File: A	114/20
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Applicant: Sultan Ahmed & Noreen Rushda

155 Peak Point Blvd Maple Address:

Nadia Khalil 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	√ ×
Committee of Adjustment	V	
Building Standards	V	
Building Inspection	V	
Development Planning	V	
Cultural Heritage (Urban Design)	V	
Development Engineering	V	
Parks, Forestry and Horticulture Operations	V	
By-law & Compliance	V	
Financial Planning & Development	V	
Fire Department	V	
TRCA		
Ministry of Transportation	$\overline{\mathbf{V}}$	
Region of York	$\overline{\mathbf{V}}$	
Alectra (Formerly PowerStream)	V	
Public Correspondence (see Schedule B)		

Adjournment History: N/A	
Background History: N/A	

Staff Report Prepared By: Pravina Attwala Hearing Date: Thursday, December 3, 2020



Minor Variance Application

Agenda Item: 7

A114/20 Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing:

Thursday, December 3, 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 Vaughan.ca/LiveCouncil

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 cofa@vaughan.ca 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: Sultan Ahmed & Noreen Rushda

Agent: Nadia Khalil

Property: 155 Peak Point Blvd Maple

Zoning: The subject lands are zoned RD3 Residential Detached Zone Three, and subject to

the provisions of Exception No. 9(947) under By-law 1-88 as amended.

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

Related Files: None

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

and entrance located in the easterly side yard.

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

By-law Requirement	Proposal
A minimum interior side yard setback of 3.2 metres is	To permit a minimum interior side yard setback of
required to stairs abutting a non-residential use and	2.54 metres to the staircases abutting a non-
shall not exceed one-half storey in height.	residential use, and one of which exceeds one-half
	storey in height.

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

Committee of Adjustment:

Public notice was mailed on November 18, 2020

Applicant confirmed posting of signage on November 17, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2009 (Purchased 2019)

Applicant has advised that they cannot comply with By-law for the following reason(s):

The owner was under the impression that similar to a typical property, only 1.2m setback was required however, the required interior side yard setback of 3.2m came to his attention after the construction of the stairs.

Adjournment Request: N/A

Building Standards (Zoning Review):

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

Building Permit No. 06-009380 for Single Detached Dwelling - Issue Date: Dec 12, 2006

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is requesting permission to legalize existing staircases located in the interior east side yard of the house with the above noted variances.

The Development Planning Department has no objection to the proposed variance, as the interior side yard ensures there is no adverse impact on the adjacent wetland feature to the east. The reduction of 0.66 m is appropriate given there is no abutting residential lot and the staircases comply with height parameters of Zoning By-law 1-88.

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 application.

Cultural Heritage (Urban Design):

There are no cultural heritage concerns for this application.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A114/20

Parks, Forestry and Horticulture Operations:

No comments or concerns

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

No comment no concerns

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 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 have been 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.

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.

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.

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.

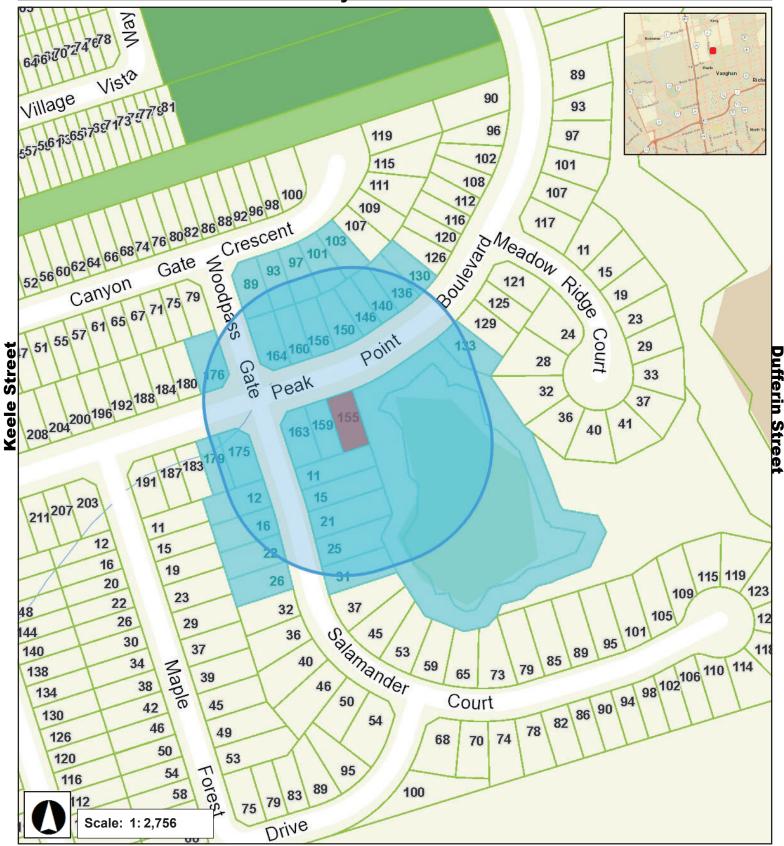
Location Map Plans & Sketches



VAUGHAN LOCATION MAP - A114/20

155 PEAK POINT BLVD. MAPLE

Kirby Road

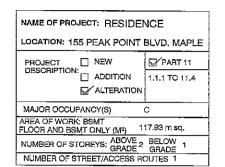


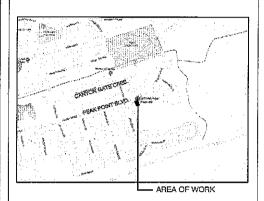
Teston Road

November 3, 2020 2:23 PM

RESIDENCE

155 PEAK POINT BLVD, MAPLE, ONTARIO





STATISTICS: NUMBER OF STORIES

	EXISTING	PROPOSED	PROPOSED CHANGE
GROSS FLOOR AREA	382.28 m²	382.28 m²	No Change
Ground Floor	110.55 m²	110.55 m²	No Change
Second Floor	153,10 m²	153.10 m²	No Change
BSMT	118.63 m²	118.63 m²	No Change
FRONT SETBACK	3.07 m	3.07 m	No Change
BEAB SETBACK	7.55 m	7.55 m	No Change
SIDE YARD SETBACK	1.26 m	1.26 m	No Change
INTERIOR SIDE YARD SETBACK	3.75 m	2.54 m	YES
LOT COVERAGE %	38.0 % 174.42 m	39.3 % 180.17 m	YES

SCOPE OF WORK:

SEEKING RELIEF OF 0.66m TO COMPLY WITH INTERIOR SIDE

SETBACK OF 3.2m

LIST OF DRAWINGS

MATRIX & SITE PLAN G01 WINDOW/ DOOR SCHEDULE G02

G03

A01 EXIST/ PROPOSED SECOND FLOOR PLAN

EXISTING BASEMENT FLOOR PLAN A02

A03 PROPOSED BASEMENT FLOOR PLAN

EXISTING/ PROPSED GROUND FLOOR PLAN A04 EXISTING SIDE ELEVATION A05

1 KEY PLAN SCALE NTS

A114/20 2.54m ADJACENT RESIDENTIAL PROPERTY [14.70M] N 71°58'15" E WOOD FENCE PROPERTY LINE [14.70M] SOFT LANDSCAPE DECK ABOVE 24'-9" (7.55M] CHAIN LINK FENCE € 5.2 % SIGNE SLOPE > CONCRETE PATIO 2'-4" (3,76M) 12'-4" [3.76M] 33'-0" [10.06M] PROPERTY LINE CONNECTED TO WEEP TILE ADJACENT RESIDENTIAL PROPERTY 1.55 PEAK POINT BLVD. LOT 232 65M PL3878 DETACHED RESIDENTIAL ZONE RD3 ADJACENI OPEN SPACE SUBJECT TO EASEMENT AS INST. YR77 5362 恶 EXIST. ENTRANCE [30.11M] 3'-U" [0.91M] 12'-4" 58-7" [17.86M] [3.76M] 8'-8* EXIST. ZONCRETE EXCAVATED STAIRS المنظمة المناسبة EXIST CHAIN LINK FENCE EXIST. WOOD STAIRS CONGRETE WALKWAY **(**) ENTRANCE TO GROUND FLOOR 5'-2<mark>1</mark>" [1.59M] -35 COVERED [6.06M] EXIST. CONCRETE N 70°38'55" E PROPERTYLLNE N 71°58'15" E 32-63

PEAK POINT BLVD.

[9.92M]



NOTES:

01) EXTEND WALKWAY TO 1.2 m. MATCH & LEVEL TO THE EXISTING DRIVEWAY.

2 SITE PLAN SCALE: 32" = 1'-0"



MATRIX & SITE PLAN

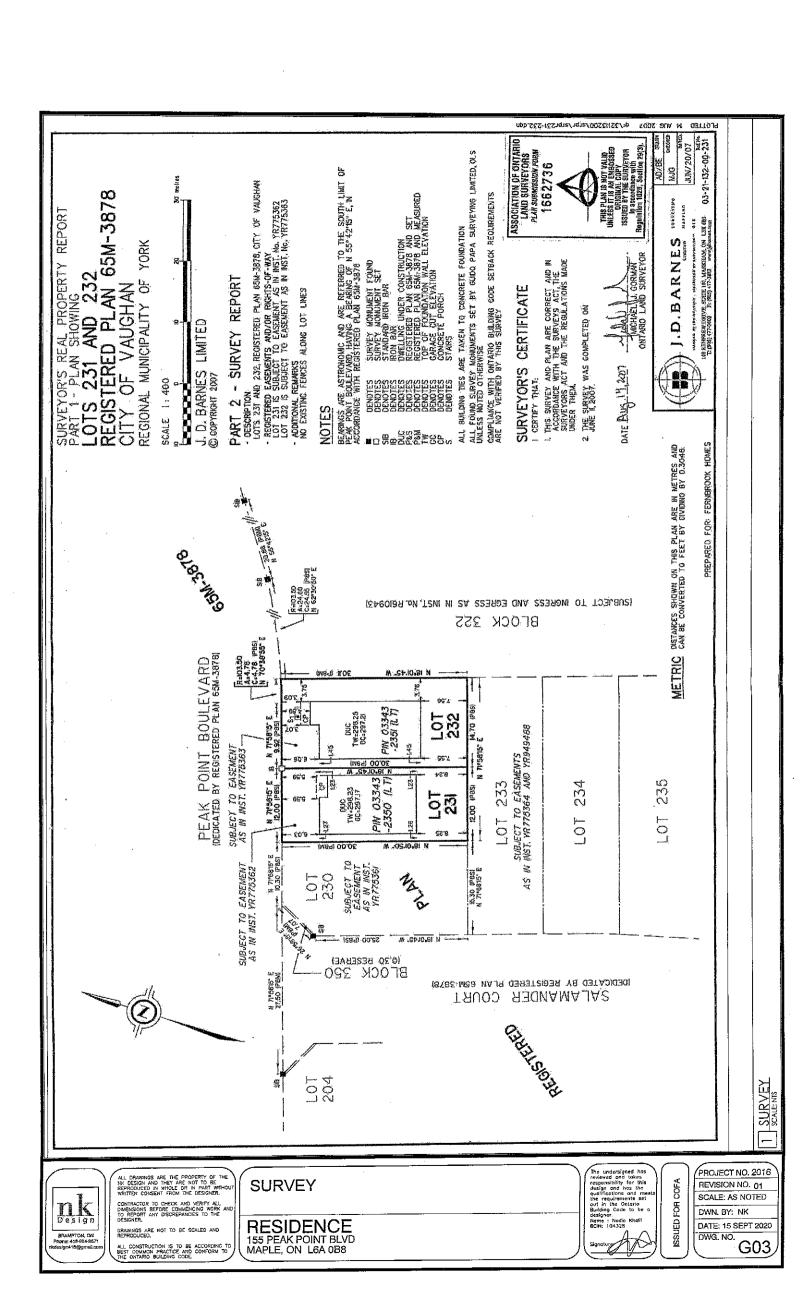
RESIDENCE 155 PEAK POINT BLVD MAPLE, ON 16A 0B8

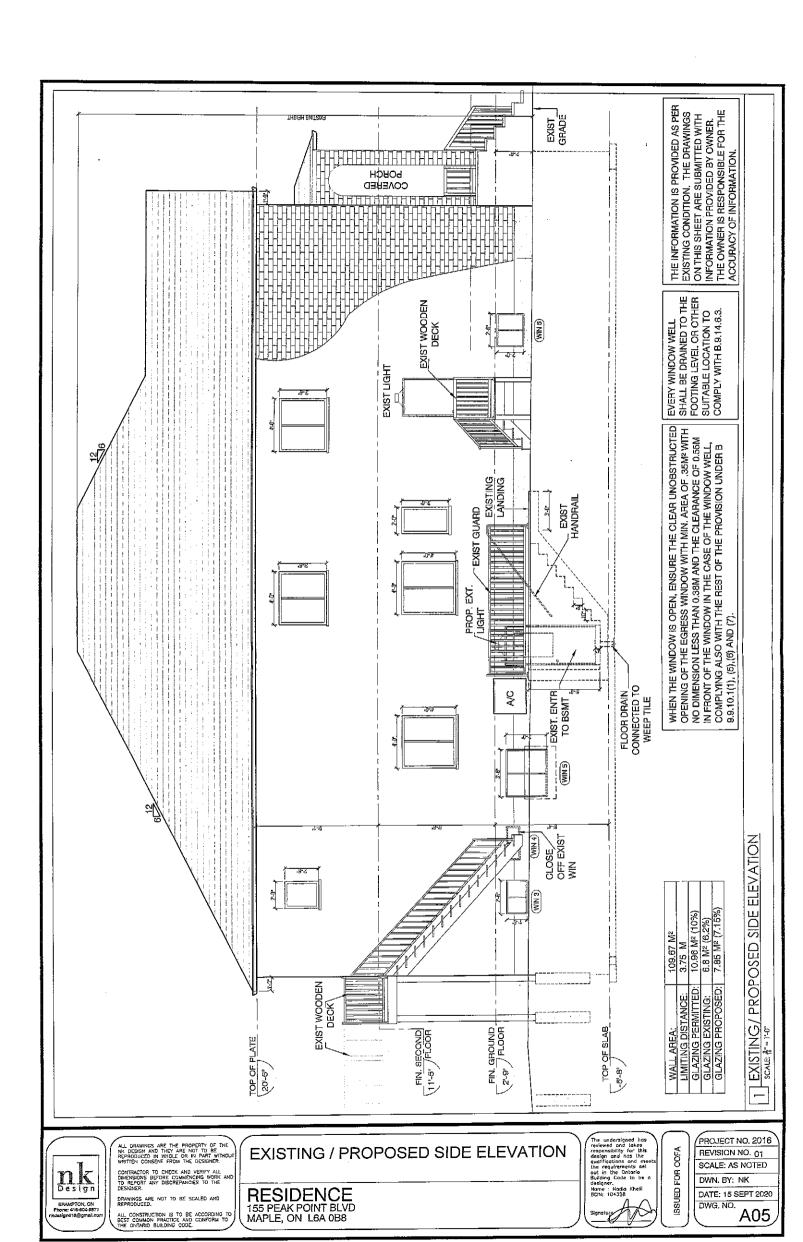


PROJECT NO. 2016 REVISION NO. 01 ISSUED FOR COFA SCALE: AS NOTED

DWN. BY: NK DATE: 15 SEPT 2020 DWG. NO.

G01





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)

E-mail: stephen.cranley@alectrautilities.com

Phone: 1-877-963-6900 ext. 31297

Email: tony.donofrio@alectrautilities.com

Supervisor, Subdivisions (Alectra East)

Phone: 1-877-963-6900 ext. 24419

Mr. Tony D'Onofrio

Attwala, Pravina

Subject: FW: A114/20 - REQUEST FOR COMMENTS

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

Sent: October-27-20 3:54 PM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca> **Cc:** Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>

Subject: [External] RE: A114/20 - REQUEST FOR COMMENTS

Good Afternoon Pravina,

MTO has reviewed the subject land(s) located at 155 Peak Point Blvd. 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 437.833.9453

Attwala, Pravina

Subject: FW: A114/20 - REQUEST FOR COMMENTS

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

Sent: November-10-20 11:06 AM

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

MacPherson, Adriana <Adriana.MacPherson@vaughan.ca> **Subject:** [External] RE: A114/20 - REQUEST FOR COMMENTS

Good morning Pravina,

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

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 | <a h