

File: A105/19**Applicant:** Abdul Bashir Khaliqyar**Address:** 34 Church St Maple**Agent:** Fatima Khaliqyar

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

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

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, October 17, 2019



Minor Variance
Application

Agenda Item: 19

A105/19

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing: Thursday, October 17, 2019

Applicant: Abdul Bashir Khaliqyar

Agent: Fatima Khaliqyar

Property: 34 Church St Maple

Zoning: The subject lands are zoned R1V and subject to the provisions of Exception under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010: Low-Rise Residential.

Related Files: None

Purpose: Relief from the by-law is being requested to permit the construction of a proposed single family with covered porch, cabana/shed and swimming pool.

Note: The proposed single family dwelling is to contain a secondary suite.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
A maximum lot coverage of 20% is permitted.	To permit a maximum lot coverage of 21.7% (21.2% dwelling, 0.5% covered porch).

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

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on October 2, 2019

Applicant confirmed posting of signage on September 30, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	TBD (purchased May 18, 2019)

Applicant has advised that they cannot comply with By-law for the following reason(s):
It is not possible to comply with the provisions of the by-law because we need extra coverage to fit all the needs for the single family dwelling and also because it has a secondary suite as well. That's why to provide better layout we need the extra coverage.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

A Demolition permit has been issued for the demolition of the existing dwelling. (Permit No.19-001285 - Issue Date: Jul 15, 2019.

A building permit application has not been submitted for the proposed dwelling. The Ontario Building Code requires a building permit for structures that exceed 10 m2. In addition, the Applicant shall contact an Applications Expeditor, Building Standards Department, for building permit requirements, and to determine if a building permit will also be required for the proposed pool equipment cabana/shed.

A permit must be obtained from the Development Planning Department for the proposed pool.

Applicant shall be advised that eaves and gutters appurtenant to the 9.31 m2 proposed pool equipment cabana/shed shall not encroach more than 0.3 metres into the required minimum rear and interior side yard setbacks of 0.6 metres. In addition, the maximum height of the garden or storage shed shall not exceed 2.5 metres from finished grade to the highest point of the structure.

Please note that the existing metal shed, as shown on the submitted Site Plan, has not been reviewed, as the Applicant has advised that it will be removed.

This application has been reviewed for the proposed construction of Single Family Detached Dwelling with a Secondary Suite. The proposed Secondary Suite shall comply with all provisions of Subsection 4.1.8 Secondary Suite.

Additional comments and/or revised comments may be forthcoming upon receipt of legible drawings and details.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is requesting permission to construct a 2-storey single-detached dwelling with the above variance. The proposed coverage of the single-detached dwelling is 21.7% (21.2% for the main dwelling and 0.5% for the covered porch) which is consistent with other approvals in the area and meet all other setback and height requirements.

The Owner submitted an Arborist Report prepared by Davey Resource Group dated August 23, 2019 and amended September 12, 2019. The Urban Design and Cultural Heritage Division of the Development Planning Department and Forestry Department has reviewed the submitted Arborist Report and is satisfied.

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.

The Development Planning Department recommends approval of the minor variance application.

Cultural Heritage (Urban Design):

There are no cultural heritage concerns for this application.

Development Engineering:

The owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

The Development Engineering (DE) Department does not object to variance application A105/19 subject to the following conditions:

The owner/applicant shall submit the final lot grading plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval.

The owner/applicant shall visit the City of Vaughan Transportation Services Division of the Transportation Services, Parks and Forestry Operations Department and arrange a site visit with City Staff to ensure that the proposed driveway locations do not conflict with existing street furniture, neighboring access, road alignment and/or anything else deemed relevant by City Staff upon inspection. In conjunction with this condition, the owner/applicant shall apply for a culvert installation through the Transportation Services Division.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Fire Department:

No comments or concerns

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1.	Development Engineering Jason Pham 905-832-8585 x 8716 Jason.pham@vaughan.ca	1. The owner/applicant shall submit the final lot grading plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval. 2. The owner/applicant shall visit the City of Vaughan Transportation Services Division of the Transportation Services, Parks and Forestry Operations Department and arrange a site visit with City Staff to ensure that the proposed driveway locations do not conflict with existing street furniture, neighboring access, road alignment and/or anything else deemed relevant by City Staff upon inspection. In conjunction with this condition, the owner/applicant shall apply for a culvert installation through the Transportation Services Division.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

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

For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

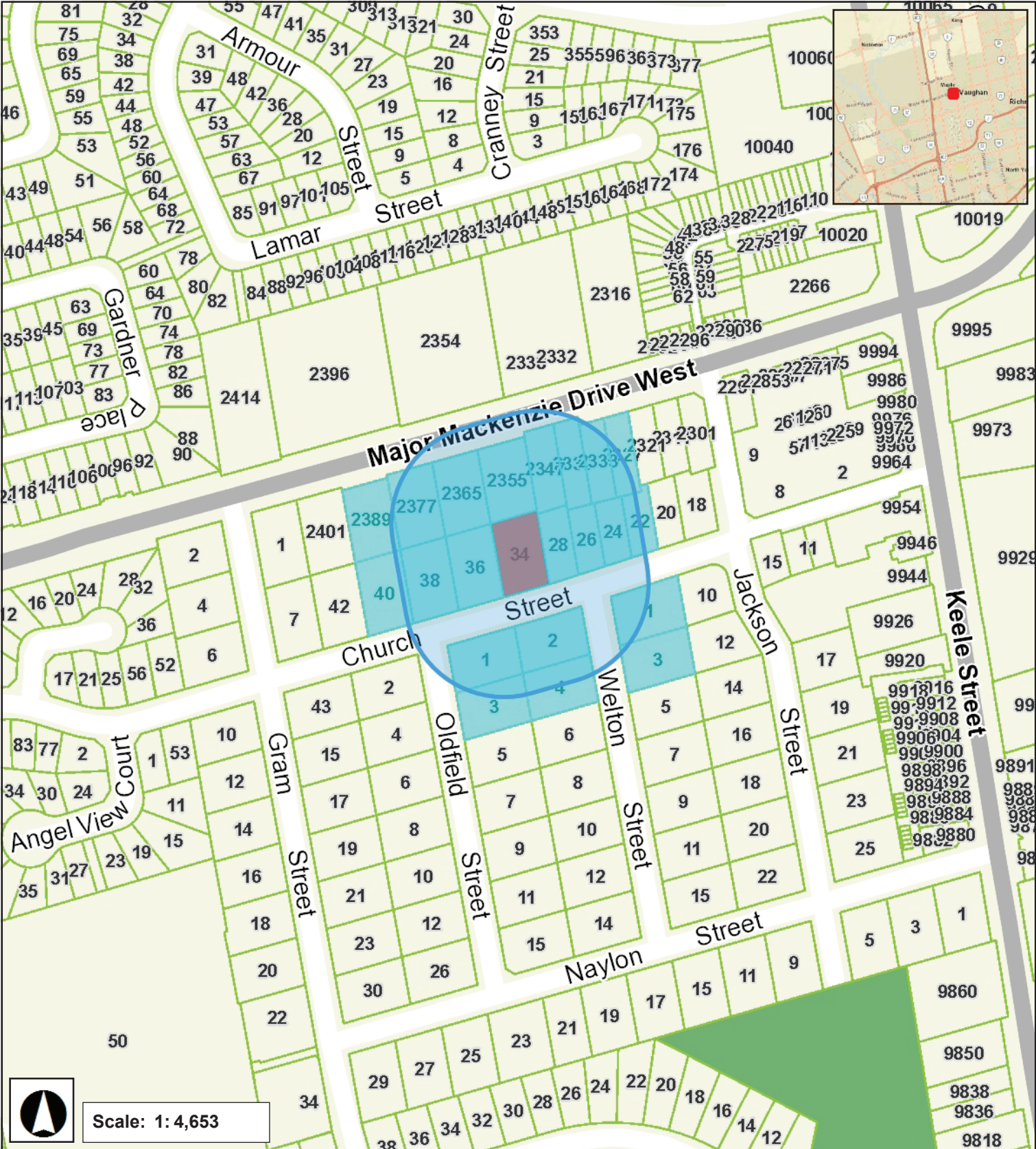
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map
Sketches



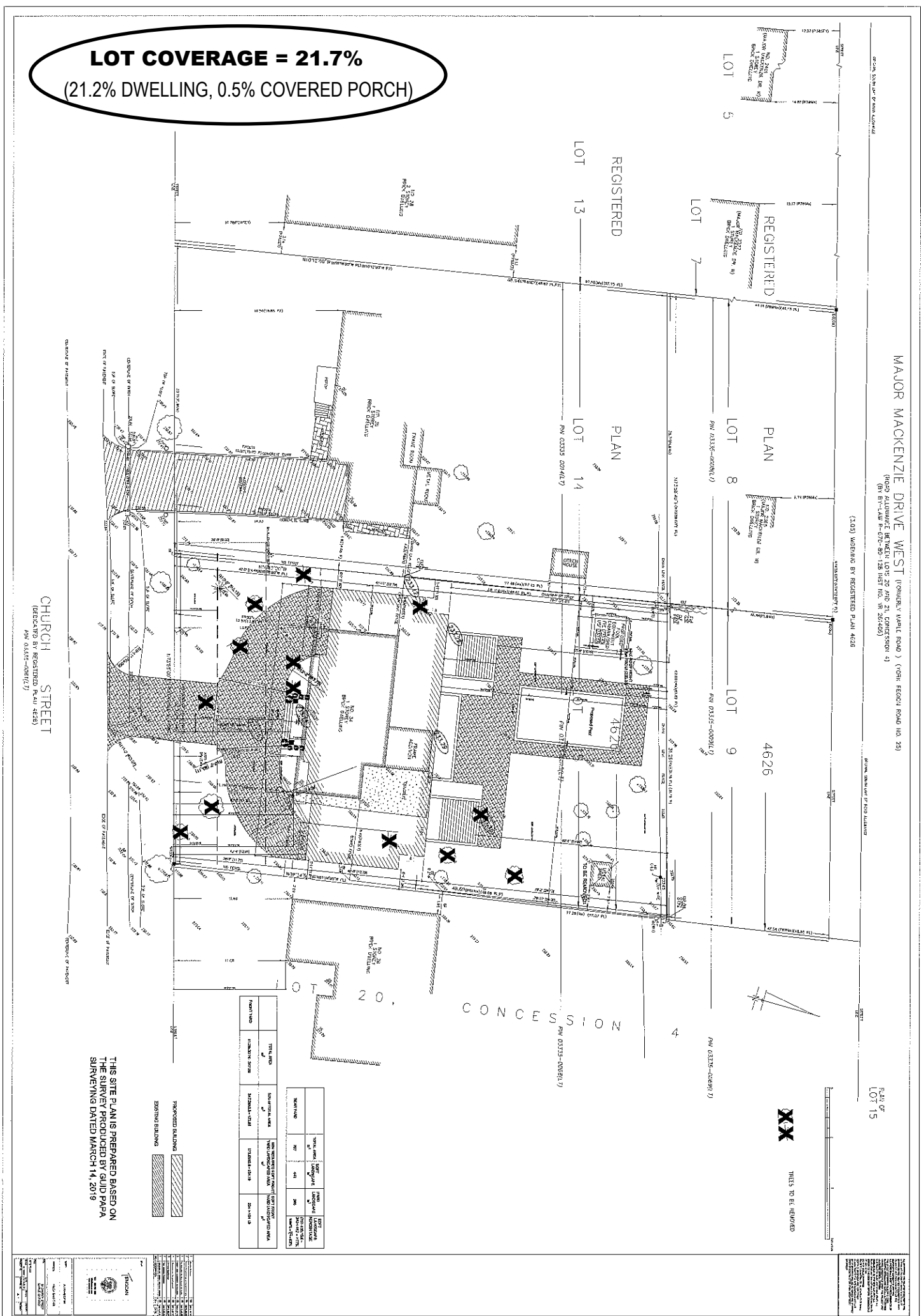
LOCATION MAP A105/19

34 CHURCH STREET, MAPLE



A105/19

REVISÉ & REÇU LE 17 SEPTEMBRE 2019



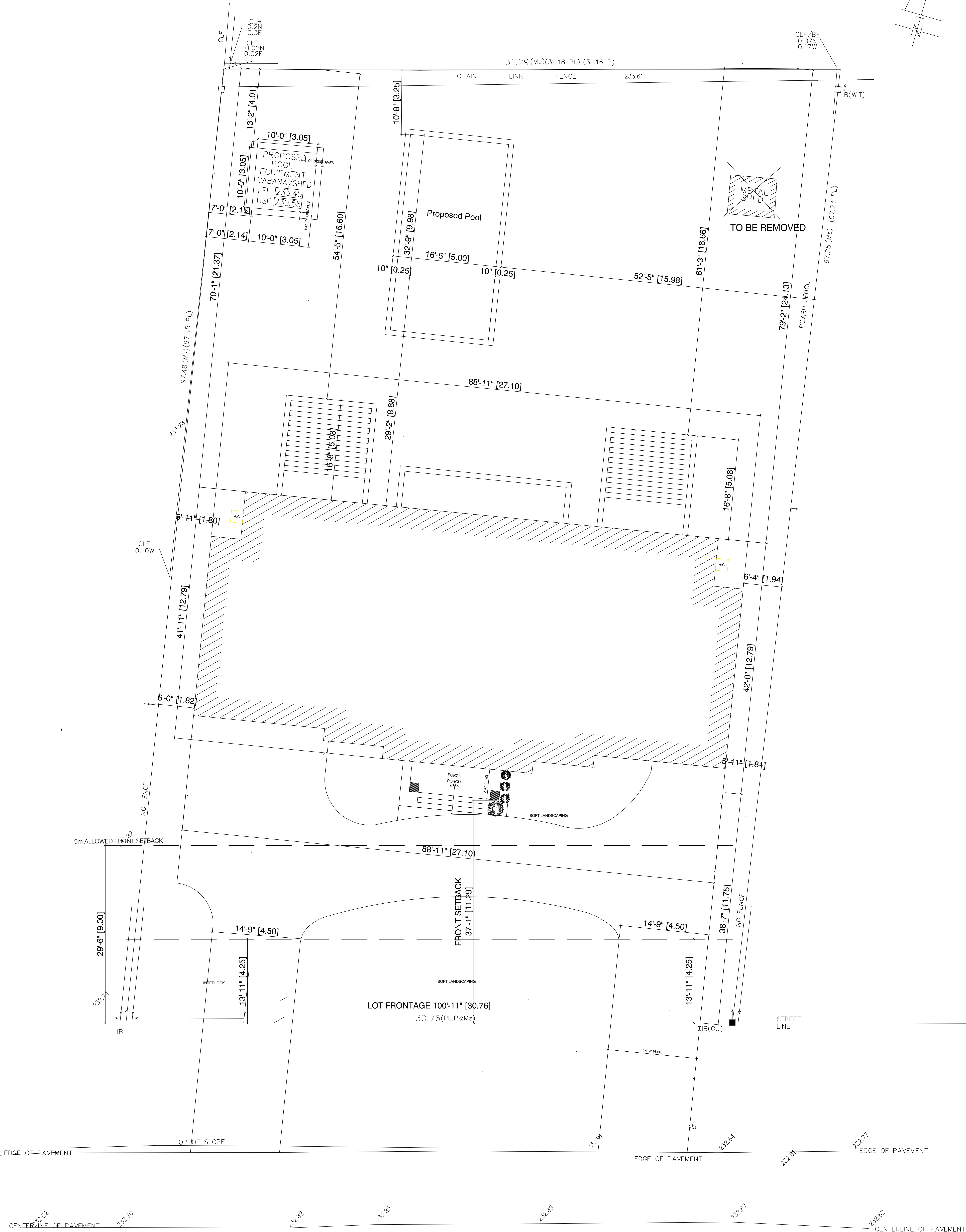
RECEIVED

August 22, 2019

Committee of Adjustment

LOT 15

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DESIGNER'S CONSENT IN WRITING.
ALL WORK SHALL MEET THE REQUIREMENTS OF
THE LATEST GOVERNING BUILDING CODE,
MUNICIPAL ORDINANCES AND ALL AUTHORITIES
HAVING JURISDICTION OVER THE PROJECT AND
LANDLORD DESIGN CRITERIA.
CONTRACTOR MUST CHECK AND VERIFY ALL
DIMENSIONS ON THE SITE AND WITH ALL
SUPPLIERS AND REPORT ANY DISCREPANCIES OR
ERROR TO THE DESIGNER BEFORE COMMENCING
OF ANY WORK.
DO NOT SCALE DRAWINGS.
PRIOR TO CONSTRUCTION, CONTRACTOR SHALL
CONTACT ENGINEER AND / OR OTHER
CONSULTANTS FOR SITE REVIEWS SCHEDULE.
SHOP DRAWING WILL BE REVIEWED AND STAMPED
FIRST BY CONTRACTOR, THEN ARCHITECT /
ENGINEER.

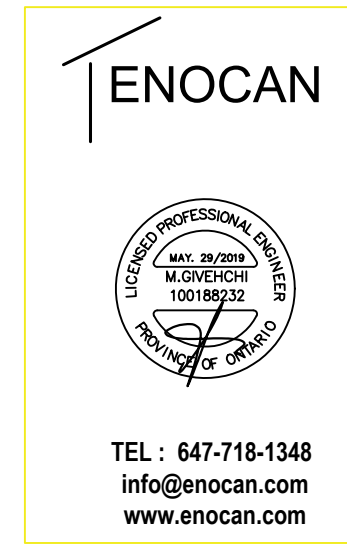


1. Issued for setback dimensions

REV. DESCRIPTION: YB 2019.08.21

BY: DATE:

STAMP:



CUSTOMER: ALI KHALIQYAR

DESIGNER: YALDA BAKHTIARI

SITE: 34 CHURCH STREET
MAPLE, ONTARIO

TITLE: BASEMENT FLOOR

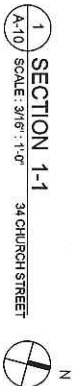
SCALE: as shown DATE: 2019.7.9 DRAWN: YB CHECKED: MG

PROJECT NO. DRAWING NO. A-2 REVISION

THIS SITE PLAN IS PREPARED BASED ON
THE SURVEY PRODUCED BY GUID PAPA
SURVEYING DATED MARCH 14, 2019

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PRIOR TO CONSTRUCTION, CONTRACTOR SHALL OBTAIN WRITTEN PERMISSION FROM THE ARCHITECT AND ENGINEER AND/OR OTHER PROFESSIONAL PERSONNEL TO REUSE ANY SINGLE DRAWING WILL BE REVIEWED AND STAMPED FIRST BY CONTRACTOR, THEN ARCHITECT / ENGINEER.



ENOCAN

TEL: 647.716.1348
Info@enocan.com
WWW.ENOCAN.COM



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as shown	2019.7.9	YB	MG
PROJECT NO.	DRAWING NO.		REVISION

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1000 JOURNAL OF CLIMATE

ENOCAN

TEL: 647 718 1348
info@enocan.com
www.enocan.com



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as shown	2019.7.9	YB	MG
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INFORMATION PROVIDED BY THE CLIENT.
ANY CHANGES TO THE DESIGN MUST BE
APPROVED BY THE ENGINEER BEFORE
PROCEEDING WITH THE WORK.

NEW DESCRIPTION

REV. DATE

STAMP



CLIENT: ALI KHALOYAR

DESIGNER: YALDA BAKHTIAR

SITE: 34 CHURCH STREET
MAPLE, ONTARIO

TITLE

SOUTH ELEVATION

SCALE	DATE	DRAWN	PROJECTED
AS SHOWN	2019/12/14	YB	MO
PROJECT NO.	DRAWING NO.	A-6	REVISION

[illegible]

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SPECIALTY CHEMICALS
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INDIA

SCALE:	DATE:	DRAWN:	CHECKED:
OS shown	2019.7.9	YB	MC
PROJECT NO.	DRAWING NO.	REVISION	

[illegible]

0 10 20 30 40 50 60 70 80 90 100

TEL: 417-18-1344
info@enocan.com
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ENOCAN

SITE:
34 CHURCH STREET
MAPLE, ONTARIO

SCALE: as shown	DATE: 2019.7.9	DRAWN: YB	CHECKED: MC
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REV. DESCRIPTION DATE

STAMP



CLIENT: ALI KHALOYAR

DESIGNER: YALDA BAKHTIARI

SITE:

34 CHURCH STREET
MAPLE, ONTARIO

TITLE:

EAST ELEVATION

SCALE: as shown DATE: 2015/12/14 DRAWN: 10 CHECKED: MC PROJECT NO.: DRAWING NO.: A-9 REVISION:

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



COMMENTS:

☐

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

☒

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

☐

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

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

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

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

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

References:

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

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

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

Attwala, Pravina

Subject: FW: A105/19 - REQUEST FOR COMMENTS
Attachments: A105-19 - Circulation.pdf

From: Wong, Tiffany <Tiffany.Wong@york.ca>
Sent: September-03-19 11:39 AM
To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>
Subject: FW: A105/19 - REQUEST FOR COMMENTS

Hello Pravina,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A105/19 (34 Church Street) and has no comments. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

Tiffany Wong