

<b>ITEM #: 6.17</b>	<b>COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A295/22 19 HURST AVE, MAPLE</b>
---------------------	--

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

PUBLIC & APPLICANT CORRESPONDENCE				
<i>*Please see <b>Schedule C</b> of this report for a copy of the public &amp; applicant correspondence listed below.</i>				
The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>				
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
None				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND		
<i>*Please see <b>Schedule D</b> for a copy of the Decisions listed below</i>		
File Number	Date of Decision MM/DD/YYYY	Decision Outcome
None		

ADJOURNMENT HISTORY	
* Previous hearing dates where this application was adjourned by the Committee and public notice issued.	
None	



**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A295/22  
19 HURST AVE, MAPLE**

<b>AGENDA ITEM NUMBER: 6.17</b>	<b>CITY WARD #: 4</b>
<b>APPLICANT:</b>	Salvatore Curcio & Malisa Mani-Moghaddam
<b>AGENT:</b>	None
<b>PROPERTY:</b>	19 Hurst Ave, Maple
<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit an existing deck (including stair access).

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

**The subject lands are zoned R3 – Third Density Residential Zone and subject to the provisions of Exception 14.1014 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 01-2021	Variance requested
1	A maximum encroachment of 2.4m into the rear yard is permitted for the proposed deck and access stairs. [Table 4-1]	To permit a maximum rear yard encroachment of 4.34m for the proposed deck and access stairs.

**The subject lands are zoned RD3 – Residential Detached Zone Three and subject to the provisions of Exception 9(1385) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
2	A maximum encroachment of 1.8m into the rear yard is permitted for the proposed deck and exterior stairways. [3.14]	To permit a maximum rear yard encroachment of 5.84m for the proposed deck and exterior stairways.

### HEARING INFORMATION

**DATE OF MEETING:** January 26, 2023

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](https://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](mailto: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](mailto:cofa@vaughan.ca)

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

**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:

INTRODUCTION	
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:	January 12, 2023	
Date Applicant Confirmed Posting of Sign:	January 10, 2023	
Applicant Justification for Variances: <small>*As provided by Applicant in Application Form</small>	The existing uncovered deck was built in the summer of 2022 by "Royal Innovation Ltd.". We were unaware that a permit was required at the time. An inspector was recently in our area and noticed the deck and is now requesting a permit. We're also learning that a minor variance is required since the deck encroaches into the required minimum rear yard setback.	
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 <b>after</b> 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

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	The Owners shall plant a hedge along each interior side lot line within the rear yard to screen the deck and stairs from the abutting residential lots. The placement and composition of the hedges shall be to the satisfaction of the Development Planning Department. The Owner shall provide photographic imagery satisfactory to the Development Planning Department that confirms the hedges are of the appropriate vegetation and have been planted in the appropriate locations.

DEVELOPMENT ENGINEERING COMMENTS	
<a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>	
The property at 19 Hurst Avenue was issued a grading permit in October of 2017. After review of this permit, Development Engineering believes the proposed deck will not interfere with any existing drainage swales in the rear yard.	
The Development Engineering Department does not object to the Minor Variance application A295/22.	
Development Engineering Recommended Conditions of Approval:	None

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry has no comments at this time	
PFH Recommended Conditions of Approval:	None

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comment no concerns	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date.	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No comments received to date.	
Fire Department Recommended Conditions of Approval:	None

SCHEDULES TO STAFF REPORT	
*See Schedule for list of correspondence	
Schedule A	Drawings & Plans Submitted with the Application
Schedule B	Development Planning & Agency Comments
Schedule C (if required)	Correspondence (Received from Public & Applicant)
Schedule D (if required)	Previous COA Decisions on the Subject Land

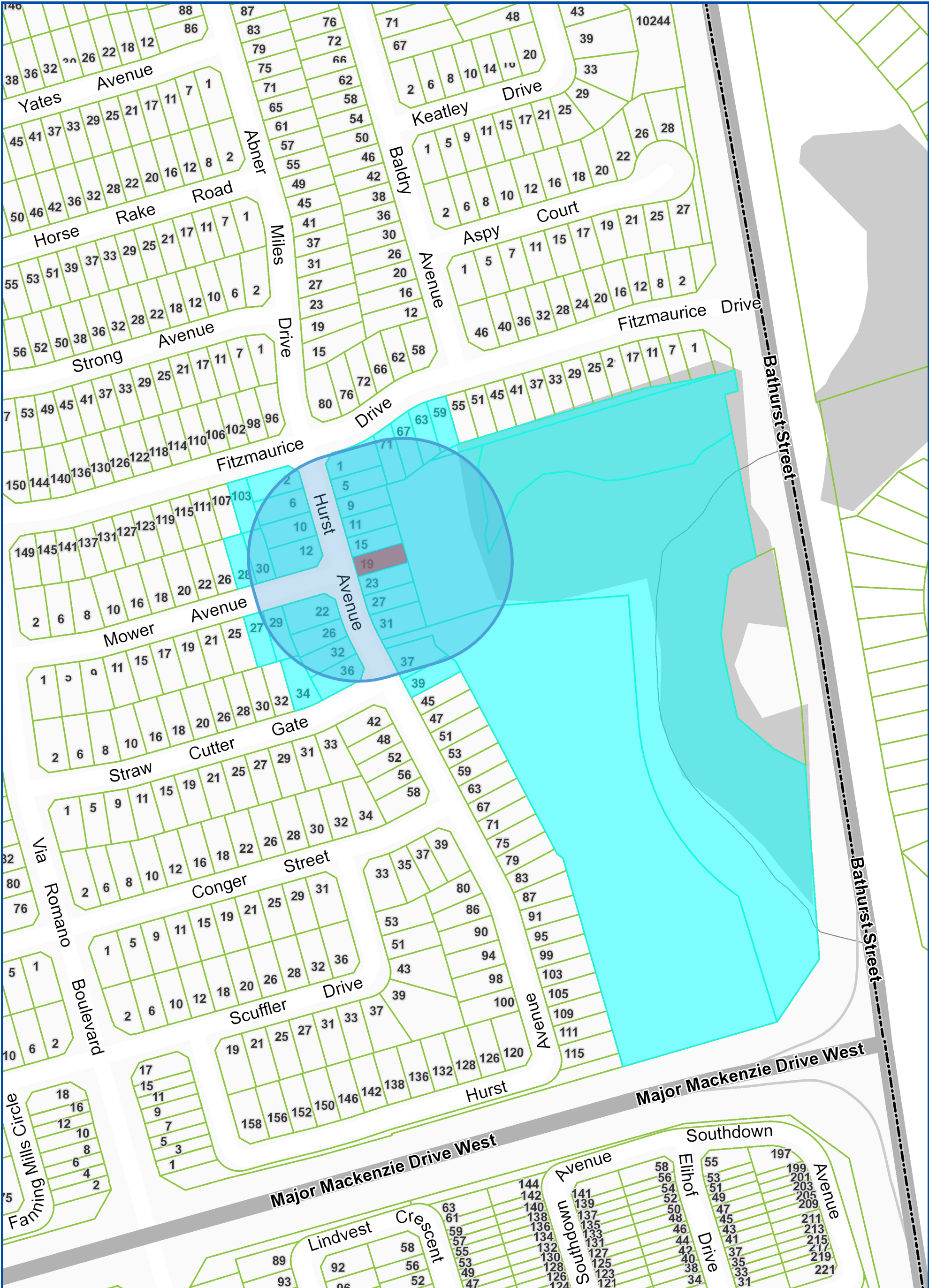
Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

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 Planning <a href="mailto:roberto.simbana@vaughan.ca">roberto.simbana@vaughan.ca</a>	The Owners shall plant a hedge along each interior side lot line within the rear yard to screen the deck and stairs from the abutting residential lots. The placement and composition of the hedges shall be to the satisfaction of the Development Planning Department. The Owner shall provide photographic imagery satisfactory to the Development Planning Department that confirms the hedges are of the appropriate vegetation and have been planted in the appropriate locations.

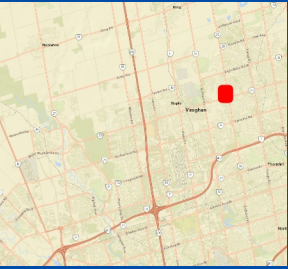
IMPORTANT INFORMATION – PLEASE READ
<p><b>CONDITIONS:</b> It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (<b>see condition chart above for contact</b>). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.</p>
<p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p><b>DEVELOPMENT CHARGES:</b> 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.</p> <p>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.</p> <p>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</p> <p>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.</p>
<p><b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.</p>

**SCHEDULE A: DRAWINGS & PLANS**





Map Information:



Title:

# NOTIFICATION MAP - A295/22

## 19 Hurst Avenue, Maple

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: 1:3,051

0 0.05 km

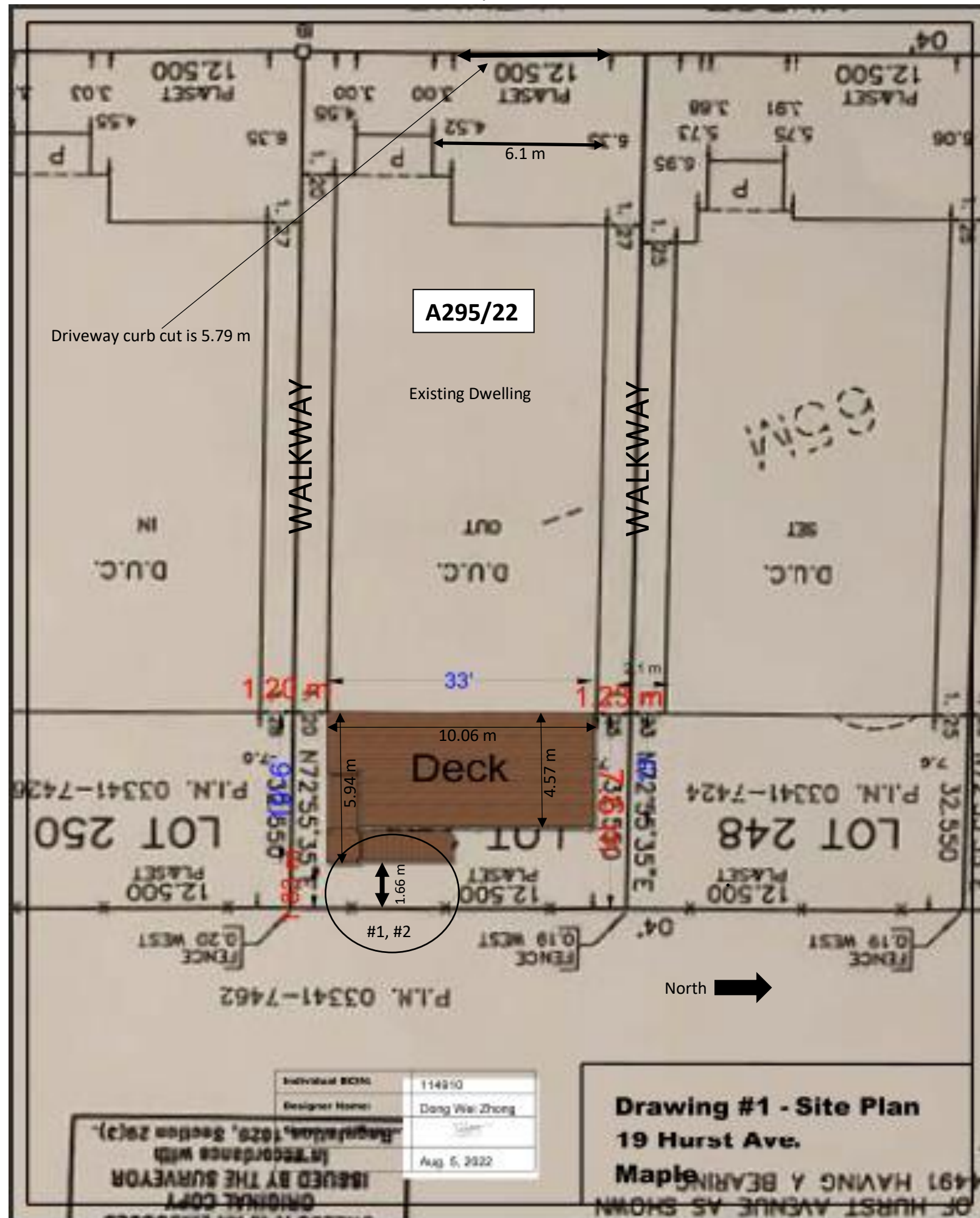


Created By:

Infrastructure Delivery  
Department  
January 5, 2023 12:29 PM

Projection:  
NAD 83  
UTM Zone  
17N





SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

DEPT/AGENCY	Circulated	Comments Received	Conditions	Nature of Comments
TRCA *Schedule B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Ministry of Transportation (MTO) *Schedule B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Region of York *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra *Schedule B	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YRDSB *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline *Schedule B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Received to Date
Metrolinx *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator *Schedule B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval/w conditions
Building Standards (Zoning)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments

**Date:** November 29<sup>th</sup> 2022

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **A295-22**

**Related Files:**

**Applicant** Salvatore Curcio & Malisa Mani-Moghaddam

**Location** 19 Hurst Avenue

**COMMENTS:**

- |                                     |  |
|-------------------------------------|--|
| <input type="checkbox"/>            | We have reviewed the proposed Variance Application and have no comments or objections to its approval.   |
| <input checked="" type="checkbox"/> | We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below). |
| <input type="checkbox"/>            | 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

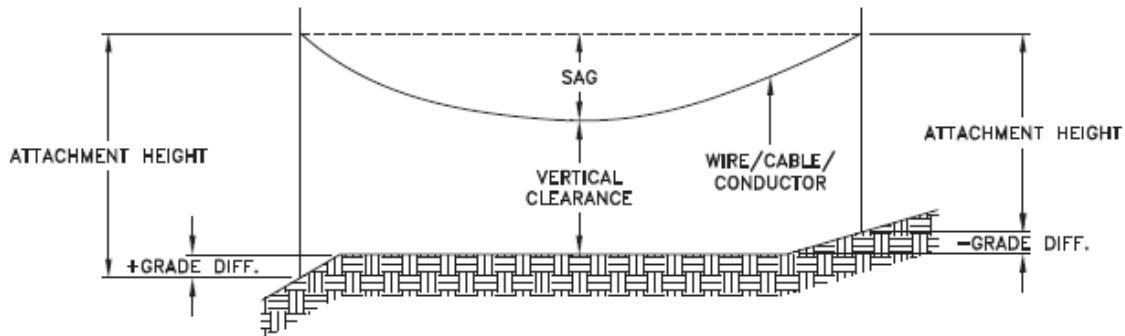
**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

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

**Email:** [Mitchell.Penner@alectrautilities.com](mailto: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</u> AND <u>BICYCLES</u> ONLY	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"

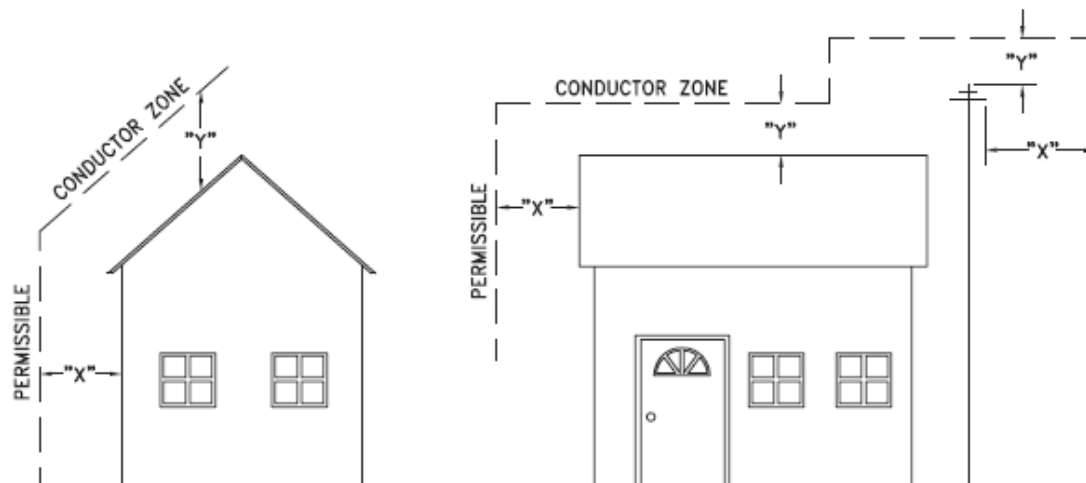
**REFERENCES**

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 CLEARNACE 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).

CONVERSION TABLE	
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)

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:

PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 3\3-4\DWG 03-4 R0 May 5, 2010.dwg, 5/5/2010 8:22:02 AM, Adobe PDF

**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

**To:** Committee of Adjustment  
**From:** Faegheh Gholami, Building Standards Department  
**Date:** November 29, 2022  
**Applicant:** Salvatore Curcio & Malisa Mani-Moghaddam  
**Location:** 19 Hurst Avenue  
PLAN 65M4491 Lot 249  
**File No.(s):** A295/22

**Zoning Classification:**

The subject lands are zoned R3 – Third Density Residential Zone and subject to the provisions of Exception 14.1014 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A maximum encroachment of 2.4m into the rear yard is permitted for the proposed deck and access stairs. [Table 4-1]	To permit a maximum rear yard encroachment of 4.34m for the proposed deck and access stairs.

The subject lands are zoned RD3 – Residential Detached Zone Three and subject to the provisions of Exception 9(1385) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
2	A maximum encroachment of 1.8m into the rear yard is permitted for the proposed deck and exterior stairways. [3.14]	To permit a maximum rear yard encroachment of 5.84m for the proposed deck and exterior stairways.

**Staff Comments:**

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

Order No. 22-124212, Order to Comply for Construction of a large deck in rear yard , Issue Date: Jul 07, 2022

**Building Permit(s) Issued:**

Building Permit No. 22-132165 for Single Detached Dwelling - Alteration, Issue Date: (Not Yet Issued)

**Other Comments:**

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

**Conditions of Approval:**

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

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

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** January 16, 2022

**Name of Owners:** Salvatore Curcio and Malissa Mani-Moghaddam

**Location:** 19 Hurst Avenue

**File No.(s):** A295/22

---

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

- 1) To permit a maximum rear yard encroachment of 4.34 m for the existing deck and access stairs.

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

- 1) A maximum encroachment of 2.4 m into the rear yard is permitted for the existing deck and access stairs [Table 4-1]

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

- 2) To permit a maximum rear yard encroachment of 5.84 m for the proposed deck and exterior stairways.

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

- 2) A maximum encroachment of 1.8 m into the rear yard is permitted for the proposed deck and exterior stairways. [3.14]

**Official Plan:**

Vaughan Official Plan 2010 ("VOP2010"): "Low-Rise Residential", subject to Site-Specific Policy 13.26, NW Corner of Major Mackenzie Drive & Bathurst Street

**Comments:**

The Owners are requesting permission to maintain a 2-storey deck and access stairs in the rear yard with the above noted variances.

Development Planning Department staff conducted a site visit on December 12, 2022, to determine the potential implications to the surrounding properties. The Subject Lands, which slope down towards the open space abutting the rear lot line, facilitated the walk-out basement design of the dwelling. A two-storey deck to provide access from the main floor to the rear yard is a reasonable use that facilitates access from the main floor to the rear yard. The other lots along the east side of Hurst Avenue are similarly graded, have walkout basement designs, and decks off the main floor. Therefore, the principle of a deck off the main floor of the walkout basement design is consistent with other newly erected decks on abutting and nearby properties. The bulk of the deck's massing impact is concentrated on its depth rather than its length, as the property abuts open space at the rear. It is the opinion of Development Planning staff that a rear yard setback of 3.50 m is appropriate given the site context.

While the deck is in-line with the side walls of the house, the degree of its projection into the rear yard when coupled with its height creates some massing and privacy concerns with respect to the abutting rear yards. To mitigate the massing and privacy impacts of the deck and stair projections on the abutting residential properties, the Owners placed frosted screen paneling on the north and south sides of the deck. However, Urban Design advises that additional measures are required to soften the impacts. Urban Design has requested hedges be planted along the interior side lot lines to mitigate the adverse massing and privacy impacts. Development Planning staff agree with this request and deem it a suitable mitigation measure to address any adverse massing and privacy impacts the added deck/stair depth may pose. A condition to this effect is included within the recommendation section.

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



**Recommendation:**

The Development Planning Department recommends approval of the application, subject to a condition.

**Condition of Approval:**

If the Committee finds merit in the application, the following condition of approval is recommended:

- 1) The Owners shall plant a hedge along each interior side lot line within the rear yard to screen the deck and stairs from the abutting residential lots. The placement and composition of the hedges shall be to the satisfaction of the Development Planning Department. The Owner shall provide photographic imagery satisfactory to the Development Planning Department that confirms the hedges are of the appropriate vegetation and have been planted in the appropriate locations.

**Comments Prepared by:**

Roberto Simbana, Planner I  
David Harding, Senior Planner

**Lenore Providence**

---

**Subject:** FW: [External] RE: A295/22 (19 Hurst Avenue) - Request for Comments (City of Vaughan)

---

**From:** Development Services <developmentservices@york.ca>

**Sent:** December-07-22 3:39 PM

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

**Subject:** [External] RE: A295/22 (19 Hurst Avenue) - Request for Comments (City of Vaughan)

Hi Christine,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Many thanks,

**Niranjn 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 | [niranjn.rajevan@york.ca](mailto:niranjn.rajevan@york.ca) | [www.york.ca](http://www.york.ca)

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



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

Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None.				