



File: A111/20

Applicant: Fayaaz Jaffer and Feiona Jaffer

Address: 36 Cedarpoint Court, Maple

Agent: ACADIA DESIGN CONSULTANTS INC.

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"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
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: 2

A111/20

Ward: 4

Staff Report Prepared By: Adriana MacPherson, 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: Fayaaz Jaffer and Feiona Jaffer

Agent: Acadia Design Consultants Inc.

Property: 36 Cedarpoint Court, Maple

Zoning: The subject lands are zoned RD3 9(1275) and subject to the provisions of Exception 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 construction a proposed second floor deck and storage shed (shed to be located under second floor deck).

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 rear yard setback of 5.7m is required to the proposed deck.	1. To permit a rear yard setback of 4.49m to the proposed deck.
2. A minimum rear yard setback of 5.7m to the deck stairs is required.	2. To permit a rear yard setback of 4.28m to the proposed deck stairs.
3. A minimum rear yard setback of 7.5m is required to the proposed shed.	3. To permit a rear yard setback of 5.51m to the proposed shed.

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

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: 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 December 17, 2020

Applicant confirmed posting of signage on December 29, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	Approx 2016
Deck	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s):
A big family are living in this property. The minimum rear setback doesn't meet the family needs and to fit the furniture in the deck, the owner needs to encroach the rear setbacks.

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 No. 20-110169 for Single Detached Dwelling - 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. The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

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 2nd floor rear yard deck, stairs and shed with the above noted variance.

At the request of Development Planning, the Owners revised their proposal which contemplated a permanent roof structure over the north-west portion of the rear yard deck. The current proposal removed the roof and posts to reduce the impact on the neighbouring properties.

The Development Planning Department has no objection to the variances, as the proposal and the reductions are minor and preserve the general intent of the Zoning By-law. The rear staircase and shed do not cause any negative implications (shadowing and privacy) to the adjacent lots and maintains an interior yard setback that consistent to the existing dwelling. As additional information, the Owner has also provided the Development Planning Department with three (3) letters of supports from the surrounding properties being 32, 38, and 68 Cedarpoint Court.

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 A111/20 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 - Forestry:

No comments or concerns

Parks Development - Parks:

No comments or concerns

Parks Development - Roads:
No comments or concerns

Parks Development - Horticulture:
No Response.

By-Law and Compliance, Licensing and Permit Services:
No Response.

Financial Planning and Development Finance:
No comment no concerns

Fire Department:
No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence
A111/20 – Public Correspondence (38 Cedarpoint Court, Maple)
A111/20 – Public Correspondence (68 Cedarpoint Court, Maple)
A111/20 – Public Correspondence (32 Cedarpoint Court, Maple)
A111/20 – Public Correspondence (62 Cedarpoint Court, Maple)

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:

	Department/Agency	Condition
1	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@vaughan.ca	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.

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 [Vaughan.ca/LiveCouncil](https://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

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

Adriana MacPherson

T 905 832 8585 Extension 8360

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

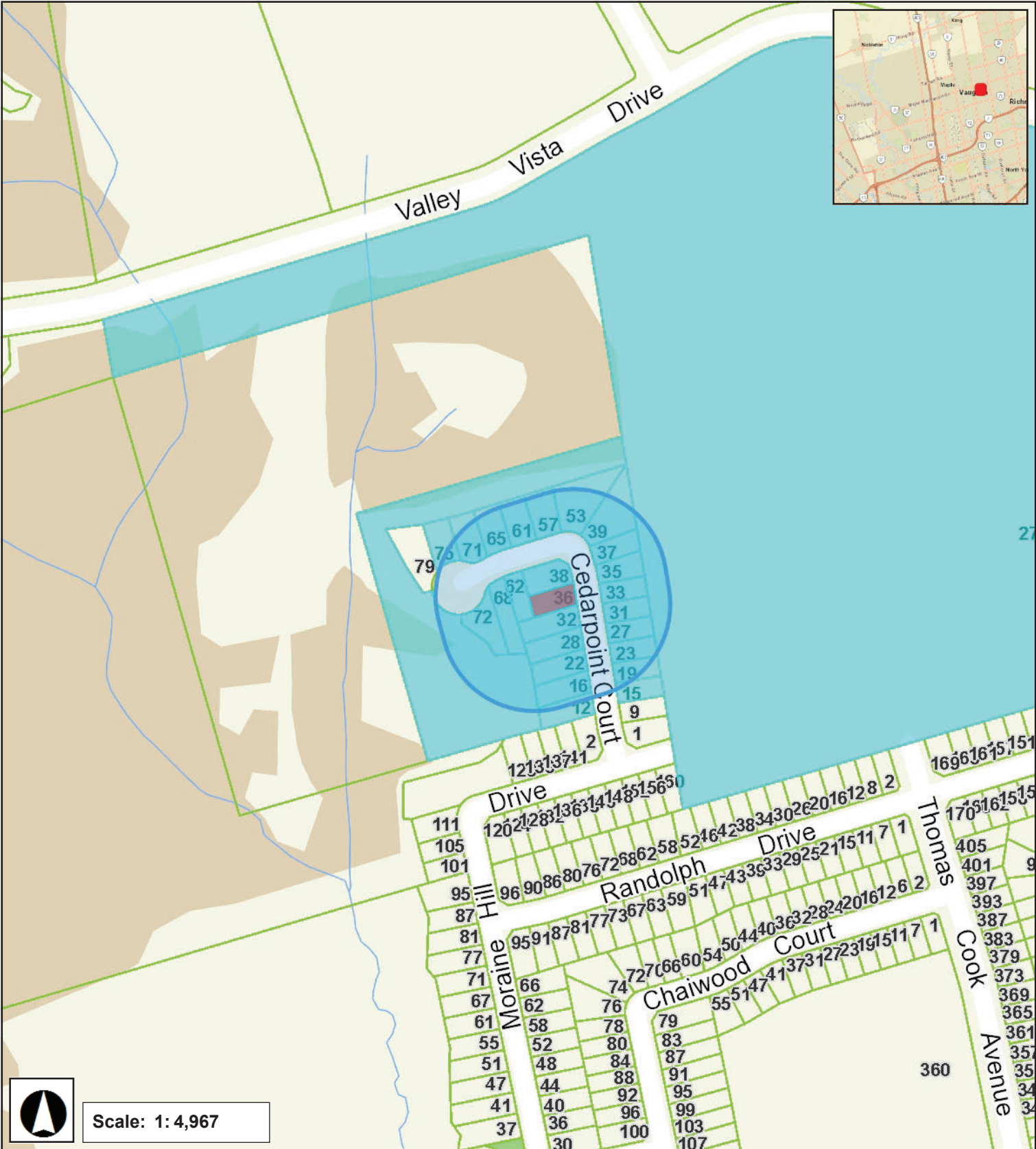


A111/20 - Notification Map

36 Cedarpoint Court, Thornhill

Major Mackenzie Drive

Dufferin Street

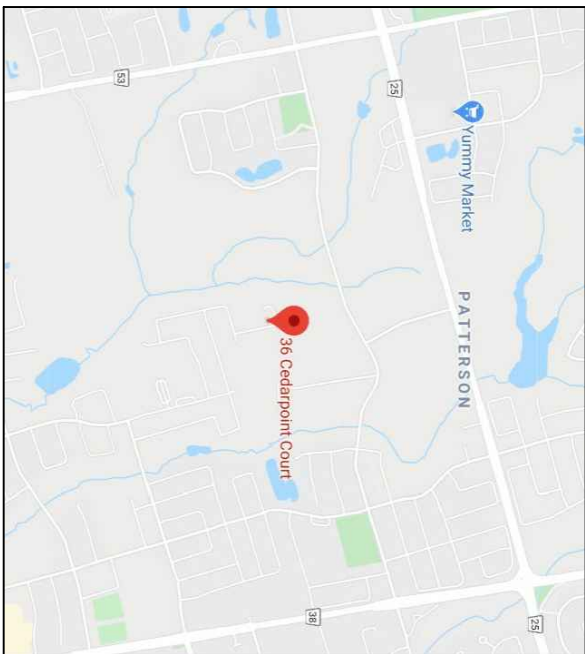


A111/20

INDEX SHEET:

- A0 COVER PAGE AND SITE PLAN
- A1 PLANS
 - A1.1 BASEMENT FLOOR PLAN
 - A1.2 GROUND FLOOR PLAN
 - A1.3 SECOND FLOOR PLAN
- A2 ELEVATIONS
 - A2.1 EXISTING REAR ELEVATION
 - A2.2 PROPOSED REAR ELEVATION
- A3 CROSS SECTIONS
 - A3.1 PROPOSED CROSS SECTION 'A'
 - A3.2 PROPOSED CROSS SECTION 'B'

KEY PLAN: 36 Cedarpoint Ct. Maple, ON L6A 0Z8



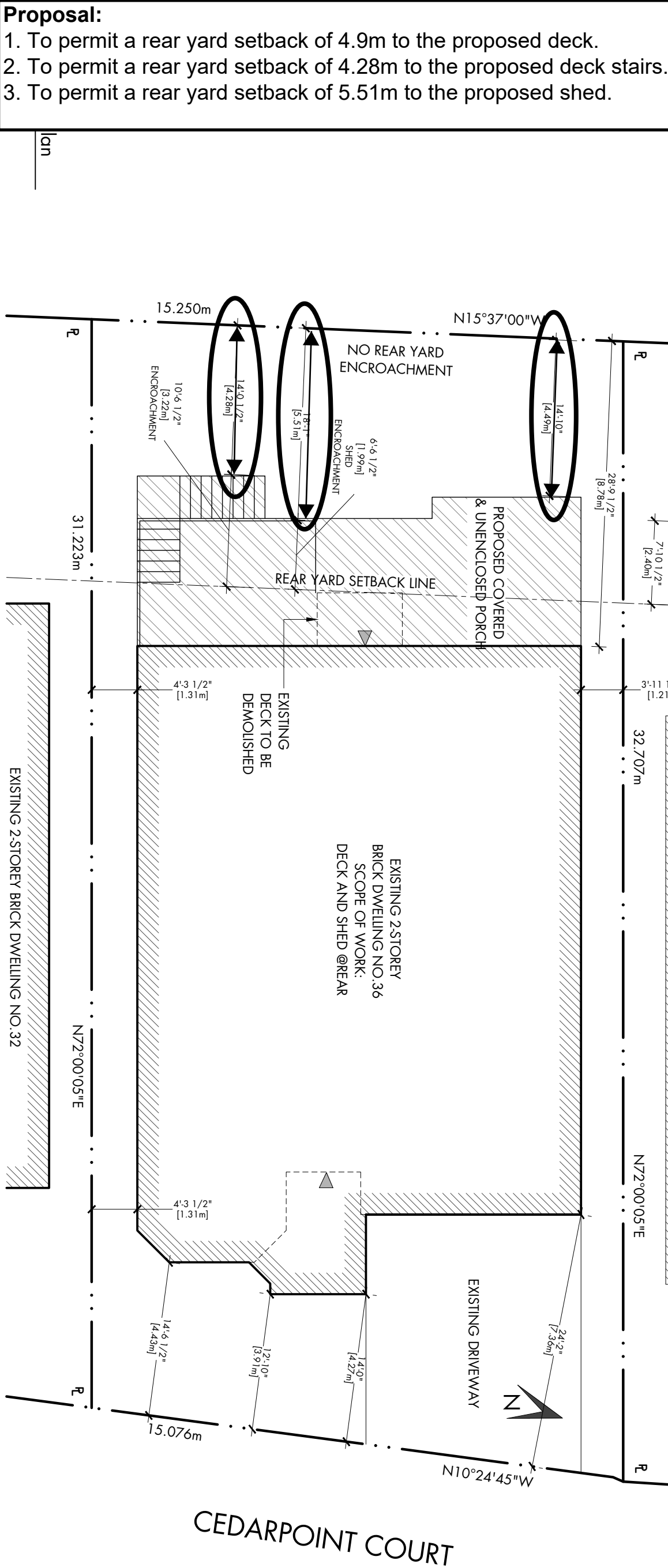
LEGEND:

- PROPERTY LINE
- EXISTING DWELLING
- AREA OF PROPOSED DECK
- EXISTING ENTRANCE

SITE STATISTICS:

SITE PLAN INFORMATION TAKEN FROM:
PART 1 - PLAN OF
LOTS 22 AND 23
REGISTERED PLAN 65M-4264
TOWN OF RICHMOND HILL
THAM SURVEYING LIMITED ONTARIO LAND SURVEYORS
APRIL 29, 2014

LOT AREA:
5235.38 ft² (486.38 m²)
EXISTING LOT COVERAGE:
2353.37 ft² (218.63 m²)
AREA OF PROPOSED DECK:
504.66 ft² (46.88 m²)
AREA OF REAR YARD:
1484.95 ft² (137.95 m²)
PROPOSED SOFT LANDSCAPING AREA:
956.29 ft² (88.84 m²)
PROPOSED SOFT LANDSCAPING TAKES 64.39% OF REAR YARD



ACADIA

design•consultants

Phone: +1 (647) 478-0292

Fax: +1 (877) 347-3479

www.AcadiaDC.ca

DO NOT SCALE

CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF THE WORK. ALL DRAWINGS & SPECIFICATIONS ARE PROPERTY OF ACADIA DESIGN CONSULTANTS INC. AND MUST BE RETURNED UPON COMPLETION OF THE WORK. DRAWINGS ARE NOT TO BE USED FOR OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

#	DATE	DESCRIPTION
1	Jul. 31, 2020	ISSUED TO CLIENT FOR DESIGN REVIEW
2	Aug. 04, 2020	ISSUED TO ENGINEER FOR REVIEW
3	2020/09/16	ISSUED FOR A.V.

DRAWN BY: CHECKED BY:

MM MM

Site Plan

A0

Scale: 1:125

Date: Aug. 04, 2020

New Deck

Project: 36 Cedarpoint Ct.
Maple, ON,
L6A 0Z8

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.

- A111/20 – Public Correspondence (38 Cedarpoint Court, Maple)
- A111/20 – Public Correspondence (68 Cedarpoint Court, Maple)
- A111/20 – Public Correspondence (32 Cedarpoint Court, Maple)
- A111/20 – Public Correspondence (62 Cedarpoint Court, Maple)

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

December 8, 2020

Re: Application for Minor Variance at 36 Cedarpoint Court, Maple, Ontario, L6A4P7
File Number A111/20

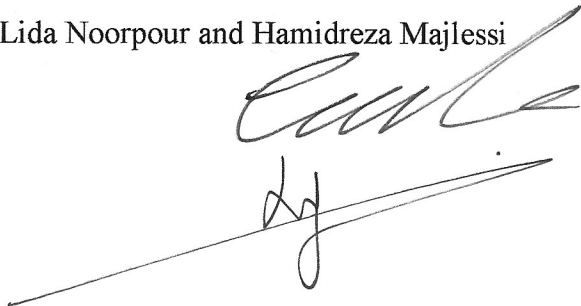
To Whom it may Concern:

We reside in and are the owners of 38 Cedarpoint Court. Our house is located beside 36 Cedarpoint Court. Mr and Mrs. Jaffer of 36 Cedarpoint Court have approached us regarding a deck they are planning on building in their back yard. They mentioned that they have applied for a permit and have shown us the Acadia Design Consultant drawings submitted to the City for the deck they wish to have built.

After reviewing the drawings, we approve and support his proposed plan and project. We do not feel that his design will negatively affect us and wish them all the best in their home improvement project.

Sincerely,

Lida Noorpour and Hamidreza Majlessi

The block contains two handwritten signatures. The top signature is a cursive signature, likely belonging to Lida Noorpour. The bottom signature is a more stylized, possibly abbreviated signature, likely belonging to Hamidreza Majlessi. Both signatures are written in black ink.

December 8, 2020

City of Vaughan Committee of Adjustment

For: Application File Number A111/20 for 36 Cedarpoint Court, Maple, ON, L6A 4P7

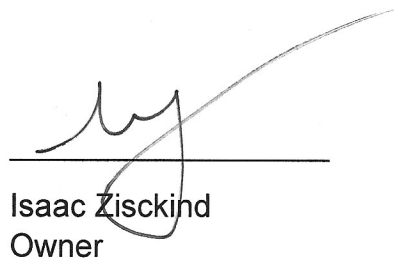
To whom it may concern,

We reside at and are the owners of 68 Cedarpoint Court. We live in the house that is located 2 houses behind 36 Cedarpoint Court. Mr. Jaffer has applied for a permit for a deck in his back yard and approached us to see if we are okay with him completing his project. He has shown us the designs from Acadia Design Consultants

I support his application and wish him all the best.

Thank you.

Regards,



Isaac Zisckind
Owner

December 8, 2020

City Of Vaughan Committee of Adjustment

Re: Application for Minor Variance for 36 Cedarpoint Court, Maple, ON, L6A 4P7

Application File Number A111/20

To Whom it May Concern,

We are the owners of the residence at 32 Cedarpoint Court. We live in the residence that is next to 36 Cedarpoint Court. We understand that Mr. and Mrs. Jaffer, owners of 36 Cedarpoint Court have applied for a permit for the work they are completing for their backyard which includes a deck. They have shown me the drawings submitted to the city for the deck as prepared by Acadia Design Consultants, who are acting on their behalf for the application.

After reviewing the designs, we fully support their application and have no issues at all with them completing their project as proposed. Thank you.

Regards,

A handwritten signature in black ink, appearing to be the Chinese characters '杨瑞' (Yang Rui), with a long vertical line extending downwards from the bottom of the signature.

Yang Rui

December 8, 2020

City of Vaughan Committee of Adjustments

Re: File Number A111/20

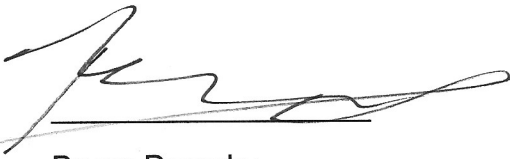
For: Mr and Mrs Jaffer Application for Minor Variance at 36 Cedarpoint Court, Maple,
ON, L6A 4P7

To whom it may concern,

We are the owners of 62 Cedarpoint Court and live in the house that is located directly behind 36 Cedarpoint Court. Mr. and Mrs. Jaffer approached us regarding a deck that they are building in their back yard. They have applied for a permit with the city. They have shown us the designs submitted by Acadia Design Consultants to the city and have discussed their project with us.

After our discussions and review, we both fully support their application for the project they want to complete for their home and wish them all the best. Thank you.

Warm regards,

A handwritten signature in black ink, appearing to read 'Bryan Demsky', written over a horizontal line.

Bryan Demsky
Owner

A handwritten signature in black ink, appearing to read 'Melissa Benatar', written over a horizontal line.

Melissa Benatar
Owner

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.
- ☒ 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

MacPherson, Adriana

Subject: FW: A111/20 - Request for Comments

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

Sent: November-24-20 5:00 PM

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

Cc: Vigneault, Christine <Christine.Vigneault@vaughan.ca>; Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>; Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A111/20 - Request for Comments

Good Afternoon Adriana,

MTO has reviewed the subject land(s) located at 36 Cedarpoint Court 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

MacPherson, Adriana

Subject: FW: A111/20 - Request for Comments

From: Wong, Tiffany <Tiffany.Wong@york.ca>
Sent: December-02-20 1:17 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Subject: [External] RE: A111/20 - Request for Comments

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

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

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | tiffany.wong@york.ca | www.york.ca

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



Please consider the environment before printing this email.