

# VAUGHAN Staff Report Summary

Item #5

Ward #1

File: A045/20

Rekha Shah **Applicant:** 

20 Venkata Drive, Kleinburg Address:

GDB Consultaney Inc. Agent:

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	<b>√</b> ×
Committee of Adjustment	V	
Building Standards	V	
Building Inspection	V	
Development Planning	V	
Cultural Heritage (Urban Design)	V	
Development Engineering	$\overline{\checkmark}$	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA		
Ministry of Transportation	V	
Region of York	V	
Alectra (Formerly PowerStream)	V	
Public Correspondence (see Schedule B)		

Adjournment History: None
Background History: None

Staff Report Prepared By: Lenore Providence Hearing Date: Thursday, October 1, 2020



## Minor Variance Application

Agenda Item: 5

**A045/20** Ward: 1

## Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing:

Thursday, October 1, 2020 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 time.

A live stream of the meeting is available at <a href="Vaughan.ca/LiveCouncil">Vaughan.ca/LiveCouncil</a>

Please submit written comments by mail or email to:

City of Vaughan

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

cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of

Adjustment at <a href="mailto:cofa@vaughan.ca">cofa@vaughan.ca</a> or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the

last business day before the meeting.

Applicant: Rekha Shah

**Agent:** GDB Consultaney Inc.

Property: 20 Venkata Drive, Kleinburg

**Zoning:** The subject lands are zoned RD2, Residential and subject to the provisions of

Exception 9(1316) under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Related Files: None

**Purpose:** Relief from Zoning By-law 1-88, as amended, is being requested to permit the

construction of a proposed covered and unenclosed patio. Relief is also being

requested to permit the existing driveway.

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

By-law Requirement	Proposal
A minimum rear yard setback of 7.5 metres is required.	To permit a minimum rear yard setback of 4.0 metres to a covered patio.
2. A minimum of 50% of the front yard shall be comprised of landscaping for lots with a lot frontage of 12 metres or greater. (71.67m2 x 50% = 35.84 m2).	2. To permit a minimum of 48.28 % (34.6 m2) of the front yard area to be comprised of landscaping for lots with a lot frontage of 12 metres or greater.
3. A maximum driveway width of 7.65 metres is permitted on the lot.	3. To permit a maximum driveway width of 8.27 metres on the lot.
4. The portion of the driveway between the street line and the street curb shall not exceed six (6) metres in width.	4. To permit a maximum driveway width of 8.27 m for the portion of the driveway between the street line and the street curb.

## Background (previous applications approved by the Committee on the subject land): None

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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: None

## **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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

#### **Committee of Adjustment:**

Public notice was mailed on September 16, 2020

Applicant confirmed posting of signage on September 15, 2020

Property Information		
Existing Structures	Year Constructed	
Dwelling	2014	
Covered Patio	TBC	

Applicant has advised that they cannot comply with By-law for the following reason(s): Encroaching into city's setback limit.

Adjournment Request: None

#### **Building Standards (Zoning Review):**

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

Building Permit Application No. 19-001107 for Single Detached Dwelling - Alteration Not Yet Issued.

A driveway widening permit is required from the Public Works Department.

Maximum permitted driveway width is based on a copy of surveyor's certificate dated 07/25/12 which confirms that lot frontage is 15.299 m

The Applicant shall be advised that drawings submitted for building permit and minor variance shall match.

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:**

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

The Owner is requesting permission to construct a covered patio in the rear yard and to maintain changes to their existing driveway with the above-noted variances.

The proposed rear yard setback of 4 m to the covered patio is to a pinch point, increasing to 5.35 m at the opposite end. The covered patio has a maximum height of 4.35 m, complies with the minimum interior yard setbacks and is open and unenclosed. As such, Variance 1 is considered minor in nature.

The driveway has been enlarged 0.62 m beyond the maximum width requirement, resulting in a small 1.24m<sup>2</sup> reduction in the minimum soft landscaping requirement. Despite the changes to the driveway, the intent of the zoning by-law in balancing landscaping aesthetics with the provision of adequate parking is maintained. Variances 2, 3 and 4 are therefore considered minor in nature as they do not have adverse impacts on the neighbouring properties or streetscape.

Accordingly, the Development Planning Department is of the opinion that the variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are 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:**

**Additional Comments:** 

The owner/applicant shall apply and obtain the necessary curb cut permit through the Transportation Services Division.

The Development Engineering (DE) Department does not object to variance application A045/20.

#### Parks, Forestry and Horticulture Operations:

Forestry has no comments at this time.

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

No Comments.

## **Financial Planning and Development Finance:**

No comment no concerns

#### **Fire Department:**

No Response.

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 MTO – Located outside of MTO permit control area

### 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 are recommended: N/A

#### **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.

### **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.

### **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**

**PLEASE NOTE:** As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

**PUBLIC CONSULTATION DURING OFFICE CLOSURE:** 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 shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting <u>Vaughan.ca/LiveCouncil</u>. To make an electronic deputation, residents must complete and submit a <u>Public Deputation Form</u> no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit <u>www.vaughan.ca</u>

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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**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.

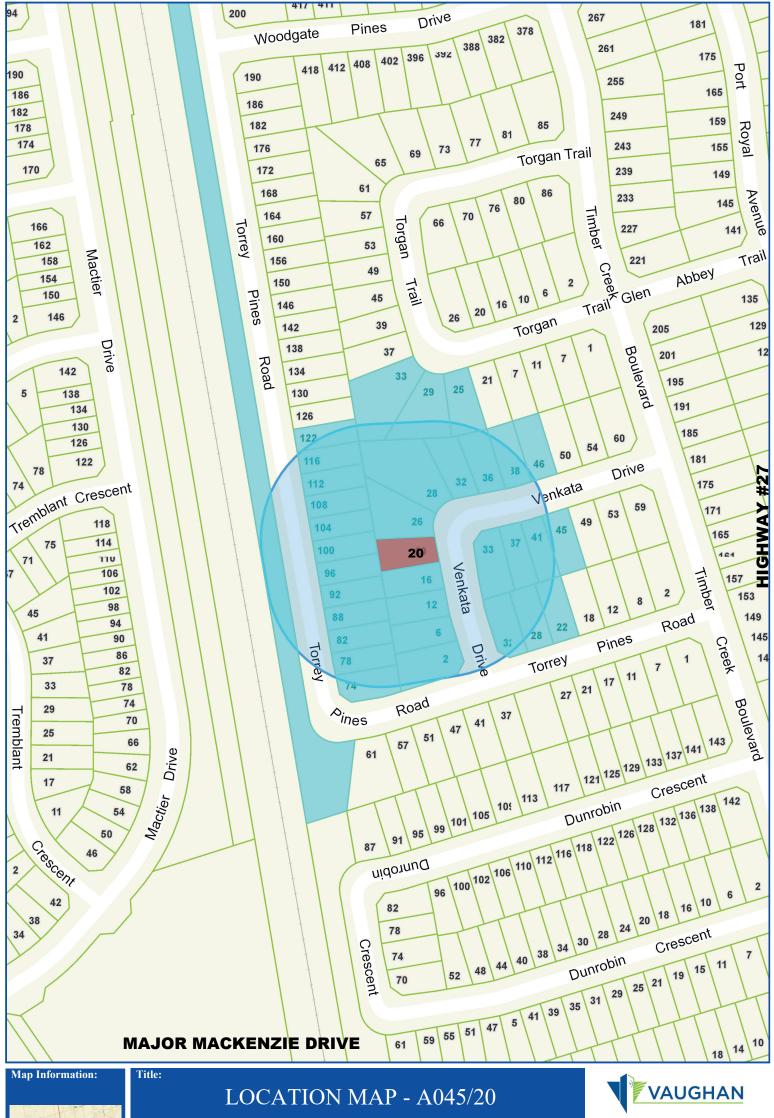
For further information please contact the City of Vaughan, Committee of Adjustment Lenore Providence

T 905 832 8585 Extension 8394 E <u>CofA@vaughan.ca</u>

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.

Location Map Plans & Sketches





20 VENKATA DRIVE, KLEINBURG

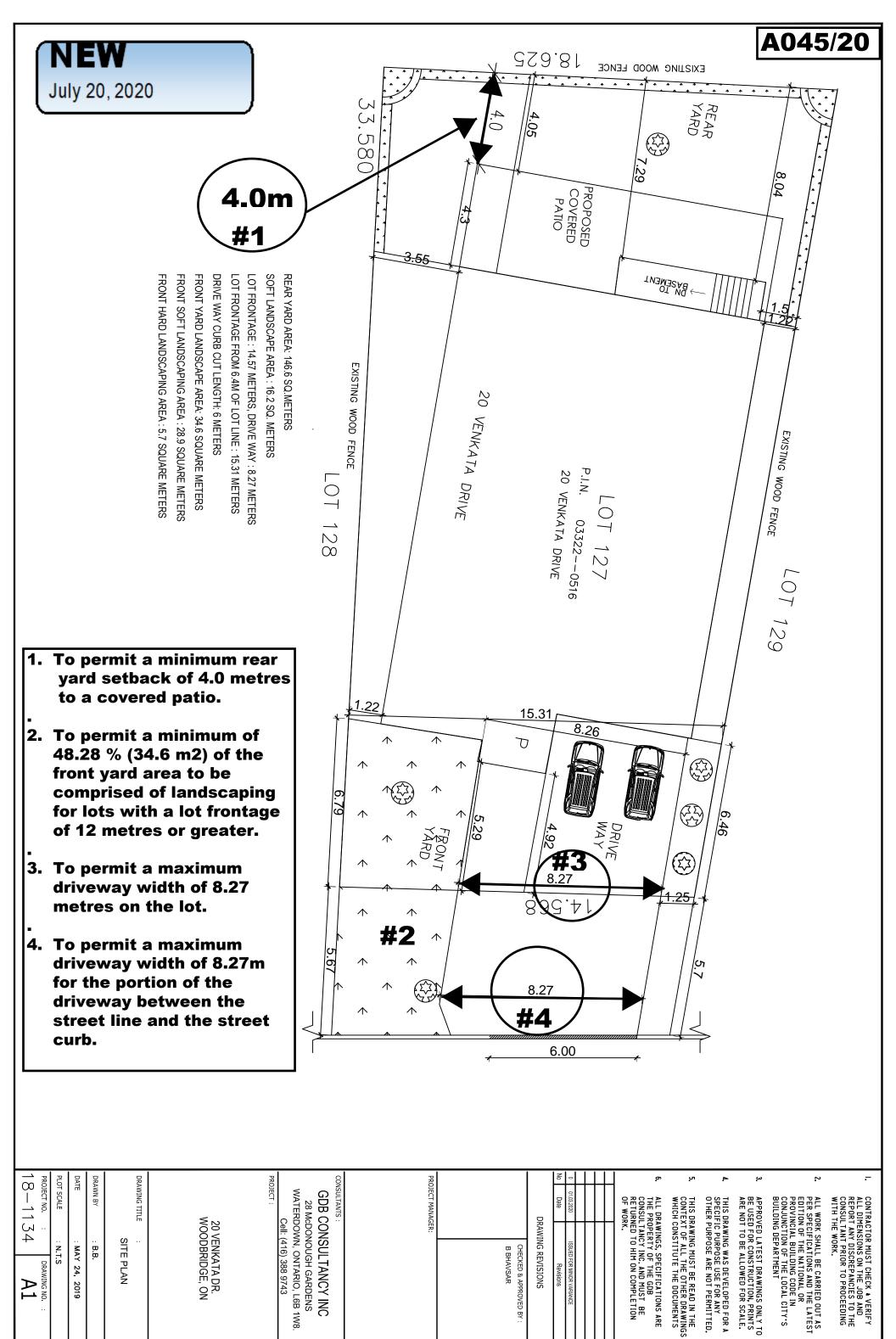
Disclaimer:

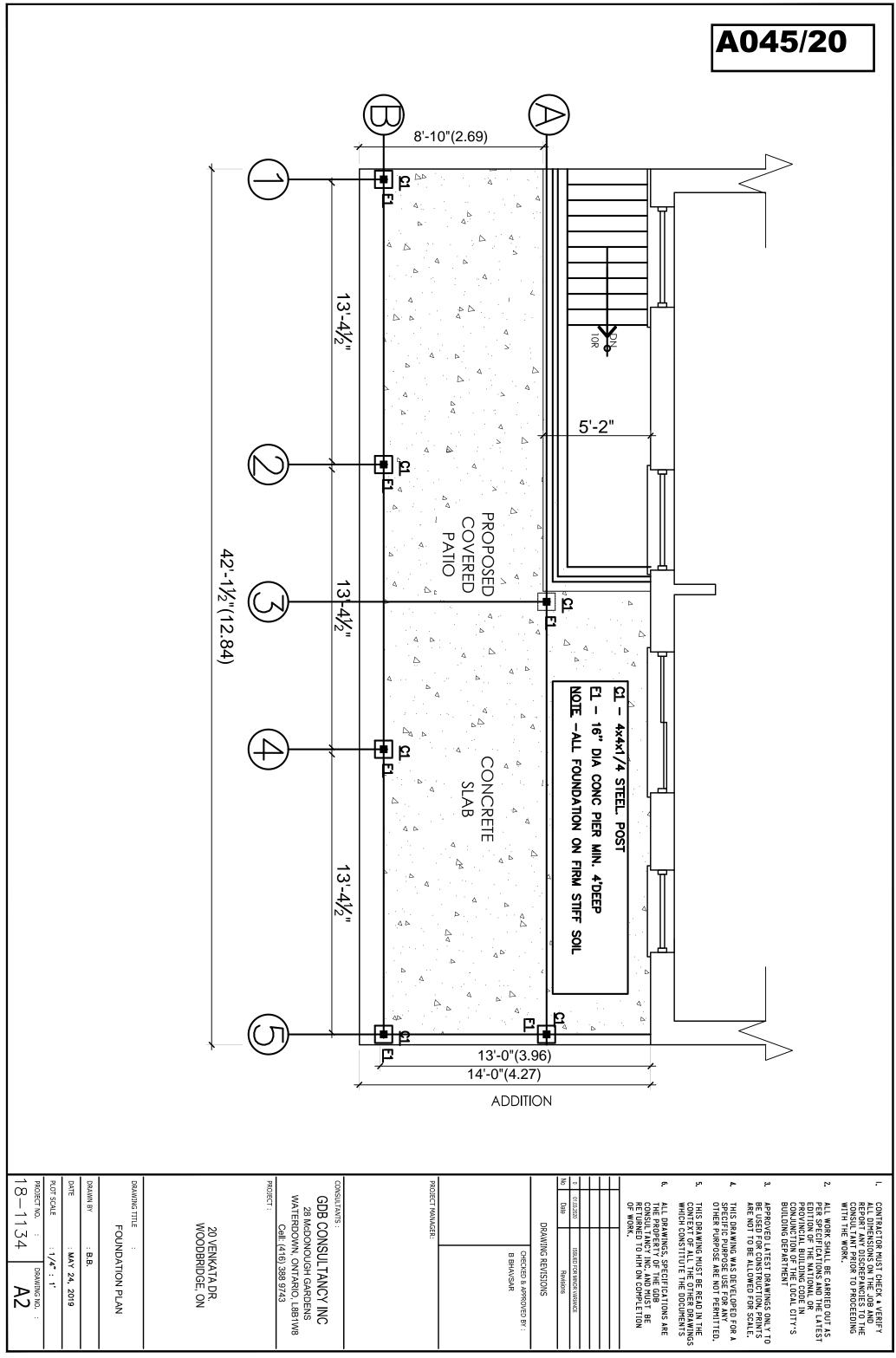


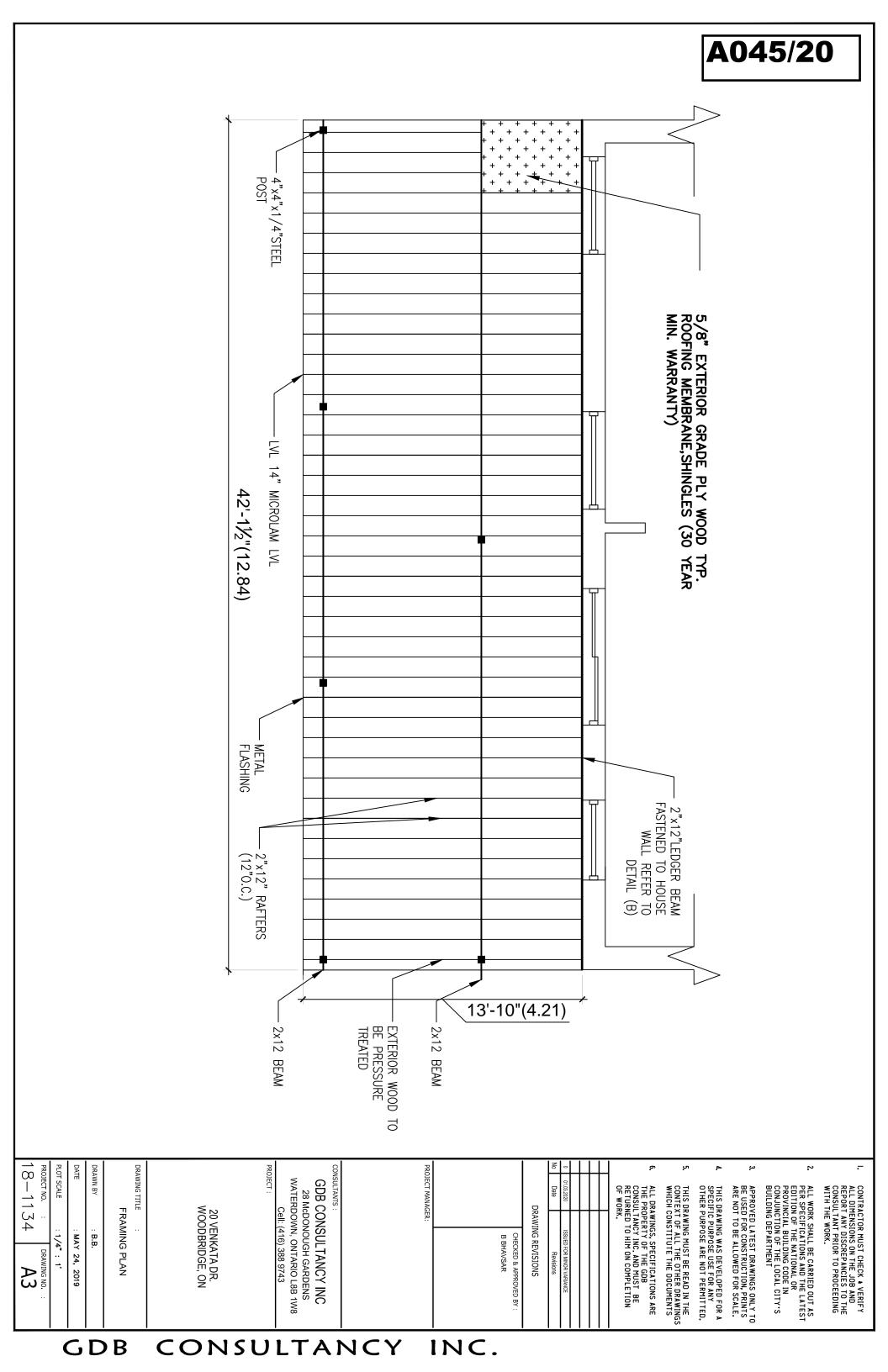


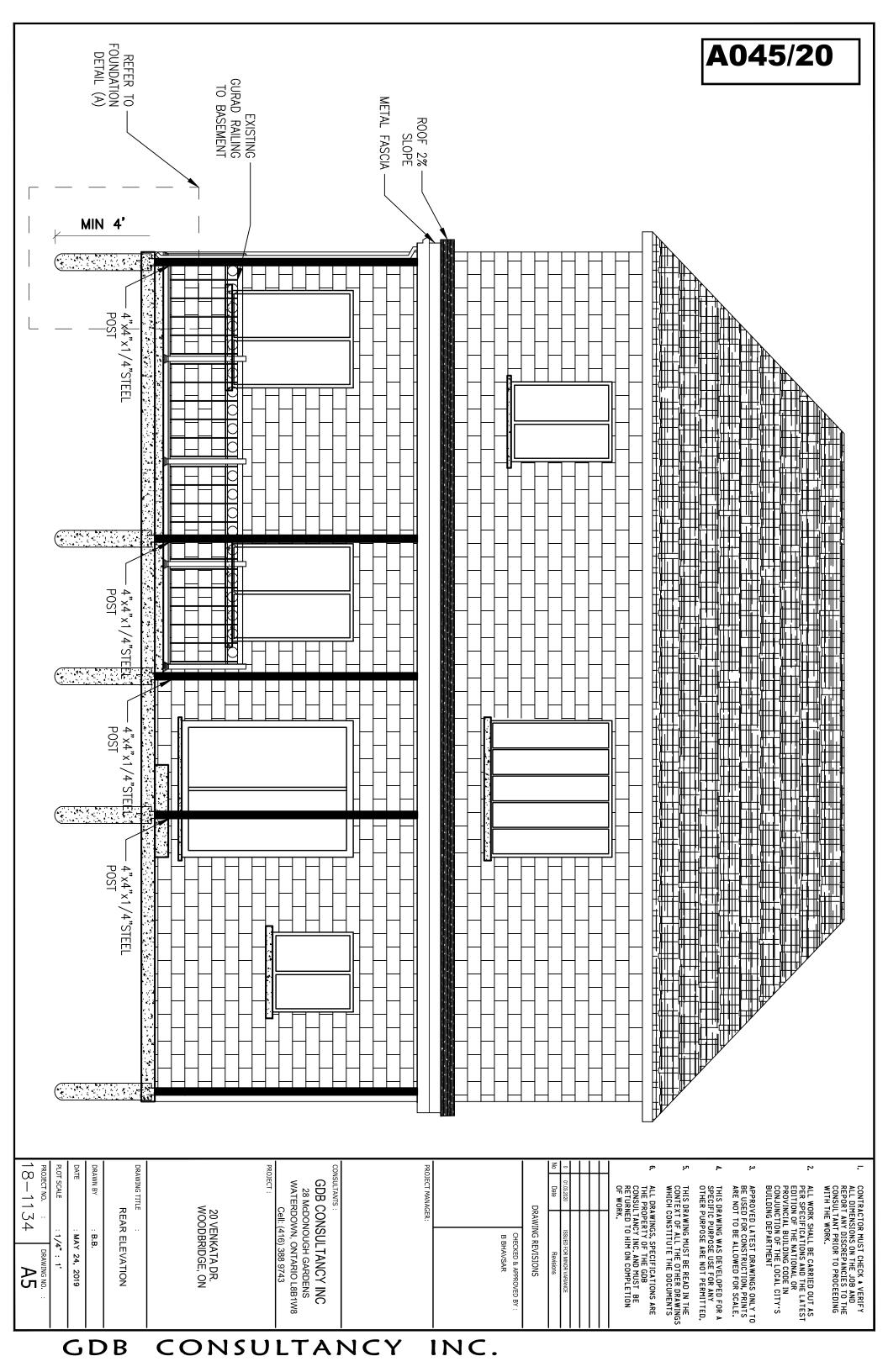
Created By:
Infrastructure Delivery
Department

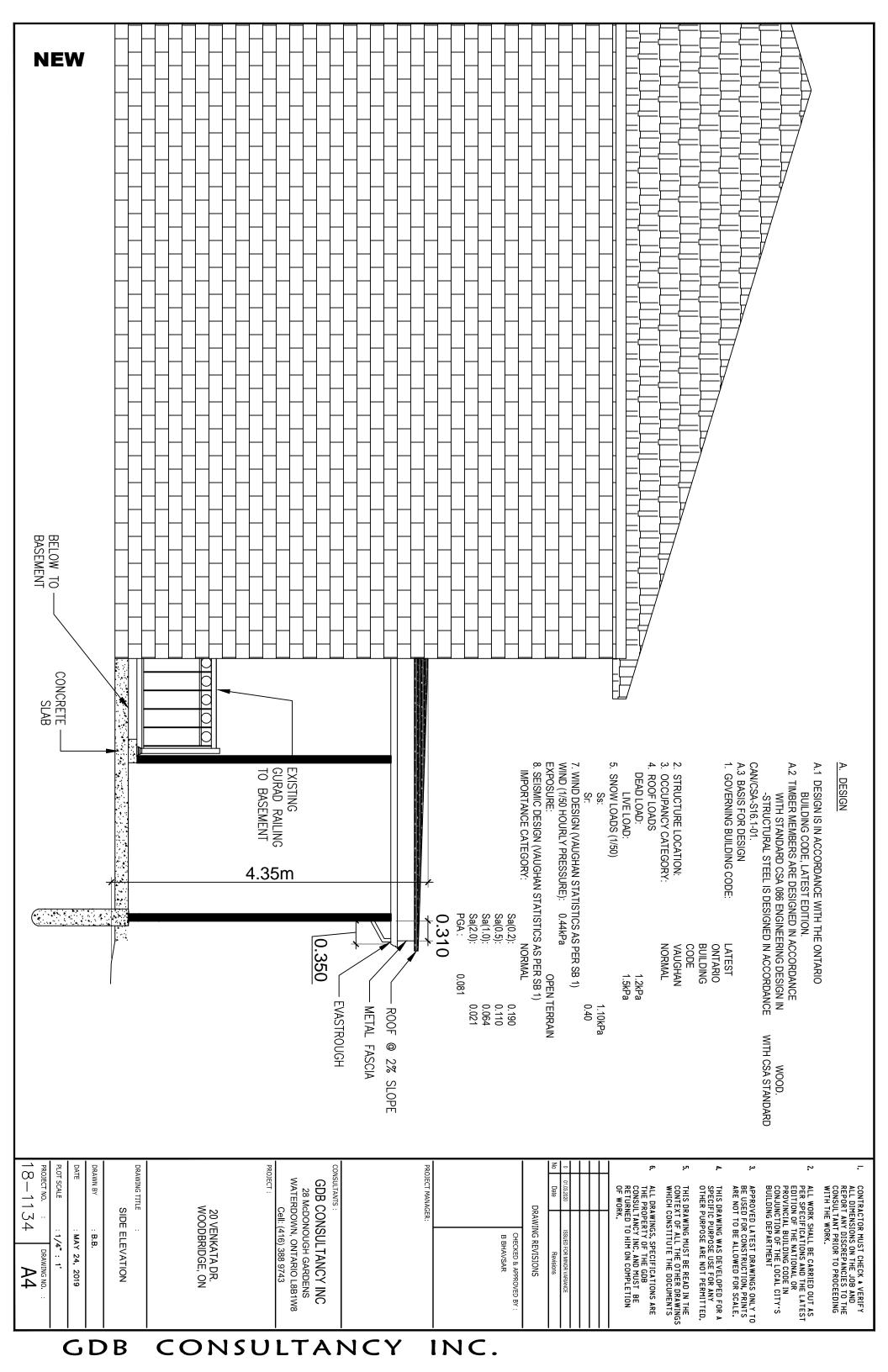
Projection: NAD 83 UTM Zone

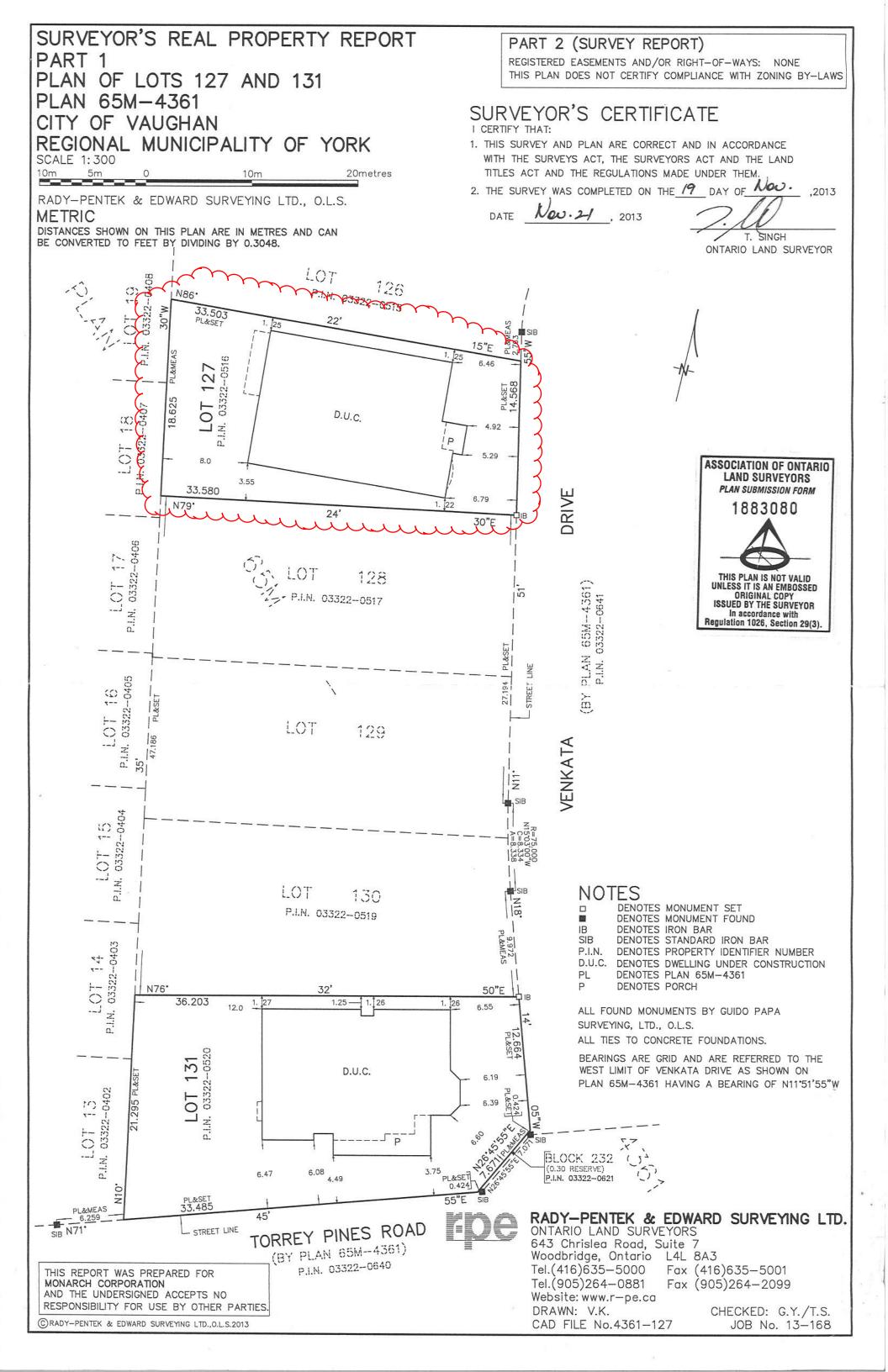












# Schedule B: Public Correspondence Received

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.

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.-

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections MTO – Located outside of MTO permit control area



#### **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

Mr. Tony D'Onofrio Supervisor, Subdivisions (Alectra East) **Phone**: 1-877-963-6900 ext. 24419

Email: tony.donofrio@alectrautilities.com

## Providence, Lenore

**Subject:** FW: A045-20 - REQUEST FOR revised COMMENTS - 20 VENKATA DR, KLEINBURG ON (Full

Circulation)

From: Hajjar, Alexander (MTO) <Alexander.Hajjar@ontario.ca>

# Sent: August-18-20 4:14 PM

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

Cc: Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; Committee

of Adjustment < CofA@vaughan.ca>

Subject: [External] RE: A045-20 - REQUEST FOR revised COMMENTS - 20 VENKATA DR, KLEINBURG ON (Full Circulation)

Good Afternoon Lenore,

MTO has reviewed the subject land(s) located at 20 Venkata Drive in the City of Vaughan. The subject lands are outside the MTO permit control area and therefore do not require a permit from this office.

Best Regards,

#### Alexander Hajjar

Transportation Technician Highway Corridor Management Section Ministry of Transportation, MTO 416.235.4504

## Providence, Lenore

**Subject:** FW: A045-20 - REQUEST FOR revised COMMENTS - 20 VENKATA DR, KLEINBURG ON (Full

Circulation)

From: Hurst, Gabrielle < Gabrielle. Hurst@york.ca>
Sent: September-01-20 12:00 PM

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

MacPherson, Adriana < Adriana. MacPherson@vaughan.ca>

Subject: [External] RE: A045-20 - REQUEST FOR revised COMMENTS - 20 VENKATA DR, KLEINBURG ON (Full Circulation)

Good morning Lenore,

The Regional Municipality of York has completed its review of the revised minor variance and has no comment, Regards,

## Gabrielle

**Gabrielle Hurst MCIP RPP** | Community Planning and Development Services | Corporate Services The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1 1-877 464 9675 ext 71538 | <a href="mailto:gabrielle.hurst@york.ca">gabrielle.hurst@york.ca</a> | <a href="mailto:yww.york.ca">ywww.york.ca</a>