

<b>ITEM: 6.8</b>	<b>REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A070/24</b>
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Report Date: July 26, 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 <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)	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"/>	Recommend Approval/No Conditions
Development Finance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <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 <small>(mm/dd/yyyy)</small>	Summary
Public	Helen Zhao	112 Farrell Road	06/07/2024	Letter of Support
Public	Vadim Vainer	45 Abner Miles	06/18/2024	Letter of Support
Public	Victoria Fooks	59 Fitzmaurice Drive	06/14/2024	Letter of Support
Public	Pouyan Khamassi	117 Farrell Road	06/19/2024	Letter of Support
Public	Nataliya Makhlik	130 Farrell Road	06/14/2024	Letter of Support
Public	Rijenko Oleg	258 Farrell Road	06/20/2024	Letter of Support
Public	Jonathan & Vered Weingarten, Michael Monosov, Ilay Avnin, Eran Guvich	120 Farrell Road et al.	06/18/2024	Letter of Objection

<b>BACKGROUND (SCHEDULE D, IF REQUIRED)</b>	
<small>* Background Information contains historical development approvals considered to be related to this file. This information should not be considered comprehensive.</small>	
Application No. (City File)	Application Description <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small>
None	None

<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>
June 20, 2024	Minor Variance Application <b>A070/24</b> was adjourned by the Committee of Adjustment to the August 1, 2024 hearing to permit additional time for residents to review application.

<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 A070/24

<b>CITY WARD #:</b>	4
<b>APPLICANT:</b>	Ruslan Gerchuk
<b>AGENT:</b>	Kris He
<b>PROPERTY:</b>	116 Farrell Road, Maple
<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" and "ORM Conservation Plan Area"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit a wood deck/gazebo to be located in the rear yard.

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

**The subject lands are zoned R2A – Second Density Residential Zone and subject to the provisions of Exception 14.1014 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 metres. [Section 4.1.4, 1.]	To permit an accessory building (gazebo) with a maximum height of 4.22 metres.
2	A residential accessory structure with a height greater than 2.8 metres shall not be located closer than 2.4 metres to any lot line. [Section 4.1.2, 1. b.]	To permit a residential accessory structure (gazebo) with a height greater than 2.8 metres to be located 2.24 metres to the interior side lot line.

### HEARING INFORMATION

**DATE OF MEETING:** Thursday, August 1, 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.

## INTRODUCTION

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>	June 6, 2024
<b>Date Applicant Confirmed Posting of Sign:</b>	June 6, 2024
<b>Applicant Justification for Variances:</b> <small>*As provided in Application Form</small>	The structure has been built.
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b> <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 A070/24.	
<b>Development Engineering Recommended Conditions of Approval:</b>	None.

## PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.	
<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.

**Building Inspection Recommended Conditions of Approval:**

None.

### FIRE DEPARTMENT

No comments received to date.

**Fire Department Recommended Conditions of Approval:**

None.

### RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

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	None.	

*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.*

### 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.

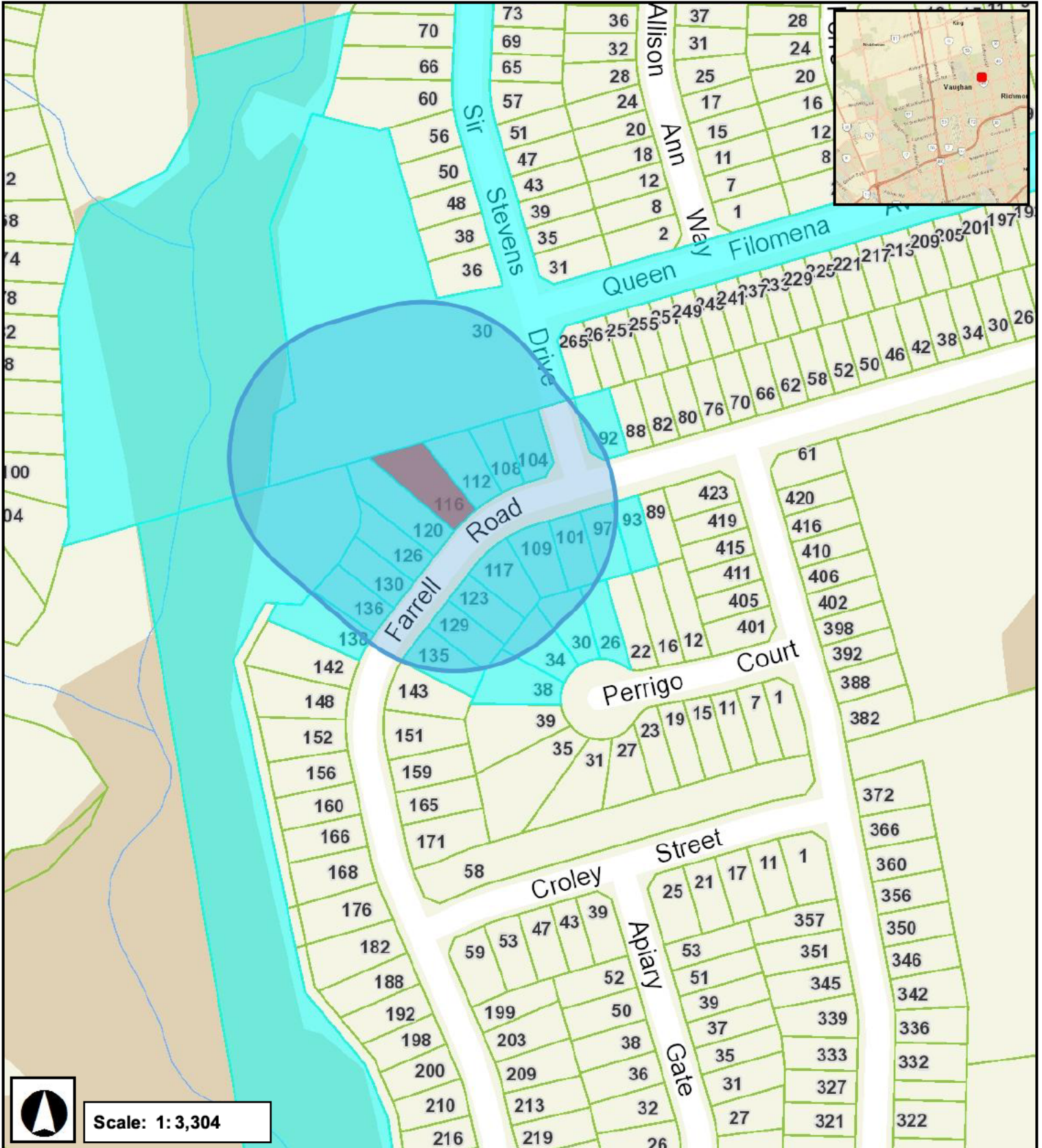
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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 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**

116 FARRELL ROAD, MAPLE

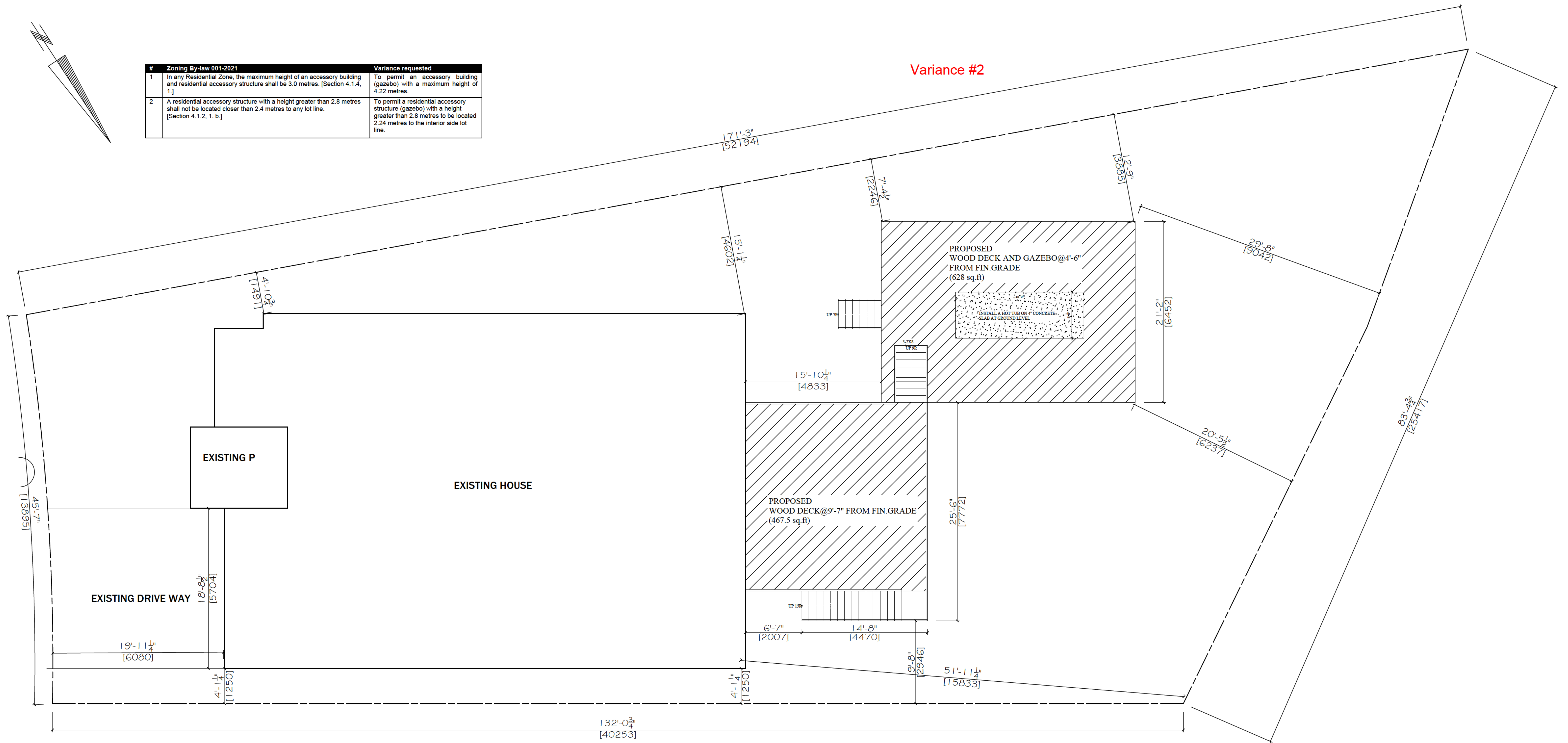




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Variance #2

FARRELL RD



1 SITE PLAN  
A-1.0

LOT AREA=8989 SQ.FT  
 LOT COVERAGE FOR THE MAIN HOUSE=2457 SQ.FT (27.3%)  
 LOT COVERAGE FOR THE PROPOSED DECK=1095.5 SQ.FT(12.2%)  
 TOTAL LOT COVERAGE=39.5%  
 EXISTING REAR YARD AREA= 4654 SQ.FT  
 PROPOSED DECK AREA=1095.5 SQ.FT (23.5% REAR YARD)  
 PROPOSED REAR YARD SOFT LANDSCAPING=3558.5 SQ.FT (76.5%)

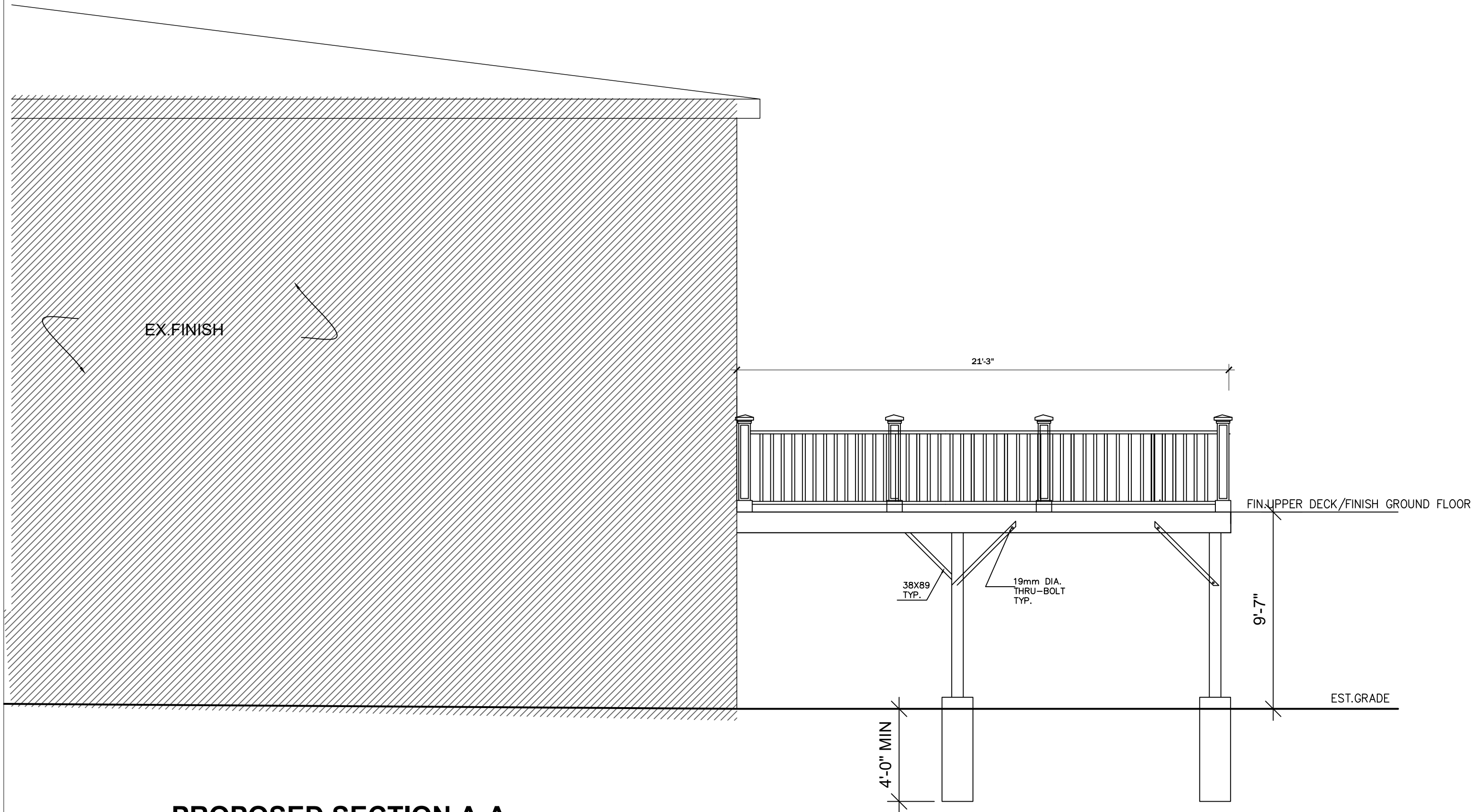
STAMP:

- THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY THE DESIGNER/ENGINEER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION.
- THE DRAWING IS NOT TO BE SCALED.
- CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.
- THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, MECHANICAL, ELECTRICAL, ETC. INFORMATION SHOWN ON THESE PLANS. REFER TO THE APPROPRIATE CONSULTANT'S DRAWINGS BEFORE PROCEEDING WITH WORK.
- THE DRAWINGS, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF DESIGNER. THE DESIGNER RETAINS OWNERSHIP OF COPYRIGHT IN ALL THESE DRAWINGS.

116 Farrell Rd,  
 Maple, ON  
 L6A 0H9

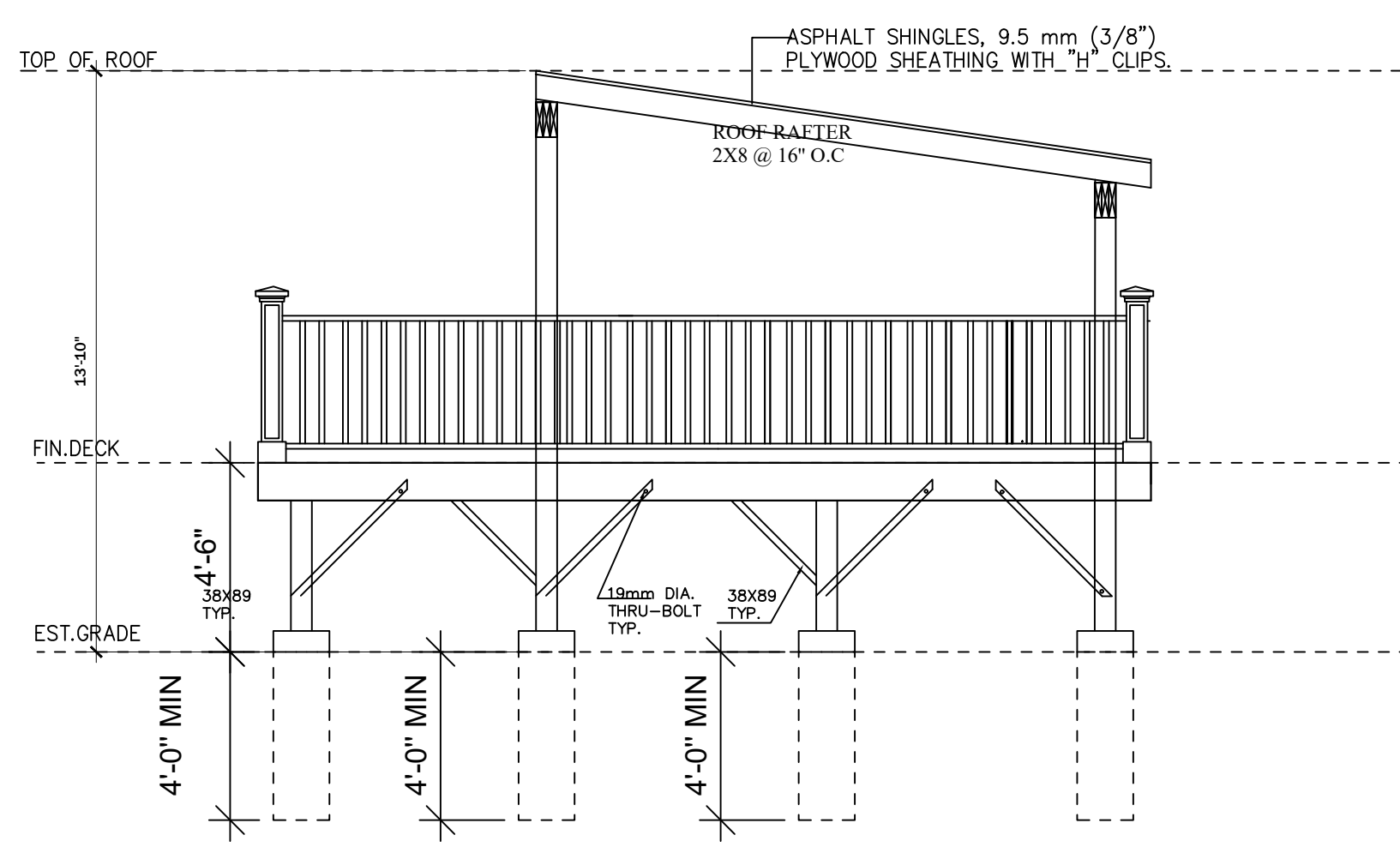
No.	Description	Date
1	Building permit application	

SITE PLAN		Sheet Number:
Project :	WOOD DECK AT REAR YARD	A 1.0
Drawing by:	K.H	
checked by:		
Date:		
Scale:	3/16" = 1'-0"	



**PROPOSED SECTION A-A**

Variance #1



**PROPOSED SECTION B-B**

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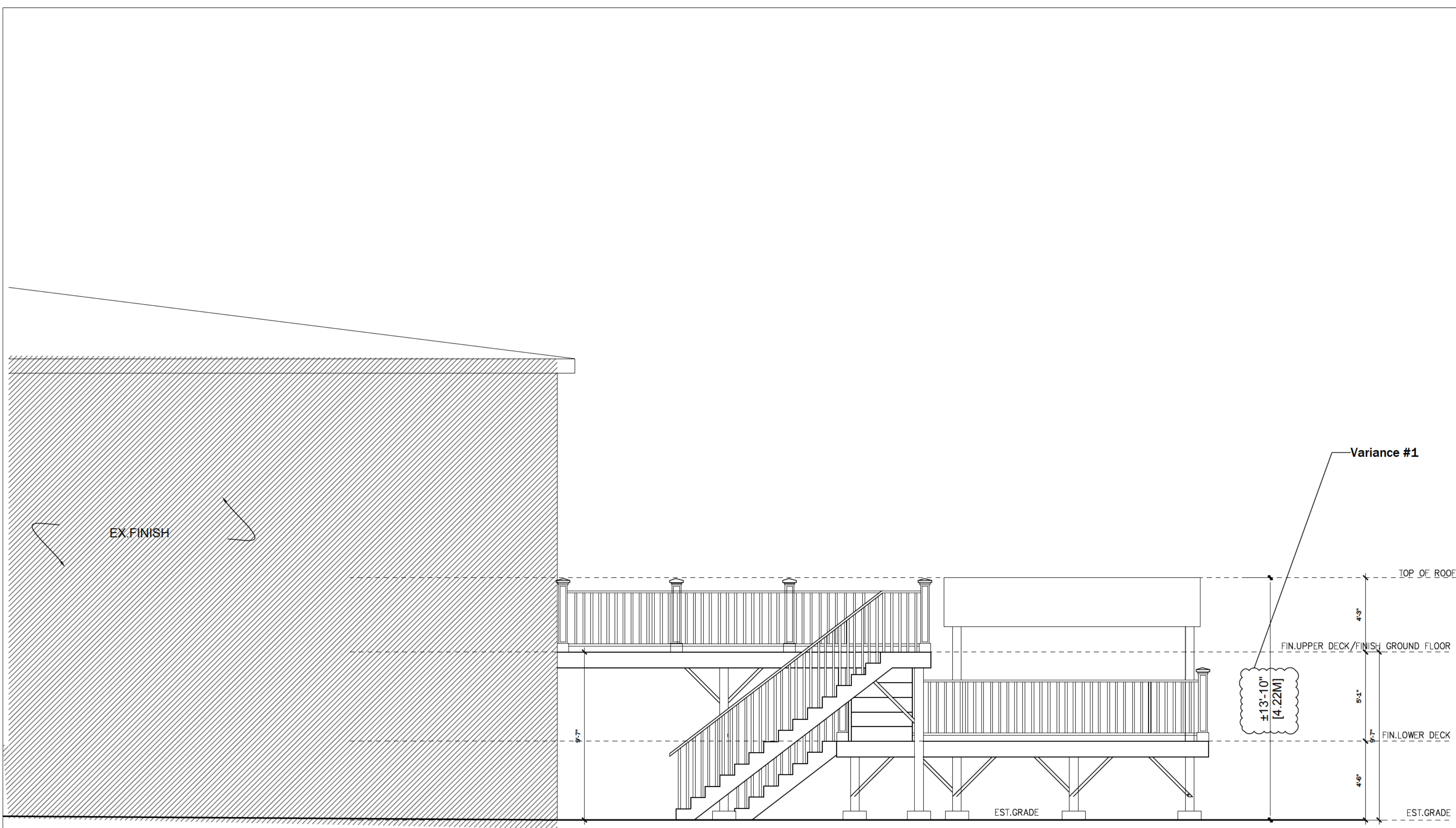
116 Farrell Rd,  
Maple, ON  
L6A 0H9

No.	Description	Date
1	Building permit application	

**SECTION A AND SECTION B**

Project : WOOD DECK AT REAR YARD		Sheet Number:
Drawing by: K.H	Date:	<b>A 1.2</b>
checked by:	Scale: 3/16" = 1'-0"	





**PROPOSED WEST ELEVATION**

STAMP:

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116 Farrell Rd,  
Maple, ON  
L6A 0H9

No.	Description	Date
1	Building permit application	

## WEST ELEVATION

Project : WOOD DECK AT REAR YARD

Sheet Number:

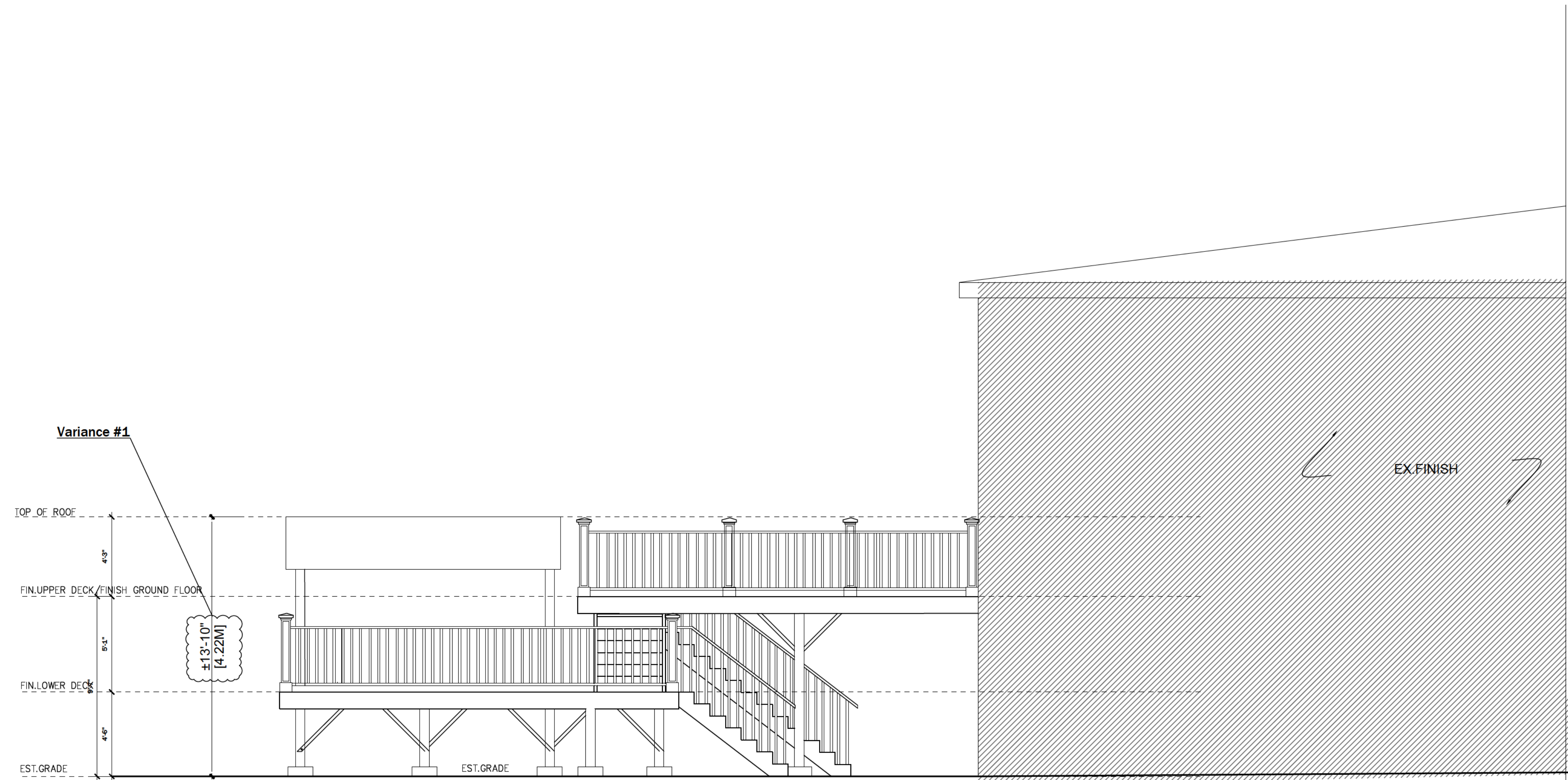
Drawing by: K.H

Date:

checked by:

Scale: 3/16" = 1'-0"

**A 1.3**



**PROPOSED EAST ELEVATION**

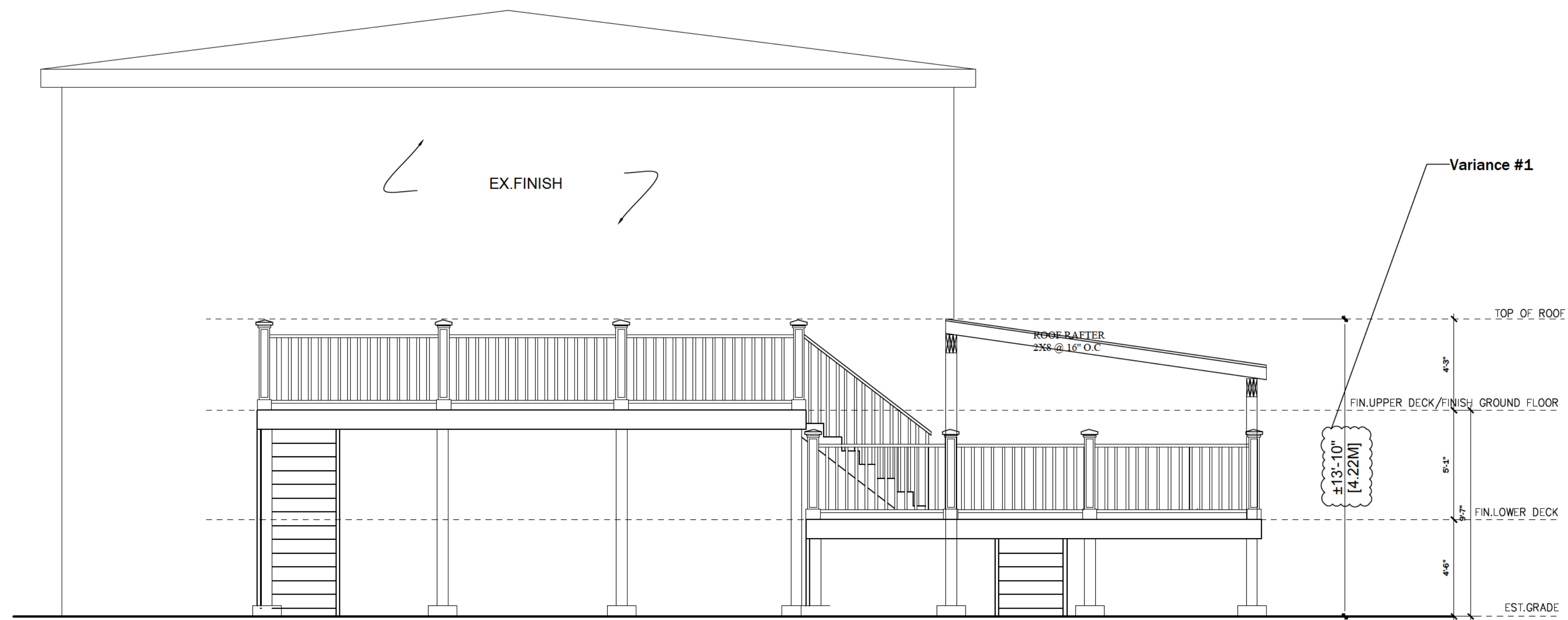
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L6A 0H9

No.	Description	Date
1	Building permit application	

<b>EAST ELEVATION</b>		Sheet Number:
Project : WOOD DECK AT REAR YARD		<b>A 1.4</b>
Drawing by: K.H	Date:	
checked by:	Scale: 3/16" = 1'-0"	



**PROPOSED NORTH ELEVATION**

STAMP:

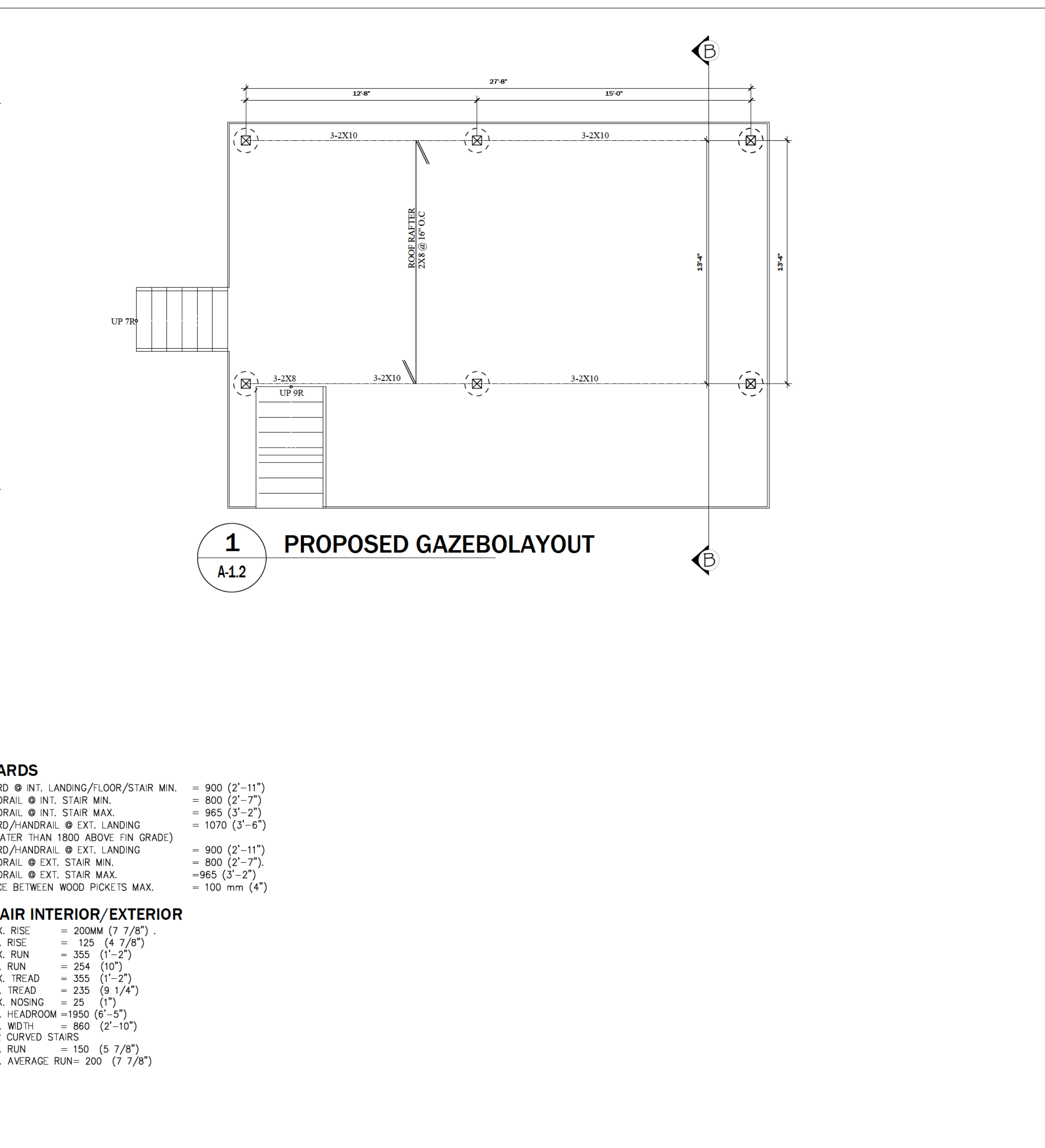
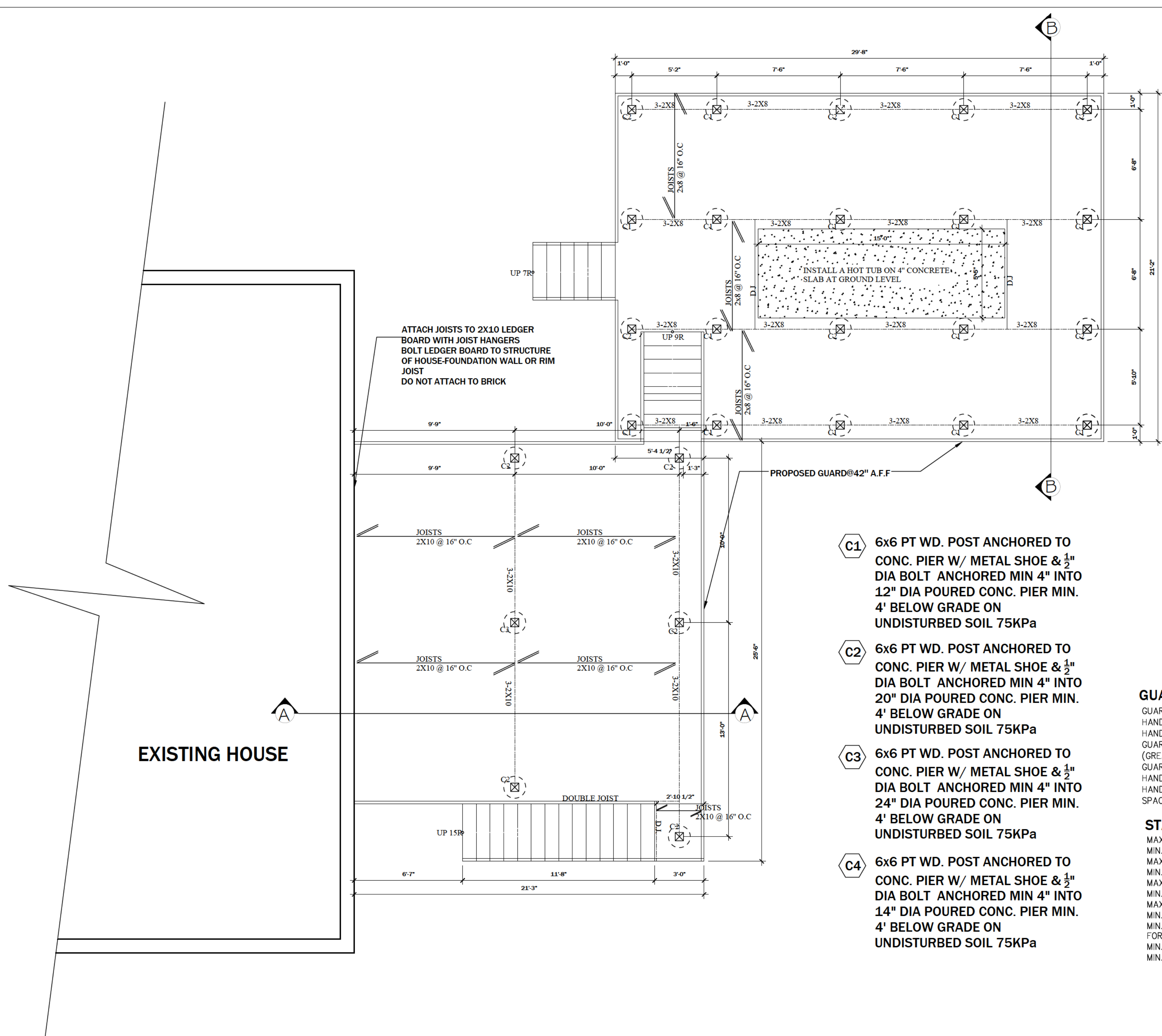
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L6A 0H9

No.	Description	Date
1	Building permit application	

<b>NORTH ELEVATION</b>		Sheet Number:
Project :	WOOD DECK AT REAR YARD	<b>A 1.5</b>
Drawing by:	K.H	
checked by:		
Date:		Scale: 3/16" = 1'-0"





- C1** 6x6 PT WD. POST ANCHORED TO CONC. PIER W/ METAL SHOE & 1/2" DIA BOLT ANCHORED MIN 4" INTO 12" DIA POURED CONC. PIER MIN. 4' BELOW GRADE ON UNDISTURBED SOIL 75KPa
- C2** 6x6 PT WD. POST ANCHORED TO CONC. PIER W/ METAL SHOE & 1/2" DIA BOLT ANCHORED MIN 4" INTO 20" DIA POURED CONC. PIER MIN. 4' BELOW GRADE ON UNDISTURBED SOIL 75KPa
- C3** 6x6 PT WD. POST ANCHORED TO CONC. PIER W/ METAL SHOE & 1/2" DIA BOLT ANCHORED MIN 4" INTO 24" DIA POURED CONC. PIER MIN. 4' BELOW GRADE ON UNDISTURBED SOIL 75KPa
- C4** 6x6 PT WD. POST ANCHORED TO CONC. PIER W/ METAL SHOE & 1/2" DIA BOLT ANCHORED MIN 4" INTO 14" DIA POURED CONC. PIER MIN. 4' BELOW GRADE ON UNDISTURBED SOIL 75KPa

- GUARDS**
- GUARD @ INT. LANDING/FLOOR/STAIR MIN. = 900 (2'-11")
  - HANDRAIL @ INT. STAIR MIN. = 800 (2'-7")
  - HANDRAIL @ INT. STAIR MAX. = 965 (3'-2")
  - GUARD/HANDRAIL @ EXT. LANDING (GREATER THAN 1800 ABOVE FIN GRADE) = 1070 (3'-6")
  - GUARD/HANDRAIL @ EXT. LANDING = 900 (2'-11")
  - HANDRAIL @ EXT. STAIR MIN. = 800 (2'-7")
  - HANDRAIL @ EXT. STAIR MAX. = 965 (3'-2")
  - SPACE BETWEEN WOOD PICKETS MAX. = 100 mm (4")
- STAIR INTERIOR/EXTERIOR**
- MAX. RISE = 200MM (7 7/8")
  - MIN. RISE = 125 (4 7/8")
  - MAX. RUN = 355 (1'-2")
  - MIN. RUN = 254 (10")
  - MAX. TREAD = 355 (1'-2")
  - MIN. TREAD = 235 (9 1/4")
  - MAX. NOSING = 25 (1")
  - MIN. HEADROOM = 1950 (6'-5")
  - MIN. WIDTH = 860 (2'-10")
  - FOR CURVED STAIRS
  - MIN. RUN = 150 (5 7/8")
  - MIN. AVERAGE RUN = 200 (7 7/8")

STAMP:

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116 Farrell Rd,  
Maple, ON  
L6A 0H9

No.	Description	Date
1	Building permit application	

**PROPOSED DECK & GAZEBO LAYOUT**

Project : WOOD DECK AT REAR YARD

Drawing by: K.H

checked by:

Sheet Number: A 1.1

Date:

Scale: 3/16" = 1'-0"

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

Department / Agency <small>*Comments Received</small>	Conditions Required		Nature of 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
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:** May 22<sup>nd</sup> 2024

**Attention:** Christine Vigneault

**RE:**

**File No.:** A070-24

**Related Files:**

**Applicant** Kris He

**Location** 116 Farrell Road





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:

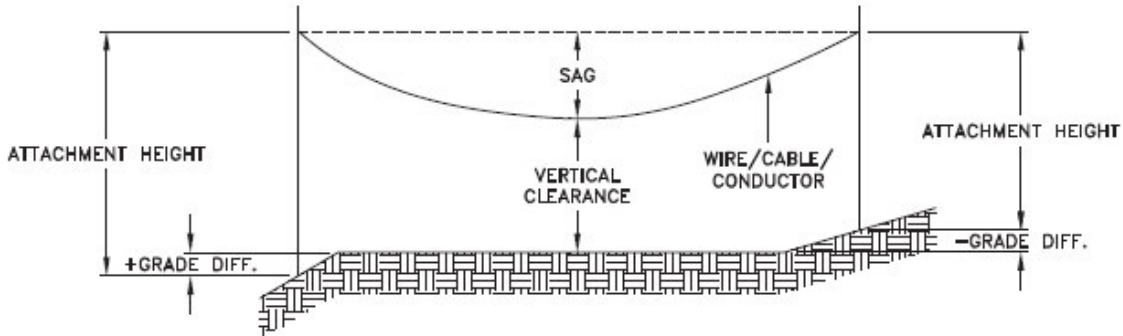
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**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"

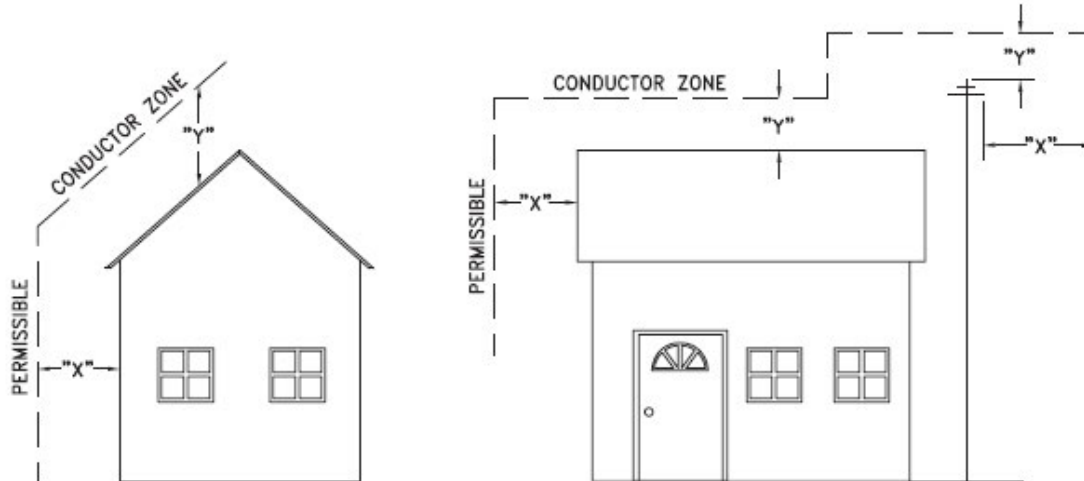
**REFERENCES**

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, 5/5/2010 10:27:02 AM, Adobe PDF



**To:** Committee of Adjustment  
**From:** Christian Tinney, Building Standards Department  
**Date:** May 21, 2024  
**Applicant:** kris He  
**Location:** 116 Farrell Road  
 PLAN 65M4425 Lot 101  
**File No.(s):** A070/24

**Zoning Classification:**

The subject lands are zoned R2A – Second Density Residential Zone and subject to the provisions of Exception 14.1014 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 metres. [Section 4.1.4, 1.]	To permit an accessory building (gazebo) with a maximum height of 4.22 metres.
2	A residential accessory structure with a height greater than 2.8 metres shall not be located closer than 2.4 metres to any lot line. [Section 4.1.2, 1. b.]	To permit a residential accessory structure (gazebo) with a height greater than 2.8 metres to be located 2.24 metres to the interior side lot line.

**Staff Comments:**

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

Order No. 23-144663, Order to Comply for Constructed a two-tier wood deck at the rear of the property without obtaining a permit., Issue Date: Dec 15, 2023

**Building Permit(s) Issued:**

Building Permit No. 24-100497 for Single Detached Dwelling - Deck, Issue Date: (Not Yet Issued)

**Other Comments:**

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

\* 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:** June 7, 2024  
**Name of Owner:** Ruslan Gerchuk  
**Location:** 116 Farrell Road  
**File No.(s):** A070/24

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

1. To permit an accessory building (gazebo) with a maximum height of 4.22 m.
2. To permit a residential accessory structure (gazebo) with a height greater than 2.8 m to be located 2.24 m to the interior side lot line.

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

1. In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m.
2. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.

**Official Plan:**

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

**Comments:**

The Owner is seeking relief to permit the construction of a gazebo in the rear yard of a single detached dwelling, with the above-noted variances.

Development Planning Department Staff have no objections to Variances 1 and 2 for the proposed gazebo. There is an existing open deck ('higher deck') with stairs attached to the rear of the dwelling, at a height of 2.96 m (total of 4.22m in height, with the railings). The structure identified as the gazebo is located upon a second, lower deck ('lower deck') to the northwest. The gazebo provides shelter to a hot tub on the lower deck. The lower deck is 1.4 m above grade and the roof portion accounts for the remaining 2.82 m of height. Stairs are also being proposed to connect the existing deck and gazebo together. The proposed gazebo is of the same height as the existing higher deck and will be located closer to the southerly interior side lot line. The gazebo has no proposed walls which helps reduce the overall massing impacts of the structure. With regards to Variance 2, the 0.16 m deviation from the permitted distance of the gazebo to the southerly lot line is minimal in nature and is not anticipated to be perceptible. Furthermore, the relief is only required for a portion of the gazebo due to the angle of the southern property line. It is the southwest corner of the gazebo which requires relief, whereas the southwest corner of the gazebo exceeds compliance by maintaining an approximately 3.9 m setback from the interior side lot line. Cedar plantings along the neighboring property's fence line to the south help to provide some screening. A newly planted tree between the gazebo and southerly fence line will also provide some additional screening once fully mature. There is sufficient distance in the reduced area of the interior side lot line to allow for access and maintenance.

Accordingly, Development Planning Department Staff 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:**

Development Planning Department Staff 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:**

Alyssa Pangilinan, Planner 1  
David Harding, Senior Planner



**From:** [Cameron McDonald](#)  
**To:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A070/24 (116 Farrell Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Thursday, May 23, 2024 9:54:38 AM  
**Attachments:** [image003.png](#)

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Good morning,

Based on a review of our screening mapping, I can confirm that the subject property is not located within TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit from TRCA.

Based on the above, we have no comments/requirements.

Regards,

**Cameron McDonald**

Planner I

Development Planning and Permits | Development and Engineering Services

T: [\(437\) 880-1925](tel:(437)880-1925)

E: [cameron.mcdonald@trca.ca](mailto:cameron.mcdonald@trca.ca)

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



**From:** [Development Services](#)  
**To:** [Lenore Providence](#)  
**Cc:** [Committee of Adjustment](#)  
**Subject:** [External] RE: A070/24 (116 Farrell Road) - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Tuesday, May 28, 2024 4:27:26 PM  
**Attachments:** [image002.png](#)  
[image004.png](#)

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Hi Lenore,

The Regional Municipality of York has completed its review of the minor variance application – A070/24 (116 Farrell Road) and has no comment.

Please provide us with a **digital 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

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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**SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE**

<b>Correspondence Type</b>	<b>Name</b>	<b>Address</b>	<b>Date Received (mm/dd/yyyy)</b>	<b>Summary</b>
Public	Helen Zhao	112 Farrell Road	06/07/2024	Letter of Support
Public	Vadim Vainer	45 Abner Miles	06/18/2024	Letter of Support
Public	Victoria Fooks	59 Fitzmaurice Drive	06/14/2024	Letter of Support
Public	Pouyan Khamassi	117 Farrell Road	06/19/2024	Letter of Support
Public	Nataliya Makhlik	130 Farrell Road	06/14/2024	Letter of Support
Public	Rijenko Oleg	258 Farrell Road	06/20/2024	Letter of Support
Public	Jonathan & Vered Weingarten, Michael Monosov, Ilay Avnin, Eran Guvich	120 Farrell Road et al.	06/18/2024	Letter of Objection

June 18, 2024

Attn: City of Vaughan Counsel

Dear Sir/Madame,

I am writing to briefly outline what's happening at the household of Gerchuk, residing at 116 Farrell Drive and express my concern.

After the surgery for hip replacement Mrs. Gerchuk requires the complex system of remedies, which are aimed to facilitate and accelerate the postoperative recovery period. Water treatment and in particular jacuzzi is one of the most significant components of this system. As result, her husband, Mr. Gerchuk, has installed the Jacuzzi at their backyard in good faith and with the best intentions.

As a resident of the neighborhood, for which Mr. Gerchuk contributes immensely, and just as a human, I am appealing to your sympathy and compassion and kindly asking you to allow the Gerchuk family having the jacuzzi with all required appurtenances at their backyard.

I appreciate your understanding and cooperation.

Sincerely yours,

Vadim Vainer,

45 Abner Miles, Vaughan, ON



## Prabhdeep Kaur

---

**From:** Victoria Fooks <[REDACTED]>  
**Sent:** Friday, June 14, 2024 11:07 PM  
**To:** Committee of Adjustment  
**Subject:** [External] 116 Farrell rd minor variance application

**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.

Dear city council.

I could not help but to react to the notice of minor variance application erected at the 116 Farrell rd. I live in the neighborhood and often go for a walk on Farrell rd. I met Ruslan during one of the walks. I was always amazed at how well he keeps his property and all the hard work and money he invested in it to improve the curb appeal. His work benefited not only his property but also the neighborhood. His presence in our neighbourhood is a big asset to everyone. I stopped and asked if I could take a look at the issue that caused the application to the city. I think he build a beautiful addition to his backyard. It was done in a way to allow his wife, who had a hip replacement, to get inside the jacuzzi. She needs to use the jacuzzi in order to improve her postoperative problem. The construction would give privacy to the Gerchuk family and his neighbors.

Please allow Gerchuk family to continue his project.

Victoria Fooks

59 Fitzmaurice dr  
[REDACTED]

**Lenore Providence**

---

**Subject:** FW: [External] From pouyan khamassi 117 farrell rd

---

**From:** Pouyan Khamassi  
**Sent:** Wednesday, June 19, 2024 12:57 PM  
**To:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] From pouyan khamassi 117 farrell rd

**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.

This is pouyan khamassi owner of 117 farrell rd maple Ontario l6a4w7

Dear Members of the City Council Committee,

I write this email to express support for my neighbour, Ruslan Gerchuk, to continue building their backyard structure at 116 Farrell Road.

Having been neighbours since the initial construction of our homes in 2016, it's pleasing that my neighbour has put considerable time and attention into maintaining the integrity of their home, as well as making home improvements which in turn enhances the rest of our community. It is evident that a lot of care and craftsmanship has gone into their patio project, and I believe that this positive development benefits both the property owners and the broader neighbourhood. The patio structure would provide a beautiful appeal to the neighbourhood, and encourage investment in our neighbourhood.

We have never had any past concerns about their property improvements such as interlocking the driveway, including their recent build of the backyard patio surrounding the jacuzzi. It has been a pleasure to maintain a warm and friendly relationship with Ruslan's Family and our nearby neighbours since our neighbourhood was built. I offer my full support in the development of their backyard patio structure. Thank you for your time and attention. Any questions or concerns please contact me at XXXXXXXXXXX. Thanks

## Prabhdeep Kaur

---

**From:** Nataliya Makhalik <[REDACTED]>  
**Sent:** Friday, June 14, 2024 9:30 AM  
**To:** Committee of Adjustment  
**Subject:** [External] City file A070/24

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Dear City Council,

I would like to express my feelings regarding the construction of the gazebo at 116 Farrell Road in Maple.

I know Ruslan and his family for over 20 years and can say that he is a valuable member of our community who supports not just his family but also the neighbors in different ways. I live with my family in the same area and I see how he tries to improve the image of our neighborhood, to bring something special for his family and specifically for his wife who had a hips replacement surgery and heeds his care daily.

The doctor recommended her the physiotherapy to recover faster and feel better and as you may know, the water is the best tool to bring her back to the normal and healthy life. This is why he installed the jacuzzi and built the gazebo to keep some privacy for his wife.

Furthermore, I want to add that he brought very interesting artistic sight to our boring neighborhood which looks much the same as many others. Now, thanks Ruslan's energy and efforts we have a nice distinction and I can say that people take notice of that and like it.

I hope that you will approve the gazebo construction and support Ruslan's efforts to foster the sick wife.

If you have any questions please call me at [REDACTED].

Thanks for your time and consideration.

Best regards,

Nataliya Makhalik,  
130 Farrell Road

**From:**  
**To:** [Committee of Adjustment](#)  
**Subject:** [External]  
**Date:** Thursday, June 20, 2024 10:29:51 AM

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--

Rijenko Oleg. Farrell 258

Dear Members of the City Council Committee,

I write this email to express support for my neighbour, Ruslan Gerchuk, to continue building their backyard structure at 116 Farrell Road.

Having been neighbours since the initial construction of our homes in 2016, it's pleasing that my neighbour has put considerable time and attention into maintaining the integrity of their home, as well as making home improvements which in turn enhances the rest of our community. It is evident that a lot of care and craftsmanship has gone into their patio project, and I believe that this positive development benefits both the property owners and the broader neighbourhood. The patio structure would provide a beautiful appeal to the neighbourhood, and encourage investment in our neighbourhood.

We have never had any past concerns about their property improvements such as interlocking the driveway, including their recent build of the backyard patio surrounding the jacuzzi. It has been a pleasure to maintain a warm and friendly relationship with Ruslan's Family and our nearby neighbours since our neighbourhood was built. I offer my full support in the development of their backyard patio structure. Thank you for your time and attention.



## Prabhdeep Kaur

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**From:** oleg [REDACTED] >  
**Sent:** Thursday, June 20, 2024 10:30 AM  
**To:** Committee of Adjustment  
**Subject:** [External]

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--

Rijenko Oleg. Farrell 258

Dear Members of the City Council Committee,

I write this email to express support for my neighbour, Ruslan Gerchuk, to continue building their backyard structure at 116 Farrell Road.

Having been neighbours since the initial construction of our homes in 2016, it's pleasing that my neighbour has put considerable time and attention into maintaining the integrity of their home, as well as making home improvements which in turn enhances the rest of our community. It is evident that a lot of care and craftsmanship has gone into their patio project, and I believe that this positive development benefits both the property owners and the broader neighbourhood. The patio structure would provide a beautiful appeal to the neighbourhood, and encourage investment in our neighbourhood.

We have never had any past concerns about their property improvements such as interlocking the driveway, including their recent build of the backyard patio surrounding the jacuzzi. It has been a pleasure to maintain a warm and friendly relationship with Ruslan's Family and our nearby neighbours since our neighbourhood was built. I offer my full support in the development of their backyard patio structure. Thank you for your time and attention.

*Jonathan Weingarten Law Professional Corporation*

*Barrister & Solicitor*

*Notary Public*

---



**June 18, 2024**

**To: Members of the Committee of Adjustments**

**Re: Objection to Application A070/24 (116 Farrell Road) –  
Objections by Neighbors Jonathan Weingarten, Vered  
Weingarten, Michael Monosov, Ilay Avnin and Eran Gurvich**

1. The undersigned, Jonathan Weingarten, Vered Weingarten, Michael Monosov, Ilay Avnin and Eran Gurvich hereby wish to present their unequivocal objection to the subject matter application known as AO70/24 (116 Farrell road).
2. **Preliminary Request – Adjournment of Hearing**

It is hereby requested to adjourn the hearing of the Application for a short while for the following reasons:

1. **Attendance in Person** - All of the objecting neighbors have received a written Notice from the Committee of Adjustments only on June 10, some 10 days only prior to the hearing, while 4 out of 5 of the objecting neighbors are currently abroad though wish to attend in person at the hearing to raise their concerns to the members of the Committee. In particular, the most detrimentally affected neighbors by the Application, Jonathan Weingarten and Vered Weingarten residing adjacent to the illegal structure, have been anxiously waiting many months for their voice to be heard and would content that in person appearance before the member of the Board, would be most effective to convey their very serious concerns, worries and agony over the enormous illegal structure built adjacent to their property. Presentation of the

- objection through a video conference does not seem to be effective and persuasive in this particular Application whereby the Members of the CoA are requested to approve an unusual by its size and nature of an illegal structure combined with another structure and 2 connecting stairs, all which pose a deep concern to the objecting neighbors.
2. **Professional Legal Advice** - The concerned objecting neighbors, in particular Jonathan Weingarten and Vered Weingarten, the most affected by the Application, are in a process of hiring a professional planner, as a professional advisor to the objections by all the objecting neighbors, and it seems that as the objecting neighbors are not professional in the area under scrutiny before the members of the CoA, they wish to exercise their full right to obtain professional legal advise in a timely manner so to present their objection to the subject Application.
  3. **No Harm to the Applicant in adjournment of the Hearing** – In adjourning the hearing for a short while, no harm or prejudice would be caused to the Applicant. It should be mentioned that the Applicant had been given since December 2023, ample opportunities to file his Application and has provided so only - after several extensions provided to him - during the 2<sup>nd</sup> half of May 2024, some 6 months thereafter.
  4. **Single and only option to an Objection to be heard** – While the Applicant has been given countless options and extensive time of many months to prepare his Application with professional advisors, the objecting neighbors are being given only a single chance to have them consult with a professional, prepare their objection and reasoning to be heard at the hearing, all in such short notice of some 10 days, including a weekend. It would be unreasonable, unjust and prejudicial to prevent the objecting neighbors from consulting with experts, preparing objections and voicing their concern in a timely manner.
3. In the alternative, since the objecting neighbors have been advised that a request for adjournment would heard only on day of the hearing, should the request for adjournment be denied, a decision which would be most disappointing to the objecting neighbors, the objecting neighbors would kindly present their unprofessional though reasonable and hopefully persuasive objection to the Application as the following:
- A. **Height of the Gazebo wooden Floor exceeding Height of the Adjoining Fence** - The height of the proposed wood deck of Gazebo exceeds the heigh of the fence between 116 Farrell Road and 120 Farrell Road as clearly could be seen from the attached video from the neighboring back yard of 120 Farrell Road ( **Attachment marked “A”**). The proximity of the Gazebo to the back yard of 120 Farrell Road of around 2 meters only, has an overwhelming prejudicial and harmful affect considering the enormous size of the Gazebo.

- B. **Height of the Gazebo Ceiling well over the Permissible Height** - The height of the ceiling of the Gazebo of 13.10 feet, well over permitted by the City By-law, does not seem to be a minor variance at all, taking into account also the size of the ceiling which covers the whole wood deck of the Gazebo which is on its own a very big size equal to 628 SQF.
- C. **Combined Size of both Deck Structure and Gazebo Structure plus 2 set of connecting stairs** - The combined size of the second deck plus the detached Gazebo ( 2 separate structures) is about 1,100 SQF, let alone the 2 set of long stairs between the deck and the Gazebo, and from the floor to the extremely high wooden deck of the gazebo, all of which are disproportionate to the back yard lot size of the Applicant, taking into account the shape of the subject back yard and its proximity to the objecting neighbors of 120 Farrell Road and even 124 Farrell Road.
- D. **Dramatical and Detrimental affect on the Privacy and Enjoyment of the neighbors in Proximity to the Subject Application illegal structures** - The over size and height of the wooden floor of the Gazebo, detrimentally affects the privacy of the family living at 120 Farrell Road, not only as per enjoyment of it back yard practically from the wooden deck of the Gazebo there is a very open view affecting the privacy and enjoyment of the residents of 120 Farrell Road and 124 Farrell Road main floor, most notably the kitchen and breakfast area.
- E. **Disproportionate Ratio between the Wooden Deck and Ceiling to the Size of the Hot Tub** - There seems to be a noticeable and unjustifiable proportion between the size of the wooden deck and ceiling of the gazebo ( 628 SQF) to the hot tub which is much smaller. The Applicant is attempting to achieve the purpose of enjoying the hot tub by having built a disproportionate high and overwhelmingly large wooden deck. The enjoyment of the hot tub could be fully achieved by a much smaller and lower deck without any annoyance and controversy with the neighbors.
- F. **Proposed Plan Detrimental and Counter effective to the Nature, Intended Plan and Character of the Neighborhood** - The general nature and size of both the detached wooden deck and gazebo from the main house together with the main deck and 2 sets of stairs, all of which are unprecedented by all means in the neighborhood, do not serve the desired nature and character of the neighborhood, the intention of any plan for the neighborhood and the adjoining properties in particular, as it would be expected for the intended enjoyment of similar back yards of properties which are limited in size and shape.
- G. **The Interest of the Public in General and the Citizens of the City of Vaughan in Particular in obeying to Laws, By Laws, Building Conditions and Requirements** – The Applicant, resident for some years in the City of Vaughan is an experienced and long standing ( 22 years as his web site suggests) professional contractor, specializing

in building of education centers, such as schools, as well as petrol stations and other forms of building, all requiring building permits, obedience to building codes, by laws, and so forth. All rules and permits pertaining to building and construction are bread and butter and of the very essence of the Applicant's daily work in and out.

The Applicant in the instant case, has deliberately and with full conscious decided to simply ignore any law and any permit, having utter disregard to the City of Vaughan laws, by laws, the building department, the by law department, Necessity of building permit as well as ignoring the role of the CoA.

Instead, not only the Applicant has variably and in writing misled the adjoining neighbors, Jonathan weingarten and Vered Weingarten, to believe that he already has a City of Vaughan permit in hand but has assured them that his architect has already personally visited the City of Vaughan and received its approval from its building department. Jonathan Weingarten and Vered Weingarten, who did not know at all in real time of the procedure involved in obtaining a permit, including the need to be approved by the CoA, has naively trusted the Applicant only to realize later, after their return from several weeks abroad, that the Applicant has constructed in their absence the existing overwhelming and massive detached illegal deck and ceiling. Jonathan Weingarten and Vered Weingarten became aware of the willful deceit by the Applicant, after having called the City of Vaughan to hear that an Application has never been filed by the Applicant. The Applicant, knowing well and realizing that Jonathan Weingarten and Vered Weingarten are very unfamiliar with building codes, rules and by laws, has manipulated them as "material in the hand of the creator" in order to avoid any inquiry by them during the process of building the illegal wooden Gazebo and ceiling, especially when the latest were away abroad for several weeks.

The undisputed fact that a professional contractor may all along deceit his neighbors, breach the very laws and rules he is fully aware and knowledgeable about, continue enjoying from the illegal structure, improving it during the interim period of being served with a kind of cease and desist order by the by law department up until present time, while being fully sure that most probably his Application would be fully approved, all the above creates a serious doubt as to the trust of the public at large and the citizens of Vaughan in the need to abide to laws and rules in a timely manner and doubting in the administration of justice by the law enforcement agencies of the City of Vaughan.

As of now, the Applicant deliberate avoidance of abiding to the law and the law enforcement agencies of the City of Vaughan, has not been deterred at all, and this could be significantly noticed by his mockery of his neighbors all along up until now.

As of now, many months after completion of the illegal structure and stairs, there seems to be no deterrent to those who choose to ignore the law all together, all which seems to put into an embarrassment those citizens who abide to the laws and choose to follow the City of Vaughan proper procedure which is accompanied often by fees and deposits. (**Attached extracts and photos from the Applicant's website marked "B"**)



**H. Applicant Adding of Letter of Support of Next Door Neighbor to the Application**

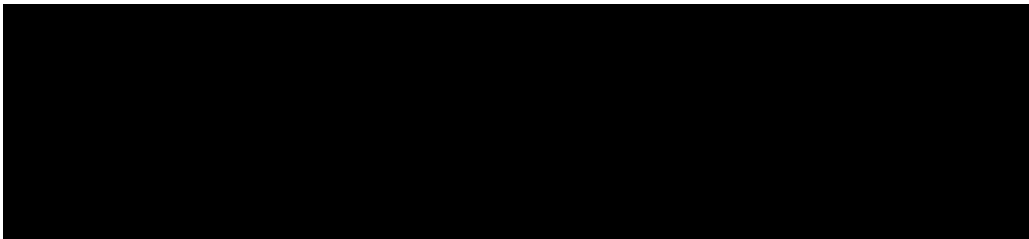
The Applicant has added to his Application to the CoA a support letter from a neighbor residing at 112 Farrell Road in order to corroborate his Application. Adding any letter of support is legitimate in normal circumstances which in this case do not seem to exist. The neighbor residing at 112 Farrell Road may perhaps added his letter in order to protect him self from an illegal massive fully built building ( walls, roof, door and windows) he built in his back yard, which is backing a fence by only several centimeters, as well as building what seems to be an illegal opening from the main building wall to the backyard ( creation of walk out from basement). As there seems to be a file opened against the illegal project in 112 Farrell Road held by the Building Department of the City of Vaughan, the letter of approval by the owner of 112 Farrell Road attached to the Application should be read and considered with great caution and concern. Having neighbors support each other for their own personal interest, while those both neighbors deliberately breach any piece of municipal law and mocking the law enforcement agencies, such practice should be deplored and renounced, in light of respect to law abiding citizens. Moreover, the need to mention that the illegal gazebo and 2 flights of stairs are not adjacent to the 112 Farrell road fence with the Applicant's house.

4. The Committee is wholeheartedly requested to reject the Application in its entirety due the justifiable reasons provided above, otherwise on approval shall sadly cause heart break.

Yours,

On behalf of:  
Jonathan Weingarten  
Vered Weingarten  
Michael Monosov  
Ilay Avnin  
Eran Gurvich

*Jonathan Weingarten*  
*Jonathan Weingarten*  
*Barrister & Solicitor*  
*Notary Public*















## SCHEDULE D: BACKGROUND

None