

**File:** A181/19

**Applicant:** Sangsik & Heerin Kim

**Address:** 63 Mendel Cr Thornhill

**Agent:** Gregory K Kimmins

Please note that comments received after the preparation of this Staff Report (up until 4:00 p.m. on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: A248/06 (see next page for details)

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday , February 27, 2020



Minor Variance  
Application

A181/19

Agenda Item: 17

Ward: 4

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing:

Thursday, February 27, 2020

Applicant:

Sangsik & Heerin Kim

Agent:

Gregory K Kimmins

Property:

63 Mendel Cr Thornhill

Zoning:

The subject lands are zoned RV4(WS) 9(1063) and subject to the provisions of Exception under By-law 1-88 as amended.

OP Designation:

Vaughan Official Plan 2010: Low-Rise Residential

Related Files:

None

Purpose:

Relief from the by-law is being requested to permit the construction of a proposed addition (solarium) located at the rear of the existing dwelling.

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

By-law Requirement	Proposal
A minimum Rear Yard setback of 6.0 metres is required.	To permit a minimum Rear Yard setback of 4.5 metres.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A248/06	4.5m rear yard setback to the addition	Approved June 22, 2006

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 staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

**Committee of Adjustment:**  
Public notice was mailed on February 12, 2020

Applicant confirmed posting of signage on February 10, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2003 (Purchased 2010)

Applicant has advised that they cannot comply with By-law for the following reason(s): Re-application due to the different size and shape of solarium with the Notice of Decision, which was approved in 2006, A248/06. In order to add a useful and moderate sized solarium to the existing dwelling unit, the unit must encroach into the required minimum rear yard setback.

Adjournment Request: N/A

**Building Standards (Zoning Review):**

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

Building Permit No. 19-002330 for Single Detached Dwelling - Addition, Issue Date: (Not Yet Issued)

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

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

Official Plan: Vaughan Official Plan 2010: Low-Rise Residential

The Owner is proposing a rear yard setback of 4.5 metres where 6.0 metres is required. The Development Engineering (DE) Department does not object to the proposed variance.

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 minor variance application.

**Development Engineering:**

The Development Engineering (DE) Department does not object to minor variance application A181/19.

**Parks, Forestry and Horticulture Operations:**

Forestry has no comments at this time.

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

No Response.

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No comment no concerns

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

Letter of Objection – Amani Zaki, 467 Autumn Hill Blvd. Thornhill

Letter of Objection – Nadir Zaki, 471 Autumn Hill Blvd, Thornhill

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

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

Minor Variance A248/06

**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 are recommended: 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. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

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 8002  
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.

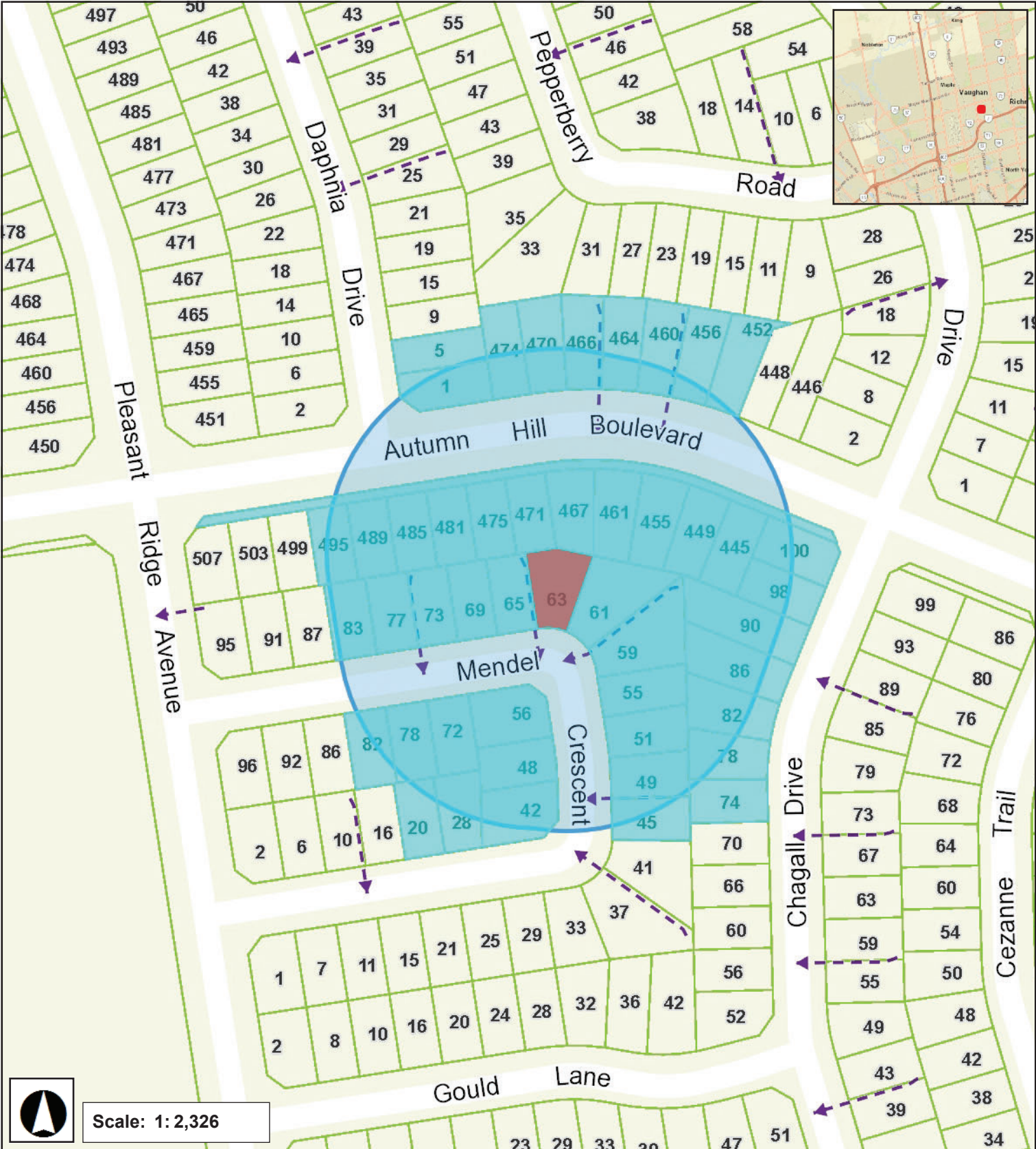
Location Map  
Sketches



# LOCATION MAP - A181/19

63 MENDEL CRESCENT, THORNHILL

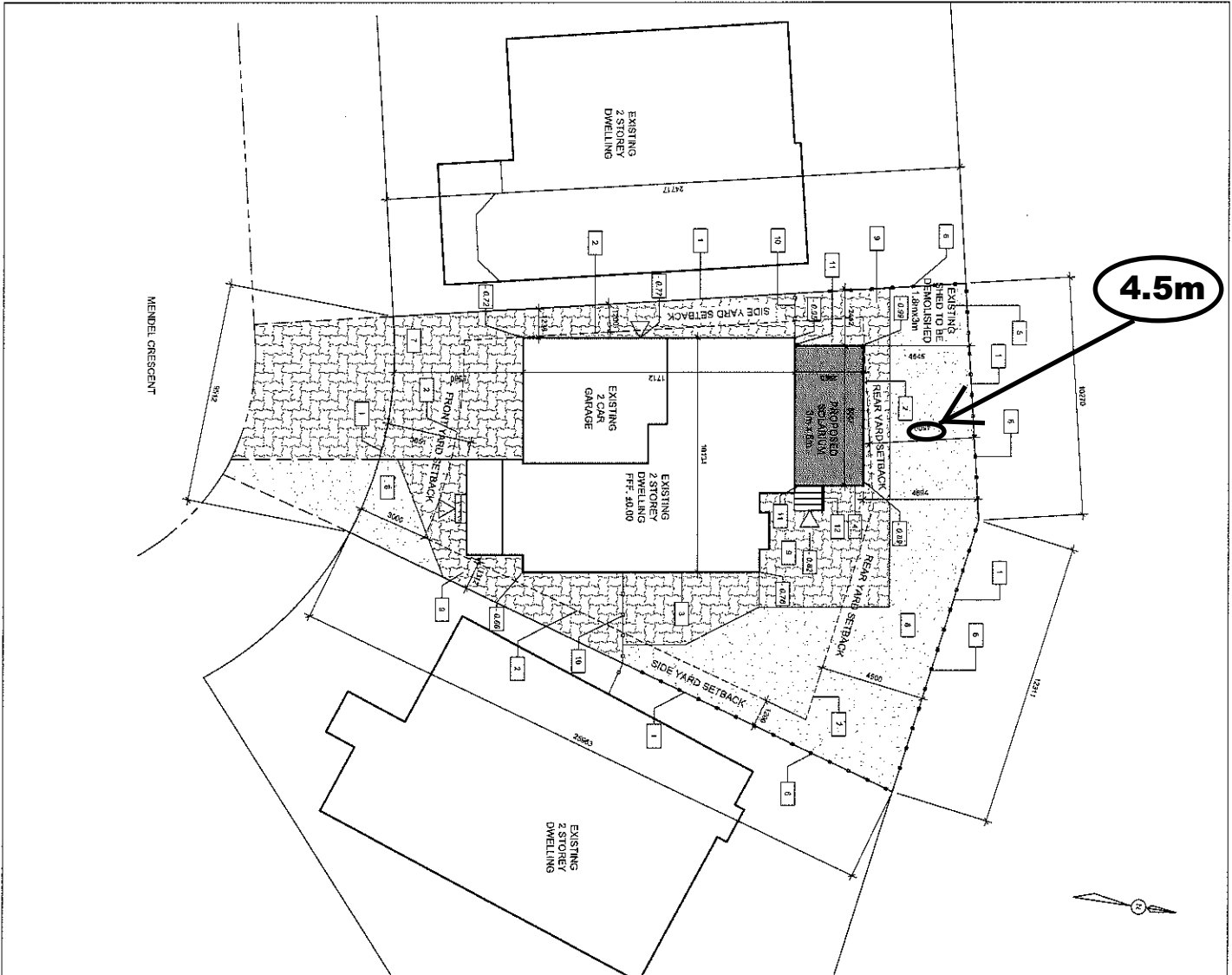
Rutherford Road



Langstaff Road

January 31, 2020 10:55 AM

1 SITE PLAN  
SCALE: 1/8"=1'-0"



- GENERAL NOTES:
- 1 PROPERTY LINE
  - 2 BUILDING SETBACK LINE
  - 3 EXISTING BUILDING OUTLINE
  - 4 PROPOSED SOLARIUM OUTLINE
  - 5 EXISTING GARAGE SHED (P.C. 100) TO BE DEMOLISHED
  - 6 EXISTING DRIVEWAY
  - 7 EXISTING DRIVEWAY
  - 8 EXISTING SIDEWALK
  - 9 EXISTING SIDEWALK
  - 10 EXISTING SIDEWALK
  - 11 EXISTING SIDEWALK
  - 12 NEW SIDEWALK PAVEMENT

- LEGEND:
- PROPERTY LINE
  - BUILDING SETBACK LINE
  - BUILDING ENTRANCE
  - LANDSCAPE AREA
  - PRECAST CONCRETE PAVING
  - PICTURE FRAME
  - EXISTING GRADE ELEVATION

Name of Project:		Kimmins Architects	
377 Bridge Avenue, Suite 1514		Toronto, Ontario, M5S 1X2	
Name of Project:		63 Mendel Crescent Solarium Addition	
Location:		63 Mendel Crescent, Thornhill, Ontario L4A 1S8	
Item		Ontario Building Code	
1 Project Description:		Dwelling, Part 3 & 9	
2 Major Occupancy Group C		11.1 to 11.4	
3 Building Area (m²)		11.1 to 11.4	
4 Gross Area (m²)		11.1 to 11.4	
5 Number of Storeys		1	
6 Number of Storeys/Floor Area		1	
7 Building Classification		11.1 to 11.4	
8 Sprinkler System Proposed		11.1 to 11.4	
9 Smokeproof required		11.1 to 11.4	
10 Fire Alarm required		11.1 to 11.4	
11 Water Supply/Supply is Adequate		11.1 to 11.4	
12 High Building		11.1 to 11.4	
13 Construction Requirements		11.1 to 11.4	
14 Actual Construction		11.1 to 11.4	
15 Occupant load based on		11.1 to 11.4	
16 Bathing facilities		11.1 to 11.4	

PROJECT STATISTICS:

ADDRESS:		63 MENDEL CRESCENT, THORNHILL, ONTARIO	
ZONING:		R4(4)S1 EXEMPTION 9(1063)	
LOT AREA:		413 m² (4,458 ft²)	
GROUND FLOOR AREA:		88.07 m²	
SECOND FLOOR AREA:		116.4 m²	
TOTAL:		204.47 m²	
COVERAGE:		29.33%	

ZONING:

SETBACK:		REQUIRED		PROPOSED		EXISTING	
FRONT YARD		3.0 m		3.65 m		3.65 m	
REAR YARD		4.5 m		4.54 m		4.54 m	
WEST SIDE YARD		1.2 m		1.23 m		1.23 m	
EAST SIDE YARD		1.2 m		1.31 m		1.31 m	
LANDSCAPING:		57.88 m²		98.43 m²		98.43 m²	
REAR YARD SOFT LANDSCAPING		34.71 m²		76.53 m²		76.53 m²	

377 Bridge Avenue, Suite 1514  
Toronto, Ontario M5S 1X2  
Tel: 416-461-4458  
www.kimminsarchitects.com

**Kimmins Architects**

63 Mendel Crescent, Thornhill, Ontario  
L4A 1S8

**63 MENDEL CRESCENT SOLARIUM ADDITION**

**SITE PLAN**

DATE: NOV 21, 2019

DESIGNED BY: G.K.

DRAWN BY: G.K.

CHECKED BY: A.O.T.

PROJECT TITLE

63 MENDEL CRESCENT SOLARIUM ADDITION

LOCATION

63 Mendel Crescent, Thornhill, Ontario

SCALE

1:100

DATE

NOV 21, 2019

DESIGNED BY

G.K.

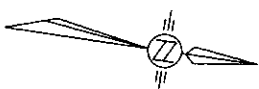
DRAWN BY

G.K.

CHECKED BY

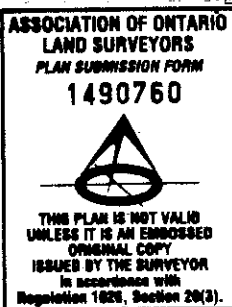
A.O.T.

SURVEYOR'S REAL PROPERTY REPORT  
PART 1) PLAN OF  
LOTS 70 TO 80 BOTH INCLUSIVE  
REGISTERED PLAN 65M-3673  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK  
SCALE 1:500  
P. SALNA CO. LTD., O.L.S.

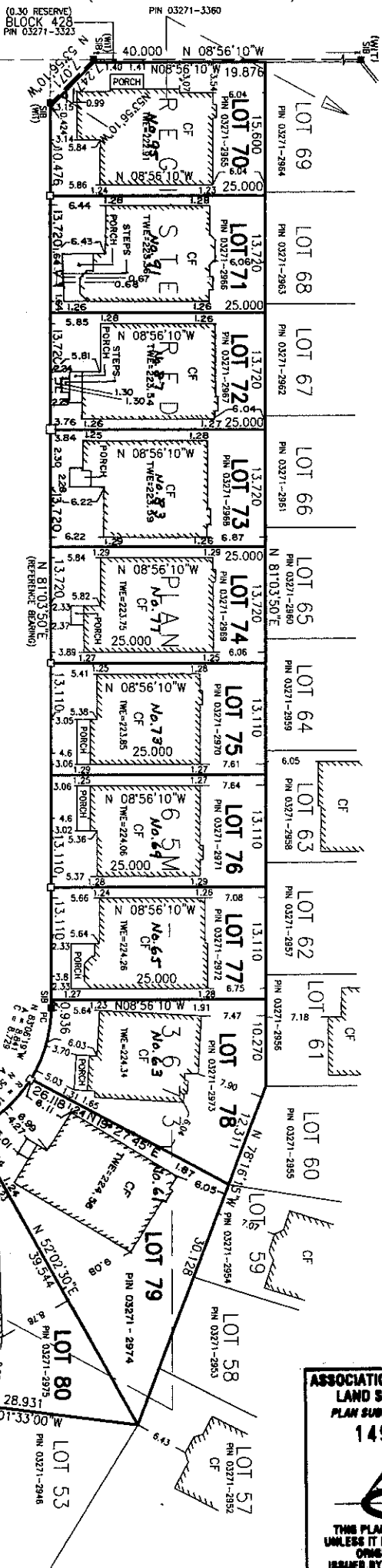


PART 2) SURVEY REPORT  
REGISTERED EASEMENTS AND/OR RIGHT OF WAYS,  
NO EASEMENTS OR RIGHT OF WAYS ARE REGISTERED.  
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS.  
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING  
BY-LAWS.

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



PLEASANT RIDGE AVENUE  
(BY REGISTERED PLAN 65M-3673)



MEDEL CRESCENT  
(BY REGISTERED PLAN 65M-3673)

PN 03271-3354

LOT	REVISION OF NEW DWELLINGS	O.L.S.
71	JULY 18, 2004	V. Salna
72	JULY 19, 2004	V. Salna
73	JULY 19, 2004	V. Salna
79	MAY 14, 2004	V. Salna

NOTE:  
ALL FOUND OR PLANTED MONUMENTS SHOWN HEREON  
ARE IRON BARS UNLESS NOTED OTHERWISE  
ALL FOUND MONUMENTS SHOWN HEREON WERE PLANTED  
BY HOLDING JONES WANDERER INC. O.L.S. UNLESS  
NOTED OTHERWISE  
ALL FOUND MONUMENTS SHOWN HEREON HAVE BEEN SET  
OR MEASURED IN ACCORDANCE WITH REGISTERED PLAN  
65M-3673

LEGEND

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- WIT DENOTES WITNESS
- OU DENOTES ORIGIN UNKNOWN
- CC DENOTES CUT CROSS
- S DENOTES SET
- M DENOTES MEASURED
- N DENOTES NOTES BY P. SALNA CO. LTD., O.L.S.
- PC DENOTES POINT OF CURVATURE
- PC DENOTES POINT OF REVERSE CURVATURE
- CF DENOTES CONCRETE FOUNDATION WALLS
- THE DENOTES TOP OF WALL ELEVATION
- GSE DENOTES GARAGE SILL ELEVATION
- PL DENOTES REGISTERED PLAN 65M-3673
- BR DENOTES 2 STOREY BRICK DWELLING
- BR DENOTES FOUND TEMPORARY WITNESS MONUMENTS BY P. SALNA CO. LTD., O.L.S.
- C DENOTES CALCULATED

NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS  
PLAN OR ANY PART THEREOF WITHOUT THE WRITTEN PERMISSION  
OF P. SALNA CO. LTD., O.L.S.

NOTES

- BEARINGS ARE ASTRONOMIC AND ARE  
DERIVED FROM THE NORTHERLY  
LIMIT OF MEDEL CRESCENT  
AS SHOWN ON REGISTERED PLAN 65M-3673  
HAVING A BEARING OF N 81°03'50" E

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE  
WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND  
TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON  
8th DAY OF DECEMBER 2003

DECEMBER 18th, 2003

R. SALNA, B.Sc.

ONTARIO LAND SURVEYOR

P. SALNA COMPANY LTD.  
ONTARIO LAND SURVEYORS

10225 YONGE STREET  
RICHMOND HILL, ONTARIO L4C 3B2  
PHONE (905) 884-3988 FAX: (905) 737-7516

PARTY CHIEF: PANCHA

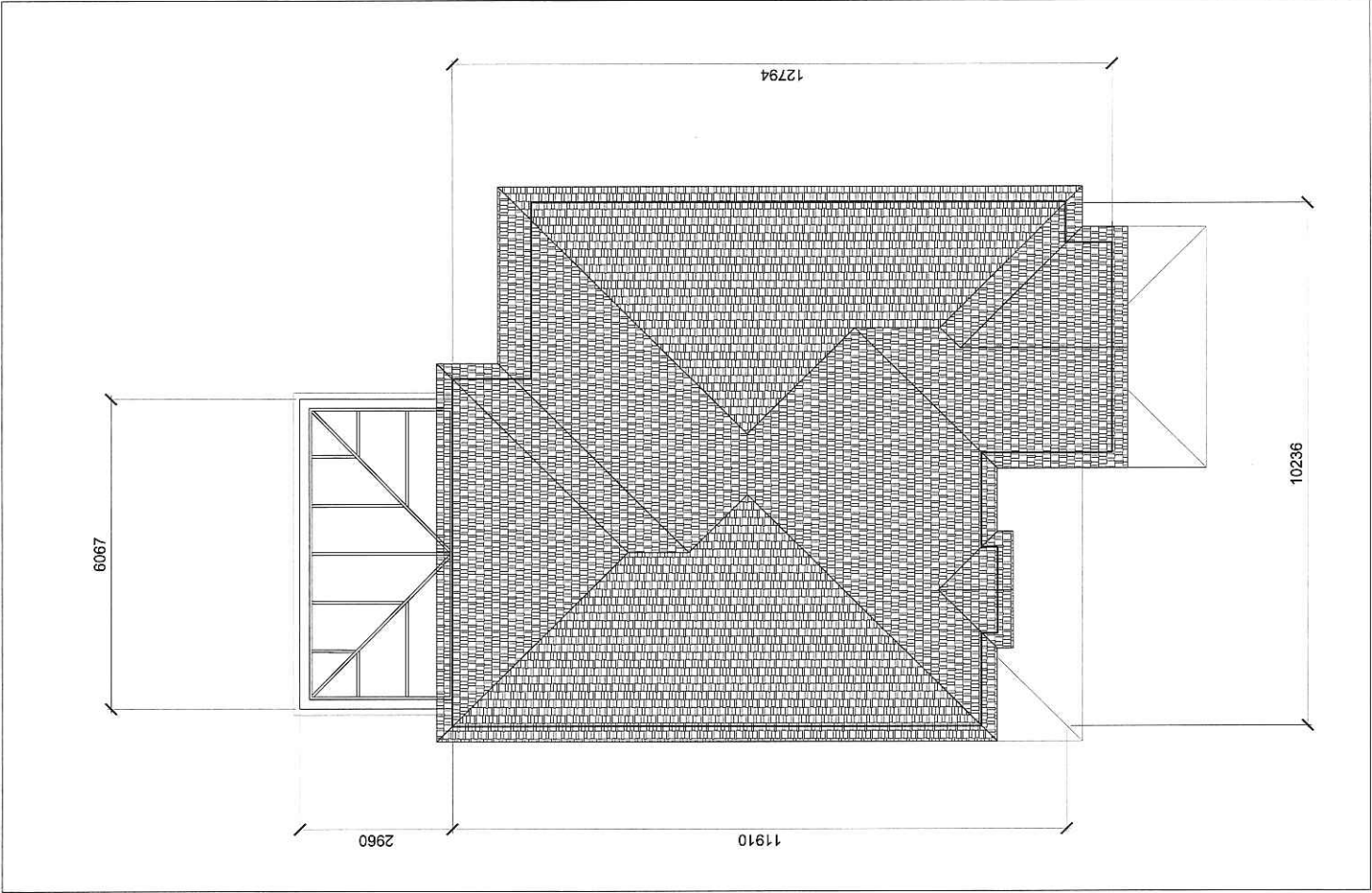
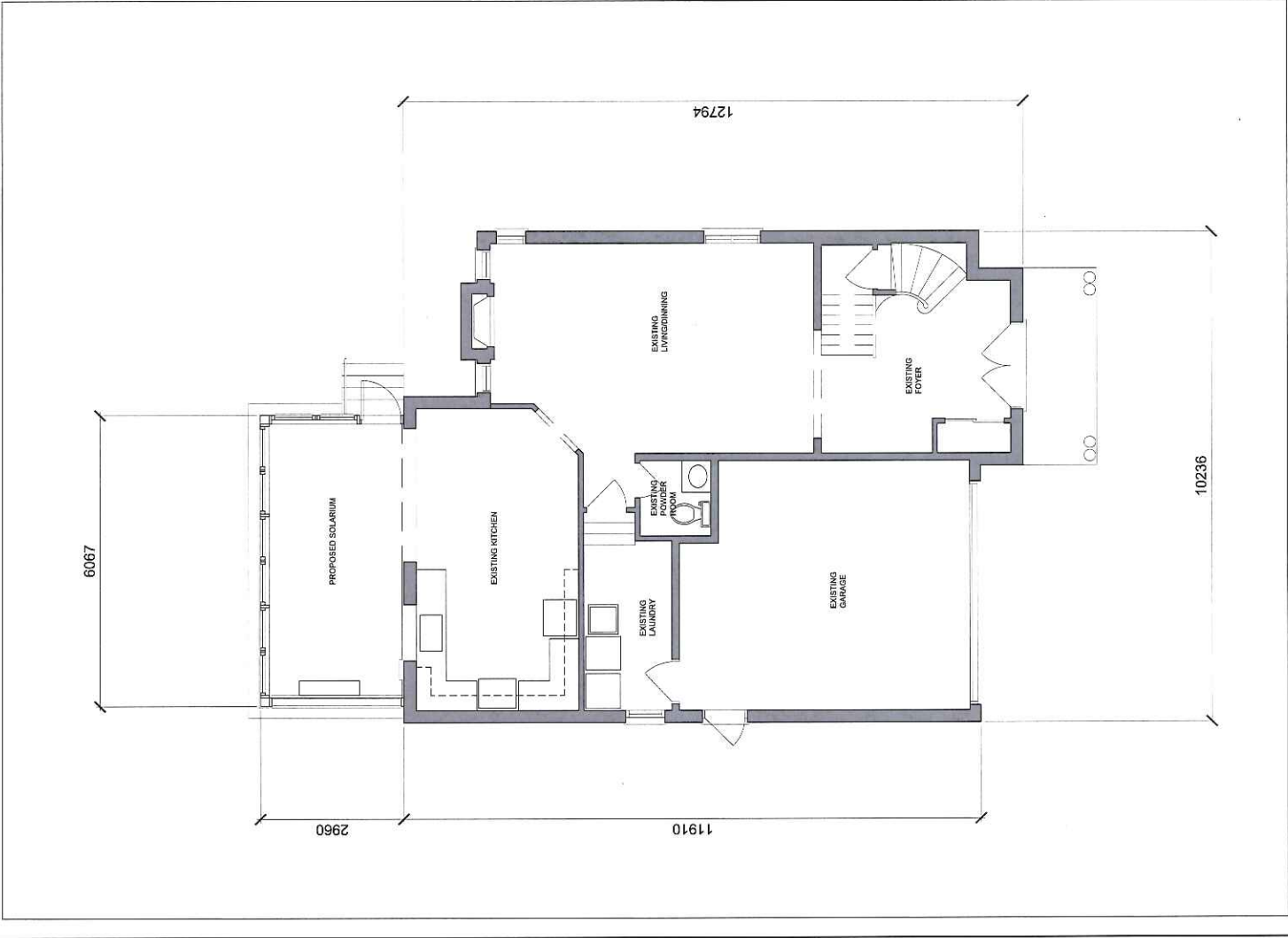
DRAWN BY: JASNA B.

CHECKED BY: SRI

CAD FILE: 3673K

FILE: 02-060

THIS REPORT WAS PREPARED FOR  
LIGHT BRASS CREEK HOME CORP.  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR USE BY  
OTHER PARTIES



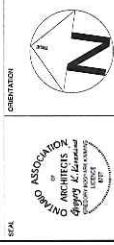
1  
A-05  
PROPOSED GROUND FLOOR PLAN  
SCALE: 1/4"=1'-0"

2  
A-05  
PROPOSED ROOF PLAN  
SCALE: 1/4"=1'-0"

ACTION		NO	DESCRIPTION	DATE
2	REVIEW FOR CON.			2019-12-23
1	REVIEW FOR BUILDING PERMIT			2019-01-19

**Kimmins Architects**  
377 Ridelle Ave. Suite 1514  
Toronto, Ontario M6B 1K2  
Tel: 1 - 647 - 448 - 3728  
gr.kimmins@gmail.com

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING AND PROPOSED STRUCTURES AND UTILITIES. ALL DIMENSIONS, SPECIFICATIONS AND MATERIALS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.



PROJECT TITLE

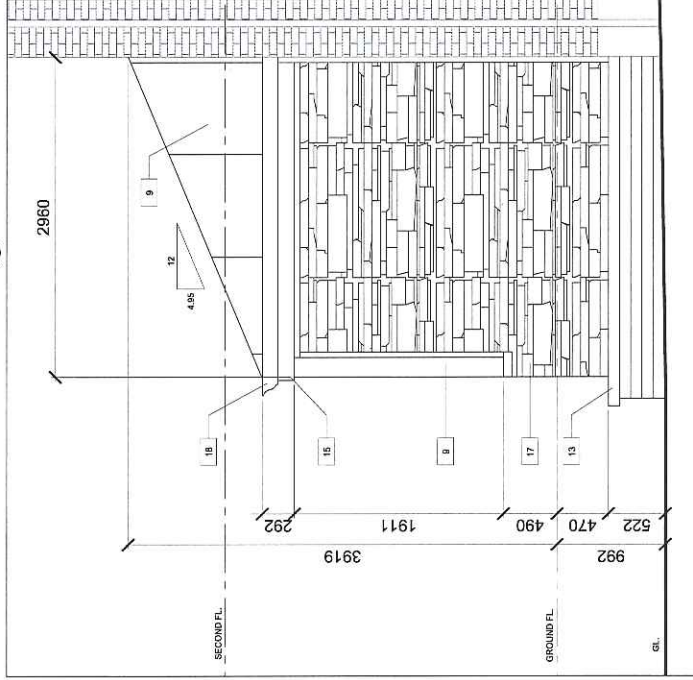
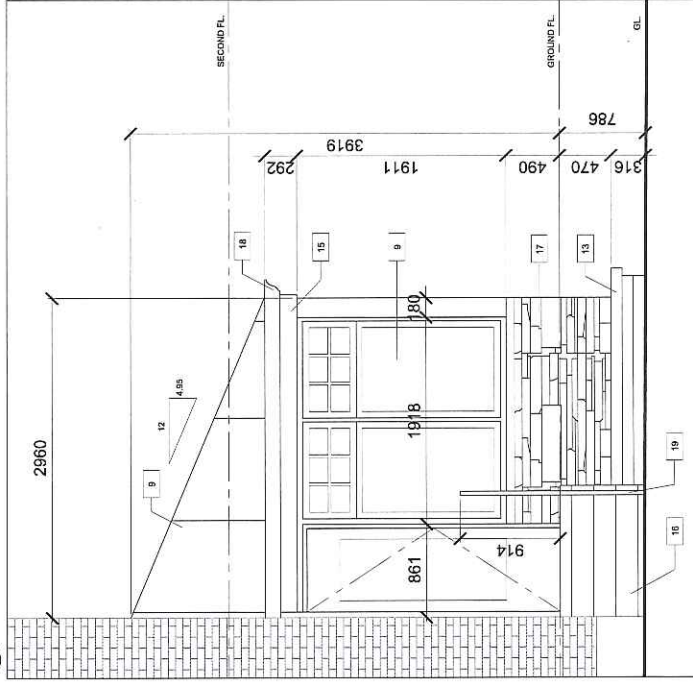
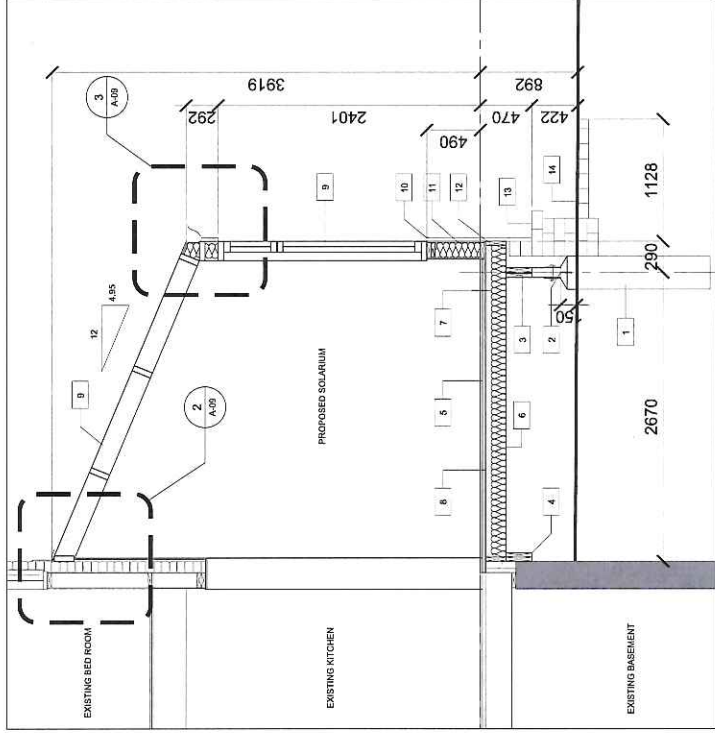
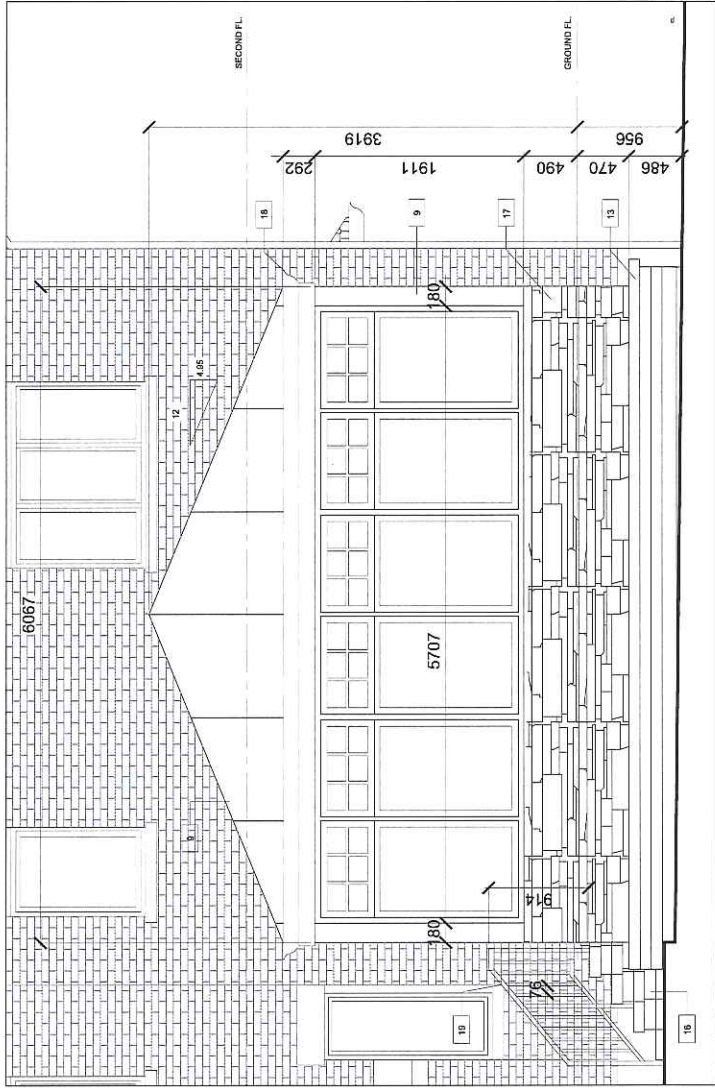
63 MENDEL CRESCENT  
SOLARIUM ADDITION

LOCATION:  
63 Mendel Crescent, Thornhill, Ontario

SHEET FILE  
PROPOSED GROUND FLOOR PLAN  
AND ROOF PLAN

SCALE	DATE	BY	CHK	DATE	CHK
	AS NOTED	B.K.		NOV. 21, 2019	G.K.
DRAWN BY:					
PROJECT NO:				2019-004	
					A-05





		2019-12-23	2019-12-19	DATE
2	ISSUED FOR COA			
1	ISSUED FOR BUILDING PERMIT			
NO	DESCRIPTION			
ACTIONS				

**Kimmins Architects**  
377 Ridelle Ave. Suite 1514  
Toronto, Ontario M6B 1K2  
Tel. 1 - 647 - 448 - 3728  
gr.kimmins@gmail.com

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT. ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND MAY NOT BE REPRODUCED WITHOUT HIS PERMISSION. DRAWINGS SHALL NOT BE SEALED. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS ISSUED FOR CONSTRUCTION AND SIGNED BY THE ARCHITECT.



FOR THE YEAR

63 MENDEL CRESCENT  
SOLARIUM ADDITION

LOCATION
63 Mendel Crescent, Thornhill, Ontario

SWEET VINE

PROPOSED SOLARIUM  
ELEVATIONS AND SECTION

SCALE	AS NOTED	DATE	NOV. 21, 2019
DRAWN BY	S.K	PAYED	G.K
PROJECT NO	2010-004	SHEET NO	A-08

**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.

**Letter of Objection – Amani Zaki, 467 Autumn Hill Blvd. Thornhill**  
**Letter of Objection – Nadir Zaki, 471 Autumn Hill Blvd, Thornhill**

**Attwala, Pravina**

---

**Subject:** FW: A181/19- 63 Mendel Crescent

**From:** Amani Zaki  
**Sent:** Friday, February 14, 2020 7:33 PM  
**To:** Committee of Adjustment <[CofA@vaughan.ca](mailto:CofA@vaughan.ca)>  
**Cc:** joseph boutros  
**Subject:** A181/19- 63 Mendel Crescent

Hi

I am the neighbours (467 Autumn Hill Blvd) at the rear of the above property. I strongly oppose the proposal of this provisions of Exception under By-law 1-88 as amended for the construction of the solarium at the rear of 63 Mendel Cr. This is because the solarium distance of 4.5 m from my house will interfere with me and my family privacy.

Therefore I want this submission to be rejected.

Regards

Amani Zaki

**Attwala, Pravina**

---

**Subject:** FW: Minor variance application A181/19 - 63 MENDEL Cr. Thornhill

**From:** Nadir Zaki

**Sent:** Sunday, February 16, 2020 6:08 PM

**To:** Committee of Adjustment <[CofA@vaughan.ca](mailto:CofA@vaughan.ca)>

**Subject:** Minor variance application A181/19 - 63 MENDEL Cr. Thornhill

City of Vaughan  
Committee of adjustment  
2141 Major Mackenzie Driver, Vaughan, ON L6A 1T1

Dear Christine Vigneault, ACST  
Manager of development services and secretary  
Treasurer to the committee of Adjustment

I am referring to the letter Notice of Hearing Minor Variance application.

I am living with my family at 471 autumn Hill Blvd. The proposed addition at the rear of 63 Mendel Cr. is at the rear of our house.

We have 2 bedrooms at the rear end of the building, the new addition has a potential to generate loud voices that will disturb our rest in our own house.

This is an addition to the potential invasion of our privacy as this addition will be very close to our property.

I am opposing the amendment for the minor variance application A181/19.

Please let me know if you have any questions.

Regards  
Nadir Zaki  
471 Autumn Hill Blvd, Vaughan

**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**

**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)

**Attwala, Pravina**

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**Subject:** FW: A181/19 - REQUEST FOR COMMENTS

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**From:** Development Services <developmentsservices@york.ca>  
**Sent:** January-23-20 1:13 PM  
**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Subject:** RE: A181/19 - REQUEST FOR COMMENTS

Hi Pravina,

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

Should you have any questions or concerns, please contact Sadaf Shahid, Planning Assistant at ext. 71516 or by email at [sadaf.shahid@york.ca](mailto:sadaf.shahid@york.ca).

Best,

**Sadaf Shahid | Planning Assistant**

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. 77807 | [sadaf.shahid@york.ca](mailto:sadaf.shahid@york.ca) | [www.york.ca](http://www.york.ca)

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Please consider the environment before printing this email.

Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A248/06

# NOTICE OF DECISION

**FILE NO: A248/06**

IN THE MATTER OF Subsection 45 of the Planning Act.

IN THE MATTER OF an application by **CARLO DeMARIA & SANDRA MACHIELLA**, with respect to Part of Lot 13, Concession 2, (Lot 78, Registered Plan 65M-3673. Municipally known as 63 Mendel Crescent, Thornhill).

The subject lands are zoned RV4 (WS), Residential Urban Village Zone Four and subject to the provisions of Exception Number 9(1063) under By-Law 1-88 as amended.

The applicant is requesting a variance to permit the **construction of a one-storey solarium addition** at the rear of an existing two-storey detached single family dwelling, notwithstanding, the proposed changes to the existing By-Law & current By-Law requirements are as follows:

**Proposal:**

- 1) To permit a minimum rear yard setback of 4.5 meters to the addition.

**By-Law Requirements:**

- 1) A minimum rear yard setback of 6.0 metres is required to the addition.

A sketch is attached illustrating the request.

Moved by:

Seconded by:

THAT the Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A248/06, CARLO DeMARIA & SANDRA MACHIELLA**, be **APPROVED** in accordance with the sketch attached

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: Mary Mauti

Signed by all members present who concur in this decision:

Mary Mauti  
M. Mauti,  
Chair,

T. DeCicco  
T. DeCicco  
Vice Chair,

L. Fluxgold  
L. Fluxgold  
Member,

D. H. Kang  
D. H. Kang  
Member,

M. S. Panicali  
M. S. Panicali,  
Member,

**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Dianne E. L. Grout  
Dianne E. L. Grout, A.M.C.T.,  
Manager of Development Services and  
Secretary-Treasurer to Committee of  
Adjustment  
City of Vaughan

DATE OF HEARING:  
LAST DATE OF APPEAL:

**JUNE 22, 2006**  
**JULY 12 2006**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30P.M. ON JULY 12 2006.**

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

**NOTE: IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION,  
THE FINAL DATE FOR FULFILLING THEM IS:  
\*\*\* JULY 12 2007 \*\*\***

*P.*



PROJECT MR & MRS DI MARIA 63 MENDEL CRESCENT, THORNHILL		
DRAWING TITLE <b>SITE          PLAN</b>		
CONTRACTOR		
ARCHITECT/DESIGNER		

DATE 11/2005

SCALE 1"=150 DRAWING UNITS

CHECKED

DRAWN BY: PARINDER SOMAL

**SOLAR SUNROOMS LTD.,**  
 460 HANLAN ROAD,  
 WOODBRIDGE, ON L4L 3P6  
 PHONE:(905) 264-6909  
 FAX NO:(905) 264-6908

A. W. J. W. L.



## PLANNING ACT GUIDELINES FOR APPEALING VARIANCES

### Subsection 45 - 20 inclusive

- (12) The applicant, the Minister or any other person who has an interest in the matter may within twenty days of the making of the decision appeal to the Municipal Board against the decision of the Committee by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee a notice of appeal 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 Municipal Board\* under the Ontario Municipal Board Act as payable on an appeal from a Committee of Adjustment to the Board.
- (13) The Secretary-Treasurer of a Committee, upon receipt of a notice of appeal served or sent to him/her under subsection (12) shall forthwith forward the notice of appeal and the amount of the fee mentioned in Subsection (12) to the Municipal Board by registered mail, together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Board.
- (14) If within such twenty days no notice of appeal is given, the decision of the Committee is final and binding, and the Secretary-Treasurer shall notify the applicant and shall file a certified copy of the decision with the Clerk of the Municipality.
- (15) Where all appeals to the Municipal Board are withdrawn by the persons who gave notice of appeal, the decision of the Committee is final and Binding and the Secretary of the Board shall notify the Secretary-Treasurer of the Committee who in turn shall notify the applicant and file a certified copy of the decision with the Clerk of the Municipality.
- (16) On an appeal to the Municipal Board, the Board shall except as provided in Subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, and Secretary-Treasurer of the Committee and to such other persons and in such manner as the Board may determine.
- (17) Despite the *Statutory Powers Procedure Act* and subsection (16), the Municipal Board may dismiss all or part of an appeal without holding a hearing, on its own motion or on the motion of any party if,
- (a) it is of the opinion that,
    - (i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,
    - (ii) the appeal is not made in good faith or is frivolous or vexatious, or
    - (iii) the appeal is made only for the purpose of delay;
  - (b) the appellant has not provided written reasons for the appeal;
  - (c) the appellant has not paid the fee prescribed under the *Ontario Municipal Board Act*; or
  - (d) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.
- (17.1) Before dismissing an appeal, the Municipal Board shall notify the appellant and give the appellant an opportunity to make representation in respect of the appeal and the Board may dismiss an appeal after holding a hearing or without holding a hearing on the motion, as it considers appropriate.
- (18) The Municipal Board may dismiss the appeal and may make any decision that the Committee could have made on the original application.
- (18.1) On an appeal, the Municipal Board may make a decision on an application which has been amended from the original application if, before issuing its order, written notice is given to the persons and public bodies who received notice of the original application under subsection (5) and to other persons and agencies prescribed under that subsection. (18.1.1) The Municipal Board is not required to give notice under subsection (18.1) if in its opinion, the amendment to the original application is minor.
- (18.2) Any person or public body who receives notice under subsection (18.1) may, not later than thirty days after the day that written notice was given, notify the Board of an intention to appear at the hearing or the resumption of the hearing, as the case may be.
- (18.3) If, after the expiry of the time period in subsection (18.2), no notice of intent has been received, the Board may issue its order.
- (18.4) If a notice of intent under subsection (18.2) is received, the Board may hold a hearing or resume the hearing on the amended application, or it may issue its order without holding a hearing or resuming the hearing.
- (19) When the Municipal Board makes an order on an appeal, the secretary of the Board shall send a copy thereof to the applicant, the appellant and the Secretary-Treasurer of the Committee.
- (20) The Secretary-Treasurer shall file a copy of the order of the Municipal Board with the Clerk of the Municipality.

**\$150.00 processing fee, payable to the TREASURER CITY OF VAUGHAN.**

**AND**

**\$125.00, by separate cheque, payable to the MINISTER OF FINANCE, for the primary variance appeal and \$25.00 for each related variance appeal.**