

COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A008/22

AGENDA ITEM NUMBER: 10	CITY WARD #: 2
APPLICANT:	Bich Nga Tran Nguyen
AGENT:	Jim Pitre
PROPERTY:	31 Kaiser Drive, Woodbridge
ZONING DESIGNATION:	The subject lands are zoned R4 9(290) and subject to the provisions of Exception under By-law 1-88 as amended
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 the construction of a proposed sunroom and covered deck to be located in the rear yard.

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	\boxtimes		General Comments
Building Inspection (Septic)	\boxtimes			No Comments Recieved to Date
Development Planning	\boxtimes			Recommend Approval/No Conditions
Development Engineering			\boxtimes	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations				No Comments or Concerns
By-law & Compliance, Licensing & Permits	\boxtimes	\boxtimes		No Comments or Concerns
Development Finance				No Comments or Concerns
Real Estate	\boxtimes			No Comments Recieved to Date
Fire Department	\boxtimes			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	\boxtimes			No Comments Recieved to Date
Ministry of Transportation (MTO)	\boxtimes			No Comments Recieved to Date
1				
Region of York	\boxtimes			General Comments
Region of York Alectra	\boxtimes			General Comments General Comments
•			1	
Alectra	\boxtimes	\boxtimes		
Alectra Bell Canada				
Alectra Bell Canada YRDSB				
Alectra Bell Canada YRDSB YCDSB				
Alectra Bell Canada YRDSB YCDSB CN Rail				
Alectra Bell Canada YRDSB YCDSB CN Rail CP Rail				
Alectra Bell Canada YRDSB YCDSB CN Rail CP Rail TransCanada Pipeline				

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	Name	Address	Date	Summary
Туре			Received (mm/dd/yyyy)	
None			(111111/1947)	

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

	ADJOURNMENT HISTORY
	* Previous hearing dates where this application was adjourned by the Committee and public notice issued.
None	



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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 the construction of a proposed sunroom and covered deck to be located in the rear yard.

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

The subject lands are zoned R4 (EN) and subject to the provisions of Exception 14.150 under Zoning By-law 01-2021.

#	Zoning By-law 01-2021	Variance requested
1	A minimum rear yard setback of 7.5 metres to the proposed addition (sunroom) is required (Section 7.2.4, By-law 01-2021).	To permit a minimum rear yard setback of 3.89 metres to the proposed addition (sunroom).
2	A minimum rear yard setback of 5.0 metres to the proposed porch is required (Section 4.13, 7.2.4, By-law 01-2021).	To permit a minimum rear yard setback of 3.74 metres to the proposed porch.

The subject lands are zoned R4 and subject to the provisions of Exception 9(290) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
3	A minimum rear yard setback of 7.5 metres to the	To permit a minimum rear yard setback of 3.89 metres
	proposed addition (sunroom) is required	to the proposed addition (sunroom).
	(Schedule A, By-law 1-88a.a.).	
4	A minimum rear yard setback of 7.5 metres to the	To permit a minimum rear yard setback of 3.74 metres
	proposed porch is required (Schedule A, By-law	to the proposed porch.
	1-88a.a.).	

1-00a.a.j.		
	LICADING INCODMATION	
HEARING INFORMATION		
DATE & TIME OF HEARING:	Thursday, March 3, 2022 at 6:00 p.m.	
As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this		

PUBLIC PARTICIPATION

You can watch a live stream of the hearing at Vaughan.ca/LiveCouncil

If you wish to speak to the Committee of Adjustment on an application please complete and submit a Public Deputation Form to cofa@vaughan.ca by noon on the last business day prior to the hearing.

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. Written submissions on an Application must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to cofa@vaughan.ca

For more information, please visit the City of Vaughan website.

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:	February 16, 2022	
Date Applicant Confirmed Posting of Sign:	February 18, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	The proposed rear yard setback of 3. meet the requirements of By-law 1-88 rear yard setback of 7.5 metres is red By-law 1-88 a.a.).	3 a.a. A minimum
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
*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 after the issuance of public notice.		
Committee of Adjustment Comments: None		
Committee of Adjustment Recommended	None	

BUILDING STANDARDS (ZONING) COMMENTS

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file Building Permit No. 21-106373 for Single Detached Dwelling - Addition, Issue Date: (Not Yet Issued) **General Comments:**

- 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.

Conservation Authority.	
Building Standards Recommended	None
Conditions of Approval:	

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

DEVELOPMENT ENGINEERING COMMENTS
As the proposed sunroom in the subject property is 27.87 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.

Development
Engineering
Recommended

Conditions of Approval:

The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to

DEVELOPMENT ENGINEERING COMMENTS			
Conditions of	any work being undertaken on the property. Please visit or contact the		
Approval:	Development Engineering Department through email at DEPermits@vaughan.ca or visit		
	https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.		

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS			
Forestry has received confirmation Via email that no negative impacts will occur to any protected tree(s) on or within 6 meters of the subject property. Forestry is satisfied with the current plans			
PFH Recommended Conditions of Approval:	None		

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

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

BUILDING INSPECTION (SEPTIC) COMMENTS			
No response			
Building Inspection Recommended Conditions of Approval:	None		

FIRE DEPARTMENT COMMENTS			
No response			
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	Development Planning & 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	The Owner/applicant shall submit the final Lot Grading and/or Servicing					
farzana.khan@vaughan.ca_	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					
	https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/defa					
	ult.aspx 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.

IMPORTANT INFORMATION - PLEASE READ

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

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

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

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

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

DEVELOPMENT CHARGES: That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

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

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

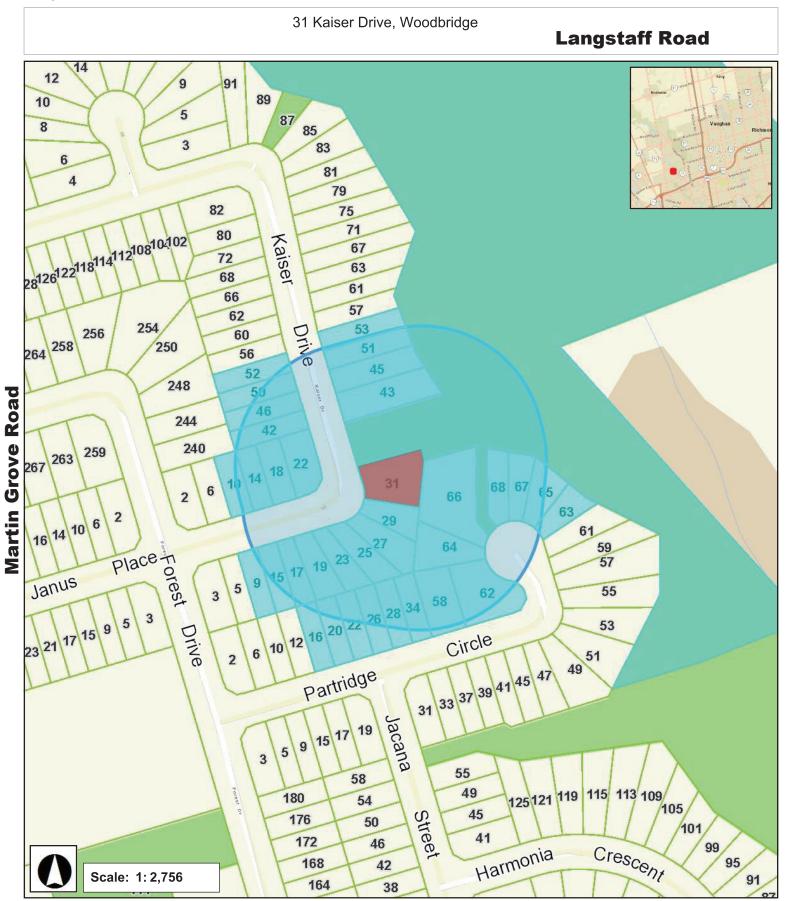
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the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

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

SCHEDULE A: DRAWINGS & PLANS



A008/22 - Notification Map

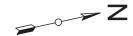


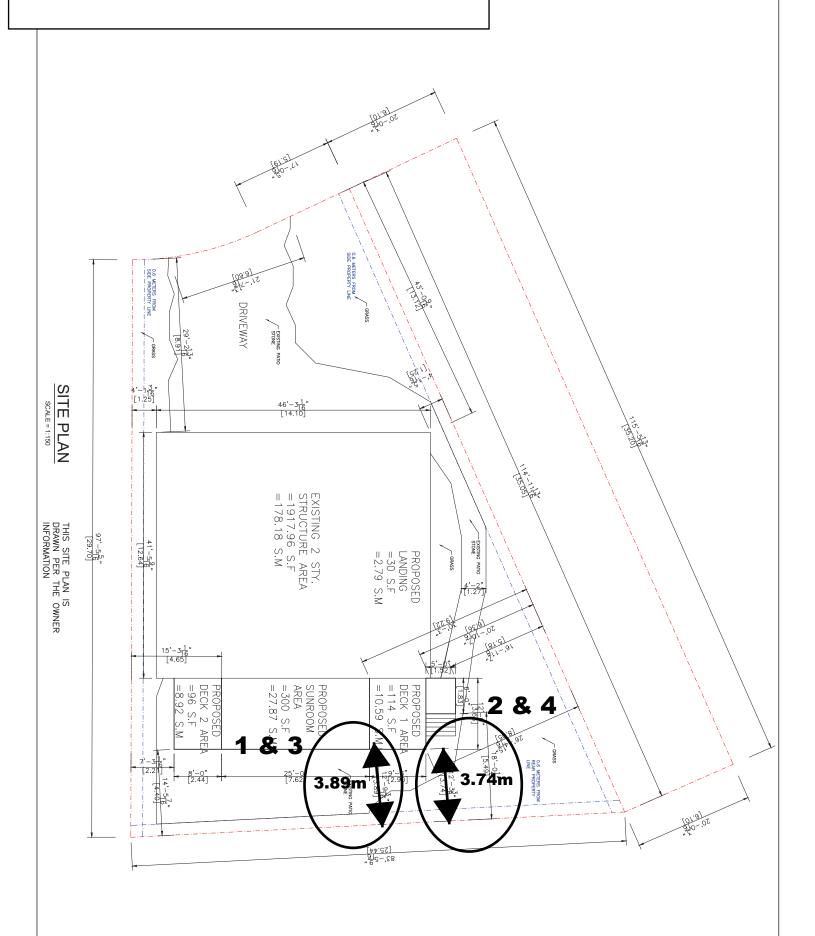
Proposal:

Zoning By-law 01-2021

- 1.To permit a minimum rear yard setback of 3.89 metres to the proposed addition (sunroom).
- 2. To permit a minimum rear yard setback of 3.74 metres to the proposed porch. **Zoning By-law 1-88**
- 3.To permit a minimum rear yard setback of 3.89 metres to the proposed addition (sunroom).
- 4.To permit a minimum rear yard setback of 3.74 metres to the proposed porch.

A008/22







25 STUDIO (5 1/2" WO CLIENT NOA TRAN DATE DEC 20 2021 DRAWN BY: LW: LIFESTYLE ENGI	MODEL TYPE	MODEL	MODEL
25 STUDIO (5 1/2" WOOD TOP ROOF) CLIENT NGA TEAN DATE DEC 20 2021 DRAWN BY: LW. LW. LIFESTYLE ENGINEERING	TYPE	TYPE	TVPR

SITE PLAN
DRAWING NUMBER

REVISION PROJECT# DESIGN#

9

31 KAISER DR
WOODBRIDGE
ONTARIO L4L 3V2
DRAWING TITLE

PROJECT ADDRESS

LIFESTYLE SUNROOM UNHEATED ADDITION

PROJECT

944 Crawford Dr.
Peterborough, Ontario K9J 3X2

www.lifestylesunrooms.com
Tel: 800-465-0593

Fax: 800-934-0822



SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	\boxtimes			No Comments Recieved to Date
Ministry of Transportation (MTO)	\boxtimes			No Comments Recieved to Date
Region of York		\boxtimes		General Comments
Alectra	\boxtimes	\boxtimes		General Comments
Bell Canada				
YRDSB				
YCDSB				
CN Rail				
CP Rail				
TransCanada Pipeline				
Metrolinx				
Propane Operator				
Development Planning				Recommend Approval/No Conditions



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

Adriana MacPherson

Subject: FW: [External] RE: A008/22 - Request for Comments (31 Kaiser Drive, Woodbridge)

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

Sent: February-08-22 10:51 AM

To: Adriana MacPherson < Adriana. MacPherson@vaughan.ca>

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

Subject: [External] RE: A008/22 - Request for Comments (31 Kaiser Drive, Woodbridge)

Good morning Adriana,

The Regional Municipality of York has completed its review of the above nor variance and has no comment.

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca



To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: March 03, 2022

Name of Owner: Mina Nguyen

Location: 31 Kaiser Drive

File No.(s): A008/22

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

- 1. To permit a minimum rear yard setback of 3.89 m to the proposed addition (sunroom).
- 2. To permit a minimum rear yard setback of 3.74 m to the proposed porch.

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

- 1. A minimum rear yard setback of 7.5 m to the proposed addition (sunroom) is required (Section 7.2.4, By-law 001-2021).
- 2. A minimum rear yard setback of 5 m to the proposed porch is required (Section 4.13, 7.2.4, By-law 001-2021).

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

- 3. To permit a minimum rear yard setback of 3.89 m to the proposed addition (sunroom).
- 4. To permit a minimum rear yard setback of 3.74 m to the proposed porch.

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

- 3. A minimum rear yard setback of 7.5 m to the proposed addition (sunroom) is required (Schedule A, By-law 1-88a.a.).
- 4. A minimum rear yard setback of 7.5 m to the proposed porch is required (Schedule A, By-law 1-88a.a.).

Official Plan:

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

Comments:

The Owner is proposing to construct a rear yard addition (sunroom) and covered porch with the above-noted variances. The subject lands are an irregular shaped lot, with a wide exterior side yard and a comparatively narrow rear yard.

The proposed sunroom addition represents the enclosed portion of the covered porch in the centre, with the covered porch extending out on both sides of the sunroom. The nearest distance from the porch to the rear yard is measured at 3.74 m and gradually expands to 4.4 m at its greatest extent. The Development Planning Department has no concern with the requested variances, as the proposed structure is only partially enclosed, is appropriately scaled for the existing residential neighbourhood, and maintains the as-of-right lot coverage requirements of the applicable Zoning By-laws. The visual impact on the southerly neighbour is minimal as the neighbouring dwelling extends into the rear yard further than the existing dwelling on the subject lands.

Accordingly, the Development Planning Department 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:

Michael Torres, Planner I

Chris Cosentino, Senior Planner

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

None