

ITEM #: 6.11

**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A273/22
6061 & 6079 Rutherford Road and 134 & 140
Simmons Street, Vaughan**

COA REPORT SUMMARY

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING
DEPARTMENTS & AGENCIES:**

*Please see **Schedule B** of this report for a copy of Staff and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

DEPARTMENTS	Circulated	Comments Received	Conditions	Nature of Comments
Committee of Adjustment	X	X		General Comments
Building Standards -Zoning Review *Schedule B	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning *Schedule B	X	X		Recommend Approval/No Conditions
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X		No Comments or Concerns
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X		No Comments or Concerns
Real Estate				
Fire Department	X			No Comments Recieved to Date
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B		X		General Comments
Propane Operator *Schedule B				

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City's Website.

All personal information collected because of this public meeting (including both written and oral submissions) 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.

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Application Cover Letter

PREVIOUS COA DECISIONS ON THE SUBJECT LAND

*Please see **Schedule D** for a copy of the Decisions listed below

File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A055/21	04/29/21	COA Approved
A141/21	07/22/21	COA Approved

ADJOURNMENT HISTORY

* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

None	
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**COMMITTEE OF ADJUSTMENT REPORT
MINOR VARIANCE APPLICATION
A273/22
6061 Rutherford Rd Vaughan**

FILE MANAGER: Lenore Providence, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.11	CITY WARD #: 2
APPLICANT:	Pine Valley Kleinburg Homes Ltd.
AGENT:	Glen Schnarr & Associates Inc.
PROPERTY:	6061 & 6079 Rutherford Road and 134 & 140 Simmons Street, Vaughan
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
RELATED DEVELOPMENT APPLICATIONS:	DA.18.070
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to facilitate a townhouse development as submitted and reviewed through Site Plan Application (DA.18.070)

The following variances have been requested from the City's Zoning By-law:

The subject lands are zoned RE (EN), Estate Residential Zone (Established Neighbourhood under Zoning By-law 001-2021, as amended.

The subject lands are zoned RT1, Residential Townhouse Zone and subject to the provisions of Exception 9(1474) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
1	A minimum lot area of 150 m2 is required. [Exception 9(1474)]	To permit a minimum lot area of 148 m2 for Block 1, Lots 2, 3, 4 and 5.
2	A minimum rear yard setback of 7.2 m is required. [Exception 9(1474)]	To permit a minimum rear yard setback of 6.8 m for Block 1, Lots 1, 2, 3, 4, 5 and 6.
3	A minimum lot area of 150 m2 is required. [Exception 9(1474)]	To permit a minimum lot area of 148 m2 for Block 2, Lots 8 and 9.
4	A minimum lot depth of 23 m is required. [Exception 9(1474)]	To permit a minimum lot depth of 22.9 m for Block 4, Lot 17.
5	A minimum exterior side yard setback of 3.8 m is required. [Exception 9(1474)]	To permit a minimum exterior side yard setback of 3.0 m for Block 21, Lot 106.

HEARING INFORMATION

DATE OF MEETING: Thursday, December 8, 2022
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan
LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to cofa@vaughan.ca
 If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: cofa@vaughan.ca

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

HEARING INFORMATION

THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider 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.

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

COMMITTEE OF ADJUSTMENT COMMENTS

Date Public Notice Mailed:	November 24, 2022
Date Applicant Confirmed Posting of Sign:	November 23, 2022
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	Variances are technical in nature. Relief required to advance Building Permits.
Adjournment Requests (from staff): <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. *A revised submission may be required to address staff / agency comments received as part of the application review process. *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>	No
Adjournment Fees: In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice. An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff after the issuance of public notice.	
Committee of Adjustment Comments:	None
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING) COMMENTS

**See Schedule B for Building Standards (Zoning) Comments

Building Standards Recommended Conditions of Approval:	None
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DEVELOPMENT PLANNING COMMENTS

**See Schedule B for Development Planning Comments.

Development Planning Recommended Conditions of Approval:	None
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DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#) [Link to Pool Permit](#) [Link to Curb Curt Permit](#) [Link Culvert Installation](#)

The Development Engineering Department does not object to the Minor Variance application A273/22, Subject to the following Condition:

DEVELOPMENT ENGINEERING COMMENTS

[Link to Grading Permit](#)
 [Link to Pool Permit](#)
 [Link to Curb Curt Permit](#)
 [Link Culvert Installation](#)

Development Engineering Recommended Conditions of Approval:	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.070) from the Development Engineering (DE) Department.
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PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

Forestry: Forestry has no comment at this time for the specific variance.

PFH Recommended Conditions of Approval:	None
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DEVELOPMENT FINANCE COMMENTS

No comment no concerns

Development Finance Recommended Conditions of Approval:	None
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comments received to date

BCLPS Recommended Conditions of Approval:	N/A
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BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date

Building Inspection Recommended Conditions of Approval:	N/A
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FIRE DEPARTMENT COMMENTS

No comments received to date

Fire Department Recommended Conditions of Approval:	N/A
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SCHEDULES TO STAFF REPORT

*See Schedule for list of correspondence

Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Staff & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

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:

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Engineering ian.reynolds@vaughan.ca	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.070) from the Development Engineering (DE) Department.

IMPORTANT INFORMATION – PLEASE READ

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 (**see condition chart above for contact**). 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.

IMPORTANT INFORMATION – PLEASE READ

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.

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.

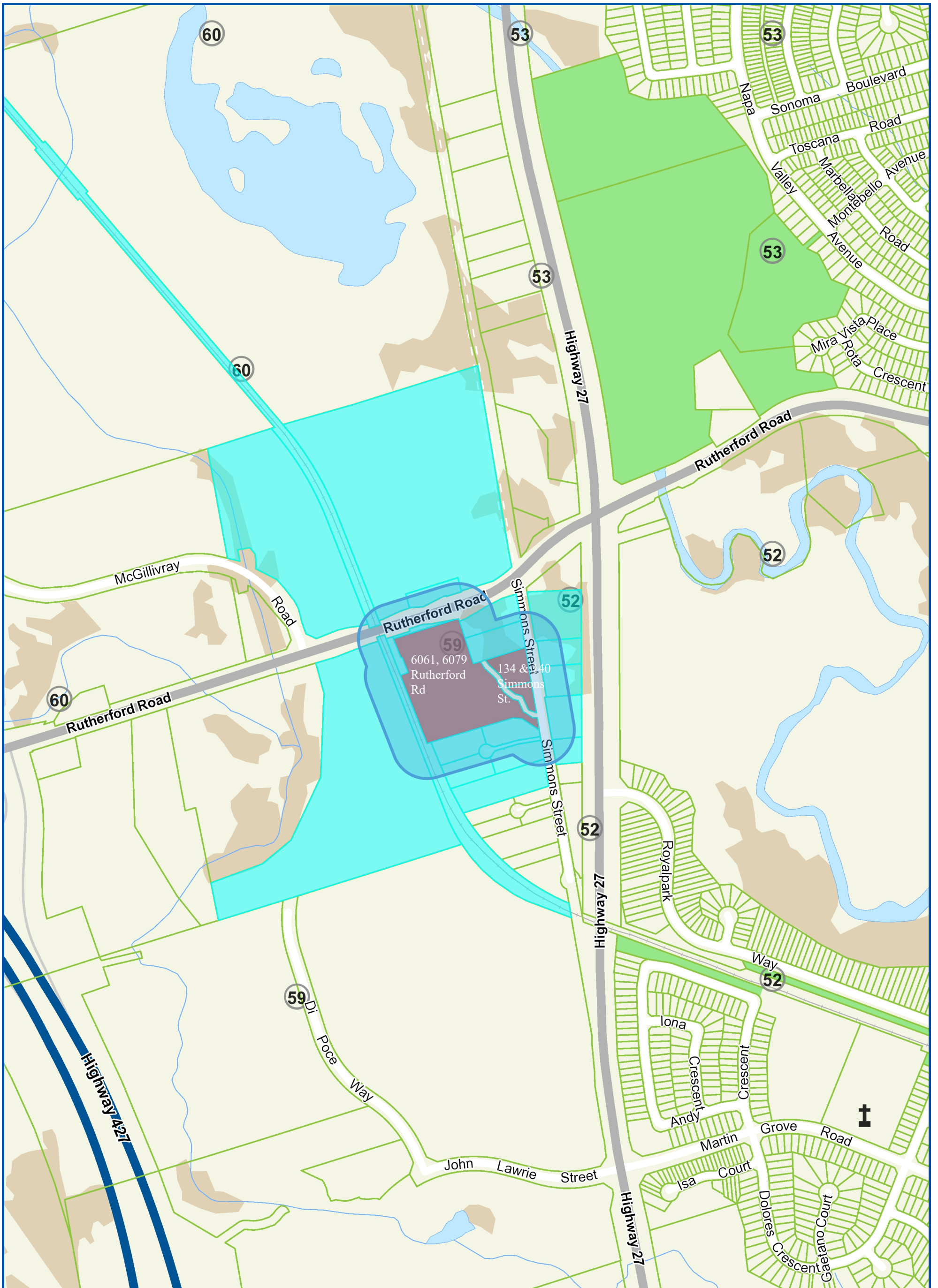
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

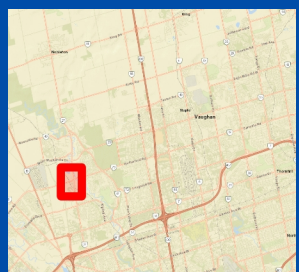
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee’s decision you will **not** receive notice.

SCHEDULE A: DRAWINGS & PLANS



Map Information:




Title: **6061 & 6079 Rutherford Road,
134 & 140 Simmons Street**

NOTIFICATION MAP A273/22

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: 9,028
0 0.14 km

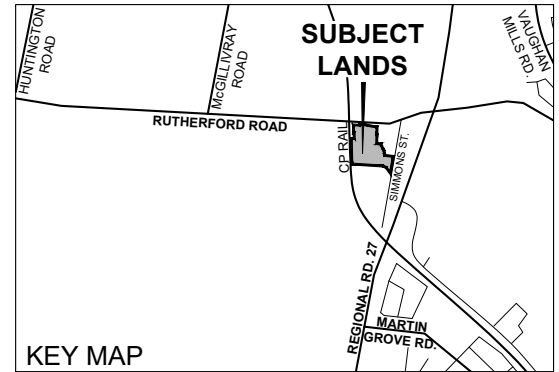
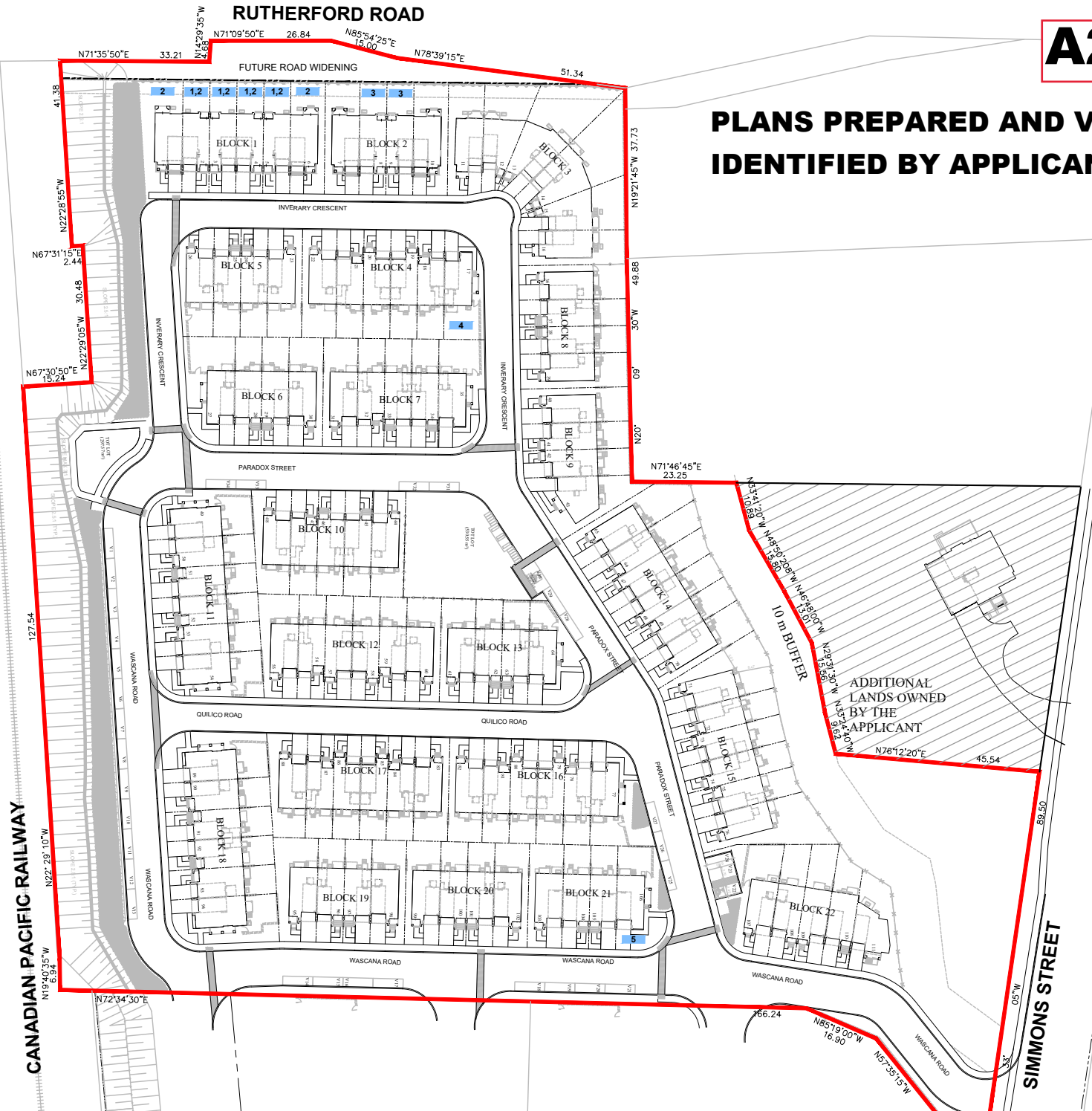


Created By:
Infrastructure Delivery
Department
November 21, 2022 2:14 PM

Projection:
NAD 83
UTM Zone
17N

A273/22

PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE KEY PLAN
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

- SUBJECT LANDS - 3.44ha (8.50ac)
- # MINOR VARIANCE LOCATION

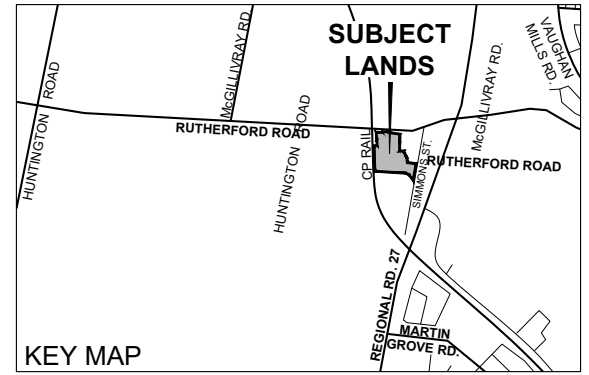
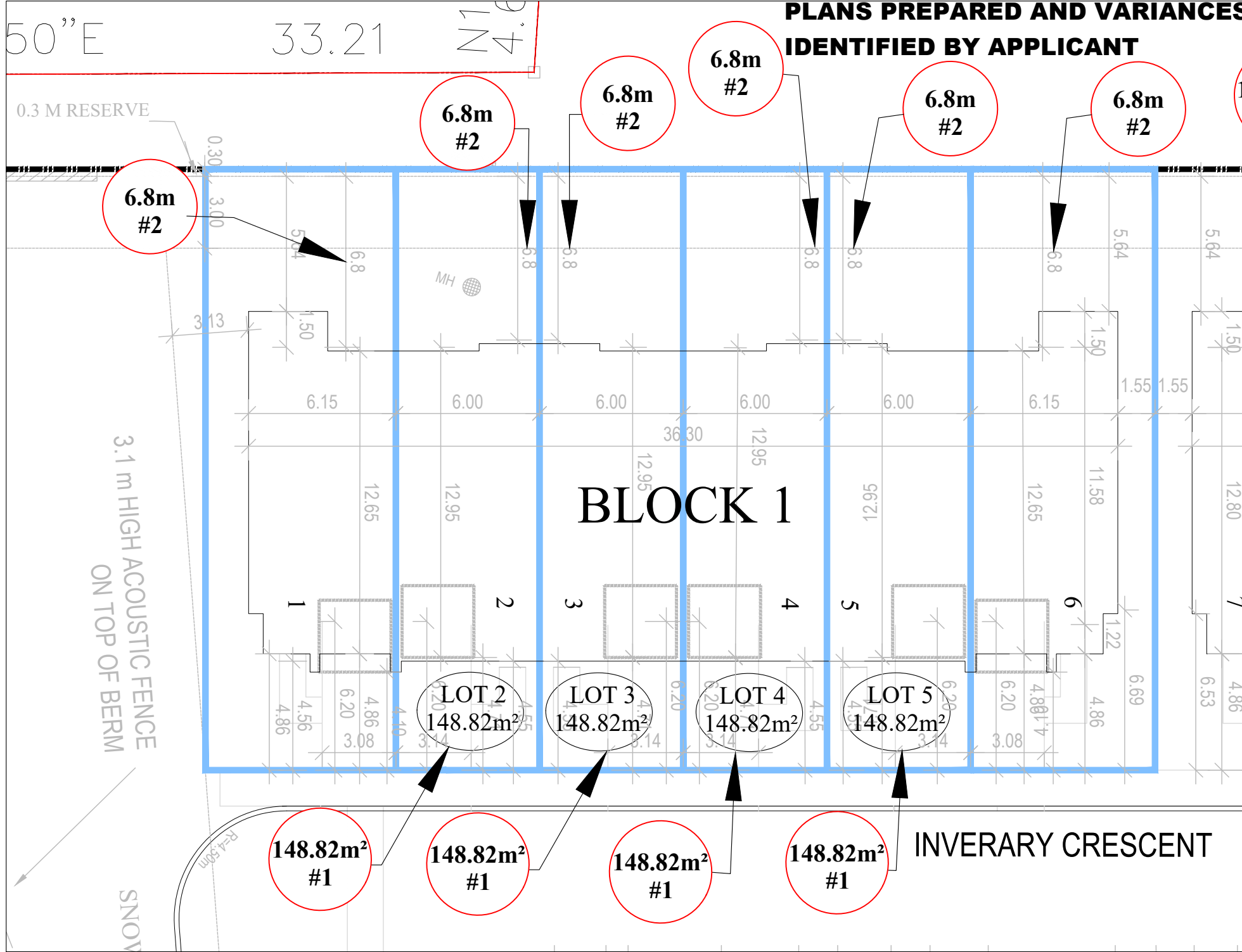
MINOR VARIANCES REQUESTED		
#	REQUESTED VARIANCES	BLOCKS / UNITS
1	To permit a minimum lot area of 148 m ² ; whereas a minimum lot area of 150 m ² is required per Exception 9(1474);	Block 1 (Lots 2, 3, 4, 5)
2	To permit a minimum rear yard of 6.8 m, whereas a minimum rear yard of 7.2 m is required per exception 9(1474);	Block 1 (Lots 1, 2, 3, 4, 5, 6)
3	To permit a minimum lot area of 148 m ² ; whereas a minimum lot area of 150 m ² is required per Exception 9(1474);	Block 2 (Lots 8, 9)
4	To permit a lot depth of 22.9 metres; whereas a minimum lot depth of 23 metres is required per Exception 9(1474);	Block 4 (Lot 17)
5	To permit a minimum exterior side yard setback of 3.0 metre; whereas a minimum exterior side yard of 3.8 m is required per exception 9(1474);	Block 21 (Lot 106)

*All requested variances are *minimums*

SCALE 1:1250
OCTOBER 25, 2022





PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH No. 1
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

-  SUBJECT LANDS - 3.44ha (8.50ac)
-  LOTS WITH REQUESTED VARIANCES

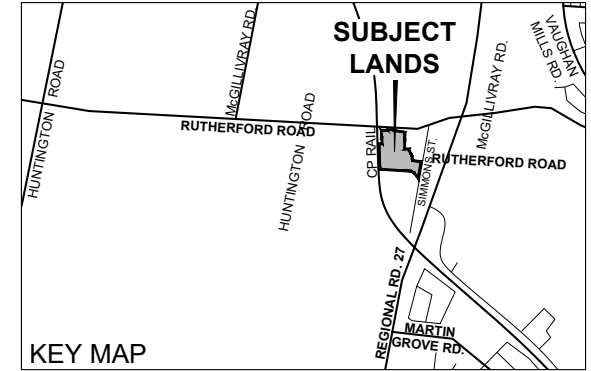
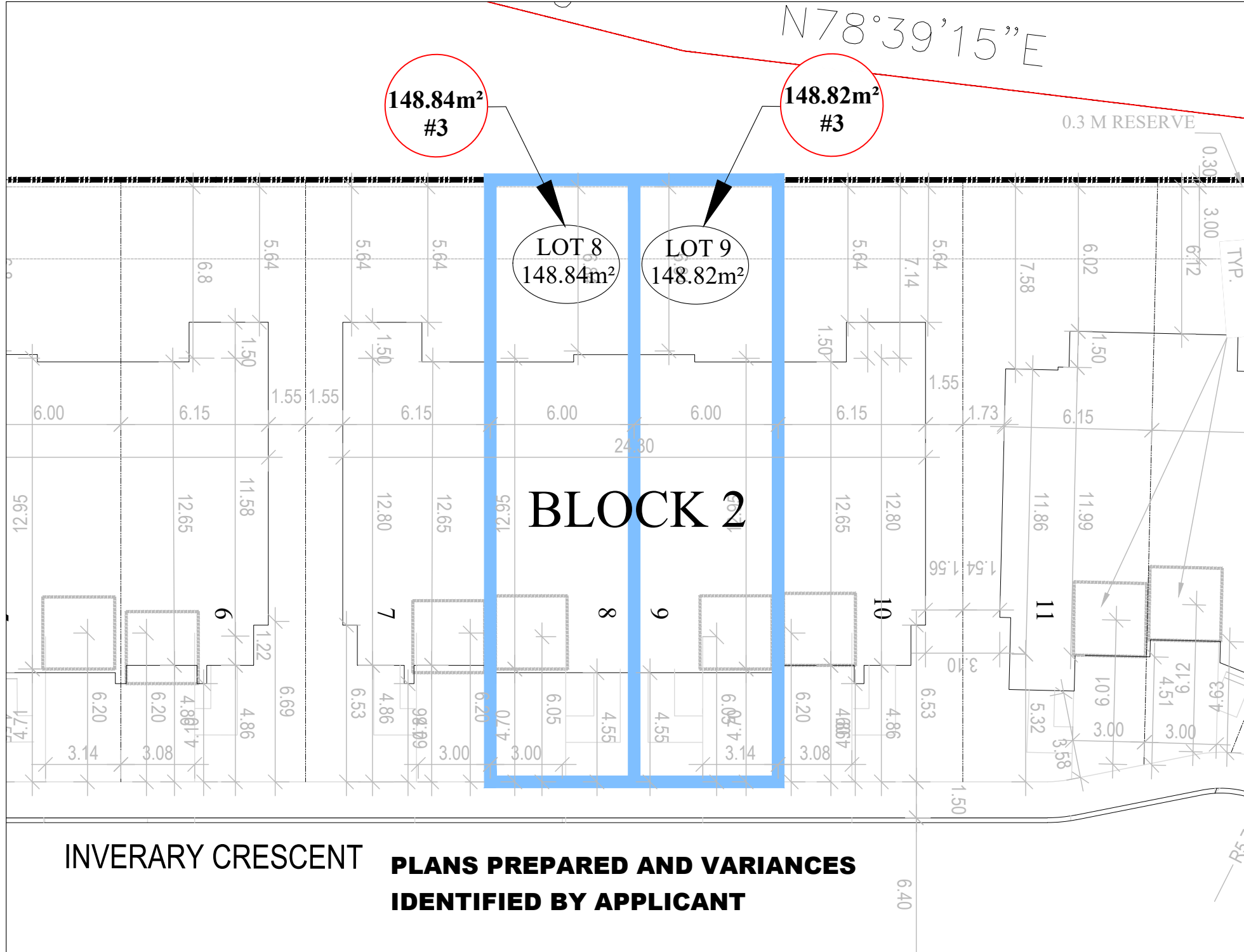
REQUIRED VARIANCE:

1. TO PERMIT A MINIMUM LOT AREA OF 148 M2 FOR BLOCK 1, LOTS 2, 3, 4 AND 5; WHEREAS A MINIMUM LOT AREA OF 150 M2 IS REQUIRED PER EXCEPTION 9(1474);
2. TO PERMIT A MINIMUM REAR YARD OF 6.8 M FOR BLOCK 1; WHEREAS A MINIMUM REAR YARD OF 7.2 M IS REQUIRED PER EXCEPTION 9(1474);



SCALE 1:200
OCTOBER 25, 2022







**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH No. 2
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

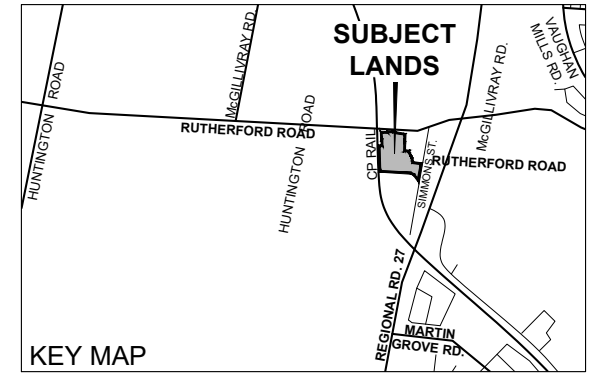
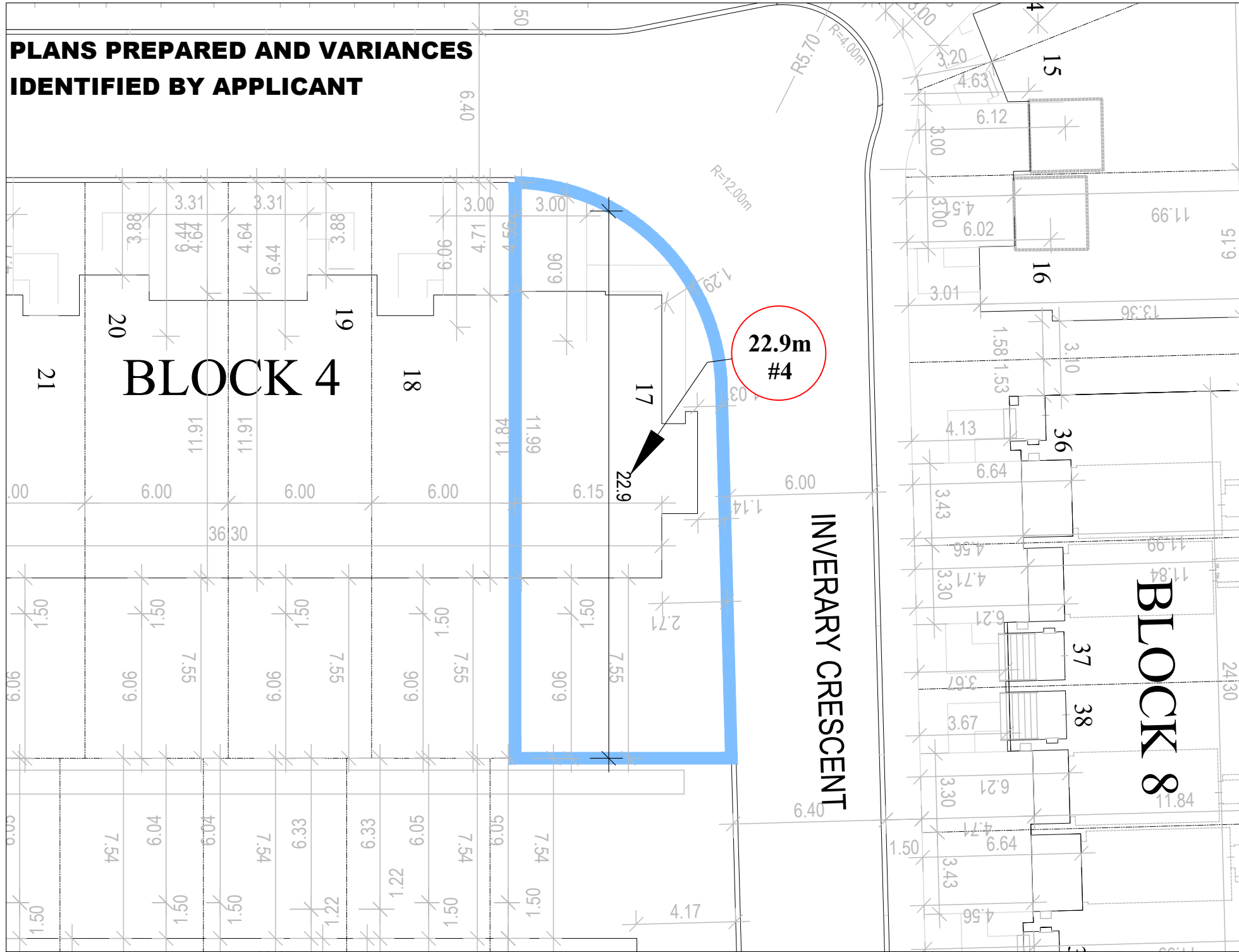
LEGEND

-  SUBJECT LANDS - 3.44ha (8.50ac)
-  LOTS WITH REQUESTED VARIANCES

REQUIRED VARIANCE:
3. TO PERMIT A MINIMUM LOT AREA OF 148 M2 FOR BLOCK 2, LOTS 8 AND 9; WHEREAS A MINIMUM LOT AREA OF 150 M2 IS REQUIRED PER EXCEPTION 9(1474).

INVERARY CRESCENT PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT

PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH No. 3
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

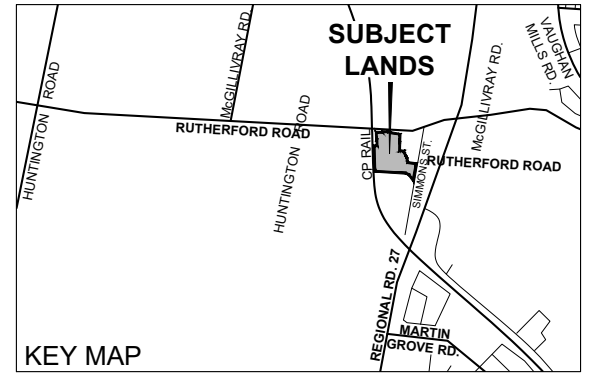
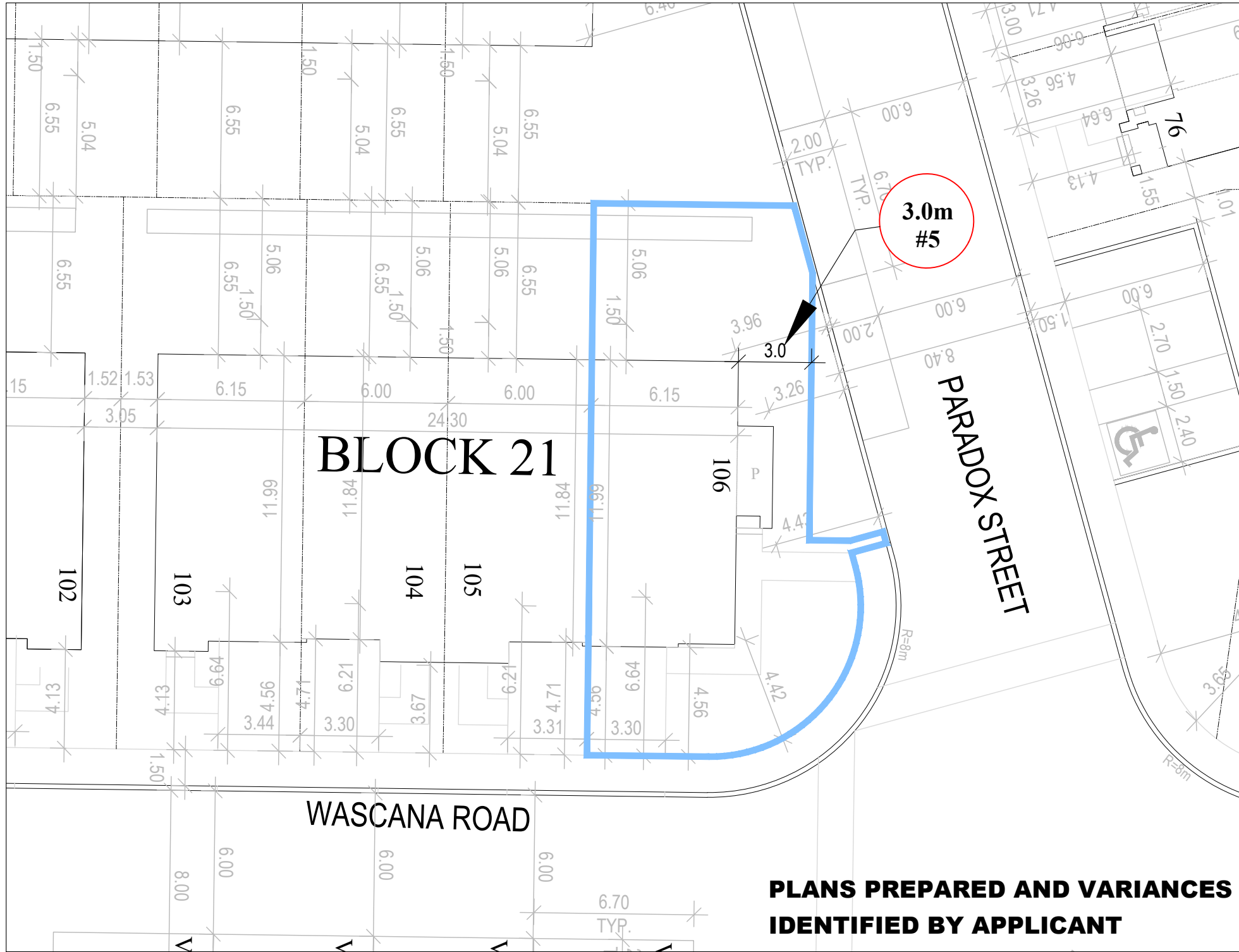
- SUBJECT LANDS - 3.44ha (8.50ac)
- LOTS WITH REQUESTED VARIANCES

REQUIRED VARIANCE:
4. TO PERMIT A LOT DEPTH OF 22.9 METRES FOR BLOCK 4, LOT 17; WHEREAS A MINIMUM LOT DEPTH OF 23 METRES IS REQUIRED PER EXCEPTION 9(1474).



SCALE 1:200
OCTOBER 25, 2022







**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH No. 4
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

-  SUBJECT LANDS - 3.44ha (8.50ac)
-  LOTS WITH REQUESTED VARIANCES

REQUIRED VARIANCE:

5. TO PERMIT A MINIMUM EXTERIOR SIDE YARD SETBACK OF 3.0 METRE FOR BLOCK 21, LOT 106; WHEREAS A MINIMUM EXTERIOR SIDE YARD OF 3.8 M IS REQUIRED PER EXCEPTION 9(1474).

PLANS PREPARED AND VARIANCES IDENTIFIED BY APPLICANT


SCALE 1:200
OCTOBER 25, 2022

 **GSAI**
Glen Schnarr & Associates Inc.

SCHEDULE B: STAFF & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	X			No Comments Recieved to Date
Ministry of Transportation (MTO) *Schedule B	X			No Comments Recieved to Date
Region of York *Schedule B	X	X		General Comments
Alectra *Schedule B	X	X		General Comments
Bell Canada *Schedule B	X			No Comments Recieved to Date
YRDSB *Schedule B				
YCDSB *Schedule B				
CN Rail *Schedule B				
CP Rail *Schedule B				
TransCanada Pipeline *Schedule B	X			No Comments Recieved to Date
Metrolinx *Schedule B		X		General Comments
Propane Operator *Schedule B				
Development Planning	X	X		Recommend Approval/no conditions
Building Standards (Zoning)	X	X		General Comments

Date: November 3rd , 2022

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A273-22**

Related Files:

Applicant Pine Valley Kleinburg Homes Limited

Location 6061 & 6079 Rutherford Road and 134 & 140 Simmons Street



Discover the possibilities

COMMENTS:

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

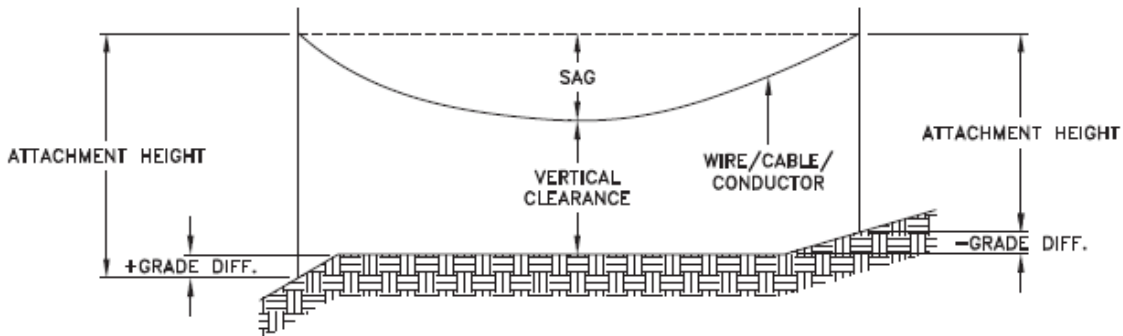
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: Mitchell.Penner@alectrautilities.com

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)				
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)
 ± GRADE DIFFERENCE
 + 0.3m (VEHICLE OR RAILWAY LOCATION)
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

NOTES:

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

CONVERSION TABLE

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

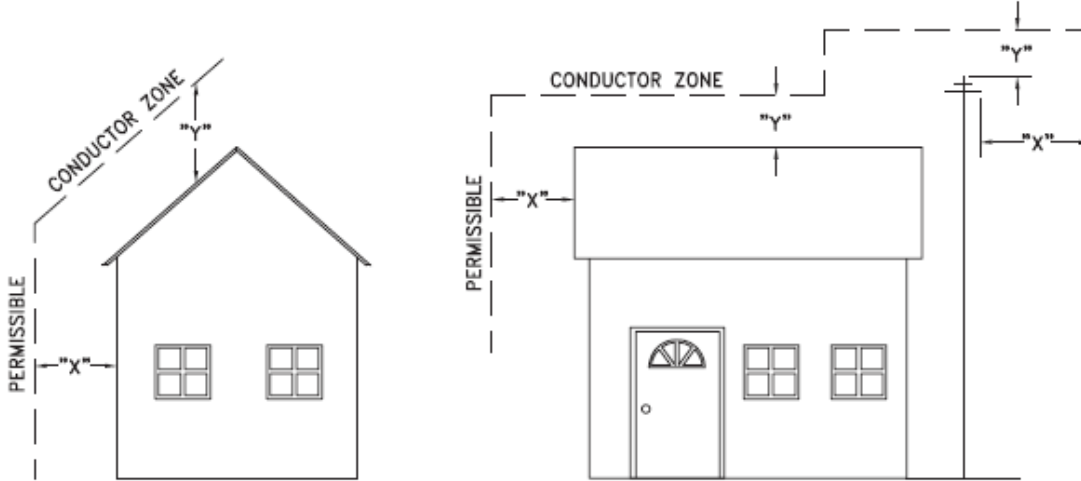
REFERENCES

SAGS AND TENSIONS | SECTION 02

MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARANCE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

Certificate of Approval
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04
Debbie Dadwani, P.Eng. 2010-MAY-05
Name Date
P. Eng. Approval By: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:
PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment
From: Catherine Saluri, Building Standards Department
Date: October 24, 2022
Applicant: Pine Valley Kleinburg Homes Limited
Location: 6061 & 6079 Rutherford Rd and 134 & 140 Simmons Street
 Plan 65M4719, Block 1
File No.(s): A273/22

Zoning Classification:

The subject lands are zoned RE (EN), Estate Residential Zone (Established Neighbourhood under Zoning By-law 001-2021, as amended.

The subject lands are zoned RT1, Residential Townhouse Zone and subject to the provisions of Exception 9(1474) under Zoning By-law 1-88, as amended.

Zoning By-law 1-88		Variance requested
1	A minimum lot area of 150 m2 is required. [Exception 9(1474)]	To permit a minimum lot area of 148 m2 for Block 1, Lots 2, 3, 4 and 5.
2	A minimum rear yard setback of 7.2 m is required. [Exception 9(1474)]	To permit a minimum rear yard setback of 6.8 m for Block 1, Lots 1, 2, 3, 4, 5 and 6.
3	A minimum lot area of 150 m2 is required. [Exception 9(1474)]	To permit a minimum lot area of 148 m2 for Block 2, Lots 8 and 9.
4	A minimum lot depth of 23 m is required. [Exception 9(1474)]	To permit a minimum lot depth of 22.9 m for Block 4, Lot 17.
5	A minimum exterior side yard setback of 3.8 m is required. [Exception 9(1474)]	To permit a minimum exterior side yard setback of 3.0 m for Block 21, Lot 106.

Staff Comments:

Stop Work Order(s) and Order(s) to Comply:

There are no outstanding Orders on file.

Building Permit(s) Issued:

Building permit applications have been submitted for the above-noted lots.

General Comments	
1	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.
2	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).
3	Approval from the Development Planning Department for Site Plan Approval (DA.18.070) has been granted for development of the subject lands.
4	This application has been determined to be transitioned in accordance with Subsection 1.6.3.2 and therefore is subject to Zoning By-law 1-88, as amended, only.

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.

None

* Comments are based on the review of documentation supplied with this application.

From: [Alexandra Goldstein](#)
To: [Christine Vigneault](#)
Subject: [External] RE: A273-22 - 6061 & 6079 Rutherford Road and 134 & 140 Simmons Street - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Friday, November 4, 2022 9:20:32 AM
Attachments: [image001.png](#)

Thank you for circulating the above listed application for Metrolinx review. I note that the subject site is located adjacent to CPR's MacTier Subdivision which currently does not carry any GO Transit train service. CPR will be the primary commenting agencies in this regard. My comments are set out below;

*Metrolinx had undertaken the [Bolton Commuter Rail Feasibility Study](#), which examined the technical requirements to implement commuter rail service between Bolton (in the Town of Caledon) and the City of Toronto, with a potential Rutherford station located in the area of Rutherford Road and Elder Mills.

Although rail service along the corridor was deemed feasible, the Study ultimately determined that ridership would be modest and capital costs would be high. The Study outcomes were considered in the most current review of the Regional Transportation Plan (RTP), and was approved by the Metrolinx Board of Directors on March 8, 2018. The 2041 RTP identifies the Bolton Commuter Rail Service as a project for consideration beyond 2041.

Given the aforementioned, I have no further comment in regards to this application.

I trust this is sufficient. Should you have any questions or concerns, please feel free to contact myself.

ALEXANDRA GOLDSTEIN

Project Manager
Third Party Projects Review, Capital Projects Group
Metrolinx | 20 Bay Street | Suite 600 | Toronto | Ontario | M5J 2W3
T: 416-202-5708



Vacation notice: I will be out of the office from November 21-24, returning on the 25th

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: December 1, 2022
Name of Owner: Pine Valley Kleinburg Homes Ltd.
Location: 6061 & 6079 Rutherford Road and 134 & 140 Simmons Street
File No.(s): A273/22

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

1. To permit a minimum lot area of 148 m² for Block 1, Lots 2, 3, 4 and 5.
2. To permit a minimum rear yard setback of 6.8 m for Block 1, Lots 1, 2, 3, 4, 5 and 6.
3. To permit a minimum lot area of 148 m² for Block 2, Lots 8 and 9.
4. To permit a minimum lot depth of 22.9 m for Block 4, Lot 17.
5. To permit a minimum exterior side yard setback of 3.0 m for Block 21, Lot 106.

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

1. A minimum lot area of 150 m² is required.
2. A minimum rear yard setback of 7.2 m is required.
3. A minimum lot area of 150 m² is required.
4. A minimum lot depth of 23 m is required.
5. A minimum exterior side yard setback of 3.8 m is required.

Official Plan:

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

Comments:

The Owner is requesting relief to facilitate the development of 111 condominium townhouses with the above noted variances. The Owner has submitted Draft Plan of Condominium file 19CDM-22V006 to facilitate the development, which is currently under review. Council approved the associated Official Plan Amendment (By-law 042-2019), Zoning By-law Amendment (By-law 041-2019) and Draft Plan of Subdivision on March 19, 2019. The By-laws were then appealed to the Local Planning Appeal Tribunal. On June 16, 2020, the appeals were withdrawn, bringing Council's approvals into effect.

Variances 1 and 3 relate to the surveyor confirmation of lot/unit area, Variance 2 to a dimensioning error at the site plan approval stage, and Variances 4 and 5 relate to the curvature of the condominium road in relation to the respective corner unit. The Development Planning Department has no objection to the proposed variances as they are minor in nature, have been reviewed by the Development Planning Department as part of the Draft Plan of Condominium process and are considered appropriate to facilitate the development.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

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

None

Comments Prepared by:

Joshua Cipolletta, Planner I
David Harding, Senior Planner

From: [Development Services](#)
To: [Christine Vigneault](#); [Committee of Adjustment](#)
Subject: [External] RE: A273-22 - 6061 & 6079 Rutherford Road and 134 & 140 Simmons Street - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Friday, November 11, 2022 10:30:03 AM
Attachments: [image001.png](#)
[image003.png](#)

Hi Christine,

The Regional Municipality of York has completed its review of the above minor variance (A273-22) and has no comment.

Many thanks,
Niranjan

Niranjan Rajevan, M.Pl. | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

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



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

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant				Application Cover Letter

September 23, 2022

GSAI File No. 1407-001B

Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: Ms. Christine Vigneault
Secretary Treasurer of the Committee of Adjustment

RE: Minor Variance Application
6061 & 6079 Rutherford Road and 134 & 140 Simmons Street
City of Vaughan
Related City File Nos.

Glen Schnarr & Associates Inc. are the planning consultants and authorized agents for Pine Valley Kleinburg Homes Ltd., the registered owner of the above noted lands (herein referred to as the ‘subject lands’). The subject lands are located on the south side of Rutherford Road, west of Regional Road 27, and are municipally known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street. In this regard, we are pleased to submit the enclosed Minor Variance application to address minor zoning deficiencies that have been identified through the Building Permit review process and Draft Plan of Condominium.

Project History, Context and Proposed Development

On March 19, 2019, City Council approved an Official Plan and Zoning By-law Amendment, By-law No. 042-2019 and 041-2019, respectively, and a Draft Plan of Subdivision to facilitate the redevelopment of the subject lands for 111 condominium townhouses. The By-laws were subsequently appealed to the Local Planning Appeal Tribunal (LPAT) by a neighbouring landowner. In its Order, dated June 16, 2020, the LPAT provided written notice that the appeals have been withdrawn, effectively bringing Council’s approvals into force and effect. The withdrawn appeal was a result of ongoing discussions between the applicant and the neighbouring landowner.

The Site Plan application has been approved by City Council and the applicant has entered into a Site Plan Agreement with the City. Additionally, the Plan of Subdivision for the lands has been registered with the Land Registry Office, under PLAN 65M4719. It is important to note that the lands continue to remain under one ownership and separately conveyable lots have not yet been created through a Part Lot Control application. The legal ownership has been confirmed by way of a letter from the landowner’s solicitor, Dolley Lucenti LLP.

This project has also been before the Committee of Adjustment as well:

- A Minor Variance Application (A055/21) was submitted and approved by the Committee of Adjustment on April 29, 2021, that provided relief for a total of 11 variances, which included lot area, maximum building heights, side yard and rear yard setbacks, interior garage dimension and additional encroachments for a porch.
- A Minor Variance Application (A141-21) was submitted and approved by the Committee of Adjustment on July 22, 2021, that provided relief for lot area zoning deficiency for Block 10, Lot 45 and Block 6, Lot 29.

Proposed Variances

In order to permit the proposed development, the following variance is requested:

By-law Requirement	Proposal
1. A minimum lot area of 150 m2 is required per Exception 9(1474).	1. To permit a minimum lot area of 148 m2 for Blocks 1, lots 2, 3, 4 and 5 and Block 2, Lots 8 and 9.
2. A minimum rear yard setback of 7.2 m is required per Exception 9(1474).	2. To permit a minimum rear yard of 6.8 m for Block 1.
3. A minimum lot depth of 23 metre is required per Exception 9(1474).	3. To permit a minimum lot depth of 22.9 m for Block 4, Lot 17.
4. A minimum exterior side yard setback of 3.8 m is required per Exception 9(1474).	4. To permit a minimum exterior side yard setback of 3.0 m for Block 21, Lot 106.

The variances noted above are considered to be technical in nature and are required to facilitate a townhouse development that has site-specific Official Plan Amendment and Zoning By-law Amendment, as well as executed Site Plan and Plan of Subdivision Agreements with the City of Vaughan.

- Variance 1 was determined as a result of the surveyor certificate for the proposed lots which was submitted in support of the Building Permit and Draft Plan of Condominium applications.
- Variance 2 was determined through the Building Permit process. A dimension error was identified following site plan approval.
- Variance 3 was determined as a result of the surveyor certificate that was submitted in support of the Building Permit and Draft Plan of Condominium applications.
- Variance 4 is a result of the proposed Parcel of Tied Land for Lot 106. As part of the Site Plan process, the exterior side yard dimension was taken from the building wall to the condominium road, which meets the zoning by-law requirements. However, it was later determined that the snow storage area would not be included in the POLT for Lot 106 and instead form part of the common element.

The variances for Block 10 (Lot 45) and Block 6 (Lot 29), as shown on DA.18.070, satisfy the four tests of a Minor Variance as set out in Section 45 (1) of the *Planning Act*, being that:

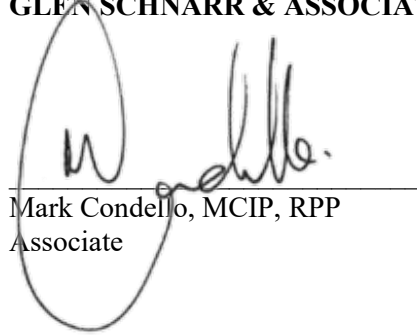
1. *The variances meets the intent and purpose of the Official Plan.*

2. *The variance meets the intent and purpose of the Zoning By-law.*
3. *The proposed development is desirable for the appropriate development of the lands; and.*
4. *Are Minor in Nature.*

We trust this is sufficient for staff's review and respectfully request this application be scheduled for the next available Committee of Adjustment hearing. Please contact the undersigned at markc@g Sai.ca or 905-568-8888 if you require additional information or wish to clarify anything contained in this application.

Respectfully submitted,

GLEN SCHNARR & ASSOCIATES INC.



Mark Condello, MCIP, RPP
Associate

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
A055/21	04/29/21	COA Approved
A141/21	07/22/21	COA Approved

NOTICE OF DECISION
Minor Variance Application A055/21
 Section 45 of the Planning Act, R.S.O., 1990, c.P.13

Date of Hearing: Thursday, April 29, 2021
Applicant: Pine Valley Kleinburg Homes Ltd.
Agent Glen Schnarr & Associates Inc.
Property: **6061, 6079 Rutherford Rd & 134, 140 Simmons Street, Woodbridge**
Zoning: The subject lands are zoned RT1 (H), Residential Townhouse Zone with a holding provision and subject to the provisions of Exception 9(1474) under By-law 1-88 as amended.
OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
Related Files: OPA 38 (By-law No. 042-2019), DA.18.070
Purpose: Relief from By-law 1-88, as amended is being requested to facilitate a 111 townhouse development as submitted and reviewed through Site Plan Application (DA.18.070)

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 lot area of 145 m2 is required per lot. [Exception 9(1474)]	1. To permit a minimum lot area of 144 m2 for Block 4, Lot 18, Block 6, Lot 28, Block 7, Lot 32, Block 9, Lot 42, Block 10, Lot 45 and Block 15, Lot 74. [Exception 9(1474)]
2. A minimum lot area of 150 m2 is required per lot. [Exception 9(1474)]	2. To permit a minimum lot area of 144 m2 for Block 4, Lots 19, 20 and 21, Block 5, Lots 24 and 25, Block 7 Lots 33 and 34. [Exception 9(1474)]
3. A maximum building height of 11 metres is permitted. [Schedule A3]	3. To permit a maximum building height of 11.9 metres for Lots 107, 108, 109, 110 and 111 on Block 22.
4. A minimum exterior side yard setback of 4.5 metres is required. [Schedule A3]	4. To permit a minimum exterior side yard setback of 3.2 metres to a dwelling Block 6, Lots 27 and Block 16, Lot 77.
5. A minimum front yard setback of 4.5 metres is required. [Schedule A3]	5. To permit a minimum front yard setback of 4.0 metres to a dwelling for Blocks 1 and 2.
6. A minimum rear yard setback of 7.5 metres is required [Schedule A3]	6. To permit a minimum rear yard setback of 6.8 metres to a dwelling for Block 2, Lots 7, 8, 9 and 10.
7. A minimum interior side yard setback of 3.5 metres is required to a non-residential use. [Schedule A3]	7. To permit a minimum interior side yard setback of 1.25 metres to a non-residential use for Block 10, Lot 44. (tot-lot).
8. A maximum interior garage width of 3.048 metres for lots with lot frontages less than 11 metres is permitted. [Schedule A3, General Notes]	8. To permit a maximum interior garage width of 3.85 metres for lots with lot frontages less than 11 metres for Block 1, Lots 1, 2, 3, 4, 5, and 6, Block 2, Lots 7, 8, 9 and 10, Block 4, Lots 19 and 20, Block 9, Lots 41 and 42, Block 11, Lots 49, 50, 51 52, 53 and 54, Block 12, Los 57and 58, Block 14, Lots 67 and 68, Block 15, Lots 73 and 74, Block 16, Lots 79 and 80, Block 17, Lots 85 and 86, Block 18, Lots 90, 91, 92, 93 and 94, Block 22, Lots 108 and 109.
9. Minimum interior garage dimensions of 5.5 metres width x 6.0 metres length are required	9. To permit minimum interior garage dimensions of 3.04 metres width x 6.02

By-law Requirement	Proposal
for lots with lot frontages greater than 12 metres. [Schedule A3, General Notes]	metres length for lots with lot frontages greater than 12 metres for Block 9, Lot 43, Block 13, Lot 64.
10. A porch, unenclosed (covered or uncovered) shall have at least (2) two sides open. [Section 2.0, Definitions]	10. To permit an unenclosed porch (covered or uncovered) to have (1) one side open.
11. An unenclosed porch (covered or uncovered), is permitted to encroach into the minimum required front yard and exterior yard to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres [Subsection 4.22.2].	11. To permit an unenclosed porch (covered or uncovered), to encroach into the minimum required front yard, exterior side yard and rear yard into a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres.

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. A055/21 on behalf of Pine Valley Kleinburg Homes Ltd. 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 Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.070) from the Development Engineering (DE) 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.

Please Note:

It is the responsibility of the owner/applicant and/or authorized agent to address any condition(s) of approval noted in this decision to the satisfaction of the commenting department or agency. Once conditions have been satisfied, the Secretary Treasurer will be in a position to issue a clearance letter which is required prior to the issuance of a Building Permit.

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.

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 , April 29, 2021 meeting for submission details.
None	None

Late Written Public Submissions: N/A

Public written submissions on an Application shall only be received by the Secretary Treasurer until **noon** on the last business day prior to the day of the scheduled Meeting.

MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

<i>Hao Zheng</i>	<i>Assunta Perrella</i>	<i>Robert Buckler</i>
H. Zheng Member	A. Perrella Chair	R. Buckler Member
<i>Steve Kerwin</i>		<i>Adolfo Antinucci</i>
S. Kerwin Vice Chair		A. Antinucci Member

DATE OF HEARING:	April 29, 2021
DATE OF NOTICE:	May 7, 2021
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	May 19, 2021 4:30 p.m.
CERTIFICATION: 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. <div align="center"><i>Christine Vigneault</i></div> <hr/> Christine Vigneault, AMP, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

*Electronic signatures have been used to process this decision as approved by the Committee of Adjustment at the May 28, 2020 hearing.

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*.

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.

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time. Please mail or courier appeals and prescribed fees to:

Office of the City Clerk - Committee of Adjustment
 2141 Major Mackenzie Drive
 Vaughan Ontario, L6A 1T1

If you have questions regarding the appeal process, please email cofa@vaughan.ca

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$400 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”. Appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.eto.gov.on.ca or by contacting our office at 905-832-8585 Ext. 8332 or cofa@vaughan.ca

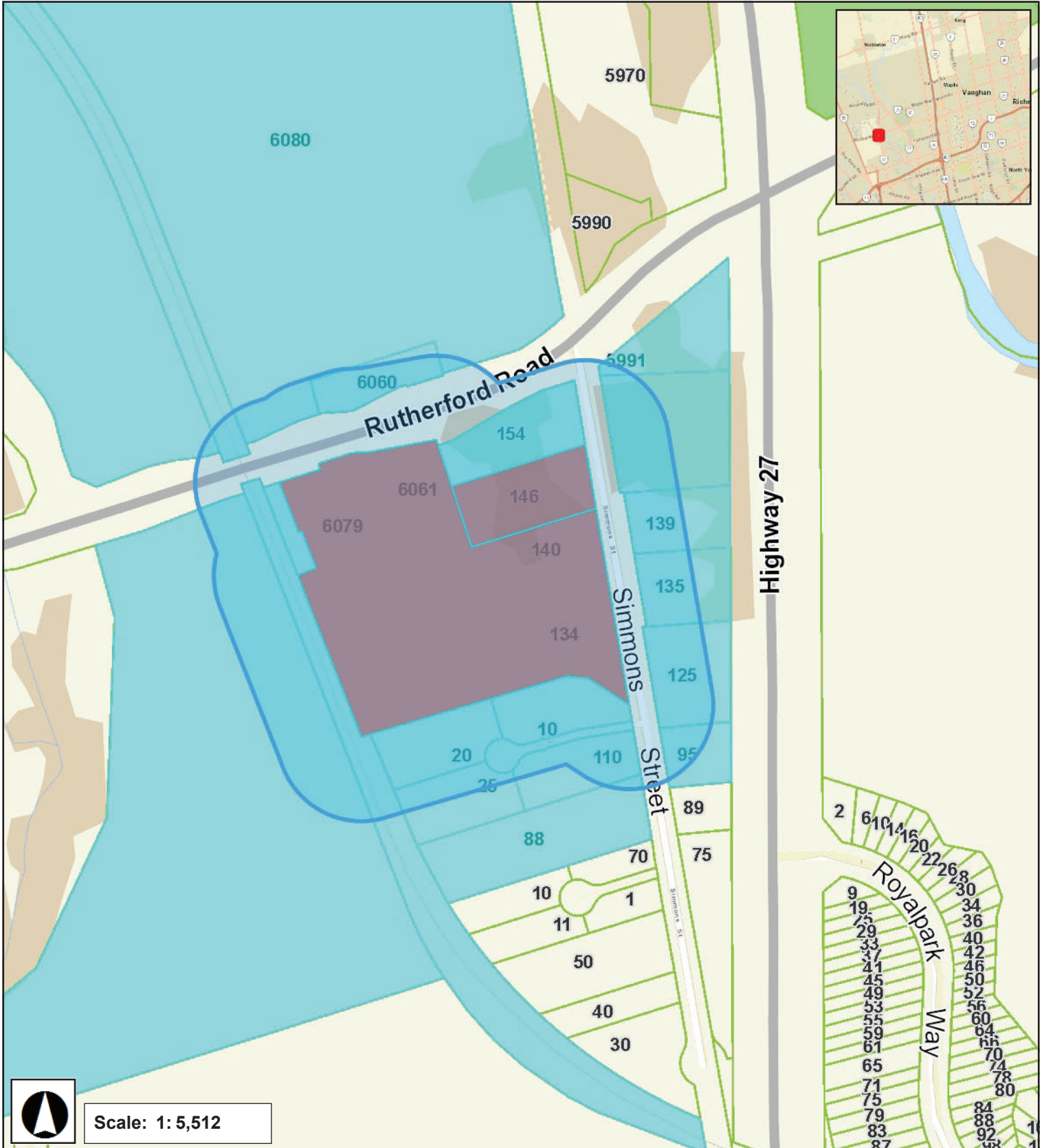
City of Vaughan LPAT Processing Fee: \$866.00 per application

*Please note that all fees are subject to change.



LOCATION MAP - A055/21

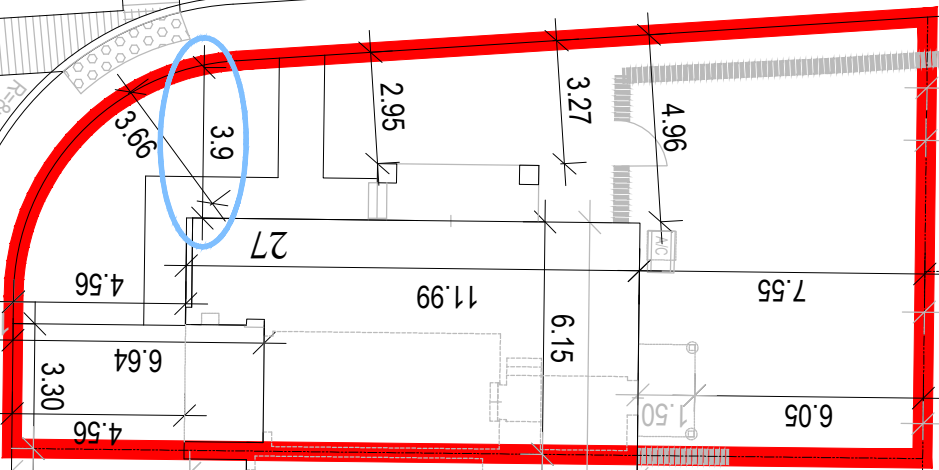
6061, 6079 RUTHERFORD ROAD & 134, 140 SIMMONS STREET



Scale: 1:5,512

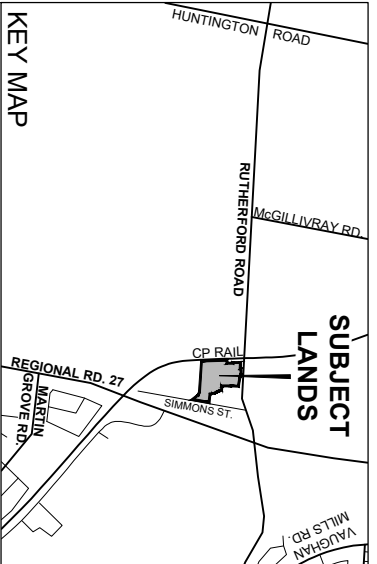
A055/21

INVERARY CRESCENT



BLOCK 6

PARADOX STREET



KEY MAP

SUBJECT LANDS

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH No. 1
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

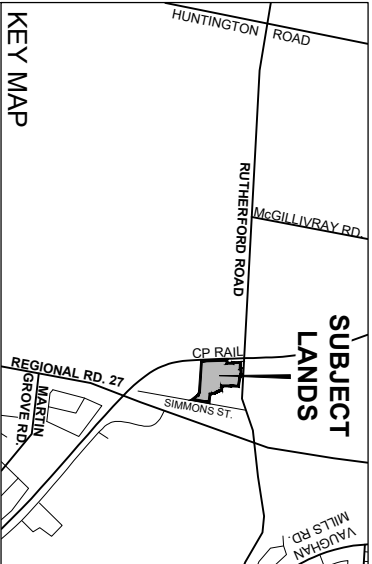
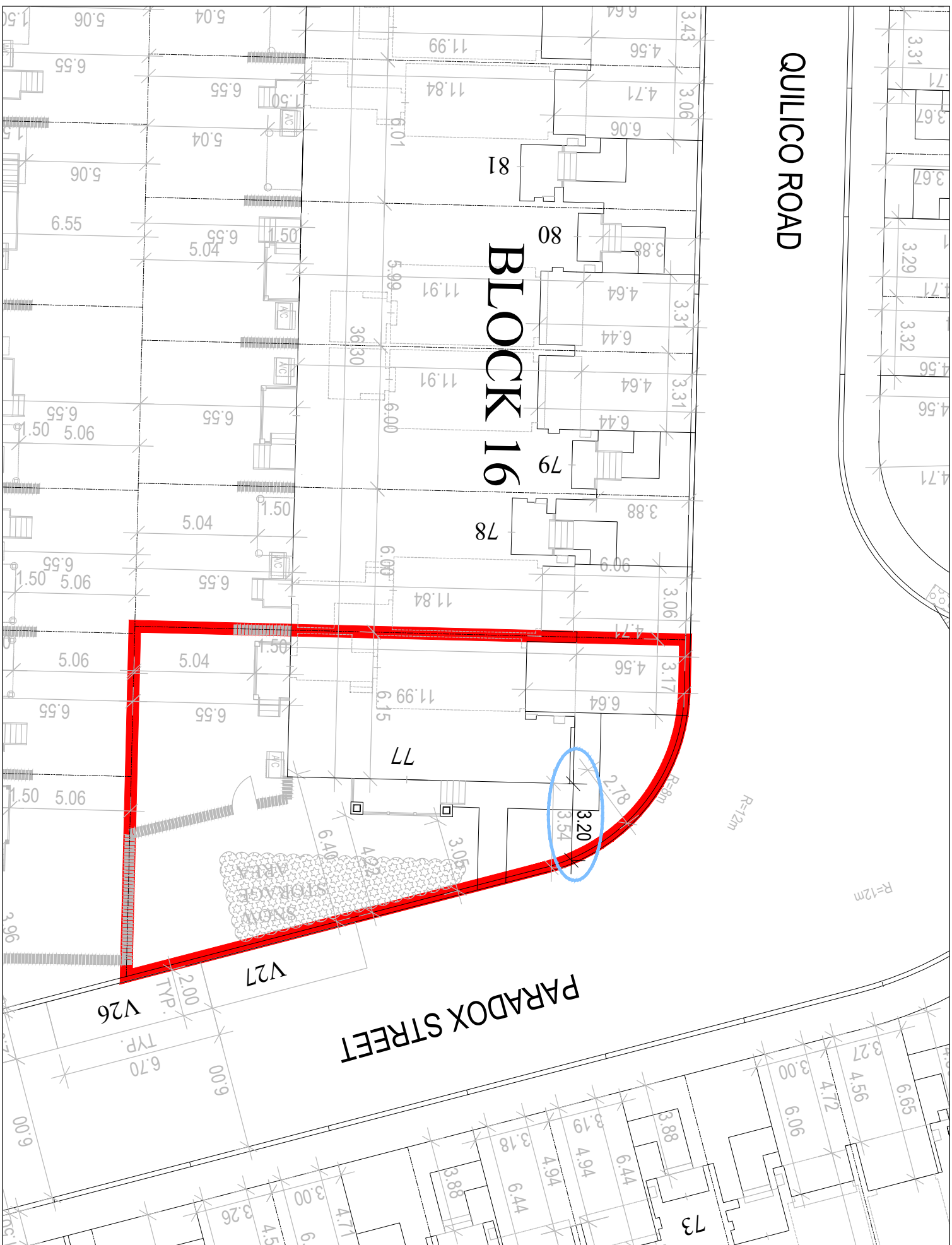
 SUBJECT LANDS - 3.44ha (8.50ac)

REQUIRED VARIANCE:
TO PERMIT AN EXTERIOR SIDE YARD OF 3.2 METRES;
WHEREAS THE BY-LAW REQUIRES A MINIMUM
EXTERIOR SIDE YARD OF 4.5 METRES:



SCALE 1:200
MARCH 5, 2021

GSAI
Glen Schnarr & Associates Inc.



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH No. 1
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

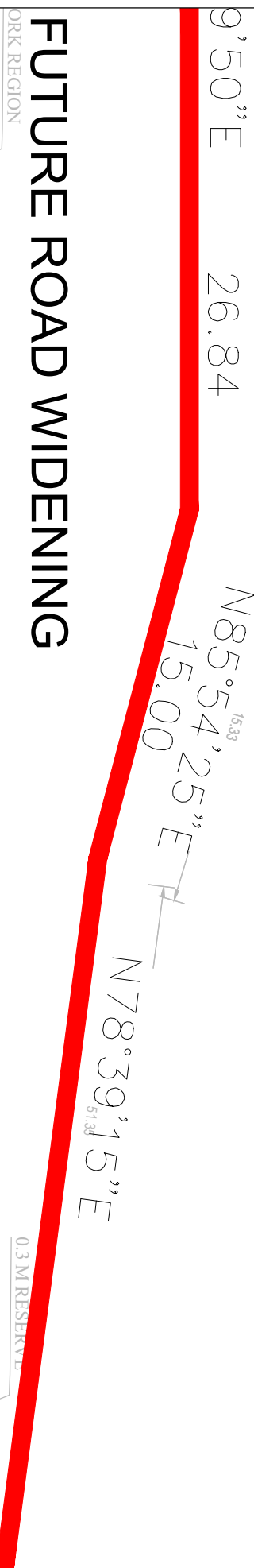
 SUBJECT LANDS - 3.44ha (8.50ac)

REQUIRED VARIANCE:
TO PERMIT AN EXTERIOR SIDE YARD OF 3.2 METRES;
WHEREAS THE BY-LAW REQUIRES A MINIMUM
EXTERIOR SIDE YARD OF 4.5 METRES:

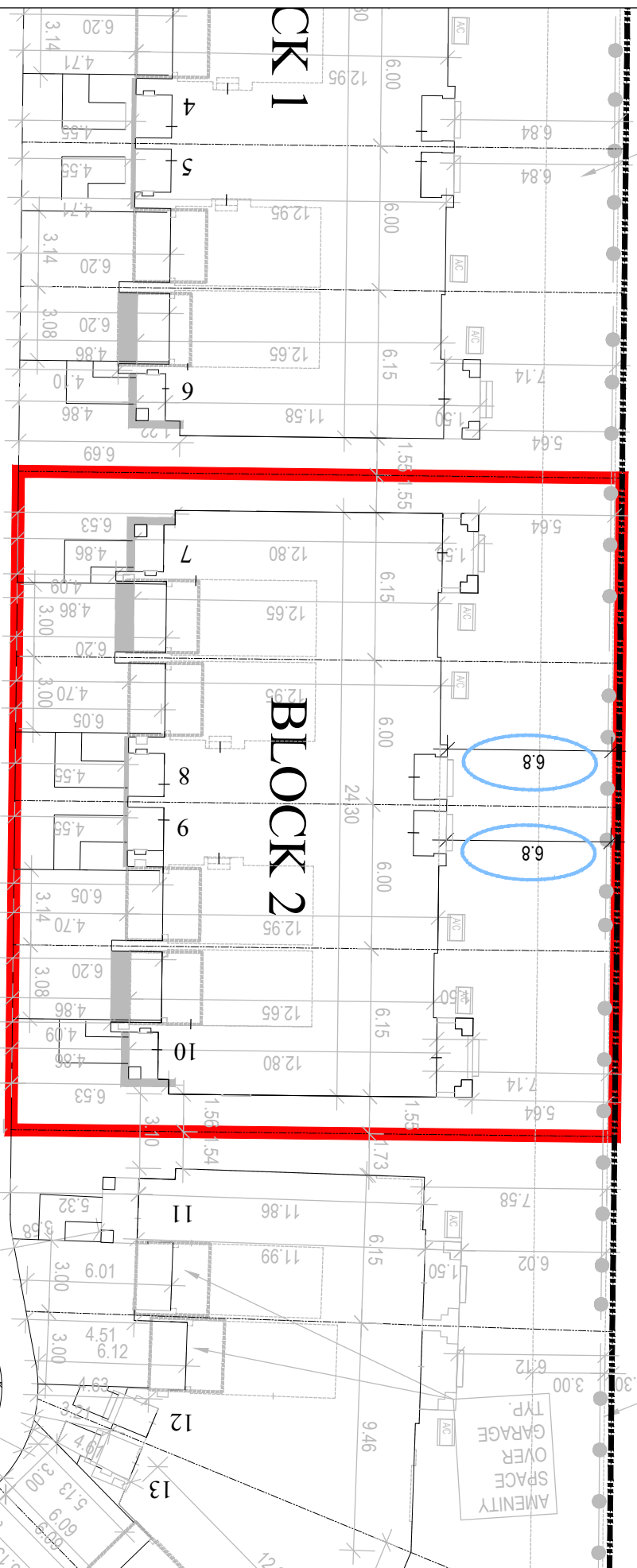


SCALE 1:200
MARCH 5, 2021

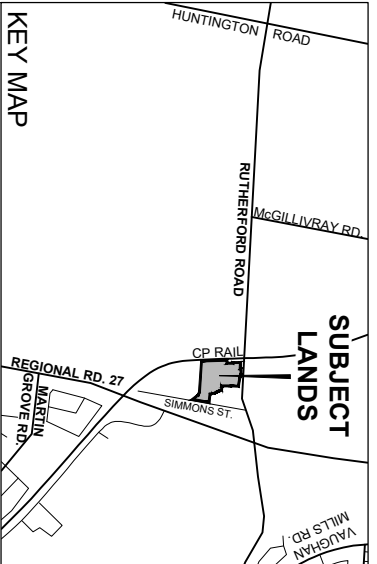
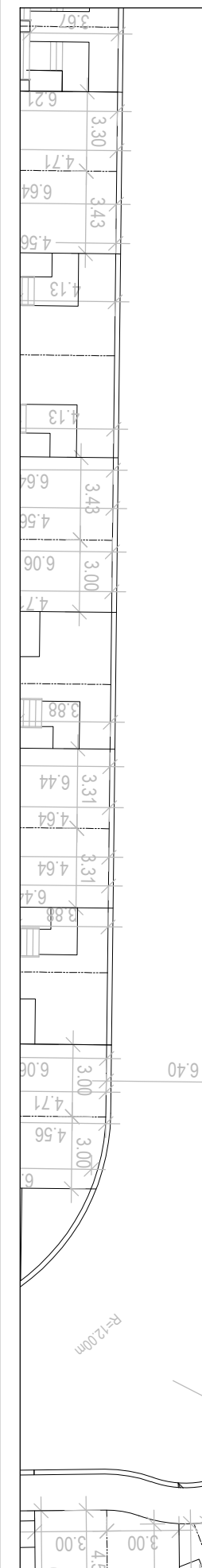
GSAI
Glen Schnarr & Associates Inc.



FUTURE ROAD WIDENING



INVERARY CRESCENT



KEY MAP

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH NO. 2
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

 SUBJECT LANDS - 3.44ha (8.50ac)

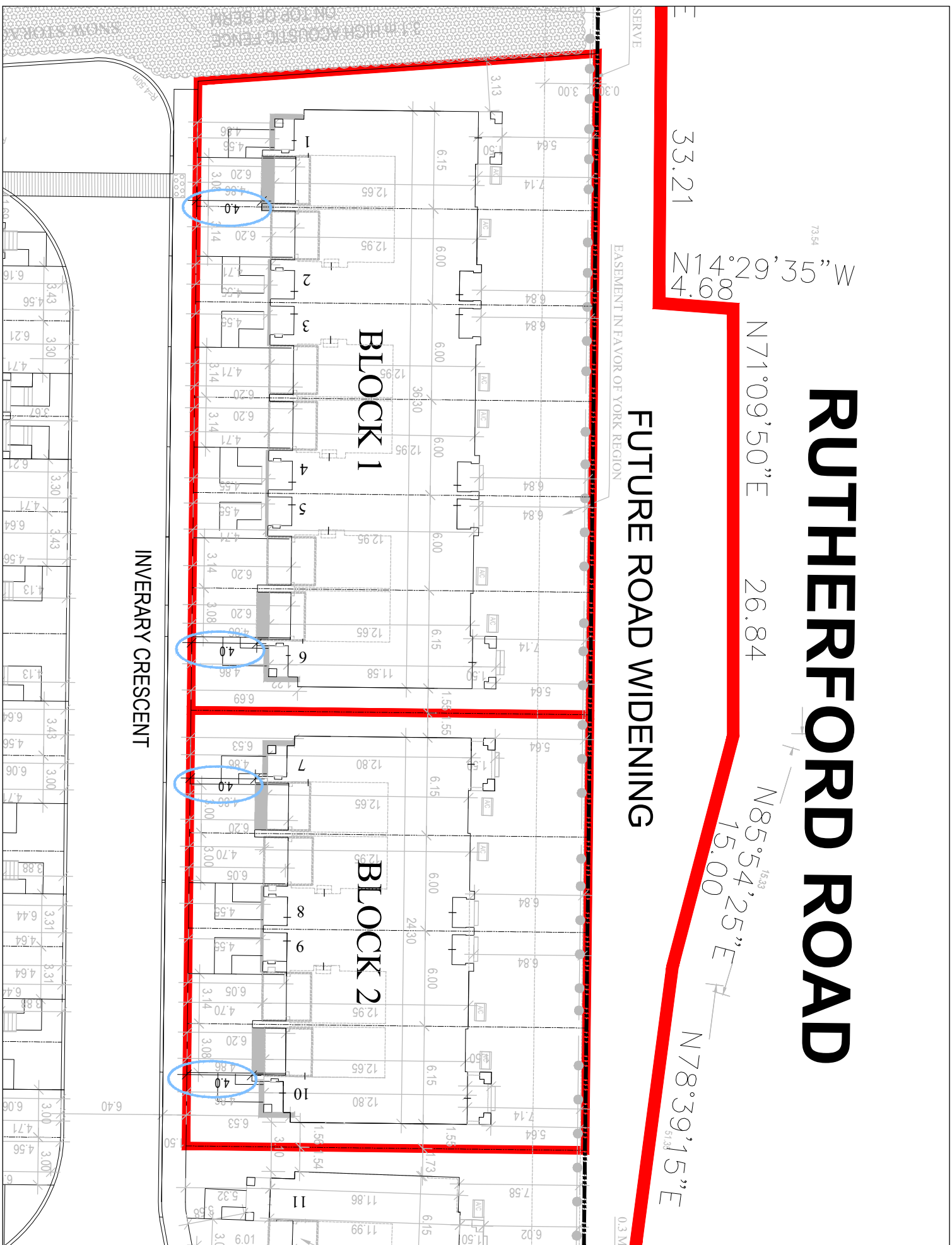
REQUIRED VARIANCE:
TO PERMIT A REAR YARD SETBACK OF 6.8 METRES TO
THE DWELLING WALL FOR BLOCK 2; WHEREAS THE
BY-LAW REQUIRES A REAR YARD SETBACK OF 7.5
METRES.



SCALE 1:250
MARCH 8, 2021



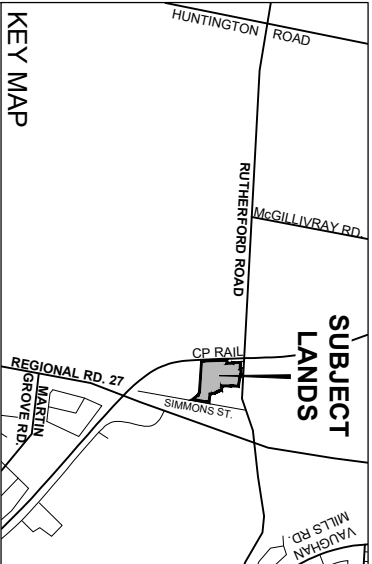
Glen Schnarr & Associates Inc.



RUTHERFORD ROAD

FUTURE ROAD WIDENING

EASEMENT IN FAVOR OF YORK REGION



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH NO. 3
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

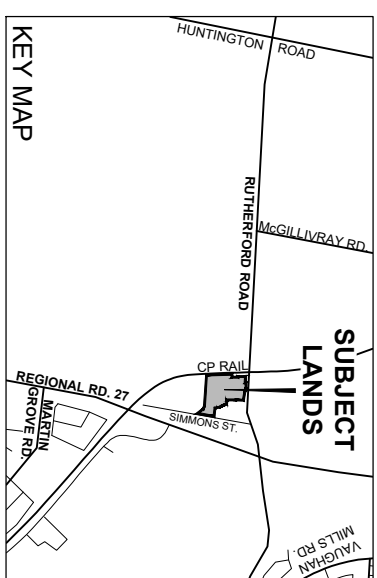
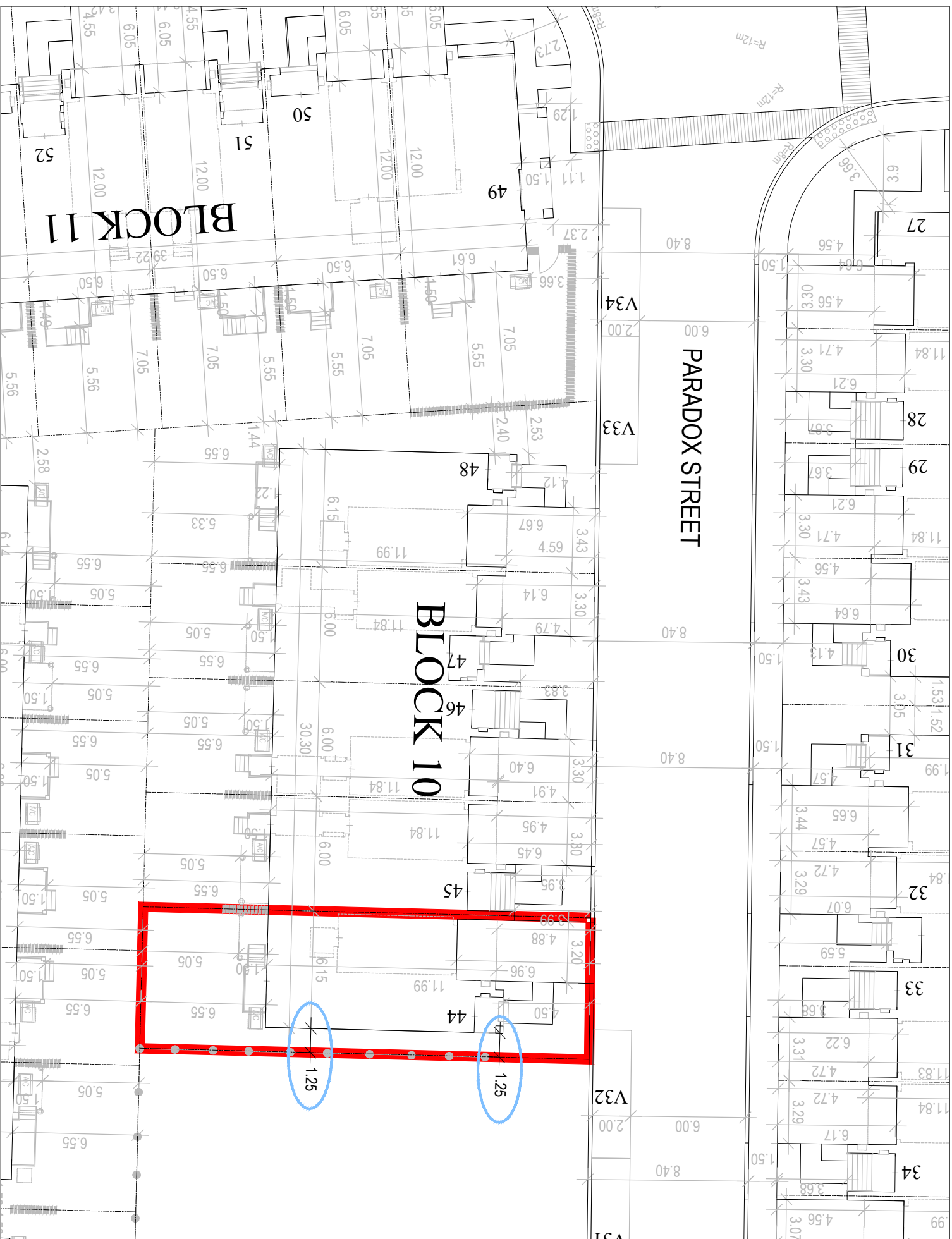
 SUBJECT LANDS - 3.44ha (8.50ac)

REQUIRED VARIANCE:
TO PERMIT A FRONT YARD OF 4.0 METRES, WHEREAS
THE BY-LAW REQUIRES A FRONT YARD OF 4.5
METRES:



SCALE 1:300
MARCH 8, 2021

GSAI
Glen Schnarr & Associates Inc.



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH NO. 4
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

 SUBJECT LANDS - 3.44ha (8.50ac)

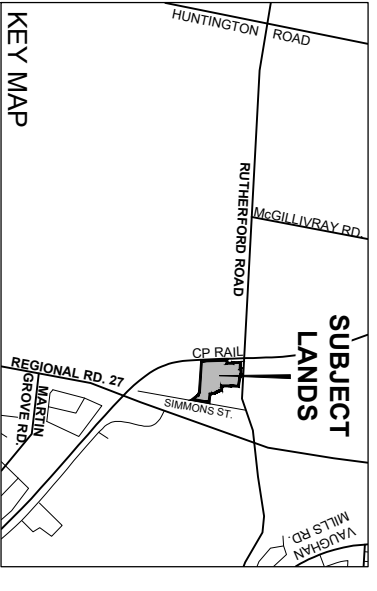
REQUIRED VARIANCE:
TO PERMIT AN INTERIOR SIDE YARD SETBACK OF 1.2 METRES TO A NON-RESIDENTIAL USE (TOT-LOT); WHEREAS THE BY-LAW REQUIRES 3.5 METRES.



SCALE 1:250
MARCH 8, 2021



Glen Schnarr & Associates Inc.

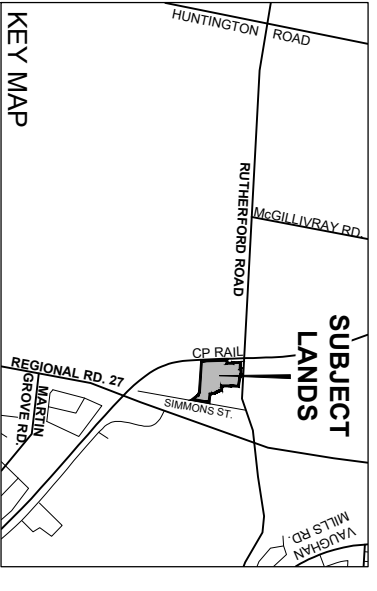


**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH NO. 5
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND
 SUBJECT LANDS - 3.44ha (8.50ac)

REQUIRED VARIANCE:
 TO PERMIT A LOT AREA OF 144 SQUARE METRES;
 WHEREAS THE BY-LAW REQUIRES 145 METRES;

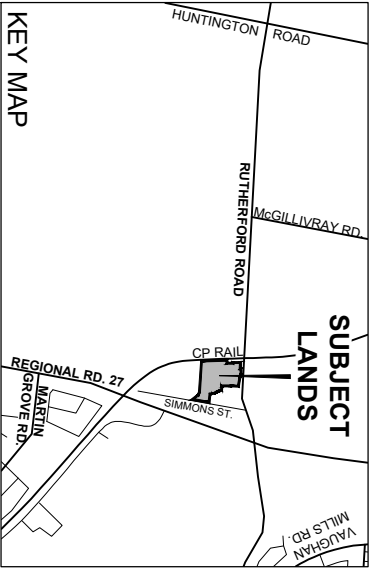
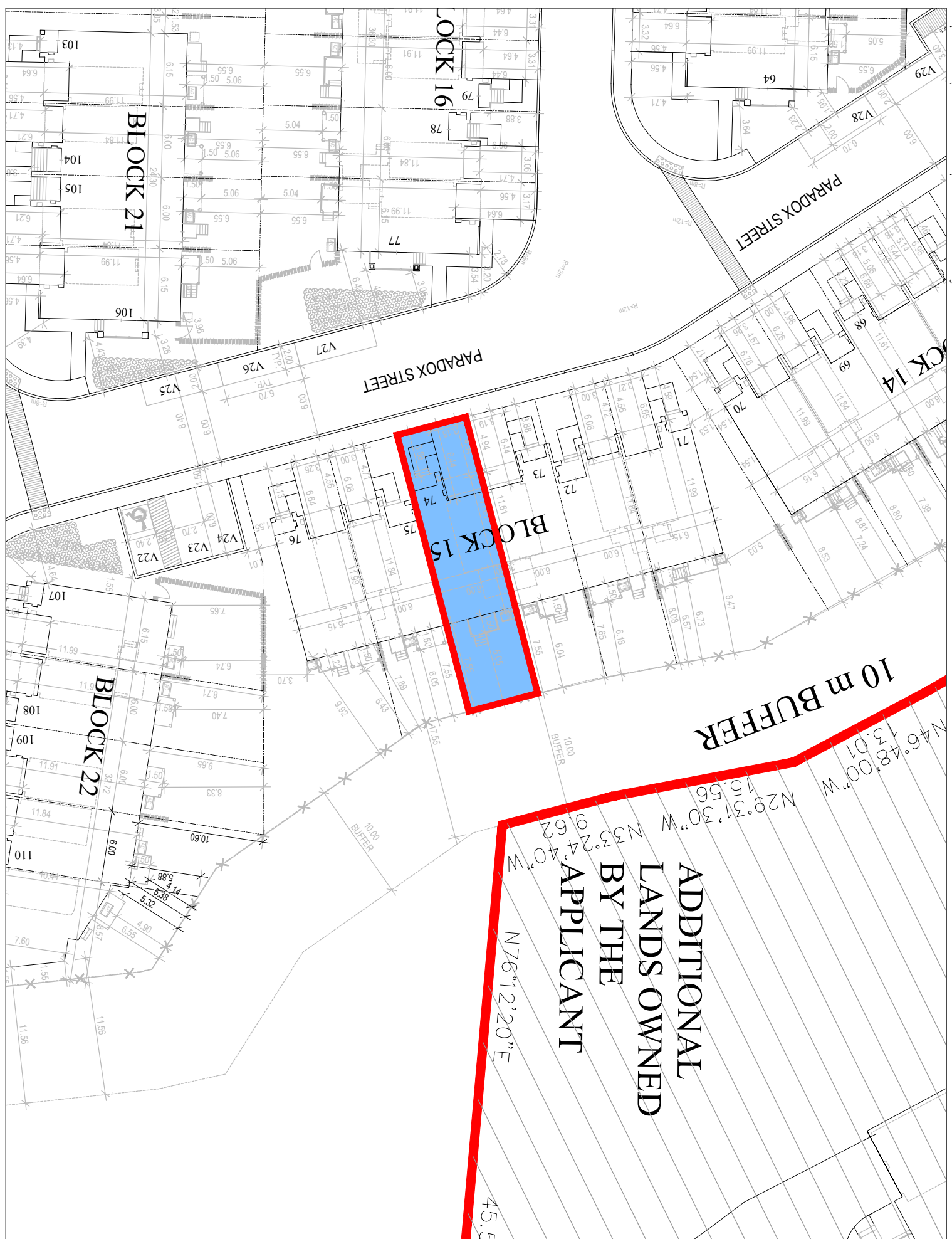


**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH NO. 6
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND
 SUBJECT LANDS - 3.44ha (8.50ac)

REQUIRED VARIANCE:
 TO PERMIT A LOT AREA OF 144 SQUARE METRES;
 WHEREAS THE BY-LAW REQUIRES 150 SQUARE
 METRES;



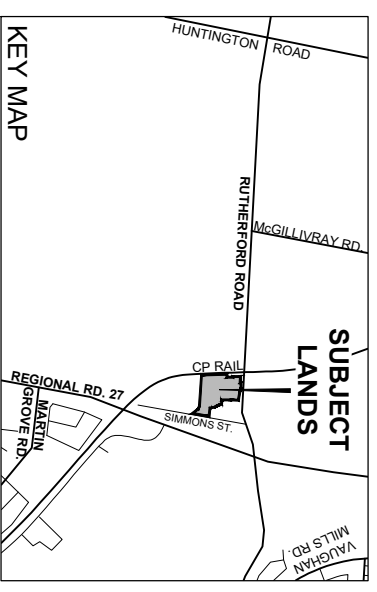
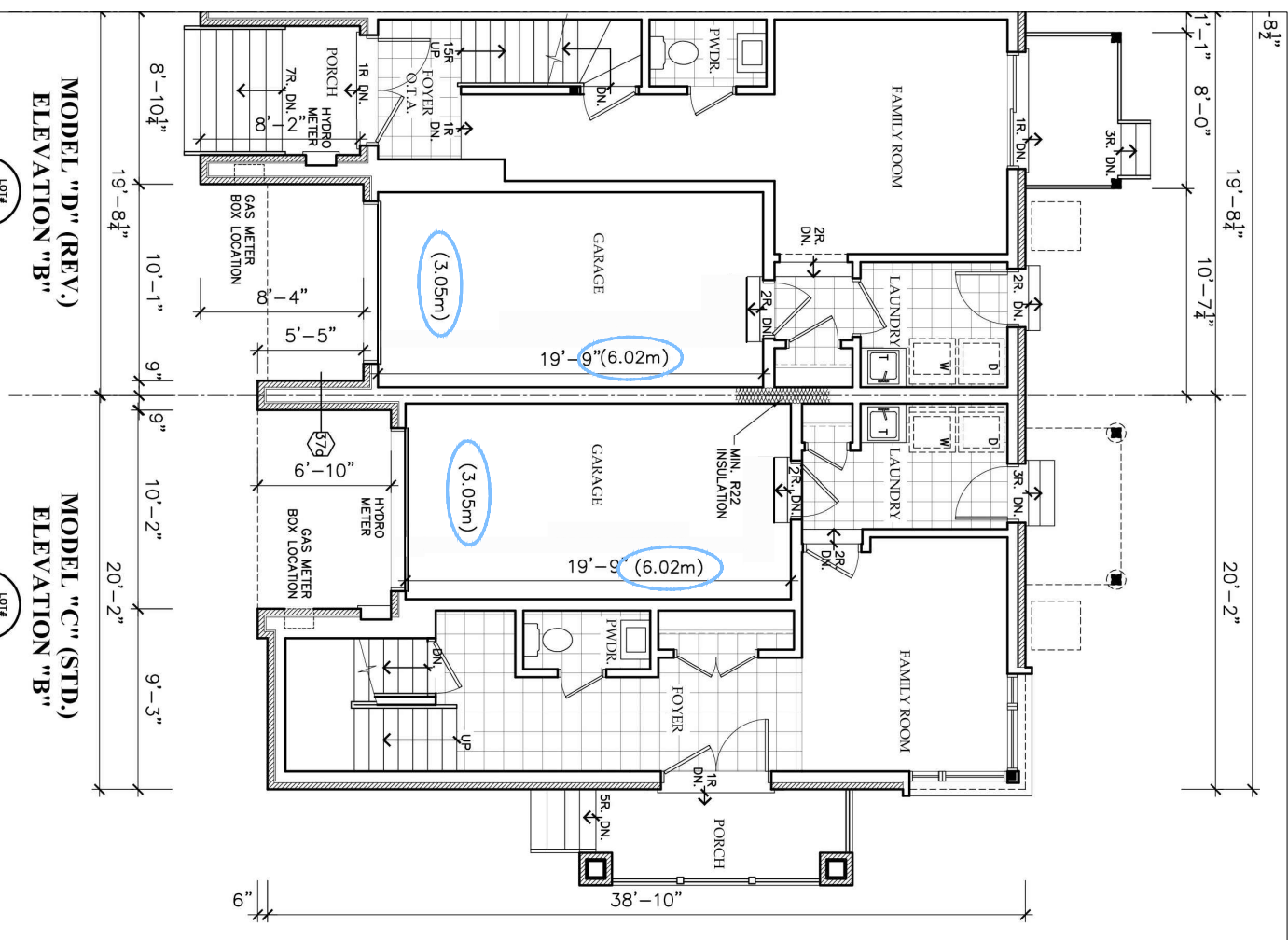
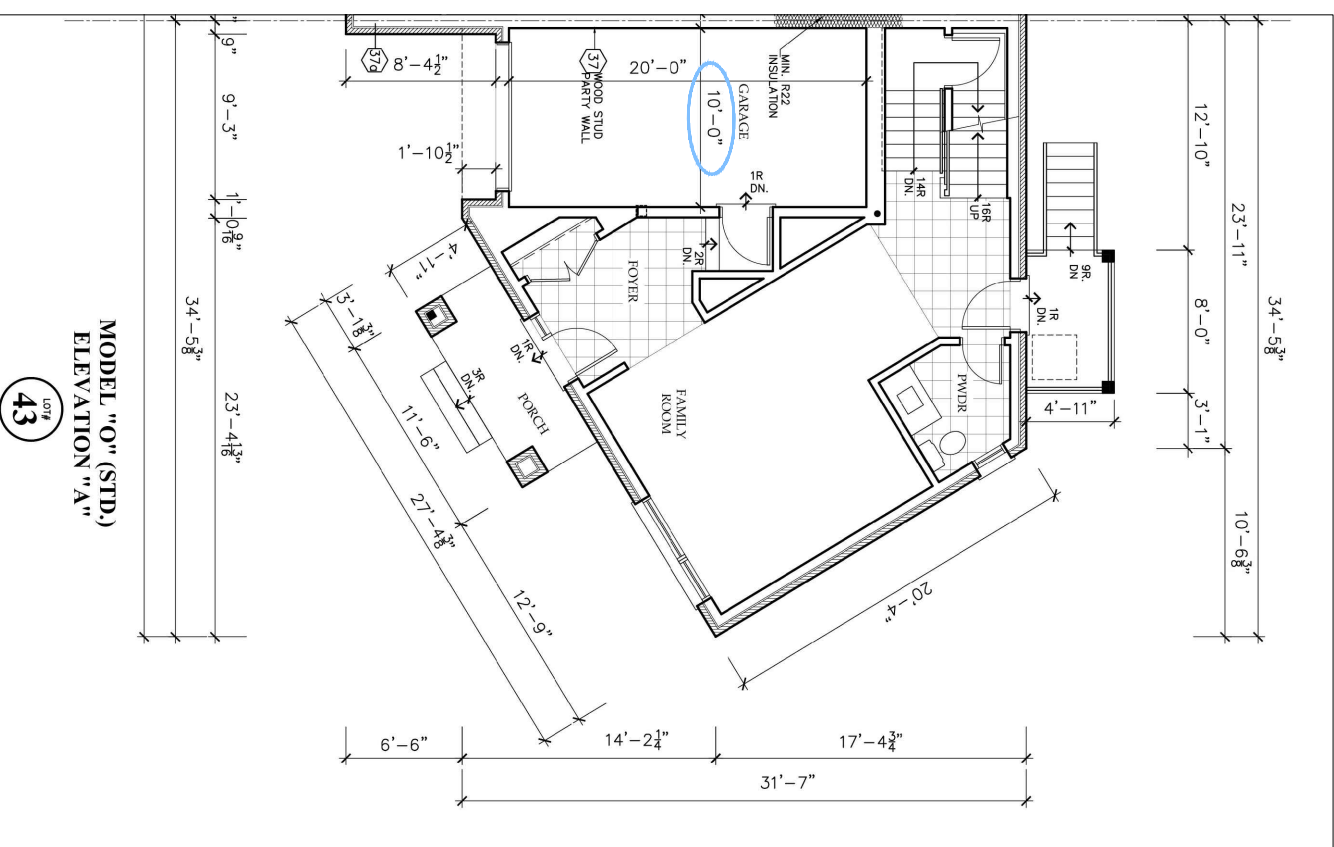
**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH NO. 6A
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

 SUBJECT LANDS - 3.44ha (8.50ac)

REQUIRED VARIANCE:
TO PERMIT A LOT AREA OF 144 SQUARE METRES;
WHEREAS THE BY-LAW REQUIRES 150 SQUARE
METRES:



**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH NO. 8
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
CONCESSION 9,
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

LEGEND

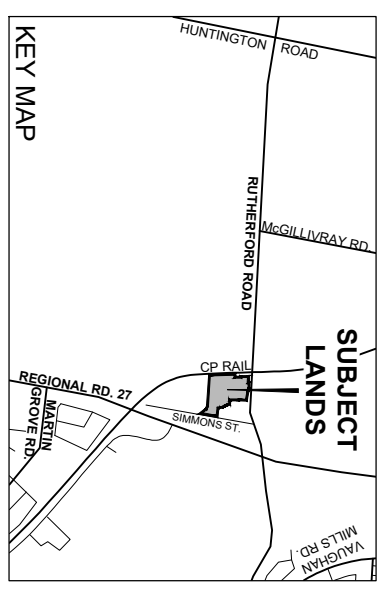
SUBJECT LANDS - 3.44ha (8.50ac)

REQUIRED VARIANCE:

TO PERMIT A MINIMUM GARAGE DIMENSION OF 3.04 METRES X 6.02 METRES (A SINGLE CAR GARAGE) FOR A LOT THAT EXCEEDS 12 METRES LOT FRONTAGE; WHEREAS THE BY-LAW REQUIRES A MINIMUM GARAGE DIMENSION OF 5.5 METRES X 6.0 METRES;



1 FRONT ELEVATION
BLOCK 22



COMMITTEE OF ADJUSTMENT MINOR VARIANCE SKETCH No. 9
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD, 134 & 140 SIMMONS STREET

PART OF EAST HALF OF LOT 15,
 CONCESSION 9,
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK

LEGEND

 SUBJECT LANDS - 3.44ha (8.50ac)

REQUIRED VARIANCE:
 TO PERMIT A MAXIMUM BUILDING HEIGHT OF 11.9 METRES FOR BLOCK 22. WHEREAS THE BY-LAW REQUIRES A MAXIMUM BUILDING HEIGHT OF 11.5 METRES.



SCALE: N.T.S.
 MARCH 8, 2021

NOTICE OF DECISION
Minor Variance Application A141/21
 Section 45 of the Planning Act, R.S.O., 1990, c.P.13

Date of Hearing: Thursday, July 22, 2021
Applicant: Pine Valley Kleinburg Homes Ltd.
Agent Glen Schnarr & Associates
Property: **6061, 6079 Rutherford Rd & 134, 140 Simmons Street, Woodbridge**
Zoning: The subject lands are zoned RT1, Residential and subject to the provisions of Exception 9(1474) under By-law 1-88 as amended.
OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "Natural Areas"
Related Files: DA.18.070
Purpose: Relief from By-law 1-88, as amended, is being requested to permit reduced lot area on Block 10 (Lot 45) and Block 6 (Lot 29) to facilitate Site Plan Application D.18.070 which is seeking approval for the construction of 111 condominium townhouses over 22 development blocks.

**The proposed blocks have not yet been created through the related Plan of Subdivision process.

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 lot area of 145 m2 is required per Exception 9(1474).	1. To permit a minimum lot area of 139 m2 for Block 10, Lot 45.
2. A minimum lot area of 162 m2 is required per Schedule A3.	2. To permit a minimum lot area of 140 m2 for Block 6, Lot 29.

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. A141/21 on behalf of Pine Valley Kleinburg Homes Ltd. 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 Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.070) from the Development Engineering (DE) 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.

Please Note:

It is the responsibility of the owner/applicant and/or authorized agent to address any condition(s) of approval noted in this decision to the satisfaction of the commenting department or agency. Once conditions have been satisfied, the Secretary Treasurer will be in a position to issue a clearance letter which is required prior to the issuance of a Building Permit.

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.

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

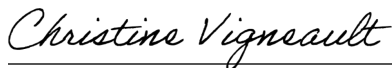
Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday , July 22, 2021 meeting for submission details.
None	Name: Address:

Late Written Public Submissions:

Public written submissions on an Application shall only be received by the Secretary Treasurer until **noon** on the last business day prior to the day of the scheduled Meeting.

MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

<i>H. Zheng</i>	<i>A. Perrella</i>	ABSENT
H. Zheng Member	A. Perrella Chair	R. Buckler Member
<i>S. Kerwin</i>		<i>A. Antinucci</i>
S. Kerwin Vice Chair		A. Antinucci Member

DATE OF HEARING:	Thursday, July 22, 2021
DATE OF NOTICE:	July 30, 2021
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	August 11, 2021 4:30 p.m.
CERTIFICATION: 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, AMP, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Ontario Land 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 Ontario Land Tribunal (OLT) against the decision of the Committee by filing with 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 Tribunal under the *Ontario Land Tribunal Act*.

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 after the giving of notice the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time. **Please notify the Secretary Treasurer by email at cofa@vaughan.ca** that you will be filing an appeal and mail or courier appeals and prescribed fees to:

Office of the City Clerk - Committee of Adjustment
 2141 Major Mackenzie Drive
 Vaughan Ontario, L6A 1T1

If you have questions regarding the appeal process, please email cofa@vaughan.ca

Appeal Fees & Forms

ONTARIO LAND TRIBUNAL (OLT): The OLT appeal fee is \$400 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The OLT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". OLT appeals must be filed with the Secretary Treasurer, City of Vaughan.

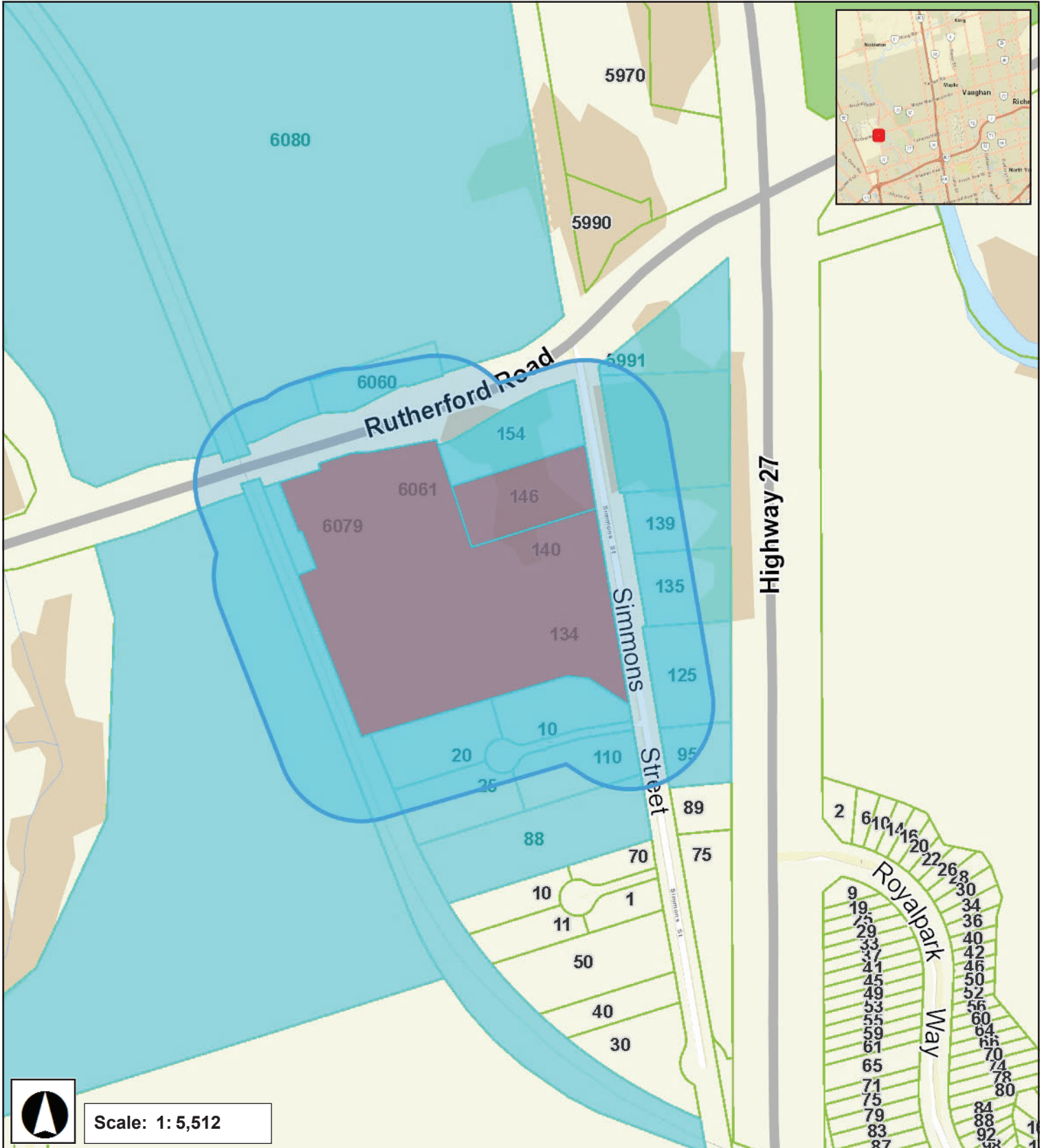
City of Vaughan OLT Processing Fee: \$866.00 per application

*Please note that all fees are subject to change.

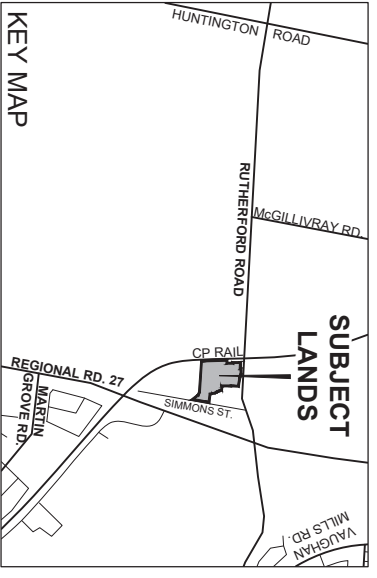
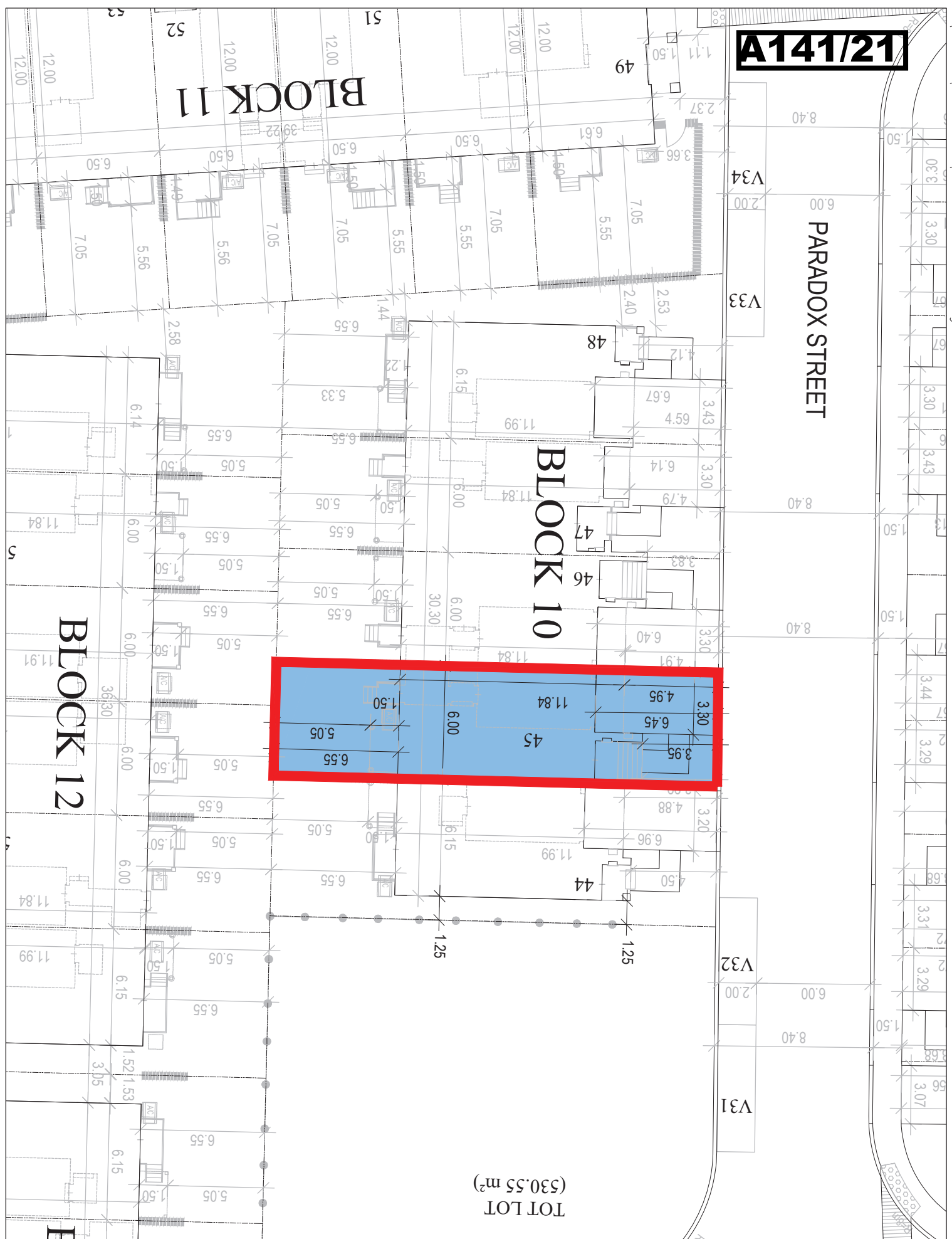


LOCATION MAP - A141/21

6061, 6079 RUTHERFORD ROAD & 134, 140 SIMMONS STREET



Scale: 1:5,512



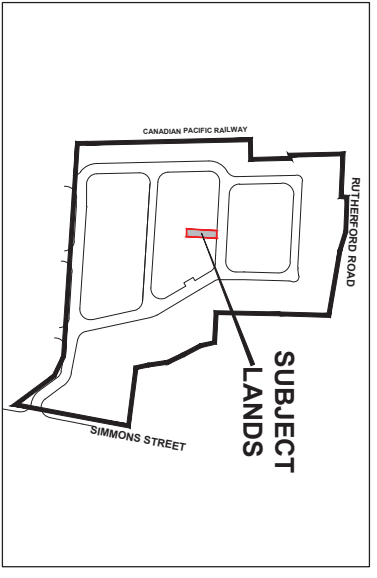
COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH
PINE VALLEY KLEINBURG HOMES LTD.
6061 & 6067 RUTHERFORD ROAD,
134 & 140 SIMMONS STREET

PART OF EAST HALF OF LOT 15,
 CONCESSION 9,
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK

LEGEND

 **SUBJECT LANDS**
(BLOCK 10, LOT 45)

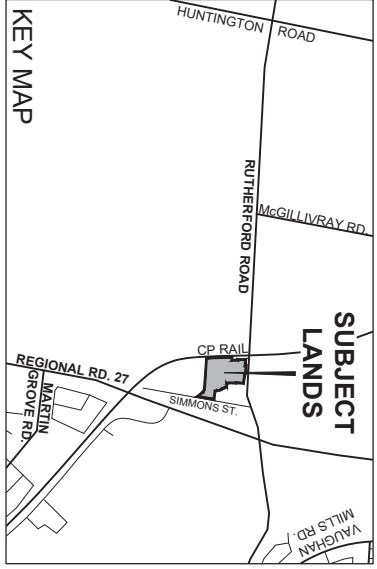
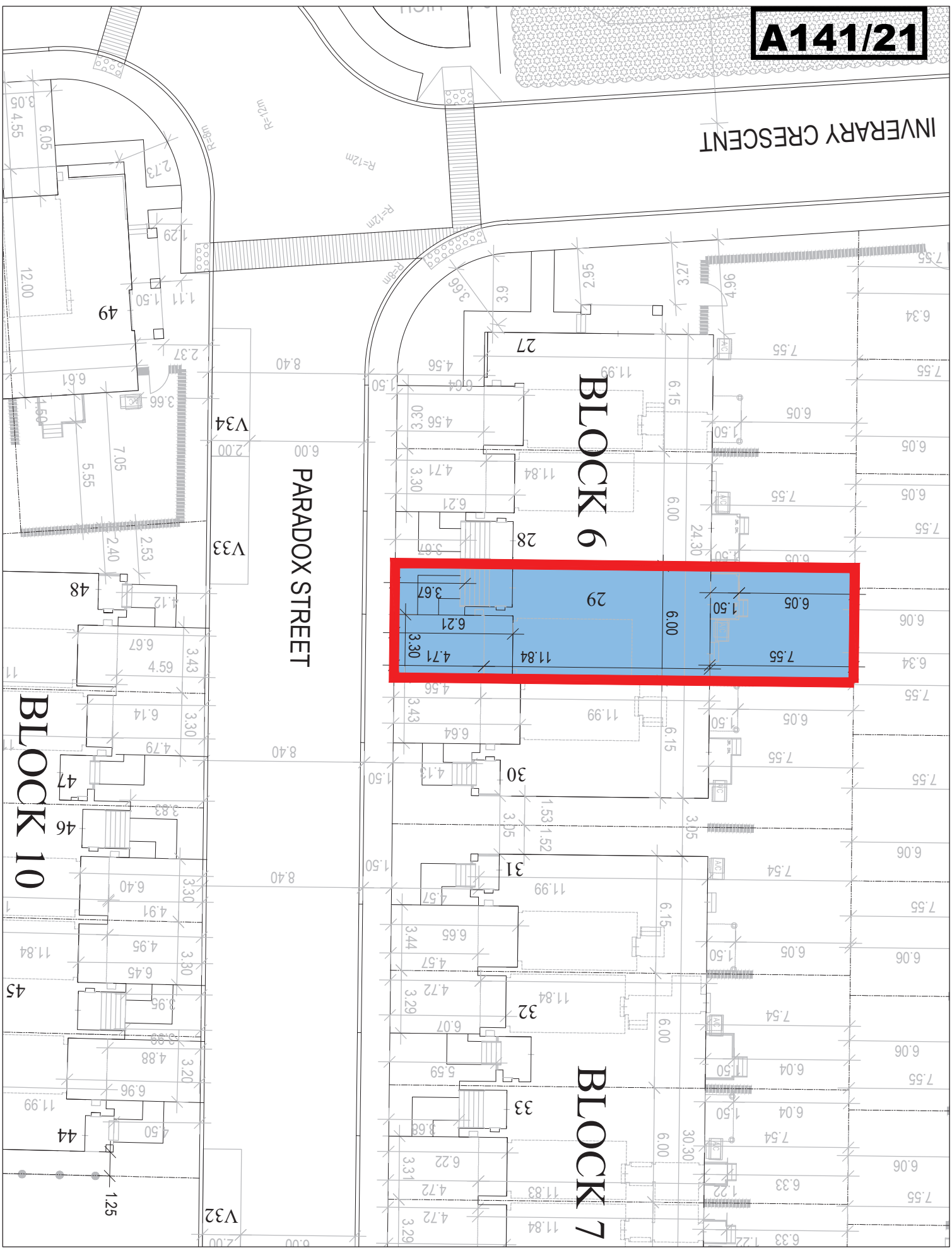
REQUIRED VARIANCE:
 TO PERMIT A LOT AREA OF 139 SQUARE METRES;
 WHEREAS THE BY-LAW REQUIRES 145 METRES;



SCALE 1:250
 JUNE 17, 2021


GSAI
 Glen Schnarr & Associates Inc.

A141/21



KEY MAP

SUBJECT LANDS

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE SKETCH**
PINE VALLEY KLEINBURG HOMES LTD.
**6061 & 6067 RUTHERFORD ROAD,
 134 & 140 SIMMONS STREET**

PART OF EAST HALF OF LOT 15,
 CONCESSION 9,
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK

LEGEND

 **SUBJECT LANDS (BLOCK 6, LOT 29)**

REQUIRED VARIANCE:

TO PERMIT A LOT AREA OF 140 SQUARE METRES;
 WHEREAS THE BY-LAW REQUIRES 162 METRES;

