

VAUGHAN Staff Report Summary

Item #9

Ward #3

File:	A065/19
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Applicant: Daniel and Cinzia Di Stefano

106 Windrose Court, Woodbridge Address:

Agent: None

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	Positive Comment	Condition(s)
	Negative Comment	√ ×
Committee of Adjustment	\square	
Building Standards		
Building Inspection		
Development Planning		
Cultural Heritage (Urban Design)	\square	
Development Engineering	\square	\square
Parks Department		
By-law & Compliance		
Financial Planning & Development	$\overline{\checkmark}$	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	\square	
Alectra (Formerly PowerStream)	$\overline{\checkmark}$	
Public Correspondence (see Schedule B)	\square	
Adjournment History: None		

Adjournment History: None	
Background History: None	

Staff Report Prepared By: Adriana MacPherson Hearing Date: Thursday, June 13, 2019



Minor Variance Application

Agenda Item: 9

A065/19 Ward: 3

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date of Hearing: Thursday, June 13, 2019

Applicant: Daniel and Cinzia Di Stefano

Agent: None

Property: 106 Windrose Court, Woodbridge

Zoning: The subject lands are zoned R1, Residential Zone, under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Related Files: None

Purpose: Relief from the By-Law is being requested to permit the construction of a proposed

cabana and in-ground swimming pool to be located in the rear yard.

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 setback of 7.5 metres is required.	To permit a minimum Rear yard setback of 1.52 metres to a cabana.
2. A minimum setback of 1.5 metres is required.	To permit a minimum Interior side yard setback of 0.61 metres to a cabana.

Background (previous applications approved by the Committee on the subject land): None

For information on the previous approvals listed above please visit <u>www.vaughan.ca</u>. 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: None

Staff & Agency Comments

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

Committee of Adjustment:

Public notice was mailed on May 29, 2019

Applicant confirmed posting of signage on May 12, 2019

Pro	perty Information
Existing Structures	Year Constructed
Dwelling	1998
Cabana	TBC
In Ground Pool	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): The proposed Cabana would be too close to the pool.

Adjournment Request:

None

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: None

Building Permit No. 19-000815 for Single Detached Dwelling - Alteration, Issue Date: (Not Yet Issued).

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

Please note Section 4.1.1(b) that states the maximum height of an accessory building or structure measured from the average finished ground level to the highest point of the said building or structure shall be 4.5 metres. The nearest part of the roof shall not be more than three(3) metres above finished grade.

An A/C unit and/or pool equipment shall be setback a minimum of 1.2 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

No cultural heritage concerns with 106 Windrose Ct.

Development Engineering:

In addition to the conditions provided related to variance application A065/19, Development Engineering (DE) offers the follow comments listed below:

DE acknowledges the Owner has applied for a pool fence enclosure and grading permit with Development Inspection and Lot Grading Division of DE.

Prior to the installation of the proposed pool, the Owner shall be in receipt of the above noted permit as required by City of Vaughan Fencing By-law 80-90 as amended.

Recommended condition of approval:

The Owner/applicant shall apply and obtain lot grading approval via grading permit through the Development Inspection and Lot Grading Division of the City's Development Engineering Department for the proposed cabana prior to any work being undertaken on the property (greater than 10m2 and therefore requires a grading permit). Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

Parks Development:

No Comments, No Response.

By-Law and Compliance, Licensing and Permit Services:

No Response.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No Response.

Schedule A - Plans & Sketches

Schedule B – Public Correspondence

Letter of Support - 107 Windrose Court

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

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	Development Engineering	The Owner/applicant shall apply and obtain lot grading approval
	Brad Steeves	via grading permit through the Development Inspection and Lot
		Grading Division of the City's Development Engineering
	905-832-8585 x 8977	Department for the proposed cabana prior to any work being
	brad.steeves@vaughan.ca	undertaken on the property (greater than 10m2 and therefore
		requires a grading permit). Please visit or contact Development
		Engineering's front desk on the 2nd floor of City Hall to apply.

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;

Staff Report A065/19 Page 5 Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m**. on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

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

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 Adriana MacPherson

T 905 832 8585 Extension 8360 E CofA@vaughan.ca

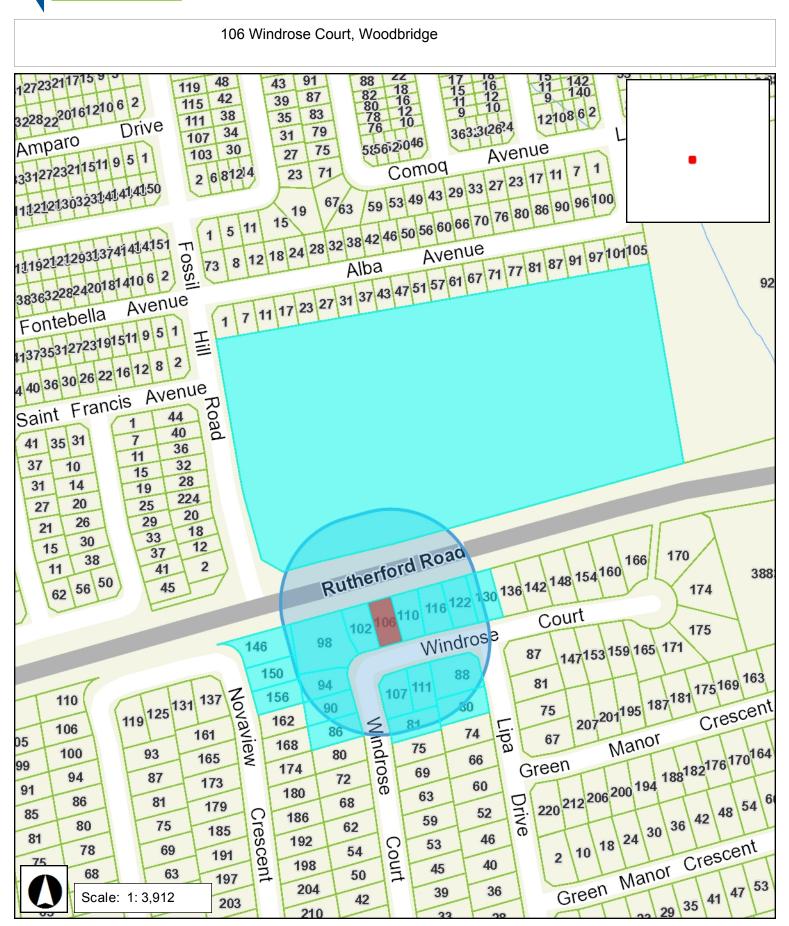
Schedule A: Plans & Sketches

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.

Location Map Sketches



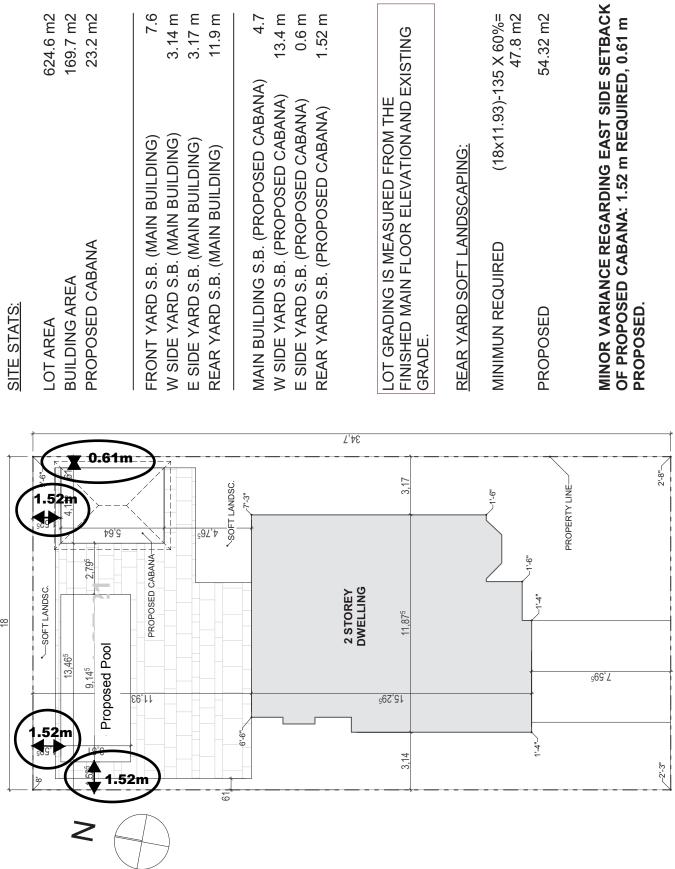
Notification Map - A065/19





Location Map - A065/19

A065/19



SITE STATS:

624.6 m2 169.7 m2 23.2 m2 PROPOSED CABANA **BUILDING AREA** OT AREA

DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON THE SITE.

DO NOT SCALE DRAWINGS.

LATEST APPROVED DRAWINGS ONLY ARE TO BE USED FOR CONSTRUCTION.

NO. REVISIONS / ISSUES DATE ISSUED FOR REVIEW ISSUED FOR REVIEW 7.6 11.9 m 3.14 m 3.17 m

23.04.2019 29.04.2019 The undersigned has reviewed and takes responsibility for this design, and has the qualifications and meets the requirements set out in the Ontario Building Code to design the work shown on the attached 4.7

Qualification Information nless design is exempt under Div. C - 3.2.5.1. of the building code Nicolai Vaganov 0.6 m

13.4 m

Delta Decks

1.52 m

71 BUTTERMILL AVE, CONCORD, ON L4K 3X2 **DELTA DECKS**

DRAWING TITLE

SITE PLAN

47.8 m²

54.32 m2

(18x11.93)-135 X 60%=

106 WINDROSE CT, WOODBRIDGE, ON ROJECT NAME

BACKYARD CABANA

LAYOUT SIZE A3

AS SHOWN | 02.05.2019 DATE SCALE ž DRAWN BY

CHECKED BY DWG. No.

0905-PD 3

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106 WINDROSE - SITE PLAN 1:150

PROJECT NAME

BACKYARD CABANAMINOR VARIANCE APPLICATION DRAWINGS

106 WINDROSE CT, WOODBRIGE, ON L4L 9G8

DANIEL DI STEFANO CLIENT:

DELTADECKS PREPARED BY:

2	BMAN FIGA	NOIS//Ed	OHLON
Z	LATOOI NAIME	NDICIAL	NOTES
1	SHEET INDEX		
2	ORIGINAL SURVEY		
က	SITE PLAN		
4	GENERAL NOTES		
2	CABANA PLAN		
9	CABANA ROOF FRAMING		
7	CABANA SECTION		
80	CABANA ELEVATION 1		
6	CABANA ELEVATION 2		
10	CABANA ELEVATION 3		
11	CABANA ELEVATION 4		
12	DETAILS		

DO NOT SCALE DRAWINGS.

DIMENSIONS ARE TO BE CHECKED AND VERIFIED BY THE CONTRACTOR ON THE SITE.

LATEST APPROVED DRAWINGS ONLY ARE TO BE USED FOR CONSTRUCTION.

NO.	REVISI	REVISIONS / ISSUES DATE	DATE
-	ISSUED FOR REVIEW		23.04.2019
2	ISSUED FOR REVIEW	R REVIEW	
The unders and has the Ontario Bu documents.	rsigned has revine qualification audiging Code ts.	The undersigned has reviewed and takes responsibility for this design, the the qualifications and meets the requirements set out in the Ontario Bailding Code to design the work shown on the attached documents.	for this design, s set out in the n the attached
Required	Ω unless design is	Qualification Information Required unless design is exempt under Div. C - 3.2.5.1. of the building code	ne building code
Nicolai	Nicolai Vaganov	Ball	104608
Name		Signature	BCIN



DELTA DECKS 71 BUTTERMILL AVE, CONCORD, ON L4K 3X2

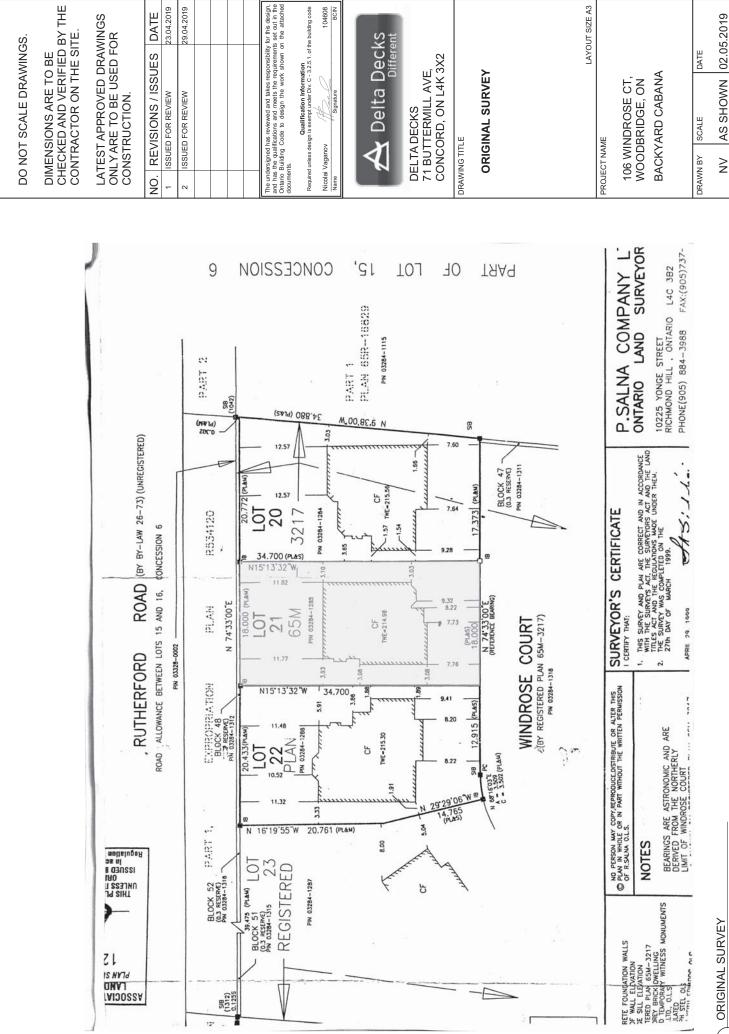
DRAWING TITLE

SHEET INDEX

LAYOUT SIZE A3 BACKYARD CABANA 106 WINDROSE CT, WOODBRIDGE, ON PROJECT NAME

DRAWN BY	SCALE	DATE
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104608

23.04.2019 29.04.2019

DATE

LAYOUT SIZE A3

0905-PD 2

DWG. No.

CHECKED BY

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DATE

1 ORIGINAL SURVEY

GENERAL NOTES

DESIGN LOADS - PART 9 RESIDENTIAL

DL = 16 PSFSL = 35 PSF

2nd./3rd. FLOOR:

LL = 40 PSF

DL = 20 PSF * PRIOR TO APPLICABLE LOAD FACTORS

GENERAL NOTES - PART 9:

- 1. CONTRACTOR TO VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION
- 2. ALL WORK TO BE DONE IN ACCORDANCE WITH THE 2012 ONTARIO
- 3. THE CONTRACTOR SHALL REPORT ANY DISCREPANCIES FROM THESE BUILDING CODE.
 - PLANS TO THE DESIGNER FOR REVIEW AND/OR APPROVAL.
 - 4. THE CONTRACTOR IS RESPONSIBLE FOR THE SAFEGUARDING AND
- 5. INSTALL PRE-MANUFACTURED COMPONENTS AS PER THE MANUFACTURES RECOMMENDATIONS AND SPECIFICATIONS. LOCATING OF EXISTING UTILITIES AND STRUCTURES ON SITE.
 - 6. WHERE NOT NOTED ON DRAWINGS, SPACING ON FRAMING MEMBERS TO BE TO THE LATEST EDITION OF THE ONTARIO BUILDING CODE.
 - 7. ALL WOOD FRAMING LUMBER SHALL BE GRADE-STAMPED AS SPF No.2 OR BETTER WITH A MOISTURE CONTENT OF 19% OR LESS AT TIME OF CONSTRUCTION, U.N.O.
 - SELECTED LOCATION CLIMACTIC DESIGN DATABASED ON TORONTO,
 - 9. ANCHORS AND BOLTS SHALL BE MIN GRADE A307, AND BE HOT DIP GALVANIZED WHERE EXPOSED TO EXTERIOR CLIMATE.

ALL METAL BRACKETS, WASHERS AND BOLTS TO BE GALVANIZED.

FOR FRAME INSTALLATION USE #8-3" DECK SCREWS.

FOR DECK INSTALLATION USE #8-2" STAINLESS STEEL SCREWS.

DO NOT SCALE DRAWINGS.

CHECKED AND VERIFIED BY THE CONTRACTOR ON THE SITE. **DIMENSIONS ARE TO BE**

LATEST APPROVED DRAWINGS ONLY ARE TO BE USED FOR CONSTRUCTION.

NO.	REVISIONS / ISSUES	DATE
-	ISSUED FOR REVIEW	23.04.2019
2	ISSUED FOR REVIEW	29.04.2019
The unders and has the Ontario Bu documents.	The undersigned has reviewed and takes responsibility for this design, the the qualifications and meets the requirements set out in the Ontario Bailding Code to design the work shown on the attached documents.	for this design, s set out in the n the attached
Required	Qualification Information Required unless design is exempt under Div. C - 3.2.5.1. of the building code	he building code
Nicolai	Nicolai Vaganov	104608
Name	Signature	BCIN



71 BUTTERMILL AVE, CONCORD, ON L4K 3X2 **DELTA DECKS**

DRAWING TITLE

GENERAL NOTES

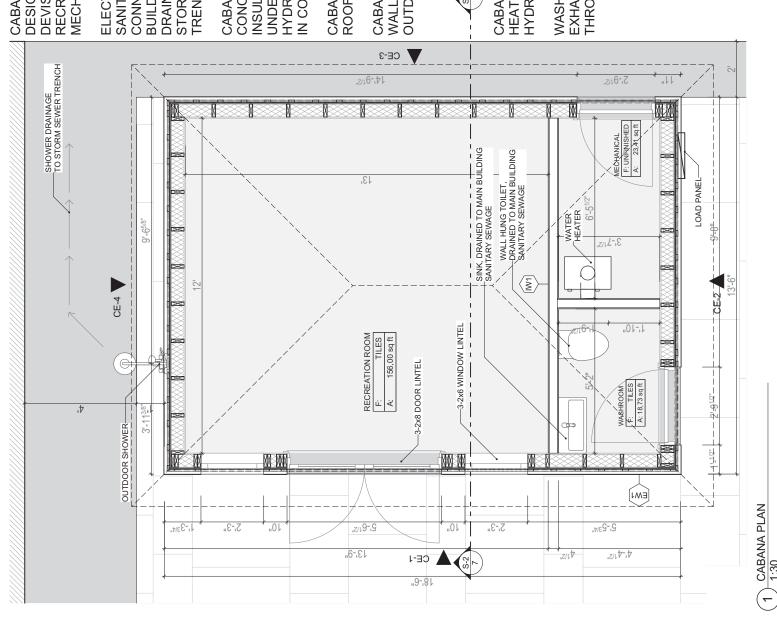
PROJECT NAME

LAYOUT SIZE A3

BACKYARD CABANA 106 WINDROSE CT, WOODBRIDGE, ON

DRAWN BY	SCALE	DATE
Ž	AS SHOWN	02.05.2019
CHECKED BY DWG. No.	DWG. No.	

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AS SHOWN 02.05.2019



CABANA TO BE INSULATED STRUCTURE DESIGNED FOR SEASONAL USE, WITH RECREATIONAL ROOM, WASHROOM, **DEVISION TO 3 PREMISES:** MECHANICAL ROOM.

STORM SEWAGE OR LOT DRAINAGE ELECTRICITY, GAS, WATER SUPPLY, DRAINAGE TO BE CONNECTED TO BUILDING, OUTDOOR SHOWER CONNECTED FROM THE MAIN SANITARY DRAINAGE TO BE RENCH.

HYDRONIC SYSTEM TO BE INSTALLED CABANA TO SIT ON 6" FOUNDATION CONCRETE SLAB WITH 3" OF RIGID UNDERLAYMENT. HEATED FLOOR **INSULATION AND 6" OF GRAVEL** N CONCRETE SLAB. CABANA ROOF TO BE 6 IN 12 PITCHED ROOF, VENTED, 1'-2"OVERHANG.

WALL HUNG WC, BATHROOM SINK, CABANA PLUMBING FIXTURES: OUTDOOR SHOWER.



HEATER, HRV INSTALLED IN ATTIC, CABANA HVAC UNITS: GAS WATER HYDRONIC HEATED FLOOR.

EXHAUST VENTS TO BE CONNECTED WASHROOM AND MECH. ROOM THROUGH HRV.

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NO. REVISIONS / ISSUES DATE

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Nicolai	Nicolai Vaganov	104608
Name	Signature	BCIN

Delta Decks 71 BUTTERMILL AVE, CONCORD, ON L4K 3X2 **DELTA DECKS**

DRAWING TITLE

CABANA PLAN

106 WINDROSE CT, WOODBRIDGE, ON PROJECT NAME

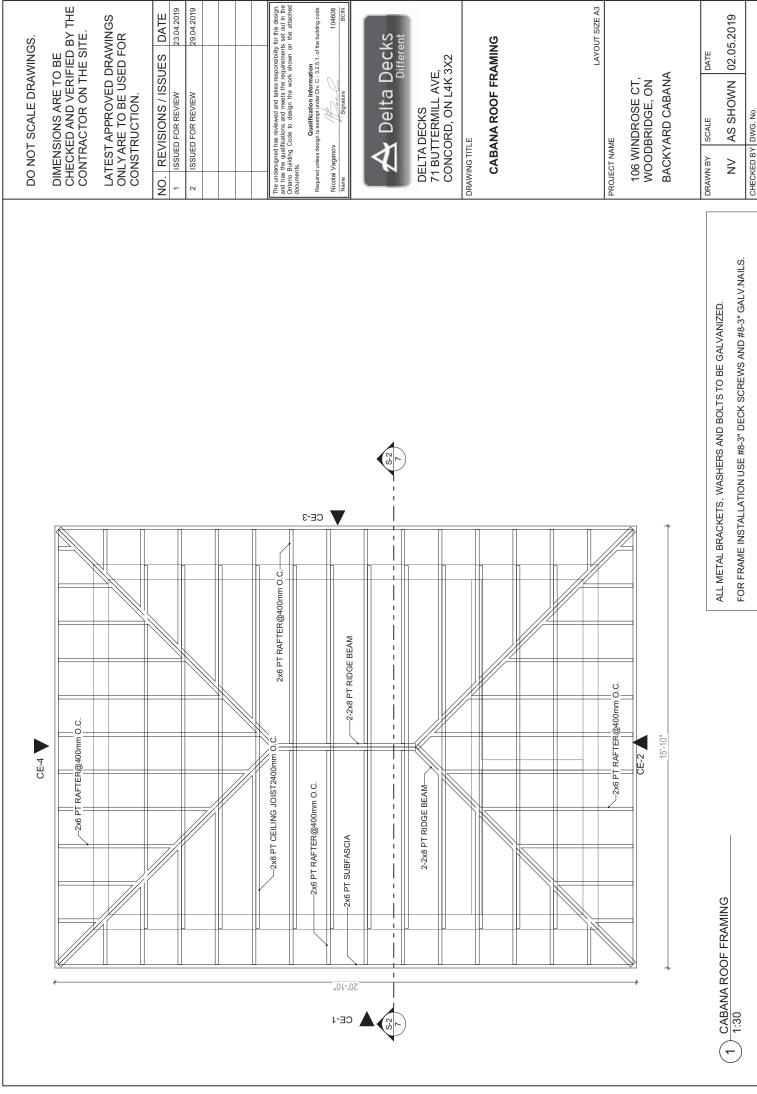
BACKYARD CABANA

LAYOUT SIZE A3

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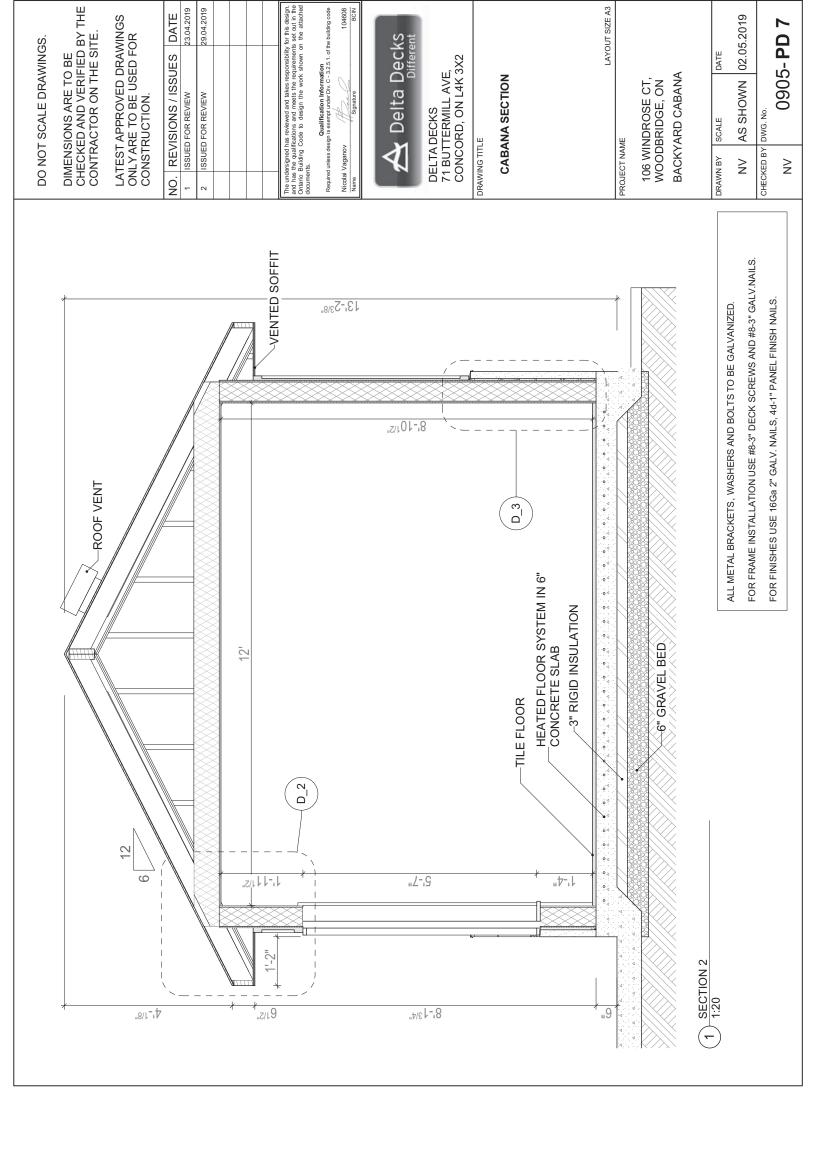
29.04.2019

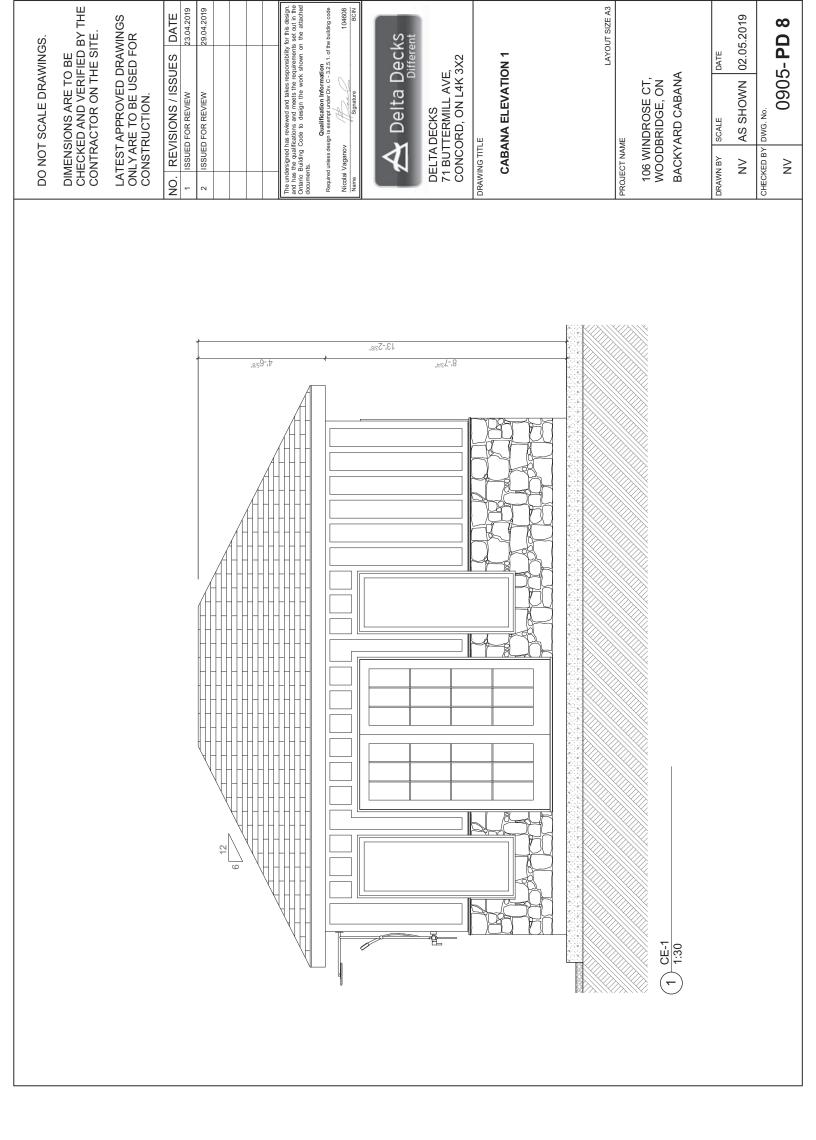
23.04.2019

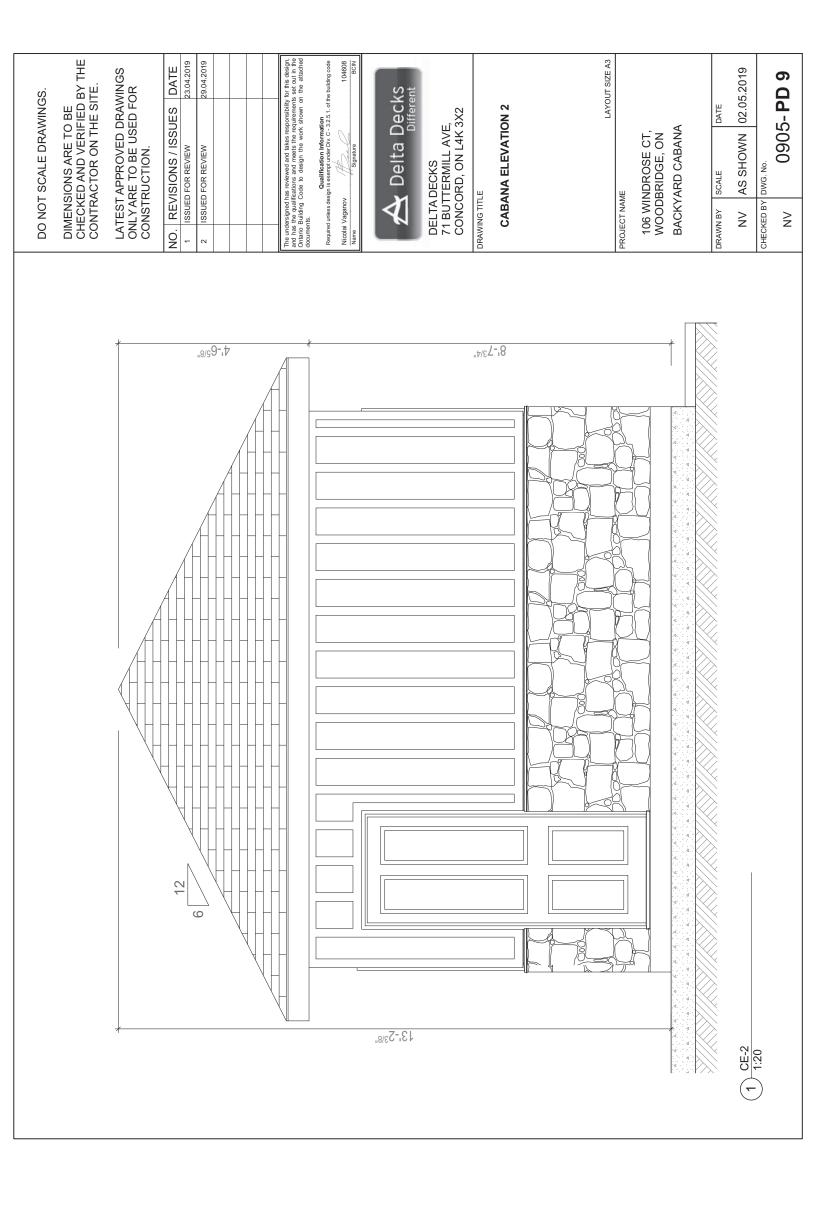
FOR FINISHES USE 16Ga 2" GALV. NAILS, 4d-1" PANEL FINISH NAILS.

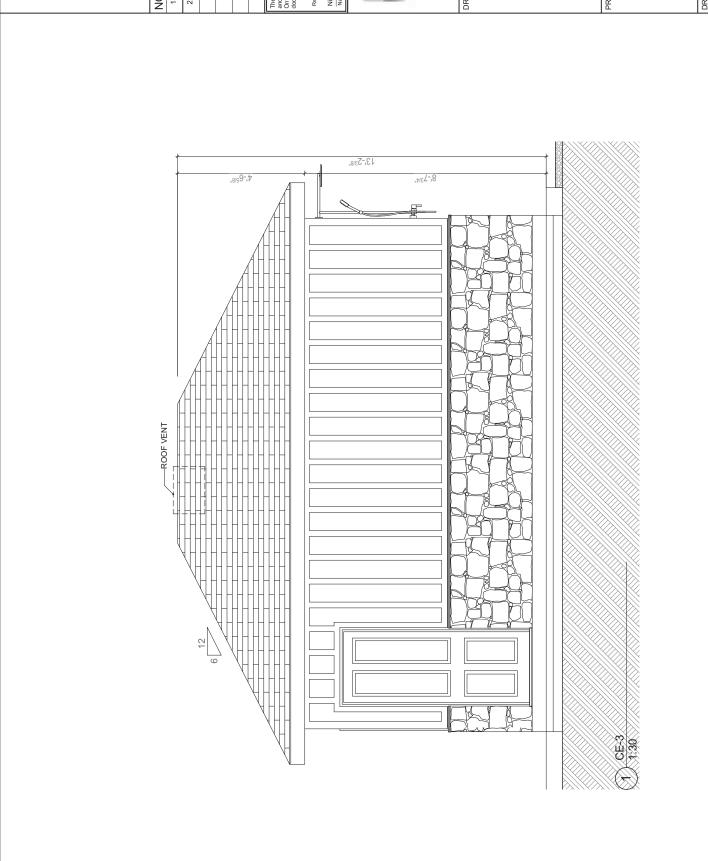
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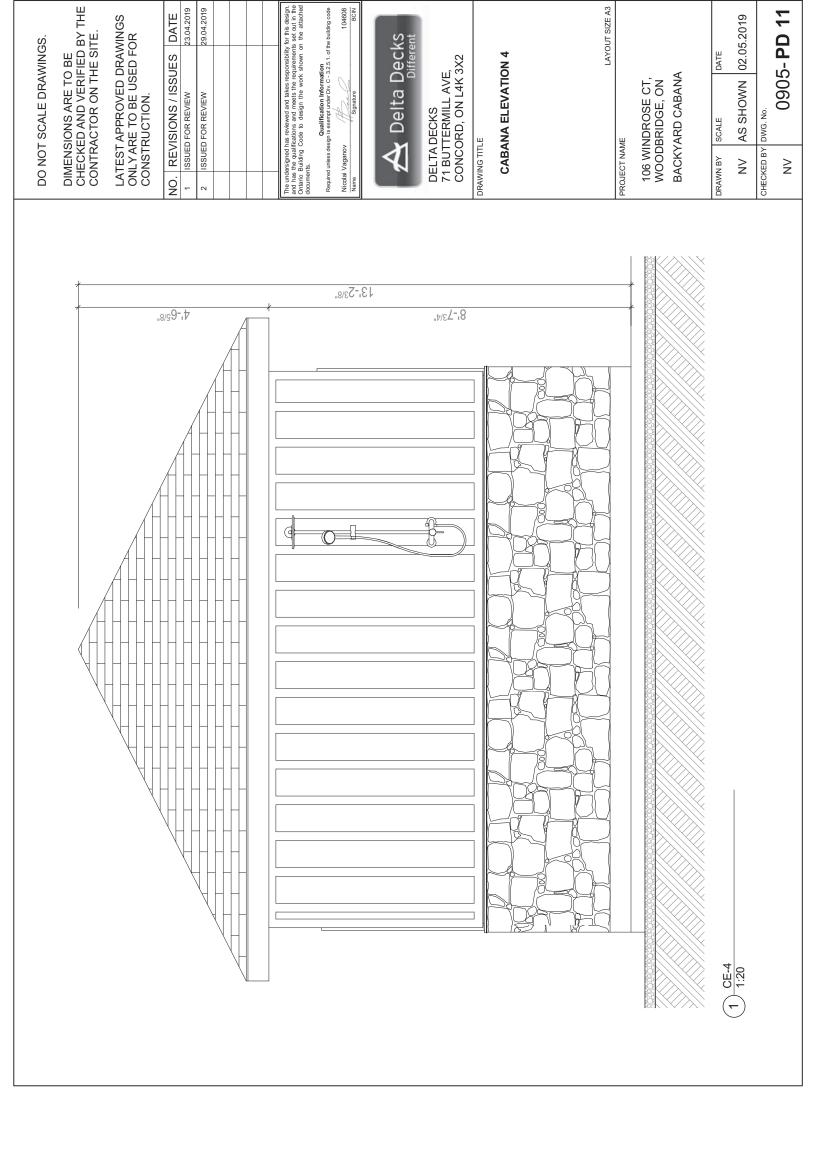
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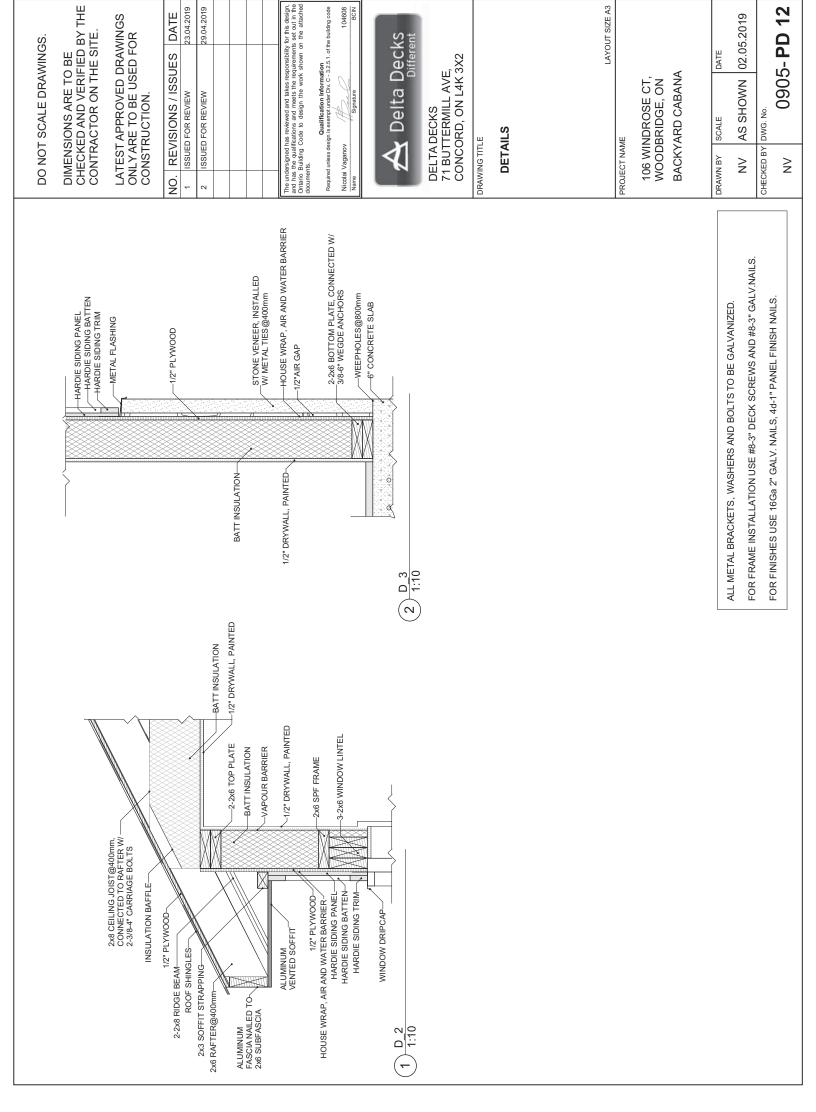
CABANA ELEVATION 3

BACKYARD CABANA 106 WINDROSE CT, WOODBRIDGE, ON PROJECT NAME

LAYOUT SIZE A3

DRAWN BY	SCALE	DATE
Š	AS SHOWN	02.05.2019
CHECKED BY DWG. No.	DWG. No.	
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23.04.2019 29.04.2019

Schedule B: Public Correspondence Received

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

Letter of Support- Augie Giansante, 107 Windrose Court

MacPherson, Adriana

Subject: FW: Variance Application A065/19

From: Augie Giansante

Sent: June-04-19 4:50 PM

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

Subject: Variance Application A065/19

To whom it may concern,

Please accept this email supporting the minor variance application #A065/19 for 106 Windrose Court Woodbridge; Mr. and Mrs. Di Stefano are good neighbours who demonstrate pride of ownership when it comes to maintaining their property.

Their request to further enhance their home for the enjoyment of their family should be approved.

Best regards,

Augie Giansante 107 Windrose CRT.



ALERT NEW EMAIL ADDRESS;

We are moving to a new Internet provider please update your contacts with my new email address:

Schedule C: Agency Comments

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

Alectra (Formerly PowerStream) – No concerns or objections Region of York – No concerns or objections

MacPherson, Adriana

Subject: FW: A065/19 - Request for Comments

Attachments: A065-19 - Circ.pdf

From: Wong, Tiffany <Tiffany.Wong@york.ca>

Sent: May-16-19 9:02 AM

To: MacPherson, Adriana < Adriana. MacPherson@vaughan.ca>

Subject: FW: A065/19 - Request for Comments

Hello Adriana

The Regional Municipality of York has completed its review of the above Minor Variance Application-A065/19 (106 Windrose Court) and has no comments. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

Tiffany Wong, B.E.S. | 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 | tiffany.wong@york.ca | www.york.ca

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







Please consider the environment before printing this email.





COMMENTS:

	We have reviewed the proposed Variance Application and have no comments or objections to its approval.
X	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, 03-9), 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