Item # 05

Ward #5

222/18

Applicant: Boris Baranov

4 White Boulevard, Thornhill ON Address:

Agent: None

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	√ ×
Committee of Adjustment		
Building Standards		
Building Inspection		
Development Planning		
Urban Design		
Development Engineering	V	
Parks Department		
By-law & Compliance		
Financial Planning & Development		
Fire Department		
TRCA	$\overline{\checkmark}$	V
Ministry of Transportation	$\overline{\checkmark}$	
Region of York		
Alectra (Formerly PowerStream)		
Public Correspondence (see Schedule B)		

Adjournment History: None.
Background History: None.

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, March 21, 2019



Minor Variance Application

Agenda Item: 05

A222/18 Ward: 5

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, March 21, 2019

Applicant: Boris Baranov

Agent: None.

Property: 4 White Boulevard, Thornhill

Zoning: The subject lands are zoned R5, Residential and subject to the provisions of

Exception 9(488) under By-law 1-88 as amended.

OP Designation: VOP 2010: 'Low-Rise Residential'

Related Files: None.

Purpose: Relief from the by-law is being requested to permit the existing covered deck

located in the rear yard and covered exterior (south) side yard stairwell.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum rear yard setback of 7.5 metres is	1. To permit a minimum rear yard setback of 5.8
required.	metres to a covered deck.
2. A minimum exterior side yard setback of 4.5	2. To permit a minimum exterior side yard setback of
metres is required.	4.24 metres to a covered side entrance
	(basement walkup).

Background (previous applications approved by the Committee on the subject land): N/A

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Committee of Adjustment:

Public notice was mailed on March 6, 2019

Applicant confirmed posting of signage on March 11, 2019

Property Information				
Existing Structures	Year Constructed			
Dwelling	1984			
Deck	2018			

Applicant has advised that they cannot comply with By-law for the following reason(s): Property size too small.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: None

Building Permit Application No. 18-002848 for proposed deck and deck cover and roof over existing basement walkout has been submitted, but not yet issued.

The applicant shall be advised that eaves and gutters appurtenant to the covered rear yard deck and the covered exterior side yard entrance shall not extend more than 0.5 metres into all required yards.

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority.

Building Inspections (Septic):

No comments or concerns

Development Planning:

VOP 2010: 'Low-Rise Residential'

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

The Development Planning Department recommends approval of the application.

Urban Design:

There are no cultural heritage concerns for this application.

Development Engineering:

Please note that the Development Engineering Department has no objections to application A222/18 and there are no conditions.

City staff have confirmed that the subject property is in an assumed subdivision therefore notification to a builder/developer is not required.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

No comments or concerns

Fire Department:

No comments or concerns

Schedule A - Plans & Sketches

Schedule B - Public Correspondence

None.

Schedule C - Agency Comments

TRCA – comments with conditions
MTO – Located outside of MTO permit control area
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None.

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application considers 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.

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:

	Department/Agency	Condition
1	TRCA	That the owner provides the required \$580.00 fee for our review
	Anthony Syhlonyk	of Minor Variance Application A222/18.
	416-661-6600 x 5272 asyhlonyk@trca.on.ca	

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

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. 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.

Notice to the Applicant – 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 to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition, which must be delivered no later than **12:00 p.m**. on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information 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.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) 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.

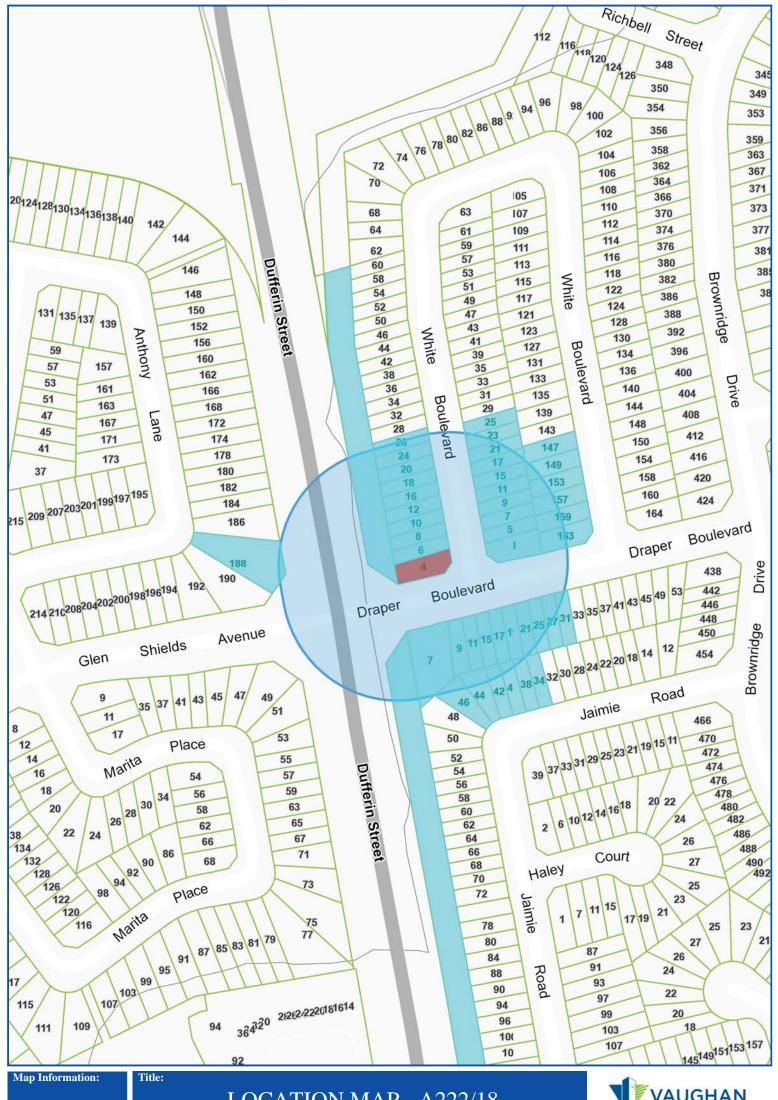
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394 E CofA@vaughan.ca

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map Sketches





LOCATION MAP - A222/18

4 WHITE BOULEVARD, THORNHILL

Disclaimer:





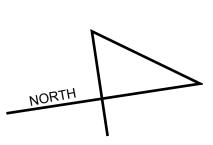


Created By:

REVISED FEBRUARY 6, 2018

A222/18

EXISTING 2 STOREY RESIDENTIAL BUILDING UNIT 6



0

Dwelling Area Deck Cover Area Stairway Cover Area Property Area

Total Proposed Property Cover 29.38%

Property Cover 22%
Property Cover 5.8%
Property Cover 1.58 %

A= 79.40m2 A=20.84m2 A=5.69m2 A=359.2m2

PROPERTY LINE EXISTING DECK WITH COVERED ROOF 32.18m Existing Basement Entrance EXISTING 2 STOREY RESIDENTIAL BUILDING UNIT 4

11.075

5.80

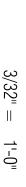
PROPERTY LINE

EXISTING COVER ROOF DRAPER BLV.

WHITE BLVD.

PROPERTY LINE

WHIGHT BLV.



OUNCE OF OMTARIO

4/11/2018.

Site Plan View

38 Chicory Crescent,
St. Catharines, ON, L2R 0A5
Ph: 647-773-9310
email:safonov02@gmail.com S.S Architectural& Engineering Service 3/32" = 1-0 C-3

4 White Blv. Thornhill, ON

Proposed Deck

Site

Plan View

Issue for Review

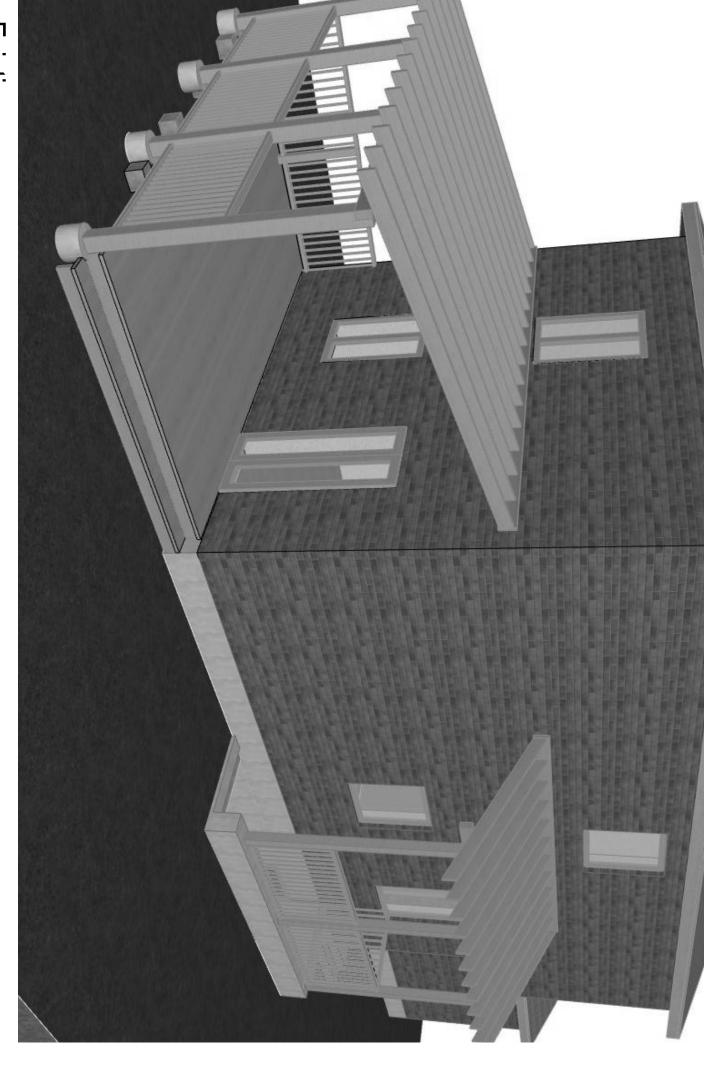
Sept 14-18 Nov 14-18

52-08-18

Client

4 White

Blv. Thornhill, ON



A-2

Deck Layout Ground Floor

A-1

Deck Footing Layout

Drawings ID Drawings Name

A-3

Deck Ground Floor Structural

Elevations

Building Section

A-7

Railing Connection

Site Plan View

Existing Survey

Front Page

A-6

Details

Proposed Deck and Deck Cover Existing

Dwelling Area
Deck Cover Area
Stairway Cover Area
Property Area A= 79.40m2 A=20.84m2 A=5.69m2 A=359.2m2

Property Cover 22%
Property Cover 5.8%
Property Cover 1.58 %

Total Proposed Property Cover 29.38%

File:

52-08-18

Client

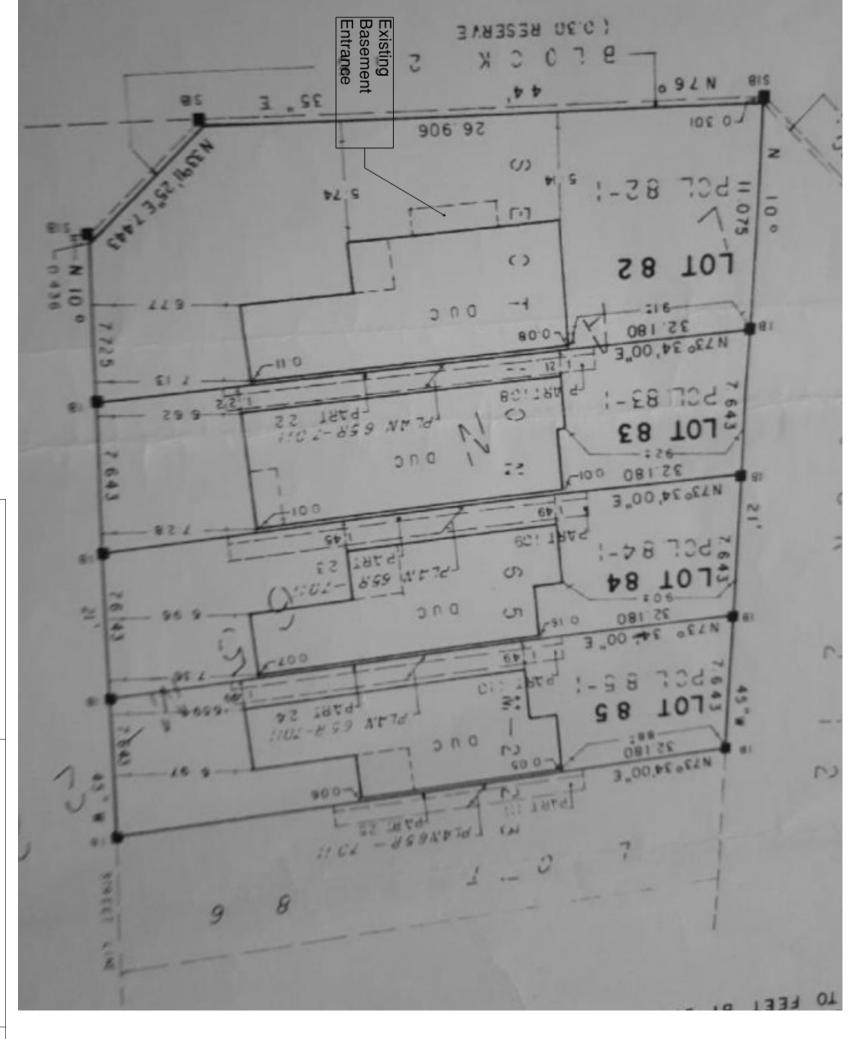
Issue for Review
Issue for Review

Sept 14-18 Nov 14-18

14/11/2018. HOWINGE OF OMTRANO	LICENSES PROFESSIONAL THE PROFESSIONAL THE PROFESSION OF THE PROFE
	RAINEER

Front Page		4 White Blv. Thornhill, ON	Proposed Deck		4 WIIILE DIV. HIOHIIIII, ON	A White Dky Thombill ON
S.S	Dn. By.	el al	Ph: 64	St. Ca	38 Ch	
s.s 1:146.70	Scale:	eliali:saloilovoz@gillali.coili	Ph: 647-773-9310	St. Catharines, ON, L2R 0A5	38 Chicory Crescent,	Architectural& Engineering Service
C-1	Drawing #					eering Service





COMPLETED

THE FIELD SURVEY

I CERTIFY THAT

SURVEYOR'S

NO

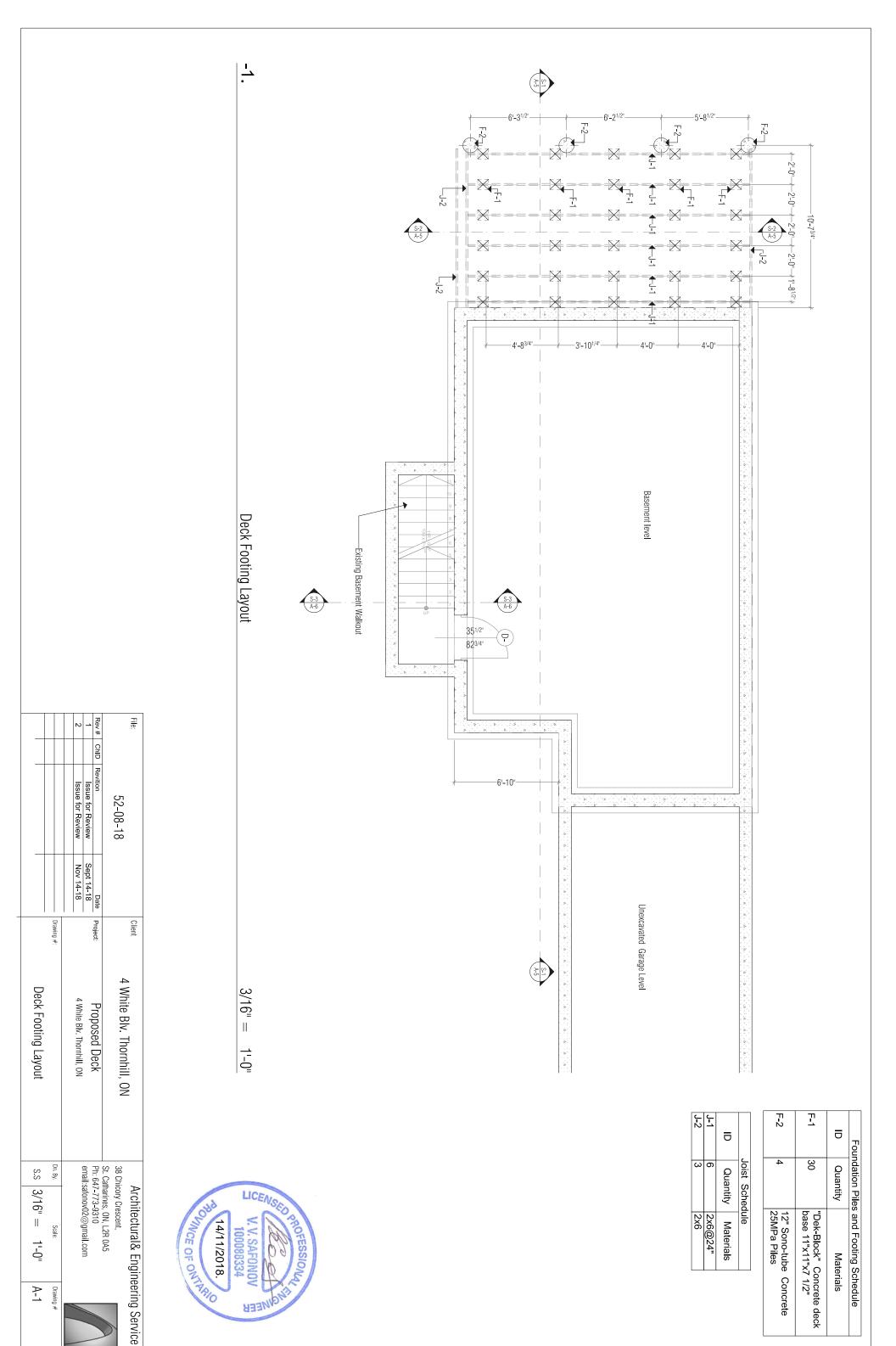
BOULEVARD

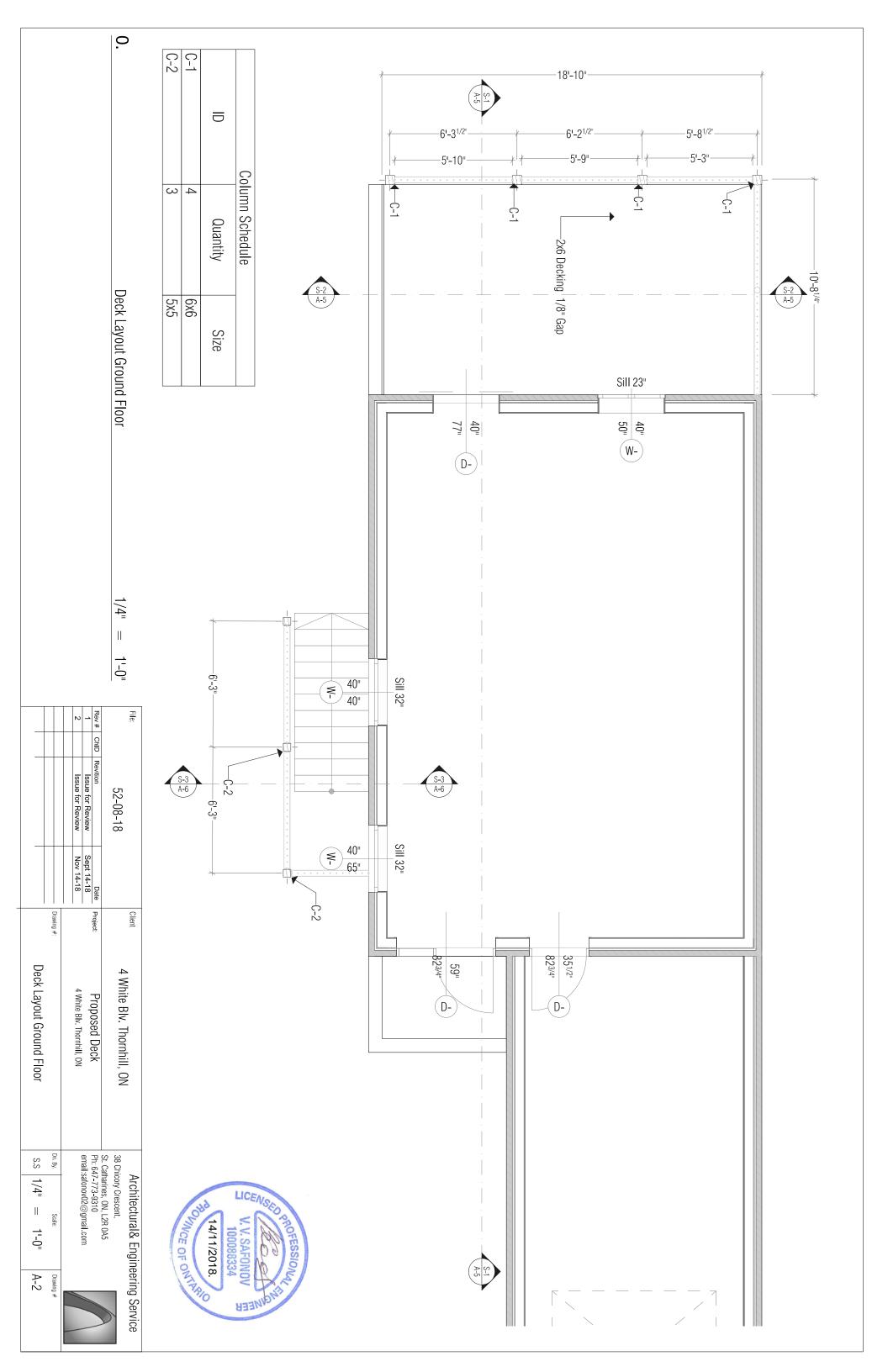
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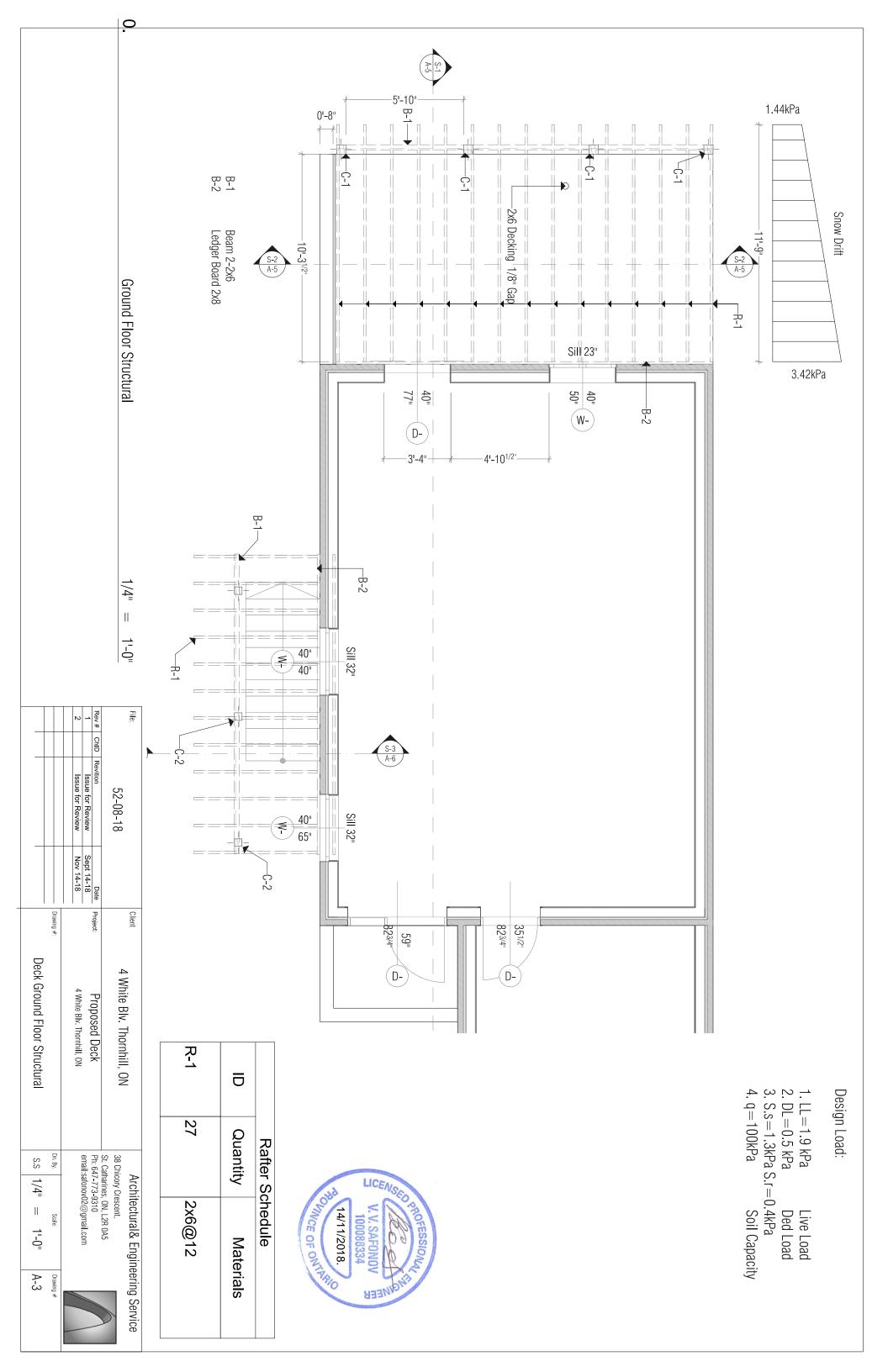
FOUND

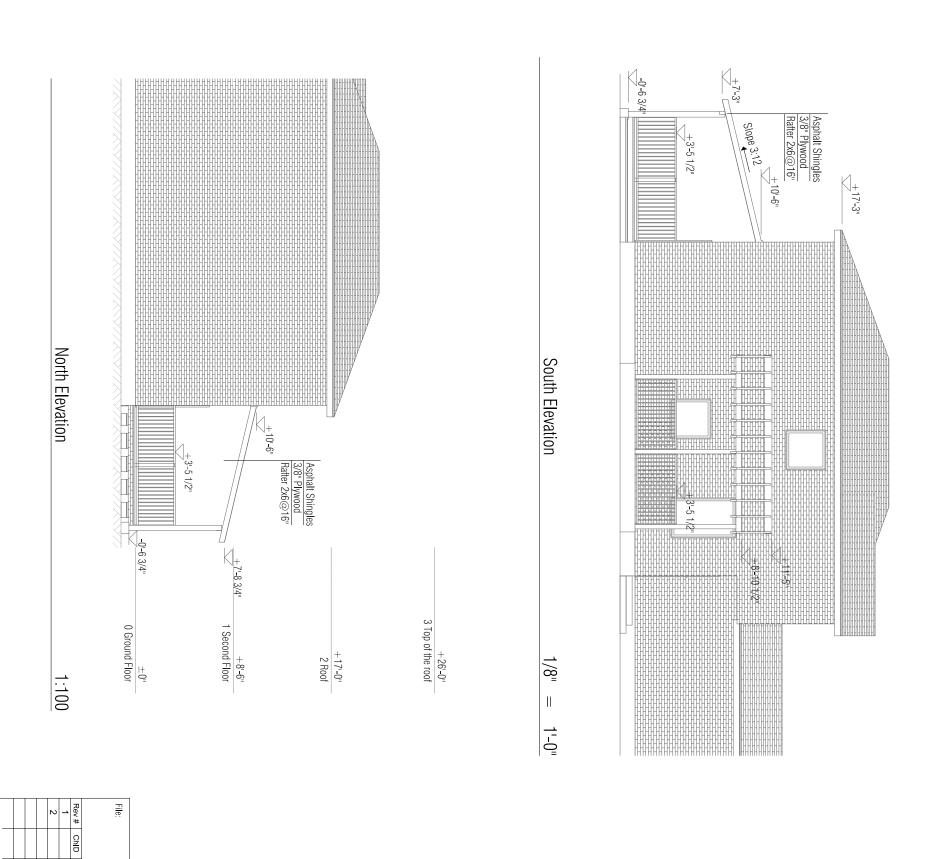
UNDER CONSTRUCTION

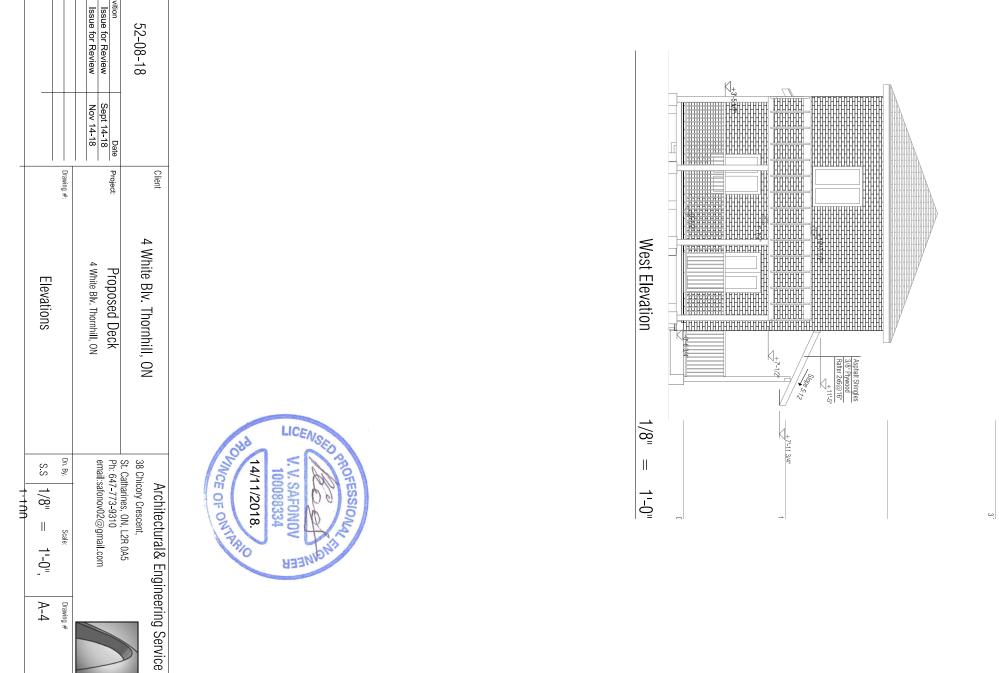
BAPER



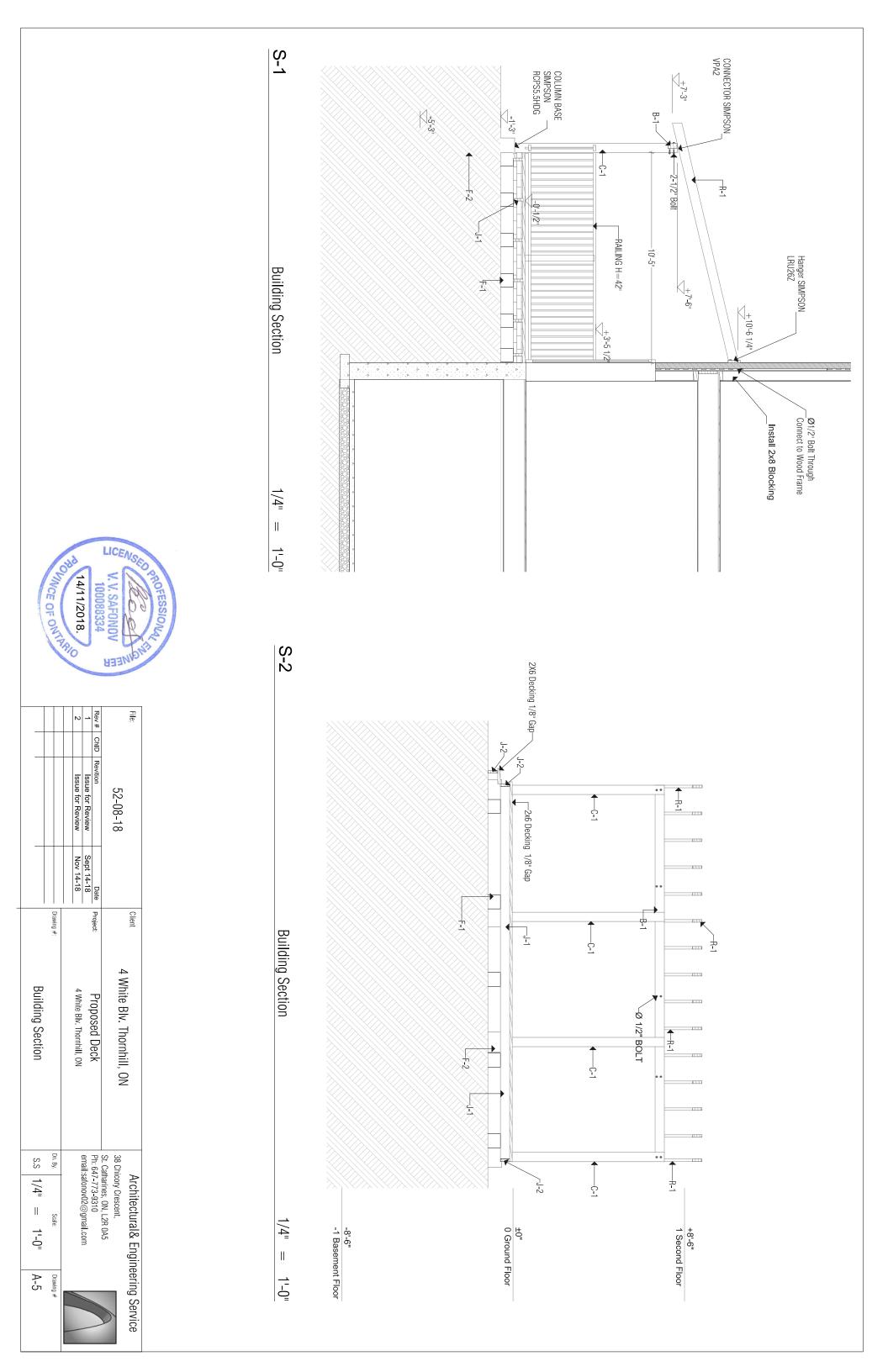


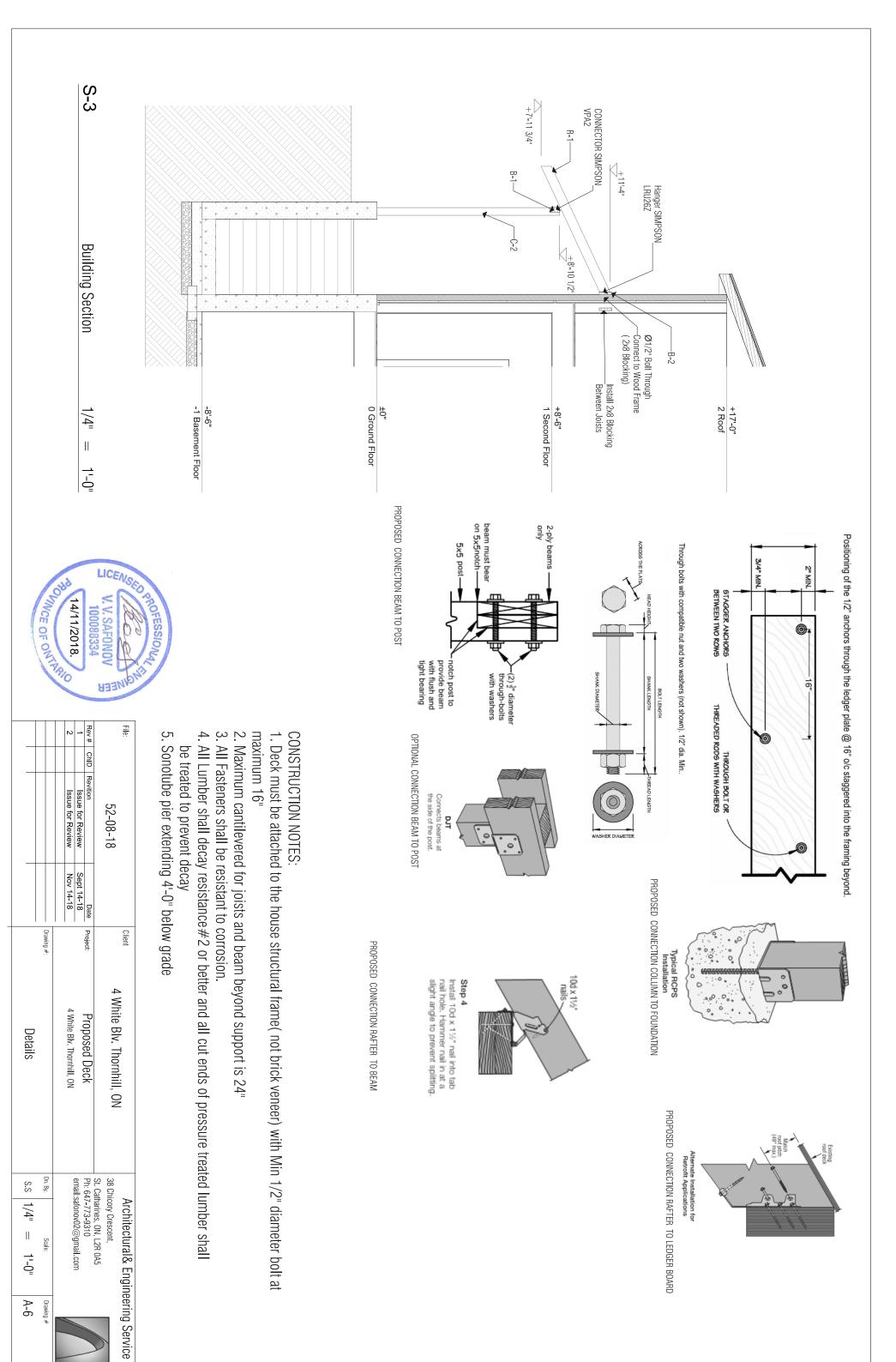






A-4

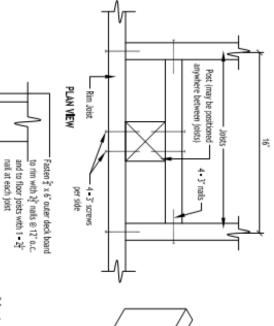


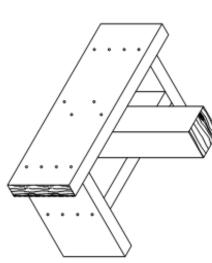


7.5 Typical Post Connection - Screwed to Rim Joist

7.9

Typical Guard Connection - Cantilevered Picket Screwed to Rim Joist



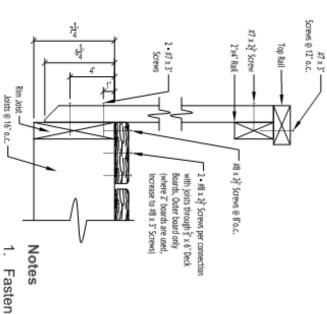


AXONOMETRIC VIEW



- 1. Fasten 25mm x 140mm [5/4" x 6" nominal] outer deck board to rim joist with 63mm [2 1/2"] nails at 300mm [12"]
- Ņ Fasten 25mm x 140mm [5/4" x 6" nominal] outer deck board to floor joists with 1 - 63mm [2 1/2"] nails each joist
- <u>ω</u> The post may be positioned anywhere between the joists
- 4 The maximum spacing between posts is 1.56m [5'-1"]

SIDE ELEVATION MEW





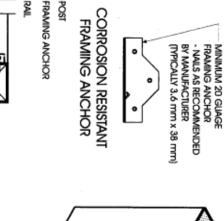
Fasten rim joist to each floor joist with 3 - 82mm [3 1/4"] nails

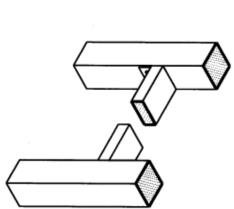
SIDE ELEVATION VIEW

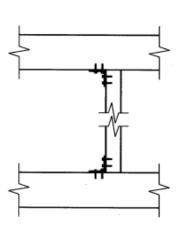
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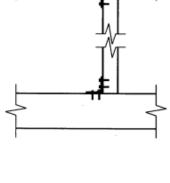
- Where 38mm [2" nominal] thick boards are used, the length of the wood screws shall be not less than 76mm [3"] The outer deck board shall not be less than 140mm [6" nominal] wide.
- Provide a suitable post, return, or solid support at each end of the guard

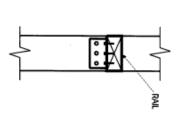
ω











FRONT ELEVATION

SIDE ELEVATION

LICENSEL

V. SAFONOV 00088334

OHNCE OF ONTRAIO 14/11/2018.

Exterior Connection: Top/Bottom Rail Fastened to Post with Framing Anchors

- Provide support to bottom rail at intervals not more than 2.0 m (6'-7").
- The bottom rail may be bevelled as detailed in Figure 2.1.2.
- Dimensions shown are in mm unless otherwise specified.

File:

ChID Rev

PLAN

AXONOMETRIC

MAXIMUM SPAN OF RAIL BETWEEN POSTS	TWEEN POSTS
Species	Maximum Span, m (ft-in)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir	2.72 (8'-11")
Northern Species	2.18 (7'-2")
Column 1	2

			Issue for Review	Issue for Review	ition	52-08-18	
			Nov 14-18	Sept 14-18	Date		
		Drawing #:			Project:		Client
	Railing Connection		4 White Blv. Thornhill, ON		Proposed Deck	4 White Blv. Thornhill, ON	
	S.S	Dn. By.		email sa	Ph: 647-	38 Chicc	A
		Scale:	((a	email:safonov02@gmail.com	773-9310	38 Chicory Crescent, St. Catharines. ON. L2R 0A5	Architectural& Engineering Service
-	A-7	Drawing #					eerina Service

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None.

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

TRCA – comments with conditions
MTO – Located outside of MTO permit control area
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



CFN: 60819.02 March 4, 2019

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

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

Dear Christine:

Minor Variance Application A222/18 Re:

4 White Boulevard

Lot 82, Reg. Plan 65M2231

City of Vaughan

Owner: Boris Baranov

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on January 24, 2018 with comments originally provided on February 4, 2019. TRCA staff have reviewed supplemental information provided by the applicant and offers the following revised comments:

Background

It is our understanding that the purpose of Application A222/18 is to request the following:

- 1. To permit a minimum rear yard setback of 5.8m to a covered deck whereas a rear yard setback of 7.5m is required.
- 2. To permit a minimum exterior side yard setback of 4.24m to a covered side entrance (basement walk-up) whereas a minimum exterior side yard setback of 4.5m is required.

It is TRCA's understanding that the purpose of the above variance is to legalize a roof to an existing basement walkout and a new deck constructed without approvals.

Applicable TRCA Policies and Regulations

Ontario Regulation 166/06:

The subject lands are located entirely within the TRCA's Regulated Area of the Don River Watershed due to the presence of a floodplain covering the entirety of the property including the walkout area proposed. In accordance with the 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. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

Living City Policies (LCP):

In addition, The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

Application-Specific Comments

Based on a review of the enclosed drawings, TRCA notes that the property is within TRCA's Regulated Area due to the presence of a flood plain covering the entirety of the lot. Through further consultation with the City of Vaughan and the applicant it has been confirmed that the existing basement walkout within this flood plain has existed historically and that only the deck and roof of the walkout have recently been constructed. We have no further concerns with the approval of Minor Variance A222/18. As these structures are within TRCA's Regulated Area a permit from our office will be required and is currently under review.

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 \$580.00 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 upon the comment noted above, TRCA staff have **no objection** to the approval of Minor Variance A222/18 subject to the following condition:

1) That the owner provides the required \$580.00 fee for our review of Minor Variance Application A222/18.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Further, we trust these comments are of assistance.

TRCA will continue to work closely with the City of Vaughan, the applicant, and their consultants to ensure that TRCA's expectations for meeting comments are met. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,

Anthony Syhlonyk

Planner I

Planning and Development

Extension 5272

AS/cb

Cc: Boris Baranov

Subject: FW: Request for Comments

From: Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>

Sent: January-24-19 10:42 AM

To: Vigneault, Christine < Christine. Vigneault@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>

Subject: Request for Comments

Hi Christine,

MTO Highway Corridor Management Section has reviewed the location of the following Applications for Minor Variance:

A222/18 – 4 White Boulevard, Thornhill, ON.

A008/19 - 100 Gibraltar Road, Woodbridge

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

Paul Nunes | Corridor Management Officer Ministry of Transportation | Corridor Management Section | York Region 159 Sir William Hearst Avenue, 7th floor Building D, Downsview, ON M3M 0B7 (416) 235-5559 | paul.nunes@ontario.ca



Confidentiality Warning: This message and any attachments may contain PRIVILEGED and CONFIDENTIAL INFORMATION and is intended only for the use of the recipient(s). If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you have received this message in error, please immediately notify the sender by return e-mail, and delete this message and any attachments from your system. Thank you.



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

Fax: 905-532-4401

 $\textbf{\textit{E-mail}}: \underline{stephen.cranley@alectrautilities.com}$

Mr. Tony D'Onofrio

Supervisor, Subdivisions & New Services *Phone*: 1-877-963-6900 ext. 24419

Fax: 905-532-4401

Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject: FW: A222/18 - Response to REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Attachments: A222-18 - CIRCULATION.pdf

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

Sent: January-30-19 3:51 PM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>

Subject: FW: A222/18 - Response to REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Good Afternoon Lenore,

The Regional Municipality of York has completed its review of the above Minor Variance application and has **no**

comment.

Regards, Gabrielle

Gabrielle Hurst, BAA MCIP.RPP. C. Tech

Programs and Process Improvement I Planning and Economic Development Branch I Corporate Services

The Regional Municipality of York I 17250 Yonge Street I Newmarket, ON L3Y 6Z1 O 1-877-464-9675 ext. 71538 I gabrielle.hurst@york.ca I Our Values: Integrity, Commitment, Accountablity, Respect, Excellence