

File: A135/21

Applicant: Roman Itskovich

Address: 53 Hunterwood Chase, Maple

Agent: George Teodosiu

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"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
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)		

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, August 12, 2021

**Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



Minor Variance
Application

Agenda Item: 5

A135/21

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, August 12, 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: Roman Itskovich

Agent: George Teodosiu

Property: 53 Hunterwood Chase, Maple

Zoning: The subject lands are zoned R1 and subject to the provisions of Exception 9(948) under By-law 1-88 as amended.

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

Related Files: None

Purpose: Relief from the By-law is being requested to permit the proposed construction of a rear yard shed and cabana.

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

By-law Requirement	Proposal
1. A maximum lot coverage of 28% is permitted [9(948), By-law 1-88a.a.].	1. To permit a maximum lot coverage of 29.8% (Dwelling 18.6%, Covered Deck 3.5%, Covered Porch 0.50%, Cabana 7.2%).
2. A maximum accessory structure coverage of 67.0 sq. metres is permitted (Section 4.1.1, By-law 1-88a.a.).	2. To permit a maximum accessory structure coverage of 99.6 sq. metres.
3. A minimum rear yard setback of 9.5 metres to the proposed accessory structure is required [9(948), By-law 1-88a.a.].	3. To permit a minimum rear yard setback of 2.33 metres to the proposed accessory structure (Cabana).
4. A maximum building height of 4.5 metres for the proposed accessory structure is permitted (Section 4.1.1, By-law 1-88a.a.).	4. To permit a maximum building height of 4.7 metres for the proposed accessory structure (Cabana).
5. A maximum height of 3.0 metres from the finished ground level to the nearest part of the roof for the proposed accessory structure is permitted (Section 4.1.1, By-law 1-88a.a.).	5. To permit a maximum height of 3.38 metres from the finished ground level to the nearest part of the roof for the proposed accessory structure (Cabana).
6. A maximum driveway width of 9.0 metres is permitted (Section 4.1.4, By-law 1-88a.a.)	6. To permit a maximum driveway width of 9.35 metres.
7. A maximum width of a driveway at the street curb and curb cut of 6.0 metres is permitted (Section 4.1.4, By-law 1-88a.a.).	7. To permit a maximum driveway width at the street curb and curb cut of 9.35 metres.

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 July 28, 2021

Applicant confirmed posting of signage on July 29, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2000
Cabana	TBC
Shed (existing – relocated)	Unknown

Applicant has advised that they cannot comply with By-law for the following reason(s): Rear yard setback and maximum height are too restrictive Maximum auxiliary building area is insufficient.

Adjournment Request: None

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

The proposed rear yard soft landscaping of 287.5sq.m meets the requirements of By-law 1-88a.a. (Rear yard area 611.57 less 135.0 sq.m = 476.57 * 0.6 = 285.94 minimum soft landscaping required).

Where the area of a rear yard of a lot is greater than 135 sq. m., a minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 sq. m shall be composed of soft landscaping (Section 4.1.2, By-law 1-88a.a.).

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 2010 ('VOP 2010'): "Low-Rise Residential"

The Owner is requesting permission to construct an accessory structure (cabana) in the rear, recognize the existing widened driveway at the street line and curb with the above noted variances.

At the request of the Development Planning Department, the Owner increased the minimum rear yard and reduced the maximum building height associated with the cabana, thereby, producing an accessory structure that is consistent and compatible with other rear yard amenity spaces. Additionally, Development Planning conducted a site visit to observe the front yard treatment of nearby properties and determined that the widened driveway and street curb does not disrupt the streetscape, retains a curb appeal that improves access in and out of the 3-car garage while complying with the required front yard soft landscaping. Additionally, the 9m curb cut has been reviewed and approved by Development Engineering, subject to conditions.

The Department Planning Department has no objection to the proposed variances given these changes do not cause an adverse impact onto the adjacent properties. The maximum lot coverage increase of 1.8% is related to the area of the cabana having no visual impact on the streetscape as it is contained at the rear of the lot.

The cabana height is a slight increase of 0.20 m and will have no impact as the accessory structure complies with the side yard setbacks, placing it more central to the lot.

The Development Planning Department is of the opinion the variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Development Engineering:

Submitted drawings show proposed pool: To pursue this, owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. Please contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for the pool permit.

Lot Grading Permit: The Owner/applicant submitted drawings propose a structure (cabana) that is 99.6 sq. meters. Any structure greater than 10 sq. meters requires a Lot Grading permit from the Development Engineering Department.

Driveway extension: The City staff have visited the site and noted that the driveway extension and curb depression to 9.35 meters has already been constructed. In addition, the asphalt in front of this curb depression was cut, likely the result of the curb depression work. The City has no permit filed for the curb depression at this property. The owner will be required to obtain a curb cut permit because of this curb depression work without the appropriate permit.

The Development Engineering (DE) Department does not object to variance application A135/21 subject to the following condition(s):

1. Lot Grading Permit: The owner/applicant shall obtain a Lot Grading permit by submitting the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval, prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit. https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.
2. Driveway Extension & Curb Cut: The owner/applicant shall obtain a curb cut permit for the driveway curb depression. If deemed required by the City, the owner shall pay for any damages to the City's curb and asphalt because of this curb depression work conducted without the appropriate permit.

For the curb cut permit, please contact the Transportation Services Division, Joint Operations Centre City of Vaughan/Public Works located at 2800 Rutherford Rd | Vaughan, ON L4K 2N9. An application along with a copy of your survey showing the proposed and existing driveway must be mailed to 2800 Rutherford Rd | Vaughan, ON L4K 2N9. [Click here for information on Curb Cut & Driveway Widening Process](#). This document shows a sample sketch of what your survey looks like and what should be drawn on it. If you do not have a survey, please contact the City of Vaughan's Building Standards Department and they can provide one to you.

Parks Development - Forestry:

No comments received to date.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date

Development Finance:

No comment no concerns

Fire Department:

No comments received to date

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

York Region – No concerns or objections
Power Stream (Alectra) – 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 Iqbal Soomro 905-832-8585 Iqbal.Soomro@Vaughan.ca	<div>1. Lot Grading Permit: The owner/applicant shall obtain a Lot Grading permit by submitting the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval, prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit. https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.</div> <div>2. Driveway Extension & Curb Cut: The owner/applicant shall obtain a curb cut permit for the driveway curb depression. If deemed required by the City, the owner shall pay for any damages to the City’s curb and asphalt because of this curb depression work conducted without the appropriate permit.</div> <div>For the curb cut permit, please contact the Transportation Services Division, Joint Operations Centre City of Vaughan/Public Works located at 2800 Rutherford Rd Vaughan, ON L4K 2N9. An application along with a copy of your survey showing the proposed and existing driveway must be mailed to 2800 Rutherford Rd Vaughan, ON L4K 2N9. Click here for information on Curb Cut & Driveway Widening Process. This document shows a sample sketch of what your survey looks like and what should be drawn on it. If you do not have a survey, please contact the City of Vaughan’s Building Standards Department and they can provide one to you.</div>

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.

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 Ontario Land Tribunal (OLT) 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

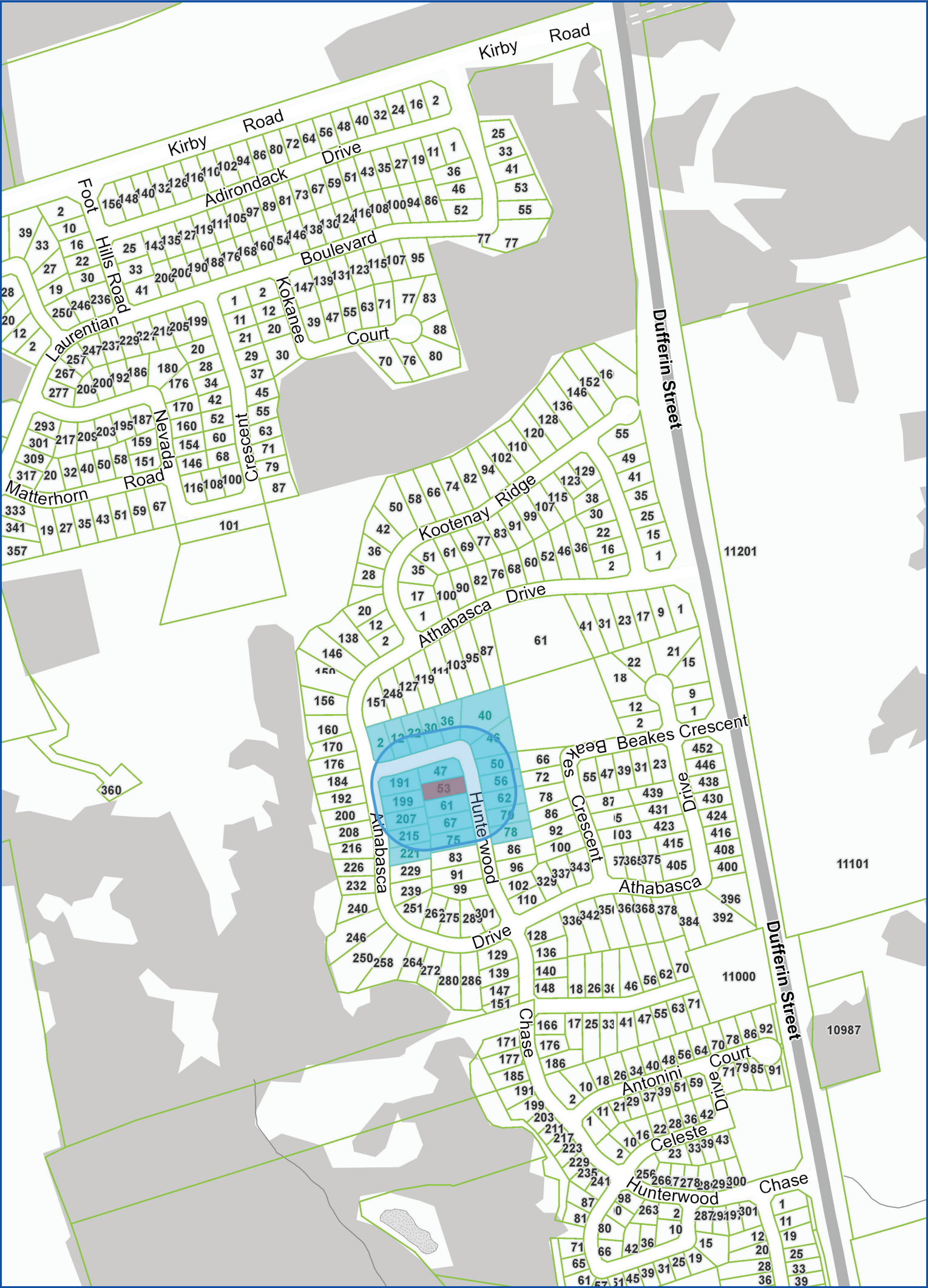
T 905 832 8585 Extension 8360

E CofA@vaughan.ca

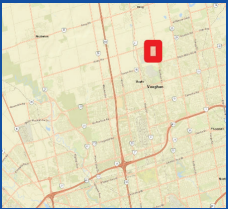
Schedule A: Plans & Sketches

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



Map Information:



Title:

53 Hunterwood Chase, Maple

NOTIFICATION MAP - A135/21

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: 6,494

0 0.10 km



Created By:

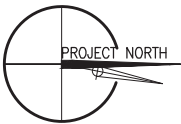
Infrastructure Delivery
Department
July 28, 2021 1:35 PM

Projection:
NAD 83
UTM Zone
17N

Project:
REAR YARD CABANA
53 HUNTERWOOD CHSE.
VAUGHAN, Ontario

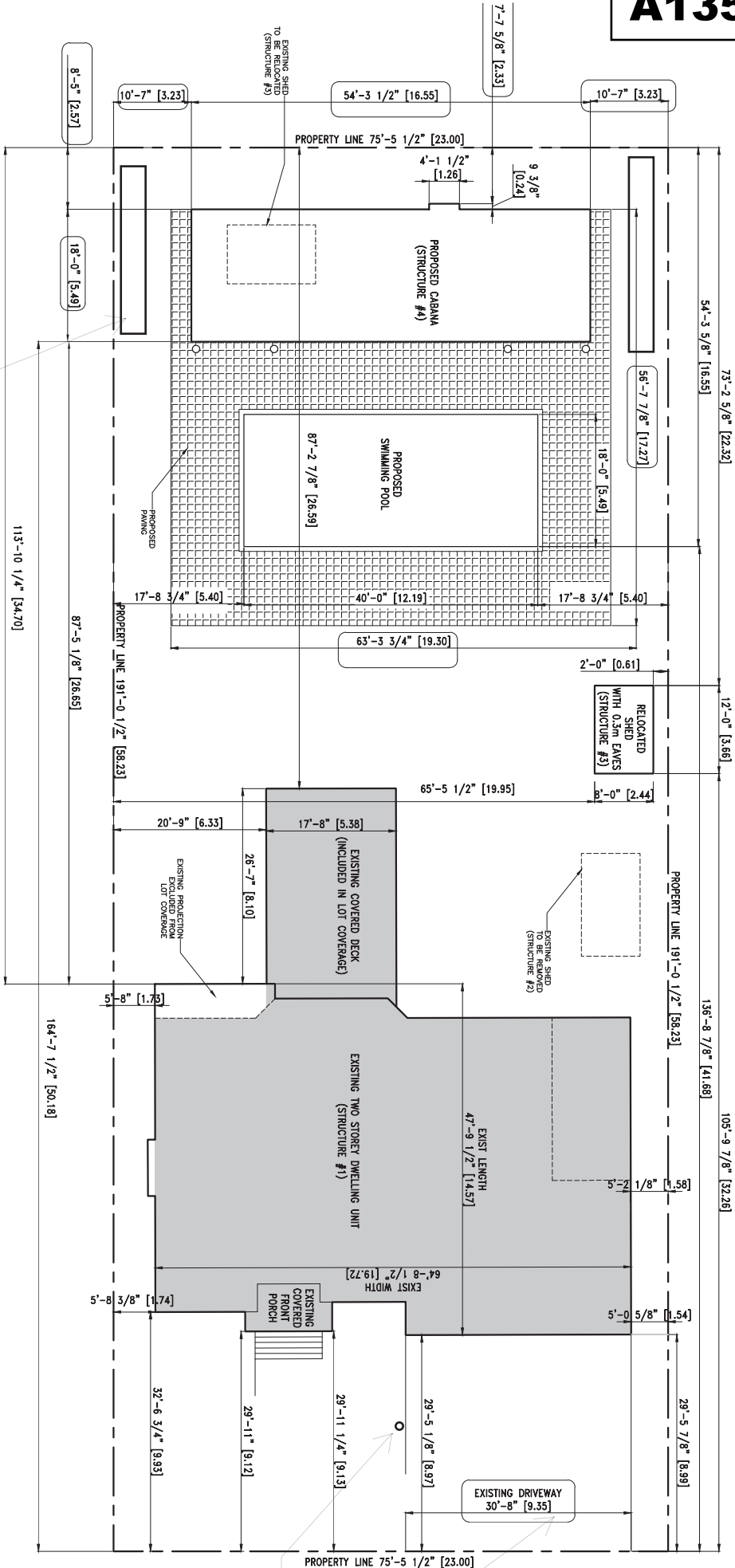
NOTE: THIS SITE PLAN IS BASED ON SURVEY BY P.SALNA COMPANY LTD. ONTARIO LAND SURVEYORS DATED FEB 27, 2002 OF LOTS 61 TO 64 BOTH INCLUSIVE REGISTERED PLAN 65M-3544, CITY OF VAUGHAN

	DESCRIPTION	Date	Approved
3	FOR COA	08-JUL-21	GCT
4			
5			



PROPOSED SITE PLAN

DRAWING NO - A001

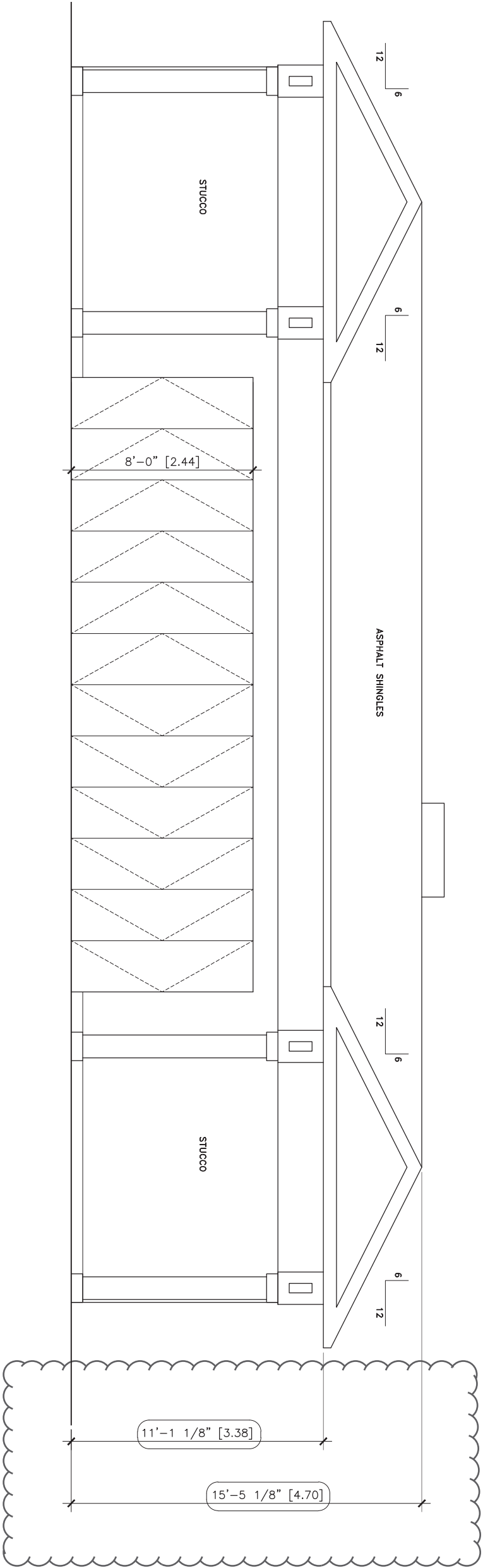



ZONING CALCULATIONS				PROPERTY AREA:		PLAN NO:	
ZONING LABEL		LOT NO:		65M-3544		PIN NO:	
R1		62		03343-1146			
DESCRIPTION	EXISTING	PROPOSED	TOTAL	% PERMITTED	%		
LOT COVERAGE	302.65 m ²	96.7 m ²	□99.□ m ² □9.□□□	375 m ²	28		
LOT FRONTAGE	23 m						
MAIN BUILDING WIDTH	19.72 m	0 m	UNCH	--			
MAIN BUILDING LENGTH	14.57 m	0 m	UNCH	--			
MAIN BUILDING HEIGHT	9.44 m	0 m	UNCH	--			
PARKING	3	0	UNCH	--			

MAIN BUILDING SETBACKS		
SETBACK	EXISTING	PROPOSED
FRONT YARD	8.97 M	UNCH
REAR YARD	34.7 M	UNCH
SOUTH SIDE	1.73 M	UNCH
NORTH SIDE	1.54 M	UNCH

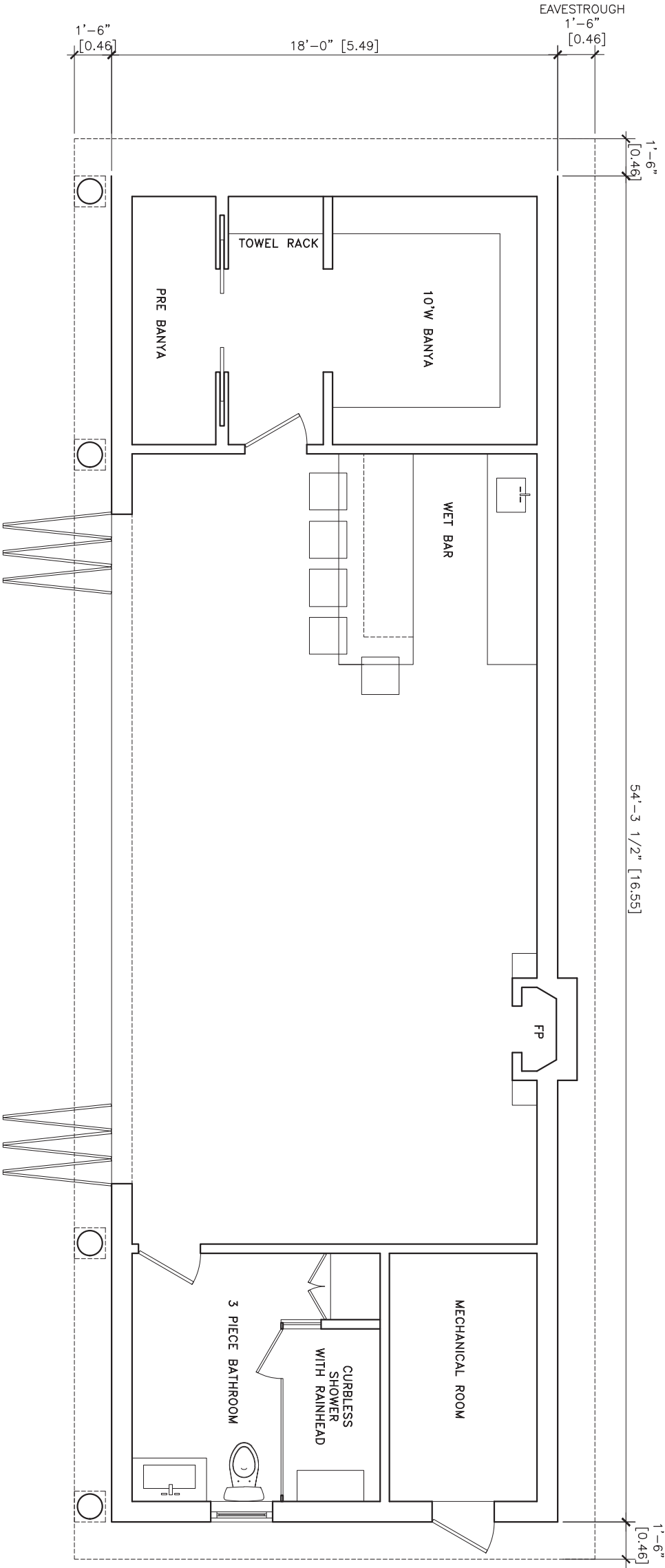
RELOCATED SHED		
	PROPOSED	PERMITTED
FLOOR AREA	8.9 m ²	
NORTH SIDE SETBACK	0.61 M	
SOUTH SIDE SETBACK	19.95 M	
EAST SIDE SETBACK	32.26 M	
WEST SIDE SETBACK	22.32 M	
HEIGHT	2.44 M	

CABANA		
	PROPOSED	PERMITTED
FLOOR AREA	96.7 m ²	
NORTH SIDE SETBACK	3.23 M	
SOUTH SIDE SETBACK	3.23 M	
EAST SIDE SETBACK	50.18 M	
WEST SIDE SETBACK	2.33 M	
HEIGHT	4.70 M	



Project: REAR YARD CABANA 53 HUNTERWOOD CHSE. VAUGHAN, Ontario								
	DESCRIPTION	Date	Approved					
3	FOR COA	08-JUL-21	GCT					
4								
5								
				PROPOSED FRONT(EAST) ELEVATION				
				SCALE - 3/16"=1'-0"				
				DRAWING NO - A211				

REAR PROPERTY LINE



Project:

REAR YARD CABANA
53 HUNTERWOOD CHSE.
VAUGHAN, Ontario

DESCRIPTION	Date	Approved
3 FOR COA	08-JUL-21	GCT
4		
5		

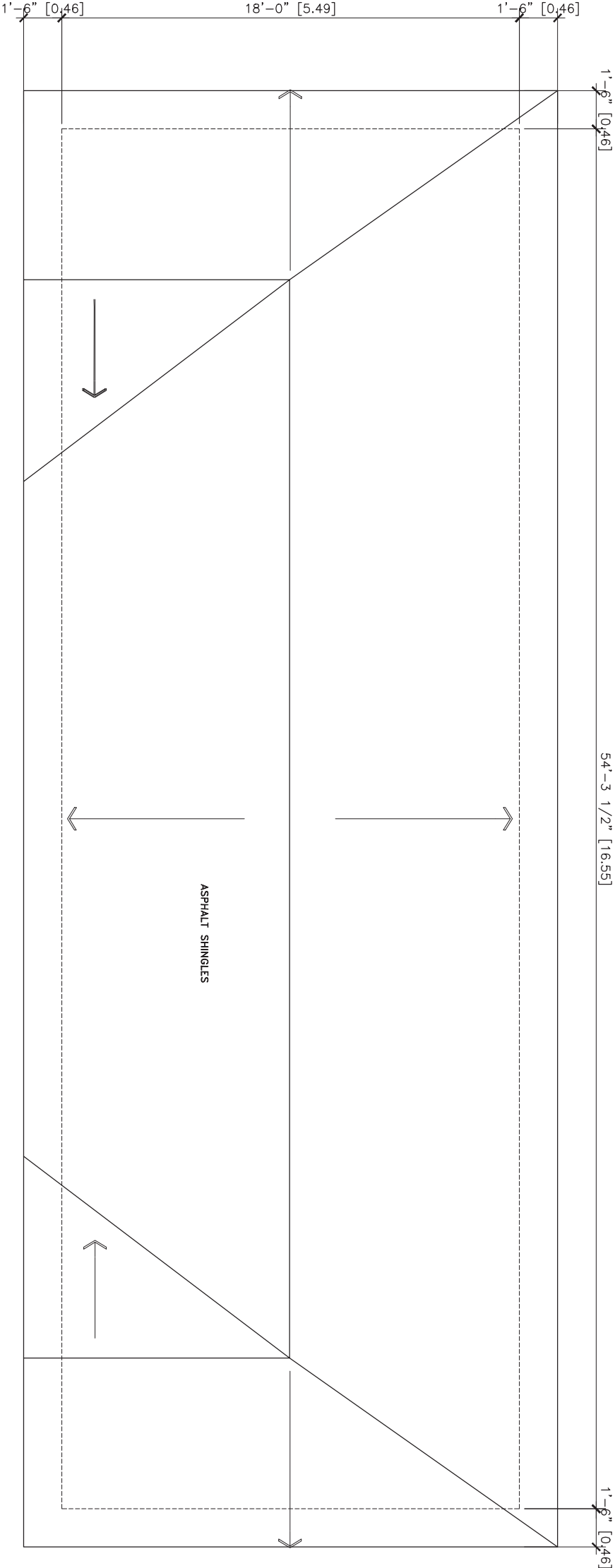


PROPOSED
GROUND FLOOR PLAN

SCALE - 3/16"=1'-0"

DRAWING NO - A110

REAR PROPERTY LINE



Project:

REAR YARD CABANA
53 HUNTERWOOD CHSE.
VAUGHAN, Ontario

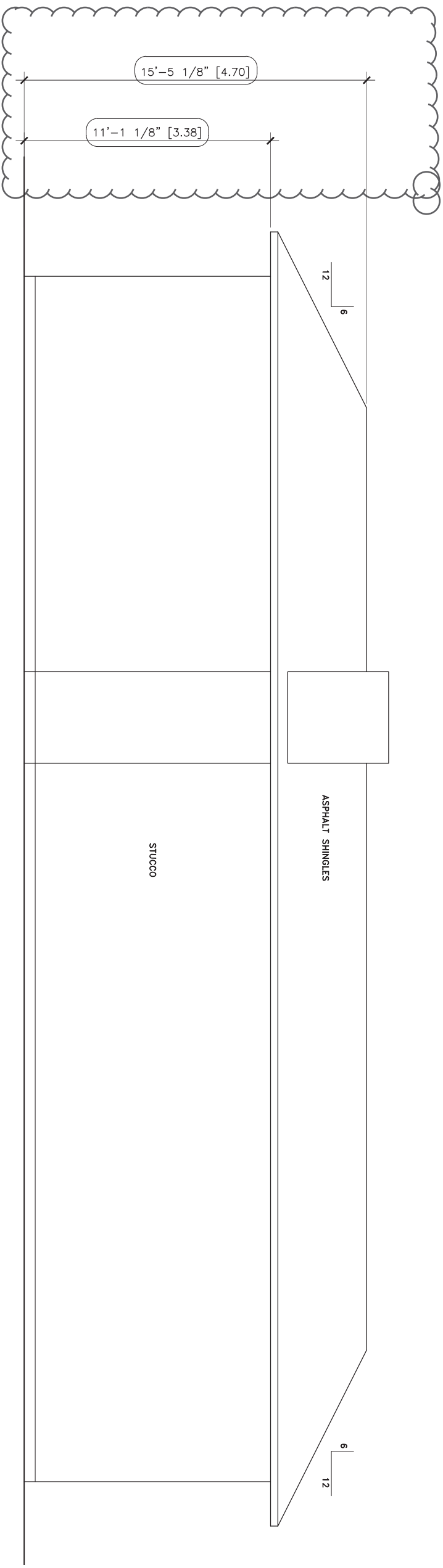
DESCRIPTION	Date	Approved
FOR COA	08-JUL-21	GCT




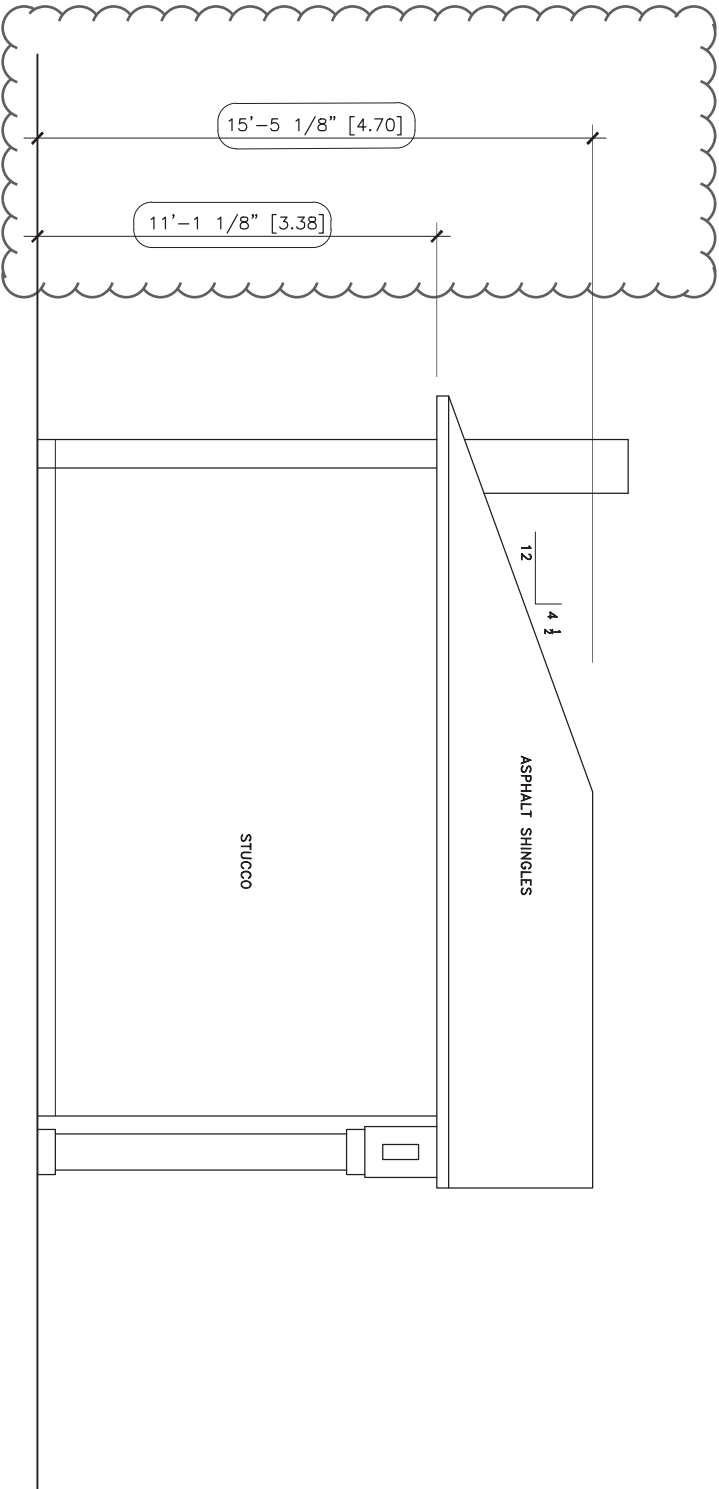
PROPOSED
ROOF PLAN


SCALE - 3/16"=1'-0"

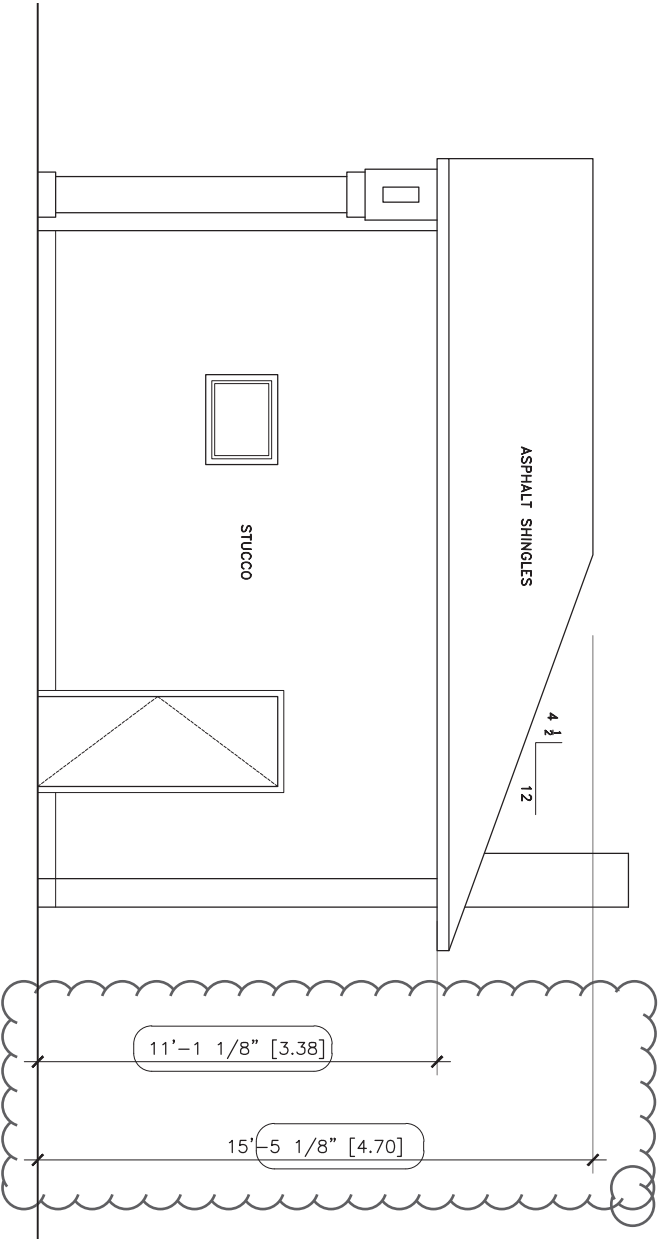
DRAWING NO - A111




Project: REAR YARD CABANA 53 HUNTERWOOD CHSE. VAUGHAN, Ontario			
	DESCRIPTION	Date	Approved
3	FOR COA	08-JUL-21	GCT
4			
5			
			
PROPOSED REAR(WEST) ELEVATION			
SCALE - 3/16"=1'-0"			
DRAWING NO - A212			



Project: REAR YARD CABANA 53 HUNTERWOOD CHSE. VAUGHAN, Ontario			DESCRIPTION		Date	Approved		PROPOSED SOUTH (SIDE) ELEVATION		SCALE - 3/16"=1'-0"	
			3 FOR COA		08-JUL-21	GCT					
			4								
			5								
										DRAWING NO - A213	



Project: REAR YARD CABANA 53 HUNTERWOOD CHSE. VAUGHAN, Ontario								<div>PROPOSED NORTH(SIDE) ELEVATION</div>		SCALE - 3/16"=1'-0"	
	DESCRIPTION	Date	Approved	<div></div>							
3	FOR COA	08-JUL-21	GCT								
4											
5				DRAWING NO - A214							

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.-

York Region – No concerns or objections
Power Stream (Alectra) – 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

Adriana MacPherson

Subject: FW: A135/21 - 53 Hunterwood Chase, Maple

From: Development Services <developmentservices@york.ca>

Sent: August-04-21 4:11 PM

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

Subject: [External] RE: A135/21 - 53 Hunterwood Chase, Maple

Hi Adriana,

The Regional Municipality of York has completed its review of MVAR.21.V.0420 (A135/21) and has no comments.

Thank you,

Anson Wong | 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. 71516 | anson.wong@york.ca | www.york.ca

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

