

COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A320/22

AGENDA ITEM NUMBER:	CITY WARD #: 1
APPLICANT:	Sorina Benhas and Kaveh Hamzavi
AGENT:	Pool Craft
PROPERTY:	341 Laurentian Blvd Maple
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by
(2010) DESIGNATION:	Schedule 13, "Oak Ridges Moraine Settlement Area" by Schedule 4.
RELATED DEVELOPMENT	None
APPLICATIONS:	
*May include related applications for minor variance, consent, site plan, zoning	
amendments etc.	
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a proposed
	cabana.

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

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

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	Decision Outcome
None	IVIIVI/BB/1111	

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 A320/22

341 Laurentian Blvd Maple ON

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

ITEM NUMBER:	CITY WARD #: 1
APPLICANT:	Sorina Benhas and Kaveh Hamzavi
AGENT:	Pool Craft
PROPERTY:	341 Laurentian Blvd Maple
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by
(2010) DESIGNATION:	Schedule 13, "Oak Ridges Moraine Settlement Area" by Schedule 4.
RELATED DEVELOPMENT	None
APPLICATIONS:	
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a proposed cabana.

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

The subject lands are zoned R1A(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.627 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A minimum side yard setback of 2.4m is required to the residential accessory structure. [4.1.2.1.b]	To permit a minimum side yard setback of 0.6m to the residential accessory structure #2.

HEARING INFORMATION

DATE OF MEETING: Thursday, March 2, 2023

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 <u>NOON</u> 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:	February 17, 2023	
Date Applicant Confirmed Posting of Sign:	February 16, 2023	
Applicant Justification for Variances: *As provided by Applicant in Application Form	The available space and the backyard vision of the clients achieved as the structures are current	
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: No		
*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.		
*A revised submission may be required to address staff / agency comments received as part of the application review process.		
*Where a zoning review has not been completed provided to the applicant to adjourn the proposal		
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.		s requested by the

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

General Comments

Committee of Adjustment Comments:

Conditions of Approval:

Committee of Adjustment Recommended 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>
As the proposed cabana in the subject property is 31.3 m² and existing shed is 11.5 m², the Owner /

As the proposed cabana in the subject property is 31.3 m² and existing shed is 11.5 m², 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 the Development Engineering Reviewer after receiving the Grading Permit to clear the condition. (Condition attached)

The Development Engineering Department does not object to the Minor Variance application A320/22, subject to the following condition(s):

subject to the following condition(s).	
Development Engineering	The Owner / Applicant shall submit the final Lot Grading
Recommended Conditions of	and/or Servicing Plan to the Development Inspection and
Approval:	Lot Grading Division of the City's Development
	Engineering Department for final Lot Grading and/or
	Servicing Permit prior to any work being undertaken on
	the property. Please visit the Grading Permit page at City
	of Vaughan website to learn how to apply for the Grading
	Permit. If you have any questions about Grading Permit,
	please contact the Development Engineering Department
	by email at DEPermits@vaughan.ca.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: Comments with condition	
PFH Recommended Conditions of Approval:	Applicant is to aquire a Tree Protection Permit from the Forestry division.

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

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS		
No comments received to date		
BCLPS Recommended Conditions of Approval:	None	

BUILDING INSPECTION (SEPTIC) COMMENTS		
No comments received to date		
Building Inspection Recommended Conditions of Approval:	None	

FIRE DEPARTMENT COMMENTS		
No comments received to date		
Fire Department Recommended Conditions of Approval:	None	

SCHEDULES TO STAFF REPORT *See Schedule for list of correspondence		
Schedule A Drawings & Plans Submitted with the Application		
Schedule B 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. **CONDITION(S) DESCRIPTION** # **DEPARTMENT / AGENCY Development Engineering** The Owner / Applicant shall submit the final Rex.bondad@vaughan.ca 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 Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca. Applicant is to aquire a Tree Protection Permit 2 Parks, Forestry and Horticulture Operations andrew.swedlo@vaughan.ca from the Forestry division.

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.

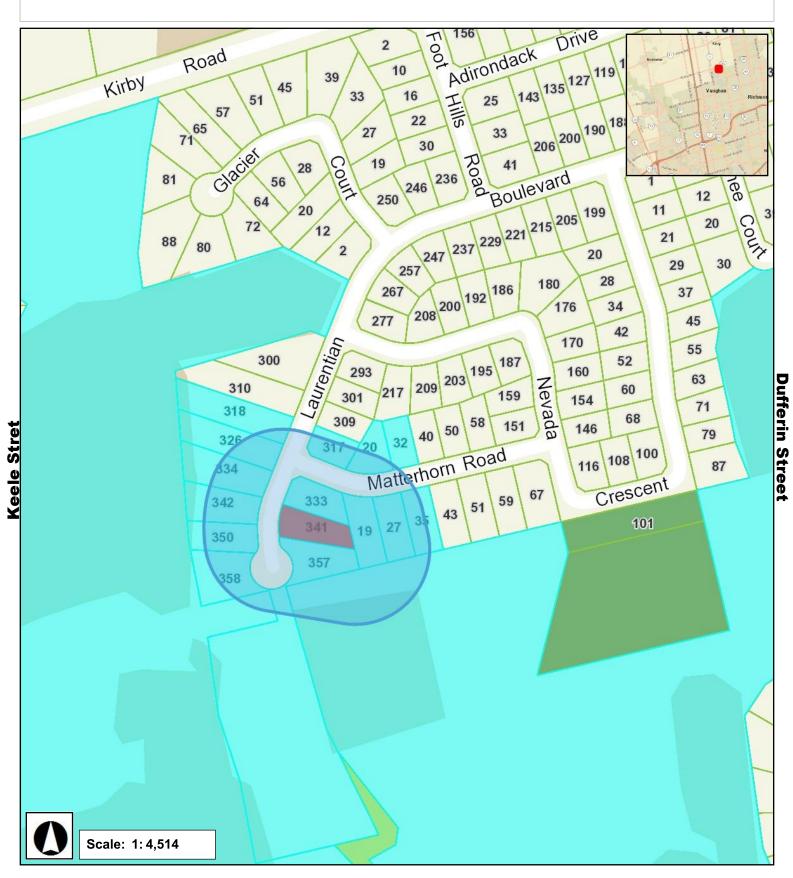
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

SCHEDULE A: DRAWINGS & PLANS



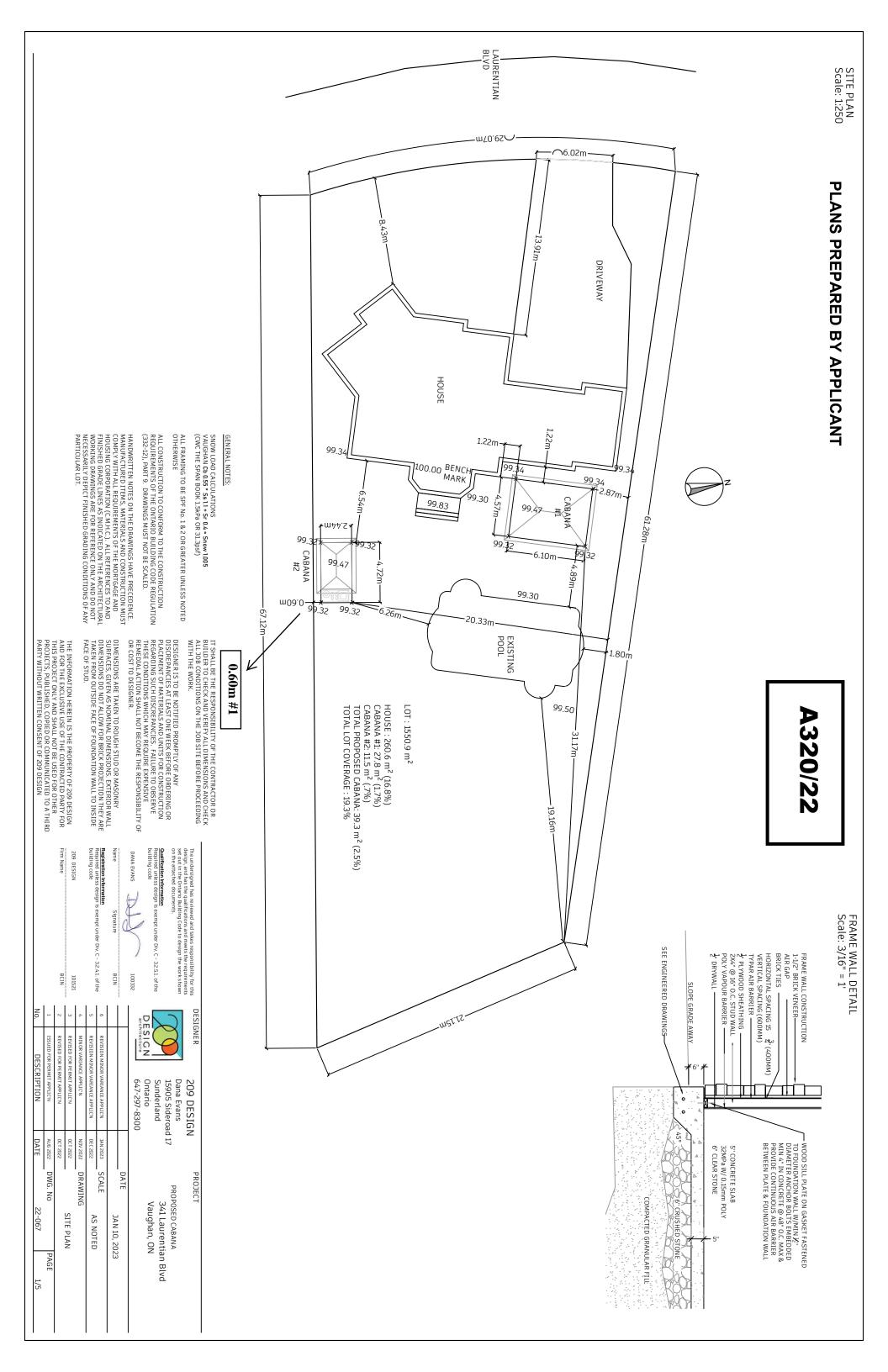
VAUGHAN LOCATION MAP - A320/22

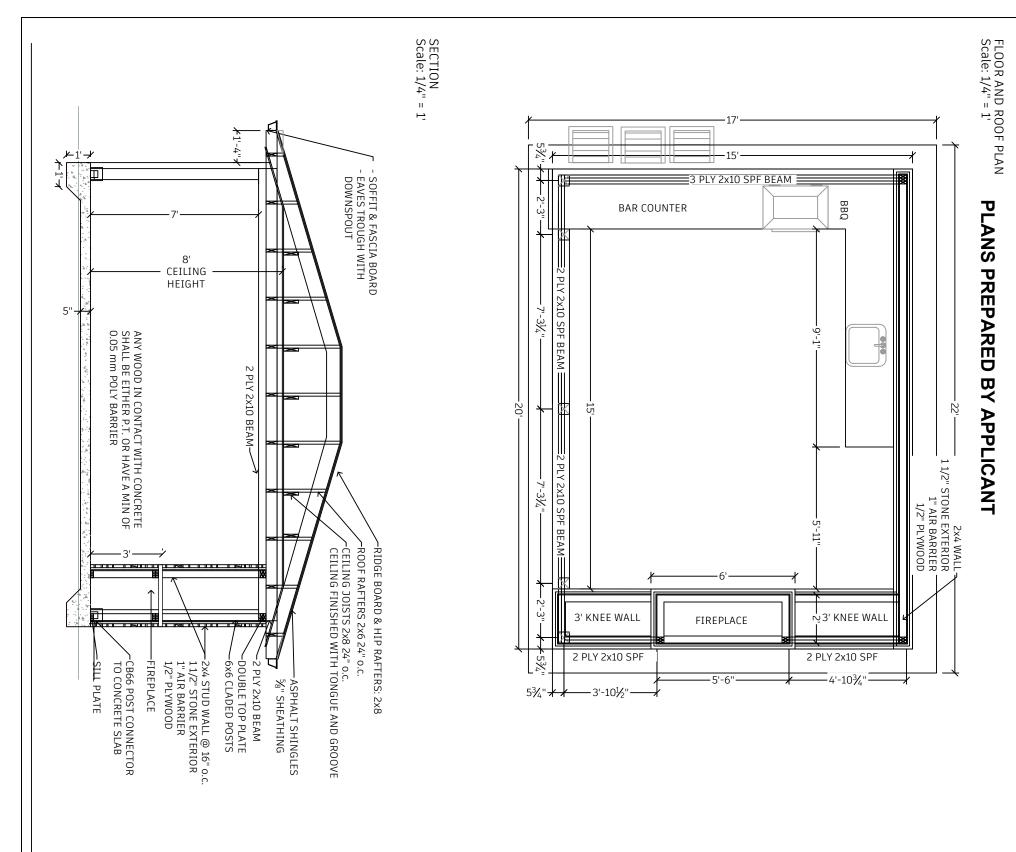
341 LAURENTIAN BLVD. MAPLE

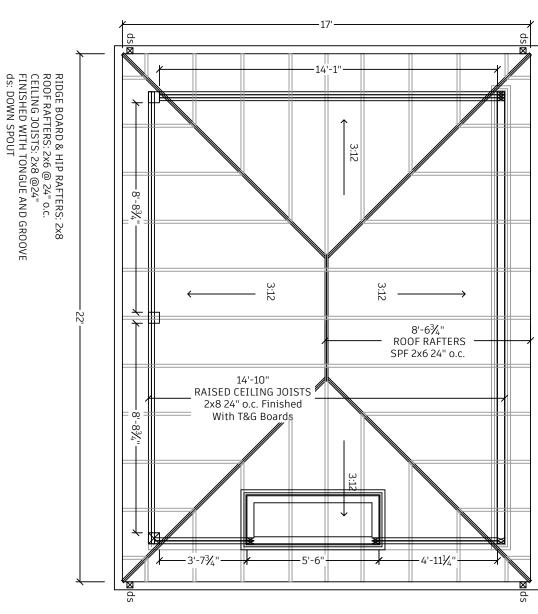


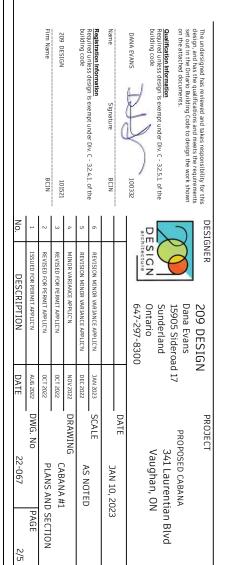
Teston Road

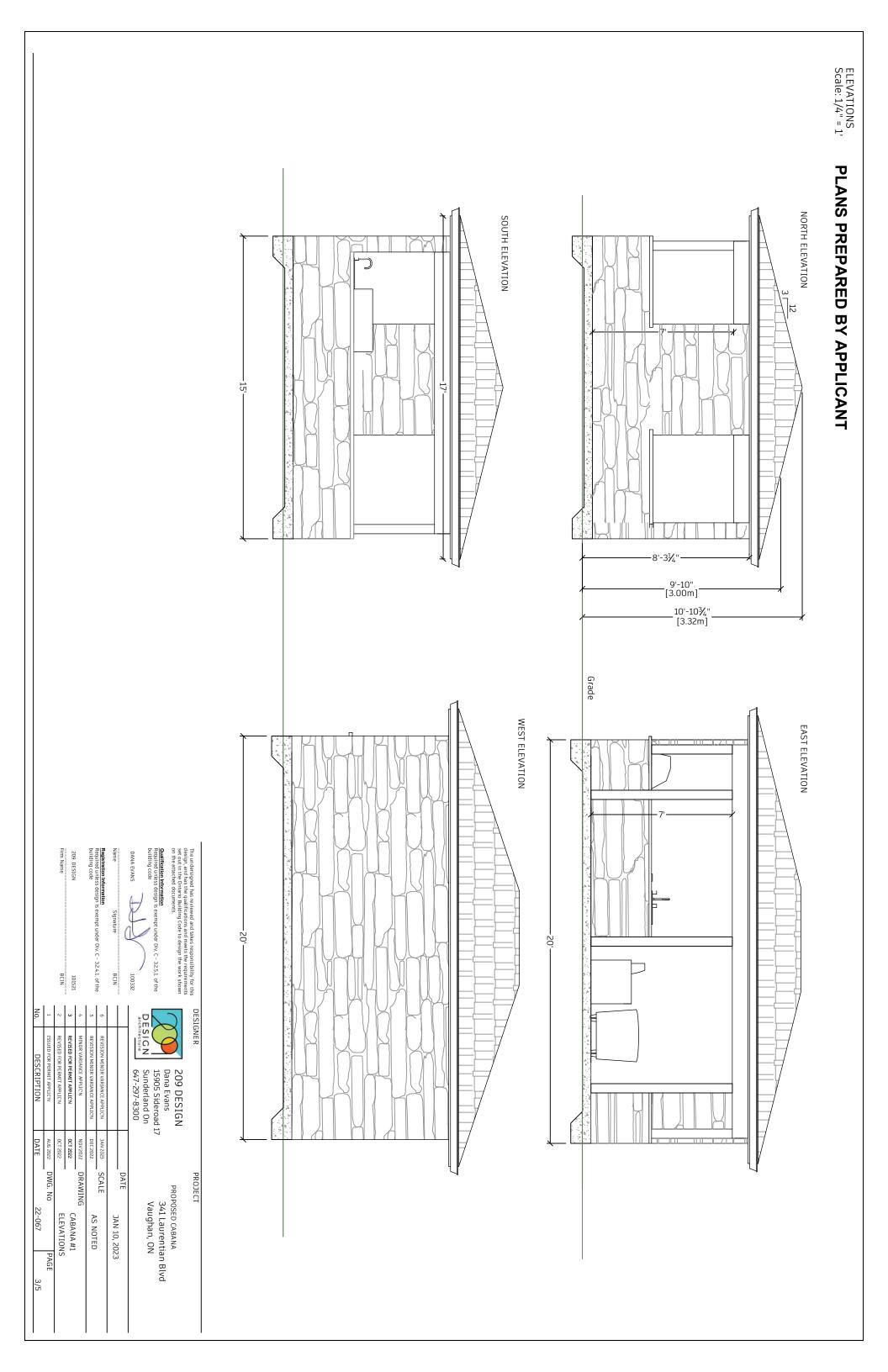
January 30, 2023 8:47 AM

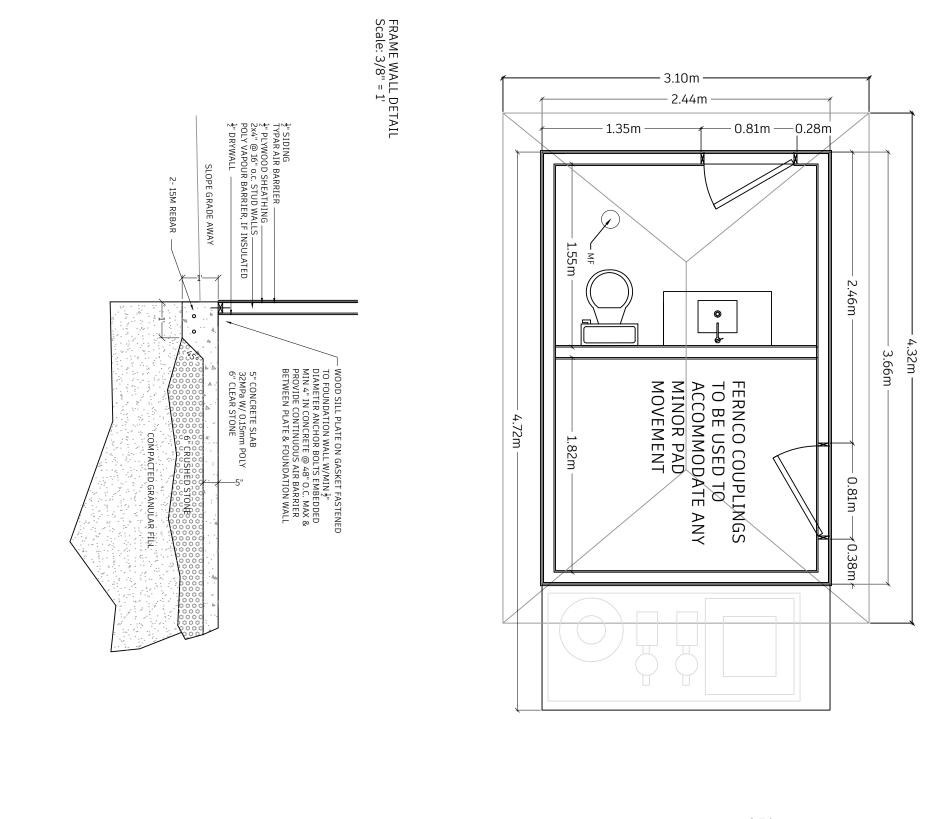












209 DESIGN Firm Name

101521 BCIN

REVISED FOR PERMIT APPLIC'N
REVISED FOR PERMIT APPLIC'N

OCT 2022

CABANA #2
PLANS AND DETAIL

DWG. No

DEC 2022 SCALE

DEC 2022 DRAWING

JAN 10, 2023 AS NOTED

DATE

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

DESIGNER

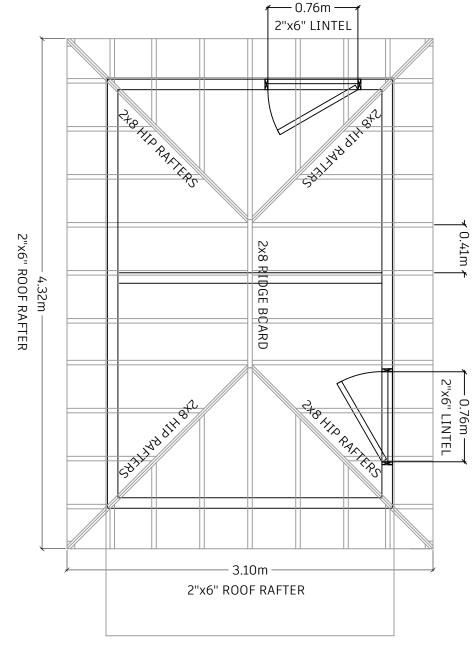
209 DESIGN
Dana Evans
15905 Sideroad 17
Sunderland ON
647-297-8300

PROPOSED CABANA

341 Laurentian Blvd Vaughan, ON

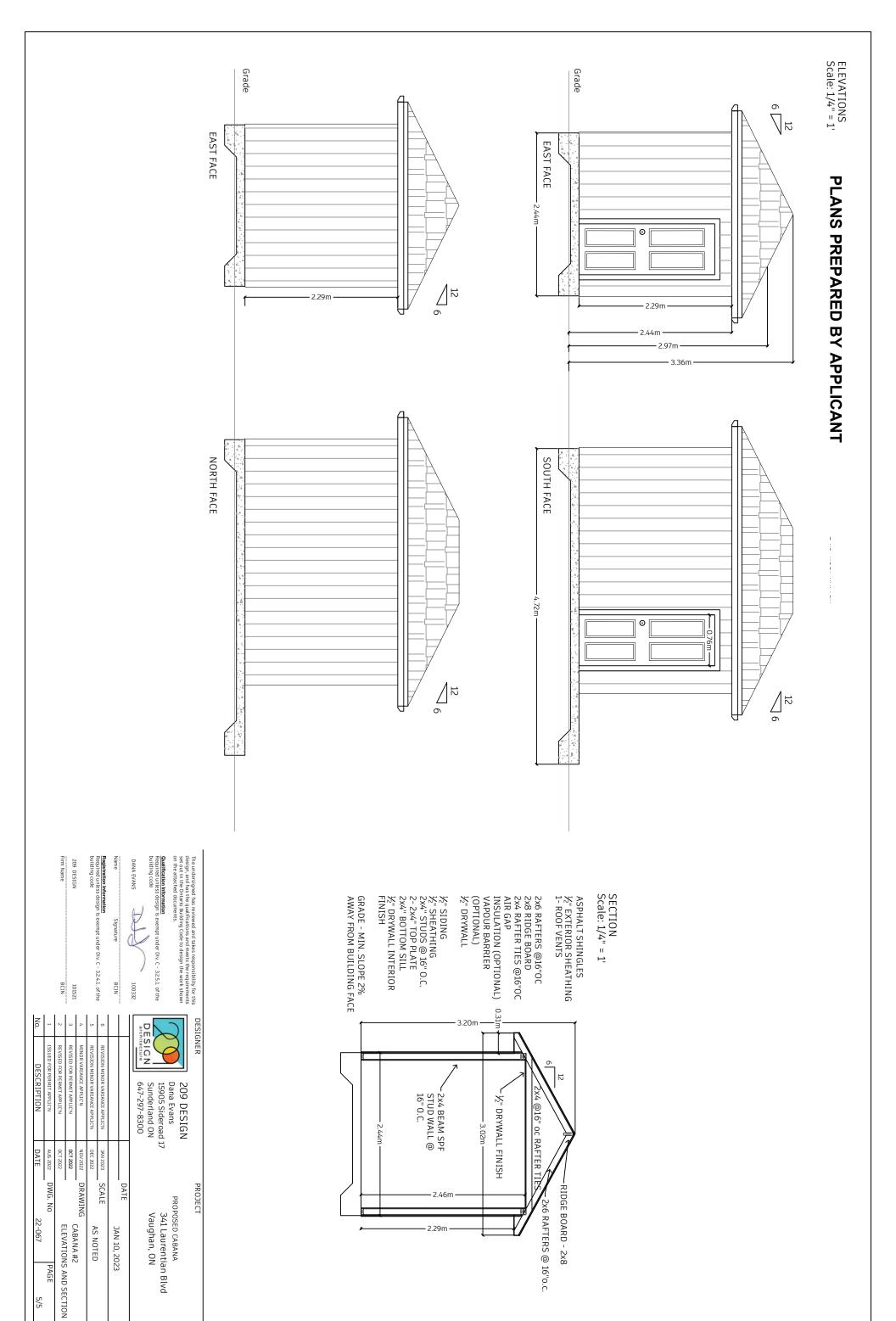
DANA EVANS

BCIN



PLANS Scale: 3/8" = 1'

PLANS PREPARED BY APPLICANT



5/5

SCHEDULE B: STAFF & AGENCY COMMENTS							
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments			
TRCA	\boxtimes			No Comments Received to Date			
Ministry of Transportation (MTO)							
Region of York	\boxtimes			General Comments			
Alectra	\boxtimes			General Comments			
Bell Canada	\boxtimes			No Comments Received to Date			
YRDSB							
YCDSB							
CN Rail							
CP Rail							
TransCanada Pipeline	\boxtimes			No Comments Received to Date			
Metrolinx							
Propane Operator							
Development Planning	Х	Х		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: February 16, 2023

Name of Owners: Sorina Benhas and Kaveh Hamzavi

Location: 341 Laurentian Boulevard

File No.(s): A320/22

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

1. To permit a minimum side yard setback of 0.6m to the residential accessory structure #2.

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

1. A minimum side yard setback of 2.4m is required to the residential accessory structure.

Official Plan:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13, "Oak Ridges Moraine Settlement Area" by Schedule 4.

Comments:

The Owner is requesting relief to permit the construction of a shed with the above noted variance. The shed proposes a bathroom and storage space.

The Development Planning Department has no objection to the above noted Variance for the proposed reduction to the minimum side yard setback of 0.6 m as it will not pose any significant visual impact to nor impact the function of the abutting uses, maintains an appropriate area for access, drainage, and vegetated amenity space and will not impact the abutting properties.

Accordingly, the Development Planning Department can support the requested variance and is of the opinion that the proposal 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.

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:

Michelle Perrone, Planning Technician David Harding, Senior Planner



To: Committee of Adjustment

From: Faegheh Gholami, Building Standards Department

Date: January 23, 2023

Applicant: Sorina Benhas and Kaveh Hamzavi

Location: 341 Laurentian Boulevard

PLAN 65M3201 Lot 99

File No.(s): A320/22

Zoning Classification:

The subject lands are zoned R1A(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.627 under Zoning By-law 001-2021, as amended.

# Zoning By-law 001-2021		Variance requested	
A minimum side yard setback of 2.4m is required to the residential accessory structure. [4.1.2.1.b]		To permit a minimum side yard setback of 0.6m to the residential accessory structure #2.	

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. 22-131193 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)

Other Comments:

General Comments

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.

 $^{^{\}star}$ Comments are based on the review of documentation supplied with this application.



Date: January 25th 2023

Attention: Christine Vigneault

RE: Request for Comments

File No.: A320-22

Related Files:

Applicant Sorina Benhas & Kaveh Hamzavi

Location 341 Laurentian Blvd



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

Lenore Providence

Subject:

FW: [External] RE: A320/22 (341 Laurentian Blvd) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

From: Development Services <developmentservices@york.ca>

Sent: February-02-23 4:23 PM

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

Cc: Committee of Adjustment < CofA@vaughan.ca>

Subject: [External] RE: A320/22 (341 Laurentian Blvd) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

Hi Christine,

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

Many thanks,

Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.

Niranjan Rajevan, M.PI. | 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

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



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

Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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