VAUGHAN

Staff Report Summary

Item # 18

Ward #1

File: A235/21

Applicant: Inderpal and Surjit Kaur Jagait

Address: 200 Klein Mills Rd. 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	☑ Positive Comment ☒ Negative Comment	Condition(s) ☑ ☒
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

Agenda Item: 18

A235/21

Ward: 1

Staff Report Prepared By: Lenore Providence 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

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: Inderpal and Surjit Kaur Jagait

Agent: None.

Property: **200 Klein Mills Road, Kleinburg**

Zoning: See below.

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 an increased maximum driveway/curb width.

The subject lands are zoned R1 (1040) – First Density Residential Zone and subject to the provisions of Exception 14.1040 under Zoning By-law 01-2021.

	Zoning By-law 01-2021	Variance requested
	In compliance.	NONE

The subject lands are zoned RD1 – Residential Detached Zone One and subject to the provisions of Exception 9(1413) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
1.	4.1.4. f) i) The maximum width of a driveway at the streetcurb and a curb cut shall be six (6) metres.	To permit the width of driveway at the street curband the curb cut of 8.8m.
2.	4.1.4. f) iii) The portion of the driveway between the street line and the street curb shall not exceed six (6)metres in width.	To permit the width of the driveway between the streetline and street curb of 8.8m.

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.

Committee of Adjustment:

Public notice was mailed on November 23, 2021

Applicant confirmed posting of signage on November 19, 2021

Property Information	
Existing Structures	**Year Constructed**
Dwelling	2021

Applicant has advised that they cannot comply with By-law for the following reason(s): Three Car Garage, with curb access for two cars entry at present.

Additional curb space needed to accommodate 3 car garage curb entry

Committee of Adjustment recommended conditions of approval:

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

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

Building Standards Recommended conditions of approval:

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 A235/21.

Parks Development – Forestry/ Horticulture:
No comment no concerns

By-Law and Compliance, Licensing and Permit Services:
No comment no concerns

Development Finance:
No comment no concerns

Fire Department:
No comments received to date

Schedule A – Plans & Sketches

Schedule B – Public Correspondence None.

Schedule C - Development Planning & Agency Comments
Development Planning Comments – Recommend approval
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 **adjourn** this application the following condition(s) is required: N/A

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.

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 . 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.

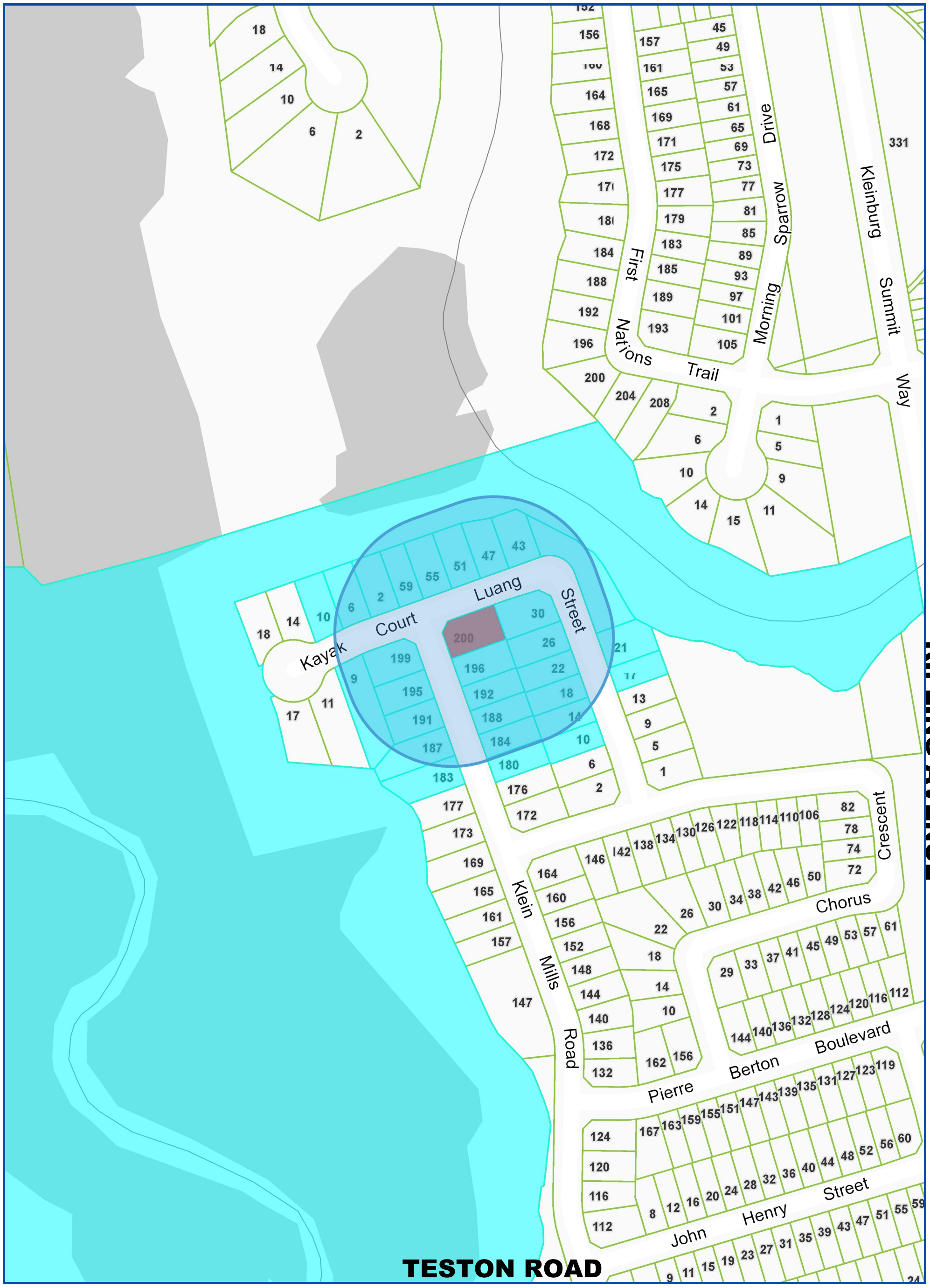
For further information please contact the City of Vaughan, Committee of Adjustment

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



Map Information:

Title: NOTIFICATION MAP - A235/21

200 KLEIN MILLS ROAD, KLEINBURG

Disclaimer:
Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.

VAUGHAN

Scale: 1: 2,937
0 0.05 km

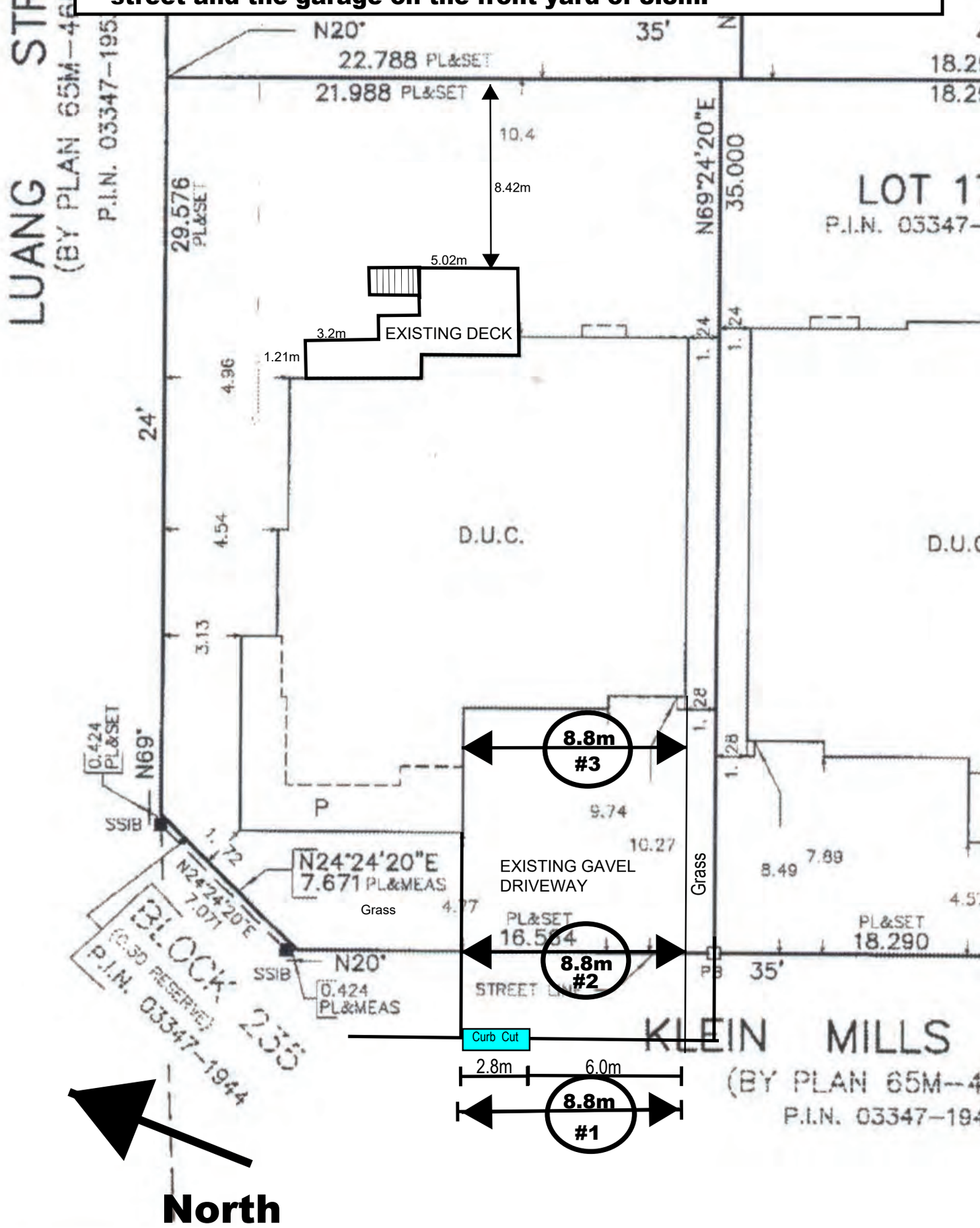
Created By:
Infrastructure Delivery Department
November 14, 2021 9:50 PM

Projection:
NAD 83
UTM Zone 17N

Revised
November 11, 2021

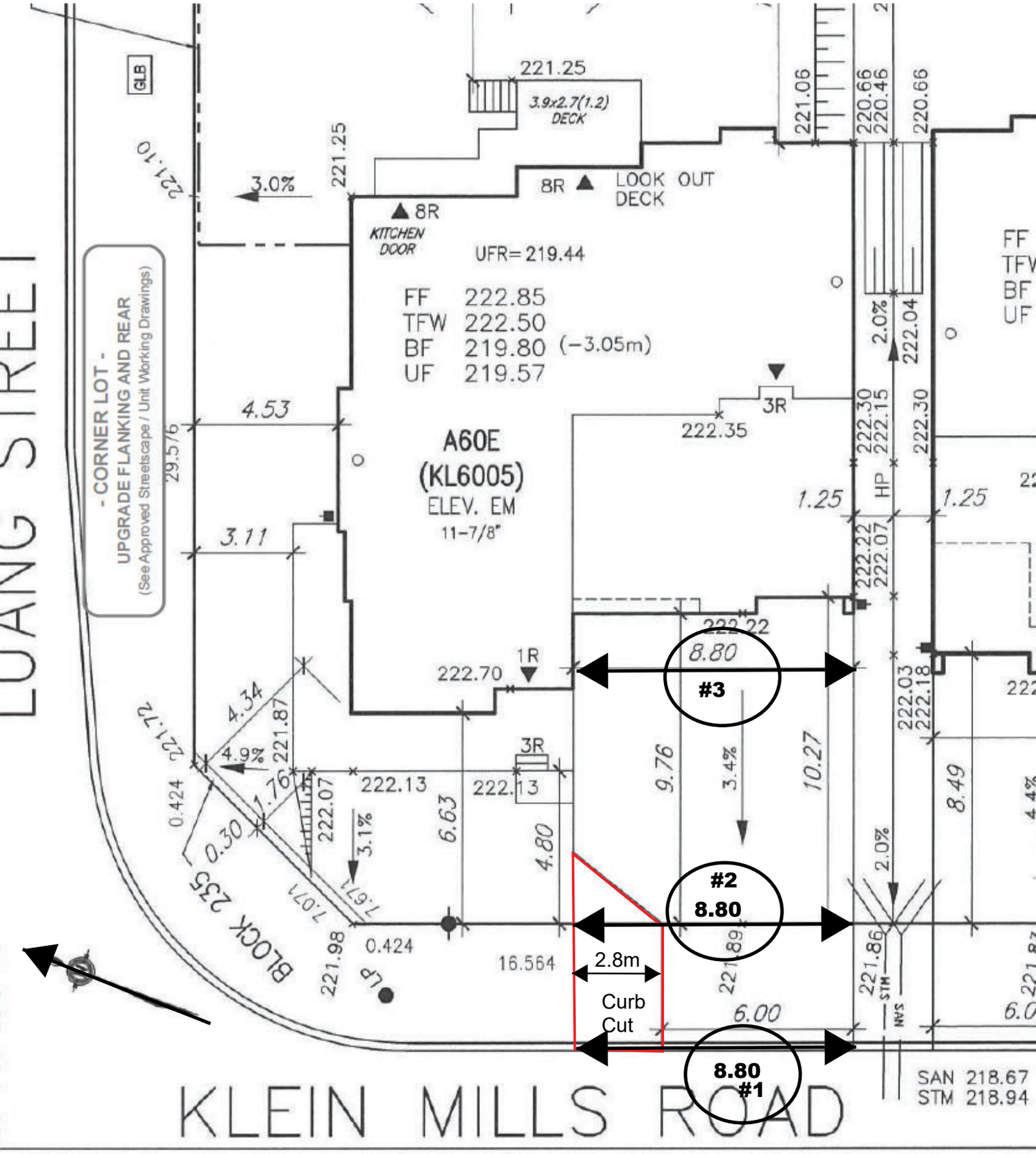
A235/21

1. **To permit the width of driveway at the street curb and the curb cut of 8.8m.**
2. **To permit the width of the driveway between the street line and street curb of 8.8m.**
3. **To permit the width of the driveway between lot line abutting the street and the garage on the front yard of 8.8m.**



Revised
November 11, 2021

A235/21

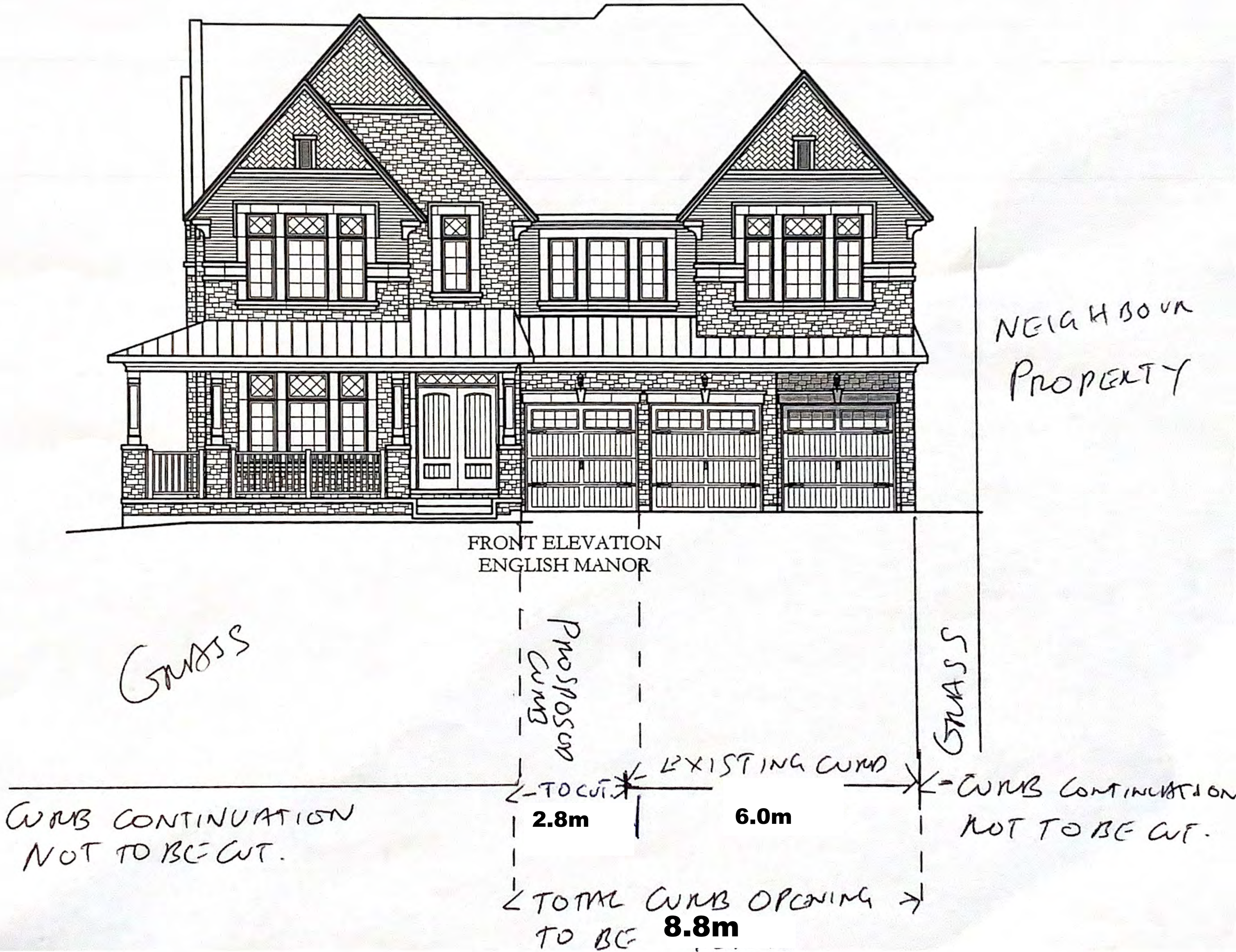


1. To permit the width of driveway at the street curb and the curb cut of 8.8m.
2. To permit the width of the driveway between the street line and street curb of 8.8m.
3. To permit the width of the driveway between lot line abutting the street and the garage on the front yard of 8.8m.

200 KLEIN MILLS RD.

A235/21

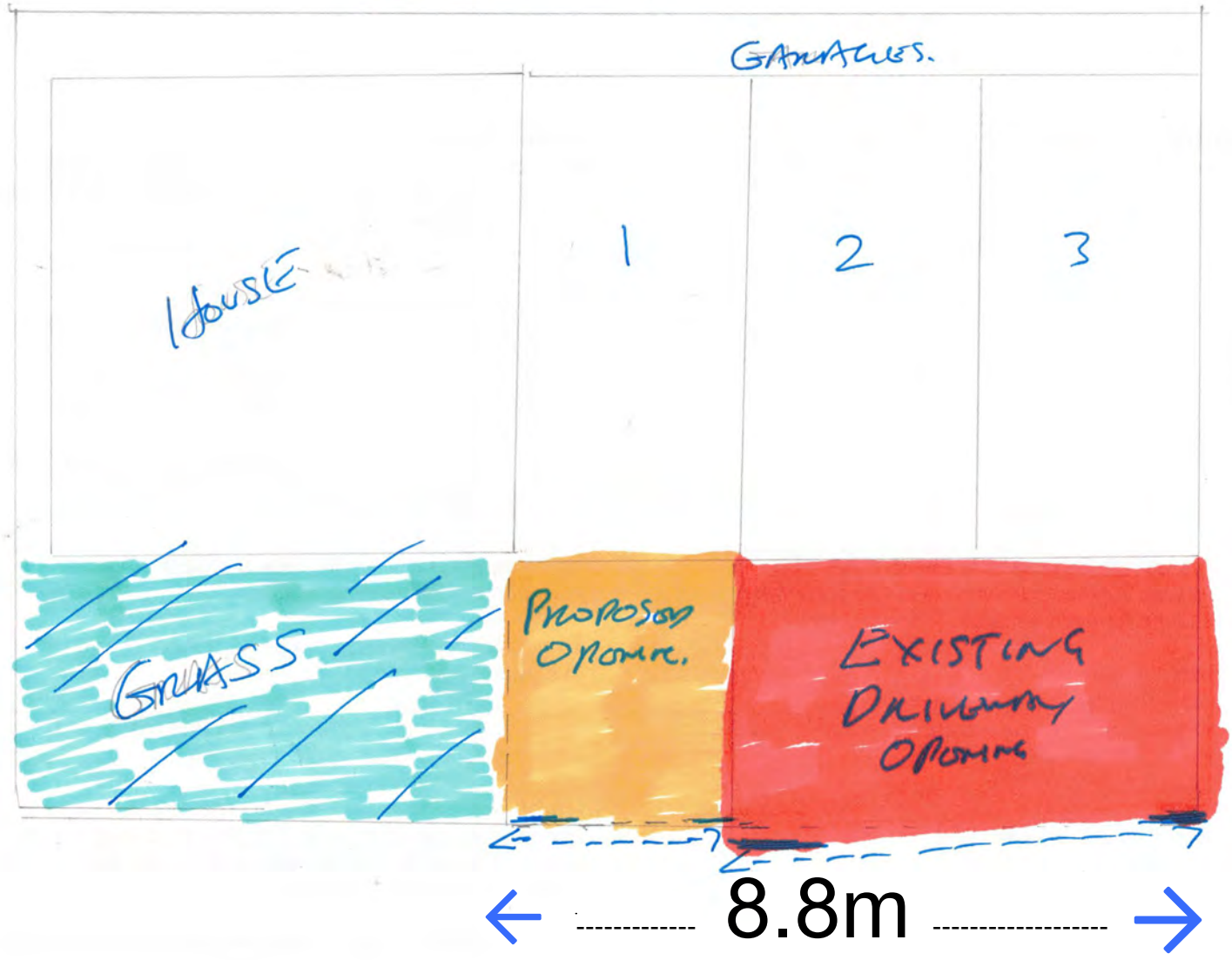
Revised
November 11, 2021



A235/21

(NOT TO SCALE)

OVERVIEW



Revised
November 11, 2021

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: 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
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

memorandum

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: December 08, 2021

Name of Owner: Inderpal and Surjit Kaur Jagait

Location: 200 Klein Mills Road

File No.(s): A235/21

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 the width of a driveway at the street curb and the curb cut of 8.8 m.
2. To permit the width of the driveway between the street line and street curb of 8.8 m.

By-Law Requirement(s) (By-law 1-88):
1. The maximum width of a driveway at the street curb and a curb cut shall be six 6 m. (Section 4.1.4.f) i)
2. The portion of the driveway between the street line and the street curb shall not exceed six 6 m in width. (Section 4.1.4.f)iii))

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 8.8 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

COMMENTS:

☐	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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

Lenore Providence

Subject: FW: Request for Comments: A235/21 (200 Klein Mills Road, Kleinburg)

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

Sent: November-23-21 3:00 PM

To: Lenore Providence <Lenore.Providence@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: Request for Comments: A235/21 (200 Klein Mills Road, Kleinburg)

Good afternoon 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 | gabrielle.hurst@york.ca |www.york.ca

Schedule D: Previous Approvals (Notice of Decision)

None.