



File: A234/21

Applicant: Gurjit Dhaliwal, Jaswinder Deol

Address: 26 Luang Street, Kleinburg

Agent: None

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"/>	
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: Wednesday, December 8, 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: 17

**A234/21**

Ward: 1

**Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Wednesday, December 8, 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](http://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](mailto:cofa@vaughan.ca)

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto: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:** Gurjit Dhaliwal and Jaswinder Deol

**Agent:** None

**Property:** 26 Luang Street, Kleinburg

**Zoning:** The subject lands are zoned RD1 Residential Detached Zone One, subject to the provisions of Exception No. 9(1413) under By-law 1-88 as amended and R1 First Density Residential Zone, subject to the provisions of By-law R1-1040 under By-law 001-2021.

**OP Designation:** Vaughan Official Plan 2010 ('VOP2010'): "KN Low-Rise Residential I" by VOP 2010, Volume 2, Section 11.8 – North Kleinburg-Nashville Secondary Plan.

**Related Files:** None

**Purpose:** Relief from By-law 1-88, as amended, is being requested to permit increased maximum driveway width.

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 driveway width between the street line and street curb shall not exceed 6.0 (Section 4.1.4.f iii))	2. To permit a maximum driveway width of 9.0 metres for the portion of the driveway between the street line and street curb.
2. A maximum curb cut of 6.0 metres is permitted. (Section 4.1.4.f i)	2. To permit a maximum curb cut of 9.0 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](http://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 November 23, 2021

Applicant confirmed posting of signage on November 22, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2021
Driveway Widening	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s):

To facilitate full of driveway and one extra parking on the driveway and safe drive out from the driveway (this dwelling has 3 car wide space in the garage but because of the less width of the curb and driveway we cannot full use of the driveway and garage.

Committee of Adjustment recommended conditions of approval: None

### Adjournment Request / File Review History:

None

### Building Standards (Zoning Review):

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

A minimum front yard landscaping of 50% is required, 60% of which shall be composed of soft landscaping. Please provide the percentage calculations.

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

### Building Inspections (Septic):

No comments or concerns

### Development Planning:

The Development Planning Department recommends approval of the application. Please see Schedule C for Development Planning comments/conditions.

### Development Engineering:

The Development Engineering (DE) Department does not object to variance application A234/21 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 about the proposed work to the subject property and provide a copy of the acknowledgement letter/email from the developer/builder to the City's Development Engineering Department.

Additional comments:

1. The owner/applicant shall apply and obtain the necessary curb cut permit through the Transportation and Fleet Management Services. Please visit [https://www.vaughan.ca/services/residential/transportation/roads/curb\\_cuts\\_and\\_driveway\\_widening/Pages/default.aspx](https://www.vaughan.ca/services/residential/transportation/roads/curb_cuts_and_driveway_widening/Pages/default.aspx) to learn how to apply for the curb cut/ reinstating permit.

### Parks Development - Forestry:

Edge of driveway/decorative curb cannot be closer than 1.5m to any city boulevard tree.

### 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 C - Development Planning & Agency Comments**

Development Planning – No concerns or conditions  
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:

	<b>Department/Agency</b>	<b>Condition</b>
1	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.Khan@Vaughan.ca">Farzana.Khan@Vaughan.ca</a>	Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder about the proposed work to the subject property and provide a copy of the acknowledgement letter/email from the developer/builder 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](mailto:cofa@vaughan.ca)

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](http://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 day prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit [www.vaughan.ca](http://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](mailto:CofA@vaughan.ca)

## **Schedule A: Plans & Sketches**

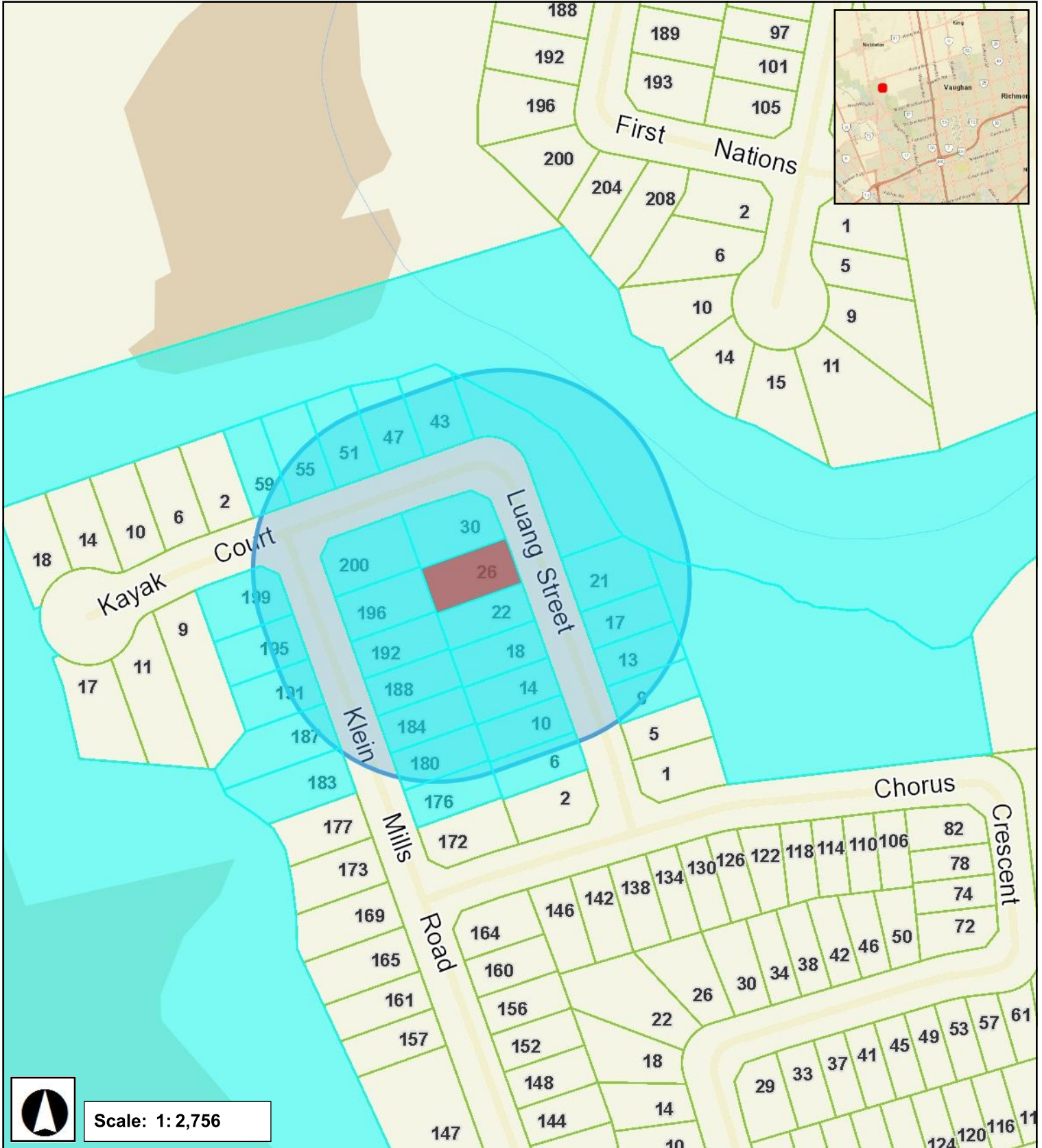
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

**Location Map  
Plans & Sketches**



# A234/21 - Notification Map

26 Luang Street, Kleinburg



Kipling Avenue

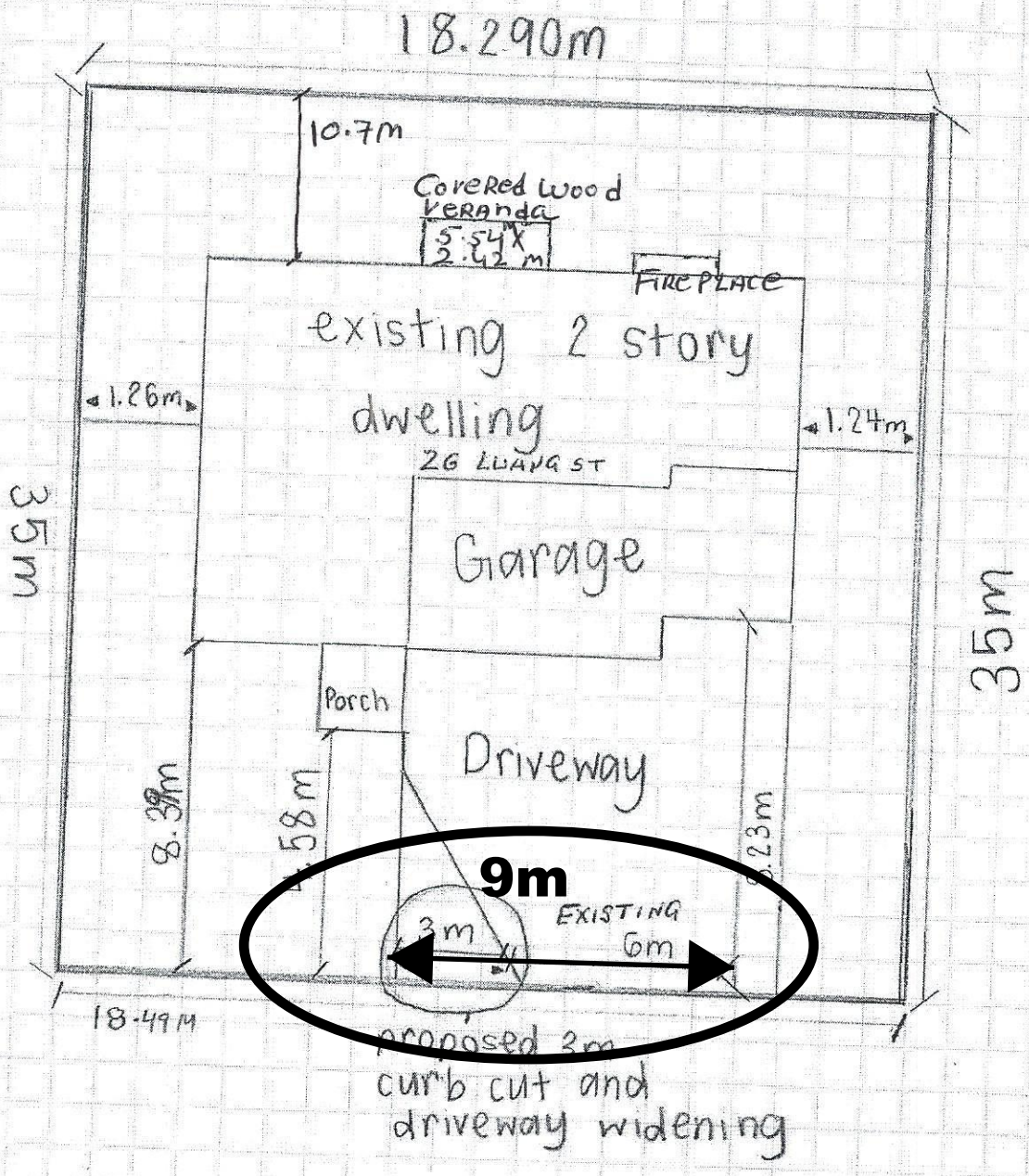
Teston Road

November 23, 2021 11:12 AM

**Zoning By-law 1-88**

1. To permit a maximum driveway width of 9.0 metres for the portion of the driveway between the street line and street curb.
2. To permit a maximum curb cut of 9.0 metres.

**A234/21**



26 Luang Street ↗



**SURVEYOR'S REAL PROPERTY REPORT  
PART 1  
PLAN OF LOTS 176, 177, 178 AND 179  
PLAN 65M-4608  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK**

SCALE 1:300  
10m 5m 0 10m 20metres

R-PE SURVEYING LTD., O.L.S.

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**PART 2 (SURVEY REPORT)**

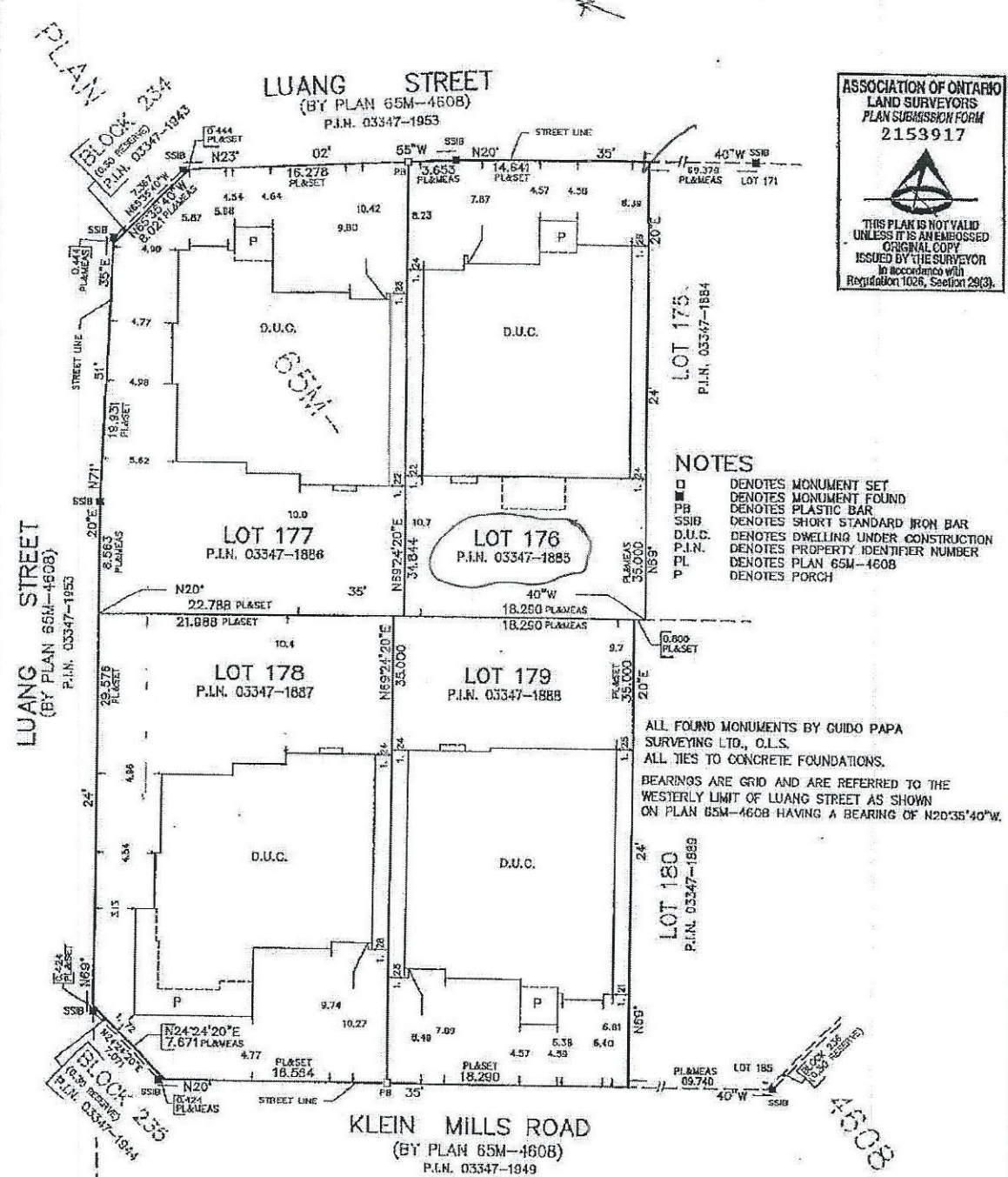
REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS: NONE  
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 28<sup>th</sup> DAY OF JANUARY, 2021.  
DATE: FEBRUARY 25, 2021.

T. SINGH  
ONTARIO LAND SURVEYOR



**ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2153917**

THIS PLAN IS NOT VALID  
UNLESS IT IS AN EMBOSSED  
ORIGINAL COPY  
ISSUED BY THE SURVEYOR  
In accordance with  
Regulation 1026, Section 29(3).

- NOTES**
- DENOTES MONUMENT SET
  - ▣ DENOTES MONUMENT FOUND
  - ▢ DENOTES PLASTIC BAR
  - SSIB DENOTES SHORT STANDARD IRON BAR
  - D.U.C. DENOTES DWELLING UNDER CONSTRUCTION
  - P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
  - P DENOTES PLAN 65M-4608
  - DENOTES PORCH

ALL FOUND MONUMENTS BY GUIDO PAPA  
SURVEYING LTD., O.L.S.  
ALL TIES TO CONCRETE FOUNDATIONS.  
BEARINGS ARE GRID AND ARE REFERRED TO THE  
WESTERLY LIMIT OF LUANG STREET AS SHOWN  
ON PLAN 65M-4608 HAVING A BEARING OF N20°35'40"W.

THIS REPORT WAS PREPARED FOR  
MATTAMY HOMES  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR USE BY OTHER PARTIES

**R-PE SURVEYING LTD.**  
ONTARIO LAND SURVEYORS  
643 Chrlslea Road, Suite 7  
Woodbridge, Ontario L4L 8A3  
Tel. (416) 635-5000 Fax (416) 635-5001  
Tel. (905) 264-0881 Fax (905) 264-2099  
Website: www.r-pe.ca  
DRAWN: V.H. CHECKED: G.Y./T.S.  
JOB No. 18-240 CAD FILE No. 4608-176



## **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.-

**Development Planning – No concerns or conditions**

**Alectra (Formerly PowerStream) – No concerns or objections**

**Region of York – No concerns or objections**

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** December 08, 2021  
**Name of Owner:** Gurjit Dhaliwal and Jaswinder Deol  
**Location:** 26 Luang Street  
**File No.(s):** A234/21

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**Proposed Variance(s) (By-law 01-2021):**

1. None

**By-Law Requirement(s) (By-law 01-2021):**

1. None

**Proposed Variance(s) (By-law 1-88):**

1. To permit a maximum driveway width of 9 m for the portion of the driveway between the street line and street curb.
2. To permit a maximum curb cut of 9 m.

**By-Law Requirement(s) (By-law 1-88):**

1. A maximum driveway width between the street line and street curb shall not exceed 6 m. (Section 4.1.4.f)iii))
2. A maximum curb cut of 6 m is permitted. (Section 4.1.4.f)i)

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "KN Low-Rise Residential I" by VOP 2010, Volume 2, Section 11.8 – North Kleinburg-Nashville Secondary Plan.

**Comments:**

The Owner is proposing to widen an existing driveway with the above-noted variances.

The Development Planning Department does not object to the requested variances, as the proposed driveway width of 9 m will align with the width of the existing three-car garage and not have a negative visual impact on the existing streetscape. The requested driveway width also complies with Zoning By-law 01-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect.

Accordingly, 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.

**Recommendation:**

The Development Planning Department recommends approval of the application.

**Conditions of Approval:**

If the Committee finds merit in the application, the following conditions of approval are recommended:

None

**Comments Prepared by:**

Michael Torres, Planner I  
Chris Cosentino, Senior Planner



Discover the possibilities

### 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

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

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## Adriana MacPherson

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**Subject:** FW: A234/21 - REQUEST FOR COMMENTS (26 Luang Street, Kleinburg)

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

**Sent:** November-17-21 3:41 PM

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

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

**Subject:** [External] RE: A234/21 - REQUEST FOR COMMENTS (26 Luang Street, Kleinburg)

Good afternoon Adriana,

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 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

## Schedule D: Previous Approvals (Notice of Decision)

None