


**CITY OF VAUGHAN  
COMMITTEE OF ADJUSTMENT  
AGENDA**

Thursday, March 21, 2019  
6:00 p.m.  
Committee Rooms 242/243  
2nd Floor, Vaughan City Hall  
2141 Major Mackenzie Drive  
Vaughan, Ontario

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	<b>Pages</b>
<b>1. INTRODUCTION OF ADDENDUM REPORTS</b>	
<b>2. DISCLOSURE OF INTEREST</b>	
<b>3. ADOPTION OR CORRECTION OF THE MINUTES OF THE COMMITTEE (PREVIOUS HEARING)</b>	
1. Committee of Adjustment Minutes - March 7, 2019 (DRAFT)	2
<b>4. REQUEST FOR ADJOURNMENTS AND/OR DEFERRALS</b>	
<b>5. SCHEDULED APPLICATIONS</b>	
1. A222/18 - 4 White Blvd, Thornhill	20
2. A014/19 - 79 Crestwood Road, Thornhill	44
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4. A022/19 - 117 Farrell Road, Maple	70
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<b>6. OTHER BUSINESS</b>	
<b>7. ADJOURNMENT</b>	

	<p><b>Committee of Adjustment Minutes</b></p> <p>Hearing Date: March 7, 2019</p> <p>Location: 2141 Major Mackenzie Drive Committee Room 242/243</p> <p>Time: 6:00 p.m.</p>
<p><b>DRAFT</b></p>	
<p><b>Committee Member &amp; Staff Attendance</b></p>	
<p>Committee Members:</p>	<p>Robert Buckler (Chair) Assunta (Sue) Perrella (Vice-Chair) Hao (Charlie) Zheng Stephen Kerwin Adolfo Antinucci</p>
<p>Secretary Treasurer: Assistant Secretary Treasurer: Zoning Staff: Planning Staff:</p>	<p>Christine Vigneault Lenore Providence Pia Basilone Christopher Cosentino</p>
<p>Members / Staff Absent:</p>	<p>None</p>

**Introduction of Addendum Reports**

Item #	File #	Address / Applicant	Commentator	Summary
7	A013/19	47 Karen Street, Thornhill (Margel)	Neighbour	Letter of Support from 49 Karen Street
7	A013/19	47 Karen Street, Thornhill (Margel)	Neighbour	Letter of Support from 45 Karen Street.
9	A016/19	1600 Steeles Avenue, Vaughan (Saulberg Investments Company Ltd.)	Building	Revised Zoning Comments (Comments in Staff Report incorrect).
9	A016/19	1600 Steeles Avenue, Vaughan (Saulberg Investments Company Ltd.)	Finance	Finance Comments: Inclusion of the following condition: Prior to the final approval of the Minor Variance, the Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.
13	A218/18	99 Heritage Estates Road, Maple (Kirsch)	Applicant	Revised Sketch (showing entirety of subject land)

Moved By: A. Perrella  
Seconded By: H. Zheng

That the addendum reports be incorporated into the minutes and be on view at the back of the room in the Report Book.

**Motion Carried.**

**Disclosure of Pecuniary Interest**

Member	Nature of Interest
N/A	N/A

**Adoption of February 21, 2019 Minutes**

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT the minutes of the Committee of Adjustment Meeting of Thursday, February 21, 2019, be adopted as circulated.

**Motion Carried.**

**Adjournments N/A**

Moved By: A. Perrella  
Seconded By: S. Kerwin

That the following adjournments be approved as requested:

Item Number	Application Number/Address	Adjournment Date	Reason for Adjournment
9	A016/19 (1600 Steeles Avenue, Woodbridge	March 21, 2019	David Ashbourne, Lakeshore Group (agent), requested adjournment at hearing to address Finance comments relating to required development charges.

**Motion Carried.**

**Applicant/Public Request:**

A010/19 – Public request to hear A010/19 at 7:00 p.m. to accommodate arrival.

Applications Addressed by the Committee of Adjustment

Please Note: For complete application details please reference the Notice of Decision issued for each respective application. A copy can be obtained by submitting a written request to the Secretary Treasurer.

5.

File:

A196/18

Ward 1
- Applicant:

Christina Marotta
- Agent:

Richard Wengle Architect Inc (Sandra Wojtecki)
- Address:

153 Old Humber Cr. Kleinburg
- Purpose:

Relief from the by-law is being requested to permit the construction of a proposed two-storey dwelling, two (2) detached accessory structures (garages) located in the westerly side yard and a cabana located in the rear/easterly side yard.
- The existing dwelling is to be demolished.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
None

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Richard Wengle, Richard Wengle Architect Inc

Comments  
Richard Wengle explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT Application No. A196/18 on behalf of Christina Marotta be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	1. The Owner/applicant shall submit the final Lot Grading/Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading/servicing approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading/servicing approval.  2. The Owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the increased lot coverage area from 10% to 16.18% in order to mitigate potential impacts on the municipal stormwater system.



For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

**Motion Carried.**

**Members Opposed to Motion: N/A**

- 6. File:** A005/19 **Ward 2**
- Applicant:** Rina Mammoliti
- Agent:** Arctec Design Consultants (Tony Tersigni)
- Address:** 129 Villa Park Dr. Woodbridge
- Purpose:** Relief from the by-law is being requested to permit the construction of a proposed single family dwelling and cabana. Relief is also being sought to permit two (2) driveways on a lot.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
None

**Additional Addendum Reports received and provided to the Committee from:** None.

#### Representation

Tony Tersigni, Arctec Design Consultants

#### Comments

Tony Tersigni explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella

Seconded By: A. Antinucci

THAT Application No. A005/19 on behalf of Rina Mammoliti be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following condition:

	Department/Agency	Condition
1	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	The owner/applicant shall apply to the Transportation Services Division of the Transportation, Parks and Forestry Operations Department for permits for a curb cut for new driveway, and a curb reinstatement for the removal of existing driveway.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

**Motion Carried.**

**Members Opposed to Motion:** N/A

<b>7.</b>	<b>File:</b>	A013/19	<b>Ward 5</b>
	<b>Applicant:</b>	Harry Margel	
	<b>Agent:</b>	Max Merchasin	
	<b>Address:</b>	47 Karen St. Thornhill	
	<b>Purpose:</b>	Relief from the by-law is being requested to permit the conversion of the existing (attached) garage into living space.	

Public Written Submissions	
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)	
Name: J. Helman and A. Helman	
Address: 45 Karen Street, Thornhill	
Nature of Correspondence: Letter of Support	
Name: J. Wen	
Address: 49 Karen Street, Thornhill	
Nature of Correspondence: Letter of Support	

**Additional Addendum Reports received and provided to the Committee from:** None.

## Representation

Max Merchasin

## Comments

Max Merchasin explained the nature of the application.

Member Perrella advised that the application does not have Planning and Engineering support. While letters of support have been submitted from the neighbours, she opined that the variances were not minor and advised that she could not support the application.

In response to Member Perrella, Mr. Merchasin explained that the added living space is required to accommodate a growing family and the shortage of one parking space will not impact the current homeowner. He opined that future purchasers would not purchase the home if the parking did not meet their needs and noted that similar applications have been approved in Vaughan.

Member Perrella advised that it was unlikely that a reduction in required parking spaces was approved by the Committee in a residential zone.

Member Antinucci advised that he conducted a site visit of the area and noted that that the existing dwellings mainly had attached garages, and two parking spaces appeared to be prominent. He observed that cars were not parked on the street and expressed concerns with respect to setting a precedent. He noted that maintaining the integrity of the By-law is important.

Chairman Buckler reviewed Planning and Development Engineering comments pertaining to the application and provided Mr. Merchasin with an opportunity to adjourn the application to revisit the proposal and discuss options with staff.

In response to Chairman Buckler, Mr. Merchasin advised that he was hoping that the reduction of one parking spot could be considered minor and that the application is required as is, given the possibility of utilizing on-street parking.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: A. Antinucci

THAT Application No. A013/19 on behalf of Harry Margel be **REFUSED** for the following reasons:

For the Following Reasons:

1. The general intent and purpose of the by-law will not be maintained.
2. The general intent and purpose of the official plan will not be maintained.
3. The requested variance(s) is/are not acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are not minor in nature.

**Motion Carried.**

**Members Opposed to Motion: N/A**

Public Written Submissions	
	* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
None	

**Representation**  
Luigi Fantetti

Luigi Fantetti explained the nature of the application.

Moved By: A. Perrella  
Seconded By: S. Kerwin

For the Following Reasons:

- Motion Carried.**

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- 10. File:** A018/19 **Ward 1**
- Applicant:** Monarch Castlepoint Kipling South Development Limited
- Agent:** David Hegarty
- Address:** 99 Klein Mills Rd. Kleinburg
- Purpose:** Relief from the by-law is being requested to permit the construction of a proposed single family dwelling.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
None

**Additional Addendum Reports received and provided to the Committee from:** None.

#### Representation

David Hegarty

#### Comments

David Hegarty explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: S. Kerwin

Seconded By: A. Antinucci

THAT Application No. A018/19 on behalf of Monarch Castlepoint Kipling South Development Limited, be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

**Motion Carried.**

**Members Opposed to Motion:** N/A

- 11. File:** A138/18 **Ward 1**
- Applicant:** Shana Ditta
- Agent:** Fausto Cortese
- Address:** 63 Rainbow's End Kleinburg
- Purpose:** Relief from the by-law is being requested to permit the construction of a proposed cabana and shed (pool equipment) to be located in the rear yard and to permit the existing in-ground pool.

**Additional Addendum Reports received and provided to the Committee from:** None.

**Representation**

Fausto Cortese

**Comments**

Fausto Cortese explained the nature of the application.

In response to Member Antinucci, Mr. Cortese explained that the length of the cabana was designed to accommodate the applicant's preference.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella

Seconded By: H. Zheng

THAT Application No. A138/18 on behalf of Shana Ditta be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Planning Christopher Cosentino  905-832-8585 x 8215 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That the Owner provides photographic documentation which shows that the works to increase the soft landscaping have been completed to the satisfaction of the Development Planning Department.
2	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval for the proposed cabana prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval.</li> <li>2. The Owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the increased impervious area (minimum of 35.59% soft landscaping compared to the By-law requirement of minimum 60% soft landscaping) in order to mitigate potential impacts on the municipal stormwater system.</li> </ol>

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

**Motion Carried.**

**Members Opposed to Motion: N/A**



**12. File:** A205/18 **Ward 4**  
**Applicant:** Alissa Forman  
**Agent:** Brian Forman  
**Address:** 85 Daphnia Dr. Thornhill  
**Purpose:** Relief from the by-law is being requested to permit the existing front yard landscaping.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Joe Vallescura, Daniel Berchuk, Emil Yalizerov Address: 46, 86, 89, 98 Daphnia Drive Nature of Correspondence: Letters of Support

**Additional Addendum Reports received and provided to the Committee from:** None.

**Representation**  
Alissa Forman

**Comments**

Chairman Buckler advised that Member Kerwin and Member Antinucci will not participate in the discussion or voting on the application as they were not present at the previous hearing(s) of the application.

Alissa Forman explained the nature of the application and advised that they did research and provided information with respect to similar approvals granted by the Committee.

Member Perrella noted that the previous approvals provided were not in the same area as the subject land. She calculated that the average variance approved, based on the information provided, appeared to be approximately 20%.

In response to Member Perrella, Ms. Forman clarified calculations provided. She noted that the staff support the application and reviewed recommended conditions of approval addressing concerns with respect to water flow.

Member Perrella, advised that she visited the surrounding area and recognizes that the applicant is the first to apply for relief. Considering staff support of the application, the width of the lot and the existing soft landscaping located on the City owned boulevard she advised that she can support the request. She noted that future applications are to be evaluated based on their own merits and it should not be assumed that automatic support will be given to future applications.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: H. Zheng

THAT Application No. A205/18 on behalf of Alissa Forman be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Steve Lysecki  905-832-8585 x 8731 <a href="mailto:steve.lysecki@vaughan.ca">steve.lysecki@vaughan.ca</a>	1. The Owner / Applicant shall apply to the Development Inspection & Grading Division of the Development Engineering Department for Lot Grading Approval prior to any work taking place on the property.  2. The Applicant shall supply the Development Engineering Department with a letter or letter brief that outlines the amount of additional stormwater flow generated from the lot due to the proposed increased impervious area (area

	Department/Agency	Condition
		of reduced soft landscaping area). The letter shall utilize the Rational Method for these calculations.

For the Following Reasons:

- 1. The general intent and purpose of the by-law will be maintained.
- 2. The general intent and purpose of the official plan will be maintained.
- 3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- 4. The requested variance(s) is/are minor in nature.
- 5. *Consideration given to landscaping within City Boulevard and existing soft landscaping.*

**Motion Carried.**

**Members Opposed to Motion:** N/A

- 13. File:** A218/18 **Ward 4**
- Applicant:** Aaron Kirsch
- Agent:** Pool Craft (Rick Johnson)
- Address:** 99 Heritage Estates Rd. Maple
- Purpose:** Relief from the By-Law is being requested to permit the construction of a proposed cabana (located in rear yard) and pool equipment pad (located in southerly side yard).

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
None

**Additional Addendum Reports received and provided to the Committee from:** None.

**Representation**

Rick Johnson, Pool Craft

**Comments**

Rick Johnson explained the nature of the application.

In response to Member Kerwin, Mr. Johnson confirmed that the washroom within the cabana will access municipal services (sewer).

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Antinucci

Seconded By: S. Kerwin

THAT Application No. A218/18 on behalf of Aaron Kirsch be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

**Motion Carried.**

**Members Opposed to Motion:** N/A

- 14. File:** A008/19 **Ward 2**
- Applicant:** Anatolia Capital Corp.
- Agent:** Spears & Associated Inc. (Catherine A. Spears)
- Address:** 100 Gibraltar Rd. Vaughan
- Purpose:** Relief from the By-Law is being requested to permit proposed generators (to be located on the southwest corner of the lot).

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
None

**Additional Addendum Reports received and provided to the Committee from:** None.

**Representation**

Catherine Spears, Spears & Associated Inc.

**Comments**

Catherine Spears explained the nature of the application and advised that the applicant is satisfied with the recommended conditions of approval.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella

Seconded By: A. Antinucci

THAT Application No. A008/19 on behalf of Anatolia Capital Corp. be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Planning Brandon Bell  905-832-8585 x 8112 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That the Owner shall provide a landscape plan to the satisfaction of the Development Planning Department
2	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	1. The Owner/applicant shall obtain approval for the related Site Servicing Permit Application (17-0581 (R1)) from the Development Engineering (DE) Department. 2. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder (Letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification to the City's Development Engineering Department.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

**Motion Carried.**

**Members Opposed to Motion:** N/A

<b>15.</b>	<b>File:</b>	A010/19	<b>Ward 2</b>
	<b>Applicant:</b>	907037 Ontario Inc.	
	<b>Agent:</b>	Rob Phillips	
	<b>Address:</b>	75 Sarracini Cr. Woodbridge	
	<b>Purpose:</b>	Relief from the By-Law is being requested to permit construction of a proposed pool cabana located in the rear yard.	

<p align="center"><b>Public Written Submissions</b></p> <p align="center">* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)</p>
<p>Name: R. Grech</p> <p>Address: 71 Sarrachini Crescent</p> <p>Nature of Correspondence: Letter of Objection</p>

**Additional Addendum Reports received and provided to the Committee from:** None.

## Representation

Val Dumitriu

## Comments

Val Dumitriu, 75 Sarracini Cr. Woodbridge, appeared on behalf of the applicant and explained the nature of the application.

Chairman Buckler acknowledged a request to stand down the application to 7:00 p.m. (received by Raymond Grech, 71 Sarrachini Crescent).

In response to Christine Vigneault, Secretary Treasurer, the Committee agreed to recess for five – ten minutes to accommodate the arrival of Mr. Grech.

Recess at 6:29 p.m.

Reconvened 6:36 p.m.

Upon arrival of Mr. Grech, Chairman Buckler asked if anyone present wished to comment on this application.

Mr. Grech expressed concerns regarding the location of the cabana, grading and the impact of the proposal on water flow and drainage. He explained the soil composition in the area (clay) and advised that the developer used a system of culverts and catch basins to address drainage and water flow in the subdivision. He had concerns with respect to the erection, and approval of, accessory structures that may obstruct the drainage system resulting in flooding. He requested assurances with respect to drainage and grading.

Ms. Vigneault advised that Development Engineering typically reviews grading as part of the Building Permit process.

In response to Ms. Vigneault, Pia Basilone, Zoning Examiner, could not confirm if a grading plan would be a requirement of the Building Permit process.

Ms. Vigneault suggested that the Committee could request, as a condition of approval, that the City's Development Engineering Department review lot grading/servicing prior to work being undertaken on the property.

In response to Member Zheng, Mr. Grech explained drainage and water flow between his property and the subject land and advised that any change to the culvert (located on the applicant's property) may impact abutting properties.

Member Buckler recommended that given the location of the culvert and the possible impact on water flow that the standard grading condition, as drafted by the Development Engineering Department, be incorporated into the decision. He read aloud the grading condition.

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT Application No. A010/19 on behalf of 907037 Ontario Inc. be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following condition:

	Department/Agency	Condition
1	Development Engineering Margaret Olivier  905-832-8585 x 8716 <a href="mailto:Margaret.Olivier@vaughan.ca">Margaret.Olivier@vaughan.ca</a>	The Owner/applicant shall submit the final Lot Grading/Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading/servicing approval prior to any work being undertaken on the property.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

**Motion Carried.**

**Members Opposed to Motion: N/A**

**Other Business**

None

**Motion to Adjourn**

Moved By: A. Perrella

Seconded By: H. Zheng

THAT the meeting of Committee of Adjustment be adjourned at 7:10 p.m., and the next regular meeting will be held on March 21, 2019.

**Motion Carried.**

March 7, 2019 Meeting Minutes are to be approved at the March 21, 2019 meeting:

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Chair

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Secretary-Treasurer

**File:** A222/18

**Applicant:** Boris Baranov

**Address:** 4 White Boulevard, Thornhill ON

**Agent:** None

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
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"/>	
Urban Design	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks Department		
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation	<input checked="" type="checkbox"/>	
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: Lenore Providence  
 Hearing Date: Thursday, March 21, 2019





Minor Variance  
Application

Agenda Item: 05

A222/18

Ward: 5

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, March 21, 2019

**Applicant:** Boris Baranov

**Agent:** None.

**Property:** 4 White Boulevard, Thornhill

**Zoning:** The subject lands are zoned R5, Residential and subject to the provisions of Exception 9(488) under By-law 1-88 as amended.

**OP Designation:** VOP 2010: 'Low-Rise Residential'

**Related Files:** None.

**Purpose:** Relief from the by-law is being requested to permit the existing covered deck located in the rear yard and covered exterior (south) side yard stairwell.

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

By-law Requirement	Proposal
1. A minimum rear yard setback of 7.5 metres is required.	1. To permit a minimum rear yard setback of 5.8 metres to a covered deck.
2. A minimum exterior side yard setback of 4.5 metres is required.	2. To permit a minimum exterior side yard setback of 4.24 metres to a covered side entrance (basement walkup).

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

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: N/A

Staff & Agency Comments

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Committee of Adjustment:

Public notice was mailed on March 6, 2019

Applicant confirmed posting of signage on March 11, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	1984
Deck	2018

Applicant has advised that they cannot comply with By-law for the following reason(s): Property size too small.

**Building Standards (Zoning Review):**

Stop Work Order(s) and Order(s) to Comply: None

Building Permit Application No. 18-002848 for proposed deck and deck cover and roof over existing basement walkout has been submitted, but not yet issued.

The applicant shall be advised that eaves and gutters appurtenant to the covered rear yard deck and the covered exterior side yard entrance shall not extend more than 0.5 metres into all required yards.

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

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

VOP 2010: 'Low-Rise Residential'

The Development Planning Department has reviewed the proposal and is of the opinion that it 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.

The Development Planning Department recommends approval of the application.

**Urban Design:**

There are no cultural heritage concerns for this application.

**Development Engineering:**

Please note that the Development Engineering Department has no objections to application A222/18 and there are no conditions.

City staff have confirmed that the subject property is in an assumed subdivision therefore notification to a builder/developer is not required.

**Parks Development:**

No Response.

**By-Law and Compliance, Licensing and Permit Services:**

No comments or concerns

**Financial Planning and Development Finance:**

No comments or concerns

**Fire Department:**

No comments or concerns

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

None.

**Schedule C - Agency Comments**

TRCA – comments with conditions

MTO – Located outside of MTO permit control area

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

**Schedule D - Previous Approvals (Notice of Decision)**

None.

**Staff Recommendations:**

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	TRCA Anthony Syhlonyk  416-661-6600 x 5272 <a href="mailto:asyhlonyk@trca.on.ca">asyhlonyk@trca.on.ca</a>	That the owner provides the required \$580.00 fee for our review of Minor Variance Application A222/18.

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.

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.

**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**

**WRITTEN SUBMISSIONS:** 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, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio 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 Local Planning Appeal Tribunal (LPAT) 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**

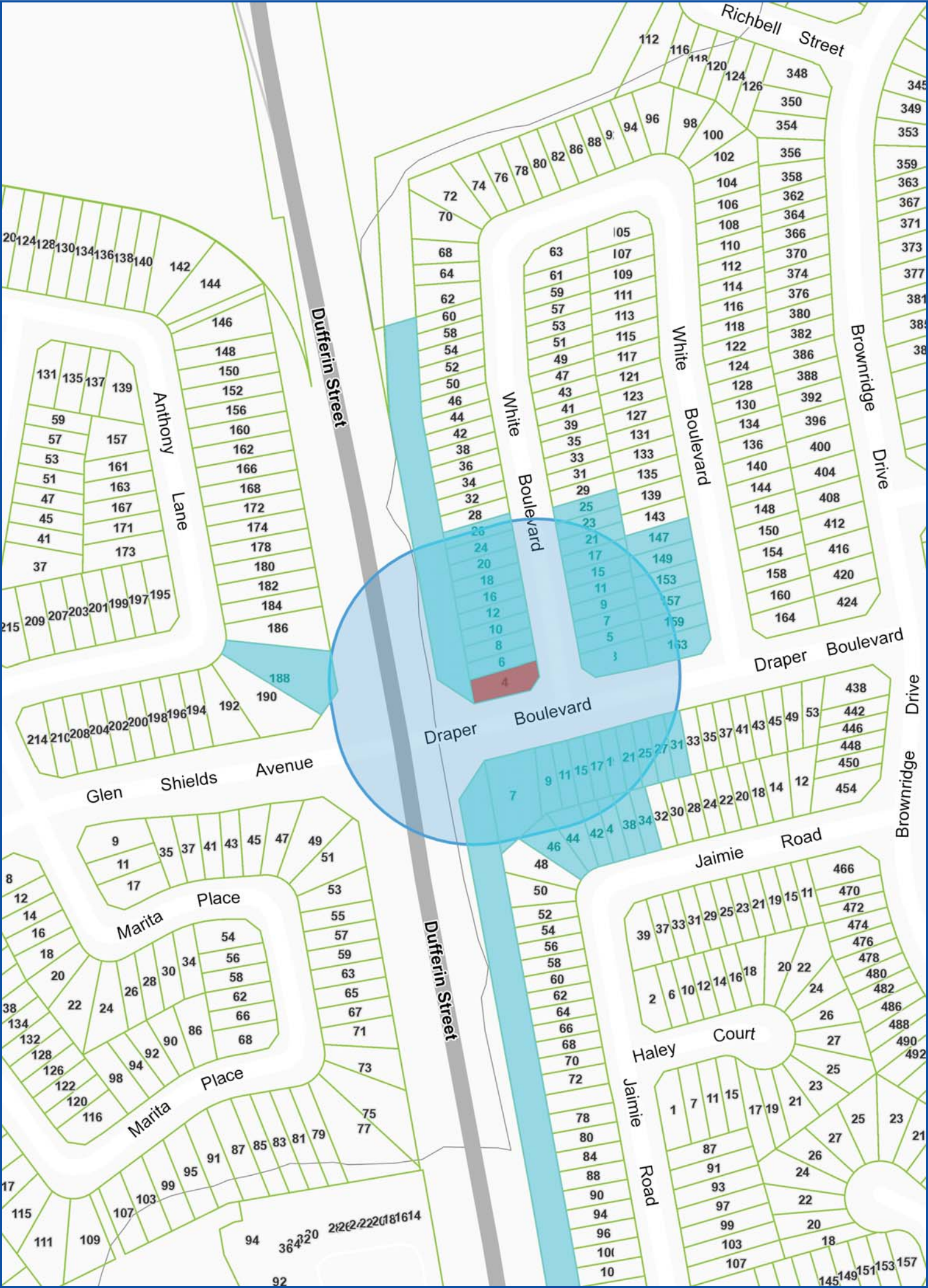
T 905 832 8585 Extension 8394  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map  
Sketches





Map Information:



Title:

# LOCATION MAP - A222/18

## 4 WHITE BOULEVARD, THORNHILL

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.



Scale: 1:2,257

0 0.04 km



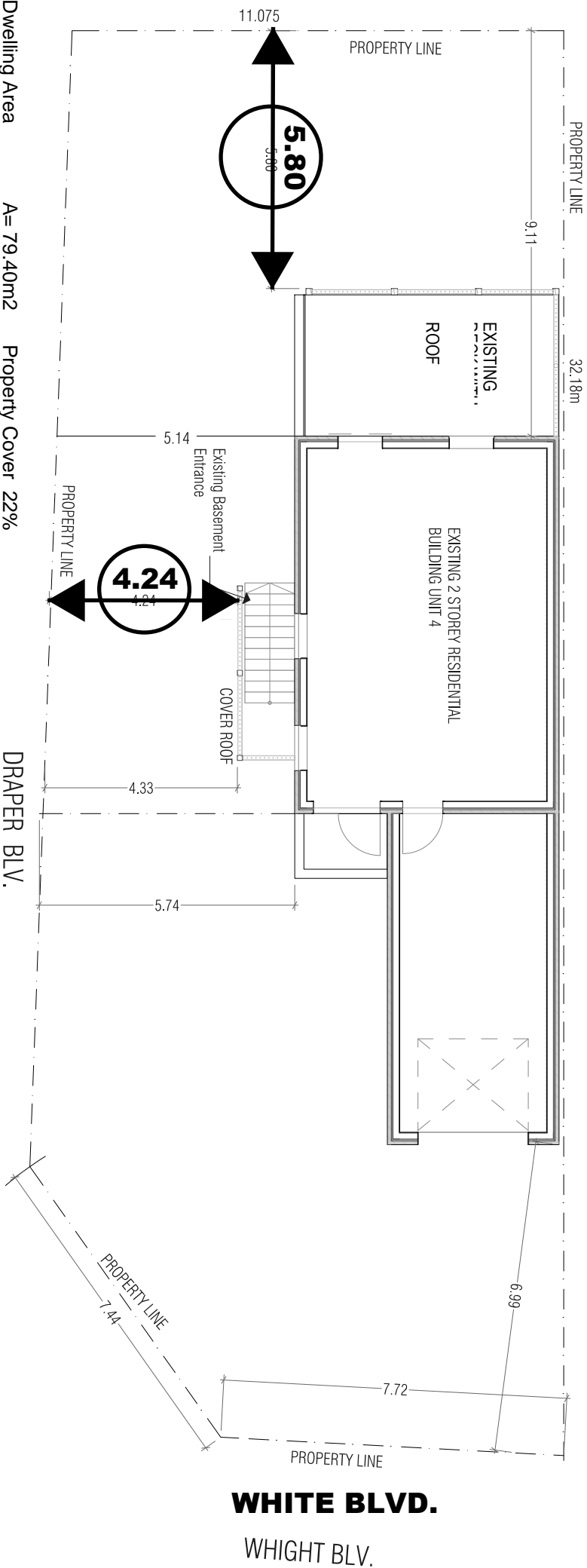
Created By:

Infrastructure Delivery  
Department  
January 31, 2019 8:10 PM

Projection:

NAD 83  
UTM Zone  
17N

EXISTING 2 STOREY RESIDENTIAL  
BUILDING UNIT 6



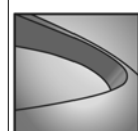
Dwelling Area A= 79.40m2  
Deck Cover Area A=20.84m2  
Stairway Cover Area A=5.69m2  
Property Area A=359.2m2

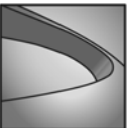
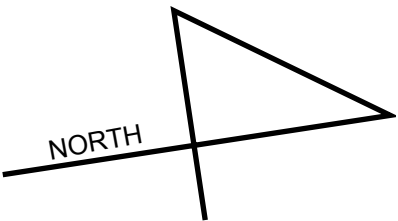
Property Cover 22%  
Property Cover 5.8%  
Property Cover 1.58 %

Total Proposed Property Cover 29.38%

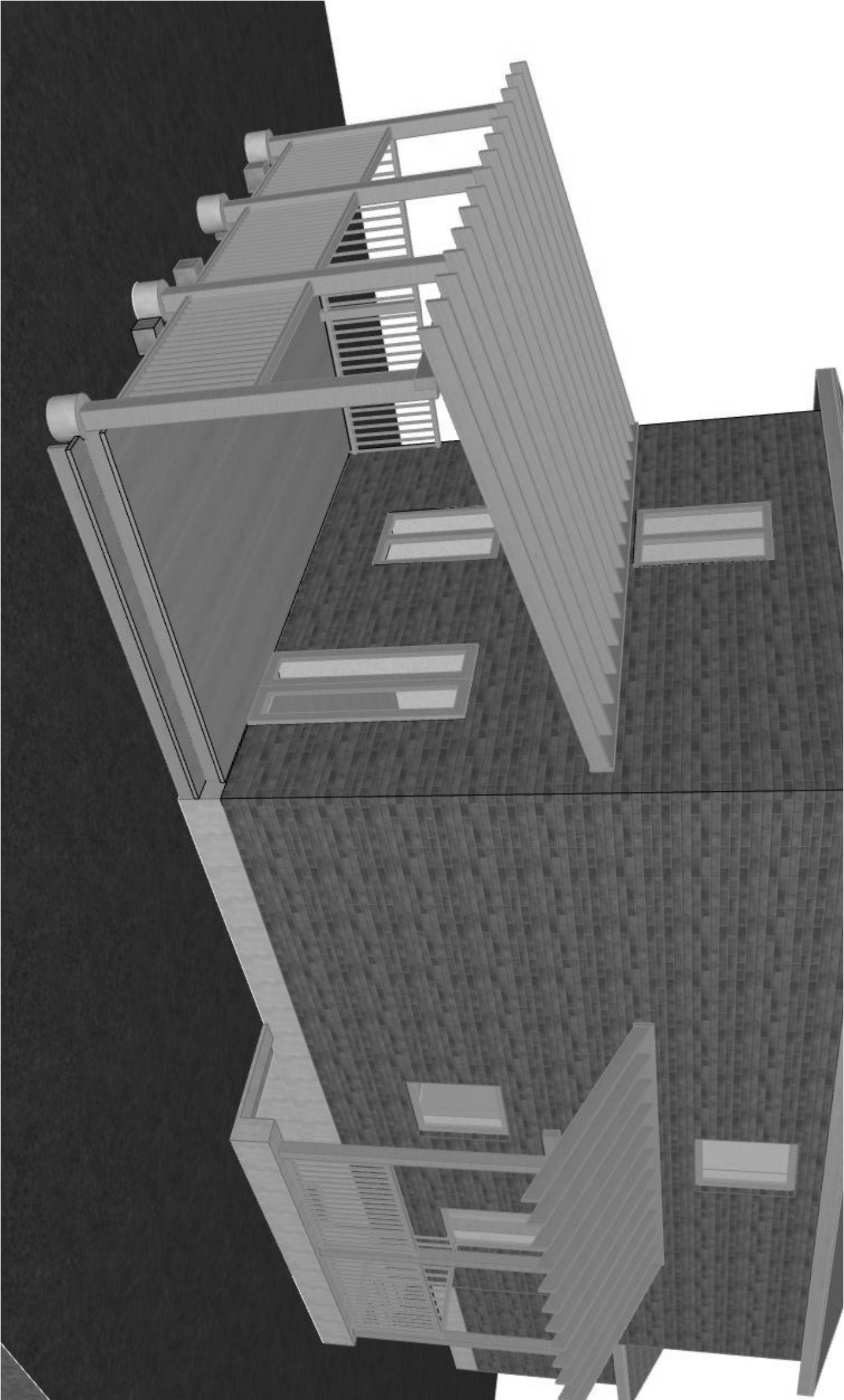
0. Site Plan View 3/32" = 1'-0"



File:				Client		Architectural& Engineering Service		
52-08-18				4 White Blv. Thornhill, ON		38 Chicory Crescent, St. Catharines, ON, L2R 0A5 Ph: 647-773-9310 email: salonov02@gmail.com		
Rev #	CHD	Revision	Date	Project:				
1		Issue for Review	Sept 14-18	Proposed Deck				
2		Issue for Review	Nov 14-18	4 White Blv. Thornhill, ON				
				Drawing #:				
				Site Plan View				
						Dn. By: S.S		
						Scale: 3/32" = 1'-0"		
						Drawing # C-3		





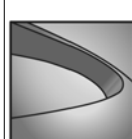


Drawings ID	Drawings Name
A-1	Deck Footing Layout
A-2	Deck Layout Ground Floor
A-3	Deck Ground Floor Structural
A-4	Elevations
A-5	Building Section
A-6	Details
A-7	Railing Connection
C-1	Front Page
C-2	Existing Survey
C-3	Site Plan View

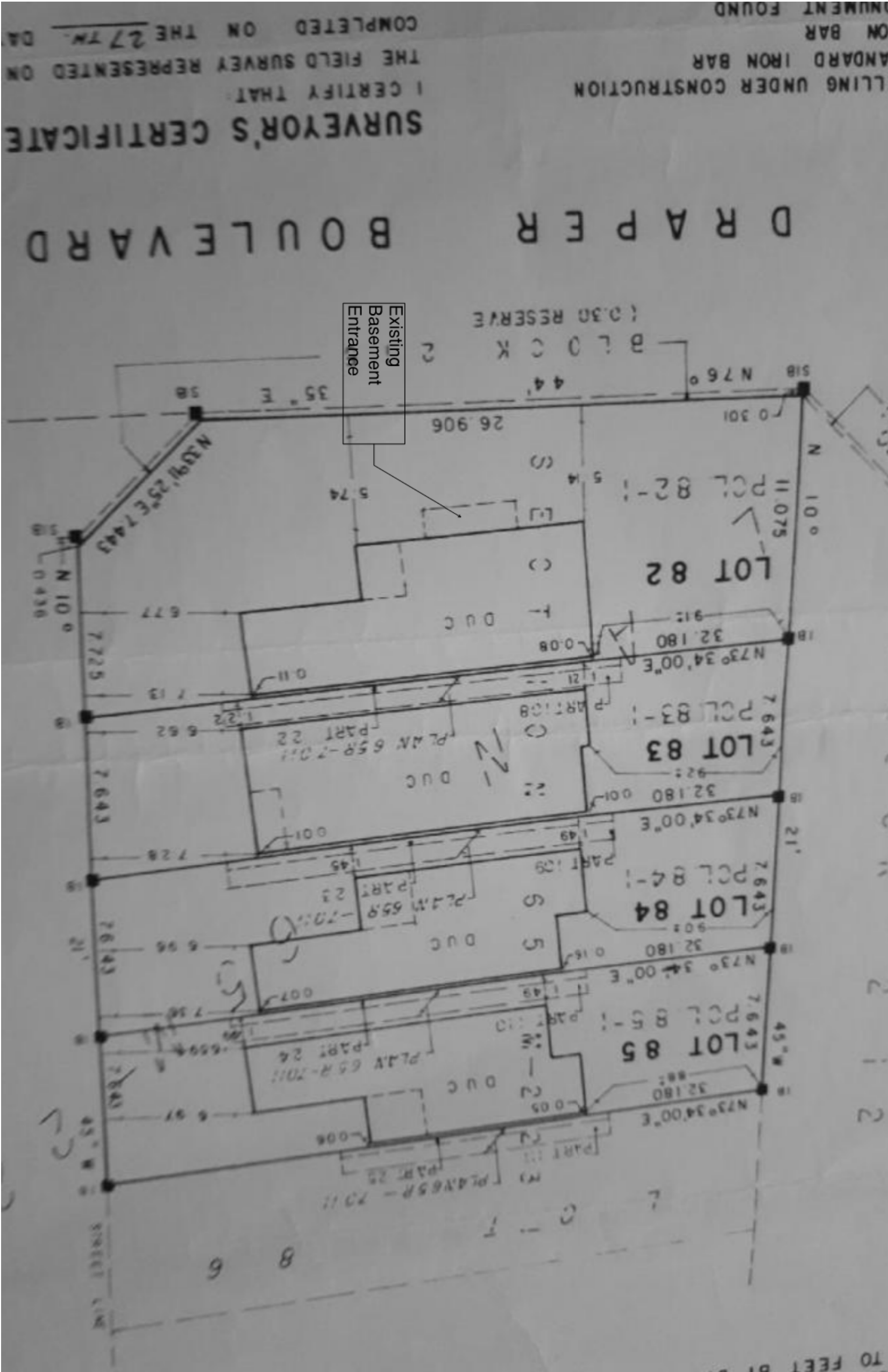


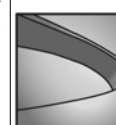
## Existing ~~Proposed~~ Deck and Deck Cover

Dwelling Area	A= 79.40m2	Property Cover	22%
Deck Cover Area	A=20.84m2	Property Cover	5.8%
Stairway Cover Area	A=5.69m2	Property Cover	1.58 %
Property Area	A=359.2m2		
Total Proposed Property Cover 29.38%			

File:			Client		Architectural& Engineering Service		
52-08-18			4 White Blv. Thornhill, ON		38 Chicory Crescent, St. Catharines, ON, L2R 0A5 Ph: 647-773-9310 email: safonov02@gmail.com		
Rev #	Chd	Revision	Project:				
1		Issue for Review	Proposed Deck				
2		Issue for Review	4 White Blv. Thornhill, ON				
			Drawing #:				
			Front Page				
			</				

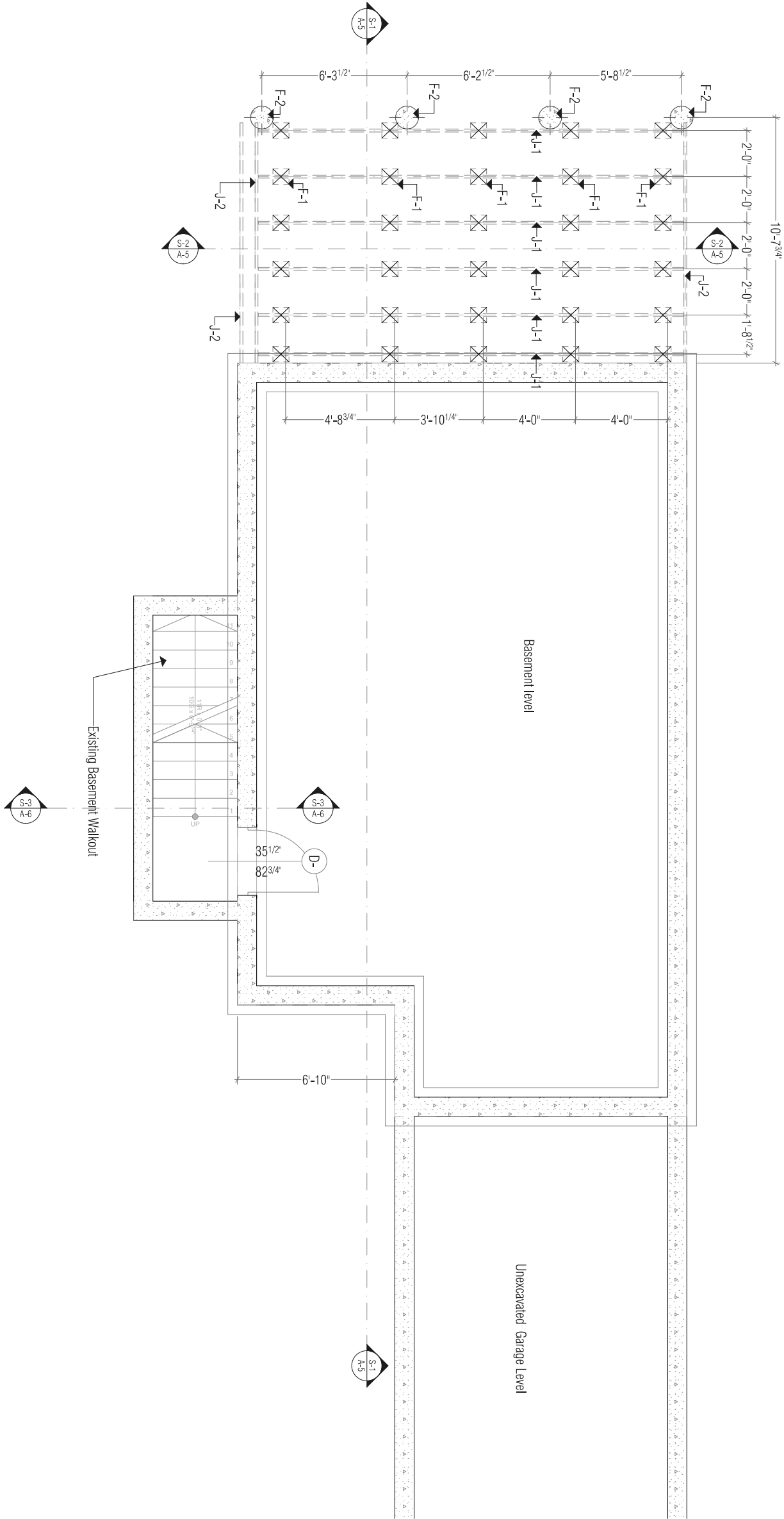




File: 52-08-18				Client: 4 White Blv. Thornhill, ON		Architectural& Engineering Service 38 Chicory Crescent, St. Catharines, ON, L2R 0A5 Ph: 647-773-9310 email: sationov02@gmail.com	
Rev #	ChID	Revision	Date	Project: Proposed Deck			
1		Issue for Review	Sept 14-18	4 White Blv. Thornhill, ON			
2		Issue for Review	Nov 14-18				
				Drawing #:			
				Existing Survey			
				Dn. By:			
				S.S			
				Scale:			
						Drawing #	
						C-2	

Foundation Piles and Footing Schedule		
ID	Quantity	Materials
F-1	30	"Dek-Block" Concrete deck base 11"x11"x7 1/2"
F-2	4	12" Sono-tube Concrete 25MPa Piles

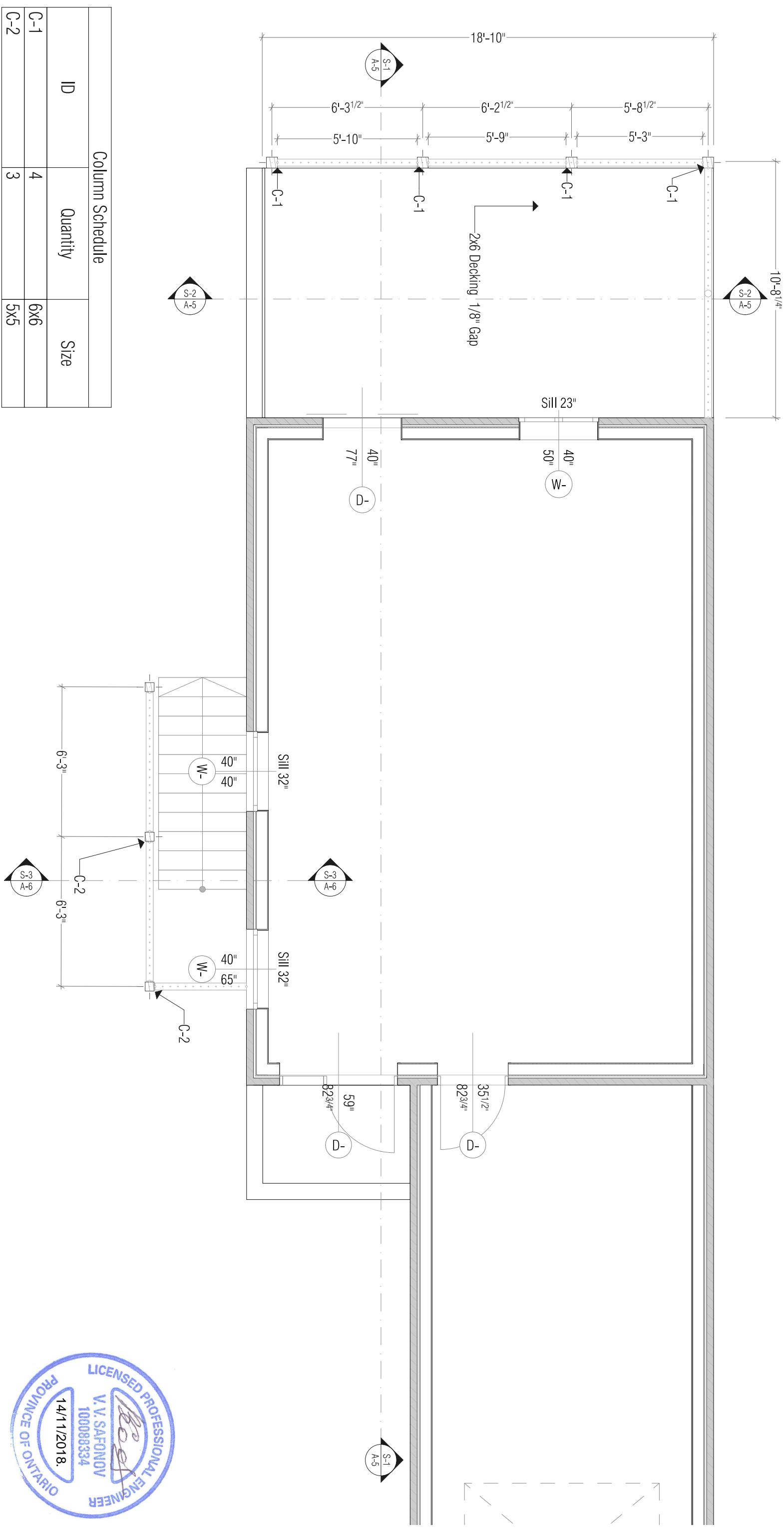
Joist Schedule		
ID	Quantity	Materials
J-1	6	2x6@24"
J-2	3	2x6



-1. Deck Footing Layout 3/16" = 1'-0"



File: 52-08-18			Client: 4 White Blv. Thornhill, ON		Architectural& Engineering Service		
Rev #	CMD	Revision	Project:	Proposed Deck	38 Chicory Crescent, St. Catharines, ON, L2R 0A5 Ph: 647-773-9310 email:safonov02@gmail.com		
1		Issue for Review					
2		Issue for Review					
Date: Sept 14-18 Nov 14-18			Drawing #:		Un. By. S.S	Scale: 3/16" = 1'-0"	Drawing # A-1




Column Schedule		
ID	Quantity	Size
C-1	4	6x6
C-2	3	5x5

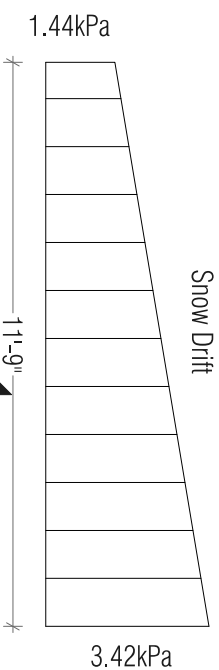
## 0. Deck Layout Ground Floor

---


$$1/4'' = 1'-0''$$

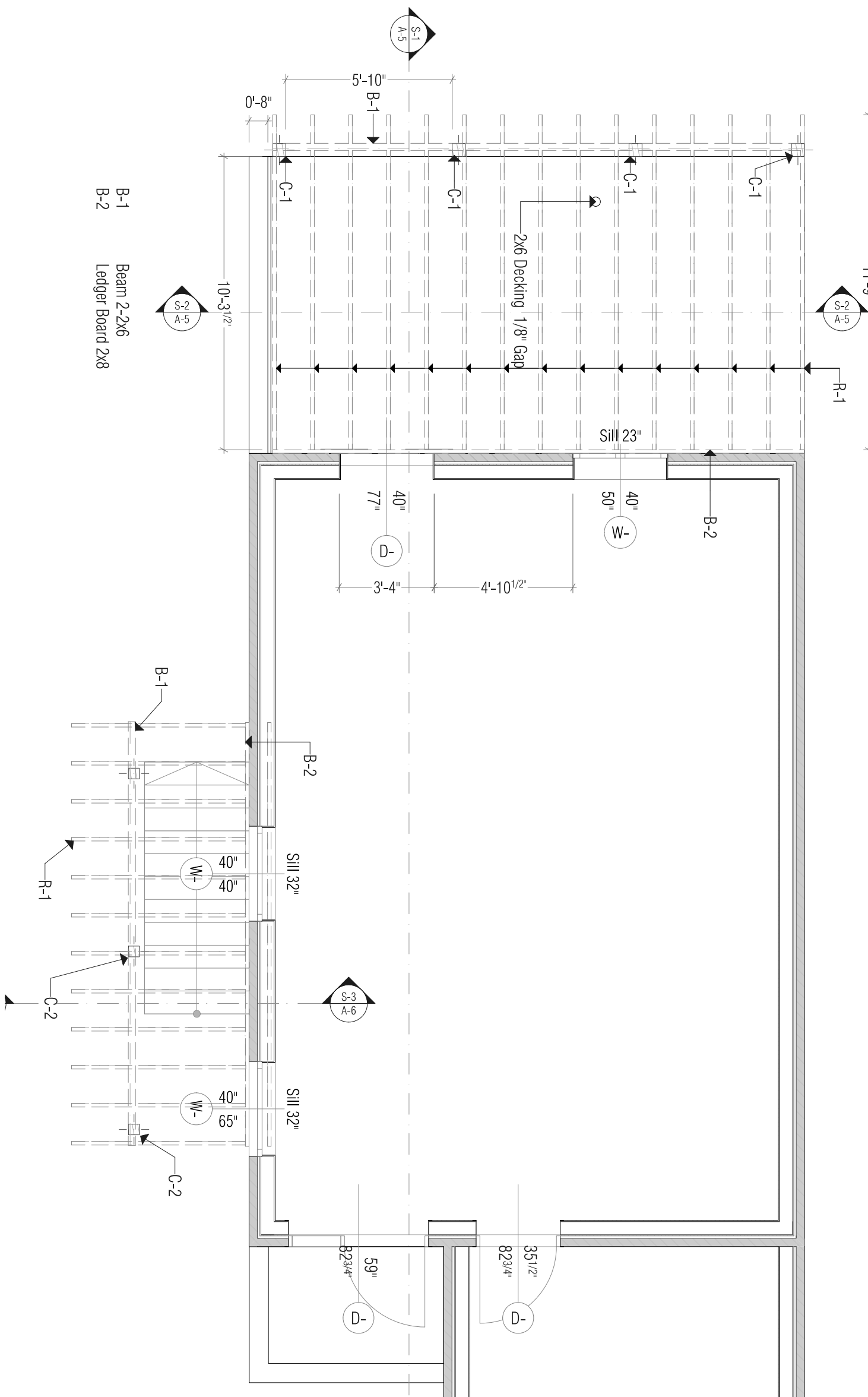
File:				Client		Architectural& Engineering Service			
52-08-18				4 White Blv. Thornhill, ON		38 Chicory Crescent, St. Catharines, ON, L2R 0A5 Ph: 647-773-9310 email: saltonov02@gmail.com			
Rev #	CHID	Revision	Date	Project:					
1		Issue for Review	Sept 14-18	Proposed Deck 4 White Blv. Thornhill, ON					
2		Issue for Review	Nov 14-18						
				Drawing #:		On. By.		Scale:	Drawing #
				Deck Layout Ground Floor		S.S		1/4" = 1'-0"	A-2





Design Load:

- |                          |               |
|--------------------------|---------------|
| 1. LL=1.9 kPa            | Live Load     |
| 2. DL=0.5 kPa            | Ded Load      |
| 3. S.S=1.3kPa S.r=0.4kPa |               |
| 4. q=100kPa              | Soil Capacity |




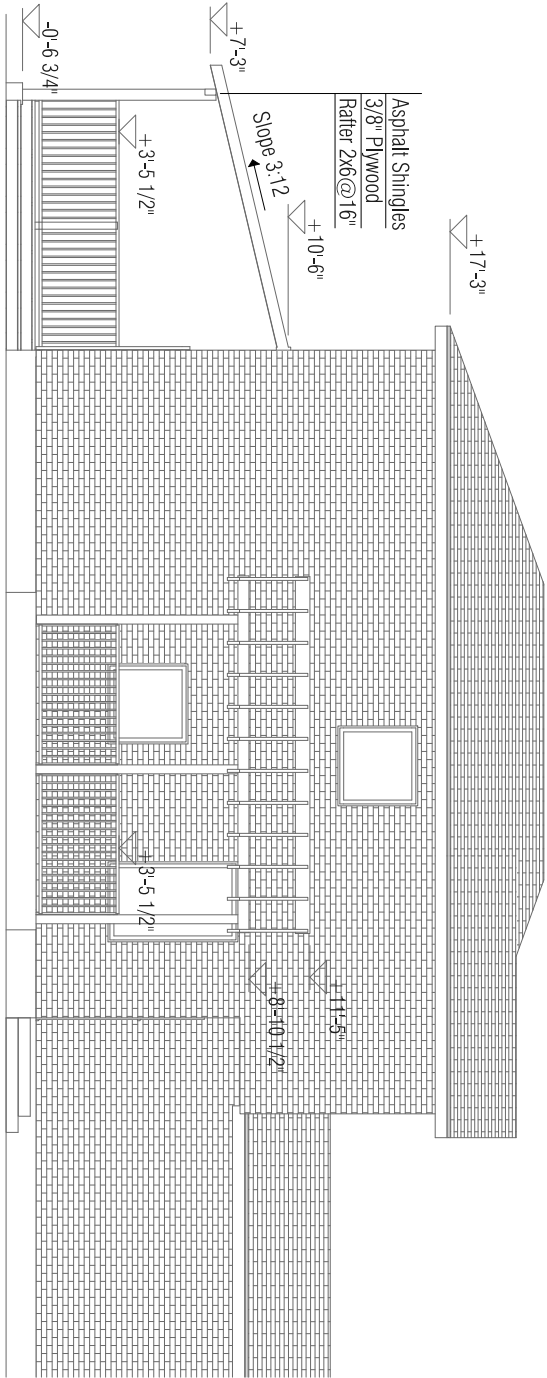
Rafter Schedule		
ID	Quantity	Materials
R-1	27	2x6@12



## 0. Ground Floor Structural

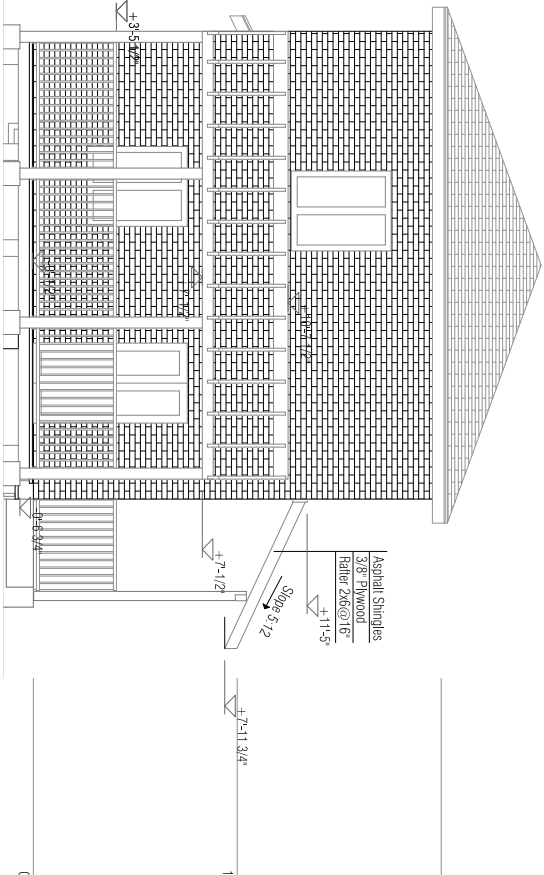
$$\overline{1/4'' = 1'-0''}$$

File:				Client		Architectural& Engineering Service					
52-08-18				4 White Blv. Thornhill, ON		38 Chicory Crescent, St. Catharines, ON, L2R 0A5 Ph. 647-773-9310 email:satlonov02@gmail.com					
Rev #	Chd	Revision	Date	Project:							
1		Issue for Review	Sept 14-18	Proposed Deck							
2		Issue for Review	Nov 14-18	4 White Blv. Thornhill, ON							
				Drawing #:		Deck Ground Floor Structural					
				Dn. By.		S.S		1/4" = 1'-0"	Scale:	A-3	Drawing #



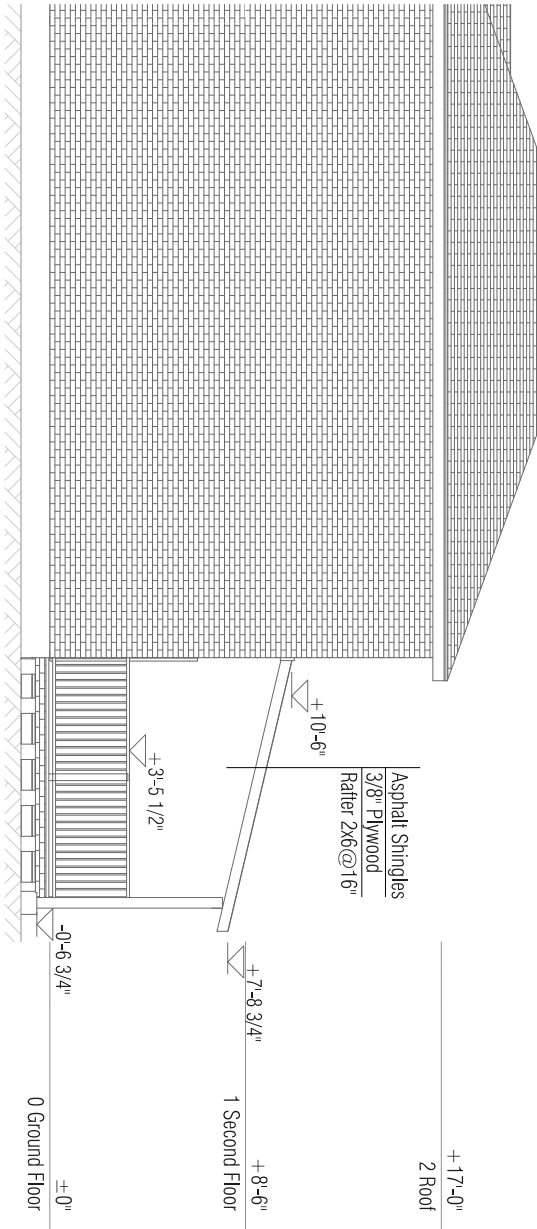
South Elevation

1/8" = 1'-0"



West Elevation

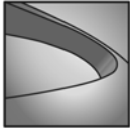
1/8" = 1'-0"

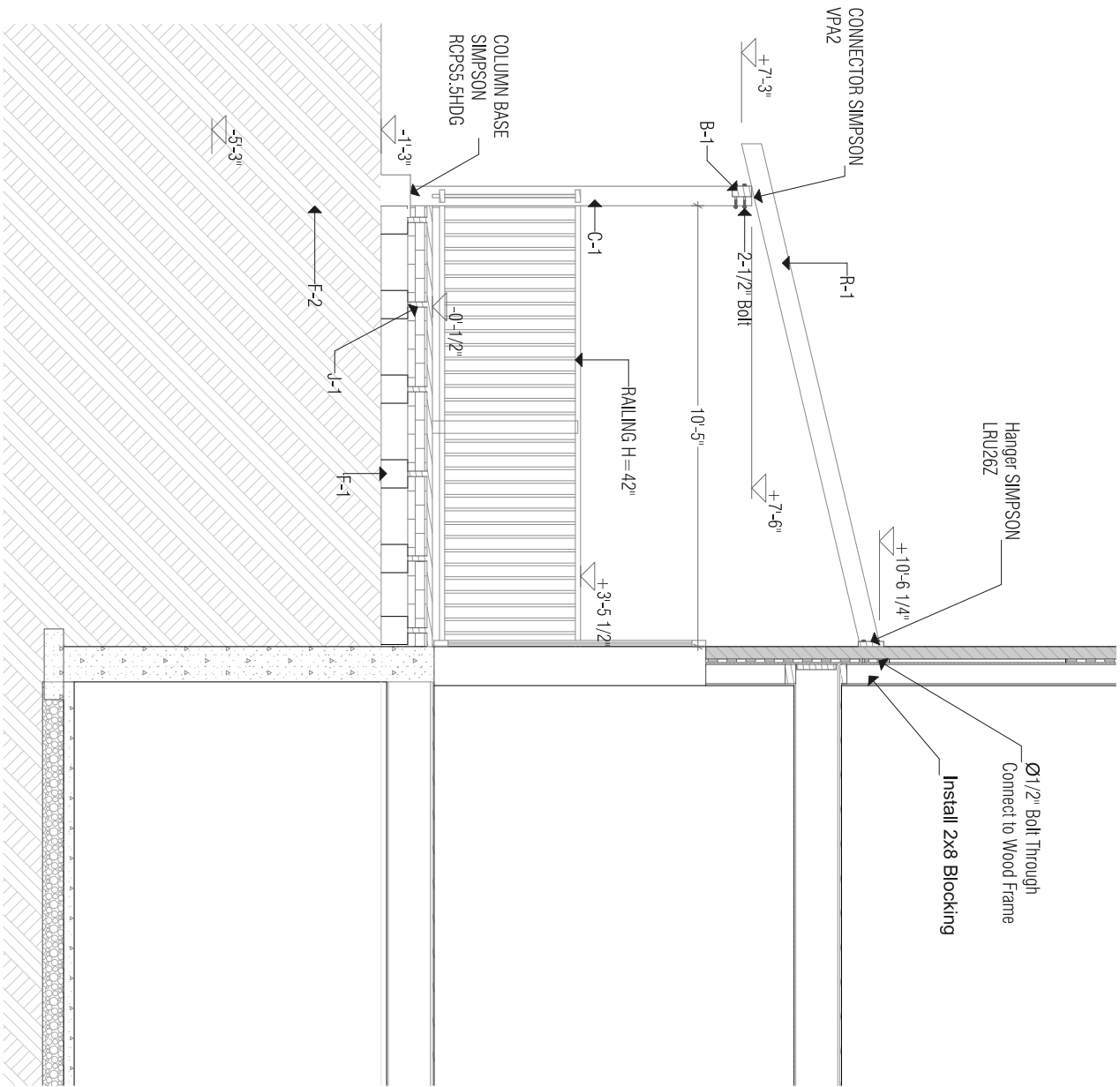


North Elevation

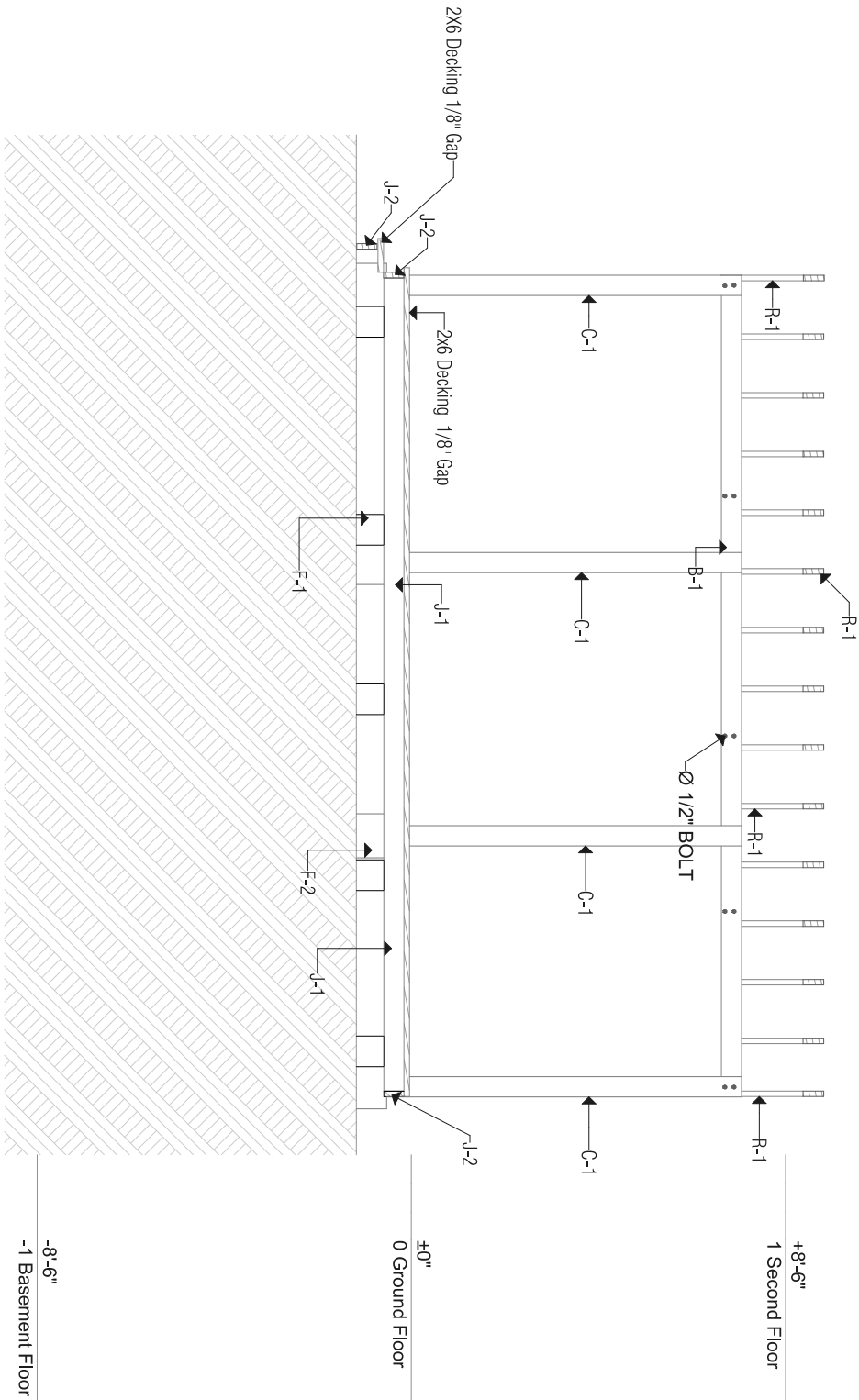
1:100

File: 52-08-18				Client: 4 White Blv. Thornhill, ON		Architectural & Engineering Service	
Rev #	CMD	Revision	Date	Project: Proposed Deck		38 Chicory Crescent,	
1		Issue for Review	Sept 14-18	4 White Blv. Thornhill, ON		St. Catharines, ON, L2R 0A5	
2		Issue for Review	Nov 14-18	Drawing #:		Ph: 647-773-9310	
				Elevations		email: safonov02@gmail.com	
						Dn. By. S.S	
						Scale: 1/8" = 1'-0"	
						Drawing # A-4	



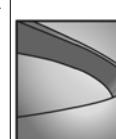


S-1 Building Section 1/4" = 1'-0"



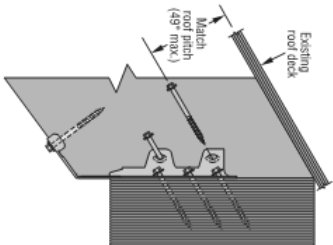
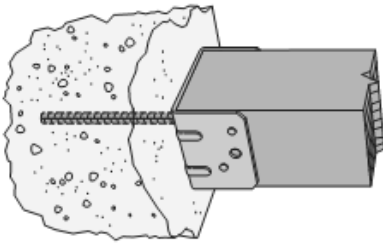
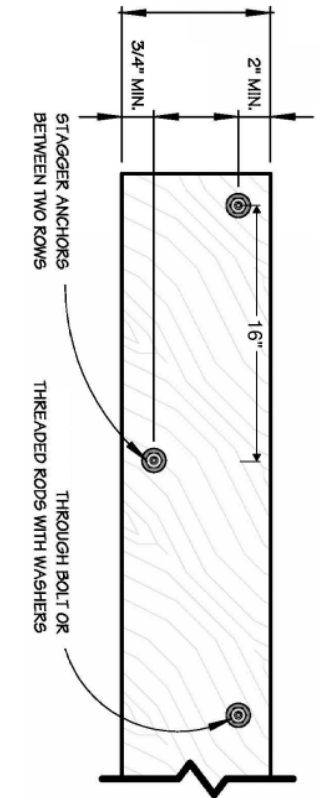
S-2 Building Section 1/4" = 1'-0"



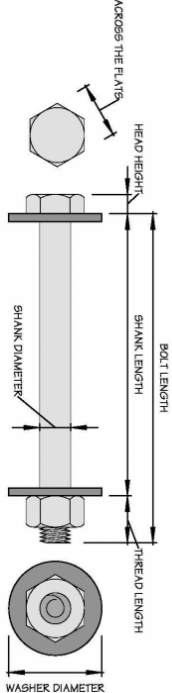
File:			Client		Architectural& Engineering Service		
52-08-18			4 White Blv. Thornhill, ON		38 Chicory Crescent, St. Catharines, ON, L2R 0A5 Ph: 647-773-9310 email:safonov02@gmail.com		
Rev #	ChID	Revision	Project:				
1		Issue for Review	Proposed Deck				
2		Issue for Review	4 White Blv. Thornhill, ON				
			Drawing #:		Drawing #		
			Building Section		A-5		



Positioning of the 1/2" anchors through the ledger plate @ 16" o/c staggered into the framing beyond.

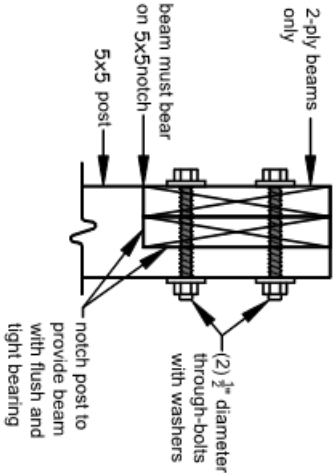


Through bolts with compatible nut and two washers (not shown). 1/2" dia. Min..

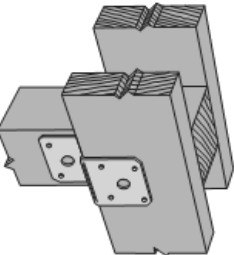


PROPOSED CONNECTION COLUMN TO FOUNDATION

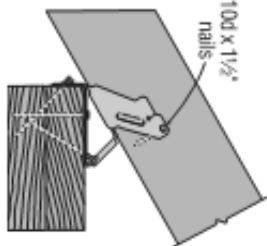
PROPOSED CONNECTION RAFTER TO LEDGER BOARD



PROPOSED CONNECTION BEAM TO POST

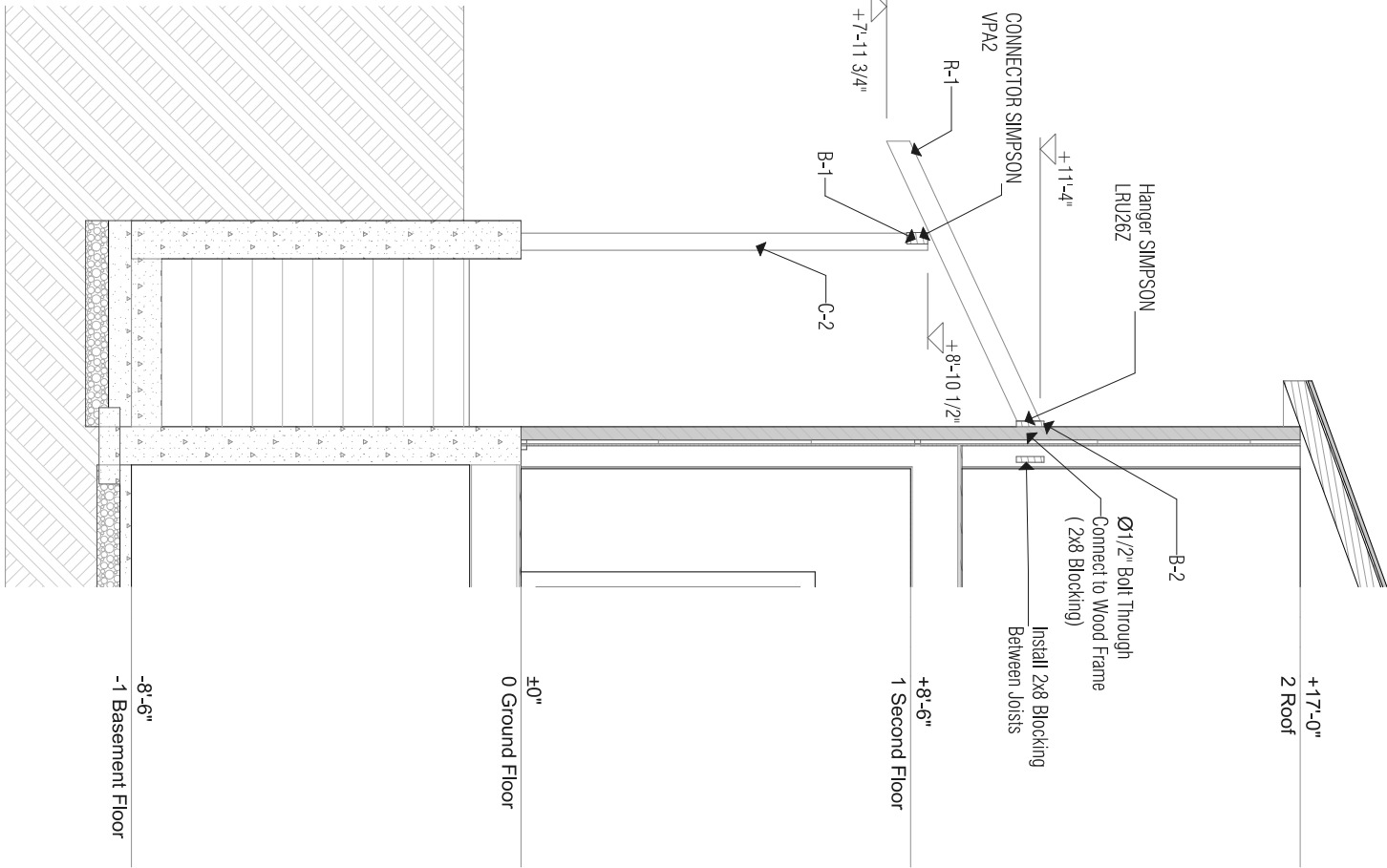


OPTIONAL CONNECTION BEAM TO POST



**Step 4**  
Install 10d x 1 1/2" nail into tab nail hole. Hammer nail in at a slight angle to prevent splitting.

PROPOSED CONNECTION RAFTER TO BEAM

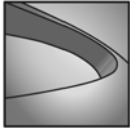


CONSTRUCTION NOTES:

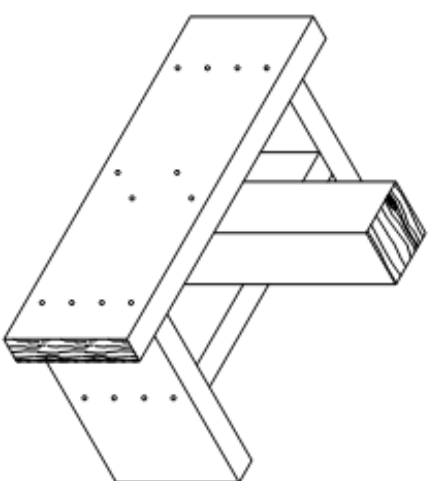
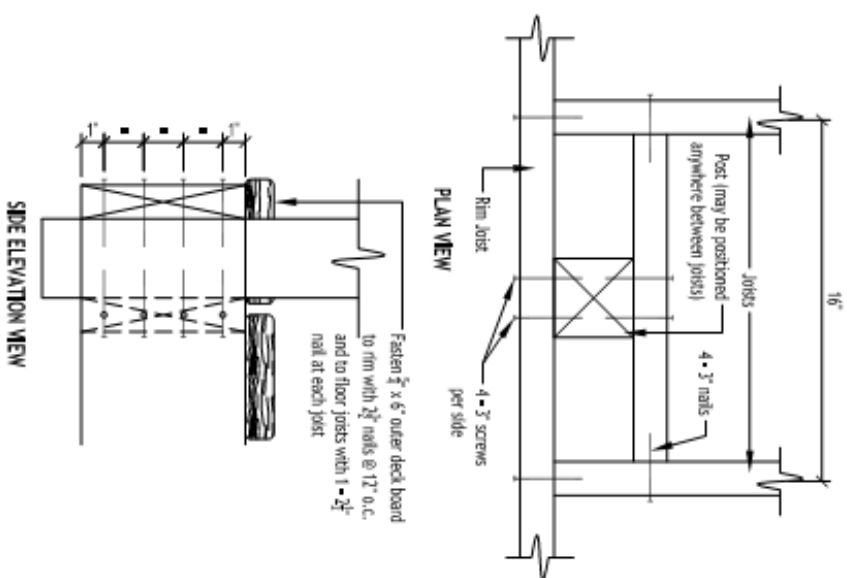
1. Deck must be attached to the house structural frame( not brick veneer) with Min 1/2" diameter bolt at maximum 16"
2. Maximum cantilevered for joists and beam beyond support is 24"
3. All Fasteners shall be resistant to corrosion.
4. All Lumber shall decay resistance #2 or better and all cut ends of pressure treated Lumber shall be treated to prevent decay
5. Sonotube pier extending 4'-0" below grade



File: 52-08-18			Client: 4 White Blv. Thornhill, ON		Architectural& Engineering Service		
Rev #	CMD	Revision	Project:	Proposed Deck	38 Chicory Crescent, St. Catharines, ON, L2R 0A5 Ph: 647-773-9310 email:safonov02@gmail.com	Dr. By.	
1		Issue for Review	Sept 14-18			S.S	
2		Issue for Review	Nov 14-18	4 White Blv. Thornhill, ON		1/4" = 1'-0"	

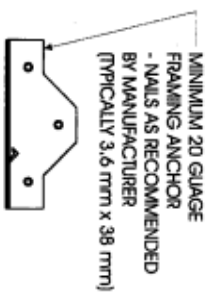


### 7.5 Typical Post Connection - Screwed to Rim Joist

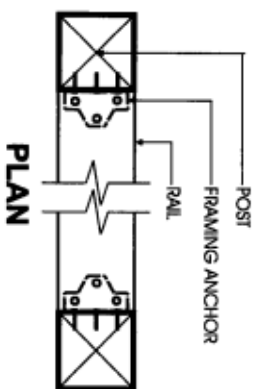


## Notes

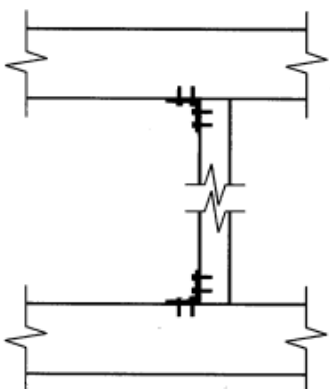
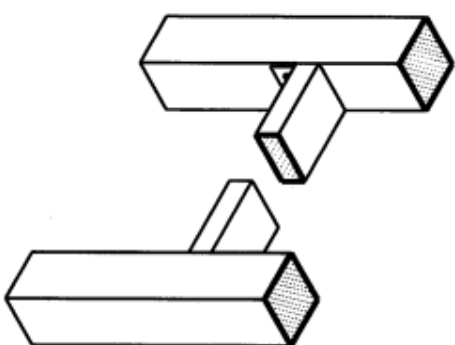
1. Fasten 25mm x 140mm [ 5/4" x 6" nominal ] outer deck board to rim joist with 63mm [ 2 1/2" ] nails at 300mm [ 12" ]
2. Fasten 25mm x 140mm [ 5/4" x 6" nominal ] outer deck board to floor joists with 1 - 63mm [ 2 1/2" ] nails each joist
3. The post may be positioned anywhere between the joists
4. The maximum spacing between posts is 1.56m [ 5'-1" ]



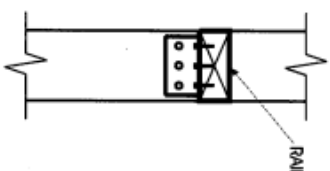
**CORROSION RESISTANT  
FRAMING ANCHOR**



## AXONOMETRIC



**FRONT ELEVATION**



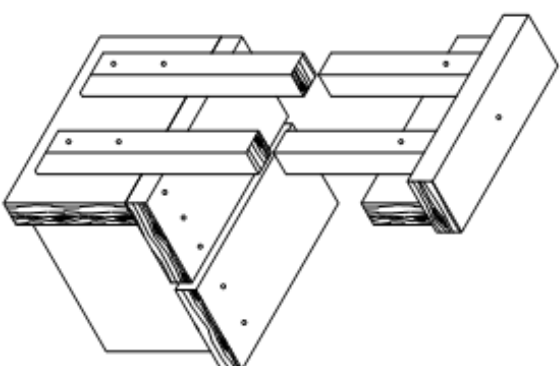
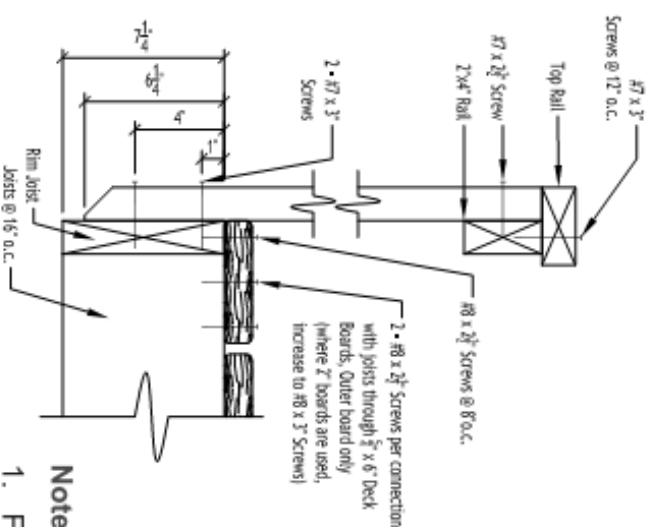
### SIDE ELEVATION

### Exterior Connection: Top/Bottom Rail Fastened to Post with Framing Anchors

- Notes:**
1. Provide support to bottom rail at intervals not more than 2.0 m (6'-7").
  2. The bottom rail may be bevelled as detailed in Figure 2.1.2.
  3. Dimensions shown are in mm unless otherwise specified.

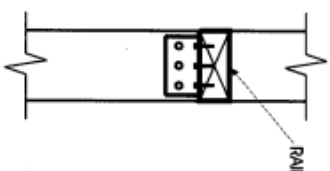
MAXIMUM SPAN OF RAIL BETWEEN POSTS	
Species	Maximum Span, m (ft-in)
Douglas Fir-Larch, Hem-Fir, Spruce-Pine-Fir	2.72 (8'-11")
Northern Species	2.18 (7'-2")
Column 1	2

### 7.9 Typical Guard Connection - Cantilevered Picket Screwed to Rim Joist



## Notes

1. Fasten rim joist to each floor joist with 3 - 82mm [ 3 1/4" ] nails
2. The outer deck board shall not be less than 140mm [ 6" nominal ] wide. Where 38mm [ 2" nominal ] thick boards are used, the length of the wood screws shall be not less than 76mm [ 3" ]
3. Provide a suitable post, return, or solid support at each end of the guard



### SIDE ELEVATION

### Exterior Connection: Top/Bottom Rail Fastened to Post with Framing Anchors

- Notes:**
1. Provide support to bottom rail at intervals not more than 2.0 m (6'-7").
  2. The bottom rail may be bevelled as detailed in Figure 2.1.2.
  3. Dimensions shown are in mm unless otherwise specified.

File:	<div>52-08-18</div>			Client	<div>4 White Blv. Thornhill, ON</div>			<div>Architectural &amp; Engineering Service</div>		
Rev #	CHID	Revision	Date	Project:	<div> <div>Proposed Deck</div> <div>4 White Blv. Thornhill, ON</div> </div>			<div> <div>38 Chicory Crescent, St. Catharines, ON, L2R 0A5</div> <div>Ph: 647-773-9310</div> <div>email: salonov02@gmail.com</div> </div>		
1		Issue for Review	Sept 14-18							
2		Issue for Review	Nov 14-18							
					<div>Drawing #:</div> <div>Railina Connection</div>			<div> <div>On. Bv.</div> <div>SS</div> </div>		
					<div>Drawing #:</div> <div>A-7</div>					





**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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

- TRCA – comments with conditions
- MTO – Located outside of MTO permit control area
- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections

March 4, 2019

CFN: 60819.02

**BY E-MAIL: Christine.Vigneault@vaughan.ca**

Ms. Christine Vigneault  
Secretary Treasurer  
Committee of Adjustment  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A222/18  
4 White Boulevard  
Lot 82, Reg. Plan 65M2231  
City of Vaughan  
Owner: Boris Baranov**

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on January 24, 2018 with comments originally provided on February 4, 2019. TRCA staff have reviewed supplemental information provided by the applicant and offers the following revised comments:

**Background**

It is our understanding that the purpose of Application A222/18 is to request the following:

1. To permit a minimum rear yard setback of 5.8m to a covered deck whereas a rear yard setback of 7.5m is required.
2. To permit a minimum exterior side yard setback of 4.24m to a covered side entrance (basement walk-up) whereas a minimum exterior side yard setback of 4.5m is required.

It is TRCA's understanding that the purpose of the above variance is to legalize a roof to an existing basement walkout and a new deck constructed without approvals.

**Applicable TRCA Policies and Regulations**

**Ontario Regulation 166/06:**

The subject lands are located entirely within the TRCA's Regulated Area of the Don River Watershed due to the presence of a floodplain covering the entirety of the property including the walkout area proposed. In accordance with the *Ontario Regulation 166/06 (Regulation of Development, interference with Wetlands and Alterations to Shorelines and Watercourses)*, development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

**Living City Policies (LCP):**

In addition, The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a 'Natural System' made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA's review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

**Application-Specific Comments**

Based on a review of the enclosed drawings, TRCA notes that the property is within TRCA's Regulated Area due to the presence of a flood plain covering the entirety of the lot. Through further consultation with the City of Vaughan and the applicant it has been confirmed that the existing basement walkout within this flood plain has existed historically and that only the deck and roof of the walkout have recently been constructed. We have no further concerns with the approval of Minor Variance A222/18. As these structures are within TRCA's Regulated Area a permit from our office will be required and is currently under review.

**Fees**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$580.00 Variance – Residential – Minor review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

**Recommendations**

Based upon the comment noted above, TRCA staff have **no objection** to the approval of Minor Variance A222/18 subject to the following condition:

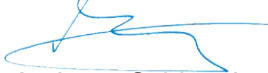
- 1) That the owner provides the required \$580.00 fee for our review of Minor Variance Application A222/18.

**Conclusion**

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Further, we trust these comments are of assistance.

TRCA will continue to work closely with the City of Vaughan, the applicant, and their consultants to ensure that TRCA's expectations for meeting comments are met. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Anthony Syhlonyk  
Planner I  
Planning and Development  
Extension 5272

AS/cb

Cc: Boris Baranov

**Providence, Lenore**

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**Subject:** FW: Request for Comments

---

**From:** Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>

**Sent:** January-24-19 10:42 AM

**To:** Vigneault, Christine <Christine.Vigneault@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>

**Subject:** Request for Comments

Hi Christine,

MTO Highway Corridor Management Section has reviewed the location of the following Applications for Minor Variance:

**A222/18 – 4 White Boulevard, Thornhill, ON.**

**A008/19 – 100 Gibraltar Road, Woodbridge**

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

**Paul Nunes** | Corridor Management Officer  
Ministry of Transportation | Corridor Management Section | York Region  
159 Sir William Hearst Avenue, 7<sup>th</sup> floor Building D, Downsview, ON M3M 0B7  
(416) 235-5559 | [paul.nunes@ontario.ca](mailto:paul.nunes@ontario.ca)



Confidentiality Warning: This message and any attachments may contain PRIVILEGED and CONFIDENTIAL INFORMATION and is intended only for the use of the recipient(s). If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you have received this message in error, please immediately notify the sender by return e-mail, and delete this message and any attachments from your system. Thank you.



**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  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## Providence, Lenore

---

**Subject:** FW: A222/18 - Response to REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)  
**Attachments:** A222-18 - CIRCULATION.pdf

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

**Sent:** January-30-19 3:51 PM

**To:** Providence, Lenore <Lenore.Providence@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Subject:** FW: A222/18 - Response to REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Good Afternoon Lenore,

The Regional Municipality of York has completed its review of the above Minor Variance application and has **no comment**.

Regards,  
Gabrielle

*Gabrielle Hurst, BAA MCIP.RPP. C.Tech*

Programs and Process Improvement | Planning and Economic Development Branch | Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O 1-877-464-9675 ext. 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | Our Values: Integrity, Commitment, Accountability, Respect, Excellence

**File:** A014/19

**Applicant:** Zu Xu Chen and Su Rong Yan

**Address:** 79 Crestwood Road, Thornhill

**Agent:** Nikol Paar

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
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"/>	<input checked="" type="checkbox"/>
Urban Design	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Adriana MacPherson  
Hearing Date: Thursday, March 21, 2019





Minor Variance  
Application  
  
A014/19

Agenda Item: 6  
  
Ward: 5

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, March 21, 2019

**Applicant:** Zu Xu Chen and Su Rong Yan

**Agent:** Nikol Paar

**Property:** 79 Crestwood Road, Thornhill

**Zoning:** The subject lands are zoned R2, Residential Zone, under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "Low-Rise Residential"

**Related Files:** None

**Purpose:** Relief from the By-Law is being requested to permit the construction of a proposed single family dwelling.

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

By-law Requirement	Proposal
A maximum building height of 9.5 metres is required.	To permit a maximum building height of 11.0 metres.

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

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: N/A**

**Staff & Agency Comments**

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

**Committee of Adjustment:**  
Public notice was mailed on March 6, 2019

Applicant confirmed posting of signage on March 1, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s):  
Design requirement as per client.

**Adjournment Request: N/A**

**Building Standards (Zoning Review):**  
Stop Work Order(s) and Order(s) to Comply: None

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

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

The applicant shall be advised that the definition of Building Height as per By-law 1-88 means the height of a mansard style roof is taken from average grade at the front elevations to the top of the roof. Applicant shall also be advised that should the building height exceed 11.5 metres once average grade has been established, further variances may be required.

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

VOP 2010: "Low-Rise Residential"

The Owner is requesting permission to construct a single detached dwelling with the above noted variance.

The proposed height of 11 m is to the top of a mansard roof and is consistent with the character of rebuild houses along Crestwood Road. The Development Planning Department has no objection to the proposed variance to maximum building height.

The subject lands contain existing mature trees which will be impacted by the proposed development. As such, an Arborist Report was submitted by MHBC Planning, Urban Design & Landscape Architecture, dated February 19, 2019 and revised February 25, 2019, which identified that 2 trees will be removed to accommodate the proposal, requiring the replacement of 3 trees. The Owner proposes to plant 2 trees on the subject lands and provide cash-in-lieu payment for the remaining 1 tree that will not be accommodated on the subject lands at a rate of \$550.00 per tree. The Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the submitted Arborist Report and concurs with its recommendations. As a condition of approval, the Owner will be required to submit a cheque in the amount of \$550.00 made payable to the City of Vaughan as cash-in-lieu of the required replacement trees that will not be accommodated on the subject lands.

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.

The Development Planning Department recommends approval of the application, subject to the condition below:

That the Owner submits a cheque in the amount of \$550.00 (1 replacement tree at \$550.00 per tree) addressed to the City of Vaughan as cash-in-lieu payment of the required replacement trees that will not be accommodated on the property.

**Urban Design:**

There are no cultural heritage concerns for this application.

**Development Engineering:**

The Development Engineering (DE) Department has reviewed the subject Application A014/19 for 79 Crestwood Road and have no objections to the application.

Staff have confirmed that the subject lot is zoned R2 Residential and located within an assumed subdivision. Notification to a developer/builder is not required.

**Parks Development:**

No Response.

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**Financial Planning and Development Finance:**

No comments, no concerns.

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

MTO – Located outside of MTO permit control area

**Staff Recommendations:**

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	Development Planning Christopher Cosentino  905-832-8585 x 8215 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That the Owner submits a cheque in the amount of \$550.00 (1 replacement tree at \$550.00 per tree) addressed to the City of Vaughan as cash-in-lieu payment of the required replacement trees that will not be accommodated on the property.

**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.

**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.

**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

**WRITTEN SUBMISSIONS:** 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, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio 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 Local Planning Appeal Tribunal (LPAT) 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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

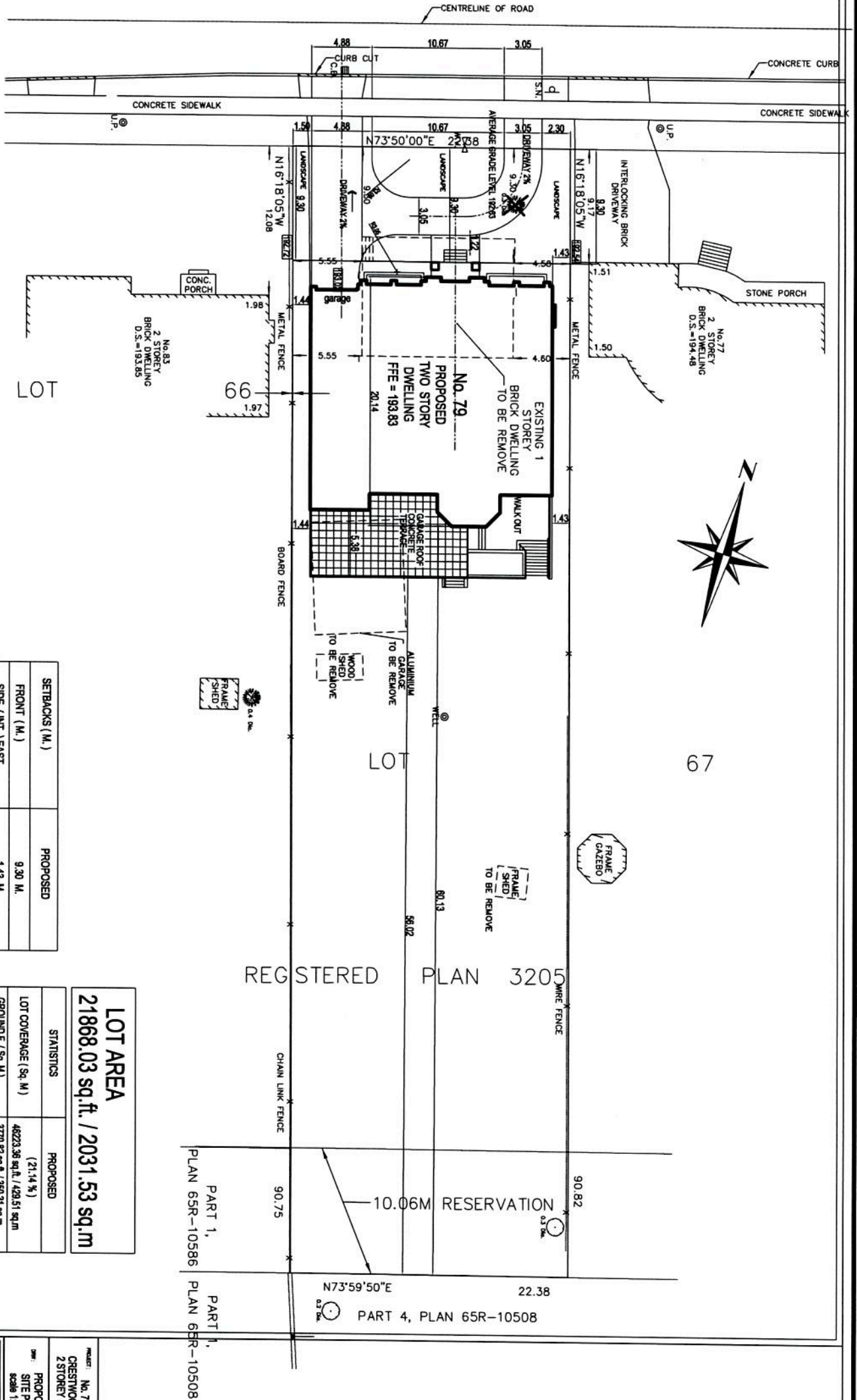
Location Map  
Sketches

The map displays a residential neighborhood with the following features:

- Streets:** Hilda Avenue, Pinewood Drive, Crestwood Road, Royal Palm Drive, and Steeles Avenue West.
- Highlighted Area:** A large area is highlighted in light blue, and a specific lot within this area is highlighted in red.
- Scale:** 1: 3,558.
- North Arrow:** Located in the bottom left corner.
- Inset Map:** Located in the top right corner, showing the location of the area within the Greater Toronto Area.



CRESTWOOD ROAD (FORMERLY JACKES AVENUE BY REGISTERED PLAN 3205)



SETBACKS (M.)	PROPOSED
FRONT (M.)	9.30 M.
SIDE (INT.) EAST	1.43 M.
SIDE (INT.) WEST	1.44 M.
REAR	56.02 M. / 60.13 M.
BUILDING HEIGHT (M.)	11.0 m. (to the top of roof)

LOT AREA	
21868.03 sq.ft. / 2031.53 sq.m	
STATISTICS	PROPOSED
LOT COVERAGE (Sq. M.)	(21.14 %)
GROUND F. (Sq. M.)	46223.36 sq.ft. / 429.51 sq.m
SECOND F. (Sq. M.)	3770.82 sq.ft. / 350.31 sq.m
TOTAL:	7541.65 sq.ft. / 700.82 sq.m
HEIGHT	11.0 m. (to the top of roof)

PROJECT: No. 79  
CRESTWOOD ROAD  
2 STOREY DWELLING

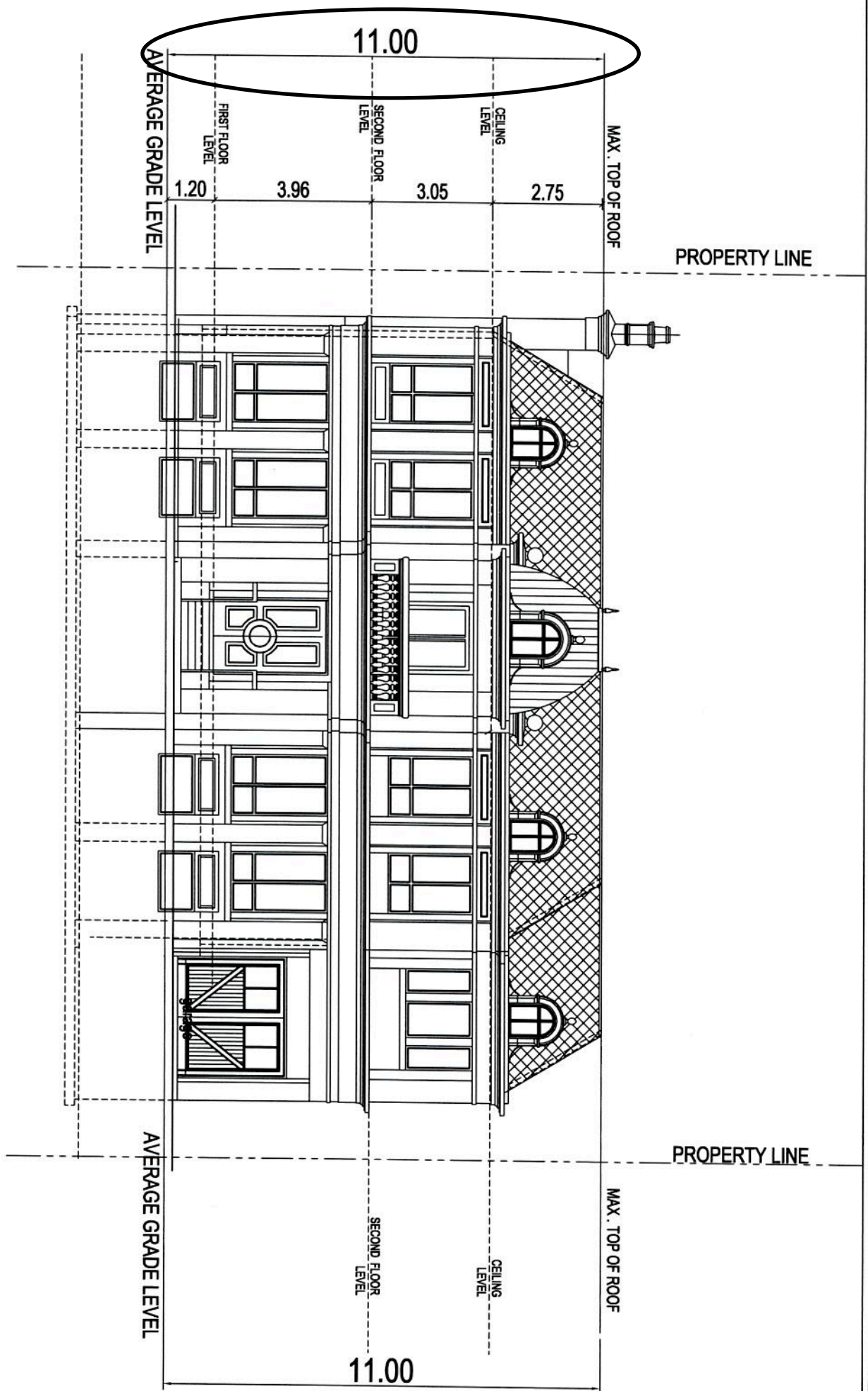
DATE: 13/03/2024  
SCALE: 1:300

PROPOSED  
SITE PLAN

PAAR DESIGN INC.  
2778 KENNEDY RD.  
SCARBOROUGH, ONTARIO  
M1T 3Z5  
TEL: (416) 291-1111  
WWW.PAARDDESIGN.COM

18 FEB 2024

A01



PROJECT: No. 79  
CRESTWOOD ROAD  
2 STOREY DWELLING

DATE: PROPOSED  
FRONT ELEVATION  
scale 1:100

PAAR DESIGN  
2771101 17/09/2018  
17/09/2018  
17/09/2018

28 JAN 2019

A02



**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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**None**

Schedule C: Agency Comments

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- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Located outside of MTO permit control area



**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).

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- 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  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

**MacPherson, Adriana**

---

**Subject:** FW: A014/19 - Request for Comments  
**Attachments:** A014-19 - Circ.pdf

---

**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** February-20-19 11:20 AM  
**To:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Subject:** FW: A014/19 - Request for Comments

Good Morning Adriana,  
The Regional Municipality of York has completed its review of the above minor variance application and has no comment.  
Regards,  
Gabrielle

*Gabrielle Hurst, BAA MCIP.RPP. C.Tech*  
Programs and Process Improvement | Planning and Economic Development Branch | Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
O 1-877-464-9675 ext. 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | Our Values: Integrity, Commitment, Accountability, Respect, Excellence

**MacPherson, Adriana**

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**Subject:** FW: Request for Comments

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**From:** Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>  
**Sent:** February-19-19 2:02 PM  
**To:** Vigneault, Christine <Christine.Vigneault@vaughan.ca>  
**Cc:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; Mazzotta, Rob (MTO) <Rob.Mazzotta@ontario.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>  
**Subject:** Request for Comments

Hi Christine,

MTO Highway Corridor Management Section has reviewed the location of the following Applications for Minor Variance:

- A018/19** – 99 Klein Mills Rd., Kleinburg, ON.
- A213/18** – 10930 Pine Valley Dr., Vaughan, ON.
- A016/19** – 1600 Steeles Ave., Vaughan, ON.
- A014/19** – 79 Crestwood Rd., Thornhill, ON.
- A005/19** – 129 Villa Park Dr., Woodbridge, ON.
- A002/19, A003/19 & A004/19** – 199 Arnold Ave., Thornhill, ON.
- A009/19** – 111 Endless Circle, Kleinburg, ON.
- A218/18** – 99 Heritage Estates Rd., Maple, ON.
- A022/19** – 117 Farrell Road, Maple, ON.

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

**Paul Nunes** | Corridor Management Officer  
Ministry of Transportation | Corridor Management Section | York Region  
159 Sir William Hearst Avenue, 7<sup>th</sup> floor Building D, Downsview, ON M3M 0B7  
(416) 235-5559 | [paul.nunes@ontario.ca](mailto:paul.nunes@ontario.ca)



Confidentiality Warning: This message and any attachments may contain PRIVILEGED and CONFIDENTIAL INFORMATION and is intended only for the use of the recipient(s). If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you have received this message in error, please immediately notify the sender by return e-mail, and delete this message and any attachments from your system. Thank you.

**File:** A021/19

**Applicant:** Stephanie Cera Amenta

**Address:** 51 Via Avellino Woodbridge ON

**Agent:** Fausto Cortese

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
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"/>	
Urban Design	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
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: Lenore Providence  
 Hearing Date: Thursday, March 21, 2019



Minor Variance  
Application  
  
A021/19

Agenda Item: 07  
  
Ward: 3

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing:	Thursday, March 21, 2019
Applicant:	Stephanie Cera Amenta
Agent:	Fausto Cortese
Property:	51 Via Avellino, Woodbridge ON
Zoning:	The subject lands are zoned RD3 9(1285) under By-law 1-88 as amended.
OP Designation:	VOP 2010: "Low-Rise Residential"
Related Files:	None
Purpose:	Relief from the by-law is being requested to permit the existing in-ground pool located in the rear yard.

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

By-law Requirement	Proposal
1. A minimum interior side yard setback of 1.5 metres is required.	1. To permit a minimum interior side yard setback of 1.2 metres to the inground pool.
2. A minimum rear yard setback of 1.5 metres is required.	2. To permit a minimum rear yard setback of 0.91 metres to the inground pool.

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

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: N/A

Staff & Agency Comments

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Committee of Adjustment:

Public notice was mailed on March 6, 2019

Applicant confirmed posting of signage on March 11, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	2010
Pool	2014

Applicant has advised that they cannot comply with By-law for the following reason(s): Existing condition does not allow for conformance.

**Building Standards (Zoning Review):**

Stop Work Order(s) and Order(s) to Comply: None.

A building permit is required for the pool.

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

Please be aware that a/c unit or outdoor pool equipment may be setback a minimum of 0.6 metres from the interior side lot line and a minimum of 6.0 metres from the rear lot line.

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

VOP 2010: "Low-Rise Residential"

The Development Planning Department is of the opinion that the proposed variances are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

**Urban Design:**

There are no cultural heritage concerns for this application.

**Development Engineering:**

The Development Engineering Department has reviewed minor variance application A021/19 for 51 Via Avellino and has no objections.

**Parks Development:**

No Response.

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**Financial Planning and Development Finance:**

No comments or concerns

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

None.

**Schedule C - Agency Comments**

MTO – Located outside of MTO permit control area  
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. Recommended conditions of approval: N/A

**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.

**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.

**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**

**WRITTEN SUBMISSIONS:** 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, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio 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 Local Planning Appeal Tribunal (LPAT) 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](mailto:CofA@vaughan.ca)

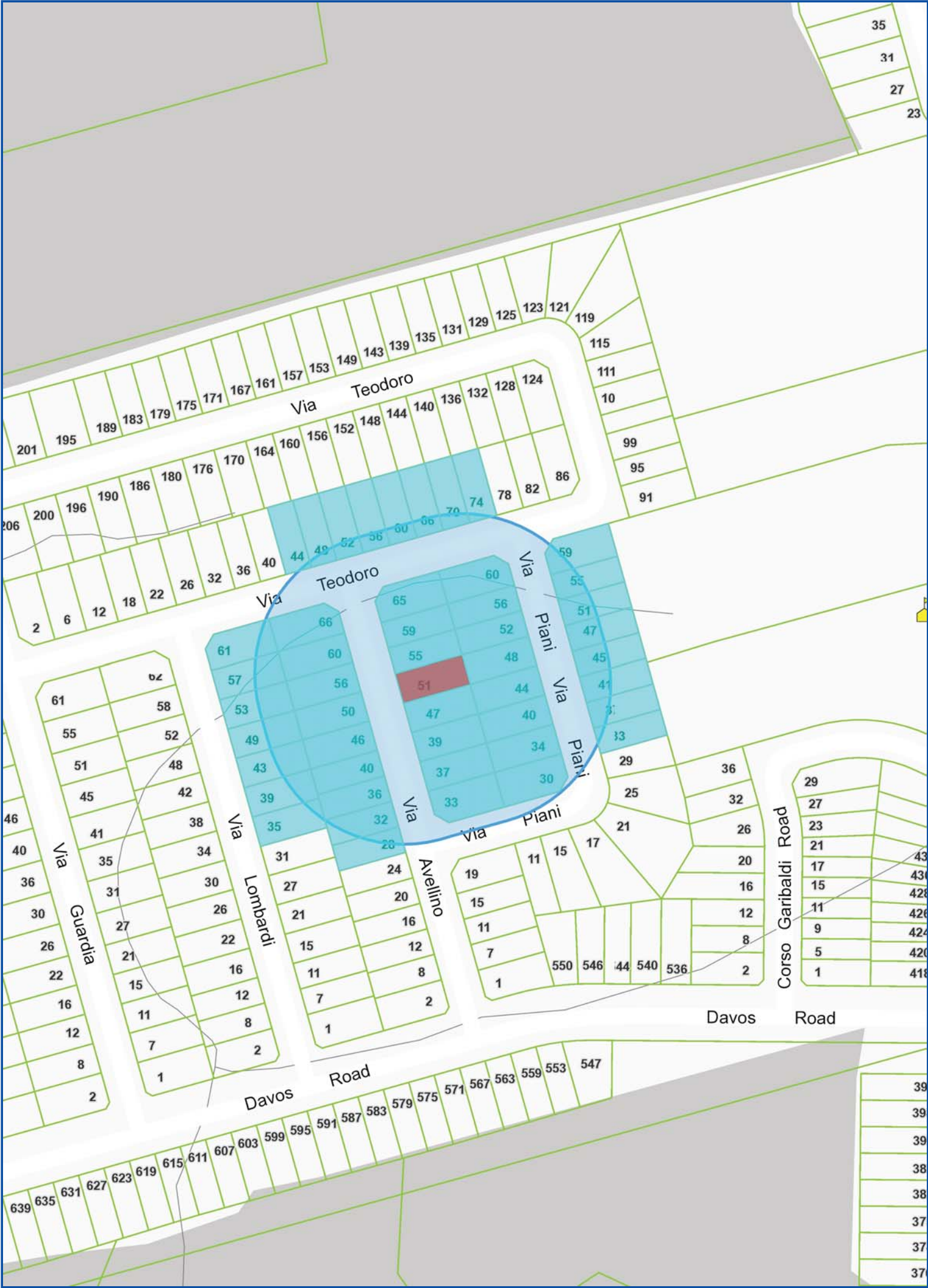
Schedule A: Plans & Sketches

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

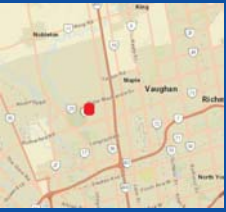
Location Map  
Sketches

MAJOR MACKENZIE DRIVE

PINE VALLEY DRIVE



Map Information:



Title:

51 VIA AVELLINO, WOODBRIDGE

NOTIFICATION MAP - A021/19

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.



Scale: 1:2,257  
0 0.04 km

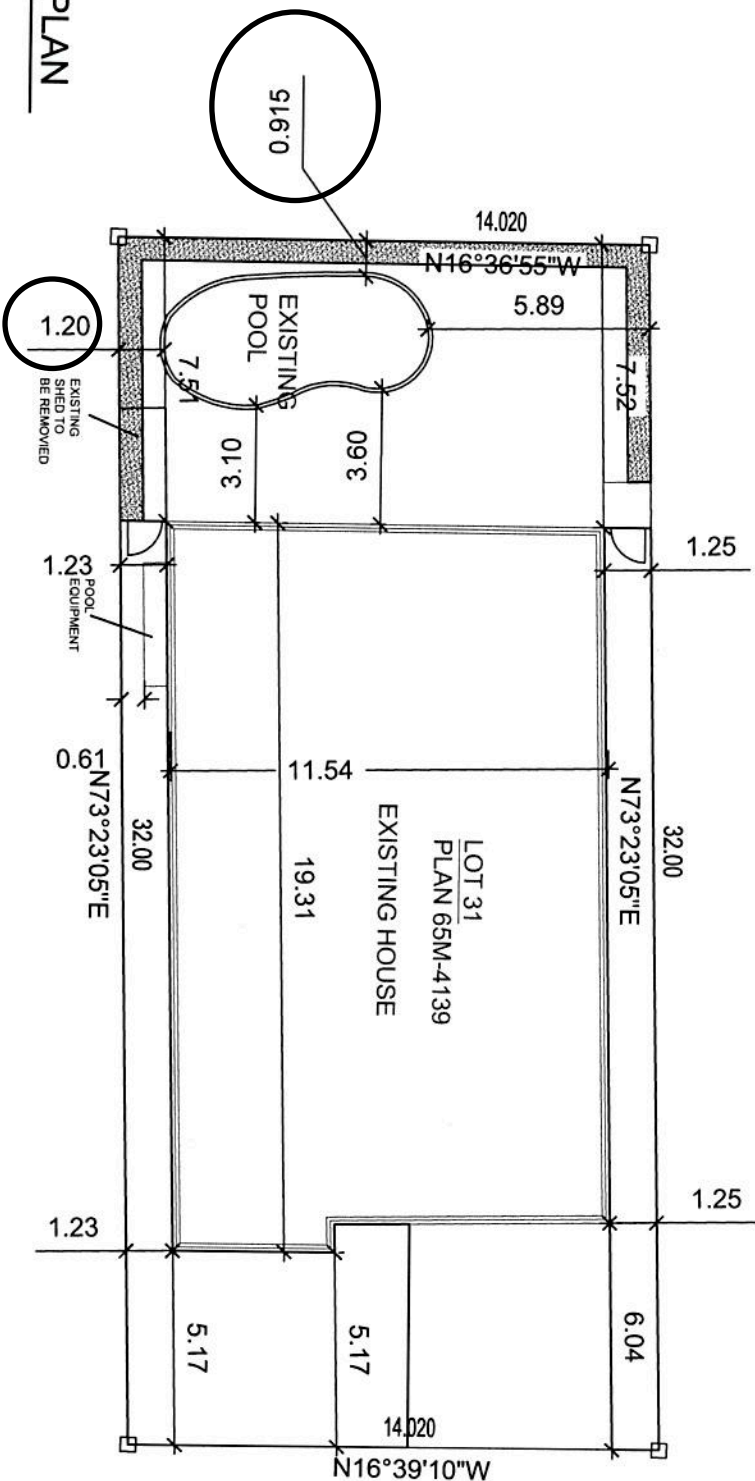


Created By:  
Infrastructure Delivery  
Department  
March 4, 2019 5:01 PM

Projection:  
NAD 83  
UTM Zone  
17N



1 SITE PLAN  
A1.0 1:200



SITE DEVELOPMENT			
ZONING	RD3 (RESIDENTIAL ZONE 1)		
LOT AREA			
TOTAL LOT AREA	448.57 SQ.M		4,828.37 SQ.FT.
HOUSE AREA			
FOOTPRINT HOUSE	216.98 SQ.M.		2,335.55 SQ.FT.
LOT COVERAGE	ALLOWED		PROVIDED
TOTAL COVERAGE	-		26.24%
LANDSCAPE AREA			
TOTAL COVERAGE	MINIMUM		PROVIDED
	-		110.13 SQ.M
SETBACKS	BY-LAW		PROVIDED
FRONT YARD	4.50 M		5.17 M
REAR YARD	7.50 M		0.95 M
SIDE YARD	1.20 M		1.20 M
SIDE YARD	1.20 M		1.25 M

VIA AVELLINO



PROJECT

PROPOSED POOL

AT

51 VIA AVELLINO

CITY OF VAUGHAN

PROJECT

3590 RUTHERFORD RD. UNIT 7

VAUGHAN, ONTARIO, L4H 3T8

416-806-7000

FCORTESE@FCARCHITECTS.CA

PLOTTED

DATE: FEB 2019

SCALE: AS NOTED

DRAWN BY: REVIEWED BY:

PROJECT No

2019-01

DRAWING No

A1.0

SITE PLAN

FAUSTO CORTESE

ARCHITECTS

3590 RUTHERFORD RD. UNIT 7

VAUGHAN, ONTARIO, L4H 3T8

416-806-7000

FCORTESE@FCARCHITECTS.CA

CONTRACTORS MUST CHECK AND VERIFY ALL DIMENSIONS AND LOCATIONS ON THE PROJECT AND MUST REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE PROCEEDING WITH CONSTRUCTION.

THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SEALED AND SIGNED BY THE DESIGNER. DO NOT SCALE DRAWINGS.

REVISIONS

No	DESCRIPTION

ISSUED FOR CONSTRUCTION

ISSUED FOR BID

ISSUED FOR BUILDING PERMIT

ISSUED FOR SITE PLAN APPROVAL

SUBMITTALS

DATE

FILE NAME:

PLOT SCALE:

1" = 100'

Page 64

**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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

- MTO – Located outside of MTO permit control area
- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections

**Providence, Lenore**

---

**Subject:** FW: FILE: A021/19, 51 Via Avellino

**From:** Vigneault, Christine

**Sent:** February-21-19 3:52 PM

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

**Subject:** FW: FILE: A021/19, 51 Via Avellino

**Subject:** FW: FILE: A021/19, 51 Via Avellino

Hello Christine,

**RE: FILE: A021/19, 51 Via Avellino.**

The above property-project is outside the permit control area (PCA) therefore the MTO has no comments, at this time.

Regards,

**Mr. Corey Caple**

Corridor Management Officer

Ministry of Transportation  
Central Region, Corridor Management Section  
159 Sir William Hearst Ave., 7th Floor  
Toronto, Ontario  
M3M 0B7  
Tel. 416-235-4351  
Fax. 416-235-4267



**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, 03-9), 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  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D’Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)



Providence, Lenore

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**Subject:** FW: A021/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)  
**Attachments:** A021-19 - CIRCULATION.pdf

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**From:** Wong, Tiffany <Tiffany.Wong@york.ca>  
**Sent:** February-22-19 2:03 PM  
**To:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** FW: A021/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Hello Lenore

The Regional Municipality of York has completed its review of the above Minor Variance Application-A021/19 (51 Via Avellino) and has no comments. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

**Tiffany Wong, B.E.S.** | Associate Planner, Programs and Process Improvement,  
Planning and Economic Development, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [tiffany.wong@york.ca](mailto:tiffany.wong@york.ca) | [www.york.ca](http://www.york.ca)  
*Our Values: Integrity, Commitment, Accountability, Respect, Excellence*



Please consider the environment before printing this email.

**File:** A022/19

**Applicant:** Pouyan Khamassi

**Address:** 117 Farrell Road, Maple

**Agent:** Shahram Khamassi

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
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"/>	
Urban Design	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence ( <b>see Schedule B</b> )		

Adjournment History: None

Background History: N/A

Staff Report Prepared By: Adriana MacPherson  
Hearing Date: Thursday, March 21, 2019



Minor Variance  
Application

Agenda Item: 8

A022/19

Ward: 4

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date of Hearing:** Thursday, March 21, 2019

**Applicant:** Pouyan Khamassi

**Agent:** Shahram Khamassi

**Property:** 117 Farrell Road, Maple

**Zoning:** The subject lands are zoned RD2 9(1385) and subject to the provisions of Exception under By-law 1-88 as amended.

**OP Designation:** VOP 2010: "Low-Rise Residential" and within the "Oak Ridges Moraine Settlement Area"

**Related Files:** None

**Purpose:** Relief from the By-Law is being requested to permit existing rear yard shed and covered deck.

\*A104/18 approved rear yard setback to shed and covered deck.

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

By-law Requirement	Proposal
1. A minimum interior side yard setback of 1.2 metres is required.	1. To permit a minimum westerly interior side yard setback of 0.60 metres to the accessory building (shed).
2. A minimum interior side yard setback of 1.2 metres is required.	2. To permit a minimum westerly interior side yard setback of 1.18 metres to the covered deck.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A104/18	Approved rear yard setback to Shed and Covered Deck	APPROVED

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: N/A

Staff & Agency Comments

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

**Committee of Adjustment:**  
Public notice was mailed on March 6, 2019

Applicant confirmed posting of signage on March 8, 2019

Property Information	
Existing Structures	Year Constructed
Dwelling	2016
Covered Deck	2016
Shed	2016

Applicant has advised that they cannot comply with By-law for the following reason(s): In order to make use of irregular shaped land.

**Adjournment Request: N/A**  
Stop Work Order(s) and Order(s) to Comply: None

Building Permit No. 18-003000 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)

Building Permit No. 18-003002 for Alteration, Issue Date: (Not Yet Issued)

**Building Inspections (Septic):**  
No comments or concerns

**Development Planning:**  
VOP 2010: "Low-Rise Residential" and within the "Oak Ridges Moraine Settlement Area"

The Development Planning Department has reviewed the proposal and is of the opinion that it 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.

The Development Planning Department recommends approval of the application.

**Urban Design:**  
There are no cultural heritage concerns for this application.

**Development Engineering:**  
The Development Engineering Department has reviewed Minor Variance Application A022/19 for 117 Farrell Road and has no objection.

**Parks Development:**  
No Response.

**By-Law and Compliance, Licensing and Permit Services:**  
No Response.

**Financial Planning and Development Finance:**  
No comments or concerns

**Fire Department:**  
No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**  
N/A

**Schedule C - Agency Comments**  
Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections  
MTO – Located outside of MTO permit control area

**Schedule D - Previous Approvals (Notice of Decision)**  
A104/18 – Approved July 19, 2018

**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.

**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.

**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.

**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

**WRITTEN SUBMISSIONS:** 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, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio 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 Local Planning Appeal Tribunal (LPAT) 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)

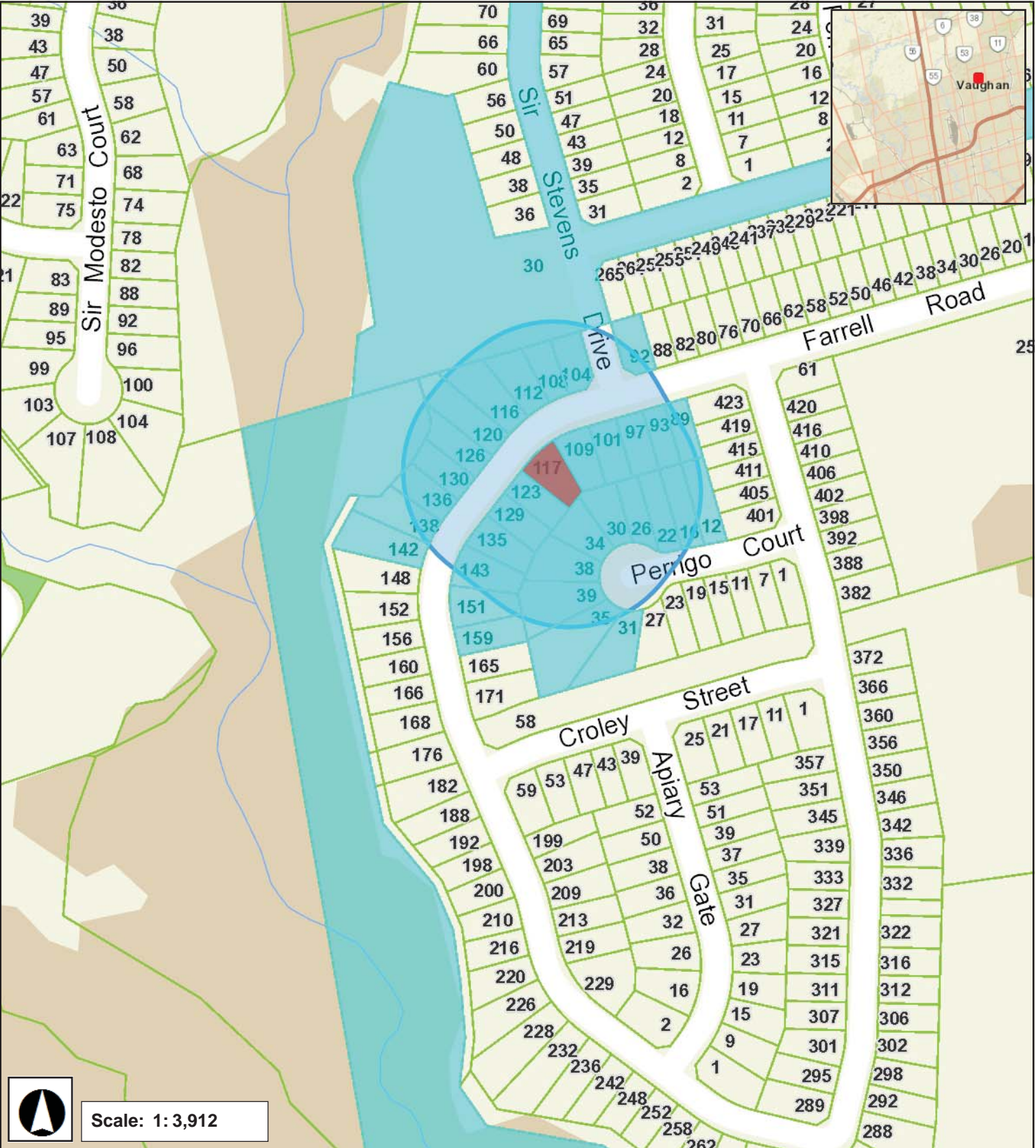
Schedule A: Plans & Sketches

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Location Map  
Sketches



117 Farrell Road, Maple

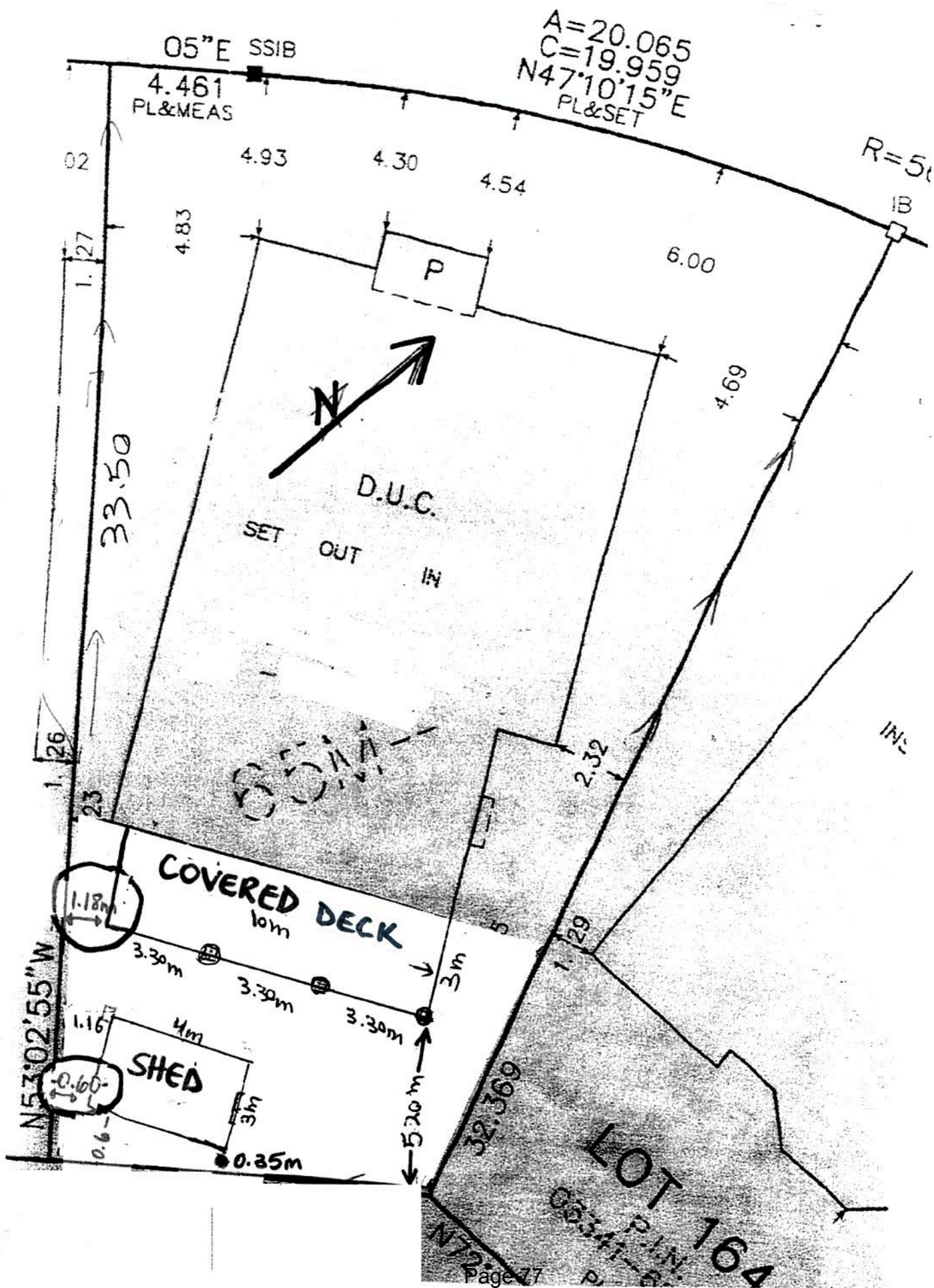


Major Mackenzie Drive

March 13, 2019 1:24 PM



117 Farrell Road



**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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Located outside of MTO permit control area



**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  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

**MacPherson, Adriana**

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**Subject:** FW: MVAR.19.V.0067 (A022/19) - 117 Farrell Road - Pouyan Khamassi

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**From:** McMackin, Joseph <Joseph.McMackin@york.ca>  
**Sent:** February-22-19 1:35 PM  
**To:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>  
**Subject:** MVAR.19.V.0067 (A022/19) - 117 Farrell Road - Pouyan Khamassi

Hi Adriana,

The Regional Municipality of York has completed its review of the above mentioned Minor Variance Application and has no comment.

Please feel free to contact me if you have any further questions or concerns.

Best,

**Joseph McMackin, B.URPI | Associate Planner**  
Planning and Economic Development Branch, Corporate Services Dept.

-----  
The Regional Municipality of York| 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
**O:** 1-877-464-9675 ext. 71516 | [joseph.mcmackin@york.ca](mailto:joseph.mcmackin@york.ca) | [www.york.ca](http://www.york.ca)

*Our Values: Integrity, Commitment, Accountability, Respect, Excellence*

Please consider the environment before printing this email.

**MacPherson, Adriana**

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**Subject:** FW: Request for Comments

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**From:** Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>  
**Sent:** February-19-19 2:02 PM  
**To:** Vigneault, Christine <Christine.Vigneault@vaughan.ca>  
**Cc:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; Mazzotta, Rob (MTO) <Rob.Mazzotta@ontario.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>  
**Subject:** Request for Comments

Hi Christine,

MTO Highway Corridor Management Section has reviewed the location of the following Applications for Minor Variance:

- A018/19** – 99 Klein Mills Rd., Kleinburg, ON.
- A213/18** – 10930 Pine Valley Dr., Vaughan, ON.
- A016/19** – 1600 Steeles Ave., Vaughan, ON.
- A014/19** – 79 Crestwood Rd., Thornhill, ON.
- A005/19** – 129 Villa Park Dr., Woodbridge, ON.
- A002/19, A003/19 & A004/19** – 199 Arnold Ave., Thornhill, ON.
- A009/19** – 111 Endless Circle, Kleinburg, ON.
- A218/18** – 99 Heritage Estates Rd., Maple, ON.
- A022/19** – 117 Farrell Road, Maple, ON.

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

**Paul Nunes** | Corridor Management Officer  
Ministry of Transportation | Corridor Management Section | York Region  
159 Sir William Hearst Avenue, 7<sup>th</sup> floor Building D, Downsview, ON M3M 0B7  
(416) 235-5559 | [paul.nunes@ontario.ca](mailto:paul.nunes@ontario.ca)



Confidentiality Warning: This message and any attachments may contain PRIVILEGED and CONFIDENTIAL INFORMATION and is intended only for the use of the recipient(s). If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you have received this message in error, please immediately notify the sender by return e-mail, and delete this message and any attachments from your system. Thank you.

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

Minor Variance Application A104/18

**NOTICE OF DECISION**  
**Minor Variance Application A104/18**  
 Section 45 of the Planning Act, R.S.O, 1990, c.P.13

**Date of Hearing:** Thursday, July 19, 2018  
**Applicant:** Pouyan Khamassi  
**Agent** Shahram Khamassi  
**Property:** **117 Farrell Rd, Maple**  
**Zoning:** The subject lands are zoned RD2 Residential Detached Zone Two and subject to the provisions of Exception 9(1385) under By-law 1-88 as amended.  
**OP Designation:** VOP 2010: "Low-Rise Residential" within the "Oak Ridges Moraine Settlement Area"  
**Related Files:** None  
**Purpose:** Relief from the By-Law is being requested to permit continued construction of a rear yard shed.

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

By-law Requirement	Proposal
1. A minimum rear yard setback of 7.5 metres is required to the accessory building.	1. To permit a minimum rear yard setback of 0.35 metres to the accessory building (shed).
2. A minimum rear yard setback of 7.5 metres is required to the covered porch.	2. To permit a minimum rear yard setback of 5.20 metres to the covered porch.

**Sketch:** A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A104/18 on behalf of Pouyan Khamassi be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	1) Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder of the minor variance and proposed work to the property in question and provide a copy of the notification to the City.

For the following reasons:



- 1. The general intent and purpose of the by-law will be maintained.
- 2. The general intent and purpose of the official plan will be maintained.
- 3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- 4. The requested variance(s) is/are minor in nature.

**Please Note:**


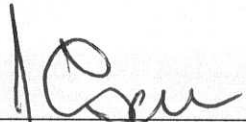
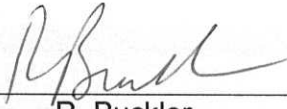


Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.


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.

**Written & oral submissions considered in the making of this decision were received from the following:**

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday , July 19, 2018 meeting for submission details.
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:
Name: Address: Nature of Correspondence:	Name: Address:

**SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:**

		
H. Zheng Member	J. Cesario Chair	R. Buckler Vice Chair
		
M. Mauti Member		A. Perrella Member

<b>DATE OF HEARING:</b>	<b>Thursday , July 19, 2018</b>
<b>DATE OF NOTICE:</b>	<b>July 27, 2018</b>
<b>LAST DAY FOR *APPEAL:</b> *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	<b>August 08, 2018 4:30 p.m.</b>
<b>CERTIFICATION:</b> I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.   Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

**Appealing to The Local Planning Appeal Tribunal**  
*The Planning Act, R.S.O. 1990, as amended, Section 45*

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

**Appeal Fees & Forms**

**Local Planning Appeal Tribunal:** The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca) or by visiting our office.

**City of Vaughan LPAT Processing Fee:** \$793.00 per application

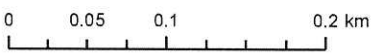
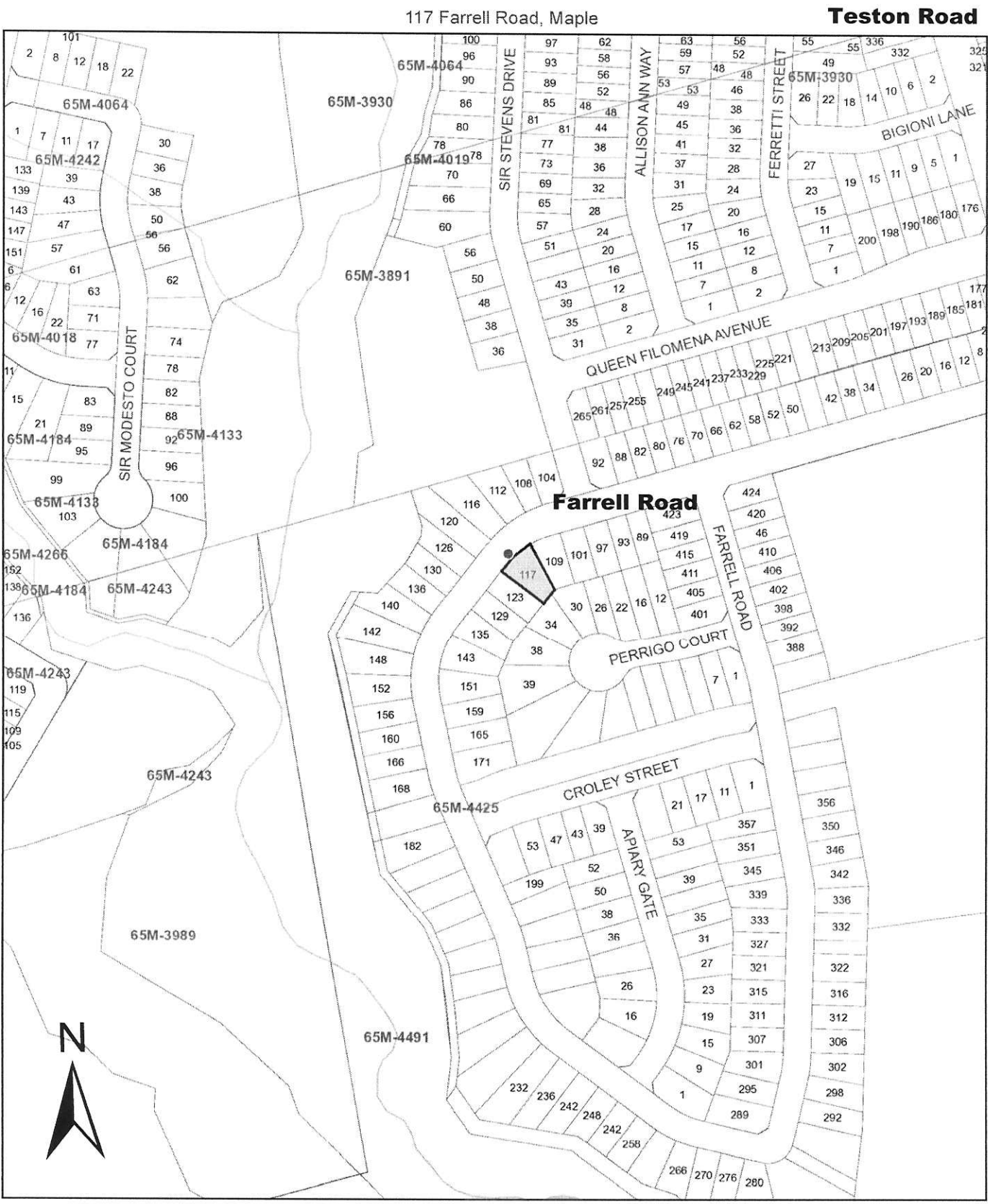
\*Please note that all fees are subject to change.

**Conditions**

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from each respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All applicable conditions must be cleared prior to the issuance of a Building Permit.



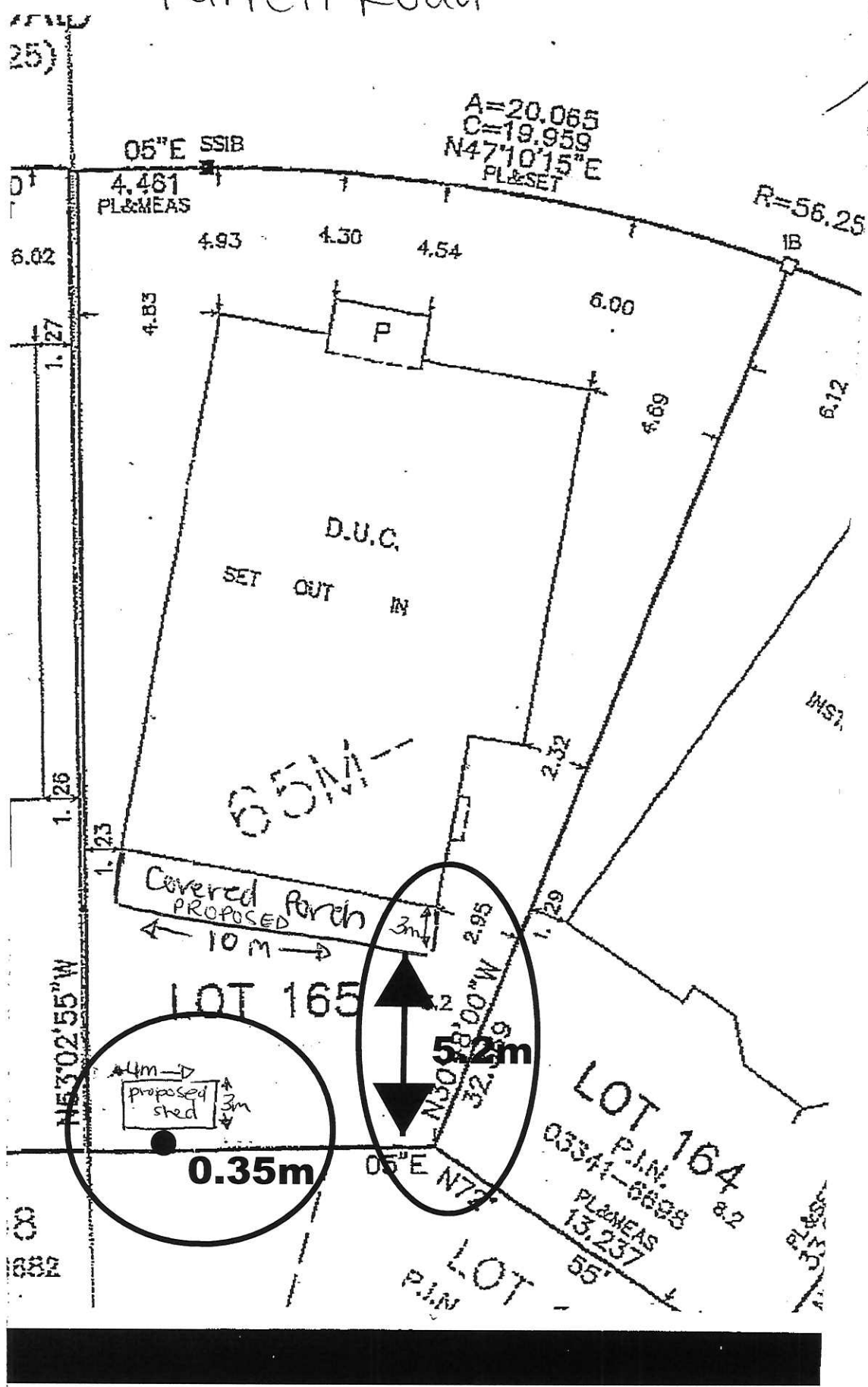
# Location Map - A104/18



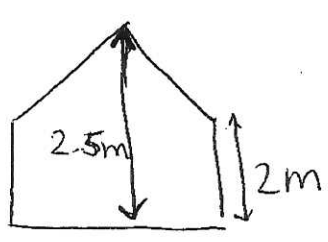
The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

A104/18

Farrell Road



Shed-



**File:** A016/19**Applicant:** Saulberg Investments Company Ltd**Address:** 1600 Steeles Avenue, Unit 10, Vaughan**Agent:** Lakeshore Group

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on 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"/>	
Urban Design	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks Department		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

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**Adjournment History:** March 7, 2019

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**Background History:** N/A

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Staff Report Prepared By: Adriana MacPherson  
Hearing Date: Thursday, March 21, 2019



**Minor Variance  
Application**  
  
**A016/19**

**Agenda Item: 9**  
  
**Ward: 5**

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

**Date of Hearing:** Thursday, March 21, 2019

**Applicant:** Saulberg Investments Company Ltd

**Agent:** Lakeshore Group

**Property:** **1600 Steeles Avenue, Unit 10, Vaughan**

**Zoning:** The subject lands are zoned EM1 , Prestige Employment Area and subject to the provisions of Exception 9(286) under By-law 1-88 as amended

**OP Designation:** VOP 2010: 'Employment Commercial Mixed-Use' with a maximum permitted height of 8-stories and density of 2.5 FSI.

**Related Files:** None

**Purpose:** Relief from the By-Law in being requested to permit an axe throwing facility within Unit 10.

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

By-law Requirement	Proposal
An axe throwing facility is not a permitted use.	To permit the use of an axe throwing facility.

**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:**

Hearing Date:	Members Absent from Hearing:	Status of Adjournment: (i.e. date/sine die)	Reason for Adjournment:
March 7, 2019	None	March 21, 2019	To address Finance Conditions

**Staff & Agency Comments**

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

**Committee of Adjustment:**  
Public notice was mailed on March 6, 2019

Applicant confirmed posting of signage on February 18, 2019 & March 12, 2019

Property Information	
Existing Structures	Year Constructed
Building	1991

Applicant has advised that they cannot comply with By-law for the following reason(s): An axe throwing facility is not permitted under the By-Laws.

**Adjournment Request:** N/A**Building Standards (Zoning Review):**

Stop Work Order(s) and Order(s) to Comply: None

Building Permit No. 01-000200 for Eating Establishment - Alteration, Issue Date: Feb 20, 2001

Building Permit No. 02-005893 for Business and Prof. Office Unit - Alteration, Issue Date: Nov 21, 2002

Building Permit No. 08-004079 for Business and Prof. Office Unit - New, Issue Date: Aug 28, 2008

Building Permit No. 08-003862 for Business and Prof. Office Unit - Interior Unit Alteration, Issue Date: Aug 28, 2008

Building Permit No. 16-003319 for Multi-Use (Comm. Speculative) - Repair of Existing Structure, Issue Date: Oct 19, 2016

Building Permit No. 18-002418 for Bank - Interior Unit Alteration, Issue Date: Oct 03, 2018

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval. The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority). The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

Please note as of January 1, 2015 Accessible Parking Spaces are subject to the provisions of Ontario Regulation - O.Reg.413/12, Subsections 80.32 through 80.39, which supersede the current by-law requirements in By-law 1-88 as amended.

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

VOP 2010: 'Employment Commercial Mixed-Use' with a maximum permitted height of 8-stories and density of 2.5 FSI.

The Development Planning Department has reviewed the proposal and is of the opinion that it 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.

The Development Planning Department recommends approval of the application.

**Urban Design:**

There are no cultural heritage concerns for this application.

**Development Engineering:**

The Development Engineering Department has review the subject variance application and offers no comment or objection at this time.

**Parks Development:**

No Response.

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**Financial Planning and Development Finance:**

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

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

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

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



Recommended condition of approval:

Prior to the final approval of the Minor Variance, the Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.

**Finance comments March 14, 2019:** *After reviewing the documentation provided with our Zoning team, and seeing the history of this property, we are now comfortable with removing or relieving this condition from the Minor Variance.*

**Fire Department:**  
No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**  
Cover Letter (Agent)

**Schedule C - Agency Comments**  
Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections  
MTO – Located outside of MTO permit control area

**Schedule D - Previous Approvals (Notice of Decision)**  
List Application Numbers i.e. Minor Variance A001/17

**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: None

**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.

**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.

**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**

**WRITTEN SUBMISSIONS:** 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, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[CofA@vaughan.ca](mailto:CofA@vaughan.ca)

**ORAL SUBMISSIONS:** If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio 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.

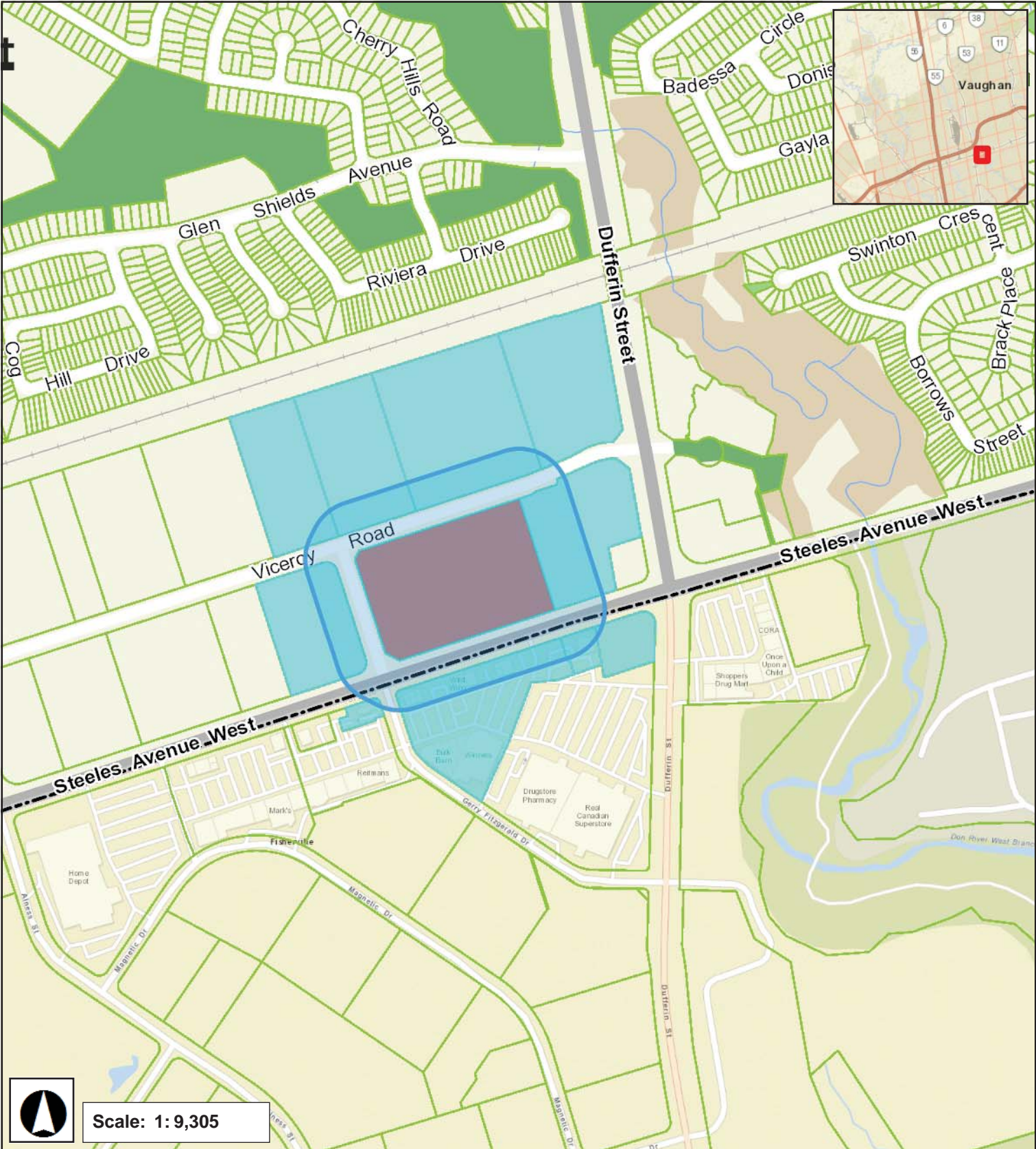
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**For further information please contact the City of Vaughan, Committee of Adjustment**  
**Adriana MacPherson**  
T 905 832 8585 Extension 8360  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

1600 Steeles Avenue, Unit 10





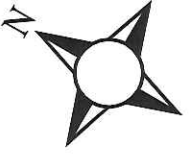


# Location Map- A016/19

1600 Steeles Avenue, Thornhill



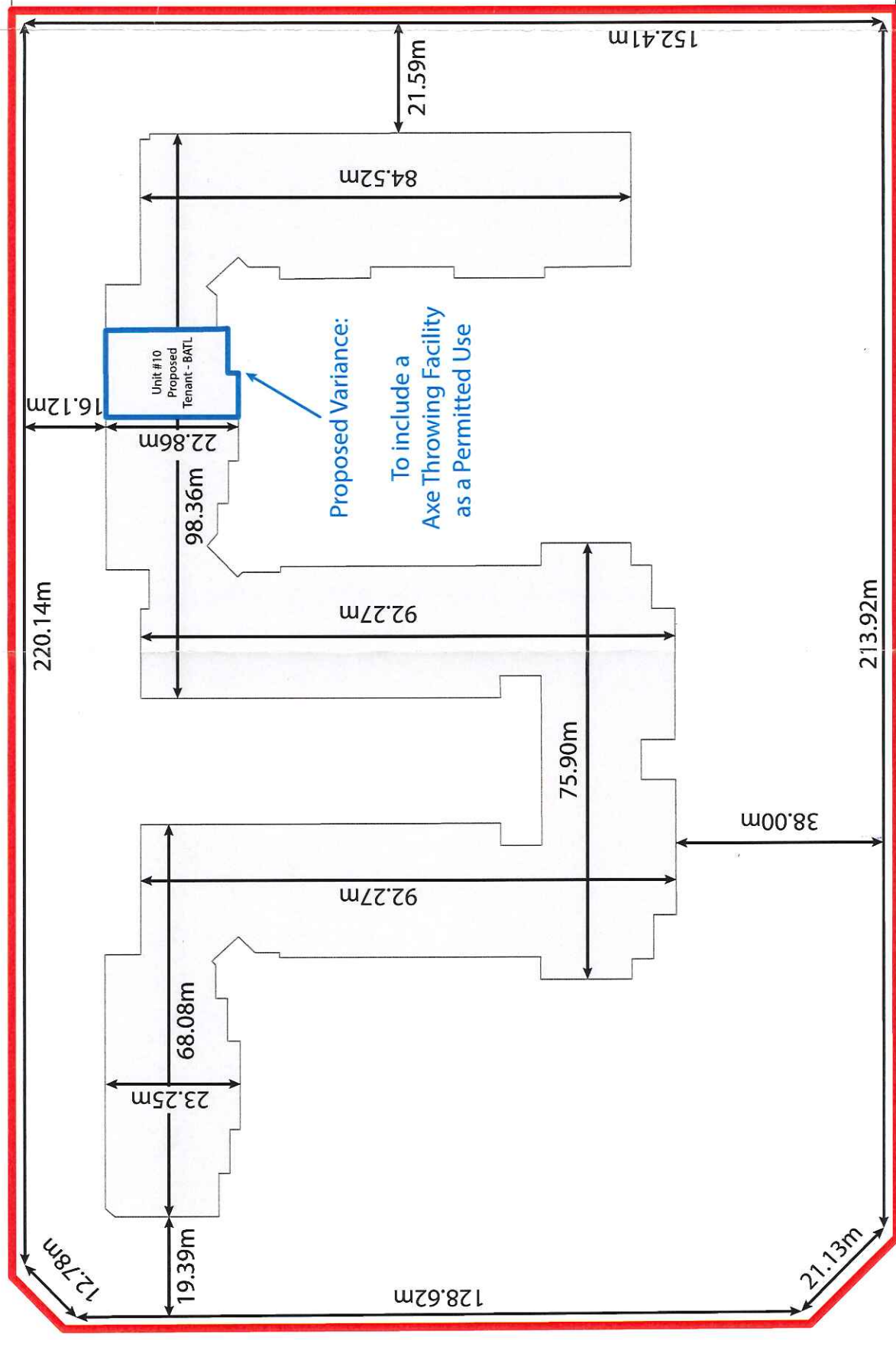
February 15, 2019 9:54 AM



Varies (Office / Commercial / Industrial)

Varies (Office / Commercial / Industrial)

Viceroy Road (Public R.O.W.)



Varies (Commercial / Retail)

Steeles Avenue West (Public R.O.W.)

Site 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. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

**Cover Letter (Agent)**



Ad 16119.



## LAKESHORE GROUP

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January 28, 2019

VIA EMAIL [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

Ms. Christine Vigneault  
Secretary Treasurer  
Committee of Adjustment  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1  
Telephone: 905-832-2281

Dear Ms. Vigneault:

**RE: 1600 Steeles West Avenue – MINOR VARIANCE APPLICATION**

BATL Global Corporation is a proposed tenant in the building located at 1600 Steeles Avenue West which is owned by Saulberg Investments Company Limited. We are the land use planning consultants acting on behalf of the landowner and BATL with respect to the Minor Variance application outlined in this letter.

This letter and attached plans form an application to permit a variance to By-Law 1-88 and Site-Specific Exception E-290A (286). The requested minor variance seeks to add a permission to include a recreational axe throwing facility as a permitted use.

### **2.0 SITE DESCRIPTION AND AREA CONTEXT**

As shown below, the subject site is located on the north side of Steeles Avenue West, west of Dufferin Street. The property is approximately 3.47ha / 8.57ac in area. The subject site contains a one to four-storey multiple tenant mixed use commercial and office building with an exterior surface parking area. The existing building's floor plate is 8,753m<sup>2</sup> / 94,216ft<sup>2</sup>.

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TH#3  
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**Figure 1. Subject Site and Surrounding Context**



Source: ESRI (2018)

**Figure 2. Subject Site Street View**



Source: Google Street View (2018)



The axe throwing facility will occupy Unit #10 (approximately 483m<sup>2</sup> / 5,203ft<sup>2</sup> in area) in the building outlined above.





2.0 APPLICATION DETAILS & REQUESTED VARIANCES

BATL Global Corporation operates recreational axe throwing instruction, tournaments and leagues, typically located in industrial and commercial buildings across North America. The By-Law for the lands presently permits recreational uses including billiard halls, bowling alleys, and public halls. As shown in Table 1, the axe throwing use closely resembles the existing permitted use of ‘bowling alley’.

Table 1. Similarity Chart – Bowling Alley vs. Axe Throwing Facility

	Bowling Alley	Axe Throwing Facility
Similarities Relevant to By-Law 1-88	Consists of bowling lanes	Consists of throwing lanes in matched pairs just like bowling, with common seating area behind the lanes for the guests renting the lanes.
	May include a billiard hall (<25% of floor area)	Design typically permits one to two pool tables, which consist of <10% of floor area, operated in conjunction with the axe throwing lanes
General Similarities	Group scoring system with high score winner	Group scoring system with high score winner
	Lanes rented by the hour or by the match.	Lanes rented by the hour or by the match.
	Supported by limited food and beverage service as ancillary use	Supported by limited food and beverage service as ancillary use
	Target based recreational activity, throwing a ball down a lane.	Target based recreational activity, throwing an axe down a lane.
	Group based activity with groups spread out along group of neighboring lanes.	Group based activity with group sizes ranging from 4-24+, with groups spread out along group of neighboring lanes.
	Open to all ages with liquor limited to those at age of majority.	Limited to ages 16+ with liquor limited to those at age of majority.
	Self service operations at the lanes.	Coach/trainer lead service at the lanes, with a coach to thrower ratio of 1:2 at all times.

2.1 Variance Required

As “Axe Throwing Facility” or a similar term is not noted in the list of permitted uses for the site, a variance is requested to clearly indicate that the proposed use is permitted, notwithstanding its recreational similarity to bowling.

3.0 REASONS WHY MINOR VARIANCE SHOULD BE GRANTED

The variance requested meets the 4 tests of Section 45.1 of the *Planning Act* as follows:



### **1. The variance requested meets the intent and purpose of the Official Plan**

As per Schedule 1 – Urban Structure, the subject site is designated within the 'Primary Intensification Corridors within Employment Areas' area. This designation recognizes existing areas of predominately commercial uses within the Employment Area.

As per Schedule 13 – Land Use Designations, the subject site is designated as 'Employment Commercial Mixed-Use'. Lands designated as Employment Commercial Mixed-Use permit 'Cultural and Entertainment Uses'.

The proposed axe throwing facility is a commercial Entertainment Use permitted by the policies of the Official Plan. No Official Plan amendment is required to establish the use and as such the variance requested meets the intent and purpose of the Official Plan. The facility will provide non-residential intensification to the subject site and patrons of the facility will be able to efficiently utilize the proposed rapid transit network. The facility will operate as an entertainment use and will offer an appropriate ancillary use to the existing employment area.

### **2. The variance requested meets the general intent and purpose of the bylaw**

The subject site is zoned 'Employment EM1 Prestige Employment Area Zone' by The Corporation of the City of Vaughan By-Law 1-88. Site-Specific Exception 286 (as per Schedule E-290A) also applies to the subject site. Exception 286 permits a range of commercial, office, and entertainment uses, including the following uses:

- Billiard hall, bowling alley and public hall provided that the maximum combined gross floor area of these uses shall not exceed 667 sq.m.

The general intent of the Zoning By-Law is to permit a wide range of employment uses on the subject site, including 'Cultural and Entertainment Uses'. The proposed axe throwing facility complies with this intent.

The proposed axe throwing facility is similar to the 'bowling alley' use and does not exceed the 667m<sup>2</sup> maximum combined gross floor area as permitted. The required parking space ratio of 4.0 spaces for every alley subject to the bowling alley use will be similarly provided for each axe throwing lane and is accommodated into the existing surface parking area.

Furthermore, no alterations to the exterior of the existing building are proposed. BATL's operations will occur solely indoors (and there is no outdoor storage).

In light of the foregoing, the variance to permit an axe throwing facility meets the intent and purpose of the Zoning By-Law.



### **3. The variance requested is desirable for the appropriate development of the applicable lands, building or structure**

The requested variance to permit an axe throwing facility is considered desirable and an appropriate use of the subject site and existing building.

Bowling alleys are permitted in the EM1 zone and operate similar to and have similar land use impacts as the proposed axe throwing facility. As demonstrated in Table 1, axe throwing facilities consist of a series of lanes similar to bowling alleys. The group-based activities are both recreational in nature and provide entertainment by the hour or by the match. Additionally, both uses are supported by limited food and beverage services.

The existing building in which the axe throwing facility is proposed is legally established. As such, using one of the units in the building for a similar permitted use is desirable for the development of the applicable lands, building or structure.

### **4. The variance requested is minor in nature**

The recreational axe throwing facility will occur within the existing building which currently allows for a range of recreational, commercial, and office uses. The proposed axe throwing facility does not exhibit any unacceptable or undesirable land use impacts on or off site. A similar use, 'bowling alleys', is permitted on site and is not considered to be undesirable or uncharacteristic in the subject zone. As such, the variance requested is minor in nature.

For the foregoing reasons, the requested variances meet the four tests of the Planning Act.

## **4.0 SUBMITTED PLANS AND DOCUMENTS**

As part of this application, the following documents are enclosed as part of this package:

- Land Use Planning Justification Letter by Lakeshore Group dated January 28, 2019 (This Letter)
- Site Plan
- Leased Premises Plan
- Proposed Interior Layout Plan

### **Application Fee**

- An application Fee of \$3,359.00 will be paid upon receipt of confirmation of acceptance at the in-person application submission.

Should you have any questions, please feel free to call me at (416) 364-5926.





**LAKESHORE GROUP**

Sincerely,  
**THE LAKESHORE GROUP**

David Ashbourne,  
SENIOR PLANNER

c.c.  
Ryan Thorsley, BATL  
Mark Goldsman, Milestone Property Management Limited  
Rick Pennycooke, Lakeshore Group

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. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Located outside of MTO permit control area





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  
**Phone:** 1-877-963-6900 ext. 31297  
**Fax:** 905-532-4401  
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mr. Tony D'Onofrio  
Supervisor, Subdivisions & New Services  
**Phone:** 1-877-963-6900 ext. 24419  
**Fax:** 905-532-4401  
**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)

## MacPherson, Adriana

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**Subject:** FW: A016/19 - Request for Comments 1600 Steeles Avenue West  
**Attachments:** A016-19 - Circ.pdf

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** February-20-19 9:36 AM  
**To:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Subject:** FW: A016/19 - Request for Comments 1600 Steeles Avenue West

Good Morning Adriana,  
The Regional Municipality of York has completed its review of the above Minor Variance application and has no comment.  
Regards,  
Gabrielle

*Gabrielle Hurst, BAA, MCIP.RPP. C.Tech*

Programs and Process Improvement | Planning and Economic Development Branch | Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
O 1-877-464-9675 ext. 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | Our Values: Integrity, Commitment, Accountability, Respect, Excellence

**Subject:** FW: Request for Comments

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**From:** Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>  
**Sent:** February-19-19 2:02 PM  
**To:** Vigneault, Christine <Christine.Vigneault@vaughan.ca>  
**Cc:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Committee of Adjustment <CofA@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Della Mora, Dan (MTO) <Dan.DellaMora@ontario.ca>; Mazzotta, Rob (MTO) <Rob.Mazzotta@ontario.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>  
**Subject:** Request for Comments

Hi Christine,

MTO Highway Corridor Management Section has reviewed the location of the following Applications for Minor Variance:

- A018/19** – 99 Klein Mills Rd., Kleinburg, ON.
- A213/18** – 10930 Pine Valley Dr., Vaughan, ON.
- A016/19** – 1600 Steeles Ave., Vaughan, ON.
- A014/19** – 79 Crestwood Rd., Thornhill, ON.
- A005/19** – 129 Villa Park Dr., Woodbridge, ON.
- A002/19, A003/19 & A004/19** – 199 Arnold Ave., Thornhill, ON.
- A009/19** – 111 Endless Circle, Kleinburg, ON.
- A218/18** – 99 Heritage Estates Rd., Maple, ON.
- A022/19** – 117 Farrell Road, Maple, ON.

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

**Paul Nunes** | Corridor Management Officer  
Ministry of Transportation | Corridor Management Section | York Region  
159 Sir William Hearst Avenue, 7<sup>th</sup> floor Building D, Downsview, ON M3M 0B7  
(416) 235-5559 | [paul.nunes@ontario.ca](mailto:paul.nunes@ontario.ca)



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