

VAUGHAN Staff Report Summary

Applicant:	Denniskanna & Dayan Denniskanna Mahalingham
Address:	171 Ridgefield Cr Maple

Agent:	Bhashkar Joshi
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Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	Positive Comment	Condition(s)
	Negative Comment	\mathbf{A}
Committee of Adjustment		
Building Standards		
Building Inspection		
Development Planning		
Development Engineering		
Parks, Forestry and Horticulture Operations	\checkmark	
By-law & Compliance		
Financial Planning & Development	\checkmark	
Fire Department	\checkmark	
TRCA	\checkmark	
Metrolinx		
Region of York		
Alectra (Formerly PowerStream)	\checkmark	
Public Correspondence (see Schedule B)	\checkmark	

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala Hearing Date:Thursday, September 30, 2021



Minor Variance Application Page 2 Agenda Item: 6

A059/21

Ward: 1

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live	Thursday , September 30, 2021 at 6:00 p.m.		
Stream Hearing:	As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.		
	A live stream of the meeting is available at Vaughan.ca/LiveCouncil		
	Please submit written comments by mail or email to:		
	City of Vaughan Office of the City Clerk – Committee of Adjustment 2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1 <u>cofa@vaughan.ca</u>		
	To make an electronic deputation at the meeting please contact the Committee of Adjustment at <u>cofa@vaughan.ca</u> 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:	Denniskanna & Dayan Denniskanna Mahalingham		
Agent:	Bhashkar Joshi		
Property:	171 Ridgefield Cr Maple		
Zoning:	The subject lands are zoned R3 and subject to the provisions of Exception 9(495) 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 a side door entrance on the south side of the property. The proposed side door is required to provide access to a second dwelling unit in the basement.		

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

By-law Requirement	Proposal
A minimum interior side yard setback of 1.8 metres to	To permit a minimum interior side yard setback of 1.2
the side door is required.	metres to the side door.

Background (previous applications approved by the Committee on the subject land): N/A

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on September 15, 2021

Applicant has confirmed posting of signage on September 16, 2021

Property Information		
Existing Structures Year Constructed		
Dwelling	2007	

Applicant has advised that they cannot comply with By-law for the following reason(s): We have 1.2m clear pathway on left side but City of Vaughan require 1.8m. We require 3 parkings with the measurement of 2.7m x 6m whereas we have 2.7m x 5.9m.

Adjournment Request: N/A...

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: Order No. 20-000062, Order to Comply for Creating basement suite and a side door installation has been undertaken prior to obtaining the building permit., Issue Date: Aug 25, 2020

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

Window wells over 1.0m in height shall be set back equal distance to its height.

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 received to date.

Development Planning:

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

The Owner is requesting permission to maintain a side door of a single detached dwelling with a reduced interior side yard setback of 1.2 m, whereas 1.8 m is required. The side door provides access to a secondary unit and has been reviewed for compliance with Section 4.1.8 (secondary suite provisions) of Zoning By-law 1-88.

Development Planning staff is satisfied that the proposed variance provides adequate distance between the side door and the side lot line to facilitate safe access to the secondary suite. 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 applicant has confirmed that the storage house with reduced setback in the rear yard will be removed and there are no steps needed for the proposed entrance. Hence, The Development Engineering (DE) Department does not object to variance application A059/21.

Parks Development - Forestry:

Forestry has no comments at this time.

Please note that Forestry comments do not supersede the requirements of other commenting departments/agencies, including Development Planning with respect to the requirement of an Arborist Report and other tree protection requirements. Arborist Reports and other tree protection requirements may be required by other commenting departments to facilitate the review process of your application for the purpose of finalizing recommendations to the Committee of Adjustment.

By-Law and Compliance, Licensing and Permit Services:

No comment no concerns

Development Finance: No comment no concerns

Fire Department:

No comment no concerns

Schedule A – Plans & Sketches

Schedule B – Public Correspondence Public Correspondence (175 Ridgefield Crescent)

Staff Report A059/21

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections Metrolinx – Comments, no concerns TRCA – 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.
- \checkmark 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 adjourn this application the following condition(s) is required: None

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.

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 <u>cofa@vaughan.ca</u>

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting <u>Vaughan.ca/LiveCouncil</u>. To make an electronic deputation, residents must complete and submit a <u>Public Deputation Form</u> no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit <u>www.vaughan.ca</u>

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

T 905 832 8585 Extension 8002 E <u>CofA@vaughan.ca</u>

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



171 RIDGEFIELD ROAD, MAPLE



Rutherford Road

September 9, 2021 2:41 PM

RECEIVED

By RECEIVED at 1:11 pm, Aug 09, 2021

REAR YARD PROPERTY LINE

A059/21









PAPER SIZE 11X17 PLOT WITH FIRE DAMPER, USE WHEN USED IN FIRE SEPERATION EMERGENCY LIGHT WITH BATTERY BACK UP 4 HRS	ο _ ο		C ELECTRICAL LIGHTING OUTLET □		3 1/2" ROXULL SAFE "N" SOUND INSULATION 32" GYPSUM BOARD	(P3) WALL TYPE (PROPOSED) 30 MIN FIRE SEPERATION ½" GYPSUM BOARD 2" X4" WOOD STUD AT 16"O.C.	P1 EXISTING EXTERIOR WALL CONSTRUCTION TYPE A ½" GYPSUM BOARD 2" X4" WOOD STUD AT 16"O.C. 1 INCH AIRSPACE EXISTING R12 ROLLED BATT INSULATION EXISTING WAPOUR BARRIER EXISTING STUD AT 16"O.C. Y/" GYPSUM BOARD 2" X4" WOOD STUD AT 16"O.C. Y/" GYPSUM BOARD 2" X4" WOOD STUD AT 16"O.C. Y/" GYPSUM BOARD
FIELD THAT AFFECT WORK. TION "THE FIRE SPRINKLER SYSTEM SHALL BE A FLOW THROUGH SYSTEM WITH A MINIMUM 3/4" COPPER PIPE CONNECTED TO AT LEAST A 3/4" COPPER WATER PIPE OR DIRECTLY AFTER WATER METER OR 3/4" PEX. SPRINKLER SHALL BE DESIGNED FOR RESIDENTIAL USE *SMOKE ALARMS SHALL BE INTERCONNECTED AND HAVE A VISUAL SIGN	3.0) CONTRACTOR TO CAREFULLY EXAMINE ALL EXISTING SITE CONDITIONS AND BUILDING COMPONENTS, ALONG WITH ALL DIMENSIONS WHICH MAY AFFECT PROPER EXECUTION OF WORK. SO THAT A CLEAR AND COMPREHENSIVE TO REMAIN UNDERSTANDING OF THE SCOPE OF WORK IS ACHIEVED. 4.0) WHERE EXISTING CONSTRUCTION IS DAMAGED BY CONTRACTOR'S DEMOLITION WORK, THE CONSTRUCTION MUST BE REPAIRED TO MATCH EXISTING. 5.0) DIMENSION INDICATING EXISTING CONSTRUCTION IS FOR REFERENCE ONLY CONTRACTOR TO VERIFY DIMENSIONS AT	 ENSURE ADEQUATE VENTILATION AND COMBUSTION AIR FOR THE OPTIMUM OPERATION OF THE FURNACE, PER MANUFACTUR'S RECOMMENDATIONS. GENERAL NOTES - APPLY TO ALL SHEETS I.0) IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT ALL OF THE CONSTRUCTION CONFIRMS TO THE REQUIREMENTS OF THE LATEST VERSION OF THE ONTARIO BUILDING CODE. INFORM ARCHITECTURINGNEER REFORE PROCESSING WORK 	INSTALL MECHANICAL VENTILATION PER OBC DIV B 9.32.1.3(3) REQ'S. EXHAUST FAN SHALL DISCHARGE DIRECTLY TO OUTSIDE. SEPARATE ANY INTAKE FROM BUILDING ENVELOP PENETRATIONS THAT ARE POTENTIAL SOURCES OF CONTAMINANTS(GAS VENTS, OIL FILL PIPES, ETC, BY MIN 900MM (2FT 11 IN)	THE RETURN AIR GRILL SHALL BE INSTALLED NEAR THE FLOOR LEVEL (HRAI REQ'S). UNDERCUT BY 1" THE DOOR TO ANY ROOM WITH OUT RETURN GRILL WITH OUT RETURN GRILL	WOOD MEMBERS TO BE IN CONTACT WITH CONCRETE TO BE LINITEL NO. HEADER STEEL ANGLE FOR BRICK/STONE VENEER SUPPORT PROTECTED FROM DECAY AND DAMPNESS WITH MIN. 0.05 MM POLYETHYLENE FILM OR TYPE"S" ROLL Image: Construct of the state of	IVING ROOMS.	CEILING ½ GYPSUM BOARD A C AL CEILING ½ GYPSUM BOARD * ENSURE MINIMUM 15 MIN. HORIZONTAL FIRE SEPARATION AROUND ALL F PROVIDE MINIMUM 30 FIRE SEPARATION UNDER STAIR * ENSURE MINIMUM 15 MIN. HORIZONTAL FIRE SEPARATION AROUND ALL F PROVIDE MINIMUM 30 FIRE SEPARATION UNDER STAIR D LED LIGHTS IN FIRE SEPARATION ARE REQUIRED TO BE PROTECTED C USE 2 QUANTITY ¾" GYPSUM BOARD WITH ROXULL SAFE "N" SOUND INSULATION NETH ROXULL SAFE "N" SOUND INSULATION USE 2 QUANTITY ¾" GYPSUM BOARD EDIGHT CONTROLLED BY A SWITCH IS REQUIRED IN EVERY KITCHEN, BEDROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM BEDROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM BATHROOM, LIVING ROOM, UTILITY ROOM, LAUNDRY ROOM, DINING ROOM BEFERENCIE MAY, BENER, HALLWAY, GARAGE AND CARPORT, A SWITCH SWITCH
OUT OF THE BOX ENGINEERING INC. 7 ARCHWAY TRAIL BRAMPTON, ON. L6P 4E3 bhoskor@outoftheboxeng.com 416-835-6620	DRAWNOTTLE & NO.: SCHEDULE AND NOTES A-8	ADDRESS: 171 RIDGEFIELD CRES MAPLE, ON, L6A1J7 PIAN LOT 2	OU HONSOBA	Sto PROFESSIONAL	05 MARCH 2021		CERCIN, MUTX.

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

Subject:

From: Enrico Conetta			
Sent: September-22-21 8:34 PM			
To: Committee of Adjustment <c< td=""><td>ofA@vaughan.ca></td><th></th><td></td></c<>	ofA@vaughan.ca>		
Cc:	Marilyn lafrate <m< td=""><th>arilyn.Iafrate@vaughan.ca>; Gina Ciampa</th><td></td></m<>	arilyn.Iafrate@vaughan.ca>; Gina Ciampa	
<gina.ciampa@vaughan.ca></gina.ciampa@vaughan.ca>	I		
Subject: [External] Minor varianc	e application A059/2	21 - 171 Ridgefield Crescent	
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To whom it may concern,

I am the resident owner of 175 Ridgefield Crescent neighbouring the property 171 Ridgefield Crescent. I am opposed to the bylaw variance being proposed to allow for an additional side entrance to provide access to a second dwelling unit in the basement.

First and foremost, this home already had a side entrance added for access to the basement. I never received any notification of this addition, nor do I believe it was added with a permit. Secondly, I believe there are at least 5-7 tenants currently living in the home. I do not believe it is legally permitted to have a residential home double as a de facto multi-unit apartment complex. The property is not well maintained and there is often garbage littered around the property.

I demand that an inspection of the property be performed and it is ensured that there is not an illegal rental unit being operated where not allowed by city bylaws.

Please confirm once this letter has been received and provide specific details of remedial actions that will be undertaken.

Regards, Enrico Conetta

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 Metrolinx – Comments, no concerns TRCA – No concerns or objections



Date:	August 11 th , 2021
Attention:	Pravina Attwala
RE:	Request for Comments
File No.:	A059-21
Related Files:	
Applicant	Denniskanna Mahalingam Dayan Denniskanna Mahalingam
Location	171 Rifgefield Cres



COMMENTS:

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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: <u>stephen.cranley@alectrautilities.com</u>

Mr. Tony D'Onofrio Supervisor, Subdivisions (Alectra East) *Phone*: 1-877-963-6900 ext. 24419

Email: tony.donofrio@alectrautilities.com

Subject:

FW: REQUEST FOR COMMENTS - A059/21 (171 RIDGEFIELD CRESCENT)

From: Alexandra Goldstein <Alexandra.Goldstein@metrolinx.com>
Sent: August-11-21 3:28 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Subject: [External] RE: REQUEST FOR COMMENTS - A059/21 (171 RIDGEFIELD CRESCENT)

Good afternoon Pravina,

Thank you for circulating the above listed application for Metrolinx review. I note that the subject site (171 Ridgefield Cres.) is seeking a minor variance for the addition of a lower level unit and associated parking. I note that the subject site is located in close proximity to Metrolinx's Newmarket Subdivision which carries Barrie GO train service. As such, it falls within our zone of influence. Please accept our comments as outlined below:

- Metrolinx provides no comment on the minor variance.
- Due to the proximity of the site to the rail corridor, as a condition to Site Plan Approval, the Owner shall grant Metrolinx an environmental easement for operational emissions, to be registered on title against all residential dwellings within 300 metres of the rail corridor and in favour of Metrolinx. It should be noted that this process takes up to 8 weeks from when Metrolinx receives all required documentation. When the Owner is ready to begin the agreement process, they are asked to contact the undersigned.

Thank you and please let me know if you have any questions.

Kind regards,

ALEXANDRA GOLDSTEIN

Project Manager Third Party Projects Review, Capital Projects Group Metrolinx | 20 Bay Street | Suite 600 | Toronto | Ontario | M5J 2W3 T: 416-202-5708

->>> METROLINX

Subject:

From: York Plan <yorkplan@trca.ca>
Sent: August-10-21 9:57 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Hamedeh Razavi <Hamedeh.Razavi@trca.ca>
Subject: [External] RE: REQUEST FOR COMMENTS - A059/21 (171 RIDGEFIELD CRESCENT)

TRCA has no concerns with regard to the above noted application. Should further clarification be required, please contact the undersigned at your earliest convenience.

Mark Howard, BES, MLA, MCIP, RPP Senior Planner – Vaughan Review Area Development Planning and Permits | Development and Engineering Services Toronto and Region Conservation Authority (TRCA)

T: (416) 661-6600 ext 5269

E: mark.howard@trca.ca

A: 101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca



Subject:

FW: REQUEST FOR COMMENTS - A059/21 (171 RIDGEFIELD CRESCENT)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: August-27-21 1:42 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: REQUEST FOR COMMENTS - A059/21 (171 RIDGEFIELD CRESCENT)

Good afternoon Pravina,

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

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | <u>gabrielle.hurst@york.ca</u> |<u>www.york.ca</u>