

ITEM: 6.3	COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A007/23 52 THORN RIDGE DR THORNHILL
------------------	--

**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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Standards (Zoning Review)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Building Inspection (Septic)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Development Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Real Estate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Ministry of Transportation (MTO)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

	MM/DD/YYYY	
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
A007/23
52 THORNRIIDGE DR THORNHILL**

ITEM NUMBER: 6.3	CITY WARD #: 5
APPLICANT:	Abraham and Shashana Kohl
AGENT:	None
PROPERTY:	52 Thornridge Dr Thornhill ON
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit an *existing cabana and shed.

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

The subject lands are zoned R1E(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.403 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	In any residential zone, the maximum height of a residential accessory structures shall be 3.0 m [Section 4.1.4.1].	To permit a maximum height of 3.18 m for a residential accessory structure (cabana).
2	A Residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line [Section 4.1.2.b.].	To permit a residential accessory structure with a height of greater than 2.8 m to be located 2.0 m from the interior side lot line (shed).

HEARING INFORMATION

DATE OF MEETING: Thursday, March 16, 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 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.

INTRODUCTION

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:	March 3, 2023
Date Applicant Confirmed Posting of Sign:	March 7, 2023
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	I cannot comply because the structure has been built already A variance was suggested by the inspector .
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <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. *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.</small>	No
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:	That prior to the issuance of a building permit, the Owners shall submit a letter of undertaking to carry out the following within 1 year of the issuance of said building permit: <ul style="list-style-type: none"> a) Plant 12 coniferous trees (emerald cedars) at least 2 metres in height of a species satisfactory to the Urban Design Division - Development Planning Department in the location depicted in the Site Plan attached to this decision; and b) Submit photographic evidence to the satisfaction of the Urban Design Division of Development Planning Department confirming the completion of the planting works
---	---

DEVELOPMENT ENGINEERING COMMENTS

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

As the proposed outdoor amenities in the subject property are greater than 10 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

DEVELOPMENT ENGINEERING COMMENTS

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

requires a Grading Permit. Please contact the Development Engineering Reviewer after receiving the Grading Permit to clear the condition. (Condition attached)

The proposed work by the Owner/ Applicant is increasing the lot coverage on the subject property. The added hardscape may have impacts on the City's Storm Water management system. Development Engineering strongly encourages the Owner / Applicant introduce Low-Impact Development (LID) measures (e.g., bioswales, permeable pavers, rain gardens, rain barrels etc.) to reduce the impacts to the stormwater system. Should further information be required, please contact the Development Engineering COA reviewer.

The Development Engineering Department does not object to the Minor Variance application A007/23, subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:	The Owner / Applicant shall submit the final 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 .
--	---

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

No comments.

PFH Recommended Conditions of Approval:	None
--	------

DEVELOPMENT FINANCE COMMENTS

No comments received to date.

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.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Planning roberto.simbana@vaughan.ca	That prior to the issuance of a building permit, the Owners shall submit a letter of undertaking to carry out the following within 1 year of the issuance of said building permit: <ul style="list-style-type: none"> a) Plant 12 coniferous trees (emerald cedars) at least 2 metres in height of a species satisfactory to the Urban Design Division - Development Planning Department in the location depicted in the Site Plan attached to this decision; and b) Submit photographic evidence to the satisfaction of the Urban Design Division of Development Planning Department confirming the completion of the planting works
2	Development Engineering Rex.bondad@vaughan.ca	The Owner / Applicant shall submit the final 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 .

IMPORTANT INFORMATION – PLEASE READ

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

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

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

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

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

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

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.

IMPORTANT INFORMATION – PLEASE READ

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.

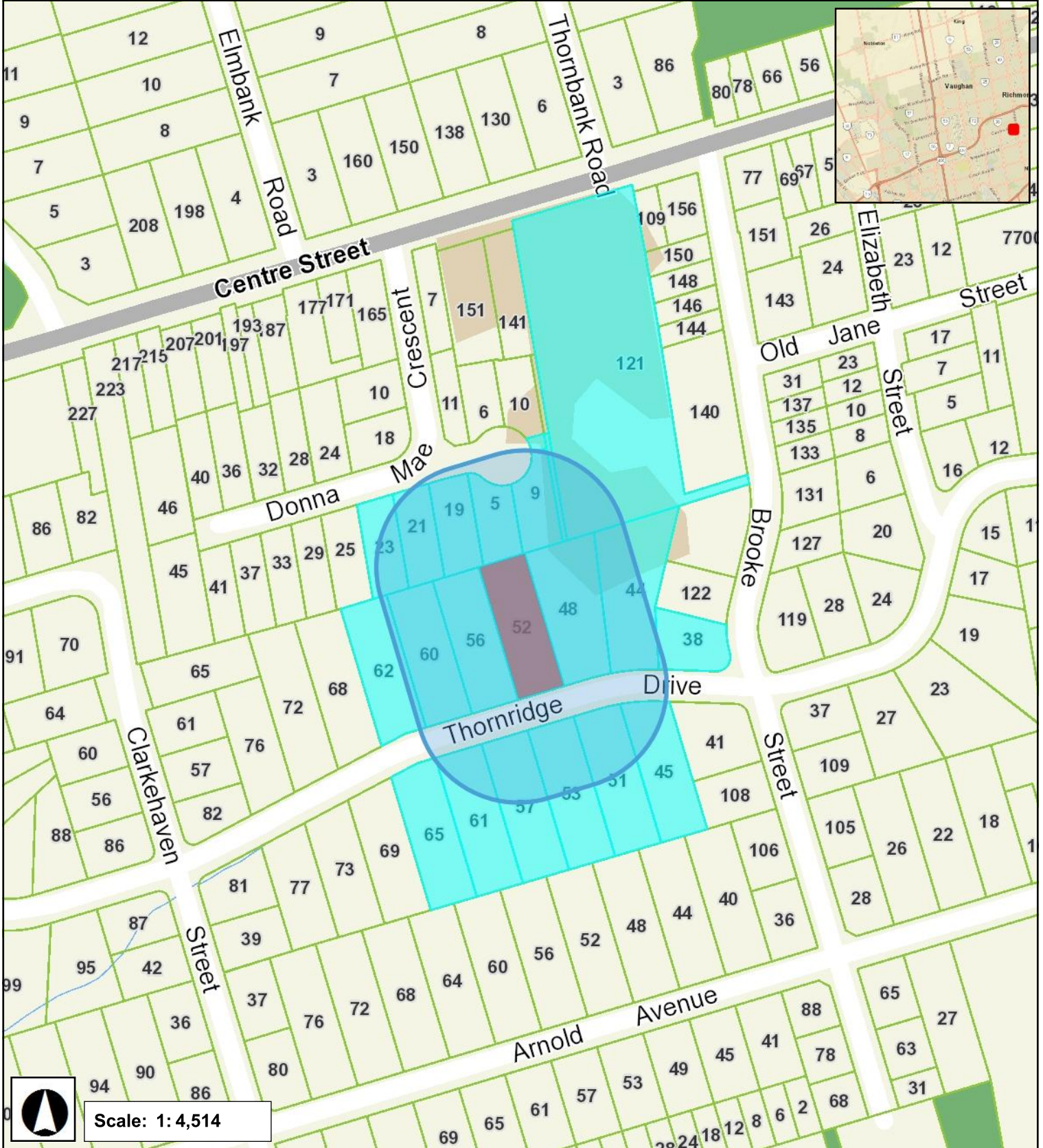
NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

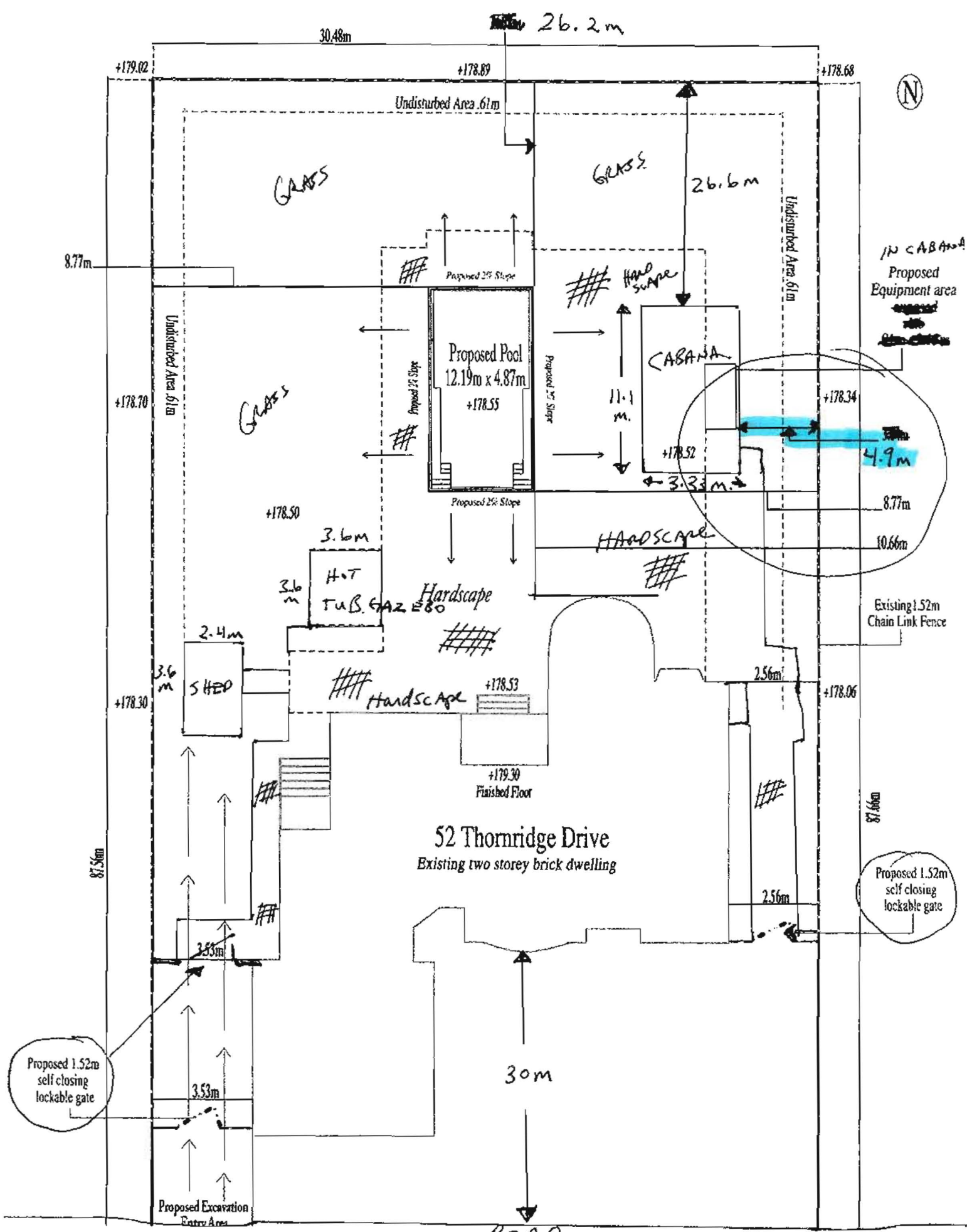
SCHEDULE A: DRAWINGS & PLANS

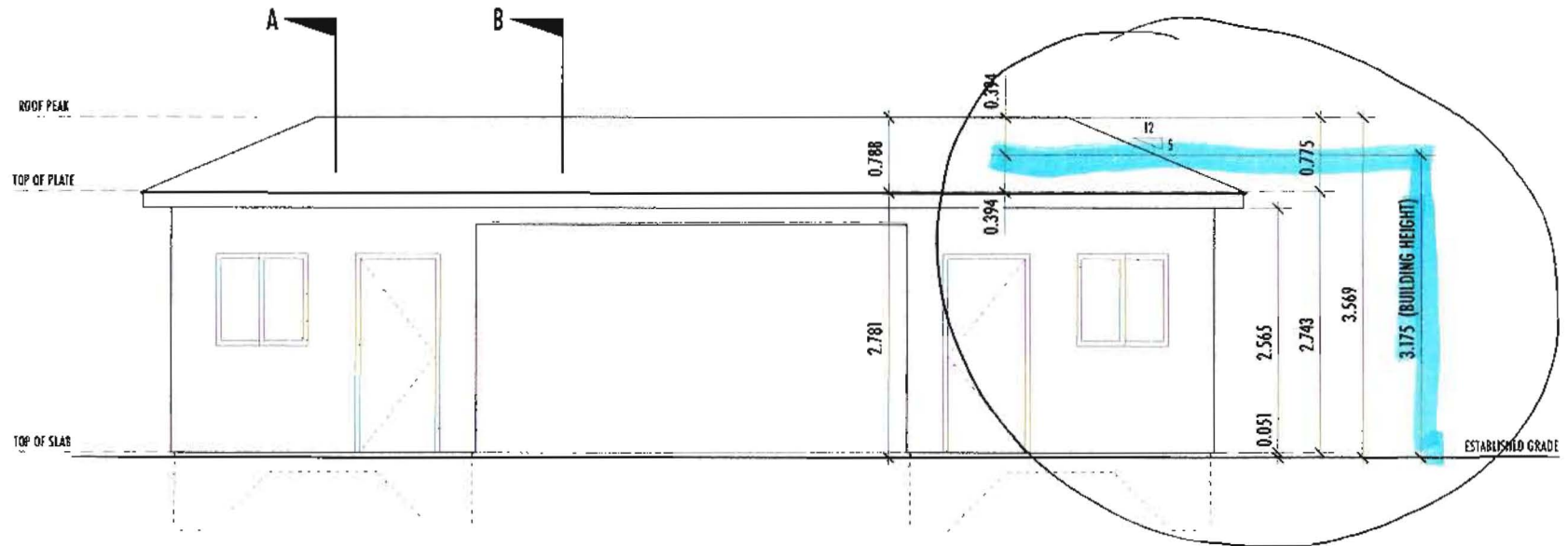


LOCATION MAP A007/23

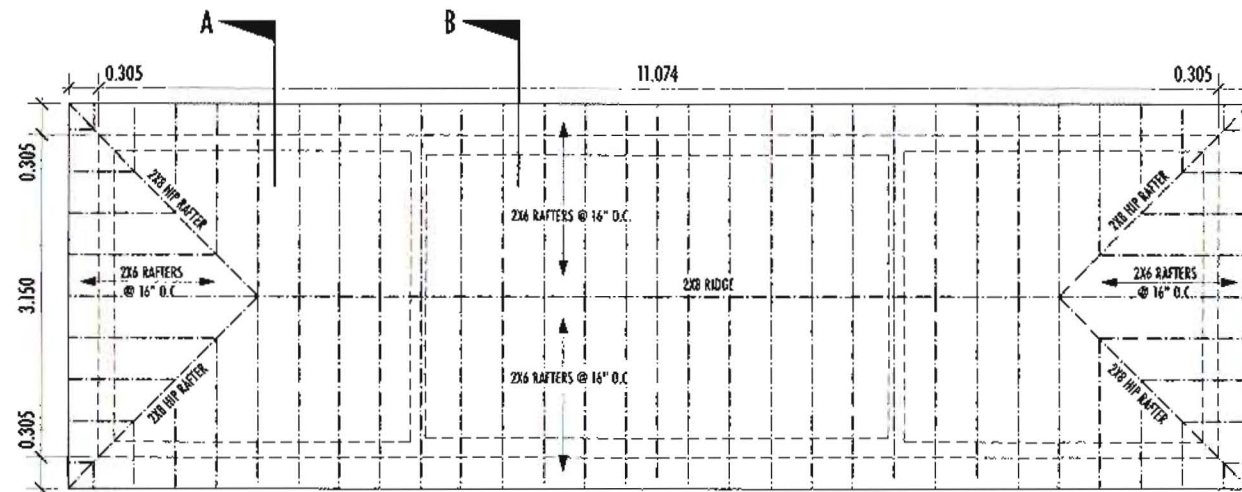
52 THORNRIDGE DRIVE, THORNHILL







WEST ELEVATION



ROOF FRAMING PLAN

52 Thornridge Drive

KEITH LOFFLER MCALPINE
ARCHITECTS
80 BLOOR STREET WEST
SUITE #403
TORONTO, ONTARIO
M5S 2V1



**PROPOSED
CABANA**

52 THORN RIDGE DRIVE
VAUGHAN, ONTARIO
OWNER: ABRAHAM KOHL

**ROOF PLAN
WEST ELEVATION**

A102

SCALE: 1:48 (1/4" = 1'-0")
FEBRUARY 15, 2022

SCHEDULE B: STAFF & AGENCY COMMENTS

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

To: Committee of Adjustment
From: Lindsay Haviland, Building Standards Department
Date: February 21, 2023
Applicant: Abraham and Shashana Kohl
Location: 52 Thornridge Drive
 PLAN RP4061 Lot 14
File No.(s): A007/23

Zoning Classification:

The subject lands are zoned R1E(EN) – First Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.403 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	In any residential zone, the maximum height of a residential accessory structures shall be 3.0 m [Section 4.1.4.1].	To permit a maximum height of 3.18 m for a residential accessory structure (cabana).
2	A Residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line [Section 4.1.2.b.].	To permit a residential accessory structure with a height of greater than 2.8 m to be located 2.0 m from the interior side lot line (shed).

Staff Comments:

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

Order No. 22-130303, Order to Comply for A structure measuring approximately 11.13 meters wide by 3.13 meters deep was constructed at the rear of the property. The structure also contained a room which included plumbing for a washroom. The construction of the new structure at the rear of the property was already completed at the time of inspection., Issue Date: Aug 19, 2022

Building Permit(s) Issued:

Building Permit No. 22-132667 for Shed/Gazebo - New, 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.

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.

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: March 8, 2023

Name of Owners: Abraham and Shashana Kohi

Location: 52 Thornridge Drive

File No.(s): A007/23

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

- 1) To permit a maximum height of 3.175 m for a residential accessory structure (cabana).
- 2) To permit a residential accessory structure with a height of greater than 2.8 m to be located 2.0 m from the interior side lot line (shed).

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

- 1) In any residential zone, the maximum height of a residential accessory structures shall be 3 m. [Section 4.1.4.1]
- 2) A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line. [Section 4.1.2.b.]

Official Plan:

Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Residential"

Comments:

The Owners are requesting permission to maintain a residential accessory structure (cabana) and shed with the above noted variances.

The Development Planning Department has no objection to the Variances. The ends of the cabana, pertaining to a washroom/equipment room and storage space, are fully enclosed. It should be noted that access to the proposed washroom is on the west side which remains internal to the site to mitigate use impacts on the abutting property to the east. To reduce any potential massing impacts posed by the roof and east wall of the cabana, the Owner has agreed to plant 12 emerald cedars (min. 2 m in height) along the easterly interior side lot line. A condition to this effect is included in the recommendation section of the report. By implementing a vegetive buffer the maximum height increase of 17.5 cm will be mitigated to better tie the building into the rear yard site context considering the cabana complies with the maximum coverage and rear yard setback provisions in Comprehensive Zoning By-law 001-2021.

With respect to the shed, Development Planning has confirmed with Zoning that only the highest point of the sloped roof is 4 cm over the required height (2.8 m) while most of the residential structure's scale and mass complies to the By-law, where structures below 2.8 m only require 1.5 m setback from any lot line. It is not anticipated that this modest height increase for a portion of the shed will be perceptible.

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-law, and are desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application, subject to a condition.

Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That prior to the issuance of a building permit, the Owners shall submit a letter of undertaking to carry out the following within 1 year of the issuance of said building permit:
 - a. Plant 12 coniferous trees (emerald cedars) at least 2 metres in height of a species satisfactory to the Urban Design Division - Development Planning Department in the location depicted in the Site Plan attached to this decision; and
 - b. Submit photographic evidence to the satisfaction of the Urban Design Division of Development Planning Department confirming the completion of the planting works.

Comments Prepared by:

Roberto Simbana, Planner I
David Harding, Senior Planner

Pravina Attwala

Subject: FW: [External] RE: A007/23 (52 Thornridge Drive) - REQUEST FOR COMMENTS, CITY OF VAUGHAN

From: Development Services <developmentsservices@york.ca>
Sent: March-06-23 12:57 PM
To: Christine Vigneault <Christine.Vigneault@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A007/23 (52 Thornridge Drive) - 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.Pl. | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

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

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

None