VAUGHAN	Staff Report Summary	tem # 12
		Ward #1
File:	A213/21	
Applicant:	Akram Nadim	
Address:	118 Casabel Dr. Maple	
Agent:	Apex Technical Ltd. (Kashif Siddiqui / Bhoomi Rana)	

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	\checkmark ×
Committee of Adjustment		
Building Standards		
Building Inspection		
Development Planning		
Development Engineering		
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development		
Fire Department		
TRCA		
Ministry of Transportation		
Region of York		
Alectra (Formerly PowerStream)		
Public Correspondence (see Schedule B)		

Adjournment History: None.

Background History: None.

Staff Report Prepared By: Lenore Providence Hearing Date: 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

A213/21

Staff Report Prepared By: Lenore Providence Assistant Secretary Treasurer

Agenda Item: 12

lication

Ward: 1

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
	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 <a href="color:def:color:def:color:def:color:def:color:def:color:def:def:color:def:color:def:def:color:def:color:def:def:color:def:def:def:color:def:color:def:def:def:def:def:def:def:def:def:def</th></tr><tr><th></th><th>Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.</th></tr><tr><th>Applicant:</th><th>Akram Nadim</th></tr><tr><th>Agent:</th><th>Apex Technical Ltd. (Kashif Siddiqui)</th></tr><tr><th>Property:</th><th>118 Casabel Dr. Maple</th></tr><tr><th>Zoning:</th><th>The subject lands are zoned RV4 under By-law 1-88 as amended.</th></tr><tr><th>OP Designation:</th><th>Vaughan Official Plan 2010 ('VOP 2010'): " low-rise="" residential"<="" th="">
Related Files:	None.
Purpose:	Relief from By-law 1-88, as amended, is being requested to permit a one-storey

The subject lands are zoned R5A(EN) – Fifth Density Residential Zone (Established Neighbourhood) under Zoning By-law 01-2021.

addition to the rear of the existing dwelling.

#	Zoning By-law 01-2021	Variance requested
1	A minimum rear yard setback of 7.5 metres is	To permit a minimum rear yard setback of 6.0 metres.
	required. (Table 7-5).	

The subject lands are zoned RV4 – Residential Urban Village Zone Three under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
2	A minimum rear yard setback of 7.5 metres is	To permit a minimum rear yard setback of 6.0 metres.
	required. (Schedule 'A1').	

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

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.

Staff Report A213/21

Committee of Adjustment:

Public notice was mailed on November 23, 2021

Applicant confirmed posting of signage on November 18, 2021

Property Information						
Existing Structures	Year Constructed					
Dwelling	2003					

Applicant has advised that they cannot comply with By-law for the following reason(s): The proposal is made for a bedroom for the Owner's son as his medical condition is not stable, the proposed bedroom cannot be shrunk. Thus we need to seek relief from the zoning by-laws.

Committee of Adjustment recommended conditions of approval:

Adjournment Request / File Review History:

The applicant submitted a revised application and Zoning Waiver Form (to address Development Planning comments) to proceed to the December 8, 2021 Committee of Adjustment hearing.

Zoning confirming requested variances on November 25, 2021.

Building Standards (Zoning Review):

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

Building Permit No. 20-111882 for Semi-Detached Dwelling - Addition, Issue Date: (Not Yet Issued).

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

Air Conditioner and/or Heat Pump Units shall be permitted in the interior side yard with a minimum setback of 0.6 metres and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

Building Inspections (Septic):

No comments received to date.

Development Planning:

Please see Schedule C for Development Planning comments.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A213/21.

Parks Development – Forestry:

Comments:

- Resident/agent has confirmed Via email that the municipally owned right-of-way tree will be protected during the pool/cabana construction utilizing hoarding detail MLA 107B (light Duty) with a minimum distance of 1.8 Meters in all directions.
- 2) 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.

Parks Development – Horticulture:

No comment no concerns

By-Law and Compliance, Licensing and Permit Services: No comments received to date

Development Finance:

No comment no concerns

Fire Department: No comment no concerns

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

Applicant Correspondence – Justification Letter

Schedule C - Development Planning & Agency Comments

Development Planning Comments – Recommend approval with 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.
- \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, the following conditions have been recommended: None.

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.

Staff Report A213/21

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

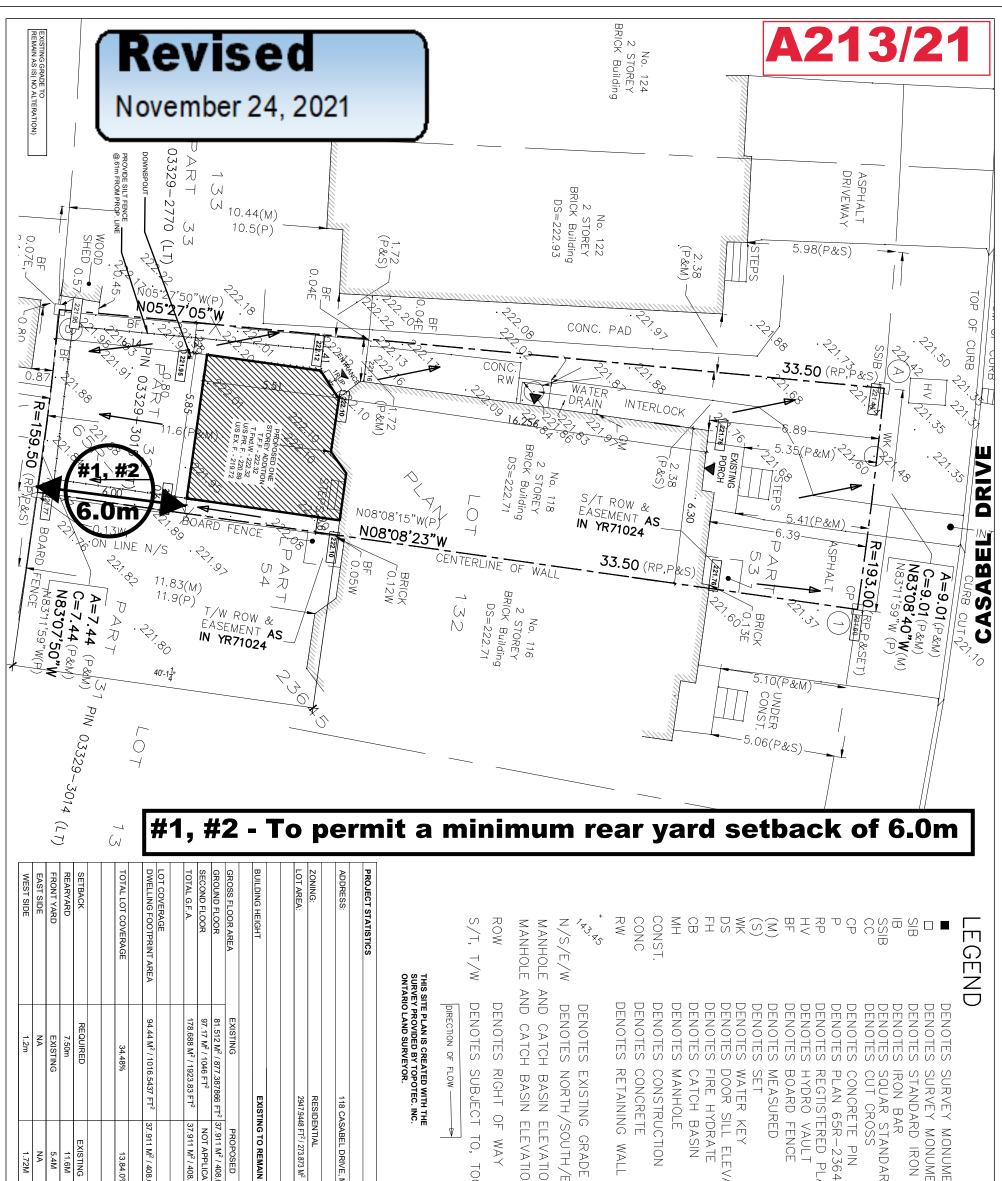
T 905 832 8585 Extension 8394 E CofA@vaughan.ca

Schedule A: Plans & Sketches

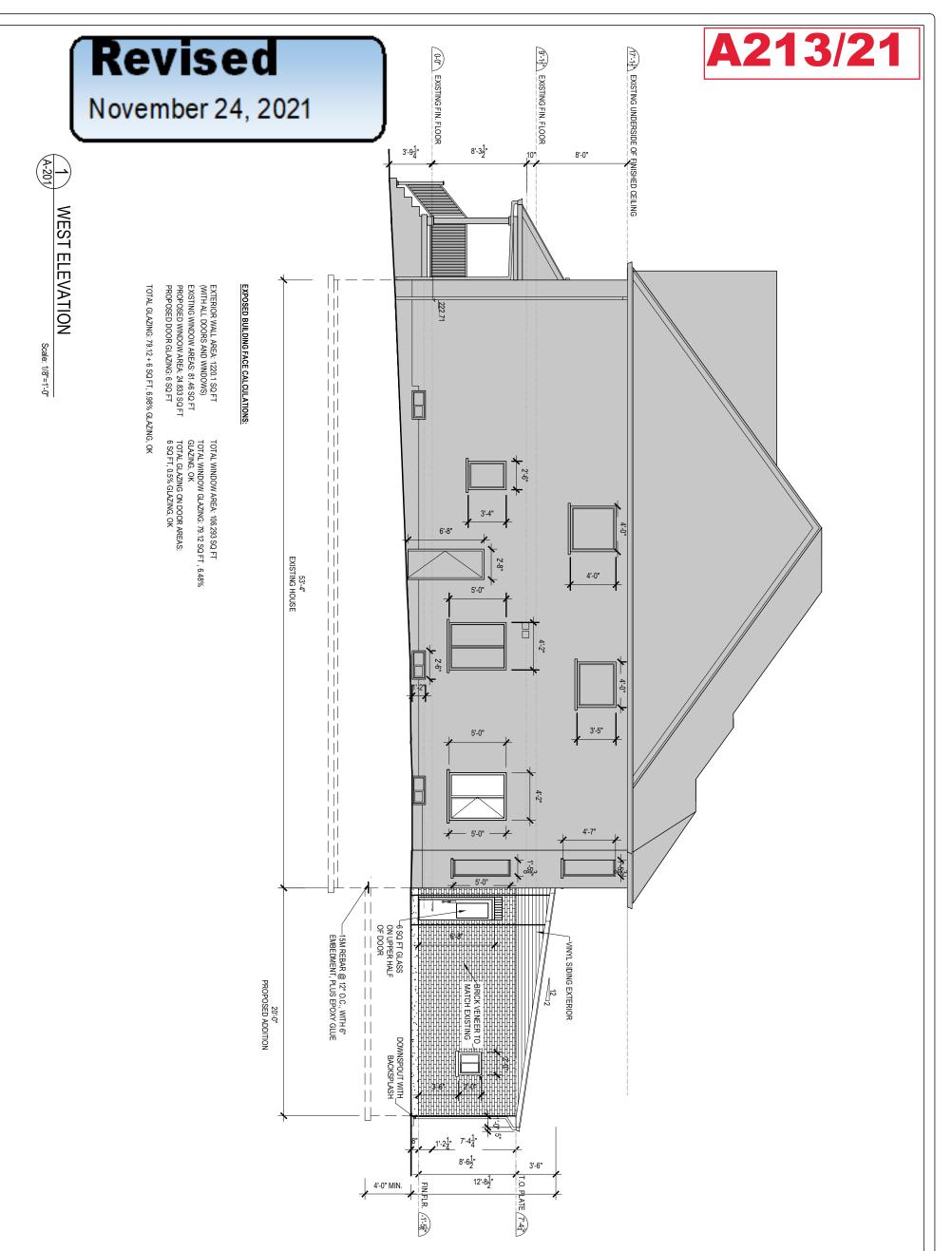
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map Site Plan & Sketches

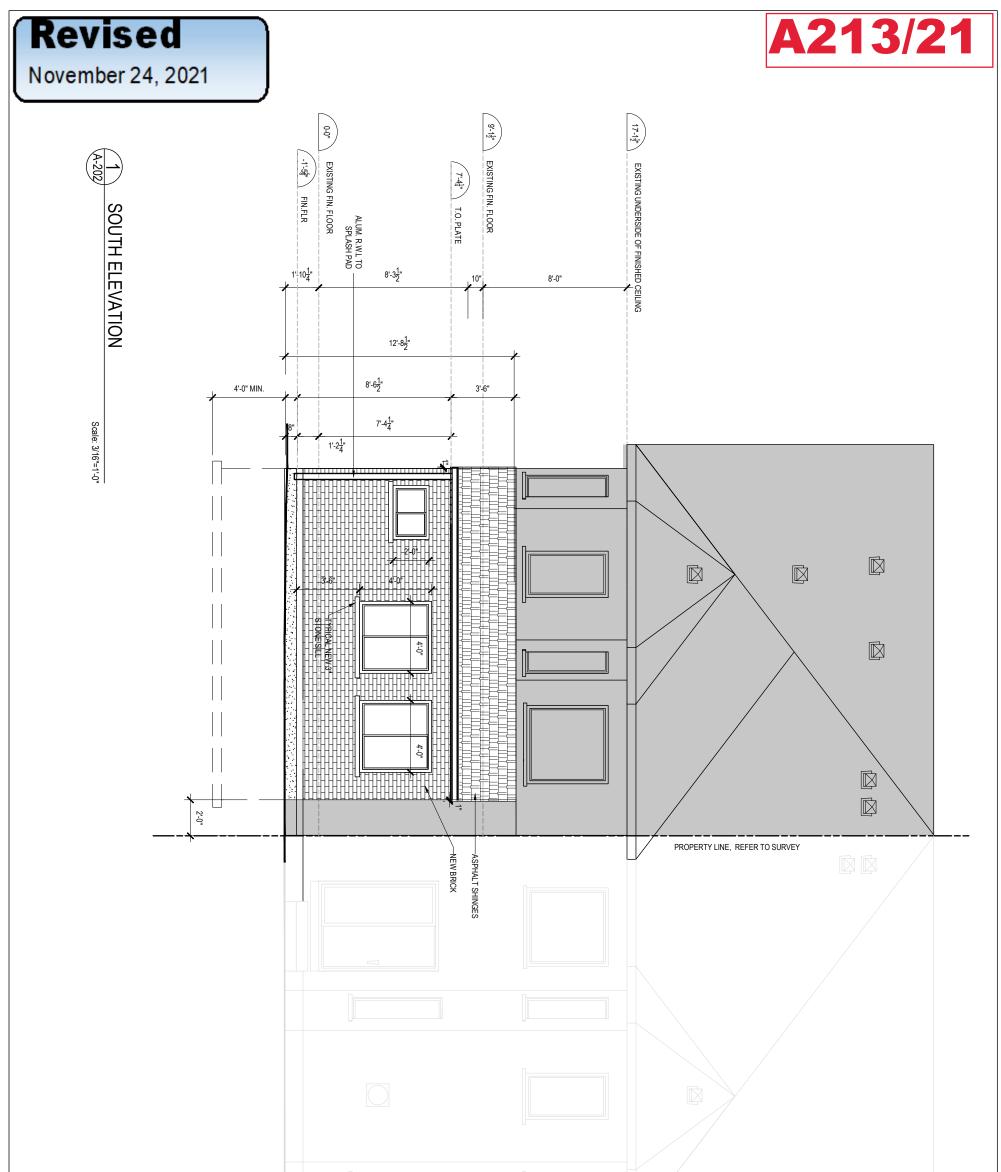




APEX JOB NUMBER: 20 FAC047	
A-002	
APPROVED BY: KS & HR 2211/2021 DATE: Nov. 22, 21	0% 48.32% 3 PROPOSED
ARCH. JENGINEER STAMP ROFESSIOU K.H. SIDDOUL K.H. SIDDOUL K.H. SIDDOUL	8.07SQ FT ² 135.627M ² /1459.8769FT ²
SITE PLAN	07SQ FT ² BLE
HOUSE ADDITION 118 CASABEL DRIVE, MAPLE ON	z (* MAPLE ON
APEX TECHNICAL Ltd. 400 CRDITSTONE RD, UNIT # 6A CONCORD, ON, L4K 3Z3	
MR.AKRAM	OGETHER WITH
2 11/22/2021 REVISED FOR COA 1 04/16/2021 REVISED AS PER CITY COMMENTS 0 03/10/2020 ISSUED FOR CLENT REVIEW REVISSUE DATE DESCRIPTION	E ELEVATION EAST/WEST ONS ARE CONSIDERED ONS.
DRAWINGS MUST BE RETURNED AT COMPLETION OF WORK OR UPON REQUEST CONTRACTOR MUST VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB AND REPORT ANY DISCREPANCY TO ENGINEER BEFORE PROCEEDING WITH THE WORK DO NOT SCALE PRINTS.	/ATION
NOTES: THIS DRAWING IS THE PROPERTY OF THE APEX TECHNICAL LTD. AND MAY NOT BE USED IN ANY PROJECT OTHER THAN THAT DESIGNATED HEREIN.	45 _AN 65M-3445
KEYPLAN	RD IRON BAR



CONTRACTOR MUST VEREFY ALL DIMENS JOG AND REFORMUST VEREFY ALL DIMENS APPROVED APPROV	
VERTY ALL DIMENSIONS AND CONDITION OF WORK ON CONDITION OF WORK ON CONDITION OF WORK O	LLAM

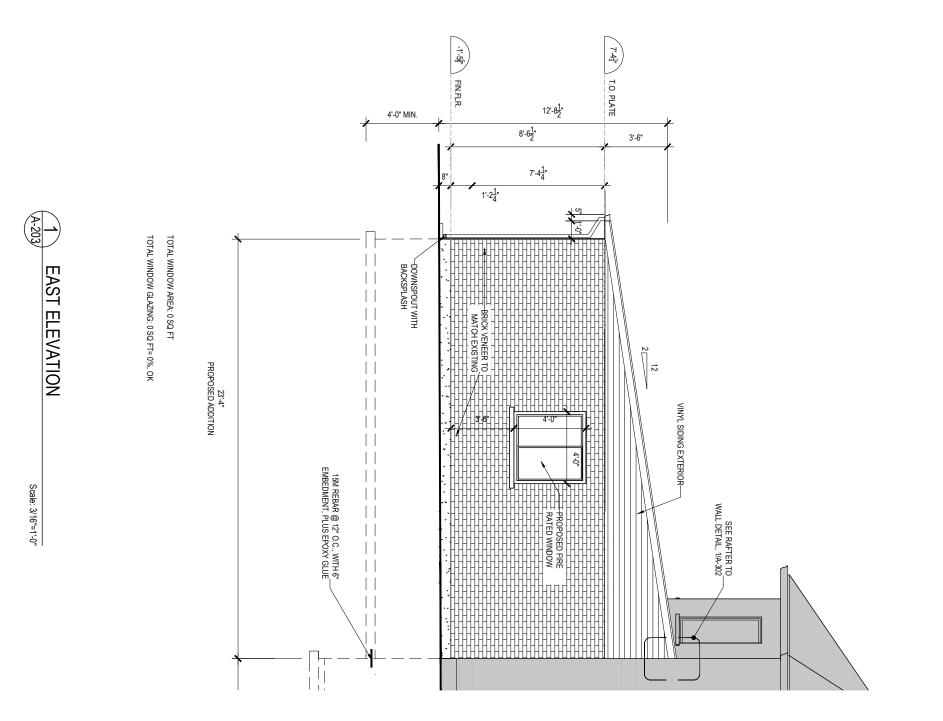


APEX JOB NUMBER:		Grand Strand Str	ARCH. /ENGINEER STAMP	BRAWING TITTLE		ENGINEER APEX		2 11/22/2021 1 04/16/2021 0 03/10/2020 REV/ISSUE DATE	NOTES: THIS DRAWING IS THE PROPERTY OF THE APEX TECHNICAL LTD. AND MAY NOT BE USED IN ANY PROJECT OTHER THAN THAT DESIGNATED HEREIN. DRAWINGS MUST BE RETURNED AT COMPLETION OF WORK OR UPON REQUEST CONTRACTOR MUST VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB AND REPORT ANY DISCREPANCY TO ENGINEER BEFORE PROCEEDING WITH THE WORK, DO NOT SCALE PRINTS.	KEYPLAN
20 FAC047	A-202	APPROVED BY: DATE:	DRAWN BY:	SOUTH ELEVATION	HOUSE ADDITION	APEX TECHNICAL Ltd. 400 CRDITSTONE RD, UNIT # 6-A CONCORD, ON, L4K 3Z3	MR.AKRAM	REVISED FOR COA REVISED AS PER CITY COMMENTS ISSUED FOR CLIENT REVIEW DESCRIPTION	ERTY OF THE APEX TECH ST OTHER THAN THAT DES VED AT COMPLETION OF V VED AT COMPLETION OF V ALL DIMENSIONS AND CO REPANCY TO ENGINEER BI VALE PRINTS.	
		AS NOTED KS & HR Nov. 22, 21	NSA			IICAL Ltd. , UNIT # 6-A 123		ry comments f review	VICAL LTD. AND MAY SIGNATED HEREIN, VORK OR UPON NDITIONS ON THE EFORE PROCEEDING	IRUE

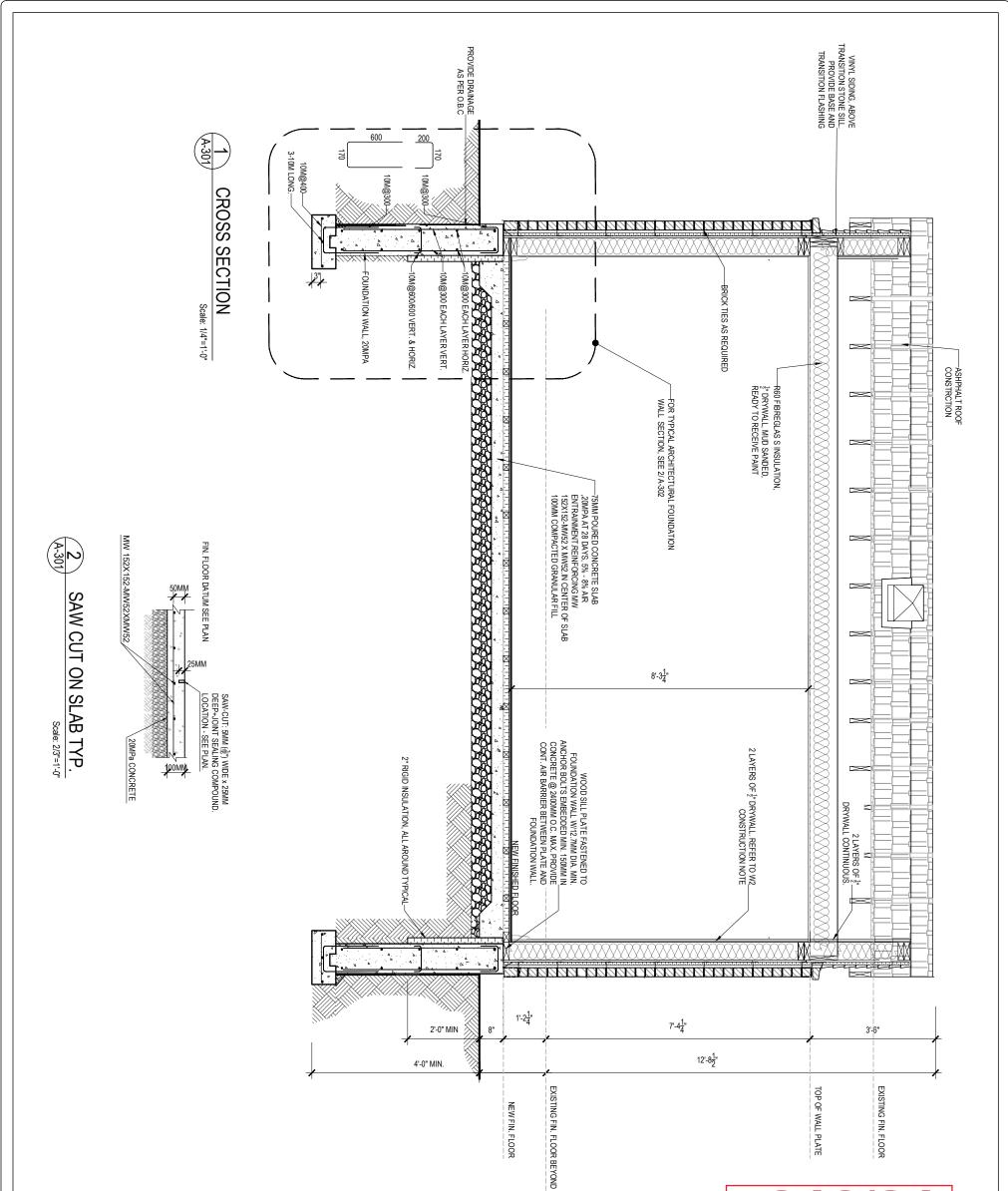
Revised

November 24, 2021





APEX JOB NUMBER: 20 FAC047	DRAMING NO. A-203	THE OF ON THE	CANNER AND APPROVED BY:	ARCH. /ENGINEER STAMP DRAWN BY:	EAST ELEVATION	PROJECT HOUSE ADDITION 118 CASABEL DRIVE, MAPLE ON	APEX TECHNICAL 400 CRDITSTONE RD, UNIT # CONCORD, ON, L4K 3Z3	MR.AKRAM	11/22/2021 REVISED FOR 04/16/2021 REVISED AS PI 03/10/2020 ISSUED FOR C DATE DESCRI	NOTES: THIS DRAWING IS THE PROPERTY OF THE APEX TECHNICAL LTD. NOT BE USED IN ANY PROJECT OTHER THAN THAT DESIGNATED DRAWINGS MUST BE RETURNED AT COMPLETION OF WORK OR U REQUEST CONTRACTOR MUST VERIEY ALL DIMENSIONS AND CONDITIONS JOB AND REPORT ANY DISCREPANCY TO ENGINEER BEFORE PR WITH THE WORK, DO NOT SCALE PRINTS.	KEYPLAN
		<u> </u>	AS NOTED KS & HR	NSA		-	NICAL Ltd. d, unit # 6-A (323		COA ER CITY COMMENTS SLIENT REVIEW PTION	OF THE APEX TECHNICAL LTD. AND MAY THER THAN THAT DESIGNATED HEREIN. AT COMPLETION OF WORK OR UPON DIMENSIONS AND CONDITIONS ON THE NICY TO ENGINEER BEFORE PROCEEDING PRINTS.	TRUE



		1	lov	en	ιbe	er 24, 2	202	1						
APEX JUB NUMBER:	A-3	DRAWING NO.	APPROVED BY: KS & HR		ARCH. /ENGINEER STAMP DRAWN BY: NSA	CROSS SECTION	118 CASABEL DRIVE, MAPLE ON DRAWING TITTLE		APEX TECHNICAL Ltd. 400 CRDITSTONE RD, UNIT # 6-A CONCORD, ON, L4K 3Z3	MR.AKRAM	2 11/22/2021 REVISED FOR COA 1 04/162/021 REVISED SAS PER CITY COMMENTS 0 03/10/2020 ISSUED FOR CLENT REVIEW REV/ISSUE DATE DESCRIPTION	CONTRACTOR MUST VERIFY ALL DIMENSIONS AND CONDITIONS ON THE JOB AND REPORT ANY DISCREPANCY TO ENGINEER BEFORE PROCEEDING WITH THE WORK. DO NOT SCALE PRINTS.	NOTES: THIS DRAWING IS THE PROPERTY OF THE APEX TECHNICAL LTD. AND MAY NOT BE USED IN ANY PROJECT OTHER THAN THAT DESIGNATED HEREIN. DRAWINGS MUST BE RETURNED AT COMPLETION OF WORK OR UPON	

Revised



KEY PLAN

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.

A213/21 – Applicant Correspondence – Justification Letter



August 08, 2021

To The City of Vaughan

Reference: Medical Health Condition of my son Shaikh, Haroon

The purpose of this letter is to explain that my son Haroon Shaikh is diagnosed with Miller-Dieker Syndrome (MDS), which in short, is a genetic condition that results in several physical and neurological disabilities including Epilepsy. For the past seven years, the effects of MDS has been challenging not only Haroon's everyday but ours (the parents and family) as well. Due to the fact that Haroon is a heavily dependent child, it has resulted in my wife (Amna) and I (Akram) to lift, carry, support, and supervise him at all times. It is even more difficult to help my son climb the stairs or lift him in general when he is not feeling well because my wife and I are facing our own medical health problems. My wife has cervical issues and I myself had a open heart Surgery which prevents us even further from giving our son the physical help he needs to move around our home.

Now that Haroon is 12 years old and entering his teenage years, he of course is getting a lot more heavier making it unsafe for us to have to carry him up the stairs in order to sleep in his room safely. Additionally, his seizures are unexpected and we have had to deal with Haroon breaking out into a seizure while climbing the stairs which again adds onto the unsafe aspect. As a result, we are asking your permission in allowing us to please add the necessary extension to our home (adding an extra room that extends to the backyard) so that it is safer and easier for him to get around our home.

If you have any further questions, or would like to contact me you can do so at

Thank You

Akram Madim

Akram Nadim

Schedule C: Development Planning & 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 Comments – Recommend approval with conditions Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

VAUGHAN

То:	Christine Vigneault, Committee of Adjustment Secretary Treasurer
From:	Nancy Tuckett, Director of Development Planning
Date:	December 08, 2021
Name of Owner:	Akram Nadim
Location:	118 Casabel Drive
File No.(s):	A213/21

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

1. To permit a minimum rear yard setback of 6.0 m.

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

1. A minimum rear year setback of 7.5 m is required. (Table 7-5)

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

2. To permit a minimum rear yard setback of 6.0 m.

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

3. A minimum rear yard setback of 7.5 m is required. (Schedule 'A1')

Official Plan:

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

Comments:

The Owner is requesting to construct a 1-storey addition to an existing dwelling in the rear yard with the above noted variances.

At the request of the Development Planning Department, the Owner has increased the rear yard setback from 5.44 m to 6 m to minimize any visual implications caused onto the abutting properties. The Development Planning Department has no objection to Variances 1 and 2, given the addition itself remains compliant with the maximum height and interior side yard setbacks of both by-laws.

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:

Roberto Simbana, Planner I Chris Cosentino, Senior Planner



COMMENTS:

_	
	Х

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

Lenore Providence

Subject:

FW: Request for Comments: A213/21 (118 Casabel Drive)

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

Sent: November-15-21 11:01 AM

To: Lenore Providence <Lenore.Providence@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: Request for Comments: A213/21 (118 Casabel Drive)

Good morning Lenore,

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>

Schedule D: Previous Approvals (Notice of Decision)

None.