ITEM: 6.7

# COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A115/23 44 VAUGHAN MILLS RD, WOODBRIDGE

### 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	$\boxtimes$	$\boxtimes$		General Comments
Building Standards (Zoning Review)	$\boxtimes$			General Comments
Building Inspection (Septic)	$\boxtimes$			No Comments Received to Date
Development Planning	$\boxtimes$	$\boxtimes$		Recommend Approval/No Conditions
Development Engineering	$\boxtimes$	$\boxtimes$		Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	$\boxtimes$			General Comments
By-law & Compliance, Licensing & Permits	$\boxtimes$			No Comments Received to Date
Development Finance	$\boxtimes$	$\boxtimes$		General Comments
Real Estate				
Fire Department	$\boxtimes$			No Comments Received to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	$\boxtimes$	$\boxtimes$	$\boxtimes$	Recommend Approval w/Conditions
Ministry of Transportation (MTO)				
Region of York	$\boxtimes$			No Comments Received to Date
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
·			i e	
Metrolinx				
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
Applicant	Parminder Rai	44 Vaughan Mills Road	08/30/2023	Planning Justification Report & Photos
Public	Paramraj Gill	64 Vaughan Mills Road	08/23/2023	Letter of Support
Public	Rajwinder Rai & Parmjit Rai	40 Vaughan Mills Road	08/23/2023 08/28/2023	Letters of Support

#### **PUBLIC & APPLICANT CORRESPONDENCE**

\*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

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Public	Kamran Basiri	08/28/2023 08/30/2023	Letters of Objection & Photos
Public	Paramraj Gill		Letters of Support

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
*Please see <b>Schedule D</b> for a copy of the Decisions listed below		
File Number	Date of Decision	Decision Outcome
	MM/DD/YYYY	
None		

ADJOURNMENT HISTORY		
* Previous hearing dates w	where this application was adjourned by the Committee and public notice issued.	
August 31, 2023	Minor Variance Application A115/23 was adjourned by the	
	Committee of Adjustment to September 21, 2023, to permit time	
	for Development Planning to conduct site visit to confirm	
	dimensions of cabana and provide photographic evidence to	
	Committee.	



#### COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A115/23

#### 44 VAUGHAN MILLS RD, WOODBRIDGE

ITEM NUMBER: 6.7	CITY WARD #: 2
APPLICANT:	Parminder Rai
AGENT:	Peter Vozikas, Empire Design Company
PROPERTY:	44 Vaughan Mills Road, Woodbridge
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	None
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 R2A(EN), Second Density Residential Zone and subject to the provisions of Exception 14.426 under By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum interior side yard setback required is	To permit a minimum interior side yard
	2.4 metres. [Section 4.1.2]	setback of 0.61 metres to an accessory
		building (Cabana).

#### **HEARING INFORMATION**

**DATE OF MEETING:** Thursday, September 21, 2023

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Woodbridge Room (2<sup>nd</sup> Floor), 2141 Major Mackenzie Drive

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

To speak electronically, pre-registration is required by completing the Request to Speak Form on-line and submitting it to cofa@vaughan.ca no later than NOON on the last business day before the meeting.

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY OR SUBMIT WRITTEN COMMENTS 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.

#### **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:	September 7, 2023	
Date Applicant Confirmed Posting of Sign:	August 8, 2023	
Applicant Justification for Variances: *As provided by Applicant in Application Form	The current zoning bylaw requires ar structure to maintain a side yard setb section 4.1.2	,
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 on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.		
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.  An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the		
Committee or staff <b>after</b> the issuance of public no		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:  None		

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

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	None

#### **DEVELOPMENT ENGINEERING COMMENTS**

<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u>
A grading permit will not be required for the proposed cabana, as the applicant has already obtained approval from Development Engineering.

The Development Engineering (DE) Department does not object to the variance application A115/23.

Development Engineering Recommended Conditions of Approval:

None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS		
Forestry has no comment at this time.		
PFH Recommended Conditions of Approval:	None	

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

BY-LAW AND COMPLIANCE, LICE	ENSING AND PERMIT SERVICES COMMENTS			
No comment no concerns.				
BCLPS Recommended Conditions of Approval:	None			

BUILDING INSPECTION (SEPTIC) COMMENTS			
No comment no concerns.			
Building Inspection Recommended Conditions of Approval:	None		

FIRE DEPARTMENT COMMENTS				
No comment no concerns.				
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							
requi	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	TRCA	That the applicant provides the required fee					
	Kristen.Regier@trca.ca	amount of \$660.00 payable to the Toronto and					
		Region Conservation Authority					

#### **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.

#### **IMPORTANT INFORMATION - PLEASE READ**

**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.

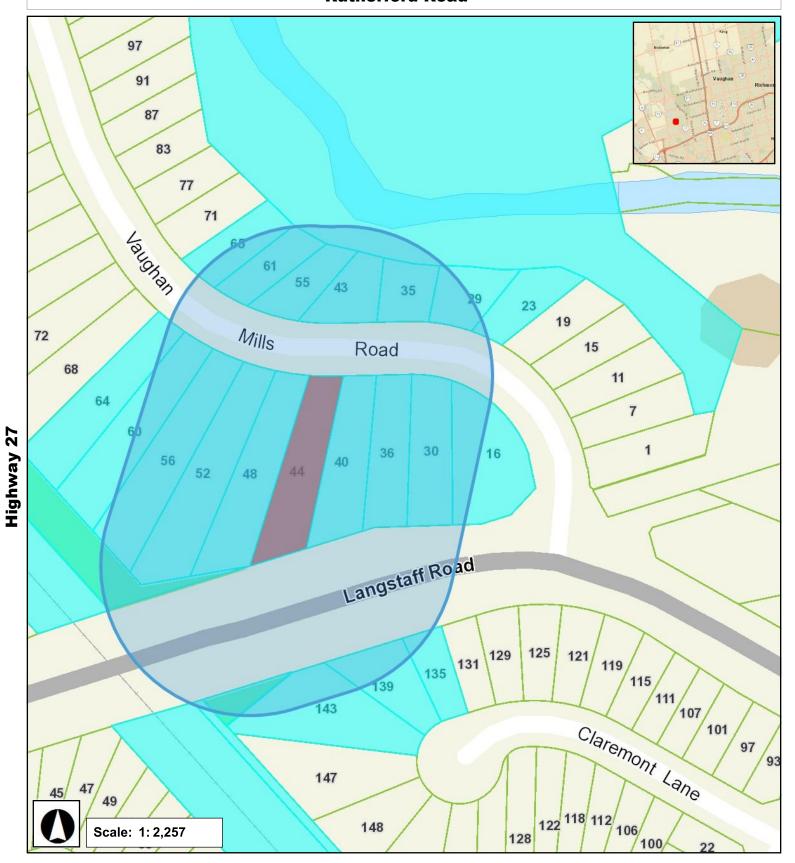
**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

### **SCHEDULE A: DRAWINGS & PLANS**



## VAUGHAN LOCATION MAP - A115/23

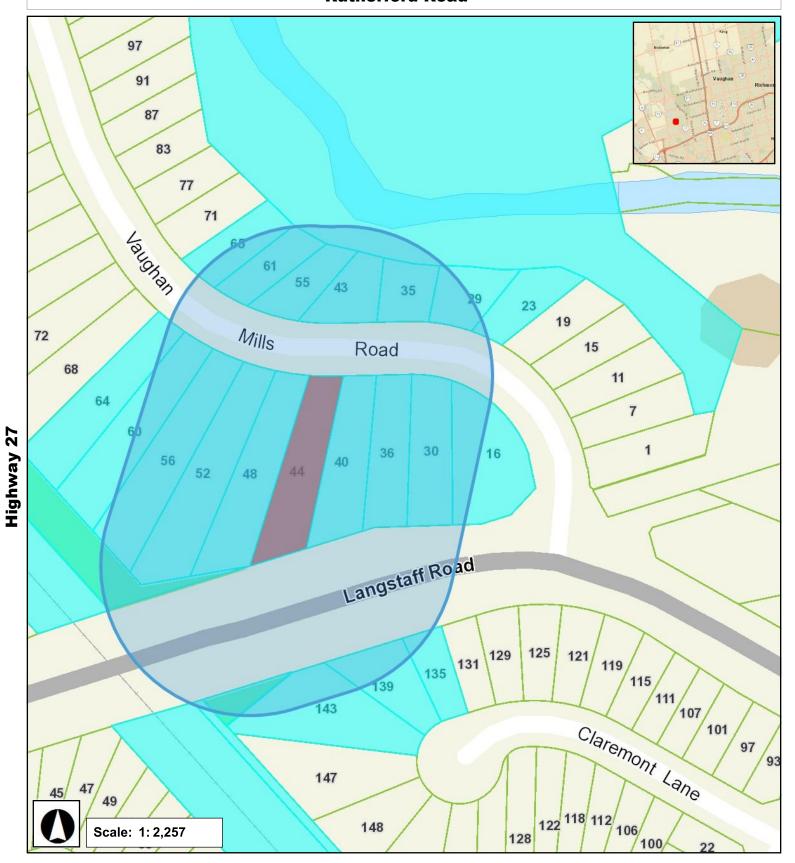
44 VAUGHAN MILLS ROAD, WOODBRIDGE **Rutherford Road** 

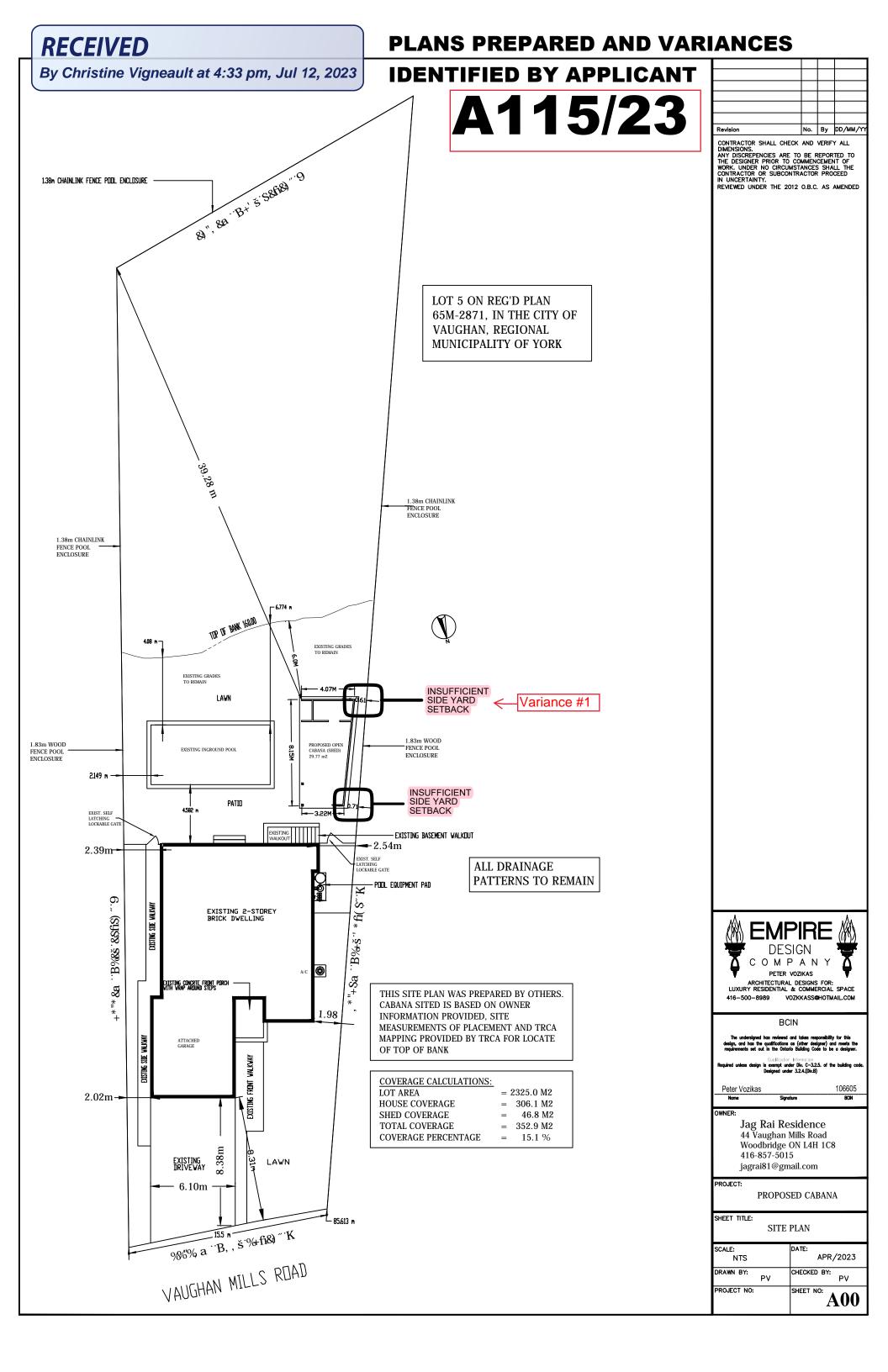


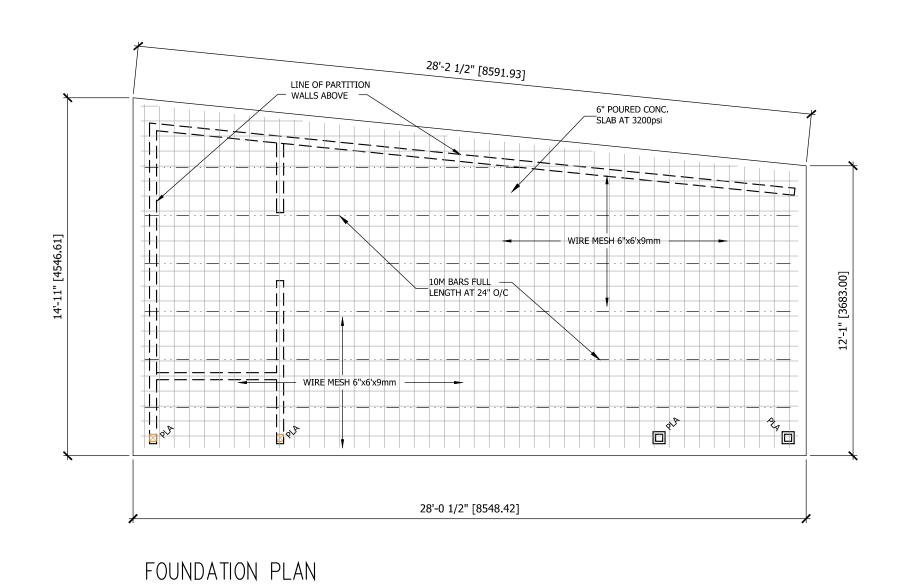


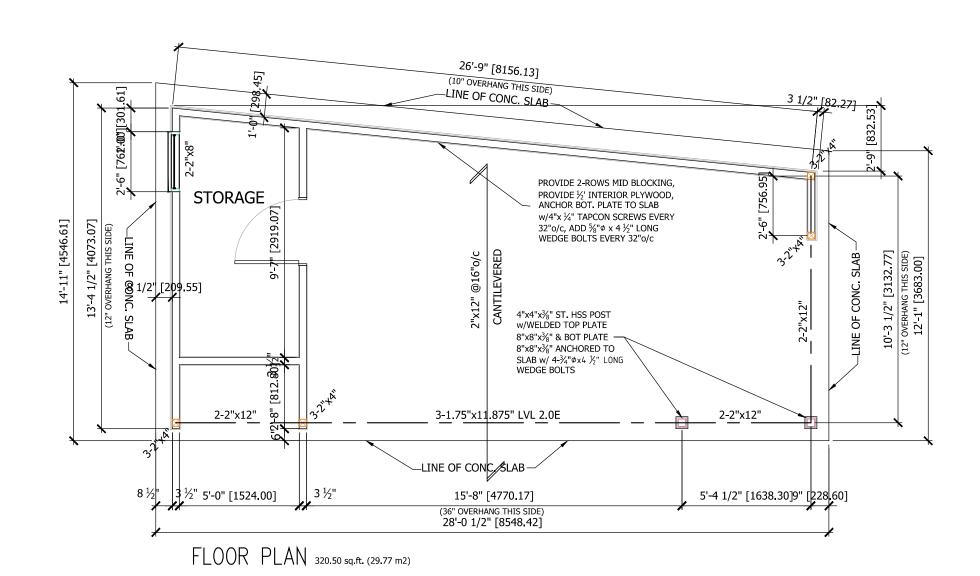
## VAUGHAN LOCATION MAP - A115/23

44 VAUGHAN MILLS ROAD, WOODBRIDGE **Rutherford Road** 







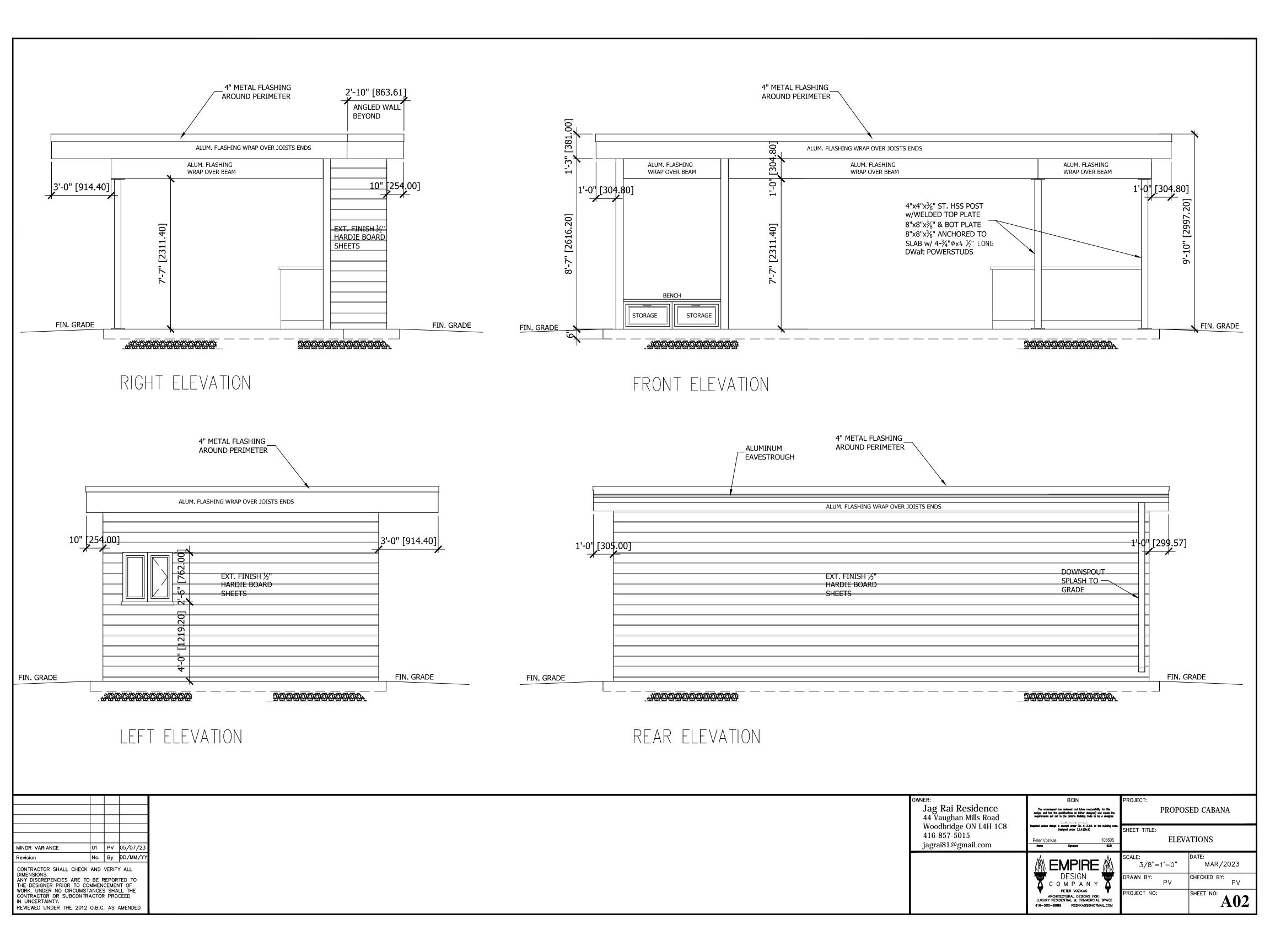


4" METAL FLASHING\_ AROUND PERIMETER 2"x12"@16"o/c CUT\_ DOWN TO 2"x8" AT REAR \_EAVESTROUGH 2"x4" BUILT-UP PARAPET 1'-3' [381,00] PROVIDE SIMPSON 10" 253 00]
HURRICANE
HANGERS DOUBLE 2"x4"
TOP PLATE 3-1.75"x11.875" LVL BEAM w/2"x2" 3'-0" [914.40] PROVIDE SIMPSON HURRICANE HANGERS FRAMING & ½" PLY. w/ALUM. FINISH DOWNSPOUT SPLASH TO — GRADE 2"x4" @16"o/c w/ ½" | 50 EXT. PLY & ½" | 51 HARDIE BOARD FIN. | 51 4"x4"x3%" ST. HSS POST W/WELDED TOP PLATE 8"x8"x3%" & BOT PLATE 8"x8"x3%" ANCHORED TO SLAB W/ 4-34"\$\phi x4 \( \frac{\psi}{2} \)" LONG DWalt POWERSTUDS 2"x4" BOT. PLATE RAMSET INTO
CONC. @16"o/c
STAGGERED 6" POURED CONC.

CROSS SECTION

MINOR VARIANCE 01 PV 05/07/23	OWNER: Jag Rai Residence 44 Vaughan Mills Road Woodbridge ON L4H 1C8 416-857-5015 jagrai81@gmail.com	BCIN  The undersigned has reviewed and takes responsibility for this design, and has the qualifications as (other designer) and meets the requirements set out in the Ontario Building Code to be a designer.  Qualification in Foresidae.  Required unless design is evernpt under Div. C-3.2.5, of the building code. Designed under 3.2.4.(Div.B)  Peter Vozikas  106605  Nome  Signature BCN	PROJECT: PROPOSED CABANA  SHEET TITLE: FLOOR PLANS & SECTION
Revision No. By DD/MM/YY  CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS. ANY DISCREPENCIES ARE TO BE REPORTED TO THE DESIGNER PRIOR TO COMMENCEMENT OF WORK. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR OR SUBCONTRACTOR PROCEED IN UNCERTAINTY. REVIEWED UNDER THE 2012 O.B.C. AS AMENDED		A COMPANY A	SCALE: $1/4"=1'-0"$ DATE: $MAR/2023$ DRAWN BY: $PV$ CHECKED BY: $PV$ PROJECT NO: $SHEET NO:$ $A01$

8" COMPACTED — CRUSHED CLEAR STONE BASE



# PHOTOS FROM PLANNING SITE VISIT



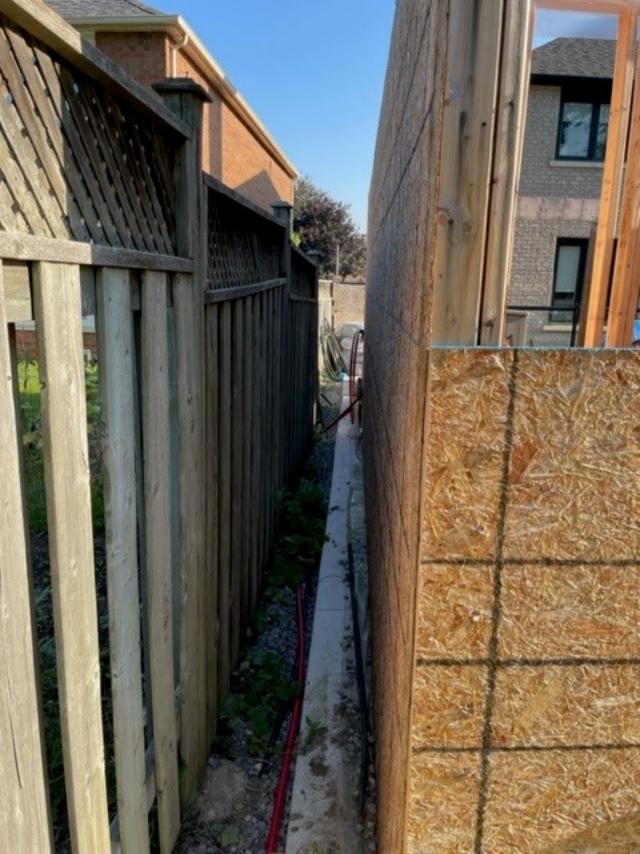






















































SCHEDULE B: STAFF & AGENCY COMMENTS						
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments		
TRCA *Schedule B			$\boxtimes$	Recommend Approval w/Conditions		
Ministry of Transportation (MTO) *Schedule B						
Region of York *Schedule B				No Comments Received to Date		
Alectra *Schedule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



**Date:** July 13<sup>th</sup> 2023

Attention: Christine Vigneault

**RE:** Request for Comments

File No.: A115-23

**Related Files:** 

**Applicant** Empire Design Company

**Location** 44 Vaughan Mills Road



#### **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

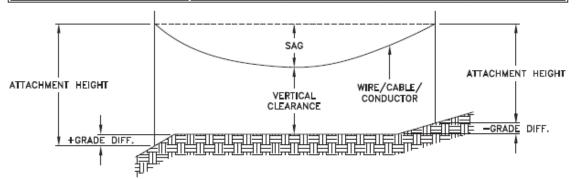


Power Stream 1

## Construction Standard

03-1

	SYSTEM VOLTAGE				
LOCATION OF WIRES, CABLES OR CONDUCTORS	SPAN GUYS AND COMMUNICATIONS WIRES		4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV	
	MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)				
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm	
OVER GROUND ACCESSIBLE TO PEDESTRIANS AND BICYCLES ONLY	250cm	310cm	340cm	370cm	
ABOVE TOP OF RAIL AT RAILWAY CROSSINGS	730cm	730cm	760cm	810cm	



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG

- + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
  ± GRADE DIFFERENCE

- + 0.3m (VEHICLE OR RAILWAY LOCATION) + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

#### NOTES:

- THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
- 2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER  $\underline{\text{MAXIMUM SAG}}$  CONDITIONS.
- 3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH
- 4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

<u>\G</u>	340cm	11'-4"			
	310cm	10'-4"			
VALUES.	250cm	8'-4"			
VALUES.					
REFERENCES					
SAGS AND T	FNSIONS 1	SECTION 02			

METRIC

810cm

760cm 730cm

520cm 480cm

442cm 370cm

CONVERSION TABLE

IMPERIAL (APPROX)

27'-0" 25'-4"

24'-4" 17'-4"

15'-5" 12'-4"

## MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

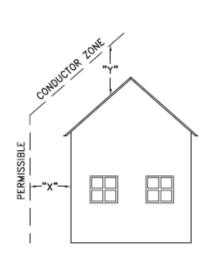
ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

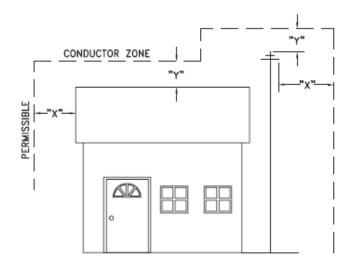
Certificate of Approval This construction Standard meets the safety requirements of Section 4 of Regulation 22/04			
Joe Crozier, P.Eng. Name	2012-JAN-09 Date		
P Fng. Approval By:	Ine Crozier		



## Construction Standard

03 - 4





VOLTAGE	MINIMUM HORIZONTAL CLEARNACE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

#### NOTES

- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
- 2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
- THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
- 4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
- IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
- 6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
- 7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

ON TABLE	
IMPERIAL	
(APPROX)	
16'-0"	
10'-0"	
8'-4"	
3'-4"	

## MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

ORIGINAL ISSUE DATE: 2010—MAY—05 REVISION NO: REVISION DATE:
PEgystem Planning and Standards/Standard Design/PowerStream Standards/working (abbr/Scellan 3/3-4/c/wg d3-4 Ro May 5, 2010, dwg, %/3/2010 8/2/202 AM, Adobe POF



To: Committee of Adjustment

From: Christian Tinney, Building Standards Department

**Date:** July 12, 2023

Applicant: EMPIRE DESIGN COMPANY

**Location:** 44 Vaughan Mills Road

PLAN 65M2871 Lot 5

**File No.(s):** A115/23

#### **Zoning Classification:**

The subject lands are zoned R2A(EN), Second Density Residential Zone and subject to the provisions of Exception 14.426 under By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum interior side yard setback required is 2.4 metres.	To permit a minimum interior
	[Section 4.1.2]	side yard setback of 0.61 metres
		to an accessory building
		(Cabana).

#### **Staff Comments:**

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

Order No. 23-115687, Order to Comply for Construction of a cabana and a below grade entrance to the basement has been undertaken in the backyard of the house prior to obtaining the required building permit., Issue Date: May 02, 2023

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

Building Permit No. 23-118068 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)

#### **Other Comments:**

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

## **Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

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





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

From: Nancy Tuckett, Director of Development Planning

**Date:** August 22, 2023

Name of Owner: Bhupinder Rai

**Location:** 44 Vaughan Mills Road

File No.(s): A115/23

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

1. To permit a minimum interior side yard setback of 0.61 metres to an accessory building (Cabana).

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

1. The minimum interior side yard setback required is 2.4 metres.

#### Official Plan:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13 – Land Use, and "Built-Up Valley Lands" by Schedule 2 – Natural Heritage Network

#### **Comments:**

The Owner is requesting relief to permit the construction of a residential accessory structure (cabana) with the above noted variance.

The Development Planning Department has no objection to Variance 1 to permit a minimum interior side yard setback of 0.61 m for the cabana. The proposed accessory structure meets the maximum height requirements as well as the maximum lot coverage requirements of Zoning By-law 001-2021.

The setback reduction is not anticipated to pose adverse visual or massing impacts to the neighbouring properties and an appropriate area for maintenance access is maintained.

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:**

Nicholas Del Prete, Planner I David Harding, Senior Planner



July 26, 2023 CFN 68446.26 X-Ref: CFN 69144, 67114

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

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

Dear Christine:

Re: Minor Variance Application A115.23
44 Vaughan Mills Road
PLAN 65M2871, Lot 5
City of Vaughan, Region of York
Applicant: Empire Design Company

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on July 11, 2023. TRCA staff have reviewed the application and offer the following comments for the consideration of the Committee of Adjustment.

#### **Purpose of the Application**

It is our understanding that the purpose of the above noted application is to request the following variances under By-Law 001-2021:

- To permit a maximum building height of 3.052 metres, whereas the maximum building height permitted of an accessory building is 3.0 metres.
- To permit a minimum interior side yard setback of 0.61 metres to an accessory building, whereas the minimum interior side yard setback required is 2.4 metres.

The noted variances are being requested to facilitate the construction of a cabana at the rear of an existing dwelling.

#### **Ontario Regulation 166/06**

A portion of the subject property is located within TRCA's Regulated Area due to a valley corridor associated with a tributary of the Humber River. In accordance with 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.

#### **Application-Specific Comments**

TRCA issued a permit for the construction of a cabana on May 17, 2023 (TRCA Permit No. C-230495).

Based on a review of the plans submitted with this variance, the noted works are consistent with the plans that were approved as part of TRCA Permit No. C-230495. As such, TRCA has no concerns with the proposed variance.

#### 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 \$660.00 (Minor 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 on the comments noted above, TRCA provides conditional approval to the approval of Minor Variance Application A115.23 subject to the following conditions:

1. That the applicant provides the required fee amount of \$660.00 payable to the Toronto and Region Conservation Authority.

We trust these comments are of assistance. Should you have any questions, please contact me at 437-880-2129 or at Kristen.regier@trca.ca

Sincerely,

Kristen Regier

Kristen Regier

Planner I

**Development Planning and Permits** 

KR/sb

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE					
Applicant	Parminder Rai	44 Vaughan Mills Road	08/30/2023	Planning Justification Report & Photos	
Public	Paramraj Gill	64 Vaughan Mills Road	08/23/2023	Letter of Support	
Public	Rajwinder Rai & Parmjit Rai	40 Vaughan Mills Road	08/23/2023 08/28/2023	Letters of Support	
Public	Kamran Basiri	48 Vaughan Mills Road	08/28/2023 08/30/2023	Letters of Objection & Photos	
Public	Paramraj Gill	64 Vaughan	08/23/2023	Letters of Support	





## **Planning Justification Report**

Committee of Adjustment Minor Variance for

Parminder Rai

44 Vaughan Mills Road, Vaughan, Ontario

Attention: Committee of Adjustment

Date: August 29, 2023

#### INTRODUCTION

Empire Design Company has been retained by the owner of 44 Vaughan Mills Road to provide a planning justification report for the proposal of a detached accessory structure to the side yard in the rear amenity space.

Our proposal is for a new cabana structure which requires variances for the following:

Insufficient side vard setback

The requested variance is close in comparison and relation to neighboring properties within the surrounding district. There are similarities amongst the majority of dwellings along the streetscape of Vaughan Mills Road having a similar proposal as ours and we feel that we are not out of character in this instance.

Based on the four tests of the Planning Act s45, testing for a minor variance, we have evaluated the requested variances against these tests, as follows:

#### 1. Is the variance minor in nature?

The proposed variance will not increase the massing on the property where it is considered as over-development within the planning and zoning requirements. The cabana roof structure should not pose any interference for coverage or visibility or reduction of sunlight to the adjacent opposing neighbor. The proposed insufficient side yard setback will not visually pose any impact of massing as the wall height is less than 48" above the top of the existing fence height.

Based on this, we feel the variance can be considered minor in nature.

#### 2. Does the variance maintain the intent and purpose of the Official Plan?

Our proposal will be compatible and complimentary with respect to size, width and length in relation to the lot size and building and will not adversely affect the designation of the official plan. This proposal in scale, height, massing and architectural character will resemble similar structures within the surrounding district. We feel that our proposal does not pose any impact but blends into the character of the neighborhood.

We are in the opinion that this variance meets the intent and purpose of the Official Plan.

#### 3. <u>Does the variance meet the intent and purpose of the Zoning Bylaw?</u>

The side yard setback does not meet the requirements of the zoning bylaw. This reduction in side yard setback is necessary in order to place the structure away from the pool edge as required by law. In addition, there is no area further into the rear yard to place the structure due to conservation limitations.

Based on this, we feel that our proposal still maintains the general intent and purpose of the Zoning Bylaw.

#### 4. Is the variance desirable for the appropriate development of the lands?

Our proposal of a detached one storey structure will be most desirable within this scope. Having a low pitched flat roof will be more appealing the adjacent opposing neighbor to provide ample natural light upon the neighboring property rather than a sloped pitched roof. The proposed cabana is set back from the existing property line to maintain the current surface drainage patterns. There will be no adversity in drainage patterns.

Therefore, we believe this variance is currently desirable for the appropriate development of the lands within this district.

#### **SUMMARY:**

#### PROPERTY LOCATION

The subject land is located between the Pine Grove and Elder Mills districts.

#### SURROUNDING LAND USES

All the lands within this property district are all urban with low density residential uses.

#### **PROPOSAL**

To erect a detached cabana structure.

#### OFFICIAL ZONING

The subject property is zoned [R2A] with exception 426 regulated under the current zoning bylaw.

#### **OFFICIAL PLAN**

Under the current land use policies, these lands are regulated as Second Density Residential.

#### **CONCLUSIONS**

The current zoning depicts a minimum side yard setback of 2.4M. In our instance, this cannot be achieved due to the existing conservation toe of slope and existing pool structure previously approved by the City of Vaughan.

In consideration, the cabana structure has been designed in such a way whereas not to pose any detriment to the opposing neighbor.

Further, the owner has progressed through all City procedures in order to allow this structure to be proposed.

Therefore, we feel that we have met the four tests of the Planning Act RSO 1990.

#### **IMAGES**:



**CURRENT GOOGLE MAPS IMAGE OF SURROUNDING LANDS** 



**CURRENT TRCA CONSERVATION MAP** 

This aerial identifies the current toe of slope offered by the conservation authority.

We feel that all efforts have been taken into account to allow our proposal to proceed without adversely affecting the neighboring properties and also meeting similar characteristics within the neighborhood and district.

Further, we feel that all owners and occupants within this desired district should be able to enjoy all the amenities of their rear yard with their families.

We are hoping the committee finds this application minor and favorable and grants permission for approval to proceed with this development.

Peter Vozikas Empire Design Company 416-500-8989 - (Agent for owner's)



From:

To:Committee of AdjustmentSubject:[External] Notice of hearingDate:August-23-23 4:50:25 PM

Hi I'm paramraj gill my address is 64 Vaughan mills rd

For file number A115/23 address 44 Vaughan mills rd ,I have no objections to this proposal I think it's great

Thank you

From:

To: <u>Committee of Adjustment</u>;

**Subject:** [External] File Number: A115/23 (44 Vaughan Mills Rd.)

**Date:** Monday, August 28, 2023 4:24:09 PM

Hi,

Myself Rajwinder Rai & My wife Parmjit Rai from 40 Vaughan Mills Rd fully support this application for a Cabana.

We feel it is great for the neighborhood and its great effect on property values going up and have no objections at all.

We can be reached @ if you have any questions.

Thanks,

Rajwinder Rai & Parmjit Rai

# RECEIVED

AUG 2 8 2023

VAUGHAN COMMITTEE
OF ADJUSTMENT

Kamran Basiri

48 Vaughan mills road

Vaughan Ontario I4h 1c8



2023/08/28

Committee of Adjustment

[City of Vaughan

2141 major Mackenzie drive

Vaughan Ontario 16a 1t1

Re: Application #A115/23 for Minor Variance - 44 Vaughan mills rod

Dear Members of the Committee of Adjustment,

I am writing to express my strong objection to the application #A115/23 for minor variance submitted by MR Parminder rai

In regards to the property located at 44 Vaughan mills road. The purpose of this letter is to articulate the concerns of myself and several other concerned neighbors regarding the proposed changes outlined in the application.

The proposed variance seeks to address issues related to the property line proximity, height, and setback requirements as stipulated by the relevant bylaws. However, I believe that the proposed changes are not only detrimental to the immediate our property but also to the overall character of the neighborhood and property values. I wish to highlight the following key points in support of my objection:

- **1-Blocking of View and Morning Sunlight:** The proposed construction's height and proximity to the property line would effectively block the view and morning sunlight for our properties, The loss of these natural elements would significantly diminish the quality of life for all affected residents.
- **2-Excessive Height and Setback Variance**: The requested variances for height and setback exceed the established bylaws. This would set a precedent for future developments in the area, potentially leading to a domino effect of similar requests, eroding the established standards for the neighborhood.
- **3-Negative Impact on Property Values**: The proposed changes have the potential to lower property values our property and surrounding homes due to their adverse effects on privacy, views, and overall aesthetic appeal. This would have a significant financial impact on homeowners who have invested in their properties with the expectation of certain standards being maintained.
- **4-Neighborhood Uniformity**: The proposed construction would create an incongruity within the neighborhood, disrupting the uniform character that residents have come to appreciate. This could undermine the sense of community and pride that has been fostered over the years.
- **5-Potential for Relocation**: It is worth noting that there appears to be ample space on the east or south side of the property where the construction could be relocated without infringing on setback requirements or causing undue harm to neighbors' enjoyment of their properties.
- **6-Unpermitted Construction**: There have been allegations of unpermitted construction on the property. I urge the committee to thoroughly investigate these claims before making any decisions regarding variances.

To support my objections, I have enclosed several photographs that illustrate the current state of the property, as well as its relationship to neighboring homes and the broader landscape. These images serve to provide a visual representation of the concerns raised in this letter.

In conclusion, I kindly request that the Committee of Adjustment carefully consider the potential ramifications of granting the requested variances. I implore you to prioritize the interests and well-being of the entire community over individual requests that may compromise the harmony and value of our neighborhood.

Thank you for your time and attention to this matter. I trust that you will make the best decision for our community's future.



48 Vaughan mills road

Vaughan Ontario l4h 1c8























## RECEIVED

AUG 2 8 2023

VAUGHAN COMMITTEE
OF ADJUSTMENT

Kamran Basiri

48 Vaughan mills road

Vaughan Ontario I4h 1c8



2023/08/28

Committee of Adjustment

[City of Vaughan

2141 major Mackenzie drive

Vaughan Ontario 16a 1t1

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Thank you for your time and attention to this matter. I trust that you will make the best decision for our community's future.



48 Vaughan mills road

Vaughan Ontario l4h 1c8























From: To:

Committee of Adjustment

Subject: [External] MINOR VARINCE APPLICATION A115/23 (44 Vaughan mills road)

**Date:** Wednesday, August 30, 2023 12:36:59 AM

Kamran Basiri

48 Vaughan mills road

Vaughan Ontario I4h 1c8



2023/08/30

Committee of adjustment

2141 major Mackenzie drive

Vaughan Ontario l6a 1t1

Subject: Objection to Minor Variance Application – 44 Vaughan mills road application A115/23

I am writing to express my strong objection to the recent minor variance application for the property located at 44 vaughan mills road . The variance in question pertains to the requested side yard setback reduction from 2.4 meters to 0.60 meters, representing 75% of the maximum allowance permitted by law. While this may be deemed a "minor" variance, I have significant concerns regarding the overall process and decision-making surrounding this application.

First and foremost, I would like to address the apparent lack of awareness regarding the application for height variances. In my conversations with two planners, namely David Harding and Nicholas Del Peroto, they both conveyed that they were not informed about any application for height variances related to the property in question. This raises serious doubts about the transparency and adherence to procedural norms during the evaluation of the application.

Furthermore, I have discovered that the development planning and permit department approved changes to the allowable heights for the property without the submission of a formal application. This raises questions about the department's commitment to upholding zoning regulations and ensuring that all developments are subject to the same rigorous assessment process.

I am also concerned that the planners responsible for this decision did not visit the site or consult with

neighboring property owners before making their determinations. This lack of on-site assessment and community consultation suggests a disregard for the potential impact of the proposed changes on the immediate environment and the residents who would be directly affected.

While the attached pictures attempt to illustrate that the setback reduction will result in adverse visual or massing impacts on neighboring properties, I believe that a more comprehensive analysis is required to accurately assess the potential consequences of these modifications.

In light of these concerns, I respectfully request the following:

A thorough review of the entire approval process for the minor variance application, including a reassessment of the height allowances that were granted.

An explanation for the apparent lack of awareness among planners regarding the application for height variances.

A commitment to conducting on-site assessments and engaging with neighboring property owners before arriving at any decisions related to such applications.

I believe that it is imperative to address these concerns to ensure that the development and modification of properties in our community adhere to the highest standards of transparency, fairness, and legality. I am dedicated to preserving the integrity of our neighborhood, and I trust that the development planning and permit department shares in this commitment.

Thank you for your attention to this matter. I eagerly await your response and the actions taken to address the issues I have raised. Should you require any additional information, please feel free to contact me via the provided contact details.

Sincerely,

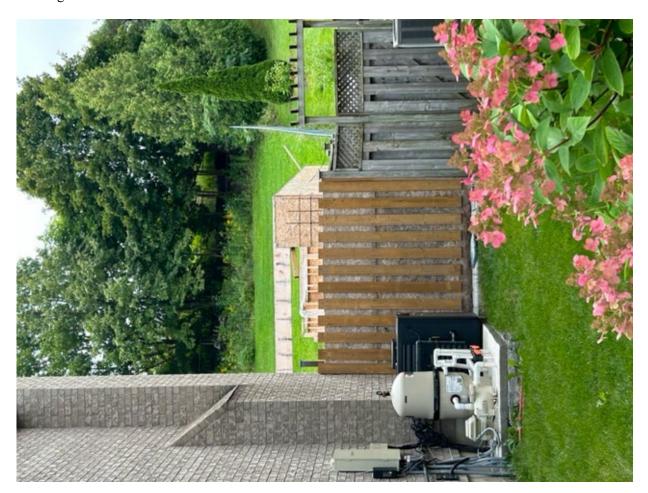
Kamran basiri

From: To:

[External] 44 Vaughan Mills road application #A115/23 Wednesday, August 30, 2023 11:29:15 AM Subject:

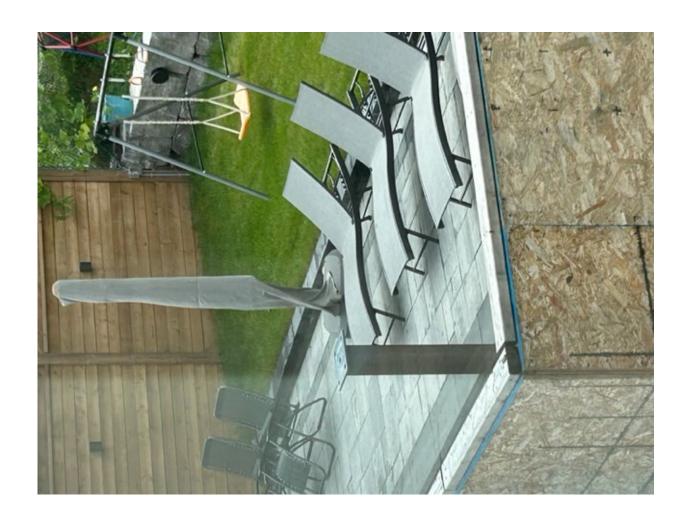
Date:

Good morning Christine here is some new pictures from other sides of subject property, also I am sorry you right those pictures are duplicated, my apology Best regards

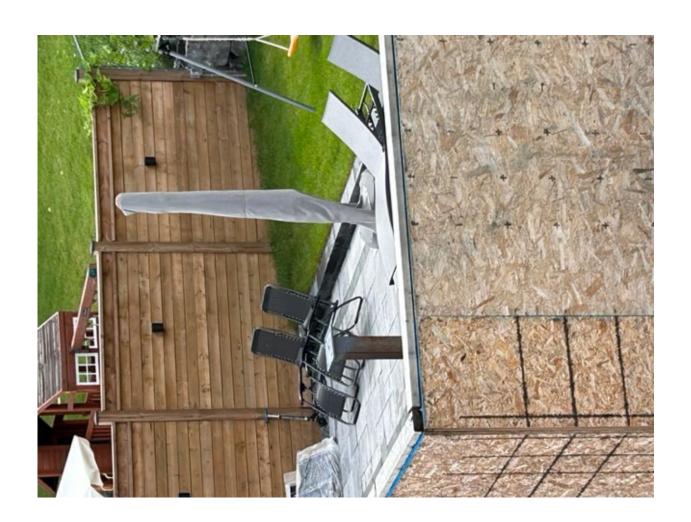


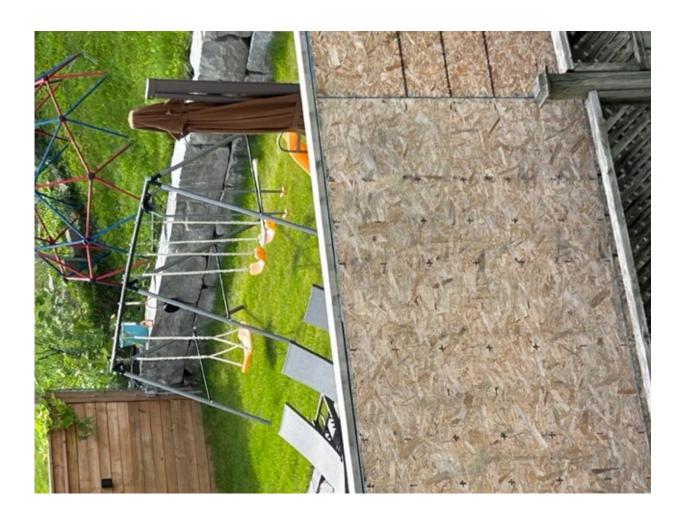












Sent from my iPhone

From:

To:Committee of AdjustmentSubject:[External] Notice of hearingDate:August-23-23 4:50:25 PM

Hi I'm paramraj gill my address is 64 Vaughan mills rd

For file number A115/23 address 44 Vaughan mills rd ,I have no objections to this proposal I think it's great

Thank you

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		