ITEM #6.17:

# COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A264/22

7 Jason St Concord

# **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	Х	Х		General Comments
Building Inspection (Septic)	Х			No Comments Recieved to Date
Development Planning *Schedule B	Х	Х		Recommend Approval/No Conditions
Development Engineering	Х	Х		Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	Х	X		No Comments or Concerns
By-law & Compliance, Licensing & Permits	Х			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
AGENCIES TRCA *Schedule B	Circulated	Comments Received	Conditions	Nature of Comments  No Comments Recieved to Date
		Comments Received	Conditions	
TRCA *Schedule B  Ministry of Transportation		Comments Received  X	Conditions	
TRCA *Schedule B  Ministry of Transportation (MTO) *Schedule B	X		Conditions	No Comments Recieved to Date
TRCA *Schedule B  Ministry of Transportation (MTO) *Schedule B  Region of York *Schedule B	X	X	Conditions	No Comments Recieved to Date  General Comments
TRCA *Schedule B  Ministry of Transportation (MTO) *Schedule B  Region of York *Schedule B  Alectra *Schedule B	X	X	Conditions	No Comments Recieved to Date  General Comments  General Comments
TRCA *Schedule B  Ministry of Transportation (MTO) *Schedule B  Region of York *Schedule B  Alectra *Schedule B  Bell Canada *Schedule B	X	X	Conditions	No Comments Recieved to Date  General Comments  General Comments
TRCA *Schedule B  Ministry of Transportation (MTO) *Schedule B  Region of York *Schedule B  Alectra *Schedule B  Bell Canada *Schedule B  YRDSB *Schedule B	X	X	Conditions	No Comments Recieved to Date  General Comments  General Comments
TRCA *Schedule B  Ministry of Transportation (MTO) *Schedule B  Region of York *Schedule B  Alectra *Schedule B  Bell Canada *Schedule B  YRDSB *Schedule B	X	X	Conditions	No Comments Recieved to Date  General Comments  General Comments
TRCA *Schedule B  Ministry of Transportation (MTO) *Schedule B  Region of York *Schedule B  Alectra *Schedule B  Bell Canada *Schedule B  YRDSB *Schedule B  YCDSB *Schedule B  CN Rail *Schedule B	X	X	Conditions	No Comments Recieved to Date  General Comments  General Comments
TRCA *Schedule B  Ministry of Transportation (MTO) *Schedule B  Region of York *Schedule B  Alectra *Schedule B  Bell Canada *Schedule B  YRDSB *Schedule B  YCDSB *Schedule B  CN Rail *Schedule B  CP Rail *Schedule B	X X X	X	Conditions	No Comments Recieved to Date  General Comments  General Comments  No Comments Recieved to Date

# **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
Public	Kam & Alex Sin	11 Jason Street		No flooding or drainage issues confirmation letter

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

PREVIOUS COA DECISIONS ON THE SUBJECT LAND  *Please see Schedule D for a copy of the Decisions listed below			
None 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 A264/22

7 Jason St Concord ON L4K 3H2

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

ITEM NUMBER: 6.17	CITY WARD #: 5
APPLICANT:	Rohit & Mital Shrivastava
AGENT:	MEM Engineering Inc. (Harjinder Singh)
PROPERTY:	7 Jason Street, Concord
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
(2010) DESIGNATION:	
RELATED DEVELOPMENT	None
APPLICATIONS:	
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the existing covered stairway located in the exterior side yard abutting Clark Avenue.

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

The subject lands are zoned R3(EN) – Third Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.266 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	The required minimum exterior yard	To permit a minimum exterior yard setback of
	setback is 4.5m.	2.97m to a covered exterior stairway.
	[Exception 14.266, T-6]	

The subject lands are zoned Multiple Residential Zone and subject to the provisions of Exception 9(465) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
2	The required minimum exterior yard	To permit a minimum exterior yard setback of
	setback is 4.5m.	2.97m to a covered exterior stairway.
	[Exception 9(465), T-6]	

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

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 7, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	Kindly note The setback for Existing E Staircase is permitted. But proposing on this staircase, the sideyard setbac and therefore a relief is required for the	an unenclosed shed k by-law breaches
Adjournment Requests (from staff):  *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:  *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.  *A revised submission may be required to address staff / agency comments received as part of the application review process.  *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.		
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.  An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.  Committee of Adjustment Comments:  None		
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		
**See Schedule B for Development Planning Comments.		
Development Planning Recommended Conditions of Approval:  None		

# **DEVELOPMENT ENGINEERING COMMENTS**

<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u>
The Owner/Applicant has received a letter from The Neighbor at 11 Jason Street, in favor of the existing walkway located on the south side yard. The Neighbor also confirmed that they have not experienced any unusual flooding caused by its construction.

The Development Engineering (DE) Department does not object to the variance application A264/22.

# DEVELOPMENT ENGINEERING COMMENTS Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation Development Engineering Recommended Conditions of Approval:

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		

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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: None

# **IMPORTANT INFORMATION – PLEASE READ**

**CONDITIONS:** It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (see condition chart above for contact). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

# **IMPORTANT INFORMATION - PLEASE READ**

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

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

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

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

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

**DEVELOPMENT CHARGES:** That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

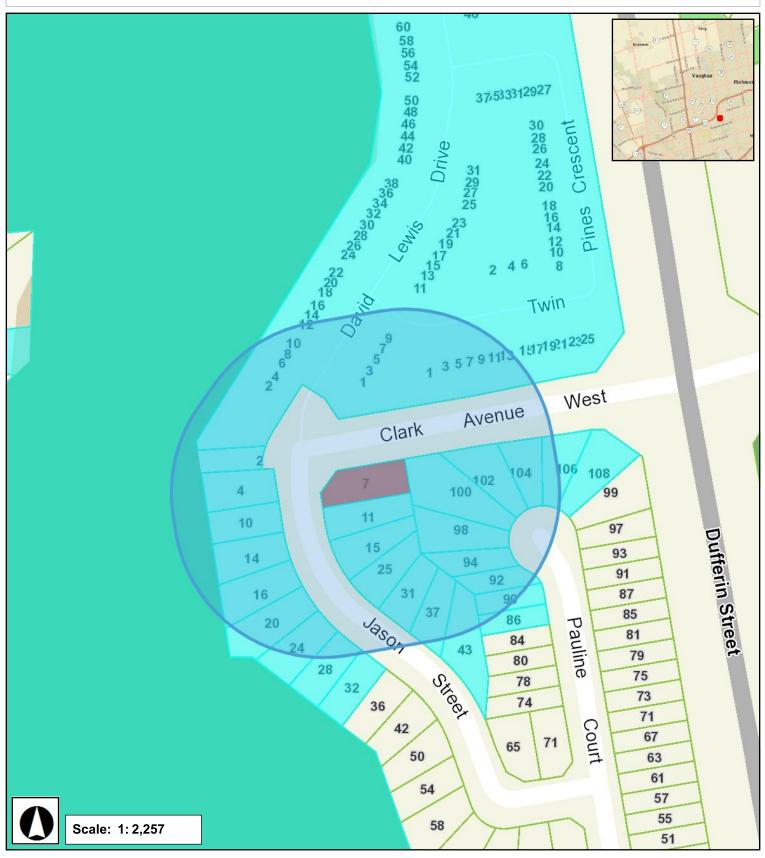
# **SCHEDULE A: DRAWINGS & PLANS**



# LOCATION MAP - A264/22

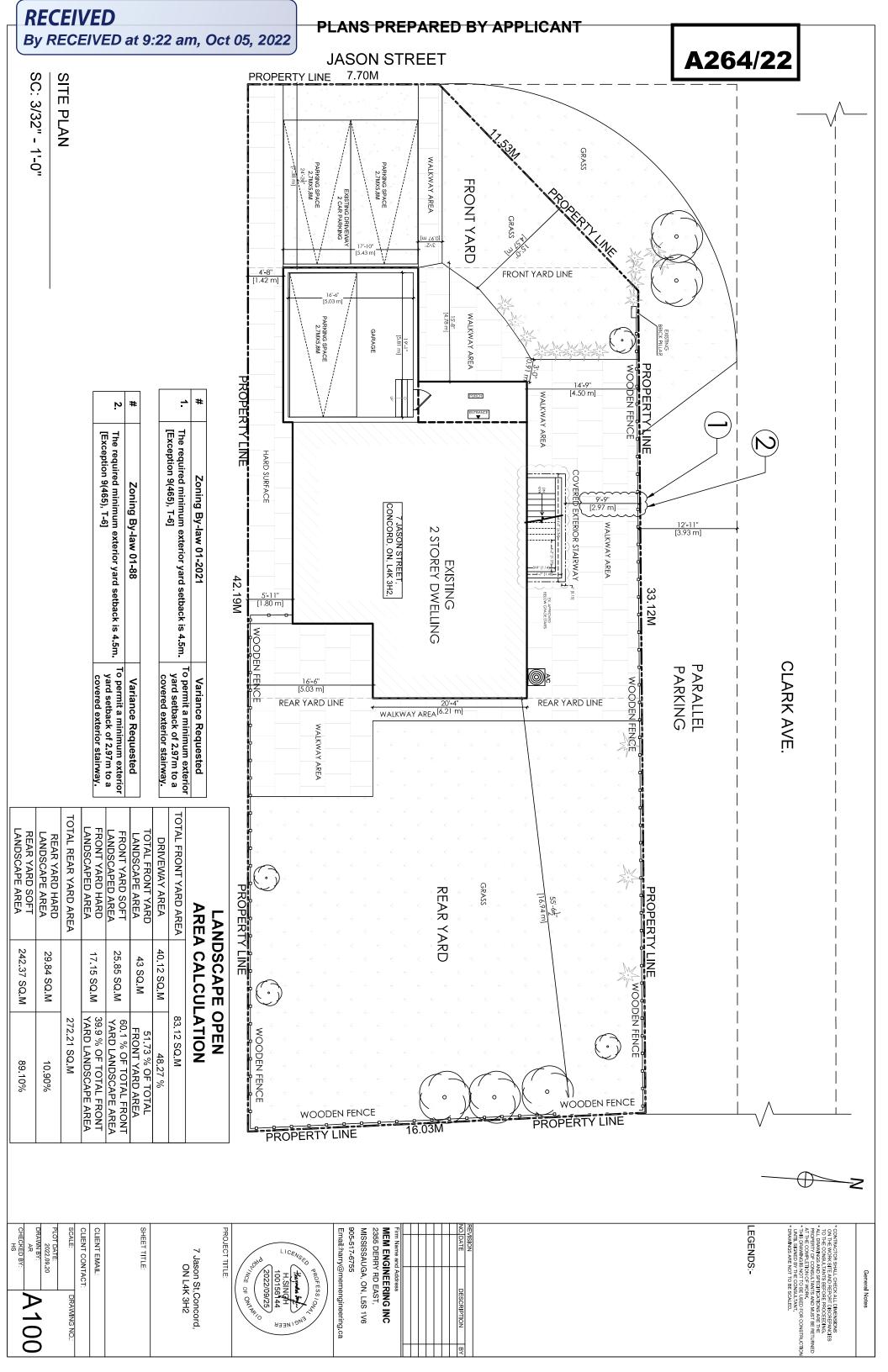
7 JASON STREET, CONCORD

# **HIGHWAY 7**



**STEELES AVENUE WEST** 

November 1, 2022 9:54 AM













SCHEDULE B: STAFF & AGENCY COMMENTS							
DEPT/AGENCY Circulated Comments Received Conditions Nature of Comm							
TRCA *Schedule B	Х			No Comments Recieved to Date			
Ministry of Transportation (MTO) *Schedule B							
Region of York *Schedule B	Х	X		General Comments			
Alectra *Schedule B	X	X		General Comments			
Bell Canada *Schedule B	Х			No Comments Recieved to Date			
YRDSB *Schedule B							
YCDSB *Schedule B							
CN Rail *Schedule B							
CP Rail *Schedule B							
TransCanada Pipeline *Schedule B	Х			No Comments Recieved to Date			
Metrolinx *Schedule B	Х	X		General Comments			
Propane Operator *Schedule B							
Development Planning	Х	Х		Recommend Approval/no conditions			
Building Standards (Zoning)	Х	Х		General Comments			





**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: November 09, 2022

Name of Owner: Rohit and Mital Shrivastava

**Location:** 7 Jason Street, Lot 78, PLAN 65M-2317

File No.(s): A264/22

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

1. To permit a minimum exterior yard setback of 2.97 m to a covered exterior stairway.

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

1. The required minimum exterior yard setback is 4.5 m. [Exception 14.266, T-6]

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

2. To permit a minimum exterior yard setback of 2.97 m to a covered exterior stairway.

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

2. The required minimum exterior yard setback is 4.5 m. [Exception 9(465), T-6]

#### Official Plan:

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

#### Comments:

The Owners are requesting to maintain a covered exterior stairway with the above noted variances.

The Development Planning Department has no objection to the proposed variances, as the reduction in exterior yard setback to the covered stairway provides adequate space for safe access. Based on the photo imagery provided by the Owners, the single storey structure which contains no walls is partially screened by a row of cedars to the west and a wood fence to the north. With the screening and open-air design, the roof remains the most visible part of the structure and it presents minimal visual disturbance towards the streetscape. Additionally, the Development Engineering Department has reviewed the submission and is of the opinion the proposal will not cause any water filtration/runoff issues.

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

# **Recommendation:**

The Development Planning Department recommends approval of the application.

# **Conditions of Approval:**

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

None

# **Comments Prepared by:**

Roberto Simbana, Planner I David Harding, Senior Planner



To: Committee of Adjustment

From: Punya Marahatta, Building Standards Department

**Date:** October 03, 2022

Applicant: Rohit & Mital Shrivastava

**Location:** 7 Jason Street

Lot 78, PLAN 65M2317

File No.(s): A264/22

#### **Zoning Classification:**

The subject lands are zoned R3(EN) – Third Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.266 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested	
1	The required minimum exterior yard setback is 4.5m. [Exception 14.266, T-6]	To permit a minimum exterior yard setback of 2.97m to a	
	[	covered exterior stairway.	

The subject lands are zoned Multiple Residential Zone and subject to the provisions of Exception 9(465) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested	
2	The required minimum exterior yard setback is 4.5m.	To permit a minimum exterior	
	[Exception 9(465), T-6]	yard setback of 2.97m to a	
		covered exterior stairway.	

# Staff Comments:

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

Order No. 22-124573, Order to Comply for , Issue Date: Jul 14, 2022

## **Building Permit(s) Issued:**

Building Permit No. 22-129859 for Single Detached Dwelling - Alteration, Issue Date: (Not Yet Issued)

Building Permit No. 21-124566 for Single Detached Dwelling - Addition, Issue Date: (Not Yet Issued)

## **Other Comments:**

Ger	General Comments				
1	The covered exterior stairway is not reviewed as a part of secondary suite.				
2	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.

<sup>\*</sup> Comments are based on the review of documentation supplied with this application.



Date: October 6<sup>th</sup>, 2022

Attention: Christine Vigneault

**RE:** Request for Comments

File No.: A264-22

**Related Files:** 

Applicant Rohit Shrivastava Mital Shrivastava

**Location** 7 Jason Street



#### **COMMENTS:**

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
	We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

#### References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T

Supervisor, Distribution Design, ICI & Layouts (North)

**Phone**: 1-877-963-6900 ext. 31297

**E-mail**: stephen.cranley@alectrautilities.com

Mitchell Penner

Supervisor, Distribution Design-Subdivisions

**Phone**: 416-302-6215

**Email:** Mitchell.Penner@alectrautilities.com

# **Pravina Attwala**

**Subject:** FW: [External] RE: A264/22 (7 JASON STREET) - REQUEST FOR COMMENTS

From: development.coordinator <development.coordinator@metrolinx.com>

**Sent:** October-14-22 1:55 PM

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

Subject: [External] RE: A264/22 (7 JASON STREET) - REQUEST FOR COMMENTS

Thank you for circulating for the above listed application. I note the subject site falls greater than 300 meters from any Metrolinx owned rail corridor or corridor we run service on, and as such, falls outside of our zone of influence for review and comment. Please kindly remove us from any future circulations related to this site.

Thanks.

# **Pravina Attwala**

**Subject:** FW: [External] RE: A264/22 (7 JASON STREET) - REQUEST FOR COMMENTS

From: Development Services <developmentservices@york.ca>

Sent: October-05-22 9:25 AM

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

Subject: [External] RE: A264/22 (7 JASON STREET) - REQUEST FOR COMMENTS

Hello Pravina,

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

Many thanks,

**Christine Meehan, B.U.R.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 x73012 | <a href="mailto:christine.meehan@york.ca">christine.meehan@york.ca</a> | <a href="mailto:www.york.ca">www.york.ca</a>

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

ſ	Correspondence	Name	Address	Date	Summary
	Туре			Received (mm/dd/yyyy)	
	Public	Kam & Alex Sin	11 Jason Street	10/12/2022	No flooding or drainage issues confirmation letter

To 2022-10-12

The City of Vaughan

2141 Major Mackenzie Dr.,

Vaughan, ON L6A 1T1

Subject: Neighbours' support letter for Minor Variance Application A264/22

We are the neighbors of Rohit Shrivastava, the owner of 7 Jason St, Vaughan. We are aware of the minor variance application (A264/22) for the same property, and we have not experienced any unusual drainage or flooding by the construction of the walkway. It has been existing there for many years, and we are in support of this application to approve it.

Sincerely

Owner Name & Signature

Kam Sin & Alex Sin

Address -

11 Jason St., Vaughan

ON, L4K 3H2