

|                  |  |
|------------------|--|
| <b>ITEM: 6.2</b> | <b>REPORT SUMMARY<br/>MINOR VARIANCE APPLICATION<br/>FILE NUMBER A164/23</b> |
|------------------|--|

Report Date: February 16, 2024

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES (SEE SCHEDULE B):**

Additional comments from departments and agencies received after the publication of the report will be made available on the City's [website](#).

| Internal Departments<br><small>*Comments Received</small> | Conditions Required          |  | Nature of Comments               |
|---|------------------------------|--|----------------------------------|
| Committee of Adjustment                                   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments                 |
| Building Standards (Zoning) *See Schedule B               | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments                 |
| Development Planning                                      | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Recommend Approval/No Conditions |
| Development Engineering                                   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments                 |

| External Agencies<br><small>*Comments Received</small> | Conditions Required          |  | Nature of Comments<br><small>*See Schedule B for full comments</small> |
|--|------------------------------|--|--|
| Alectra  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments   |
| TRCA   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments   |
| Region of York   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments   |

**PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)**

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<br><small>(mm/dd/yyyy)</small> | Summary                  |
|---------------------|--------------|------------------------|--|--------------------------|
| Public              | Jiyeong Koh, | 12 Fanning Mills Court | 11/29/2023                                   | Letter of Objection      |
| Public              | Haiwen Li    | 6 Fanning Mills Court  | 02/12/2024                                   | Letter of Objection      |
| Applicant           |              |                        |  | Application Cover Letter |

| <b>BACKGROUND (SCHEDULE D, IF REQUIRED)</b>   |  |
|---|--|
| <small>* Background Information contains historical development approvals considered to be related to this file.<br/>This information should not be considered comprehensive.</small> |  |
| Application No. (City File)   | Application Description<br><small>(i.e. Minor Variance Application; Approved by COA / OLT)</small> |
| N/A   | N/A  |

| <b>ADJOURNMENT HISTORY</b>  |   |
|---|---|
| <small>* Previous hearing dates where this application was adjourned by the Committee and public notice issued.</small> |   |
| Hearing Date  | Reason for Adjournment <small>(to be obtained from NOD_ADJ)</small>   |
| December 7, 2023  | Minor Variance Application <b>A164/23</b> was adjourned by the Committee of Adjustment to February 22, 2024. to accommodate applicant availability for hearing. |

| <b>SCHEDULES</b>                |   |
|---------------------------------|---|
| <b>Schedule A</b>               | Drawings & Plans Submitted with the Application                   |
| <b>Schedule B</b>               | Comments from Agencies, Building Standards & Development Planning |
| <b>Schedule C</b> (if required) | Public & Applicant Correspondence                                 |
| <b>Schedule D</b> (if required) | Background  |



## MINOR VARIANCE APPLICATION FILE NUMBER A164/23

|  |  |
|--|--|
| <b>CITY WARD #:</b>                              | 4  |
| <b>APPLICANT:</b>                                | Galina, Eduard, Yosef & Sofiya Gandelman   |
| <b>AGENT:</b>                                    | Eduard Gandelman   |
| <b>PROPERTY:</b>                                 | 3 Redelmeier Court, Maple  |
| <b>ZONING DESIGNATION:</b>                       | See below.   |
| <b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b> | City of Vaughan Official Plan 2010 ('VOP 2010'): "Oak Ridges Moraine Settlement Area" by Schedule 4 – Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas and "Low-Rise Residential" and "Natural Areas" by Schedule 13 – Land Use |
| <b>RELATED DEVELOPMENT APPLICATIONS:</b>         | None   |
| <b>PURPOSE OF APPLICATION:</b>                   | Relief from the Zoning By-law is being requested to permit a proposed deck and access stairs in the rear yard.   |

The following variances are being requested from the City's Zoning By-law to accommodate the above proposal:

The subject property is zoned R3, Third Density Residential Zone, subject to the provisions of Exception 14.1014 under By-law 001-2021 as amended.

| # | Zoning By-law 001-2021  | Variance requested  |
|---|---|---|
| 1 | A maximum permitted encroachment of 2.4 m is permitted for an uncovered platform, with a floor height greater than 1.2 m as measured above grade and including access stairs, into a minimum required rear yard of 6 m (A minimum rear yard setback of 3.6 m is required). [Section 4.13, Section 7.2.3, and Table 7-4] | To permit a maximum encroachment of 2.9 m into a minimum required rear yard of 6 m for an uncovered platform, with a floor height greater than 1.2 m as measured above grade and including access stairs. (An encroachment of 2.9 m with a rear yard setback of 3.1 m is proposed). |

### HEARING INFORMATION

**DATE OF MEETING:** Thursday, February 22, 2024

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

**MEETING LOCATION:** Vaughan City Hall, Woodbridge Room (2<sup>nd</sup> Floor), 2141 Major Mackenzie Drive

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to [cofa@vaughan.ca](mailto:cofa@vaughan.ca) no later than NOON on the last business day before the meeting.

**THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY 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

|  |  |
|--|--|
| <b>Date Public Notice Mailed:</b>  | February 8, 2024   |
| <b>Date Applicant Confirmed Posting of Sign:</b>   | February 8, 2024   |
| <b>Applicant Justification for Variances:</b><br><small>*As provided in Application Form</small>   | Relief from the Zoning By-law is being requested to permit a proposed deck and access stairs in the rear yard. |
| <b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b><br><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.</small> | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  |
| <b>COMMENTS:</b>   |  |
| None   |  |
| <b>Committee of Adjustment Recommended Conditions of Approval:</b>   | None   |

## BUILDING STANDARDS (ZONING)

|  |      |
|--|------|
| <b>**See Schedule B for Building Standards (Zoning) Comments</b> |      |
| <b>Building Standards Recommended Conditions of Approval:</b>    | None |

## DEVELOPMENT PLANNING

|   |      |
|---|------|
| <b>**See Schedule B for Development Planning Comments.</b>      |      |
| <b>Development Planning Recommended Conditions of Approval:</b> | None |

## DEVELOPMENT ENGINEERING

|   |      |
|---|------|
| <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> |      |
| Development Engineering does not object to Minor Variance Application A164/23   |      |
| <b>Development Engineering Recommended Conditions of Approval:</b>  | None |

## PARKS, FORESTRY & HORTICULTURE (PFH)

|  |      |
|--|------|
|  |      |
| <b>PFH Recommended Conditions of Approval:</b> | None |

## DEVELOPMENT FINANCE

|  |      |
|--|------|
| No comment no concerns.  |      |
| <b>Development Finance Recommended Conditions of Approval:</b> | None |

## BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

|  |      |
|--|------|
| <b>BCLPS Recommended Conditions of Approval:</b> | None |
|--|------|

## BUILDING INSPECTION (SEPTIC)

No comments received to date.

|  |      |
|--|------|
| <b>Building Inspection Recommended Conditions of Approval:</b> | None |
|--|------|

## FIRE DEPARTMENT

No comments received to date.

|  |      |
|--|------|
| <b>Fire Department Recommended Conditions of Approval:</b> | None |
|--|------|

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 |
|---|---------------------|--------------------------|
|   | None                |                          |

### IMPORTANT INFORMATION

**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.

**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

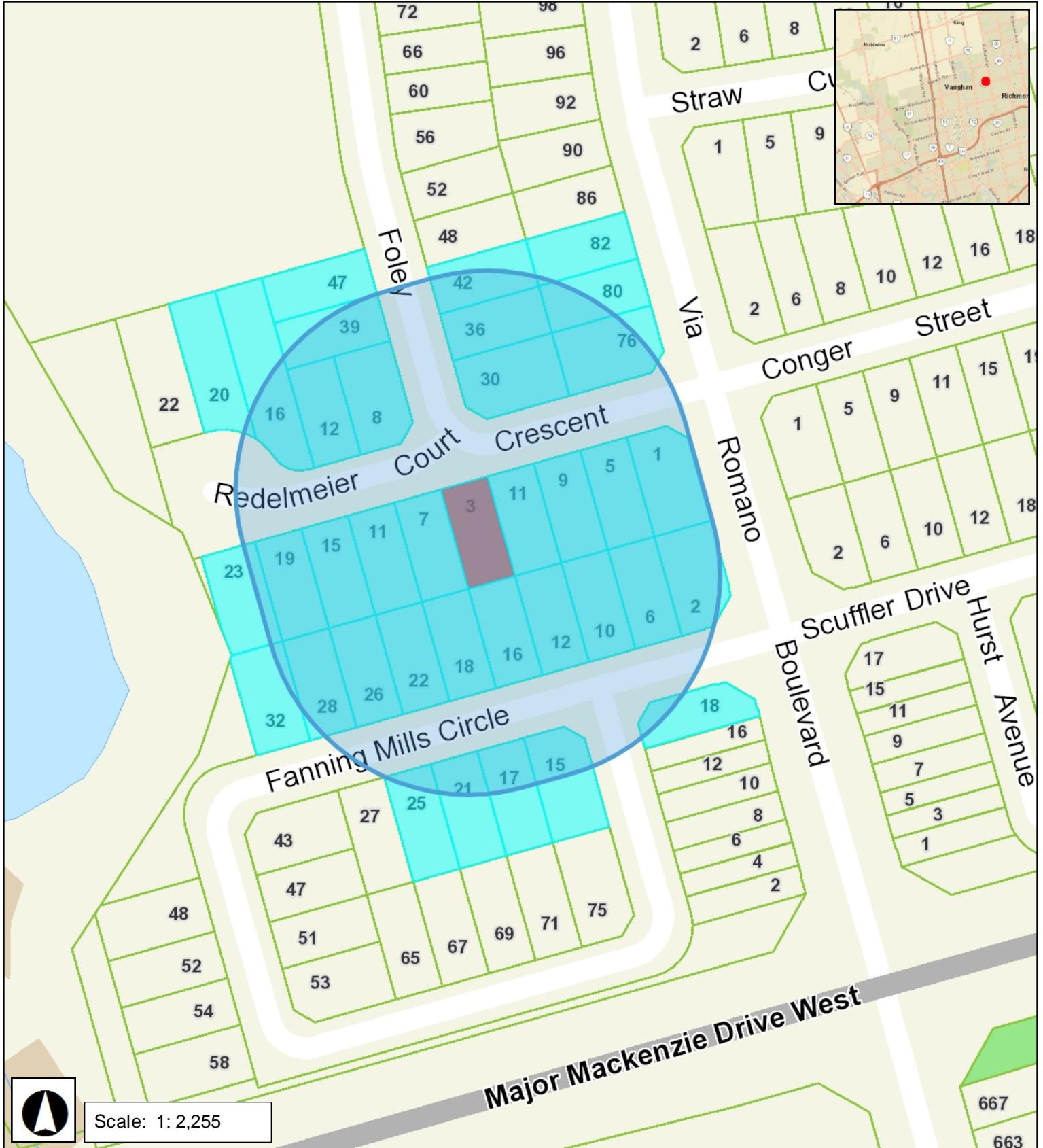
### IMPORTANT INFORMATION

Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

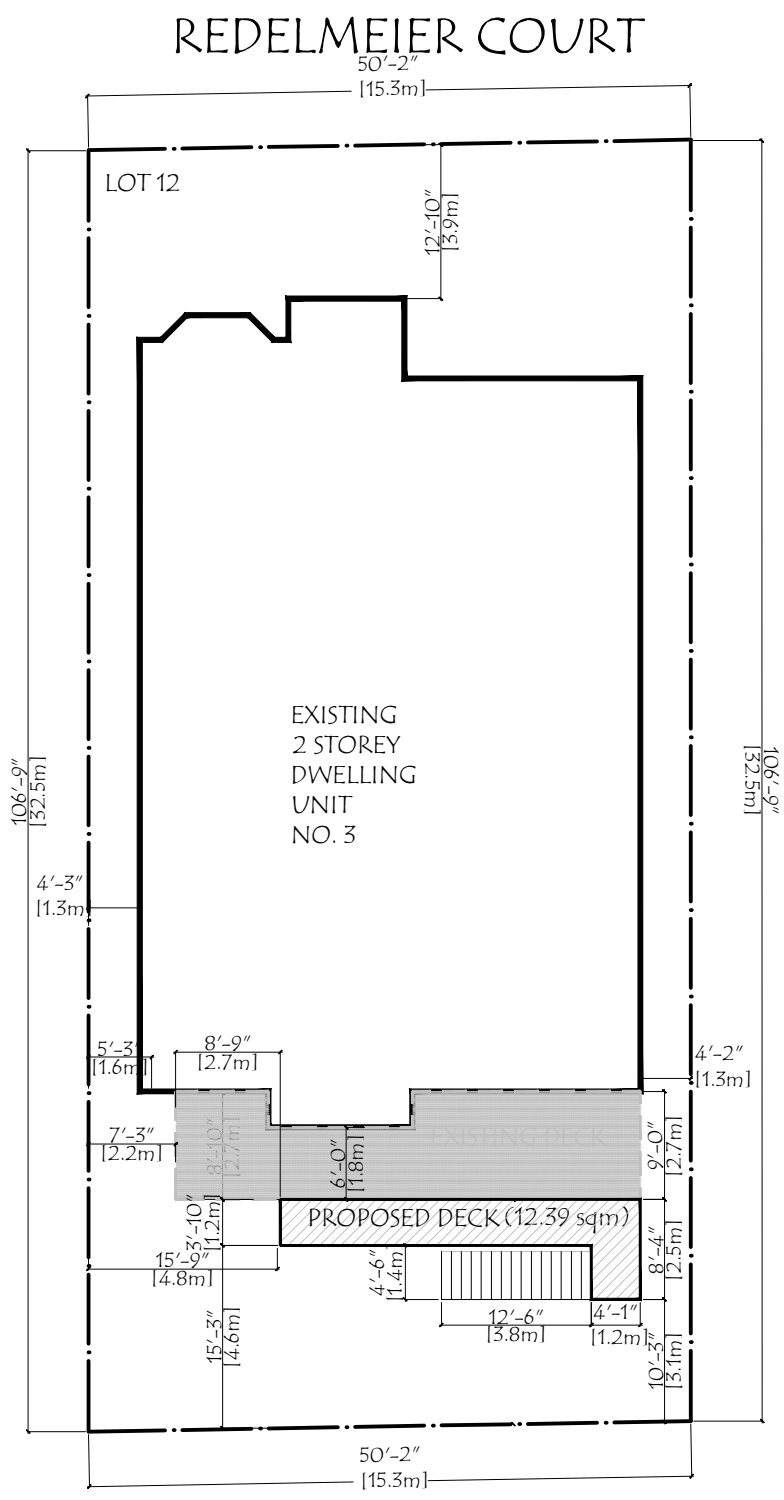
**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

**SCHEDULE A: DRAWINGS & PLANS**

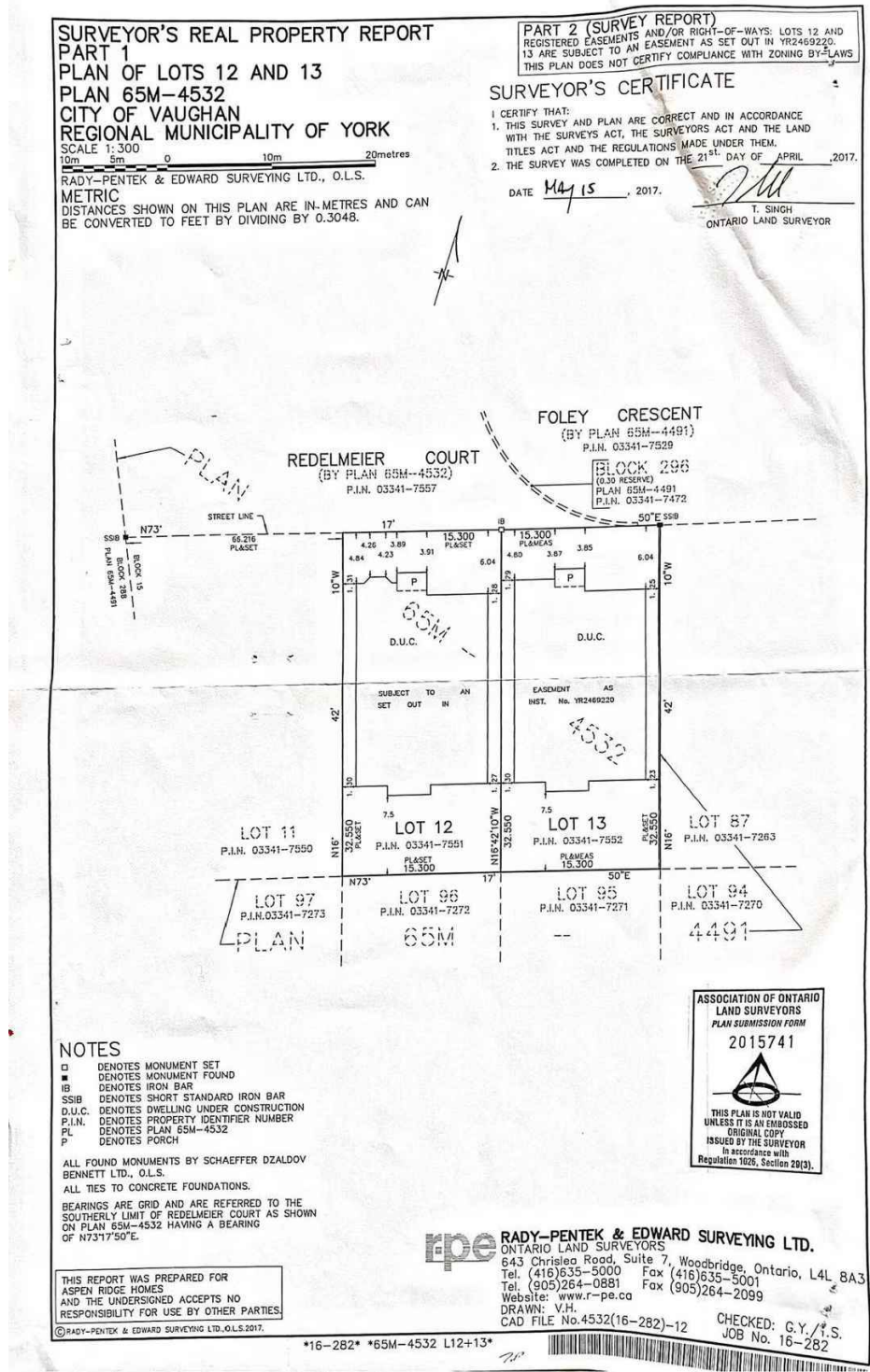
3 Redelmeier Court, Maple



Scale: 1: 2,255



**SITE PLAN**  
1/16"=1'-0"



**SURVEY PLAN**

|            |                    |             |
|------------|--------------------|-------------|
| PROJECT:   | 3 REDELMEIER COURT |             |
| DRAWING:   | SITE PLAN          |             |
| DESIGN BY: | HOUSE OWNER        |             |
| SCALE:     | 1/16"=1'-0"        |             |
| DATE:      | May-2023           |             |
| REV.       | DATE               | DESCRIPTION |
|            |                    |             |
|            |                    |             |
|            |                    |             |

A1



**SCHEDULE B:  
COMMENTS FROM AGENCIES, BUILDING STANDARDS &  
DEVELOPMENT PLANNING**

| Department / Agency<br><small>*Comments Received</small> | Conditions Required          |  | Nature of Comments               |
|--|------------------------------|--|----------------------------------|
| Building Standards (Zoning) *See<br>Schedule B           | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments                 |
| Development Planning                                     | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Recommend Approval/No Conditions |
| Alectra  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments                 |
| TRCA   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments                 |
| Region of York   | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | General Comments                 |

**Date:** November 14<sup>th</sup> 2023

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

**RE:** Request for Comments

**File No.:** **A164-23**

**Related Files:**

**Applicant** Eduard Geldelmen

**Location** 3 Redelmeier Crt



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:

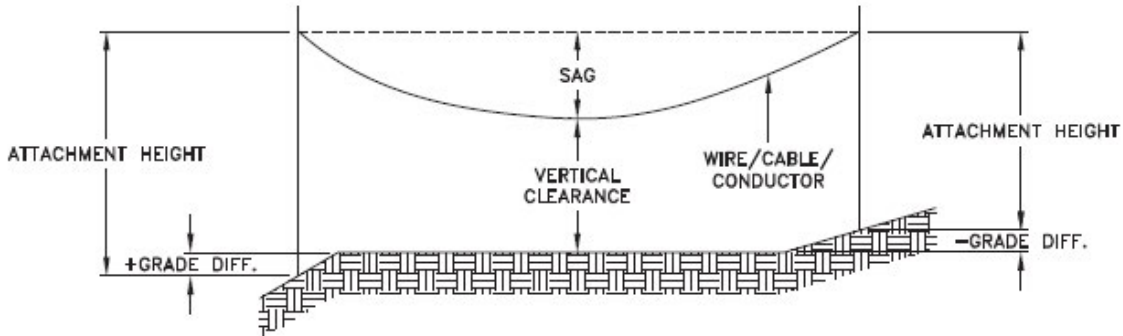
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](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 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"             |

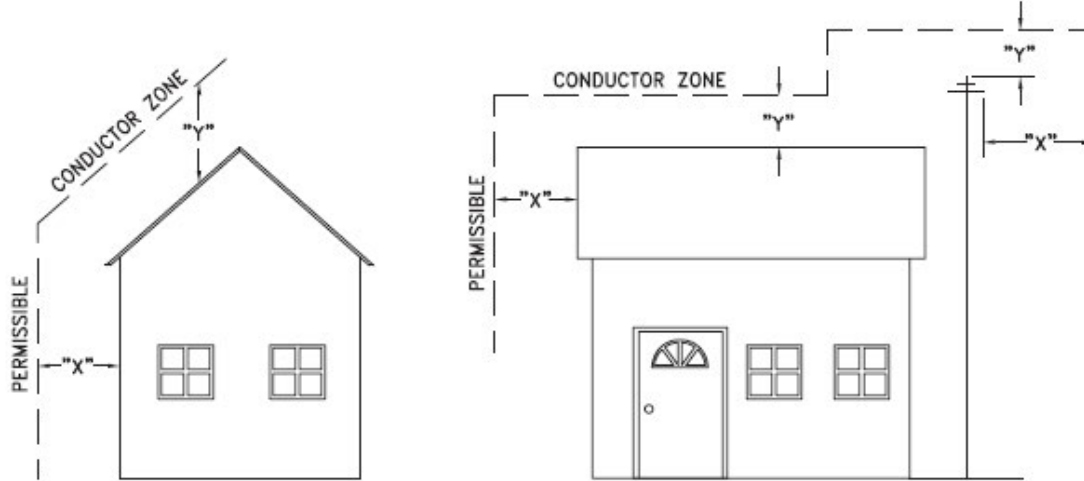
**REFERENCES**

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 folder/Section 3.3-6/DWG 03-4 R0 May 5, 2010.dwg, 3/3/2010 10:27:02 AM, Adobe PDF

**To:** Committee of Adjustment  
**From:** Catherine Saluri, Building Standards Department  
**Date:** November 9, 2023  
**Applicant:** Eduard Geldelmen  
**Location:** 3 Redelmeier Crt  
**File No.(s):** A164/23

**Zoning Classification:**

The subject property is zoned R3, Third Density Residential Zone, subject to the provisions of Exception 14.1014 under By-law 001-2021 as amended.

| # | Zoning By-law 001-2021  | Variance requested  |
|---|---|---|
| 1 | A maximum permitted encroachment of 2.4 m is permitted for an uncovered platform, with a floor height greater than 1.2 m as measured above grade and including access stairs, into a minimum required rear yard of 6 m (A minimum rear yard setback of 3.6 m is required). [Section 4.13, Section 7.2.3, and Table 7-4] | To permit a maximum encroachment of 2.9 m into a minimum required rear yard of 6 m for an uncovered platform, with a floor height greater than 1.2 m as measured above grade and including access stairs. (An encroachment of 2.9 m with a rear yard setback of 3.1 m is proposed). |

**Staff Comments:**

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

Order to Comply No. 2023 111160 has been issued for construction without a building permit.

**Building Permit(s) Issued:**

Building Permit Application No. 2023 116613 has been submitted for a deck with stairs on the subject lands.

**Other Comments:**

| 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 the Oak Ridges Moraine Conservation Act, RSO 2001.  |

**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.

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development Planning  
**Date:** November 23, 2023  
**Name of Owner:** Eduard Geldelmen  
**Location:** 3 Redelmeier Court  
**File No.(s):** A164/23

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**Proposed Variance(s) (By-law 001-2021):**

1. To permit a maximum encroachment of 2.9 m into a minimum required rear yard of 6 m for an uncovered platform, with a floor height greater than 1.2 m as measured above grade and including access stairs. (An encroachment of 2.9 m with a rear yard setback of 3.1 m is proposed).

**By-Law Requirement(s) (By-law 001-2021):**

1. A maximum permitted encroachment of 2.4 m is permitted for an uncovered platform, with a floor height greater than 1.2 m as measured above grade and including access stairs, into a minimum required rear yard of 6 m (A minimum rear yard setback of 3.6 m is required).

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Oak Ridges Moraine Settlement Area" by Schedule 4 – Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas and "Low-Rise Residential" by Schedule 13 – Land Use

**Comments:**

The Owner is requesting permission to maintain the existing second storey deck located within the rear yard of an existing single-detached dwelling with the above noted variance. The dwelling has a walkout basement design. The deck facilitates access between the dwelling's main floor and rear yard.

Planning staff conducted a site visit on November 6, 2023, which confirmed a rear yard deck exists on-site. The increased encroachment (0.5 m) is minimal as it is measured from the stairs/landing to the rear lot line, and the stairs run alongside the deck. The purpose of the stairs/landing is to facilitate access between the dwelling's main floor and the rear yard. The Development Planning Department has no objection to the variance as the remainder of the existing deck complies with the setback requirements. Development Planning and Development Engineering are of the opinion there will be no negative massing, use, or drainage impacts.

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:**

Michelle Perrone, Planner 1  
David Harding, Senior Planner

























## Lenore Providence

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**Subject:** FW: [External] RE: A164/23 (3 REDELMEIER COURT) - REQUEST FOR COMMENTS

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**From:** Kristen Regier <Kristen.Regier@trca.ca>

**Sent:** November-09-23 4:01 PM

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

**Subject:** [External] RE: A164/23 (3 REDELMEIER COURT) - REQUEST FOR COMMENTS

Hello,

The subject property at 3 Redelmeier Court, Vaughan is not located within TRCA's Regulated Area. TRCA's Planning and Regulatory policy interests are not impacted.

As such, TRCA has no comments on the application.

Best,

**Kristen Regier, MA (she / her)**

Planner I

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [437-880-2129](tel:437-880-2129)

E: [kristen.regier@trca.ca](mailto:kristen.regier@trca.ca)

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca) | [trca.ca](https://www.trca.ca)



**From:** [Development Services](#)  
**To:** [Pravina Attwala](#)  
**Cc:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A164/23 (3 REDELMEIER COURT) - REQUEST FOR COMMENTS  
**Date:** Wednesday, November 29, 2023 7:12:33 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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Hi Pravina,

The Regional Municipality of York has completed its review of the minor variance application – A164/23 (3 Redelmeier Court) and has no comment.

Please provide us with a copy of the notice of decision for our records.

Many thanks,

*Our working hours may be different. Please do not feel obligated to reply outside of your scheduled working hours. Let's work together to help foster healthy work-life boundaries.*

**Niranjan Rajevan, M.Pl.** | Associate Planner, Development Services, Planning and Economic Development, Corporate Services

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The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 ext. 71521 | [niranjan.rajevan@york.ca](mailto:niranjan.rajevan@york.ca) | [www.york.ca](http://www.york.ca)

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**From:** Pravina Attwala <Pravina.Attwala@vaughan.ca>  
**Sent:** Thursday, November 9, 2023 12:36 PM  
**To:** rowcentre@bell.ca; carrie.gordon@bell.ca; Development Services <developmentservices@york.ca>; yorkplan@trca.ca; engineeringadmin@powerstream.ca; TCenergy@mhbcplan.com; Kristen Regier <Kristen.Regier@trca.ca>  
**Cc:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** A164/23 (3 REDELMEIER COURT) - REQUEST FOR COMMENTS

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Hello,

Please email comments and recommendations on the above noted application to [cofa@vaughan.ca](mailto:cofa@vaughan.ca). If you wish to be notified of the decision, please confirm in writing.

The deadline to submit comments on this application is **November 27, 2024**.

Should you have any questions or require additional information please contact the undersigned.

Regards

Committee of Adjustment, City of Vaughan

[Cofa@vaughan.ca](mailto:Cofa@vaughan.ca)

905-832-8504

**City of Vaughan | Office of the City Clerk**

2141 Major Mackenzie Dr., Vaughan ON L6A 1T1

[vaughan.ca](http://vaughan.ca)

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## SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

| Correspondence Type | Name         | Address                | Date Received<br>(mm/dd/yyyy) | Summary                  |
|---------------------|--------------|------------------------|-------------------------------|--------------------------|
| Public              | Jiyeong Koh, | 12 Fanning Mills Court | 11/29/2023                    | Letter of Objection      |
| Public              | Haiwen Li    | 6 Fanning Mills Court  | 02/12/2024                    | Letter of Objection      |
| Applicant           |              |                        |                               | Application Cover Letter |

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**Eduard & Sofiya Gendelman**

3 Redelmeier Court  
Maple, ON L6A 4Y8

28th April 2023

**City of Vaughan**

2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

Dear Building Permit Committee,

I hope this letter finds you well. I am writing to request a permit for our deck that we recently expanded in order to provide our children with more space to play and enjoy the outdoors. We are a family of six with four kids, and we intend to use the deck extensively during the warm summer months.

We understand that the by-law specifies a certain size limit for decks in our area, and we apologise for exceeding that limit. However, we would like to assure you that we took this step only after careful consideration and consultation with our neighbours, who have all agreed that the slightly larger deck will not pose any issues.

One additional point we would like to bring to your attention is that the deck is very high off the ground. As a result, it makes it much easier and safer for our 18-month-old daughter to roam around on the deck, since the backyard itself is not easily accessible for the kids. We believe that the expanded deck will provide a safe and secure environment for our children to play, which is of utmost importance to us.

We love our community and are committed to following all regulations and guidelines set by the City of Vaughan. At the same time, we hope that you will consider our request for a permit that allows us to keep the current size of our deck. The expanded deck will enable us to spend more quality time together as a family, and we believe that this will enhance our overall well-being.

We appreciate your understanding and compassion in this matter and hope for a positive outcome to our inquiry. Thank you for your time and consideration.

Sincerely,

Edward & Sofiya Gendelman

## Pravina Attwala

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**Subject:** FW: [External] File Number A164/23

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**From:** Haiwen Li

**Sent:** Monday, February 12, 2024 8:28 PM

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

**Subject:** [External] File Number A164/23

**CAUTION!** This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hi there,

I would like to express my feeling about the huge deck built at the back yard of 3 Redelmeier Court - It makes you feel depressed and uncomfortable when there are people on the deck watching over everyone's backyard. It makes our backyard space kind of useless.

I am in favour of removing a part of the deck.

THanks for listening to us!  
6 Fanning Mills

**From:** [REDACTED]  
**To:** [Committee of Adjustment](#)  
**Subject:** [External] Objection - File number - A164/23 Committee of Adjustment Notice of Hearing Minor Variance Application - 3 Redelmeier Court, Maple  
**Date:** Wednesday, November 29, 2023 1:58:59 PM

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Hello, Committee of Adjustment,

My name is Jiyeong Koh, resident and owner of 12 Fanning Mills Circle, Maple.

I will be out of town during the Hearing on December 7 2023, so I am writing to express my objection of the application A164/23.

1. In this area, the backyard length has already provided very limited privacy. Now, the large applied deck size variance is causing no privacy for my house at all.
2. If we allow this variance, other houses on Foley and Redelmeier will follow which substantially breaching my privacy, and take away the enjoyment of living in my house, my living room, my kitchen, and my small backyard.
3. The current size built by 3 Redelmeier Court is way too big and I can hear clearly of the conversations of the residents there, while they are sitting on the huge deck.

To conclude, I seriously object the minor variance application A164/23.

Please confirm the receipt of my objection email.

Thank you

Regards  
Jiyeong Koh.