



File: A002/19

Applicant: Itay, Shmuel and Ameet Balilty

Address: 199 Arnold Avenue, Thornhill ON

Agent: Victor Guitberg - Guitberg Group Inc.

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

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

Adjournment History: N/A

Background History: B024/17 & B025/17 (withdrawn, no decision)



Minor Variance
Application

Agenda Item: 7

A002/19

Ward: 5

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, May 16, 2019

Applicant: Itay, Shmuel and Ameet Balilty

Agent: Victor Guitberg - Guitberg Group Inc.

Property: 199 Arnold Avenue, Thornhill ON

Zoning: The subject lands in their entirety are zoned R1V, Residential and R2, Residential and subject to the provisions of Exception 9(662) and 9(275) under By-law 1-88 as amended. Part 2, which is the subject lands for this application, is zoned R2, Residential and subject to Exception 9(275).

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

Related Files: B001/19, B002/19, A003/19 & A004/19

Purpose: Relief from the by-law is being requested to permit reduced lot area, lot frontage and lot depth on the severed land, being Part 2, Reference Plan 65R-37453, to facilitate Consent Application B001/19.

Relief is also being sought to permit the construction of a proposed single family dwelling on the severed land (B001/19).

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 frontage of 16.5 metres is required.	1. To permit a minimum lot frontage of 13.48 metres.
2. A minimum lot area of 555 m2 is required.	2. To permit a minimum lot area of 528.3 m2.
3. A minimum interior side yard setback of 1.5 metres is required.	3. To permit a minimum interior side yard setback of 1.2 metres.
4. A minimum exterior side yard setback of 4.5 metres is required.	4. To permit a minimum exterior side yard setback of 3.42 metres.
5. A minimum lot depth of 37 metres ± 0.5 metres is required.	5. To permit a minimum lot depth of 36.48 metres.
6. A minimum front yard setback of 7.5 metres is required.	6. To permit a minimum front yard setback of 7.13 metres to a dwelling.
7. A minimum of 50% front yard landscaped area is required.	7. To permit a minimum of 46.6 % front yard landscaped area.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B024/17	No Decision, files withdrawn/closed	N/A
B025/17	No Decision, files withdrawn/closed	N/A

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, “A001/17”.

To search property address, enter street number and street name using quotes. For example, “2141 Major Mackenzie”. Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

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

Committee of Adjustment:
Public notice was mailed on May 1, 2019

Applicant confirmed posting of signage on April 19, 2019

Property Information	
Existing Structures	Year Constructed
Property Vacant (Severed Land)	

Applicant has advised that they cannot comply with By-law for the following reason(s): Daylighting conveyance, corner lot situation, new construction necessitate minor variance.

Recommended conditions of approval:

1. That Consent Application B001/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.

Adjournment Request: N/A

Building Standards (Zoning Review):
A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

A Surveyor's Certificate confirming Lot Coverage, Lot Area and Lot Depth must be submitted to this Department prior to the issuance of building permit for construction of the proposed dwelling.

Agent has confirmed that the front porch and stairway will be uncovered, unenclosed and unexcavated.

This application shall be read in conjunction with Consent Application No.'s B001/19 and B002/19.

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

Building Inspections (Septic):
No comments or concerns

Development Planning:
VOP 2010: "Low-Rise Residential"

The subject lands are a through lot with frontage on Arnold Avenue and abut Spring Gate Boulevard to the rear. The majority of properties along Arnold Avenue were also through lots which over time have been severed to create additional lots that front onto Spring Gate Boulevard. The subject lands are one of the few remaining through lots in the area that have not been severed.

B001/19 & B002/19
The Owner is proposing to sever the rear of the subject lands to create two new residential lots that will front onto Spring Gate Boulevard and facilitate the construction of two new 2-storey, single detached dwellings. The existing 1-storey single detached dwelling on the retained lands will be demolished and replaced with a 2-storey single detached dwelling for a total of three new dwellings. The subject lands are also split zoned "R1V Residential Old Village" (R1V Zone) for the first 54.52 m of lot depth (Part 1 – Arnold Avenue) and "R2 Residential" (R2 Zone) for the remaining 36.48 m of lot depth (Parts 2 and 3 – Spring Gate Boulevard) at the rear. The two proposed severed lots will be within the R2 Zone portion of the subject lands and continue a consistent lot pattern along Spring Gate Boulevard. The subject lands are split zoned in anticipation of a severance of this type.

A002/19 Variances #1, 2 & 5 (Part 2) & A003/19 Variance #3 (Part 3) – Lot Frontage, Area & Depth
The proposed severed lots (Part 2 – A002/19 and Part 3 – A003/19) will both be deficient in lot depth by 0.02 m, and Part 2 will also be deficient in lot area by 26.7 m2 and lot frontage by 3.02 m, largely due to the conveyance of an 8 m by 8 m daylight triangle at the intersection of Spring Gate Boulevard and Atkinson Avenue. As the proposed variances to lot depth, area and frontage are considered minor reductions from the requirements of Zoning By-law 1-88, and the severed lots will continue a consistent lot pattern along Spring Gate Boulevard, the Development Planning Department has no objection to the requested variances associated with the lot configurations.

A004/19 Variance #8 (Part 1) – Lot Frontage

The proposed retained lands (Part 1) will comply with the lot area requirements of Zoning By-law 1-88. The retained lands will have a lot frontage of 28.28 m due to the conveyance of a daylight triangle at Arnold Avenue and Atkinson Avenue; whereas, 30 m is required, which is a minor reduction. There is no lot depth requirement for the retained lands; however, the proposed lot depth is consistent with the lot depths of nearby and adjacent lots along Arnold Avenue. The Development Planning Department has no objections to the proposed lot frontage for Part 1.

A002/19 Variances #3, 4, 6 & 7 (Part 2) – Dwelling & Landscaping

The proposed dwelling on Part 2 requests a 0.3 m reduction to the interior side yard setback on the east and a 1.08 m reduction to the exterior side yard setback from the required daylight triangle at the intersection of Spring Gate Boulevard and Atkinson Avenue. The dwelling will be mostly setback 4 m from Atkinson Avenue, with the only exception being at the daylight triangle. The front yard will also require a 3.4% reduction in front yard landscaped area due to the conveyance of the daylight triangle, which reduces the front yard area. As these reductions are considered minor in nature, the Development Planning Department has no objections to the proposed variances for Part 2.

A003/19 Variances #1, 2 & 4 (Part 3) - Dwelling

The proposed dwelling on Part 3 requests a 0.12 m reduction to the interior side yard setback to a chimney pilaster and a 0.3 m reduction to the interior side yard setback of the dwelling. A lot coverage increase of 3.9% is also requested for the covered porches associated with the dwelling, while the dwelling itself will comply with the maximum lot coverage permission of 35%. As these variances are considered minor in nature, the Development Planning Department has no objections to the proposed variances for Part 3.

A004/19 Variances #1 – 7 (Part 1) – Dwelling & Cabana

The proposed maximum building height of 11 m to the top of the roof is consistent with existing dwellings in the area along Arnold Avenue that are also within the R1V Zone. The proposed interior side yard setbacks of 1.82 m to the dwelling and 1.3 m to a chimney pilaster are considered minor changes. The existing dwelling on the subject lands has an exterior side yard setback of 4.7 m, where the proposed dwelling will have a setback of 4.75 m to a garage projection and is considered consistent with the character of the area.

This exterior side yard setback also reflects the existing exterior side yard setback of the dwelling on 207 Arnold Avenue directly across the street, which was approved at 4.57 m through Minor Variance Application A39/89. The proposed lot coverage consists of 22% for the dwelling, 3.84% for the covered and unenclosed porches and 1.67% for an accessory cabana. The proposed dwelling coverage of 22% is within the maximum allowable dwelling coverage of 23% within the R1V Zone, with the additional coverage attributed to unenclosed porches and a cabana which are not considered living area.

The proposed cabana will also require variances to the minimum rear and interior side yard setbacks of 6.5 m and 1.82 m respectively, which are considered acceptable for an accessory structure. The Development Planning Department has no objections to the proposed variances for Part 1.

The subject lands contain existing mature trees which will be impacted by the proposal. As such, an Arborist Report was submitted by SBK Landscape Architecture, dated January 30, 2019, which identified that 36 trees will be removed to accommodate the proposal, requiring the replacement of 56 trees. The Owner proposes to plant 2 trees and provide cash-in-lieu payment for the remaining 54 replacement trees that will not be accommodated on the subject lands, at a rate of \$550.00 per tree. The Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the submitted Arborist Report and concurs with its recommendations. As a condition of approval, the Owner will be required to submit a cheque in the amount of \$29,700.00 made payable to the City of Vaughan as cash-in-lieu of the required replacement trees that will not be accommodated on the subject lands.

The Development Planning Department has no objection to the requested severances and is of the opinion that the proposal maintains the intent of VOP 2010 and the consent criteria stipulated in Section 51(24) of the Planning Act, R.S.O. 1990, c P.13. The Development Planning Department is also of the opinion that the requested variances to both of the severed lands and the retained lands are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the lands.

The Development Planning Department recommends approval of the applications, subject to the conditions below:

1. That Minor Variance Applications A002/19, A003/19 and A004/19 be approved and the decisions be Final and Binding.
2. The Owner shall provide compensation to Vaughan by way of certified cheque as cash-in-lieu for 54 replacement trees at a rate of \$550.00 per tree (\$29,700.00 total).

Urban Design:

There are no cultural heritage concerns for this application.

Development Engineering:

The Development Engineering (DE) Department has no objection to Minor Variance Application A002/19 for 199 Arnold Avenue, Lot 40, RP 3715, Part 2 (412 Spring Gate Boulevard) subject to the following conditions :

1. Consent Applications B001/19 and B002/19 to become final and binding.
2. The owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the 3 properties (Part 1, 2, and 3). Please visit or contact Development Engineering’s front desk on the 2nd floor of City Hall to apply for lot grading and/or servicing approval. The proposed grading plan should include all 3 lots showing how they are going to work together to provide an adequate drainage plan.

Additional Comments:

The owner/applicant shall apply for a curb cut permit at the City of Vaughan Transportation Services Division of the Transportation Services, Parks and Forestry Operations at 2800 Rutherford Road.

Parks Development:

No Response.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

No comments or concerns

Fire Department:

No comments or concerns

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

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

Schedule D - Previous Approvals (Notice of Decision)

B024/17 & B025/17, withdrawn, no decision.

Staff Recommendations:

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

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

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

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

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	That Consent Application B001/19 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Development Engineering Margaret Olivier 905-832-8585 x 8716 Margaret.Olivier@vaughan.ca	<ol style="list-style-type: none">1. Consent Applications B001/19 and B002/19 to become final and binding.2. The owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering

	Department/Agency	Condition
		Department for final lot grading and/or servicing approval prior to any work being undertaken on the 3 properties (Part 1, 2, and 3).

Please Note:

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

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Conditions

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

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition, which must be delivered no later than **12:00 p.m.** on the scheduled public hearing date.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

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

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

T 905 832 8585 Extension 8394
E CofA@vaughan.ca

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Notification Map
Sketches

The map displays a residential neighborhood with various streets and lots. Key streets include Franklin Avenue, Maimonides Court, Atkinson Avenue, Rodeo Drive, Arnold Avenue, Gate Boulevard, Spring Circle, Tangreen Circle, Beavshire Circle, Franmore Circle, and Clark Avenue West. Lots are numbered throughout the area. A central area is highlighted in light blue, and a specific lot, A004/19, is highlighted in red. A dashed line indicates a boundary or subdivision within the red lot.

199 ARNOLD AVENUE, THORNHILL

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.



Projection:
NAD 83
UTM Zone
17N

Revised
April 11, 2019

ARNOLD AVENUE
(DEDICATED BY REGISTERED PLAN 3715)
P.I.N. 03257-0633 (LT)

A002/19

ATKINSON AVENUE
PART 1, EXPROPRIATION PLAN 10252

LOT 41

REGISTERED

3.42m
#4

BLOCK 137
REGISTERED
PLAN M-2007
P.I.N. 03254-0292 (LT)

7.13m
#6

1.2m
#3

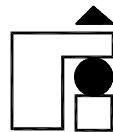
2. To permit a minimum lot area of 528.3m².
7. To permit a minimum of 46.6 % front yard landscaped area.

SITE PLAN

SCALE 1:500
DERIVED FROM
TOPOGRAPHIC SURVEY
LOT 40
REGISTERED PLAN 3715
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
ALEX MARTON LIMITED
ONTARIO LAND SURVEYORS
NOVEMBER 24, 2018

CAUTION
THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR ANY REAL ESTATE TRANSACTIONS.
NOTE
THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR ANY REAL ESTATE TRANSACTIONS.

GUITBERG GROUP INC.



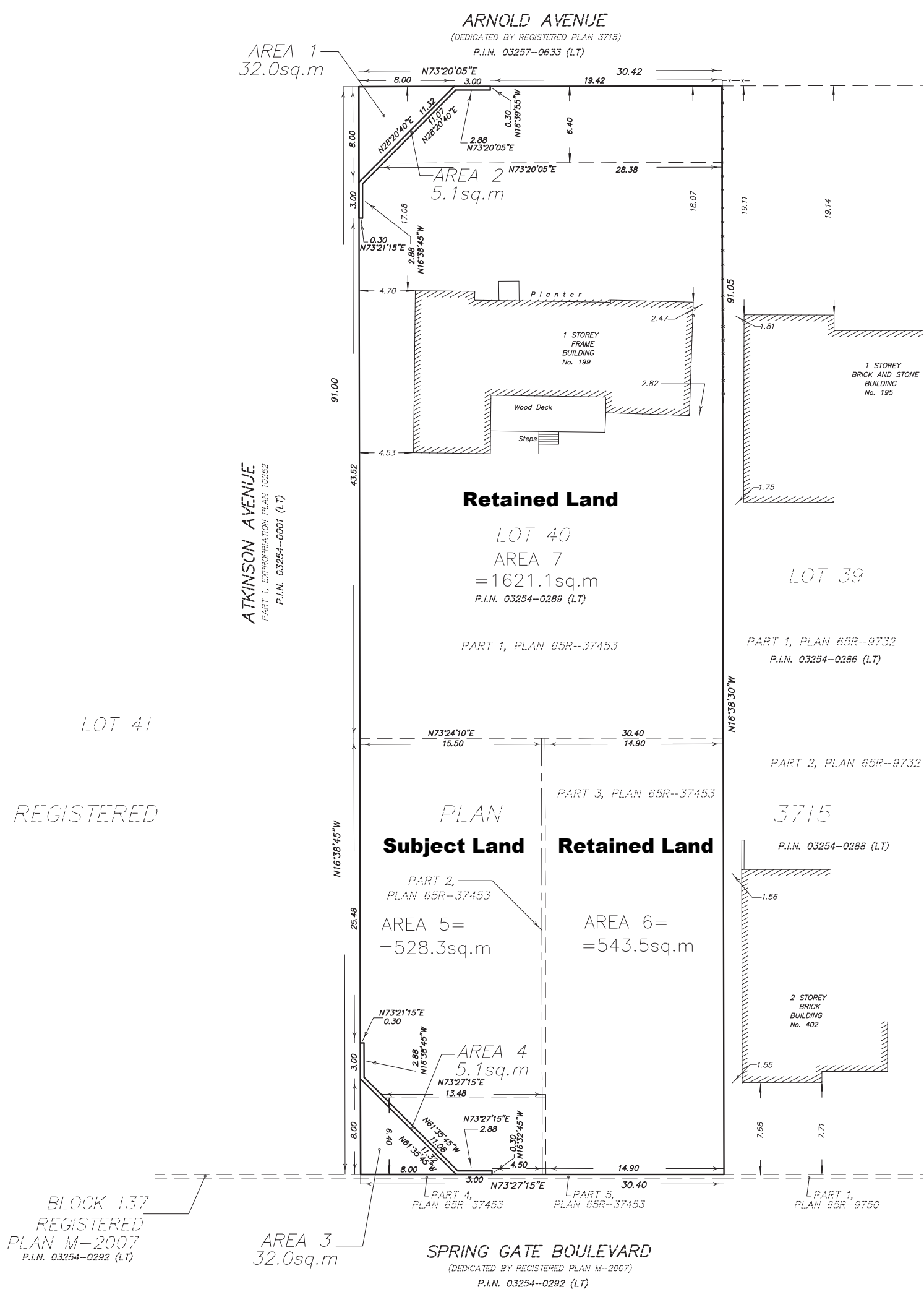
33 BELVEDERE CRES.
RICHMOND HILL
ONTARIO, L4C 8W1
TEL. (905) 508-7436
FAX. (905) 508-7453

PRIVATE RESIDENCES
AT #199 ARNOLD AVENUE
AND 404A & B SPRING GATE BLVD.
CITY OF VAUGHAN, ON

SITE PLAN

SITE COVERAGE CALCULATION FOR #199 ARNOLD AVE.

SITE COVERAGE(REQ.20%)	356.74 M ² - 3840.00 sq.ft. (22.00%)	HOUSE ONLY
SITE COVERAGE(REQ.20%)	62.24 M ² - 670.00 sq.ft. (3.84%)	COVERED PORCHES
SITE COVERAGE(REQ.20%)	27.00 M ² - 291.00 sq.ft. (1.67%)	ACCESSORY STRUCTURE
	27.51%	TOTAL



Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

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

Providence, Lenore

Subject: FW: Request for Comments

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

Sent: February-19-19 2:02 PM

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

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

Subject: Request for Comments

Hi Christine,

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

A018/19 – 99 Klein Mills Rd., Kleinburg, ON.

A213/18 – 10930 Pine Valley Dr., Vaughan, ON.

A016/19 – 1600 Steeles Ave., Vaughan, ON.

A014/19 – 79 Crestwood Rd., Thornhill, ON.

A005/19 – 129 Villa Park Dr., Woodbridge, ON.

A002/19, A003/19 & A004/19 – 199 Arnold Ave., Thornhill, ON.

A009/19 – 111 Endless Circle, Kleinburg, ON.

A218/18 – 99 Heritage Estates Rd., Maple, ON.

A022/19 – 117 Farrell Road, Maple, ON.

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

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

Thank you,

Paul Nunes | Corridor Management Officer

Ministry of Transportation | Corridor Management Section | York Region

159 Sir William Hearst Avenue, 7th floor Building D, Downsview, ON M3M 0B7

(416) 235-5559 | paul.nunes@ontario.ca



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



COMMENTS:

☐

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

☒

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

☐

We have reviewed the proposed Variance Application and have the following concerns (attached below).

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

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

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

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

References:

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

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

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

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

Providence, Lenore

Subject: FW: A002/19, A003/19 & A004/19 REQUEST FOR ***REVISED** COMMENTS (Vaughan - Committee of Adjustment)

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

Sent: April-25-19 7:12 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Subject: RE: A002/19, A003/19 & A004/19 REQUEST FOR ***REVISED** COMMENTS (Vaughan - Committee of Adjustment)

Lenore,

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

Regards,
Gabrielle

Schedule D: Previous Approvals (Notice of Decision)

B024/17 & B025/17, withdrawn, no decision.