

**File:** A012/19**Applicant:** Olexander Kobuta & Liliya Baraban**Address:** 2 Royal Pine Ave Woodbridge**Agent:** Zahra Falamarzi

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	<input checked="" type="checkbox"/> Positive Comment	Condition(s)
	<input checked="" type="checkbox"/> Negative Comment	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Urban Design	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks Department		
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence ( <b>see Schedule B</b> )		

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, May 2, 2019



**Minor Variance  
Application  
  
A012/19**

Agenda Item: 7  
  
Ward: 2

**Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer**

**Date of Hearing:** Thursday, May 2, 2019

**Applicant:** Olexander Kobuta & Liliya Baraban

**Agent:** Zahra Falamarzi

**Property:** 2 Royal Pine Ave, Woodbridge

**Zoning:** The subject lands are zoned RV4 under By-law 1-88 as amended

**OP Designation:** Vaughan Official Plan 2010: "Low-Rise Residential"

**Related Files:** None

**Purpose:** Relief from the by-law is being requested to permit the existing canopy attached to the rear of the dwelling.

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 7.5m to the existing canopy is required.	1. To permit a minimum rear yard setback of 4.09m to the existing canopy.
2. A minimum interior side yard setback of 1.2m to the existing canopy is required.	2. To permit a minimum interior side yard setback of 1.1m to the existing canopy.
3. A minimum rear yard setback of 7.0m to the existing canopy eave is required.	3. To permit a minimum rear yard setback of 3.53m to the existing canopy eave.

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

For information on the previous approvals listed above please visit [www.vaughan.ca](http://www.vaughan.ca). 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 April 17, 2019

Applicant confirmed posting of signage on April 1, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	2001 (purchased 2012)

Applicant has advised that they cannot comply with By-law for the following reason(s): It is already built and the owner did not had the information of complying with zoning by-law when start the construction.

**Building Standards (Zoning Review):**

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2

Eaves and gutters are permitted to encroach a maximum of 0.5m into a required yard.

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

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:**

Official Plan: Vaughan Official Plan 2010: "Low-Rise Residential"

The Owners are requesting permission to maintain an existing canopy located in the rear yard with the above-noted variances. Development Planning staff conducted site visits on March 1st and March 18th, 2019. At the request of the Development Planning Department, the Owners have revised their proposal to reduce the canopy structure from the current rear yard setback of 1.01 m to 4.09 m to reduce the physical and visual impact on abutting properties. Urban Design staff have requested that the Owners replace the existing shingles on the canopy with shingles that match the existing dwelling for a more appropriate consistency. The revised proposal is considered minor in nature, provided that the shingles on the canopy match the existing dwelling. Accordingly, the Development Planning Department has no objection to variances #1 and #3 listed above.

The Development Planning Department has no objection to variance #2. The canopy has an existing interior side yard setback of 1.1 m, where 1.2 m is required. It is considered minor in nature and will not physically or visually impact abutting properties. It is noted that at the request of the Development Engineering Department, the Owners revised their proposal to ensure that the existing at-grade patio maintain a minimum 0.6 m setback from the interior side and rear lot lines for drainage purposes. Development Engineering staff have no objections to the revised proposal.

On this basis, the Development Planning Department is of the opinion that the revised proposal is minor in nature, meets the intent of the 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:**

The Development Engineering Department has reviewed minor variance application A012/19 for 2 Royal Pine Avenue and has the following condition:

The Development Engineering Department requests that a 0.6m clearance from the property lines on the north and west sides of the rear property, be cleared. This will reduce the size of the patio but it will satisfy engineering concerns. This will reinstate the side and rear lot swales to original condition allowing the lots to drain as designed. The most recent sketch will satisfy DE concerns once complete.

**Parks Development:**

No Response.

**By-Law and Compliance, Licensing and Permit Services:**

No comments or concerns

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches****Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Located outside of MTO permit control area

**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	Development Engineering Margaret Olivier  905-832-8585 x 8716 <a href="mailto:margaret.olivier@vaughan.ca">margaret.olivier@vaughan.ca</a>	The drainage swales must be reinstated along the north and west property lines with a 0.6m unobstructed offset to restore drainage.

**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](mailto: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 8002  
E [CofA@vaughan.ca](mailto: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

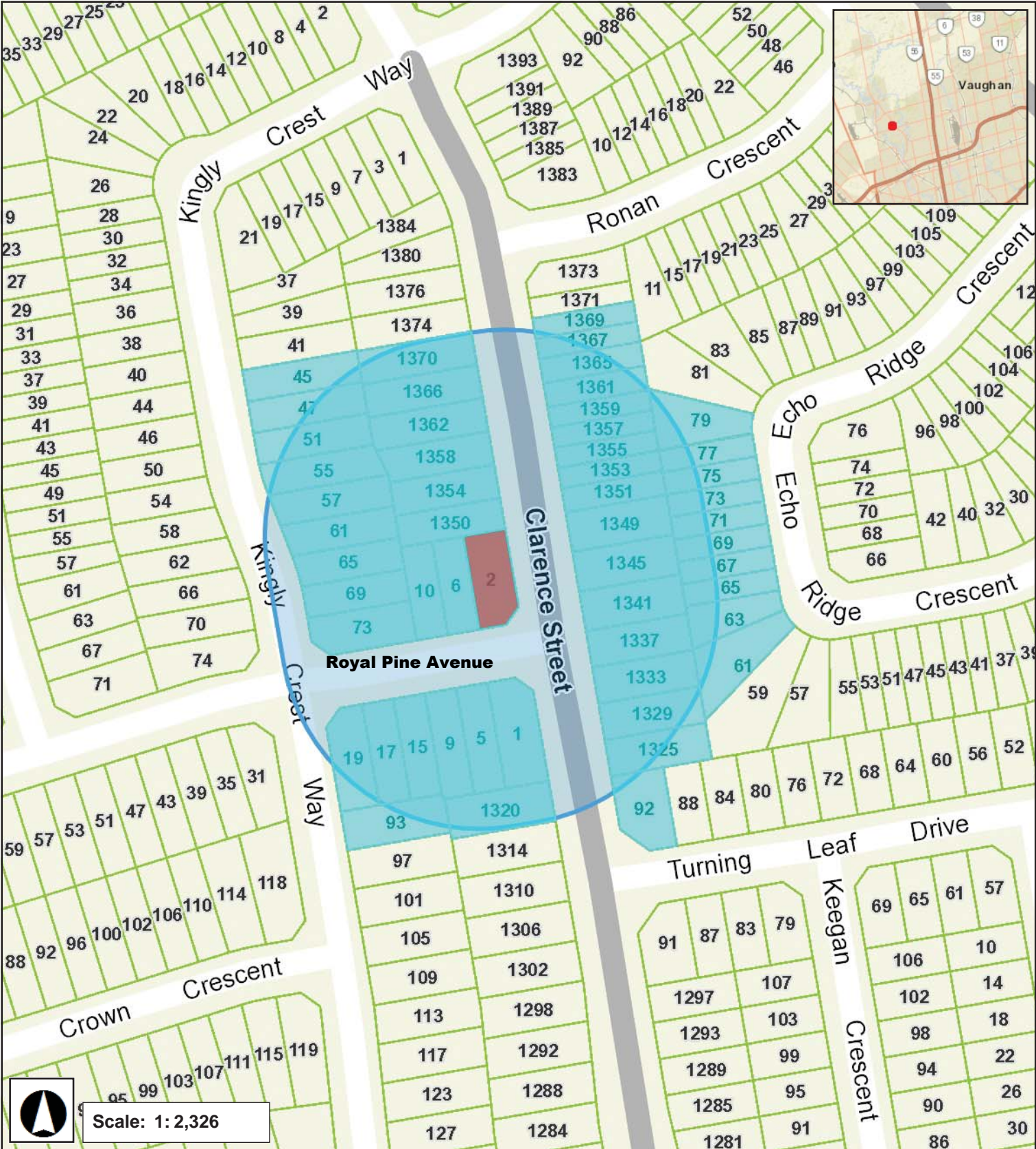




# LOCATION MAP - A012/19

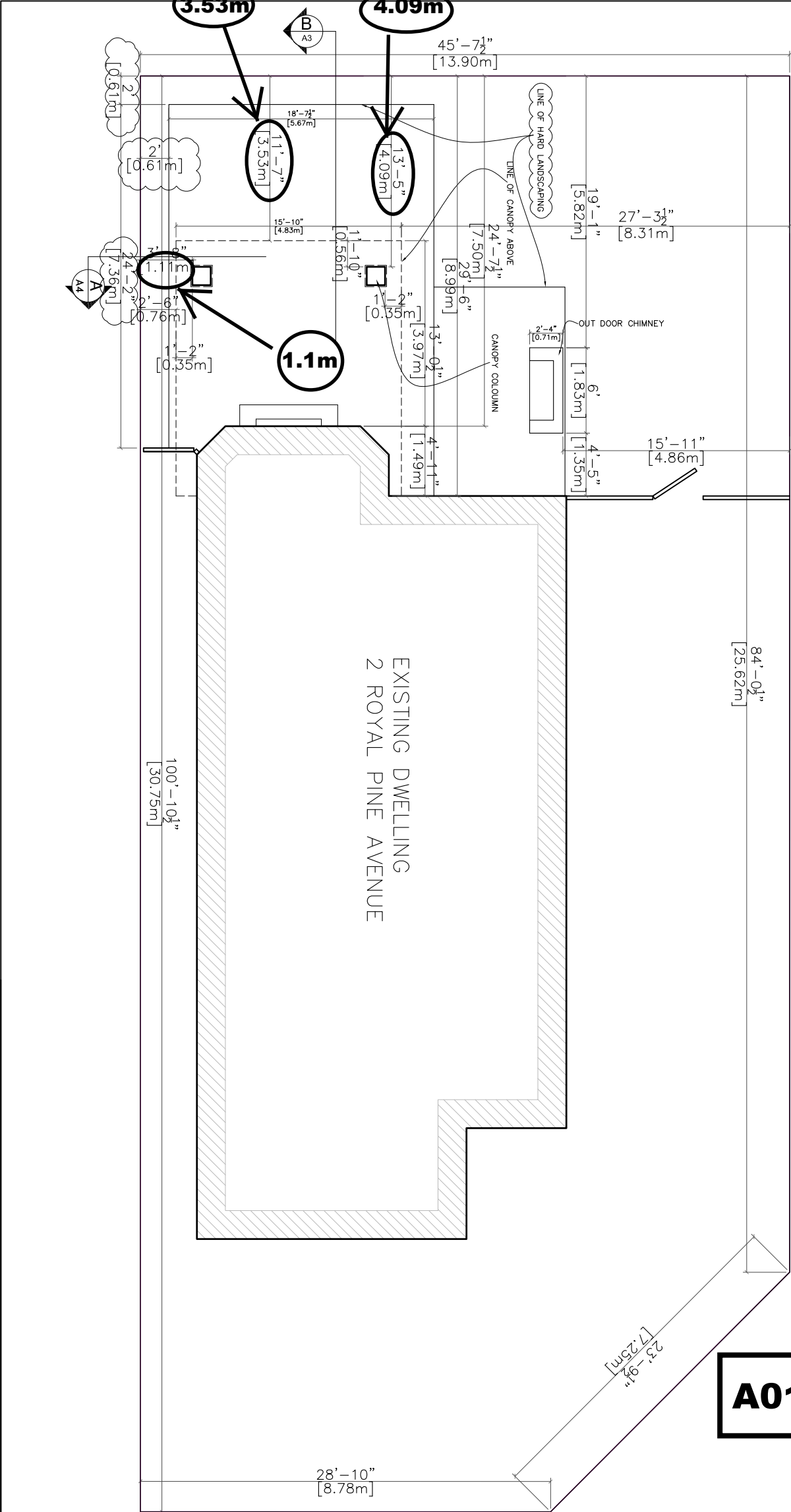
2 ROYAL PINE AVENUE, WOODBRIDGE

Major Mackenzie Drive



Rutherford Road

April 10, 2019 2:21 PM



CLARENCE STREET

A012/19

ROYAL PINE AVENUE

REVISED MARCH 19, 2019

4	REVISED TO COA	12.03.2019
3	REVISED TO COA	07.03.2019
2	REVISED TO COA	21.02.2019
1	COA	17.01.2019
NO.	ISSUED FOR	DD.MM.YY

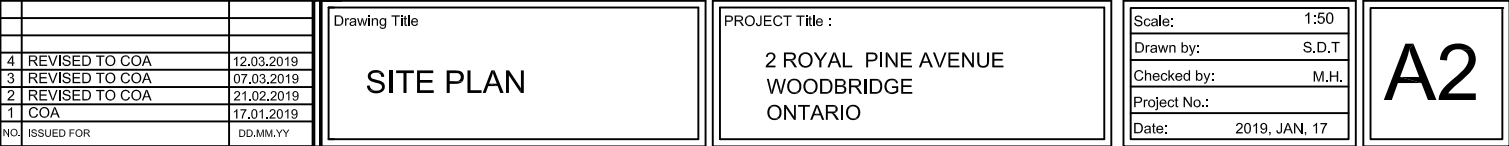
Drawing Title
SITE PLAN

PROJECT Title :
2 ROYAL PINE AVENUE
WOODBIDGE
ONTARIO

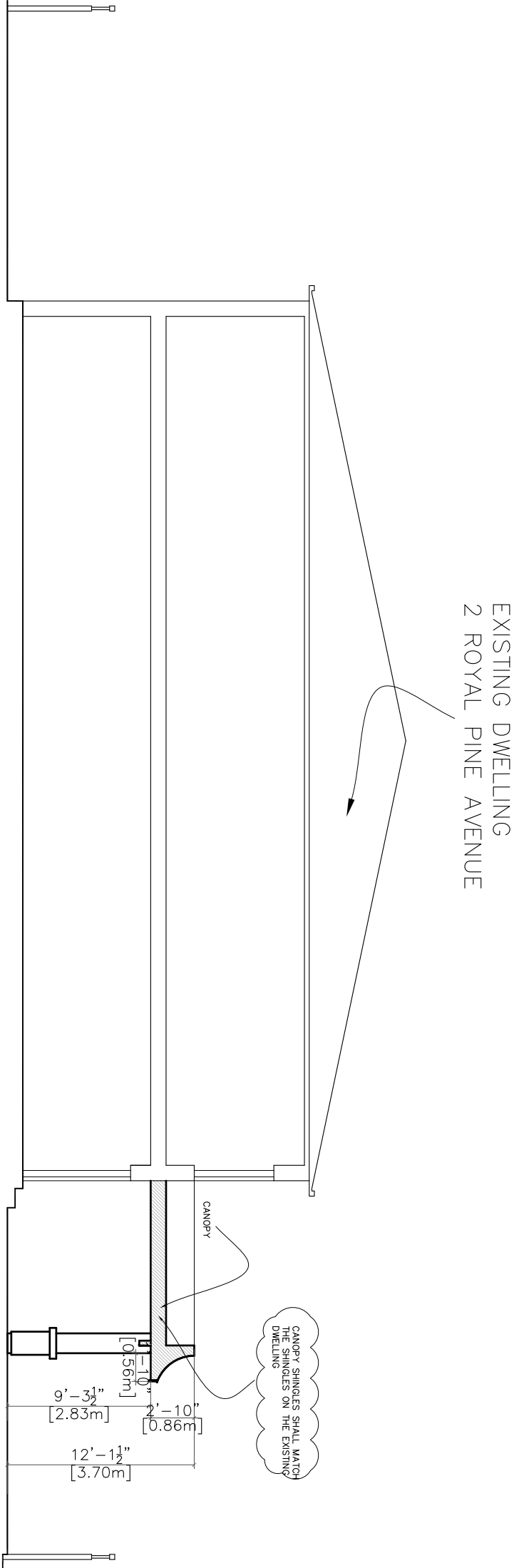
Scale:	1:100
Drawn by:	S.D.T
Checked by:	M.H.
Project No.:	
Date:	2019, JAN, 17

A1
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REVISED MARCH 19, 2019



4	REVISED TO COA	12.03.2019
3	REVISED TO COA	07.03.2019
2	REVISED TO COA	21.02.2019
1	COA	17.01.2019
NO.	ISSUED FOR	DD.MM.YY

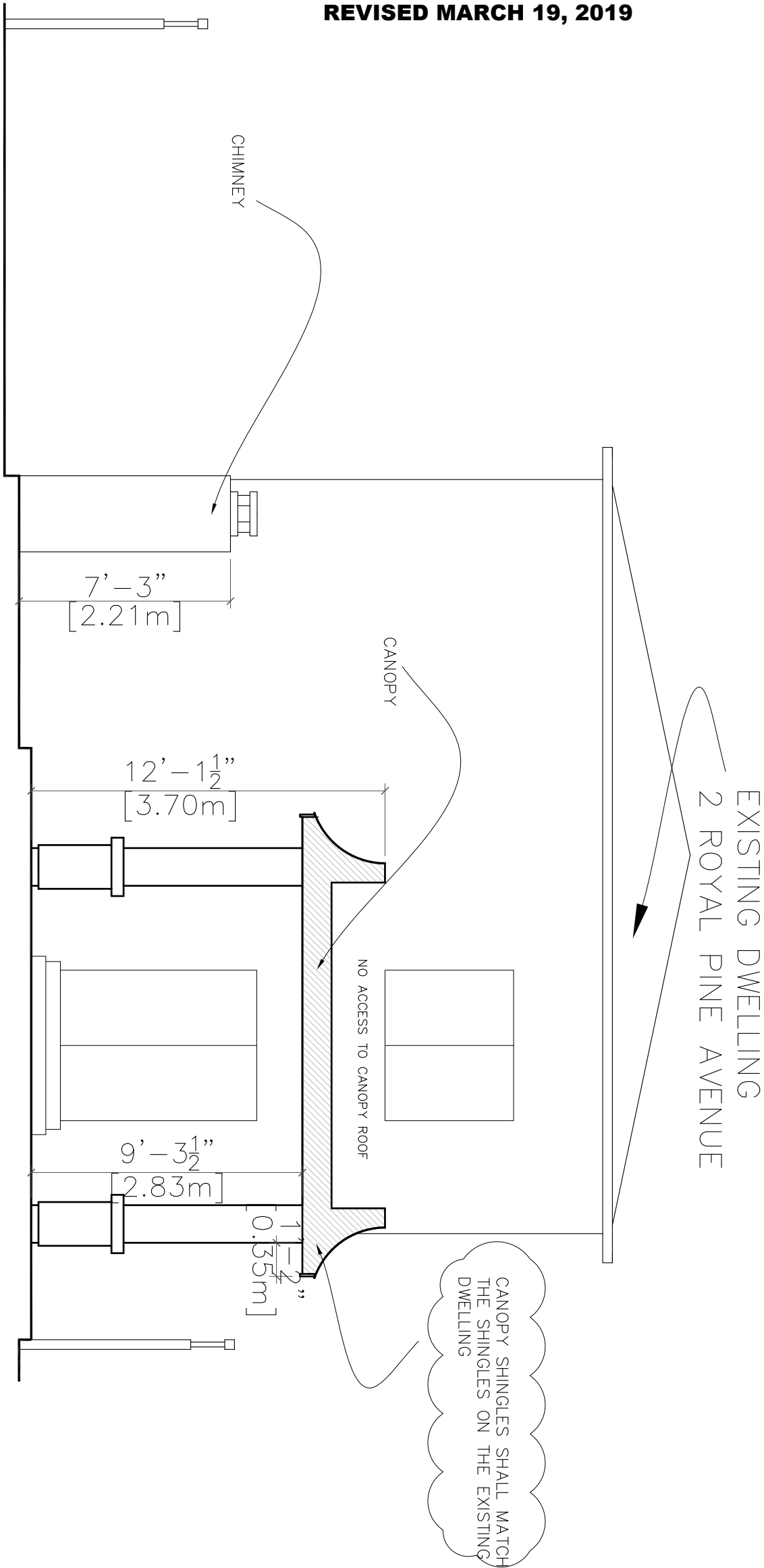
Drawing Title
SECTION B

PROJECT Title :
2 ROYAL PINE AVENUE WOODBIDGE ONTARIO

Scale:	1:100
Drawn by:	S.D.T
Checked by:	M.H.
Project No.:	
Date:	2019, JAN, 17

A3

REVISED MARCH 19, 2019



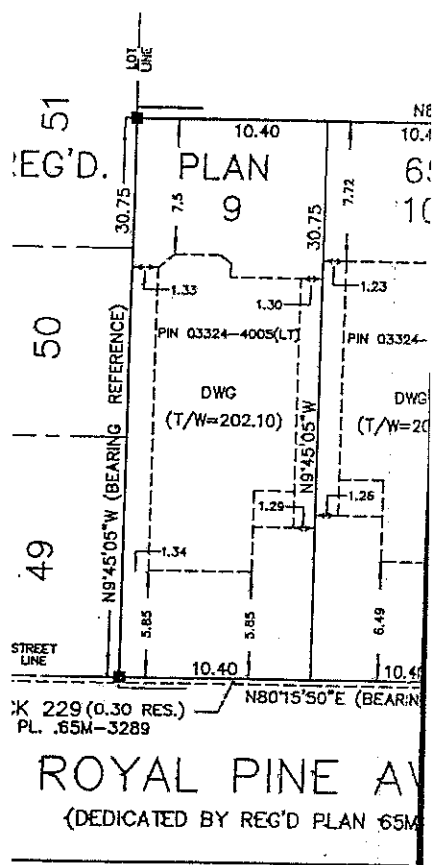
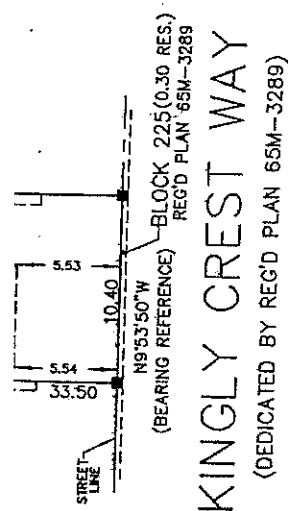
4	REVISED TO COA	12.03.2019
3	REVISED TO COA	07.03.2019
2	REVISED TO COA	21.02.2019
1	COA	17.01.2019
NO.	ISSUED FOR	DD.MM.YY

Drawing Title
SECTION A

PROJECT Title :
2 ROYAL PINE AVENUE WOODBRIDGE ONTARIO

Scale:	1:50
Drawn by:	S.D.T
Checked by:	M.H.
Project No.:	
Date:	2019, JAN, 17

A4
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ALL FOUND OR PLANTED MONUMENTS SHOWN HEREON ARE IRON BARS UNLESS NOTED OTHERWISE.  
 ALL FOUND MONUMENTS SHOWN HEREON WERE PLANTED BY GUIDO PAPA, O.L.S., UNLESS NOTED OTHERWISE.  
 ALL BOUNDARY INFORMATION SHOWN HEREON HAS BEEN SET OR MEASURED IN ACCORDANCE WITH PLAN 65M-3423 UNLESS NOTED OTHERWISE.



SURVEYOR'S REAL PROPERTY REPORT  
 PART 1  
 PLAN OF  
 LOTS 9, 10, 11 AND 62  
 REGISTERED PLAN 65M-3423  
 CITY OF VAUGHAN  
 REGIONAL MUNICIPALITY OF YORK



SCALE = 1:300

PART 2 THIS PLAN MUST BE READ IN CONJUNCTION WITH REPORT DATED JAN. 5, 2001

THIS REPORT HAS BEEN PREPARED FOR ROYAL PINE HOMES AND GUIDO PAPA SURVEYING LTD. ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

NOTE: This report can be updated by this office, however NO ADDITIONAL PRINTS of this ORIGINAL REPORT will be issued subsequent to the DATE OF CERTIFICATION.

METRIC: DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.

2. THE SURVEY WAS COMPLETED ON THE 4 DAY OF JAN., 2001

DATE: JANUARY 5, 2001

*Guido Papa*  
 GUIDO PAPA  
 ONTARIO LAND SURVEYOR

NOTE:

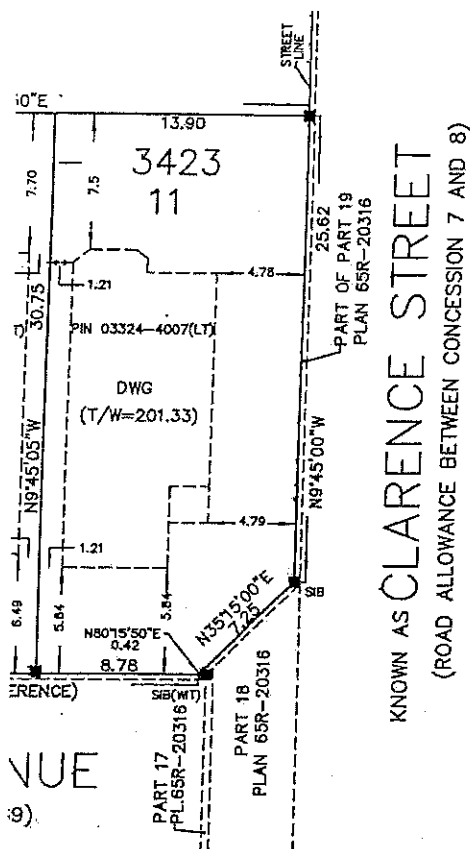
BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE WESTERLY LIMIT OF LOT 9 AS SHOWN ON R.PL.65M-3423, HAVING A BEARING OF N09°45'05\"/>

DENOTES	
■	SURVEY MONUMENT FOUND
□	SURVEY MONUMENT PLANTED
SIB	STANDARD IRON BAR
IB	IRON BAR
CN	CONCRETE NAIL
GP	GUIDO PAPA, O.L.S.
DWG.	DWELLING UNDER CONSTRUCTION
T/W	POURED CONC. FDN., UNLESS NOTED OTHERWISE
	TOP OF FOUNDATION WALL(GEODETIC ELEVATION)

GUIDO PAPA SURVEYING LTD.  
 ONTARIO LAND SURVEYOR

NO. 216 CHRISLEA ROAD, SUITE 505, WOODBRIDGE, ONTARIO L4L 8S5 TEL. (905)264-2727 FAX. (905)264-2728

DRAWN E.G. CHECKED G.P. REF. NO. 00-177-22



**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.

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Located outside of MTO permit control area



### COMMENTS:

☐

We have reviewed the proposed Variance Application and have no comments or objections to its approval.

☒

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

☐

We have reviewed the proposed Variance Application and have the following concerns (attached below).

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

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

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

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

#### References:

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

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

Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto: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](mailto:tony.donofrio@alectrautilities.com)

## Attwala, Pravina

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**Subject:** FW: Response to A012/19 - REQUEST FOR COMMENTS  
**Attachments:** A012-19 - Circulation.pdf

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

**Sent:** March-27-19 2:50 PM

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

**Subject:** FW: Response to A012/19 - REQUEST FOR COMMENTS

Good Afternoon Pravina,

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

Regards,

Gabrielle

**Attwala, Pravina**

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**Subject:** FW: A012/19 - REQUEST FOR COMMENTS

**From:** Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>  
**Sent:** March-04-19 9:44 AM  
**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Cc:** Mazzotta, Rob (MTO) <Rob.Mazzotta@ontario.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>  
**Subject:** RE: A012/19 - REQUEST FOR COMMENTS

**RE: A012/19 – REQUEST FOR COMMENTS**  
**2 Royal Pine Ave.**  
**Woodbridge, Ontario**  
**Minor Variance Application**

Hi Pravina,

The Request for Comments for the above noted Minor Variance application has been reviewed and the Ministry has no comments or concerns at this time. The proposed construction will not require a Building and Land Use Permit from the Ministry.

Regards,

KEVIN SCHOLZ  
Corridor Management Officer | Ministry of Transportation | Central Region | Corridor Management  
P: (416) 235-5383 | F: (416) 235-4267 | [Kevin.Scholz@Ontario.ca](mailto:Kevin.Scholz@Ontario.ca)  
159 Sir William Hearst Ave. - Building D M3M 0B7