ITEM #: 6.6

COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A090/22 35 Autumn Wind Court, Kleinburg COA REPORT SUMMARY

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

*Please see Schedule B of this report for a copy of Staff 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	Х	Х		General Comments
Building Standards -Zoning Review *Schedule B	X	Х		General Comments
Building Inspection (Septic)	Х			No Comments Recieved to Date
Development Planning *Schedule B	Х	Х		Recommend Approval no Conditions
Development Engineering	Х	Х	Х	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	Х		General Comments
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	Х	Х		No Comments or Concerns
Real Estate				
Fire Department	Х	Х		General Comments
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
AGENCIES	Circulateu	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X	Comments Received	Conditions	No Comments Recieved to Date
			Conditions	
TRCA *Schedule B Ministry of Transportation	Х	X		No Comments Recieved to Date
TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B	X X		Conditions	No Comments Recieved to Date No Comments Recieved to Date
TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B	X X X	X		No Comments Recieved to Date No Comments Recieved to Date General Comments
TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B	X X X X	X		No Comments Recieved to Date No Comments Recieved to Date General Comments General Comments
TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B	X X X X	X		No Comments Recieved to Date No Comments Recieved to Date General Comments General Comments
TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B	X X X X	X		No Comments Recieved to Date No Comments Recieved to Date General Comments General Comments
TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B YCDSB *Schedule B	X X X X	X		No Comments Recieved to Date No Comments Recieved to Date General Comments General Comments
TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B YCDSB *Schedule B CN Rail *Schedule B	X X X X	X		No Comments Recieved to Date No Comments Recieved to Date General Comments General Comments
TRCA *Schedule B Ministry of Transportation (MTO) *Schedule B Region of York *Schedule B Alectra *Schedule B Bell Canada *Schedule B YRDSB *Schedule B YCDSB *Schedule B CN Rail *Schedule B CP Rail *Schedule B	X X X X X	X		No Comments Recieved to Date No Comments Recieved to Date General Comments General Comments No Comments Recieved to Date Image: State of the s

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 MM/DD/YYYY	Decision Outcome
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 A090/22 35 Autumn Wind Court, Kleinburg

FILE MANAGER: Adriana Bozzo, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.6	CITY WARD #: 1
APPLICANT:	Greeta Kay and Wentworth Graham
AGENT:	Nour Elgendy
PROPERTY:	35 Autumn Wind Court, Kleinburg
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
(2010) DESIGNATION.	
RELATED DEVELOPMENT APPLICATIONS:	None
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the construction of a proposed one storey sunroom addition.

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

The subject lands are zoned R1B – First Density Residential Zone and subject to the provisions of Exception 14.815 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
	No Variances under 001-2021	

The subject lands are zoned R1 –Residential Zone and subject to the provisions of Exception 9(1162) under Zoning By-law 1-88, as amended.

		Zoning By-law 1-88	Variance requested
Γ	1	The maximum permitted lot coverage is 35% of the lot area.	To permit a maximum lot
		Schedule A	coverage of 39% of the lot area.

HEARING INFORMATION

DATE OF MEETING: Thursday, July 7, 2022 **TIME:** 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan LIVE STREAM LINK: <u>Vaughan.ca/LiveCouncil</u>

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the <u>Request to Speak Form</u> and submit to <u>cofa@vaughan.ca</u> If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: <u>cofa@vaughan.ca</u>

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

THE DEADLINE TO <u>REGISTER TO SPEAK</u> OR <u>SUBMIT WRITTEN COMMENTS</u> ON THE ABOVE NOTED FILE(S) IS <u>NOON</u> ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

INTRODUCTION

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

That the general intent and purpose of the by-law will be maintained.

That the general intent and purpose of the official plan will be maintained.

That the requested variance(s) is/are acceptable for the appropriate development of the subject lands. That the requested variance(s) is/are minor in nature.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS			
Date Public Notice Mailed:	June 23, 2022		
Date Applicant Confirmed Posting of Sign:	June 21, 2022		
Applicant Justification for Variances: *As provided by Applicant in Application Form	Compromised useable living space.		
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 instance and zoning staff do not have an opportunity to re- issuance of public notice.	view and confirm variances prior to the		
*A revised submission may be required to addres part of the application review process.	ss staft / agency comments received as		
*Where a zoning review has not been completed provided to the applicant to adjourn the proposal			
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.			
Committee of Adjustment Comments:	None		
Committee of Adjustment Recommended Conditions of Approval:None			
BUILDING STAND	ARDS (ZONING) COMMENTS		
**See Schedule B for Building Standards (Zo	· · ·		
Building Standards Recommended None Conditions of Approval: Image: Condition of Approval in the sector of the sec			
DEVELOPMENT PLANNING COMMENTS **See Schedule B for Development Planning Comments.			
Development Planning Recommended Conditions of Approval:	None		
DEVELOPMENT	DEVELOPMENT ENGINEERING COMMENTS		

<u>Link to Grading Permit</u> <u>Link to Pool Permit</u> <u>Link to Curb Curt Permit</u> <u>Link Culvert Installation</u> As the proposed sunroom in the subject property is 28 m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition.

Development Engineering	The Owner/applicant shall submit the final Lot Grading
Recommended Conditions of	and/or Servicing Plan to the Development Inspection and
Approval:	Lot Grading division of the City's Development
	Engineering Department for final lot grading and/or
	servicing approval prior to any work being undertaken on
	the property. Please visit or contact the Development

DEVELOPMENT ENGINEERING COMMENTS			
Link to Grading Permit Link to Pool Pe	rmit Link to Curb Curt Permit Link Culvert Installation		
	Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.		

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS		
Parks: No comments		
Forestry: Forestry has no comment at this t	ime.	
Horticulture: No comments		
PFH Recommended Conditions of Parks: No comments		
Approval:	Forestry: None	
Horticulture: No Comments		

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None
BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	

No Comments

BCLPS Recommended Conditions of Approval:

None

BUILDING INSPECTION (SEPTIC) COMMENTS

No comments Building Inspection Recommended Conditions of Approval:

None

FIRE DEPARTMENT COMMENTS

No Comments, 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 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 Engineering farzana.khan@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 approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

grading permit link provided above to learn how to apply for lot grading and/or servicing approval.

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.

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

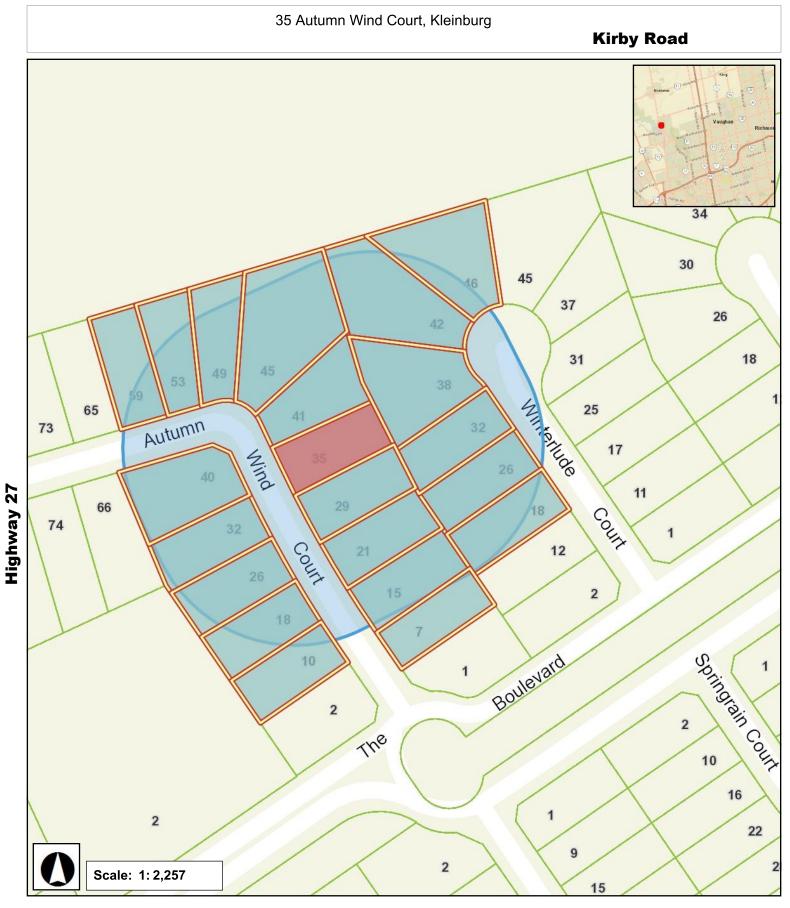
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the 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.

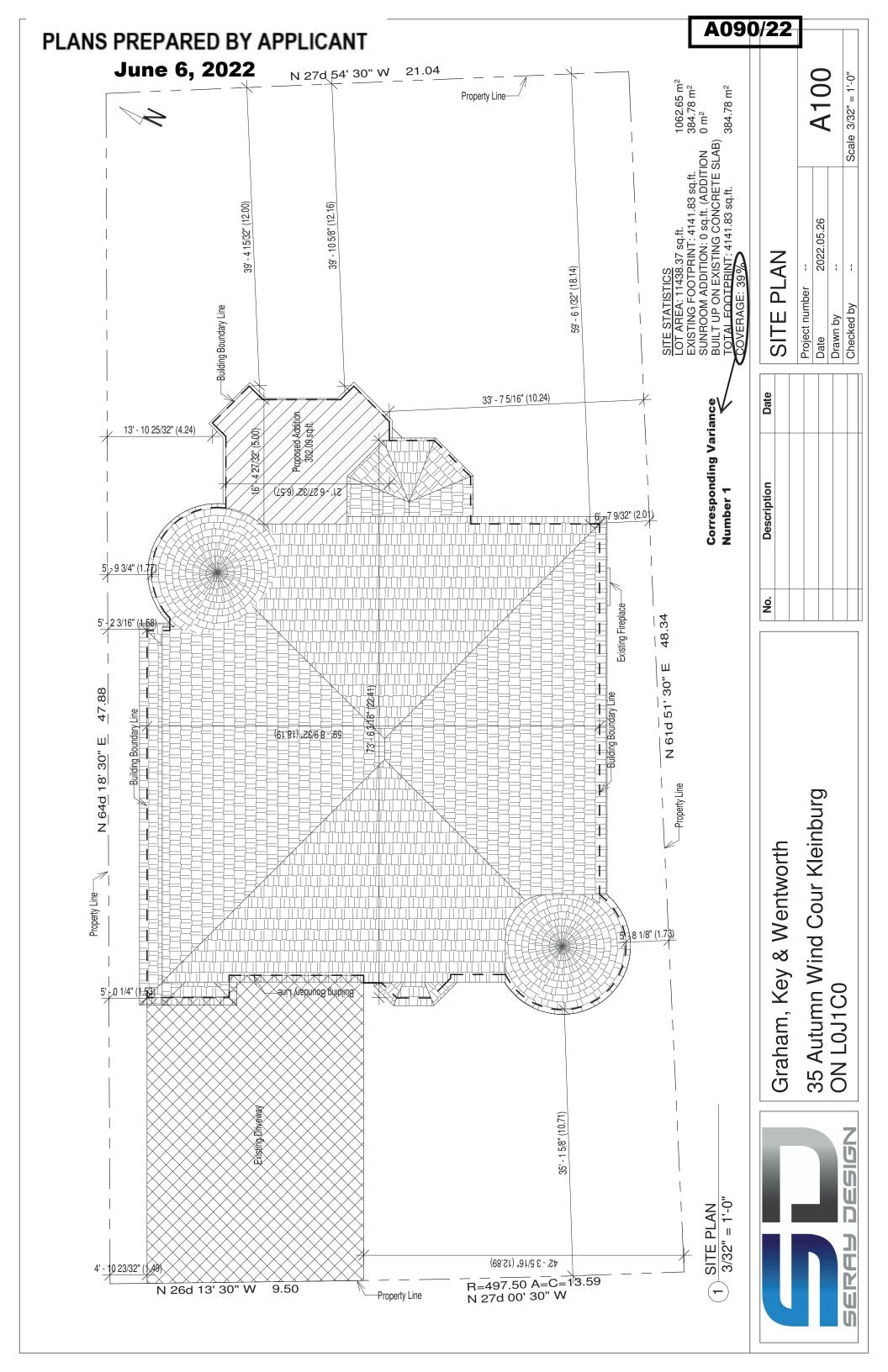
SCHEDULE A: DRAWINGS & PLANS

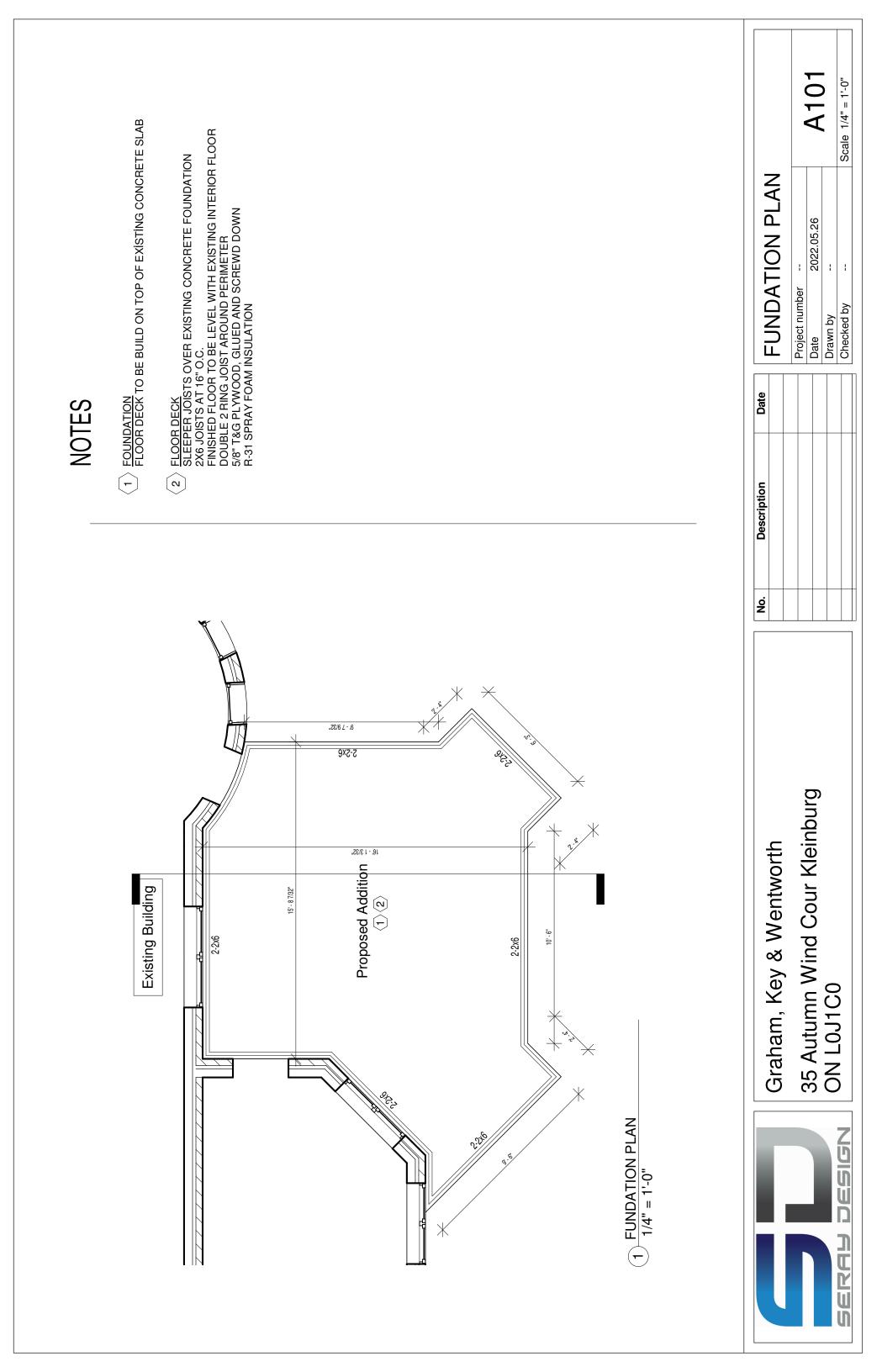


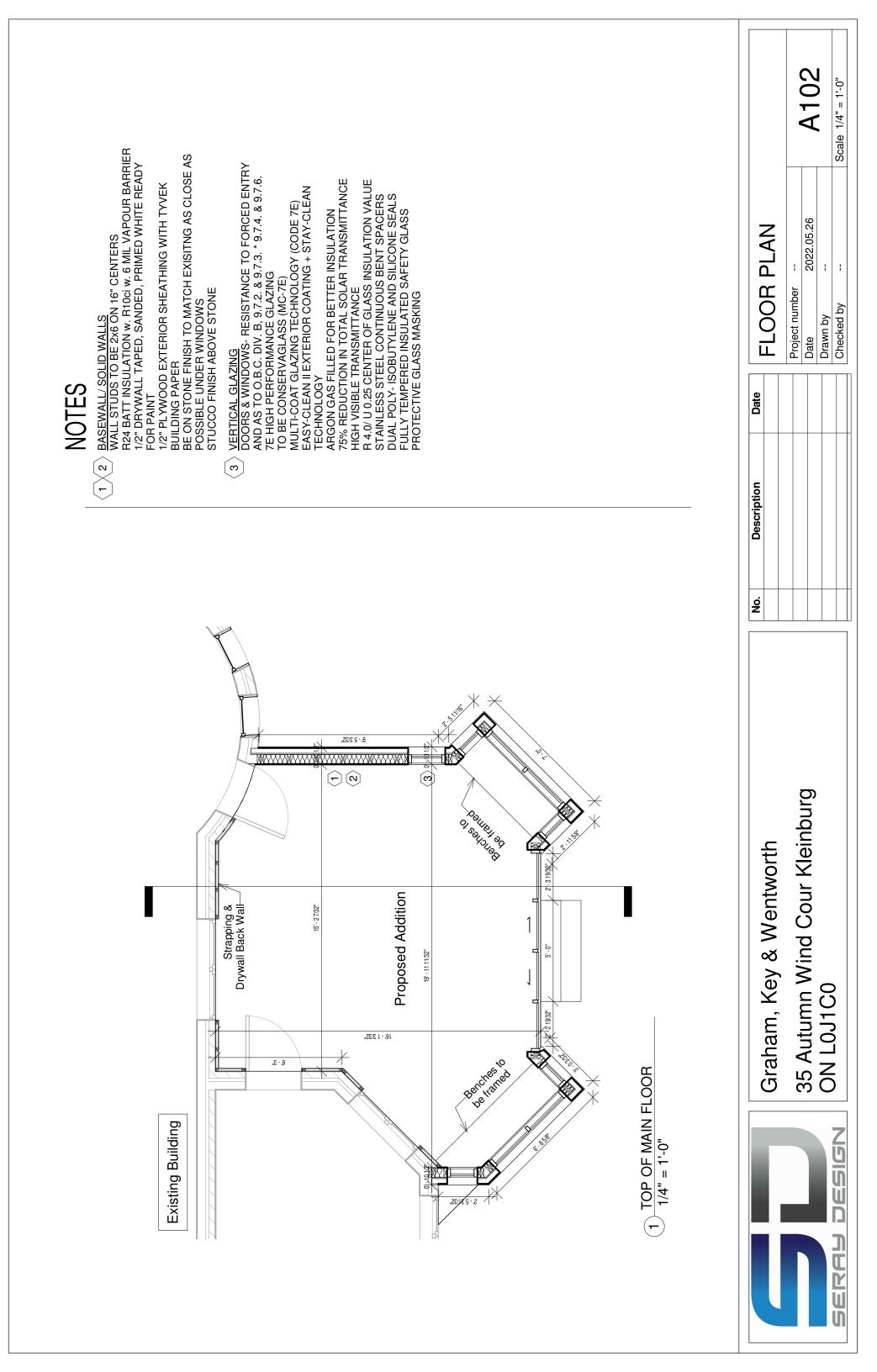
VAUGHAN A090/22 - Notification Map

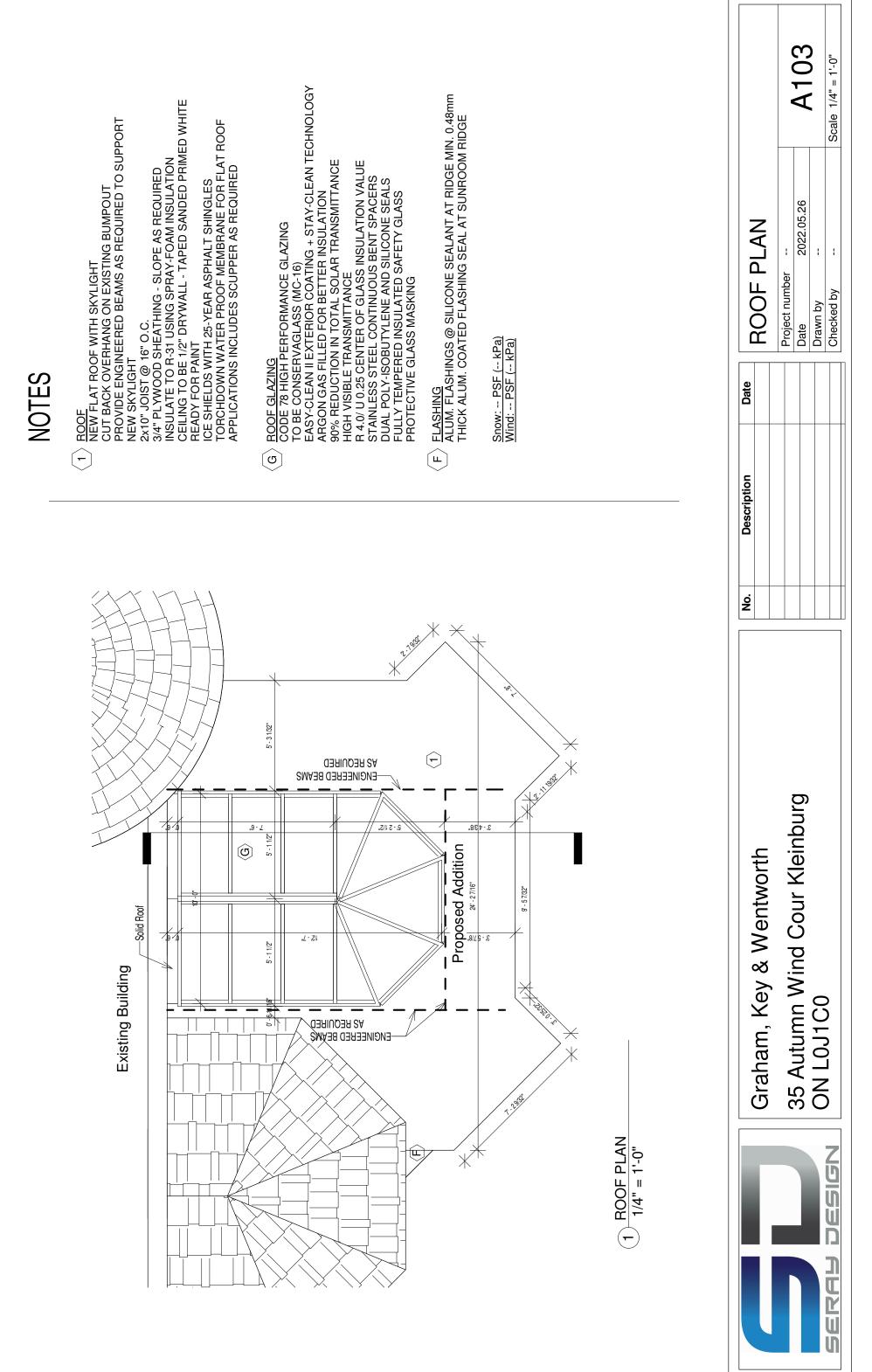


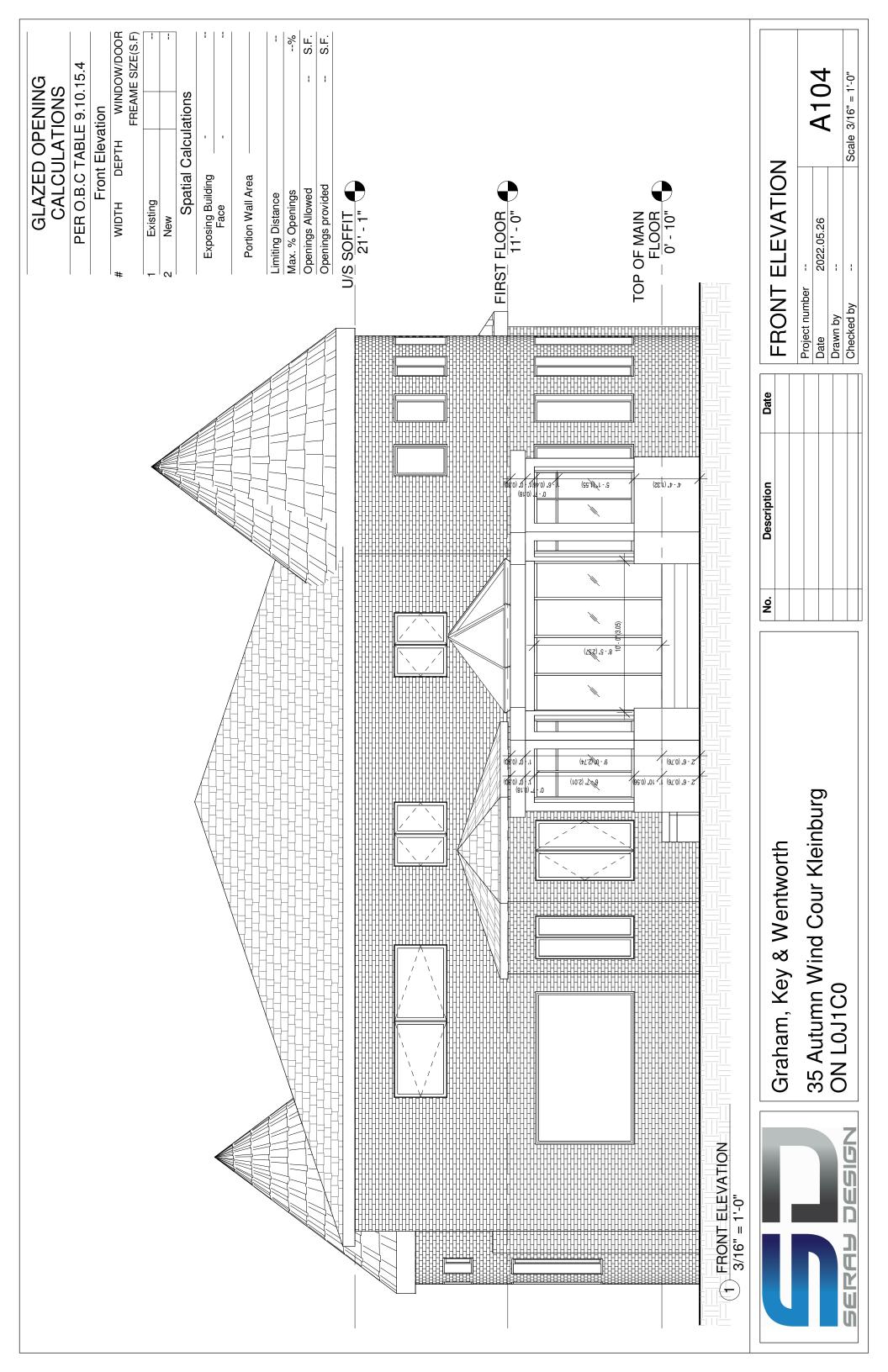
June 10, 2022 10:55 AM





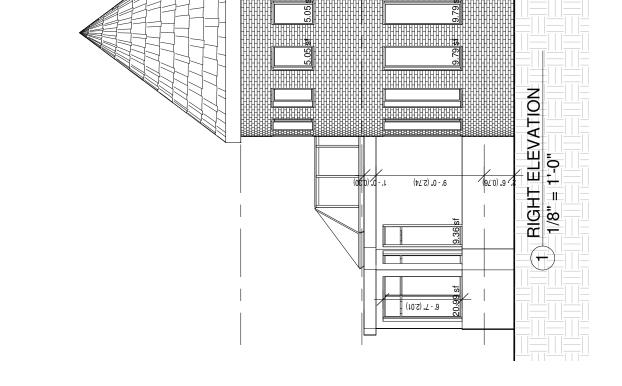


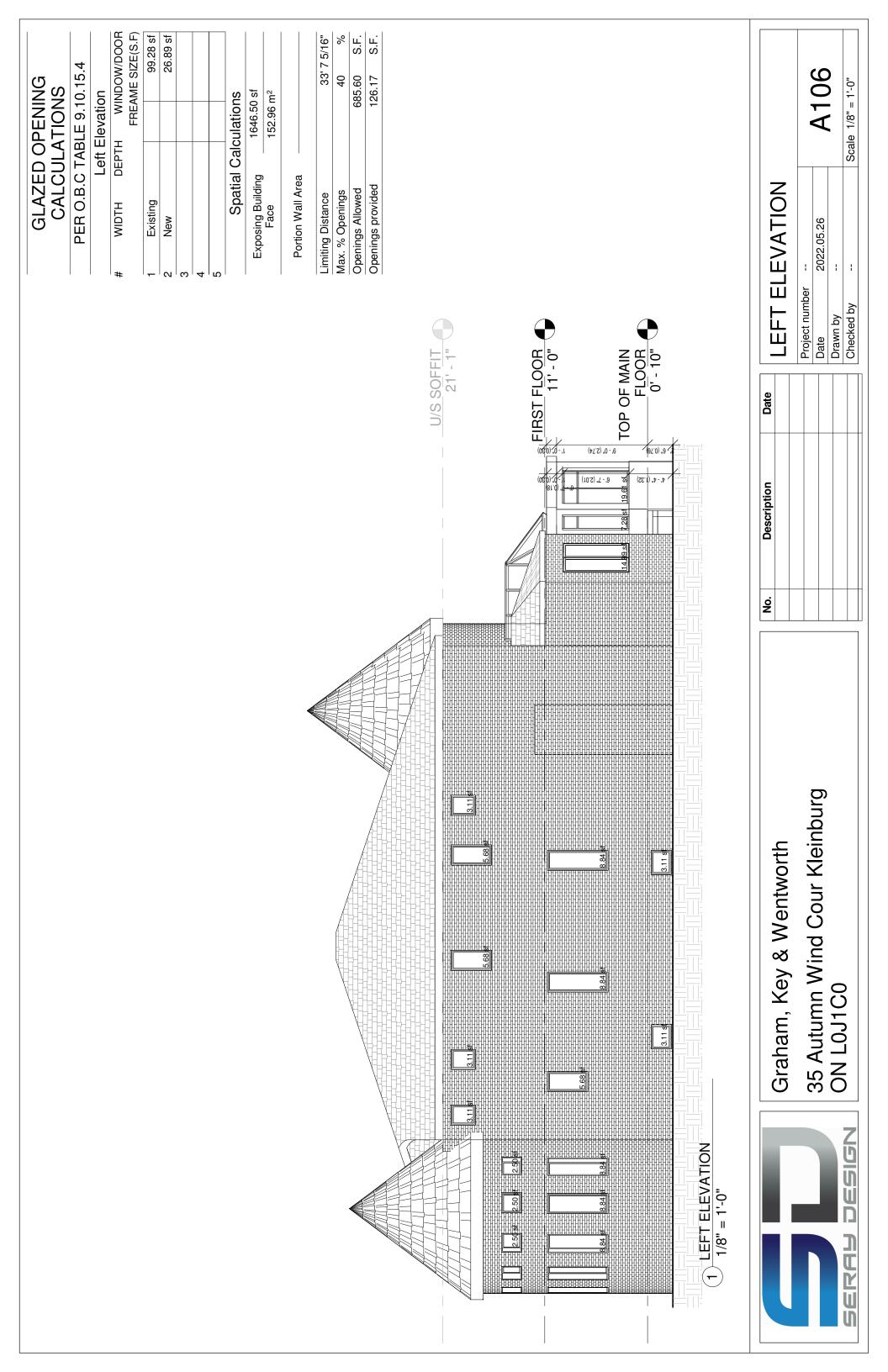


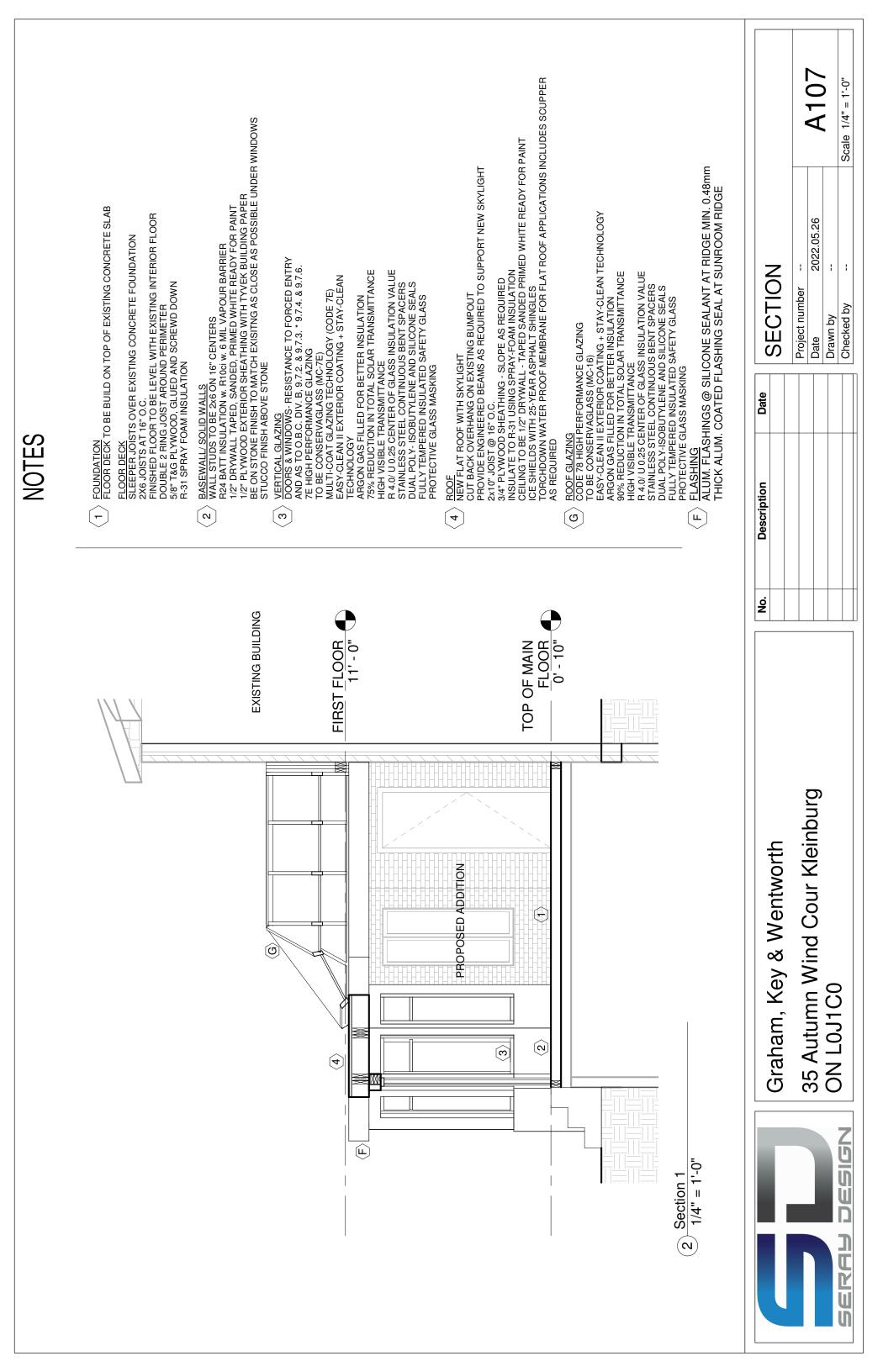


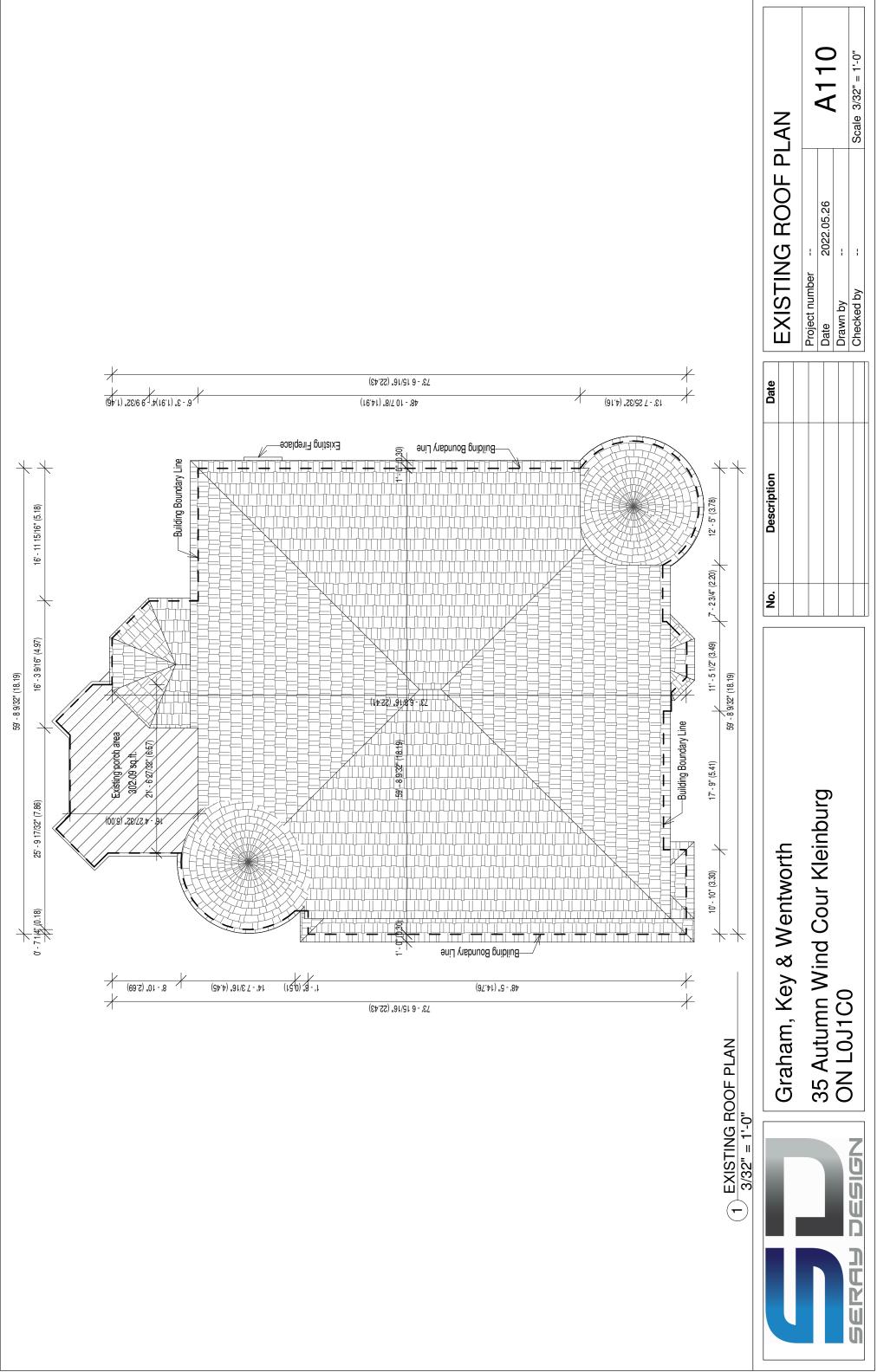
		GLAZED OPENING CALCULATIONS PER O.B.C TABLE 9.10.15.4	PENING TIONS LE 9.10.15.4
		Right E	Right Elevation
		# WIDTH DEPTH	WINDOW/DOOR FREAME SIZE(S.F)
		1 Existing	41.10 sf 30 35 sf
			00.00
		4 4	
		Spatial	Calculations
			1568.32 sf
			145.70 m ²
		Limiting Distance	13' 10 25/32"
	U/S SOFFIT	Max. % Openings	12 %
		Openings Allowed	188.19 S.F.
		Openings provided	7.45 S.F.
, Key & Wentworth	No. Description Date	RIGHT ELEVATION	
mn Wind Cour Kleinburg 1C0		Project number Date 2022.05.26 Drawn by Checked by	A105 Scale 1/8" = 1'-0"

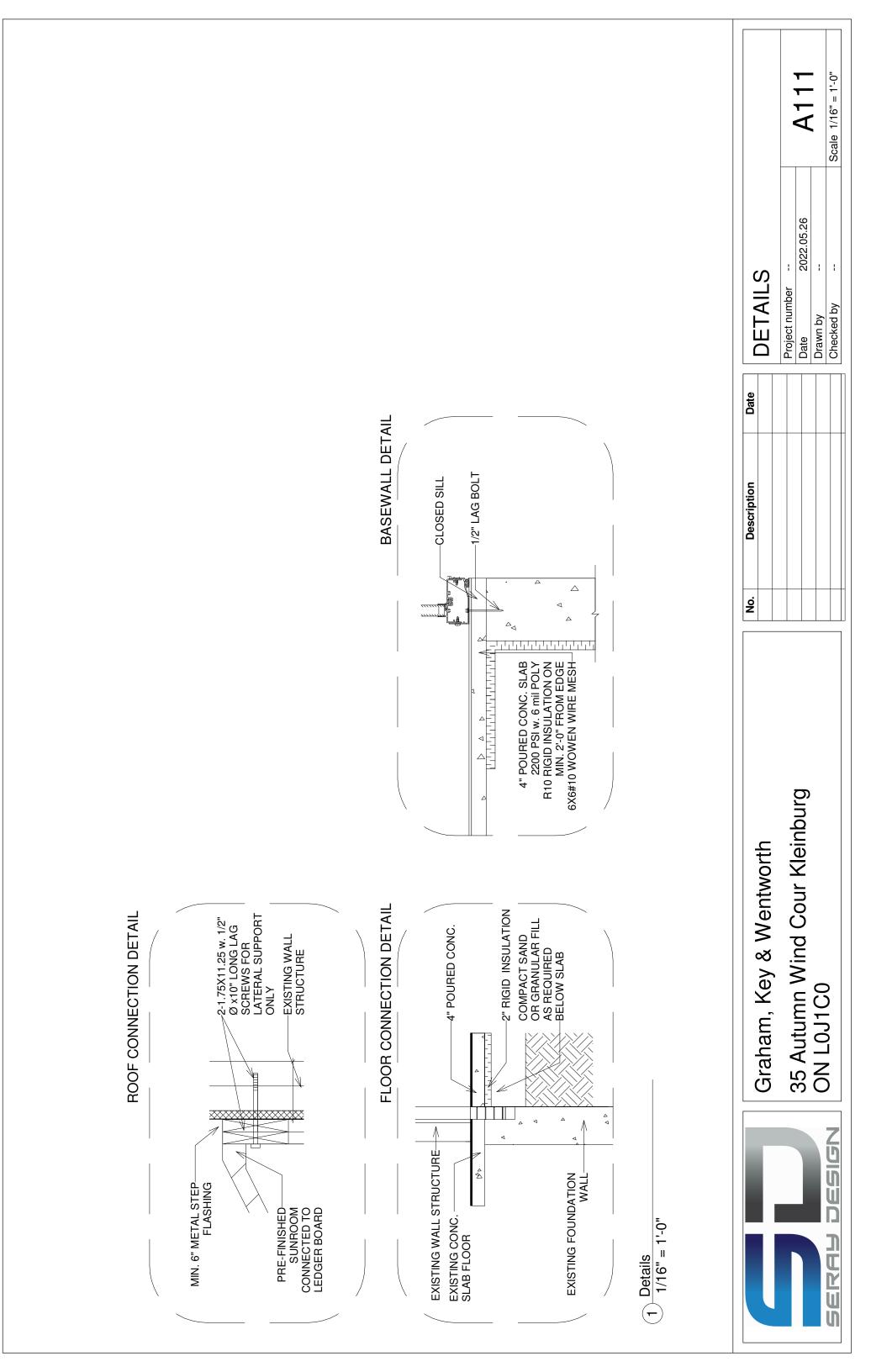












SCHEDULE B: STAFF & AGENCY COMMENTS					
DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments	
TRCA *Schedule B	Х			General Comments	
Ministry of Transportation (MTO) *Schedule B	Х			No Comments Recieved to Date	
Region of York *Schedule B	Х	Х		General Comments	
Alectra *Schedule B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



То:	Committee of Adjustment		
From:	Bernd Paessler, Building Standards Department		
Date:	May 30, 2022		
Applicant:	Graham		
Location:	PLAN 65M3895 Lot 11 municipally known as 35 Autumn Wind Court		
File No.(s):	A090/22		

Zoning Classification:

The subject lands are zoned R1B – First Density Residential Zone and subject to the provisions of Exception 14.815 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
	No Variances under 001-2021	

The subject lands are zoned R1 –Residential Zone and subject to the provisions of Exception 9(1162) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
1	The maximum permitted lot coverage is 35% of the lot area. Schedule A	To permit a maximum lot coverage of 39% of the lot area.

Staff Comments:

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

There are no outstanding Orders on file

Building Permit(s) Issued:

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

Other Comments:

Gen	eral Comments
2	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
3	The subject lands may be subject to Wellhead Protection Area Kleinburg.

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.



То:	Christine Vigneault, Committee of Adjustment Secretary Treasurer		
From:	Nancy Tuckett, Director of Development Planning		
Date: June 29, 2022			
Name of Owners:	Greeta Kay Graham and Wentworth Graham		
Location:	35 Autumn Wind Court		
File No.(s):	A090/22		

Proposed Variance(s) (By-law 1-88):

1. To permit a maximum lot coverage of 39% of the lot area.

By-Law Requirement(s) (By-law 1-88):

1. The maximum permitted lot coverage is 35% of the lot area.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Comments:

The Owners are requesting relief to permit the construction of a proposed one-storey sunroom addition with the above noted variance.

The existing dwelling has a lot coverage of 36.2% while the proposed addition will have a lot coverage of 2.7%. The proposed addition would be in a relatively central location on the rear wall and complies with all setback requirements, so it will not pose a significant visual impact to the neighbouring properties. The dwelling coverage also complies with Zoning By-law 01-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect. As such, the Development Planning Department has no objection to the proposed variance for increased lot coverage.

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: Joshua Cipolletta, Planner I David Harding, Senior Planner



COMMENTS:

х

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 & Layouts (North) *Phone*: 1-877-963-6900 ext. 31297

E-mail: <u>stephen.cranley@alectrautilities.com</u>

Mitchell Penner

Supervisor, Distribution Design-Subdivisions *Phone*: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

Adriana Bozzo

Subject: A090/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (35 Autumn Wind Court, Vaughan)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: June-06-22 11:54 AM
To: Adriana MacPherson <Adriana.MacPherson@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A090/22 - REQUEST FOR COMMENTS, CITY OF VAUGHAN (35 Autumn Wind Court, Vaughan)

Good Morning Adriana,

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

Gabrielle

Gabrielle Hurst MCIP, RPP | Programs and Process Improvement | Planning and Economic Development | The Regional Municipality of York | 1-877 464 9675 ext 71538 | <u>gabrielle.hurst@york.ca</u> |<u>www.york.ca</u> |<u>ibution</u>, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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