 2.4m.  Section 4.13 Table 4-1	To permit a maximum encroachment for the uncovered platform of 3.48m into the required 7.5m rear yard setback.

The subject lands are zoned RD1 Residential Detached zone and subject to the provisions of Exception 9(1275) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
2	The maximum permitted encroachment for the deck is 1.8m into the required 7.5m rear yard setback.  Section 3.14 c)	To permit a maximum encroachment of 3.48m for the deck into the required 7.5m rear yard setback.

**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. 22-121036 for Single Detached Dwelling - Alteration,  
Issue Date: (Not Yet Issued)  
Building Permit No. 22-121036 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.	

2	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).
3	The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

**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:** September 28<sup>th</sup> , 2022

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

**RE:** Request for Comments

**File No.:** **A256-22**

**Related Files:**

**Applicant** Zaida Maulgue

**Location** 150 Upper Post Road

**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)

October 4, 2022

CFN 66448.28

**SENT BY E-MAIL: Christine.Vigneault@vaughan.ca**

Christine Vigneault  
Secretary Treasurer  
Committee of Adjustment  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A256/22  
Part of Lot 19, Concession 2  
150 Upper Post Road  
City of Vaughan, Region of York  
Owner: Zaida Maulgue  
Agent: Olusola Egunjobi**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on September 27, 2021. TRCA staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*; the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of York, wherein we provide technical environmental advice related to provincial plans.

**Purpose of the Application**

It is our understanding that the purpose of the above noted application is to request the following variances under both Zoning By-Law 01-2021 and By-Law 1-88:

**By-Law 01-2021**

1. To permit a maximum encroachment for the uncovered platform of 3.48 m into the required 7.5 m rear yard, whereas the maximum permitted encroachment for the uncovered platform into the required 7.5 m rear yard setback is 2.4 m.

**By-Law 1-88**

2. To permit a maximum encroachment of 3.48 m for the deck into the required 7.5 m rear yard setback, whereas the maximum permitted encroachment for the deck is 1.8 m.

The noted variances are being requested to permit the construction of a deck at the rear yard.

**Ontario Regulation 166/06**

A portion of the subject lands are located within TRCA's Regulated Area due to a valley corridor associated with a tributary of the Don River and Area of Interference (AOI) of an Unevaluated Wetland. In accordance with Ontario Regulation 166/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

**Application-Specific Comments**

Based on a review of the submitted materials, the proposed works are located within TRCA's Regulated Area. Specifically, the proposed deck is located within the AOI of an Unevaluated Wetland which impacts the rear (western) portion of the site.

TRCA staff have reviewed and issued a permit, pursuant to Ontario Regulation 166/06, for the proposed deck structure (TRCA Permit No. C-220277, issued on March 21, 2022). The plans submitted with this application are consistent with the plans that were approved as a part of TRCA's permit.

Based on the above, TRCA staff have no concerns with the proposed deck structure, or the variances being requested through this application.

**Fees**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$610.00 (Variance-Residential-Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

**Recommendations**

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A256/22 subject to the following condition:

1. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at 437-880-2129 or at [Kristen.Regier@trca.ca](mailto:Kristen.Regier@trca.ca)

Sincerely,

*Kristen Regier*

Kristen Regier  
Planner I  
Development Planning and Permits

KR/sb

**Pravina Attwala**

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**Subject:** FW: [External] RE: A256/22 (150 UPPER POST ROAD) - REQUEST FOR COMMENTS

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**From:** Development Services <developmentsservices@york.ca>  
**Sent:** September-29-22 5:21 PM  
**To:** Pravina Attwala <Pravina.Attwala@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A256/22 (150 UPPER POST ROAD) - REQUEST FOR COMMENTS

Hi Pravina,

The Regional Municipality of York has completed its review of the above minor variance (A256/22) and has no comment.

Thank you,  
Niranjan

**Niranjan Rajevan, M.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 ext. 71521 | [niranjan.rajevan@york.ca](mailto:niranjan.rajevan@york.ca) | [www.york.ca](http://www.york.ca)  
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<b>SCHEDULE C: PUBLIC &amp; APPLICANT CORRESPONDENCE</b>
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None