



File: A093/20

Applicant: Deep Rana

Address: 81 Sunset Terrace, Woodbridge

Agent: Giorgio Frasca - Frasca Design & Planning

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	<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"/>	
Parks, Forestry and Horticulture Operations		
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: None

Background History: None



Minor Variance
Application

Agenda Item: 01

A093/20

Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, January 14, 2021 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](https://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: Deep Rana

Agent: Giorgio Frasca - Frasca Design & Planning

Property: 81 Sunset Terrace, Woodbridge

Zoning: The subject lands are zoned RT1, Residential Townhouse Zone, and subject to the provisions of Exception 9(1399) under By-law 1-88 as amended.

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

Related Files: None.

Purpose: Relief from By-law 1-88, as amended, is being requested to permit the existing deck 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 setback of 5.7 metres is required.	1. To permit a minimum Rear yard setback of 4.5 metres to an uncovered deck.

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

Committee of Adjustment:
Public notice was mailed on December 17, 2020

Applicant confirmed posting of signage on December 28, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2018
Deck	2020

Applicant has advised that they cannot comply with By-law for the following reason(s): Setbacks seem to be too restrictive.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: Order No. 19-111194, Order to Comply for Construction of a wood framed deck located in the rear yard has been undertaken prior to obtaining the required building permit., Issue Date: Dec 12, 2019.

Building Permit No. 19-001613 for Street Townhouse - Alteration, Issue Date: (Not Yet Issued).

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is requesting permission to maintain a raised deck in the rear yard with the above-noted variance. At the request of the Development Planning Department, the Owner revised their proposal to address concerns with the existing rear yard setback by reducing the projection into the rear yard from 1.89m to 4.5m.

On November 11th, 2020, Development Planning staff attended the subject property and observed existing walkout conditions within the Townhouse blocks with original builder decks. As the revised plans provide for more open space in the rear yard, 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 comments or concerns

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A093/20.

Parks Development - Forestry:

No comments or concerns

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

No comment or concerns

Fire Department:

No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

A093/20 – Public Correspondence (Anonymous)

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 are recommended: N/A

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 [Vaughan.ca/LiveCouncil](https://www.v Vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) 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 [www.vaughan.ca](https://www.v Vaughan.ca)

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.

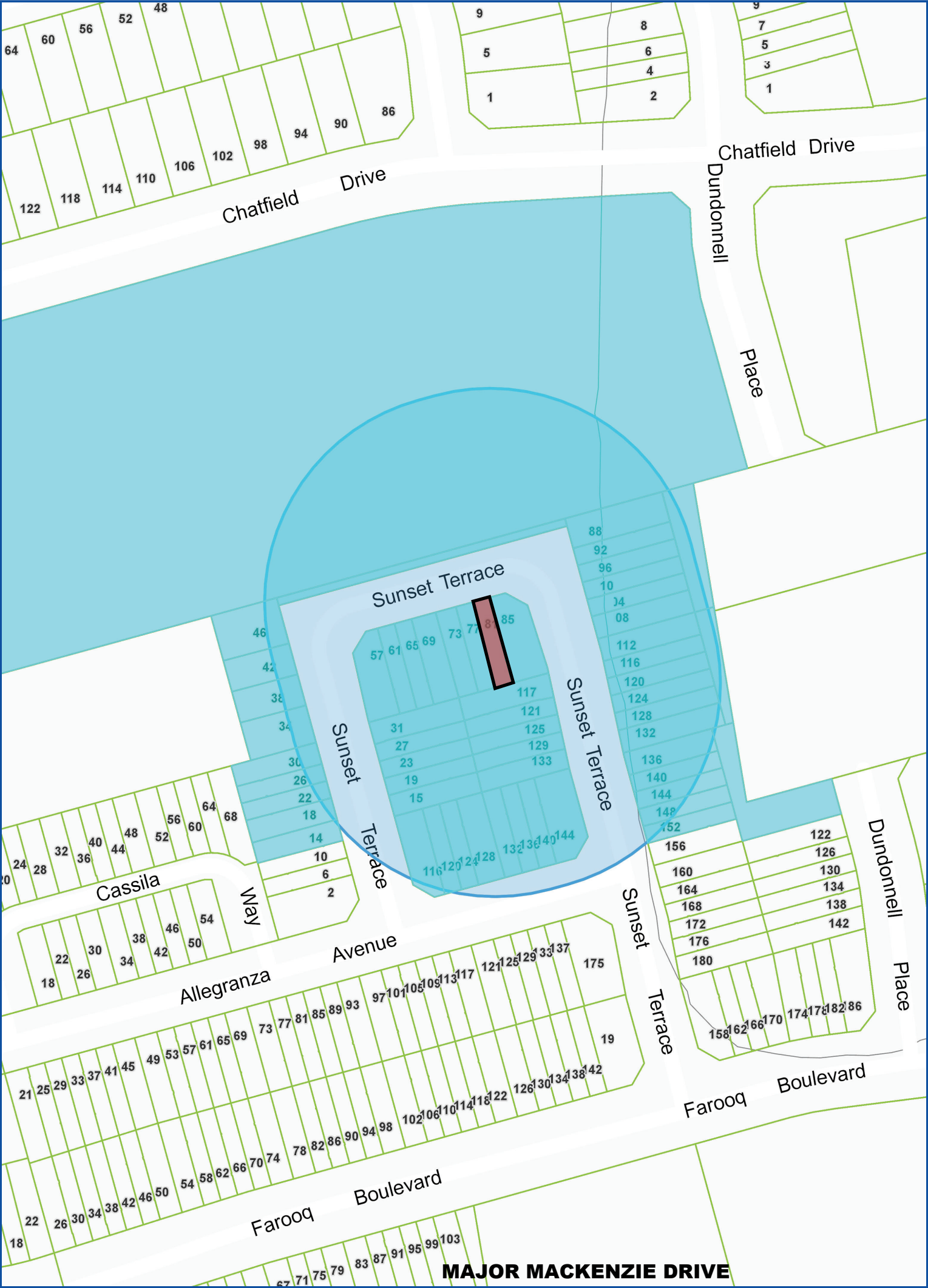
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
E CofA@vaughan.ca

Schedule A: Plans & Sketches

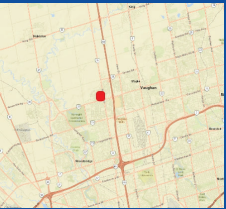
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



WESTON ROAD

Map Information:



Title:

81 SUNSET TERRACE, WOODBRIDGE

A093/20 - NOTIFICATION MAP

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: 1,526

0 0.02 km



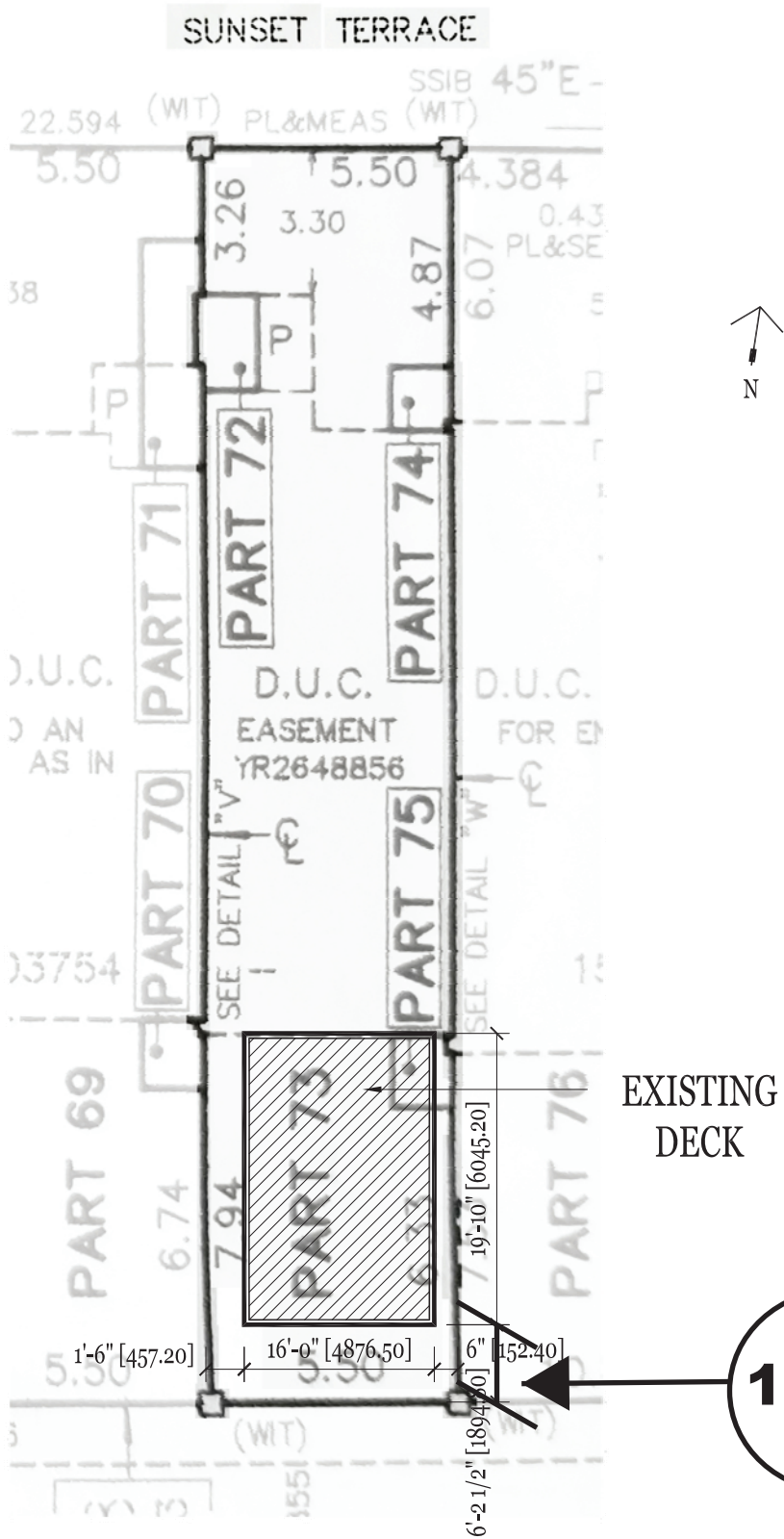
Created By:

Infrastructure Delivery
Department
November 6, 2020 6:18 PM

Projection:
NAD 83
UTM Zone
17N

SURVEYOR’S REAL PROPERTY REPORT
PLAN OF SURVEY OF
BLOCKS 1, 2, 3, 4, 5, 6, 7 8 AND 9
REGISTERED PLAN 65M-4550
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
SITE INFORMATION TAKEN FROM
PLAN OF SURVEY PREPARED BY:
RADY-PENTEK & EDWARD SURVEYING LTD.
ONTARIO LAND SURVEYORS
SEPTEMBER 29, 2017

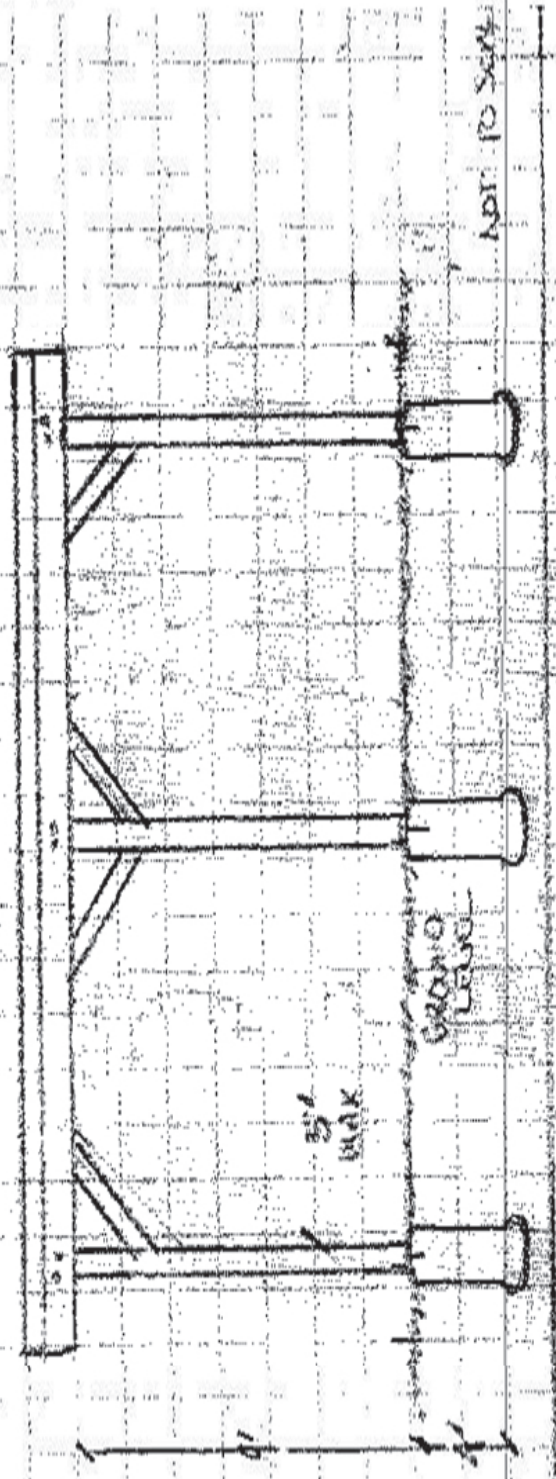
A093/20



SITE PLAN
81 SUNSET TERRACE
VAUGHAN, ON, L4L 1A6
SEPTEMBER 14, 2020

FENCING SPECS

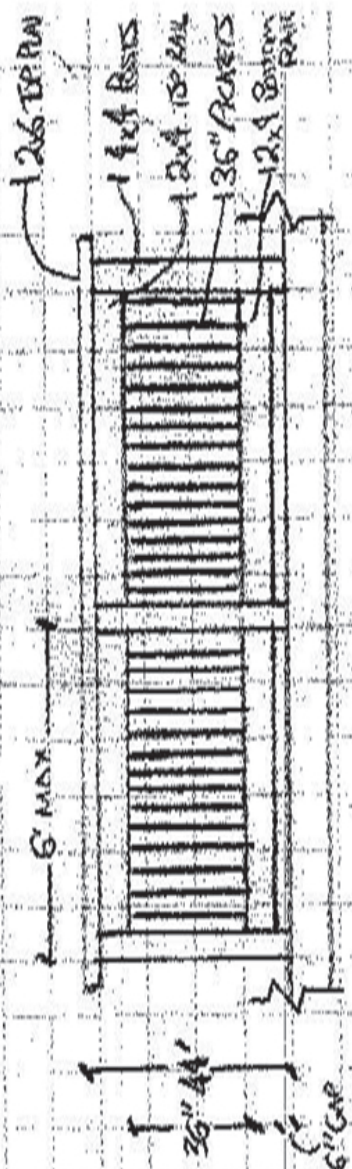
10" RIGID CONCRETE FEND TUBES
C/G GALVANIZED SPACER W/ REBAR
C/G POSTS MAX 9' FROM END TO END
12" BEE @ BOTTOM OF 10" SAND
MIN 48" DEPTH FOR CONCRETE SAND TUBES
MAX 5' SPACING O/C BETWEEN SAND'S
C/G CROSS BRACING FROM POSTS TO BEAMS
MAX 10' FROM OUTSIDE END TO NEXT EDGE
LOCATES PROVIDED BY CONTRACTOR



APR 10 2020

RAILING SPECS

2x6" P.T. TOP PLATE
2x4" TOP & BOTTOM RAIL
4x4" P.T. POSTS SPACED MAX 6' O/C
2-Q. 5" MIN. TIE BOLTS W/ OD WASHERS TO LAG 4x4'S
LESS THAN 80mm SPACINGS BETWEEN PICKETS
36" GALVANIZED ALUMINUM RAIL PICKETS (BLACK)
TYPICAL 3" GALVANIZED SCREWS USED THROUGHOUT
44" TOTAL FINISH RAIL HEIGHT
RAIL MANUFACTURE: NUNO IRON



A093/20

RECEIVED
from Planning site visit
Nov. 16//2020
Committee of Adjustment



A093/20

RECEIVED
from Planning site visit
Nov. 16//2020
Committee of Adjustment





A093/20

RECEIVED
from Planning site visit
Nov. 16//2020
Committee of Adjustment



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.

A093/20 – Public Correspondence (Anonymous)

December 21, 2020

Vaughan Committee of Adjustment
2141 Major Mackenzie Dr.
Vaughan, ON
L6A 1T1

Re: Notice of Hearing -Minor Variance Application A093/20 – 81 Sunset Terrace, Woodbridge

Dear Committee:

I currently reside on Sunset Terrace. I wish to participate in this hearing anonymously. As a resident of Sunset Terrace I don't feel comfortable revealing my name and address to the Applicant.

From my knowledge, the applicant built the backyard deck without a permit and before the City assumed the subdivision. The Builder had specifically sent out notices to the residents not to work on the properties until final grading had been completed. The applicant ignored all City Bylaws and Builder's notices.

This deck is an eyesore to all of us who must look at it every day for these reasons:

- Townhome backyards are not big enough to support such a large structure.
- The deck takes up the whole width and length of their property.
- It blocks sunlight to the backyards of the other homes who share a property line with the applicant.
- Because the deck is a second story height it provides no privacy to anyone who can see it on Sunset Terrace. The resident didn't even have enough consideration for others to install a privacy lattice.

Why should the applicant be permitted any relief from the by-law when they chose to blatantly disregard the City's building requirements? They also have no regard for their neighbors. Should you grant this petition then what does that say to everyone else in the neighborhood. Should these very small properties be full of unregulated decks?

I trust that the City will do what's right for the community and have the Applicant reduce the size of the deck to meet the requirements set out by the City.

Regards,
A resident of Sunset Terrace

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

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 & 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

Attwala, Pravina

Subject: FW: A093-20 - - REQUEST FOR COMMENTS - 81 Sunset Terrace, Woodbridge, (full circulation)

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

Sent: October-05-20 10:56 AM

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

Subject: [External] RE: A093-20 - - REQUEST FOR COMMENTS - 81 Sunset Terrace, Woodbridge, (full circulation)

Good Morning Lenore,

The Regional Municipality of York has completed its review of the above minor variance application 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