



File: A130/19

Applicant: Abdul and Bushra Rahman

Address: 54 Bannockburn Drive, Woodbridge

Agent: Ar Ravi Doiphode

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

Adjournment History: N/A

Background History: N/A



Minor Variance  
Application

Agenda Item: 10

A130/19

Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, October 31, 2019

**Applicant:** Abdul and Bushra Rahman

**Agent:** Ar Ravi Doiphode

**Property:** 54 Bannockburn Drive, Woodbridge

**Zoning:** The subject lands are zoned RD3 Residential Detached Zone Three, and subject to the provisions of Exception No. 9(1291), under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "Low-Rise Residential"

**Related Files:** None.

**Purpose:** Relief from the by-law is being requested to permit the construction of a proposed deck (unenclosed/uncovered) and a cover over the proposed BBQ located in the rear yard.

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

By-law Requirement	Proposal
1. A minimum interior side yard setback of 1.2 metres is required to the deck with stairs.	1. To permit a minimum interior side yard setback of 0.74 metres to the open and unenclosed deck with stairs.
2. A minimum interior side yard setback of 0.60 metres is required to the air conditioning unit.	2. To permit a minimum interior side yard setback of 0.37 metres to the air conditioning unit.
3. A minimum rear yard setback is required to the <b>open</b> and unclosed deck with stairs.	3. To permit a minimum rear yard setback of 3.99 metres to the open and unenclosed deck with stairs.
4. A maximum building height of 2.5 metres is permitted for the accessory structure (bbq shade).	4. To permit a building height of 3.0 metres for the accessory structure (bbq shade).

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

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 16, 2019

Applicant confirmed posting of signage on September 25, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	2018
Deck	Proposed

Applicant has advised that they cannot comply with By-law for the following reason(s): Owner needed bigger deck at his backyard.

**Adjournment Request: N/A****Building Standards (Zoning Review):**

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

Please contact (905)832-8510 for building permit requirements.

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

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

VOP 2010: "Low-Rise Residential"

The Owner is proposing to construct an elevated deck in the rear yard with an accessory structure (BBQ shade) with the above-noted variances.

Variance #1 respecting the proposed deck stairs is considered minor as the stairs are located away from the drainage swale. Variance #3 for the proposed rear yard setback to the deck allows for adequate open space in the rear yard as the deck is not the entire width of the dwelling and will have no adverse impact on neighbouring properties. The existing air conditioning unit is wall-mounted; however, due to the construction of poured concrete stairs within the interior yard adjacent to the neighbour, the air conditioner is partially on the ground and therefore relief is required. As such, variance #2 is considered minor as it is technical in nature. Variance #4 respecting the accessory structure (BBQ shade) is considered minor as it is a small deviation from the maximum building height of 2.5 metres and will have no adverse impact on neighbouring properties.

Accordingly, the Development Planning Department is of the opinion that the proposal is minor in nature, meets the intent 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 application.

**Cultural Heritage (Urban Design):**

No Response.

**Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A130/19 subject to the following condition(s):

Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.

**Parks Development:**

No Response.

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

No comments or concerns

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No Response.

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

Letters of Objection – Q. Ahmad, 53 Carling Road (October 7 & 23, 2019)

**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 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.

**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](mailto:CofA@vaughan.ca)

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

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

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

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

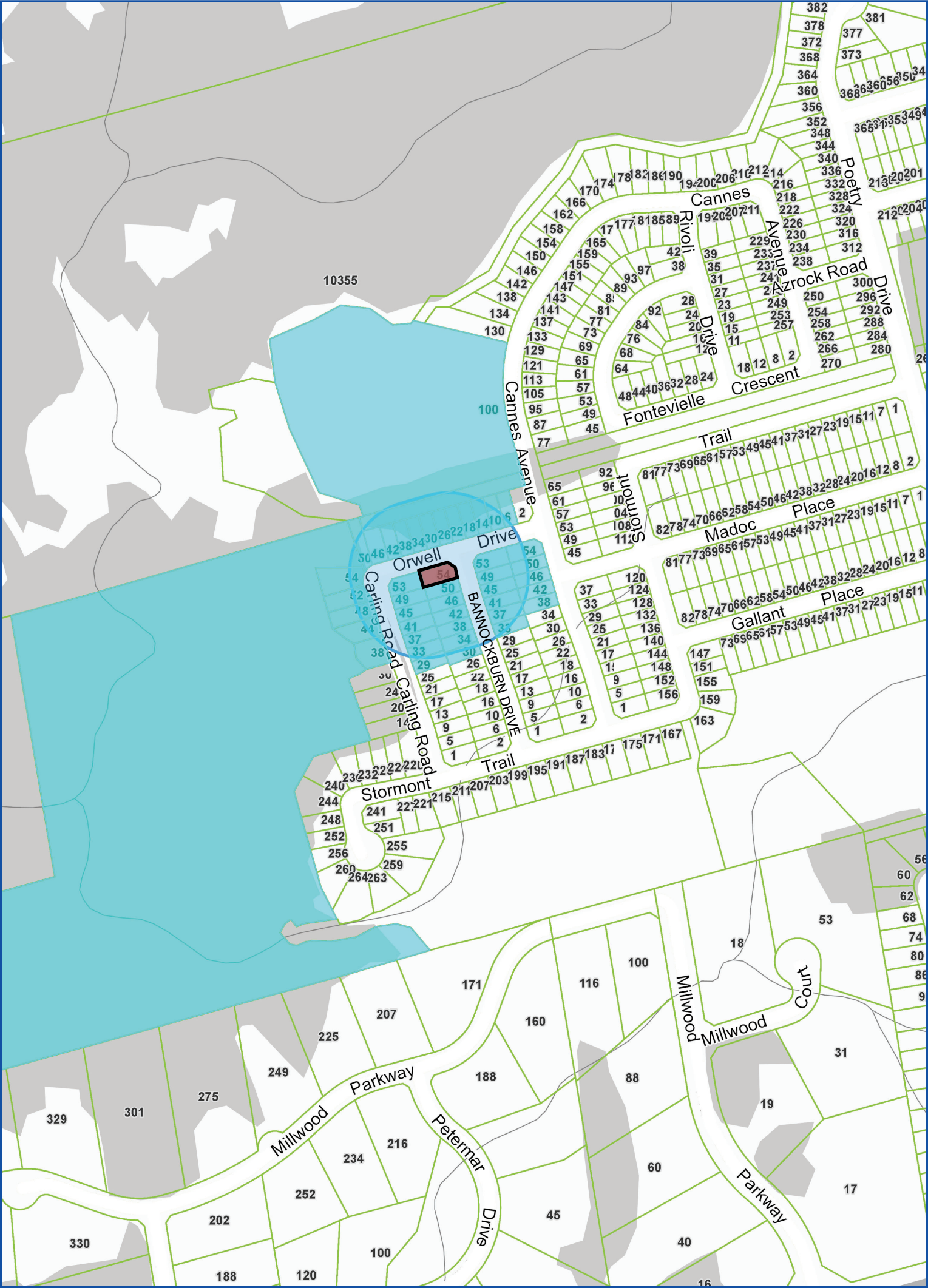
T 905 832 8585 Extension 8394  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

Schedule A: Plans & Sketches

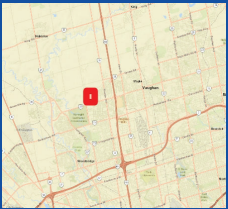
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map  
Sketches





Map Information:



Title:

# LOCATION MAP - A130/19

54 Bannockburn Drive, Woodbridge

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1:4,514

0 0.07 km



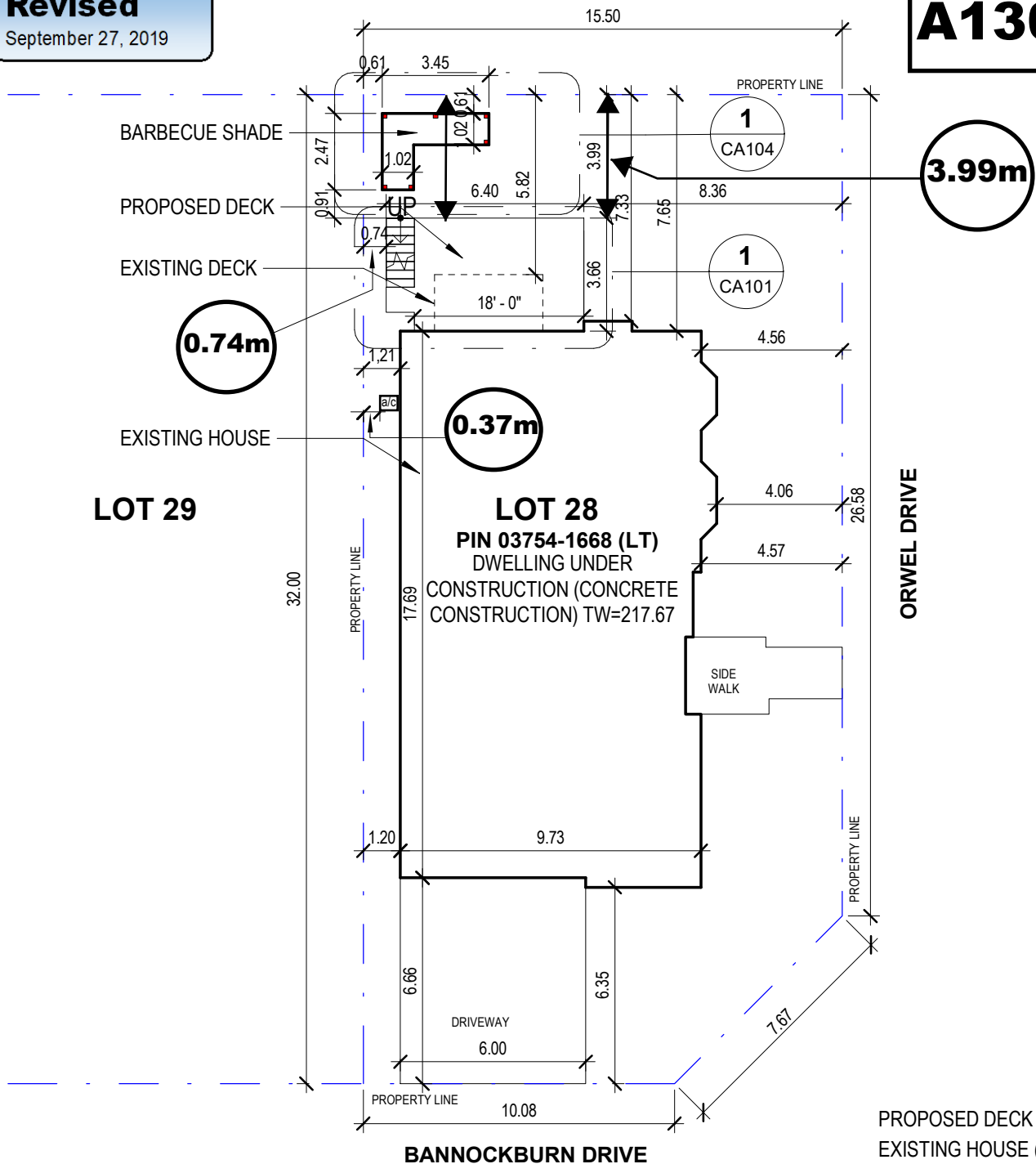
Created By:

Infrastructure Delivery  
Department  
September 23, 2019 6:06 PM

Projection:  
NAD 83  
UTM Zone  
17N

**Revised**

September 27, 2019

**A130/19****LOT 29****LOT 28****PIN 03754-1668 (LT)**  
DWELLING UNDER  
CONSTRUCTION (CONCRETE  
CONSTRUCTION) TW=217.67SIDE  
WALK**ORWEL DRIVE****BANNOCKBURN DRIVE**PROPOSED DECK (GF): 22,60SM  
EXISTING HOUSE (GF): 174,23SM  
COVERAGE AREA (GF): 196,83SM**1****Ground Floor**

1 : 200

**SITE PLAN  
PROPOSAL FOR WOOD DECK**54 Bannockburn Dr,  
Vaughan, Ontario  
FOR: Abdul RAHMANARCHITECT  
RAVI  
DOIPHODE100 LEEWARD GLENWAY, SUITE # 1803 TORONTO, ON M3C 2Z  
TEL: 416 425 1870 FAX: 416 425 2362  
EMAIL: rdoiphode@sympatico.ca

DRAWN BY	Thais Lopes
CHECKED BY	Ravi
SCALE	1 : 200
DATE	September 26

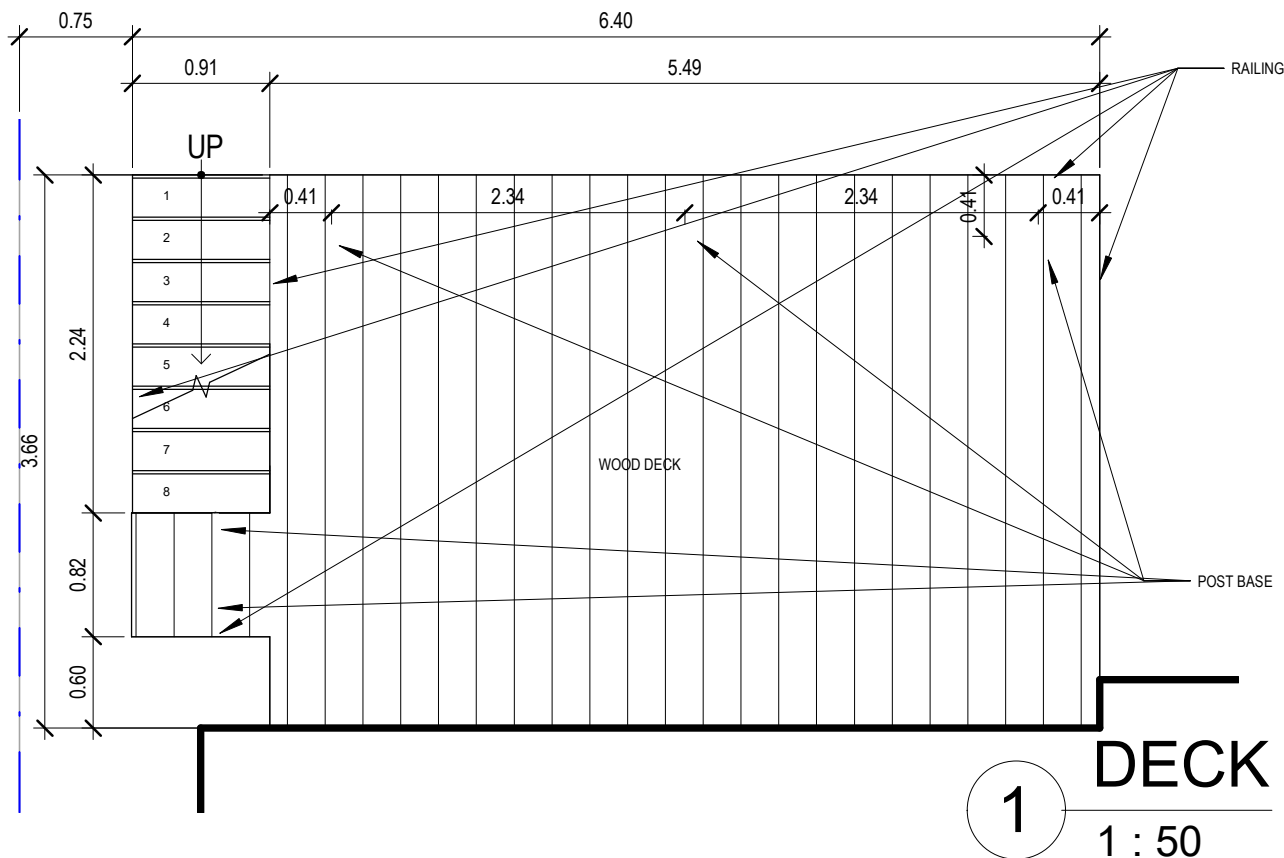
PROJECT NO.	19120
SHEET. NO.	CA100

2019-09-26 2:26:12 PM



**Revised**

September 27, 2019

**A130/19**

## DECK DETAILS PROPOSAL FOR WOOD DECK

54 Bannockburn Dr,  
Vaughan, Ontario  
FOR: Abdul RAHMAN

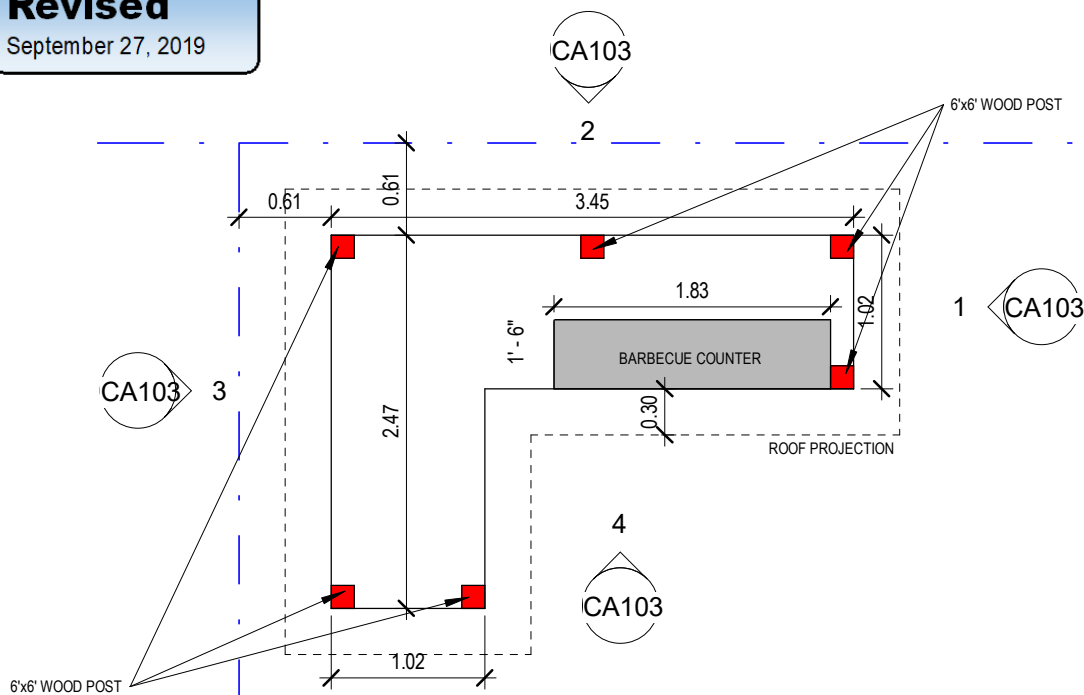


ARCHITECT  
RAVI  
DOIPHODE

100 LEEWARD GLENWAY, SUITE # 1803 TORONTO, ON M3C 2Z1  
TEL: 416 425 1870 FAX: 416 425 2362  
EMAIL: rdoiphode@sympatico.ca

DRAWN BY	Thais Lopes
CHECKED BY	Ravi
SCALE	1 : 50
DATE	September 26

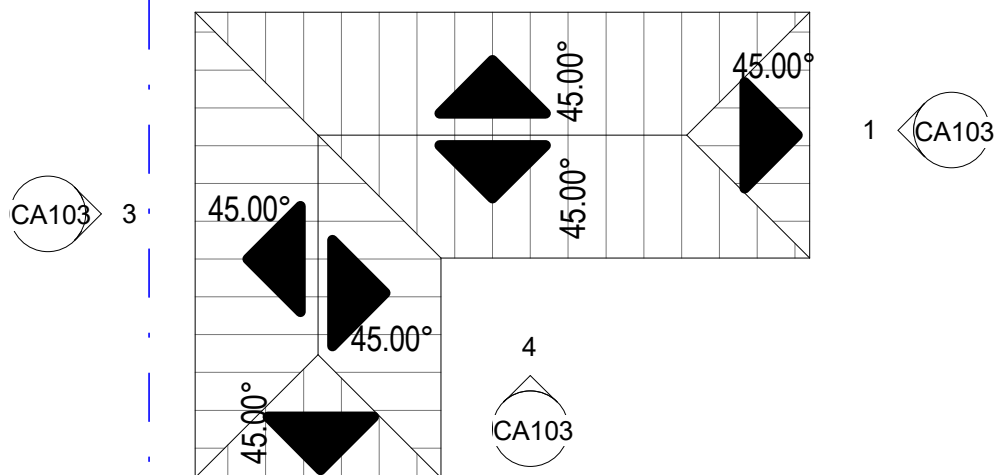
PROJECT NO.	19120
SHEET. NO.	CA101



## 1 BARBECUE SHADE

1

1 : 50



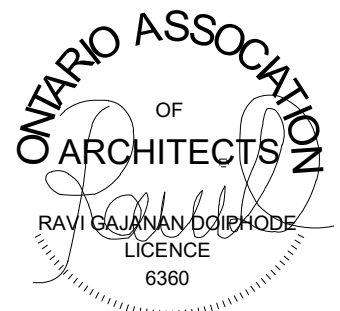
## 2 ROOF BARBECUE SHADE

2

1:50

### BARBECUE SHADE PROPOSAL FOR WOOD DECK

54 Bannockburn Dr,  
Vaughan, Ontario  
FOR: Abdul RAHMAN

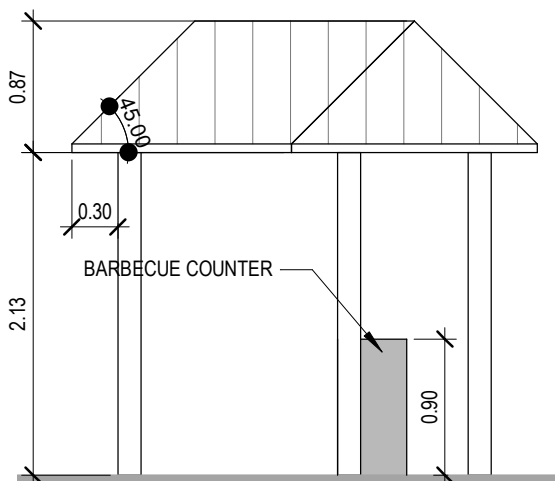


ARCHITECT  
RAVI  
DOIPHODE

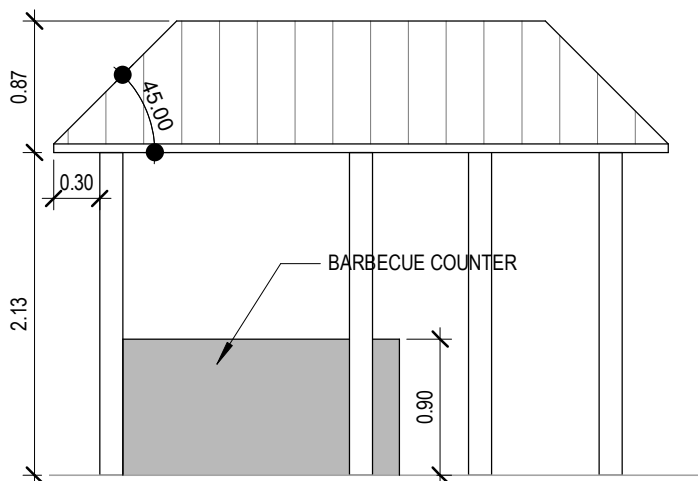
100 LEEWARD GLENWAY, SUITE # 1803 TORONTO, ON M3C 2Z  
TEL: 416 425 1870 FAX: 416 425 2362  
EMAIL: rdoiphode@sympatico.ca

DRAWN BY	Thais Lopes
CHECKED BY	Ravi
SCALE	1:50
DATE	September 26

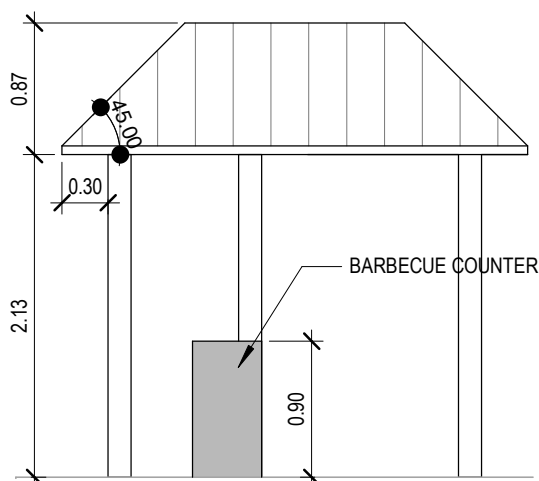
PROJECT NO.	19120
SHEET. NO.	CA104



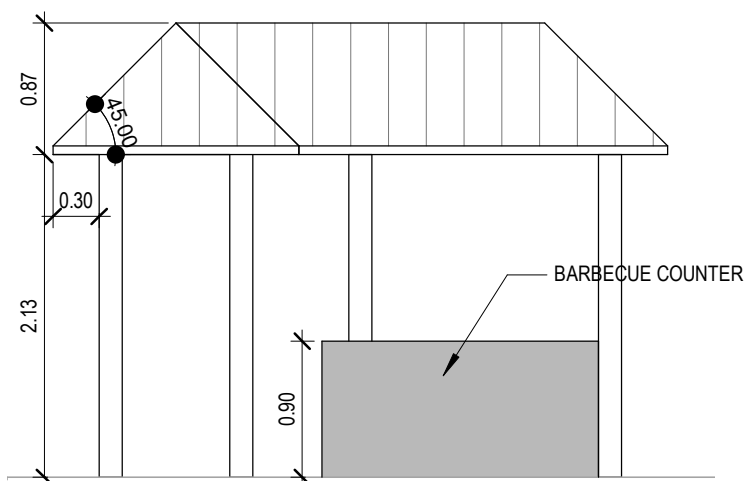
**1** Elev. 1  
1 : 50



**2** Elev. 2  
1 : 50



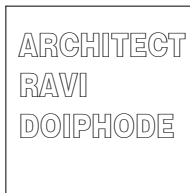
**3** Elev. 3  
1 : 50



**4** Elev. 4  
1 : 50

## ELEVATIONS BARBECUE SHADE PROPOSAL FOR WOOD DECK

54 Bannockburn Dr,  
Vaughan, Ontario  
FOR: Abdul RAHMAN



100 LEEWARD GLENWAY, SUITE # 1803 TORONTO, ON M3C 2Z1  
TEL: 416 425 1870 FAX: 416 425 2362  
EMAIL: rdoiphode@sympatico.ca

DRAWN BY	Thais Lopes
CHECKED BY	Ravi
SCALE	1 : 50
DATE	September 26

PROJECT NO.	19120
SHEET. NO.	CA103



















**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.

**Letters of Objection – Q. Ahmad, 53 Carling Road (October 7 & 23, 2019)**

**RECEIVED**  
**October 23, 2019**  
Committee of Adjustment

**A130/19**

To,

City of Vaughan

Committee of Adjustment

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1

From:

Qadeer Ahmad

53 Carling Road, Woodbridge, ON L4H 4P7

Subject: Opposition to Application for decision A130/19, backyard deck extension

Hi Respected Committee,

I would like to bring up my concern to your attention regarding extension of purposed deck. My house is right on the backside of this house. We have small backyard and deck of this house is right in front of my kitchen. This Deck is already about nine feet high from ground level. In addition, his house is already on almost 4 feet higher ground level than my house. If he is allowed to extend his deck, it will further give him chance to have parties on the deck. Extension of the deck will compromise my family privacy. We install fence for privacy but this higher and larger deck will be against our privacy. Also, please review the cover over the proposed BBQ located in the yard area near our yard boundary and please do not allow more than allowed by by law.

I would request to Honorable Committee not to allow this extension and let deck be as per existing by-law requirement.

Regards

Qadeer Ahmad

October 23, 2019

**RECEIVED**

**October 7, 2019**

Committee of Adjustment

**A130/19**

To,

City of Vaughan

Committee of Adjustment

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1

From:

Qadeer Ahmad

53 Carling Road, Woodbridge, ON L4H 4P7

Subject: Opposition to Application for decision A130/19, backyard deck extension

Hi Respected Committee,

I would like to bring up my concern to your attention regarding extension of purposed deck. My house is right on the backside of this house. We have small backyard and deck of this house is right in front of my kitchen. His house is already on almost 4 feet higher ground level than my house. My said neighbour uses his cell phone all the time on his deck, looking towards us. If he allowed to extend his deck it will further give him chance to have parties on the deck. Extension of the deck will compromise my family privacy. We install fence for privacy but this higher and larger deck will be against our privacy

I would request to Honorable Committee not to allow this extension and let deck be as per existing by-law requirement.

Regards

Qadeer Ahmad

October 7, 2019

## Providence, Lenore

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**From:** Qadeer <[REDACTED]>  
**Sent:** October-07-19 1:03 PM  
**To:** Committee of Adjustment; Committee of Adjustment  
**Subject:** Fw: Opposition to Application for decision A130/19, backyard deck extension  
**Attachments:** SKM\_C364e19100706360Today October07.pdf

Hi Honorable Committee , I for forgot to write this deck is already 10 feet( plus) higher than ground level. If it allowed to further extend , it will compromise my privacy. Kindly reject this extension.

Regards  
Qadeer Ahmad

----- Forwarded Message -----

**From:** Qadeer <[REDACTED]>  
**To:** "CofA@vaughan.ca" <CofA@vaughan.ca>  
**Sent:** Monday, October 7, 2019, 6:20:05 a.m. EDT  
**Subject:** Opposition to Application for decision A130/19, backyard deck extension

To,  
City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
From:  
Qadeer Ahmad  
53 Carling Road, Woodbridge, ON L4H 4P7  
[REDACTED]

Subject: Opposition to Application for decision A130/19, backyard deck extension

Hi Respected Committee,

I would like to bring up my concern to your attention regarding extension of purposed deck. My house is right on the backside of this house. We have small backyard and deck of this house is right in front of my kitchen. His house is already on almost 4 feet higher ground level than my house. My said neighbour uses his cell phone all the time on his deck, looking towards us. If he allowed to extend his deck it will further give him chance to have parties on the deck. Extension of the deck will compromise my family privacy. We install fence for privacy but this higher and larger deck will be against our privacy

I would request to Honorable Committee not to allow this extension and let deck be as per existing by-law requirement.

Regards  
Qadeer Ahmad

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**



**Providence, Lenore**

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**Subject:** FW: A130-19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

**From:** Wong, Tiffany <Tiffany.Wong@york.ca>

**Sent:** September-25-19 9:26 AM

**To:** Providence, Lenore <Lenore.Providence@vaughan.ca>

**Subject:** FW: A130-19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Hello Lenore,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A130/19 (54 Bannockburn Drive) and has **no comments**. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

**Tiffany Wong, B.E.S.** | Associate Planner, Programs and Process Improvement,  
Planning and Economic Development, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [tiffany.wong@york.ca](mailto:tiffany.wong@york.ca) | [www.york.ca](http://www.york.ca)

*Our Values: Integrity, Commitment, Accountability, Respect, Excellence*



Please consider the environment before printing this email.



**COMMENTS:**

☐

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

☒

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

☐

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

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

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

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

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

**References:**

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

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

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

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