



File: A160/21

Applicant: Saud Ahmed

Address: 23 Malaren Rd, Maple

Agent: Khanani Developments 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"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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, September 9, 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: 10

A160/21

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, September 9, 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: Saud Ahmed

Agent: Khanani Developments Inc

Property: 23 Malaren Road, Maple

Zoning: The subject lands are zoned R1V 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 of a proposed single-family dwelling.

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 front yard setback of 10.0 metres is required (Schedule A, By-law 1-88a.a.).	1. To permit a minimum front yard setback of 8.41 metres.
2. A maximum lot coverage of 20.0% is permitted (Schedule A, By-law 1-88a.a.).	2. To permit a maximum lot coverage of 24.82% (Dwelling 22.84% and covered porch 1.98%)
3. A maximum building height of 9.5 metres is permitted (Schedule A, By-law 1-88a.a.).	3. To permit a maximum building height of 10.98 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 August 25, 2021

Applicant confirmed posting of signage on August 24, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): We are family of 9 members and need larger space for to live

Adjournment Request: The applicant was provided with the following comments from Development Planning on August 9, 2021 and provided an opportunity to review/adjourn proposal:

Development Planning staff is requesting the following be considered and reflected in a revised submission:

- Clearly distinguish the total lot coverage for the main dwelling with an attached garage, covered areas (porch, deck, veranda, etc.) and accessory structures (i.e., cabana, loggia). Serious consideration should be given to reducing the main dwelling’s coverage to 23%, as this represents a building footprint that maintains the existing character of the neighbourhood and meets the general intent and purpose of the Zoning By-law.
- Development planning recommends the maximum height building be slightly lowered to remain compatible in terms of scale to other new two-storey homes erected in the area.
- To reduce the accumulative amount of variances, there should be consideration to proposing a rear deck that complies with the Zoning By-law.

In response, the applicant revised the proposal to reduce the building height from 11.37m to 10.98m and lot coverage from 26.19% to 24.82% and eliminated rear yard setback variances. Zoning staff confirmed the revised variances for revised proposal on August 18, 2021.

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 applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Owner is proposing to construct a 2-storey single family dwelling within a large-lot neighbourhood zoned R1V Old Village Residential. At the request of the Development Planning Department, the Owner agreed to revise their proposal and reduce the maximum building height from 11.37m to 10.98m and maximum lot coverage from 26.19% to 24.82% (22.84% for the main dwelling and 1.98% for the deck and porch). These changes ensure the proposal is balanced in terms of the overall mass and scale relative to recently approved 2-storey homes in the vicinity. In addition, the front yard setback reduction of 8.41m only applies to the porch while the remainder of the dwelling is 9m from the front lot line which poses no impact to the existing streetscape.

The Urban Design Division of the Development Planning Department has reviewed the Arborist Report, prepared by MHBC Planning, dated June 18, 2021 and are satisfied. Urban Design staff recommend the planting of five (5) trees in order to compensate for the trees being removed on-site. This exercise will be carried out during the tree permit process obtained by the Owner through the Parks, Forestry and Horticulture Operations Department.

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.

Development Engineering:

The owner/applicant shall contact Transportation and Fleet Management Services (Joint Operations Centre) if there is any work required related to the driveway culvert. Please visit https://www.vaughan.ca/services/residential/transportation/roads/culvert_installation/Pages/default.aspx for more information.

As the proposed structures in the subject property is over 10 m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit. (Condition attached)

The Development Engineering (DE) Department does not object to variance application A160/21 subject to the following condition(s):

1. The Owner/applicant shall submit 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. The owner/applicant shall provide a brief to demonstrate the appropriate LID (Low-impact Development) measures and show the measures taken in the drawing to the satisfaction of DE to address the increased lot coverage from 20% to 26.19% in order to mitigate potential impacts on the municipal storm water system.

Parks Development - Forestry:

Applicant/owner to install the tree protection hoarding as per the arborist report prior to any site works.

Applicant/owner shall be liable for any tree damages as a result of construction as per By-law 052-2018.

Recommended condition of approval:

Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to building permit approval.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date

Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Fire Department:

No comments received to date

Schedule A – Plans & Sketches**Schedule B – N/A****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 have been recommended:

	Department/Agency	Condition
1	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	1. The Owner/applicant shall submit 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. The owner/applicant shall provide a brief to demonstrate the appropriate LID (Low-impact Development) measures and show the measures taken in the drawing to the satisfaction of DE to address the increased lot coverage from 20% to 26.19% in order to mitigate potential impacts on the municipal storm water system.
2	Parks, Forestry and Horticulture Operations Zachary Guizzetti 905-832-8585 x3614 Zachary.Guizzetti@vaughan.ca	Applicant/owner shall obtain a “Private Property Tree Removal & Protection” permit through the forestry division prior to building permit approval.

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

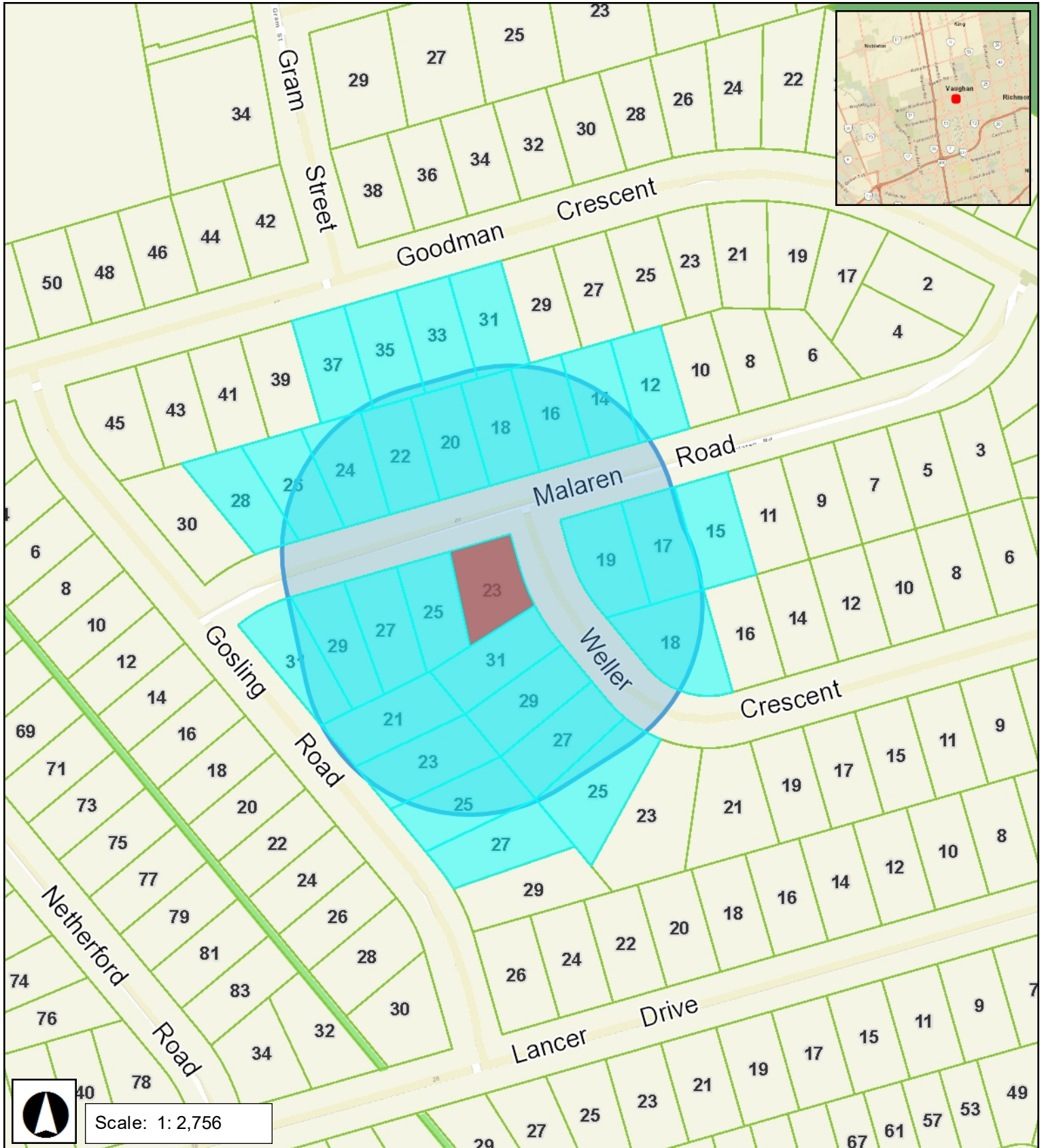
E CofA@vaughan.ca

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

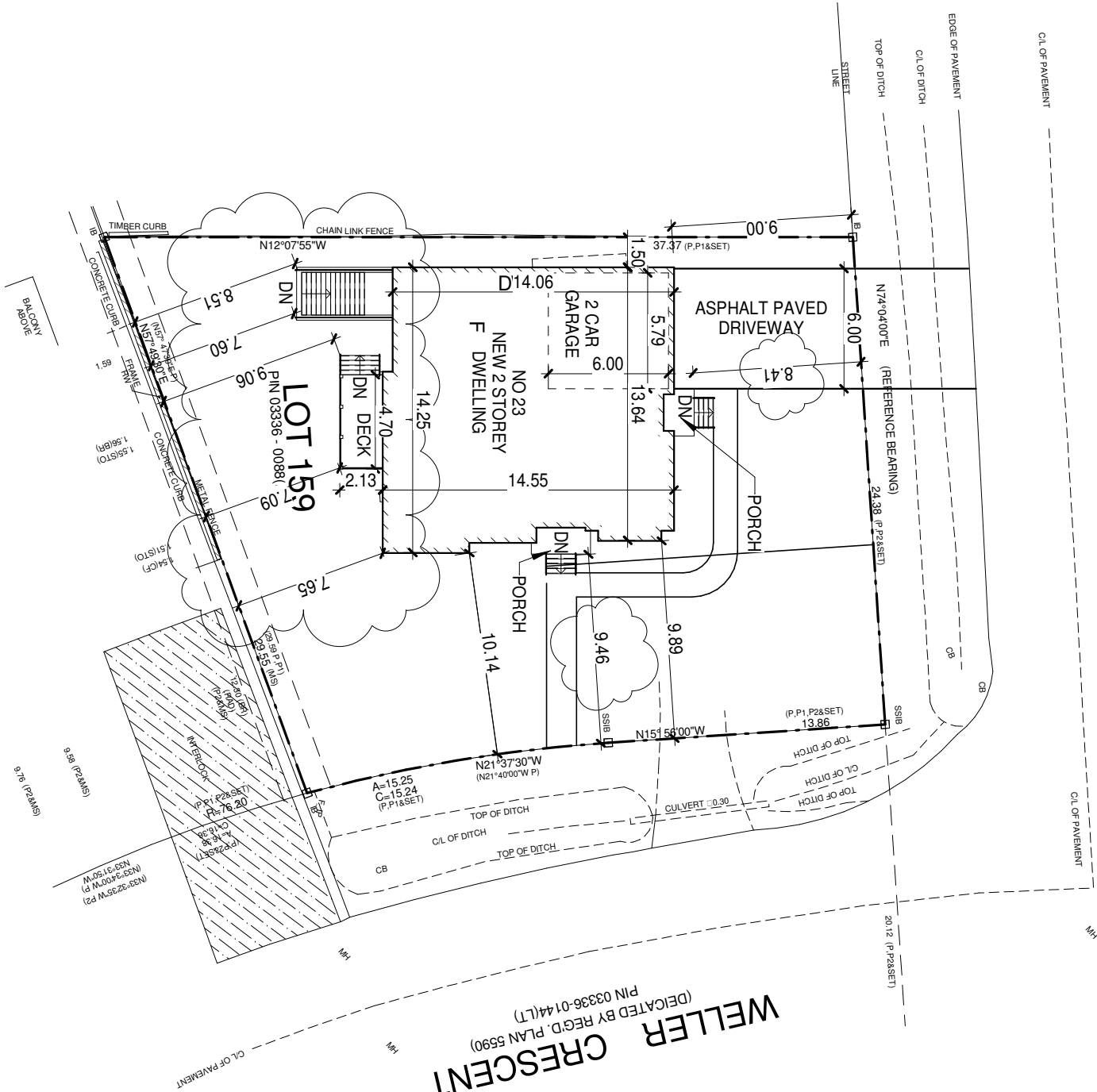
23 Malaren Road, Maple



MALAREN ROAD
(DEDICATED BY REG'D. PLAN 5590)
PIN 03336-0143(LT)

A160/21

- Proposal:**
1. To permit a minimum front yard setback of 8.41 metres.
 2. To permit a maximum lot coverage of 24.82% (Dwelling 22.84% and covered porch 1.98%)
 3. To permit a maximum building height of 10.98 metres.



SITE SUMMARY					
ZONING	R1V				
LOT AREA	858.24 sq.m.	PROVIDED	% AGE	PERMITTED	
LOT COVERAGE	213.06 sqm.	24.82%	20.00%	DWELLING 196.06 sqm (22.94%) DECK PORCH 17.00 sqm (1.98%)	
FLOOR AREA	330.35 sqm.	FSI	0.38 %		
FLOOR AREAS					
FLOOR NO.	NEW				
	sq.ft.		sq.m.		
GROUND FLOOR AREA			1,691 sqf	157.09 sqm	
SECOND FLOOR AREA			1,865 sqf	173.26 sqm	
TOTAL FLOOR AREAS			3,556 sqm	330.35 sqm	

GENERAL NOTES

ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT FROM THE ARCHITECT.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ARCHITECT.

DO NOT SCALE DRAWINGS.

ALL CONSTRUCTION TO BE ACCORDING TO BEST COMMON PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE.

PROJECT

PROPOSED RESIDENCE
23 MALAREN ROAD, VAUGHAN, ONTARIO

NIA Architects Inc.

10 MILNER BUSINESS COURT, SUITE 710
TORONTO, ONTARIO M1B 3C6
www.niarch.com E: info@niarch.com
T: 416-270-7810 F: 416-800-5434

DRAWING

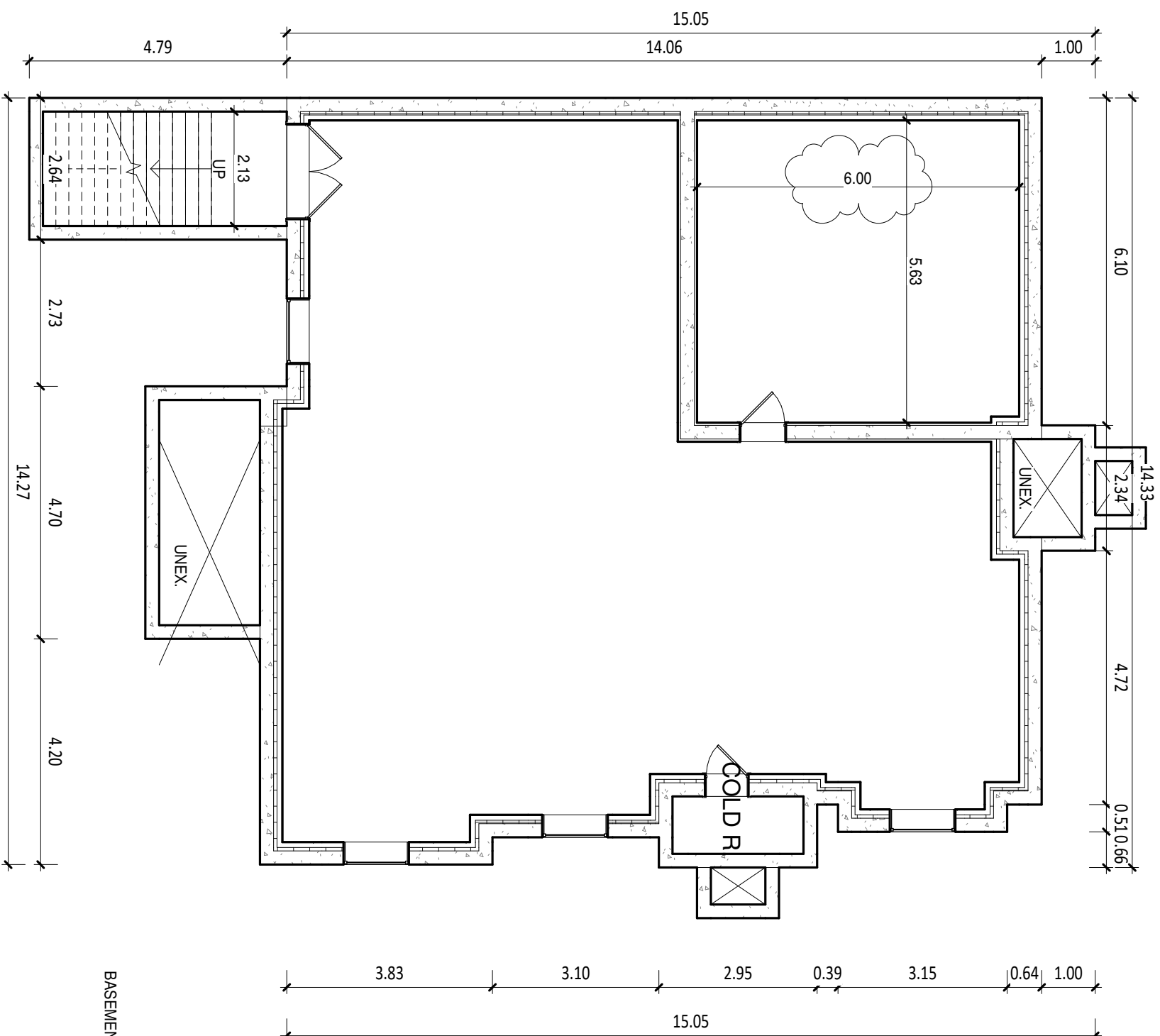
SITE PLAN

DRAWN A.SH.
PROJECT NO 2021-30

PLOTTED DATE
AUG 10, 2021
DRAWING NO

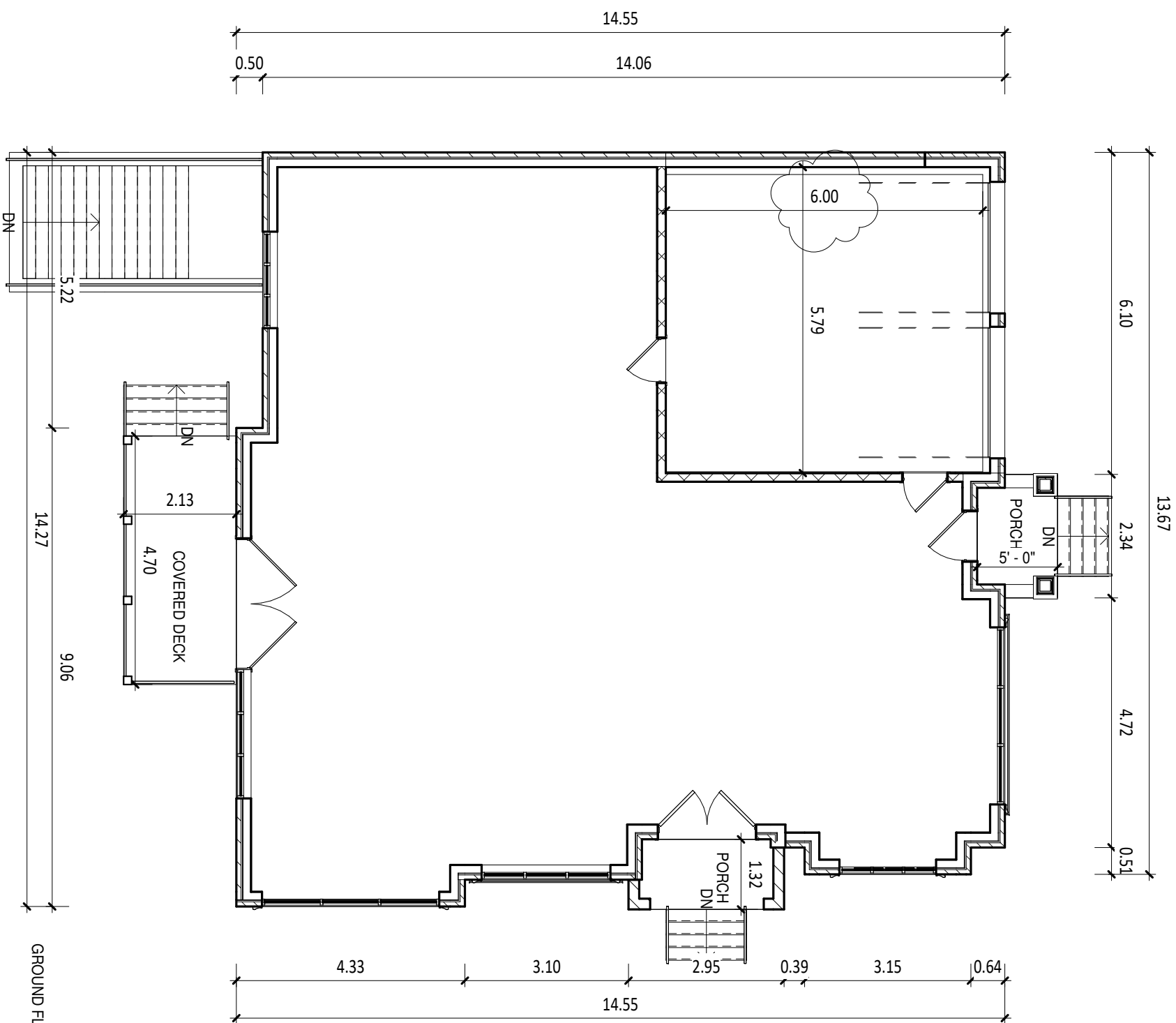
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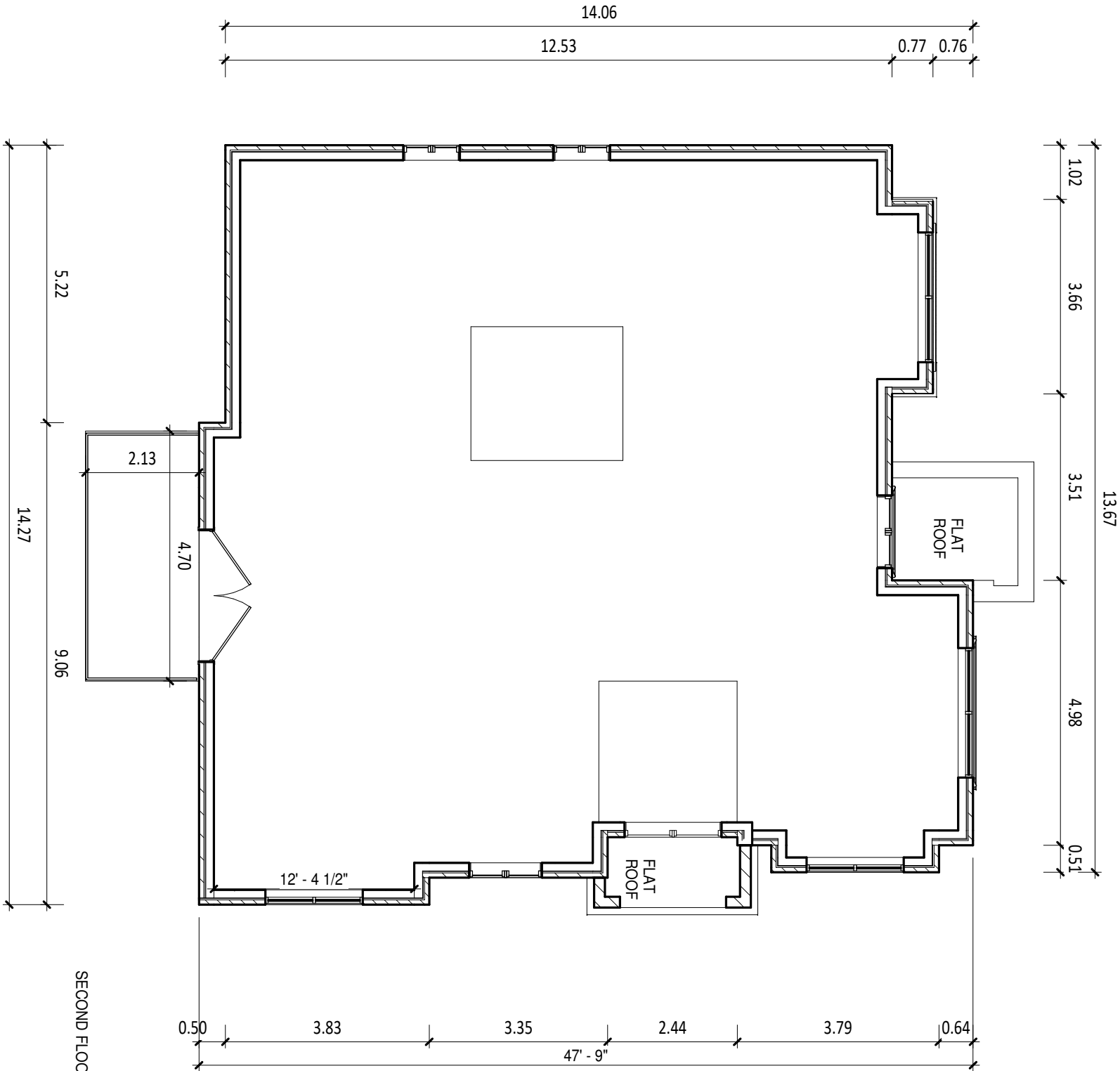


BASEMENT AREA - 199.28 m²

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23 MALAREN ROAD, VAUGHAN, ONTARIO						DRAWN		PROJECT NO			
NIA Architects Inc.						A.SH.		2021-30			
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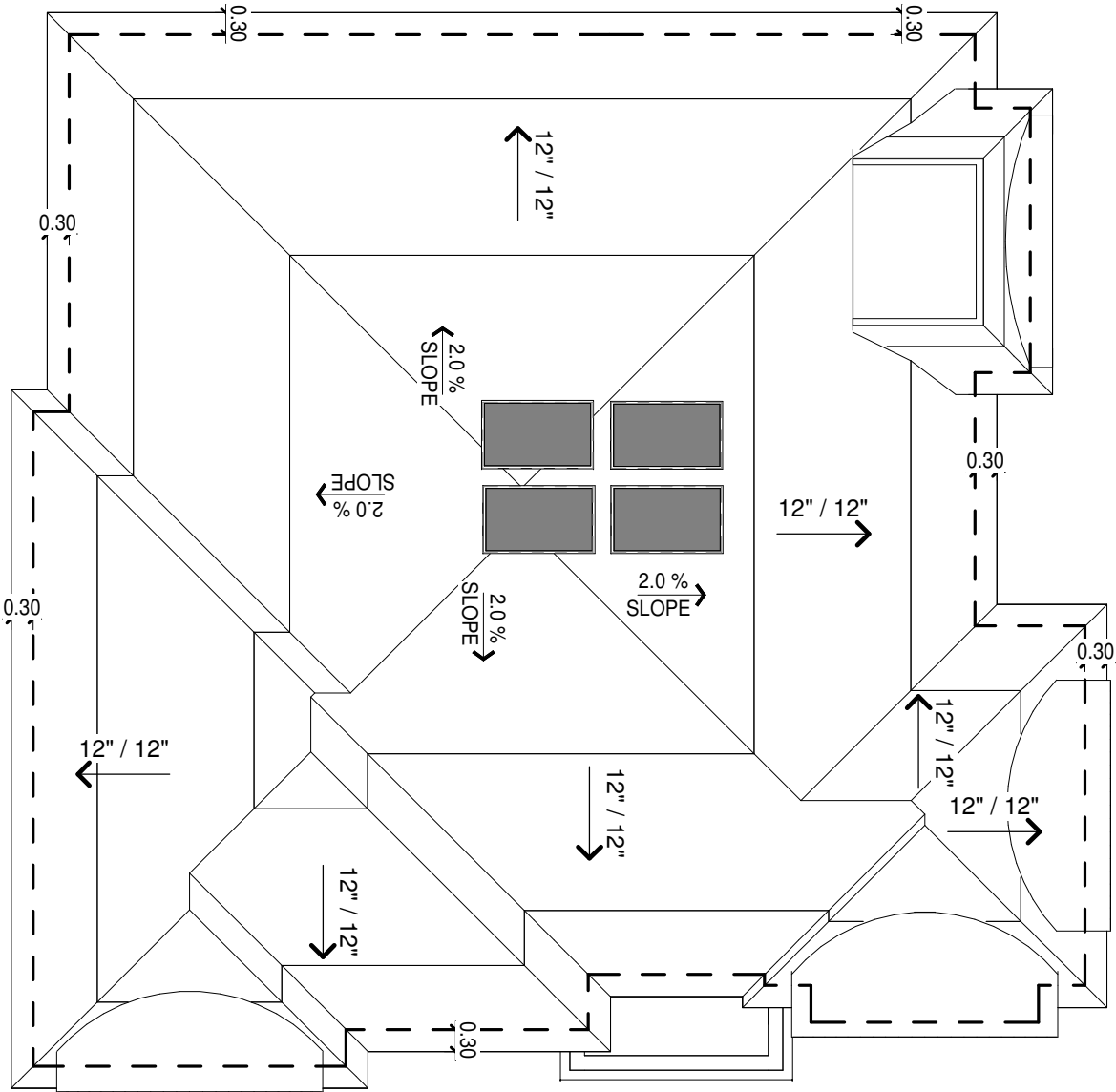


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NIA Architects Inc.		
10 MILNER BUSINESS COURT, SUITE 710 TORONTO, ONTARIO M1B 3C6 www.niarch.com E: info@niarch.com T: 416-270-7810 F: 416-800-5434		
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GROUND FLOOR PLAN		
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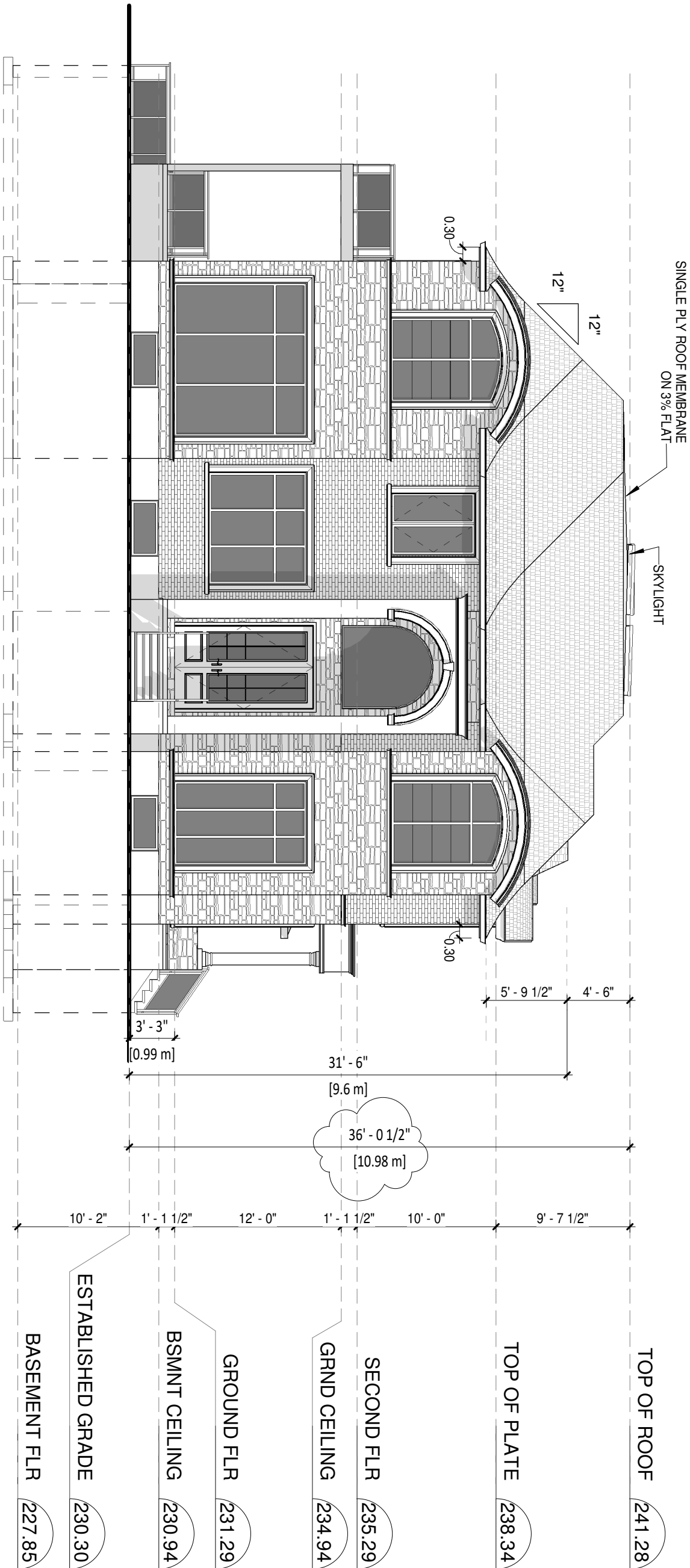
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TORONTO, ONTARIO M1B 3C6		PLOTTED DATE	
www: niarch.com		AUG 10, 2021	
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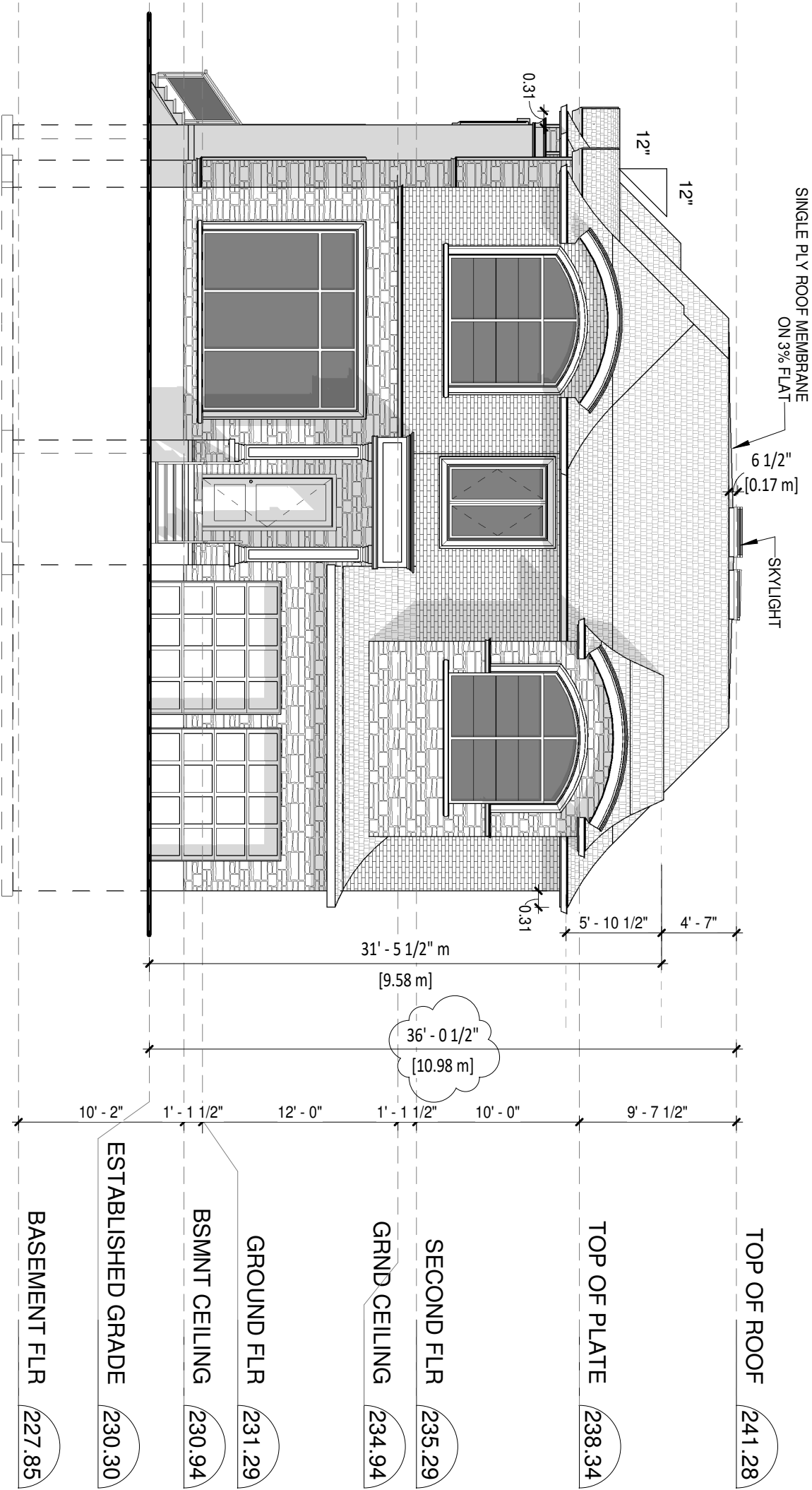
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NIA Architects Inc.		DRAWN	
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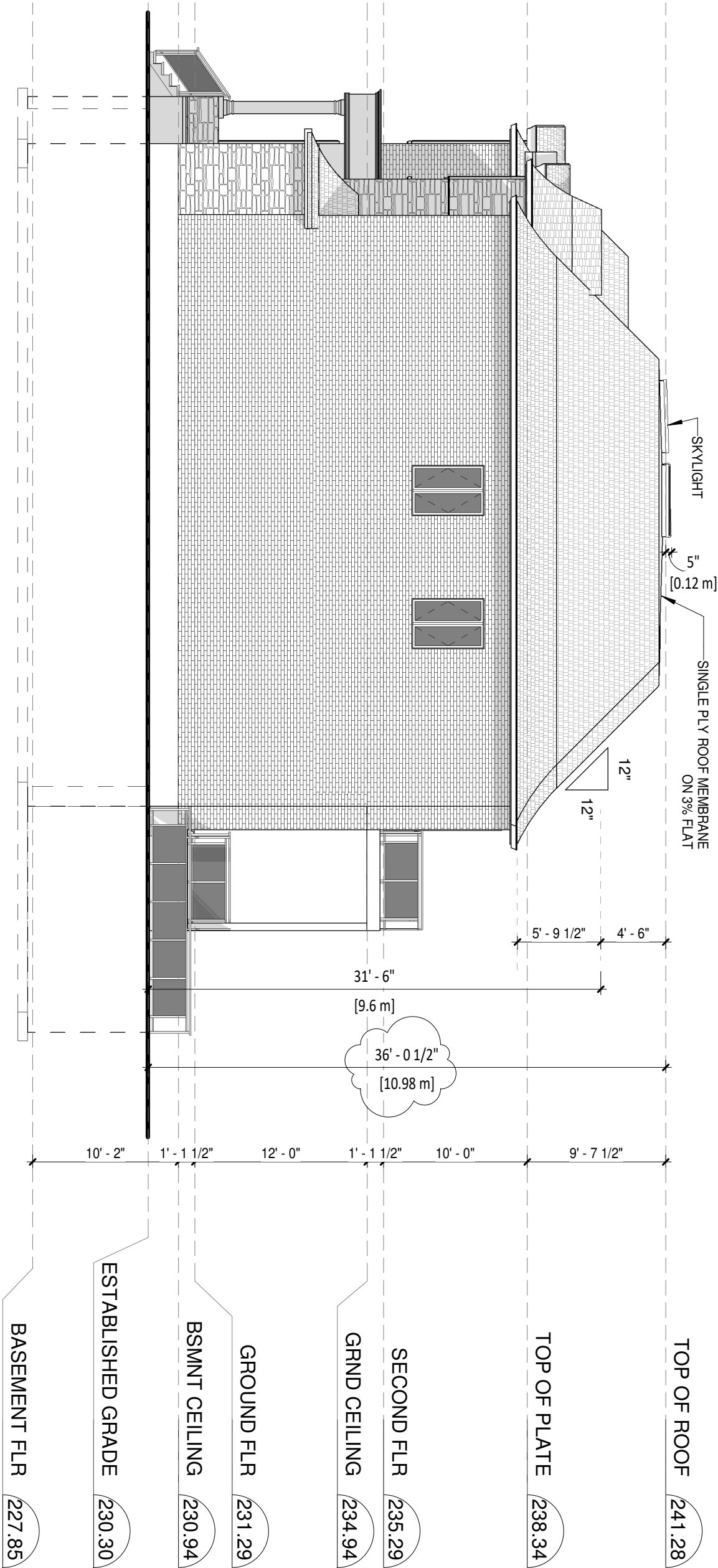
PROJECT		DRAWING EAST ELEVATION
PROPOSED RESIDENCE		
23 MALAREN ROAD, VAUGHAN, ONTARIO		
<div><div></div><div><div>NIA Architects Inc.</div><div>10 MILNER BUSINESS COURT, SUITE 710 TORONTO, ONTARIO M1B 3C6 www: niaarch.com E: info@niaarch.com T: 416-270-7810 F: 416-800-5434</div></div></div>		
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A.SH.	2021-30	
PLOTTED DATE	DRAWING NO	
AUG 10, 2021		
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NORTH ELEVATION	
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PROJECT	
23 MALAREN ROAD, VAUGHAN, ONTARIO	
PROPOSED RESIDENCE	
NIA Architects Inc.	
10 MILNER BUSINESS COURT, SUITE 710 TORONTO, ONTARIO M1B 3C6 www: niarch.com E: info@niarch.com T: 416-270-7810 F: 416-800-5434	
DRAWING	DRAWING NO
WEST ELEVATION	
DRAWN	PROJECT NO
A.SH.	2021-30
PLOTTED DATE	DRAWING NO
AUG 10, 2021	
SCALE	
1 : 100	A3.3

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

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: A160/21 - Request for Comments (23 Malaren Road)

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

Sent: August-19-21 9:17 AM

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

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A160/21 - Request for Comments (23 Malaren Road)

Good morning Adriana,

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

Gabrielle

Gabrielle Hurst mcip rpp | Programs and Process Improvement | Planning and Economic Development Branch
| Corporate Services Department | The Regional Municipality of York | 1-877 464 9675 ext 71538 |
gabrielle.hurst@york.ca | www.york.ca