



**COMMITTEE OF ADJUSTMENT  
REPORT SUMMARY  
MINOR VARIANCE APPLICATION  
FILE NUMBER A218/21**

<b>AGENDA ITEM NUMBER: 12</b>	<b>CITY WARD #: 1</b>
<b>APPLICANT:</b>	Rajinder Singh Pahal & Narinder Kaur Pahal
<b>AGENT:</b>	Harry Sahi – RnH Designs
<b>PROPERTY:</b>	<b>96 Klein's Rdge, Kleinburg ON</b>
<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None.
<b>PURPOSE OF APPLICATION:</b>	Relief from the City's Zoning By-law is being requested to permit the construction of a proposed single family dwelling and to permit an existing shed.

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Development Planning and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City's Website.

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

**PUBLIC & APPLICANT CORRESPONDENCE**

\*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is **noon on the last business day prior to the scheduled hearing date.**

Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City’s Website.

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

<b>Correspondence Type</b>	<b>Name</b>	<b>Address</b>	<b>Date Received (mm/dd/yyyy)</b>	<b>Summary</b>
Public	Fernando Di Battista	43 Klein’s Ridge	01/14/2022	Letter of Opposition
Applicant / Authorized Agent	Applicant	96 Klein’s Ridge	01/17/2022	Response to Public Correspondence
Public	Mr. and Mrs. Rolando Roti	110 Klein’s Ridge	01/18/2022	Letter of Opposition
Public	Rob Nicolucci on behalf of:	83 Klein’s Ridge	01/19/2022	Letter of Opposition
Public	Rob Nicolucci on behalf of:	43, 83, 110, 113 Klein’s Ridge	02/02/2022	Letter of Opposition

**PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

\*Please see **Schedule D** for a copy of the Decisions listed below

<b>File Number</b>	<b>Date of Decision MM/DD/YYYY</b>	<b>Decision Outcome</b>
None		

**ADJOURNMENT HISTORY**

\* Previous hearing dates where this application was adjourned by the Committee and public notice issued.

Hearing Date (01/20/2022)	To accommodate statutory public notice.
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**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A218/21**

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<b>ZONING DESIGNATION:</b>	See below.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b>	None.
<b>PURPOSE OF APPLICATION:</b>	Relief from the City's Zoning By-law is being requested to permit the construction of a proposed single family dwelling and to permit an existing shed.

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

**The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.19 under Zoning By-law 01-2021.**

#	Zoning By-law 01-2021	Variance requested
1	A minimum front yard setback of 15.0 m is required. (Table 7-3)	To permit a minimum front yard setback of 10.0m to the dwelling.
2	A maximum accessory building height of 3.0m is permitted. (Subsection 4.1.4.1)	To permit a maximum height of 3.45m for the accessory building (existing shed).

**The subject lands are zoned RR – Rural Residential and subject to the provisions of Exception 9(58) under Zoning By-law 1-88, as amended.**

#	Zoning By-law 1-88	Variance requested
3	A minimum front yard setback of 15.0m is required. (Schedule A)	To permit a minimum front yard setback of 8.5m to the nearest part of the building.

**HEARING INFORMATION**

**DATE & TIME OF HEARING:** February 10, 2022 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

**PUBLIC PARTICIPATION**

You can watch a live stream of the hearing at [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil)

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Public Deputation Form](#) to [cofa@vaughan.ca](mailto:cofa@vaughan.ca) **by noon** on the last business day prior to the hearing.

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. Written submissions on an Application must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

[For more information, please visit the City of Vaughan website.](#)

**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 COMMENTS

<b>Date Public Notice Mailed:</b>	January 26, 2022	
<b>Date Applicant Confirmed Posting of Sign:</b>	January 3, 2022, February 2, 2022	
<b>Applicant Justification for Variances:</b> <small>*As provided by Applicant in Application Form</small>	TRCA has pushed us back away from the long term stable slope and closer to road setback. Since there is very limited space after the setback, we are unable to fit the proposed new building.	
<b>Adjournment Requests (from staff):</b> <small>*Adjournment requests provided to applicant prior to issuance of public notice</small>	None	
<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.  *A revised submission may be required to address staff / agency comments received as part of the application review process.  *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.</small>		Yes
<b>Adjournment Fees:</b> In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.  An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff <b>after</b> the issuance of public notice.		
<b>Committee of Adjustment Comments:</b>	None	
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None	

## BUILDING STANDARDS (ZONING) COMMENTS

This review is based on zoning by-law 1-88.

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

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

Please indicate the total lot coverage on the site plan.

<b>Building Standards Recommended Conditions of Approval:</b>	None
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## DEVELOPMENT PLANNING COMMENTS

See Schedule C for Development Planning Comments

<b>Development Planning Recommended Conditions of Approval:</b>	None.
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## DEVELOPMENT ENGINEERING COMMENTS

As the proposed dwelling in the subject property is 587m<sup>2</sup>, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering Department. Please note any in ground structure over 10 m<sup>2</sup> requires a grading permit.



### DEVELOPMENT ENGINEERING COMMENTS

Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition #1 attached)

The owner/applicant shall contact Transportation and Fleet Management Services (Joint Operations Centre) if there is any work required related to the driveway culvert. Please visit [https://www.vaughan.ca/services/residential/transportation/roads/culvert\\_installation/Pages/default.aspx](https://www.vaughan.ca/services/residential/transportation/roads/culvert_installation/Pages/default.aspx) for more information.

The Development Engineering (DE) Department does not object to variance application A218/21 subject to the following condition(s):

<b>Development Engineering Recommended Conditions of Approval:</b>	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.
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### PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS

No comments with recommended conditions of approval:

<b>PFH Recommended Conditions of Approval:</b>	<ol style="list-style-type: none"> <li>1. Applicant/owner shall obtain a "Private Property Tree Removal &amp; Protection" permit through the forestry division prior to any demolition/construction works on the subject property.</li> <li>2. Prior to permit issuance, Forestry staff shall inspect and approve the tree protection (Hoarding). Tree protection shall be installed to the satisfaction of the Forestry division.</li> </ol>
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### DEVELOPMENT FINANCE COMMENTS

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

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

<b>Development Finance Recommended Conditions of Approval:</b>	None
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### BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS

No comment no concerns

<b>BCLPS Recommended Conditions of Approval:</b>	None
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### BUILDING INSPECTION (SEPTIC) COMMENTS

No comments received to date.

<b>Building Inspection Recommended Conditions of Approval:</b>	None
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### FIRE DEPARTMENT COMMENTS

No comment no concerns

## FIRE DEPARTMENT COMMENTS

<b>Fire Department Recommended Conditions of Approval:</b>	None
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## SCHEDULES TO STAFF REPORT

\*See Schedule for list of correspondence

<b>Schedule A</b>	Drawings & Plans Submitted with the Application
<b>Schedule B</b>	Development Planning & Agency Comments
<b>Schedule C</b> (if required)	Correspondence (Received from Public & Applicant)
<b>Schedule D</b> (if required)	Previous COA Decisions on the Subject Land

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

## SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
1	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	1. The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.
2	Parks, Forestry and Horticulture Operations <a href="mailto:zachary.guizzetti@vaughan.ca">zachary.guizzetti@vaughan.ca</a> <a href="mailto:andrew.swedlo@vaughan.ca">andrew.swedlo@vaughan.ca</a>	1. Applicant/owner shall obtain a “Private Property Tree Removal & Protection” permit through the forestry division prior to any demolition/construction works on the subject property. 2. Prior to permit issuance, Forestry staff shall inspect and approve the tree protection (Hoarding). Tree protection shall be installed to the satisfaction of the Forestry division.
3	TRCA <a href="mailto:hamedeh.razavi@trca.ca">hamedeh.razavi@trca.ca</a>	1. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority. 2. The applicant successfully obtains a permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.

## IMPORTANT INFORMATION – PLEASE READ

**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.

## IMPORTANT INFORMATION – PLEASE READ

**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.

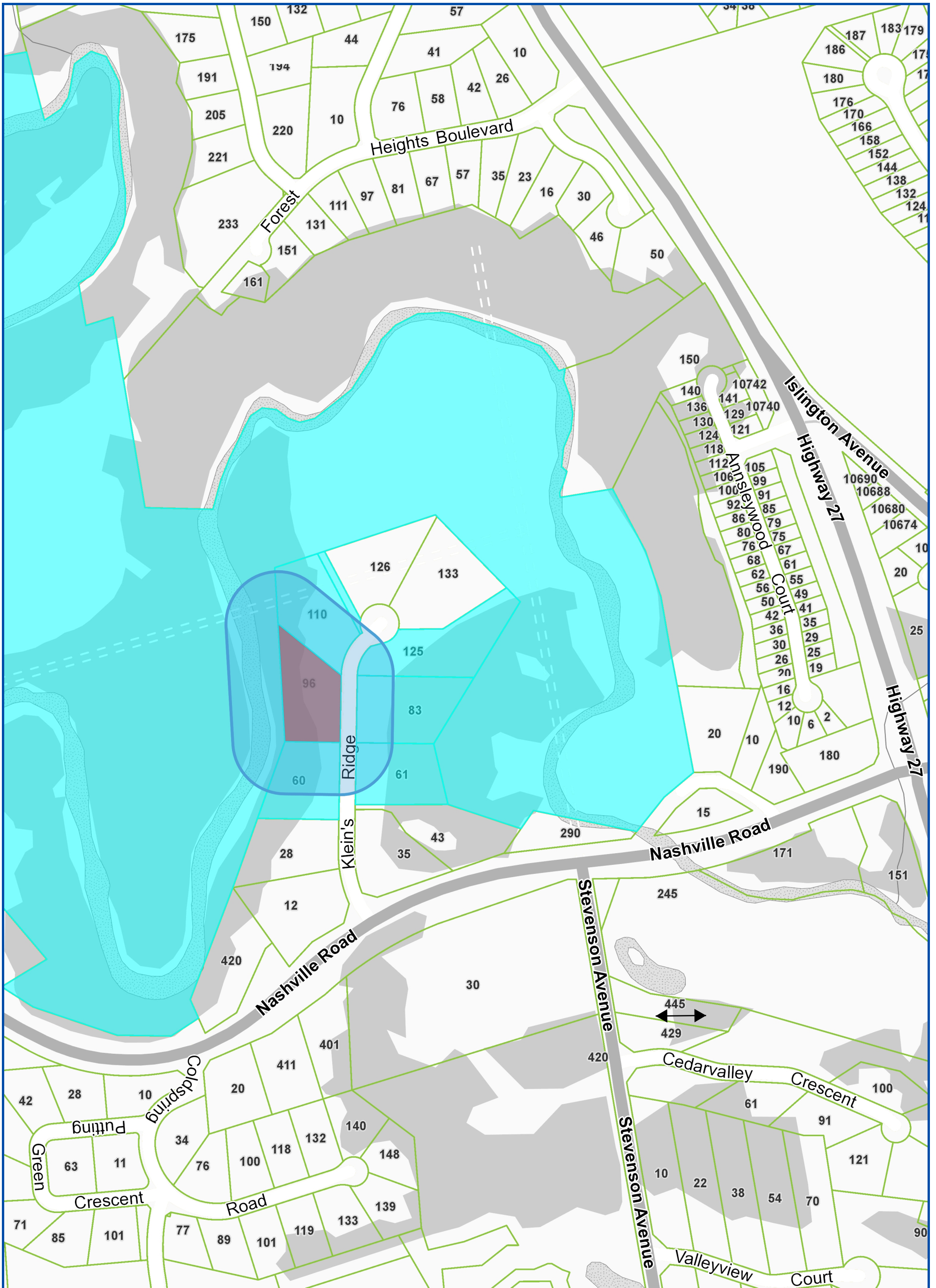
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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.

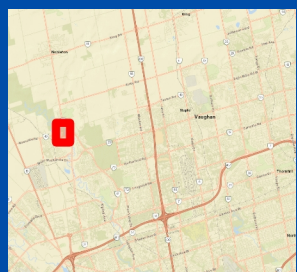
**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified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

## SCHEDULE A: DRAWINGS & PLANS





Map Information:



Title: **NOTIFICATION MAP - A218/21**

**96 KLEIN'S RIDGE, KLEINBURG**

Disclaimer:

Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: **1:6,089**  
 0 0.10 km

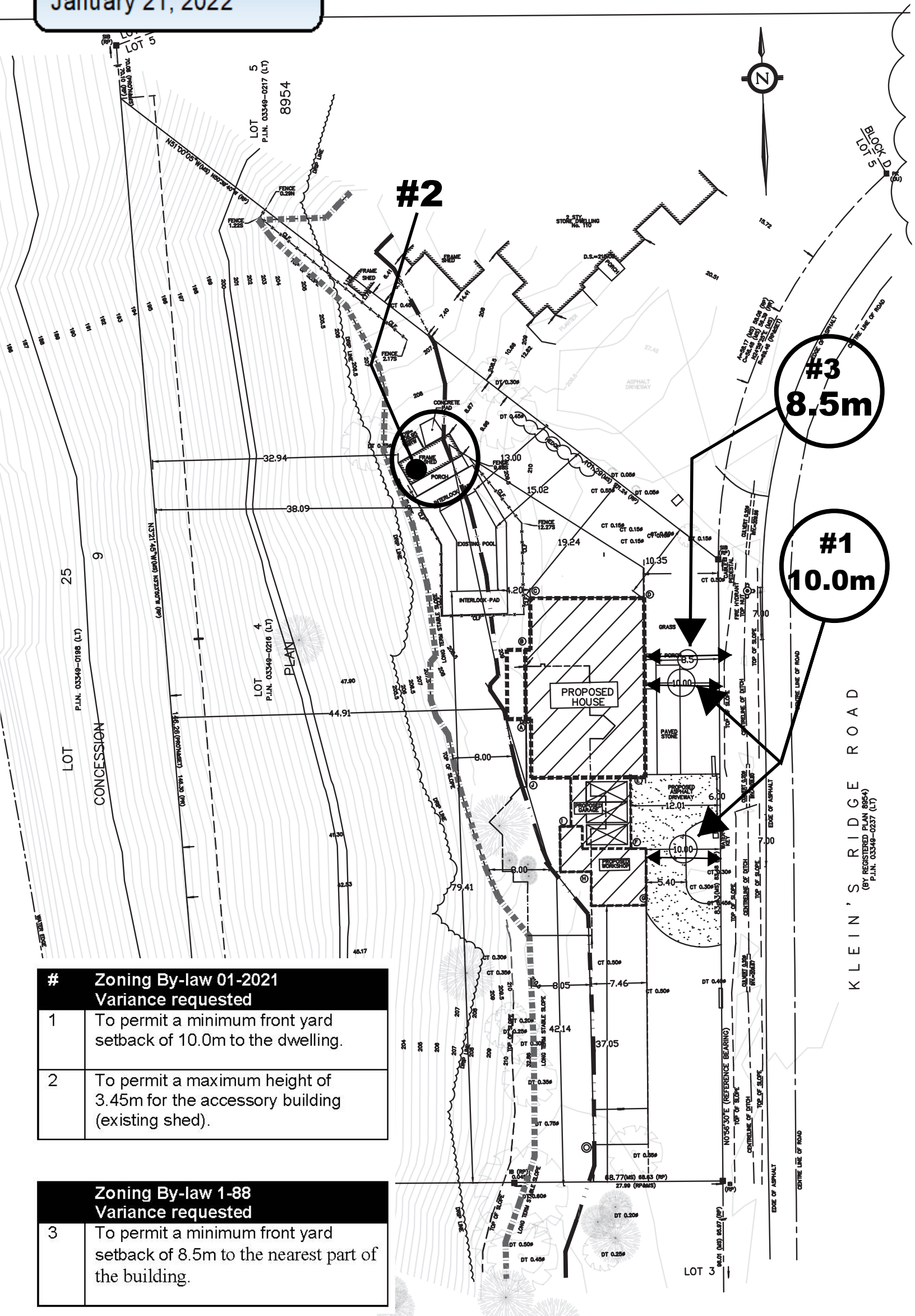


Created By:  
 Infrastructure Delivery  
 Department  
 January 4, 2022 11:23 AM

Projection:  
 NAD 83  
 UTM Zone  
 17N



**Revised**  
January 21, 2022



#	Zoning By-law 01-2021 Variance requested
1	To permit a minimum front yard setback of 10.0m to the dwelling.
2	To permit a maximum height of 3.45m for the accessory building (existing shed).

#	Zoning By-law 1-88 Variance requested
3	To permit a minimum front yard setback of 8.5m to the nearest part of the building.

KLEIN'S RIDGE ROAD  
(BY REGISTERED PLAN 8954)  
P.I.N. 03349-0237 (LT)

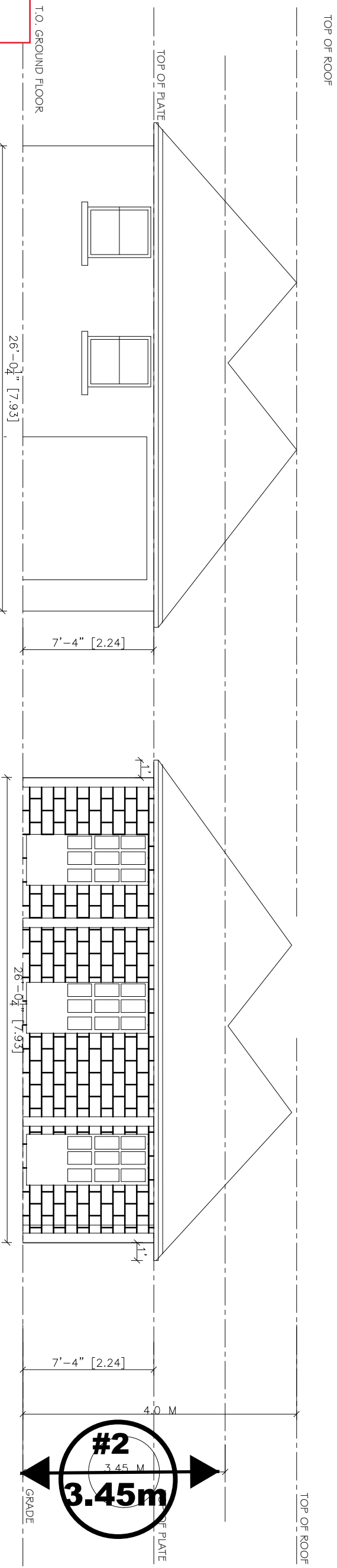




# Revised

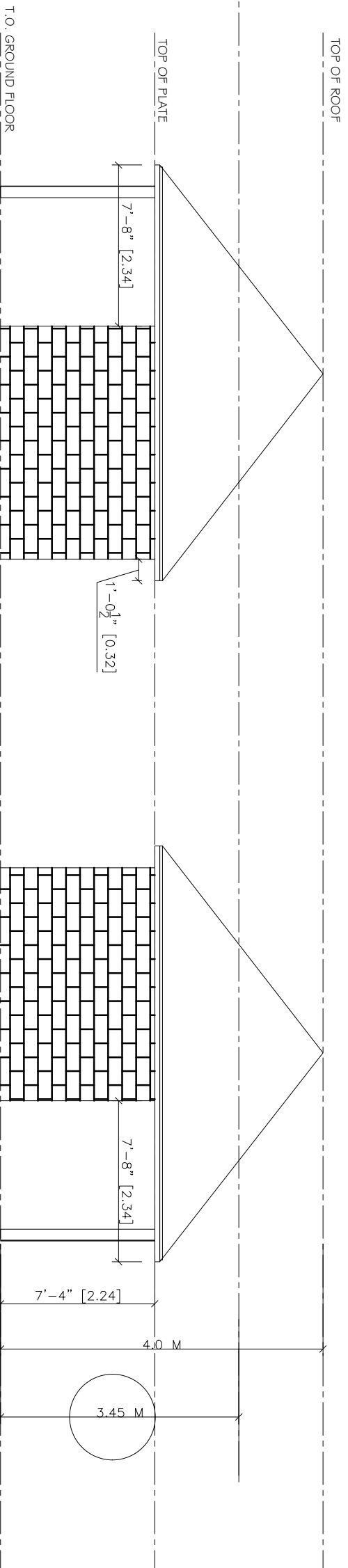
January 14, 2022

# A218/21



BACK ELEVATION

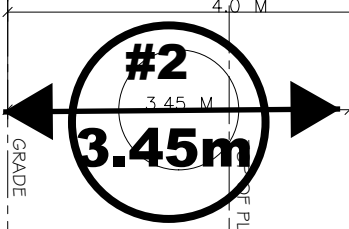
FRONT ELEVATION



LEFT ELEVATION

RIGHT ELEVATION

EXISTING SHED



GRADE

TOP OF PLATE

TOP OF ROOF



91 Cordgrass Crescent  
Brampton, ON L6R 2A2  
647-608-0096  
rnhdesigns21@gmail.com

Project Title:  
**HOUSE DESIGN**

Project Address:  
**96 KLEIN'S RIDGE  
VAUGHAN, ON**

Drawing Title:  
**EXISTING SHED  
DRAWING**

Scale:  
1:75  
Date:  
JAN 14, 2022

Designed:  
**Rashmi Sharma  
BCIN No: 114300**

Project No. 21-02  
Sheet No. A7.0

The undersigned has reviewed and takes responsibility for design and has the qualifications and experience to be a designer in the Ontario Building Code to be a designer.  
QUALIFICATION INFORMATION  
Required unless design is exempt under 2.5.1 (Division O) of Ontario Building Code.  
Rashmi Sharma  
Name  
Company's BCIN: 118287  
Signature  
114300  
BCIN

**SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS**

<b>AGENCIES</b>	<b>Circulated</b>	<b>Comments Received</b>	<b>Conditions</b>	<b>Nature of Comments</b>
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recommend Approval/No Conditions

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

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

**Date:** February 10, 2022

**Name of Owner:** Rajinder Singh and Narinder Kaur Pahal

**Location:** 96 Klein's Ridge

**File No.(s):** A218/21 - *Revised*

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

1. To permit a minimum front yard setback of 10 m to the dwelling.
2. To permit a maximum height of 3.45 m for the accessory building (existing shed).

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

1. A minimum front yard setback of 15 m is required. (Table 7-3)
2. A maximum accessory building height of 3 m is permitted. (Subsection 4.1.4.1)

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

3. To permit a minimum front yard setback of 8.5 m to the nearest part of the building.

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

3. A minimum front yard setback of 15 m is required. (Schedule A)

**Official Plan:**

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

**Comments:**

The Owner is proposing to construct a two-storey single detached dwelling, and to maintain an existing shed with the above-noted variances.

The Development Planning Department has no objection to Variances 1 and 3 concerning the reduction in front yard setback to the proposed dwelling. Following discussions with Development Planning and Urban Design staff, the Owner revised the front yard setback from 7.48 m to the front porch and 8 m to the front wall of the dwelling to 8.5 m and 10 m respectively, to maintain a more consistent streetscape with the established pattern of front yard setbacks along Klein's Ridge.

The Development Planning Department has no objection to Variance 2 regarding the maximum building height of the existing shed in the rear yard as it maintains a large setback to the neighbouring property which mitigates the visual impact.

In support of the application, the Owner has submitted an Arborist Report, Erosion and Sediment Control, and Restoration Plan prepared by Proforestree, submitted October 21, 2021, and revised on January 7, 2022. The report identified nineteen (19) trees to be removed and six (6) trees to be protected. On January 24, 2022, a Replacement Tree Planting Plan was also provided by the Owner in response to comments received by Urban Design staff. The Arborist Report and Replacement Tree Planting Plan have been reviewed by Urban Design staff who are satisfied with the proposal.

The subject lands are partially located within the Toronto and Region Conservation Authority ('TRCA') Regulated Area and are traversed by a valley corridor associated with the Humber River. An 8-metre setback to the Long-Term Stable Top of Slope ('LTSTOS') associated with the valley to the proposed dwelling has been provided to ensure slope stability. As such, the TRCA has no objection to the proposal, subject to the Owner successfully obtaining a permit from the TRCA pursuant to Ontario Regulation 166/06.

Accordingly, 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.

**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:**

Michael Torres, Planner 1

Chris Cosentino, Senior Planner

**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, 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 & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

Mr. Tony D'Onofrio  
Supervisor, Subdivisions (Alectra East)  
**Phone:** 1-877-963-6900 ext. 24419

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

**Email:** [tony.donofrio@alectrautilities.com](mailto:tony.donofrio@alectrautilities.com)



## Lenore Providence

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**Subject:** FW: [External] RE: Request for Comments: A218/21 (96 Kleins Ridge, Kleinburg)

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

**Sent:** December-16-21 11:58 AM

**To:** Lenore Providence <Lenore.Providence@vaughan.ca>

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

**Subject:** [External] RE: Request for Comments: A218/21 (96 Kleins Ridge, Kleinburg)

Good morning Lenore,

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

*Gabrielle*

**Gabrielle Hurst mcip rpp** | Community Planning and Development Services | The Regional Municipality of York | 1-877  
464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

January 4, 2022

CFN 64195.40  
X-Ref CFN 64942

**SENT BY E-MAIL: Christine.Vigneault@vaughan.ca**

Christine Vigneault  
Secretary Treasurer  
Committee of Adjustment  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A218.21  
Part of Lot 25, Concession 9; Part 1, Plan of Lot 4, Registered Plan 8954  
96 Klein's Ridge  
City of Vaughan, Region of York  
Owner: Rajinder Singh Pahal and Narinder Kaur Pahal  
Agent: RnH Designs c/o Harry Sahi**

This letter acknowledges receipt of the above-noted application circulated by the City of Vaughan. The materials were received by Toronto and Region Conservation Authority (TRCA) on December 7, 2021. TRCA staff has reviewed the above noted application, and as per the "Living City Policies for Planning and Development within the Watersheds of the TRCA" (LCP), provides the following comments as part of TRCA's commenting role under the *Planning Act*; the Authority's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement, 2020*; TRCA's Regulatory Authority under Ontario Regulation 166/06, *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*; and, our Memorandum of Understanding (MOU) with the Region of York, wherein we provide technical environmental advice related to provincial plans.

**Purpose of the Application**

It is our understanding that the purpose of the above noted application is to request the following variances under both Zoning By-Law 01-2021 and By-Law 1-88:

**By-Law 01-2021**

1. To permit a minimum front yard setback of 8.0m, whereas a minimum front yard setback of 15.0 m is required.
2. To permit a maximum height of 3.45m for the existing shed, whereas maximum accessory structure height of 3.0m is permitted.

**By-Law 1-88**

1. To permit a minimum front yard setback of 7.48m, whereas a minimum front yard setback of 15.0m is required.

2. To permit a maximum lot coverage of 23%, whereas a maximum lot coverage of 10% is permitted.
3. To permit a maximum height of 4.67m for the existing shed, whereas a maximum accessory structure height of 4.5m is permitted.

The noted variances are being requested to permit the replacement of the existing one storey residential dwelling with a two-storey residential dwelling.

### **Ontario Regulation 166/06:**

A significant portion of the subject property is located within TRCA's Regulated Area because it is traversed by a valley corridor associated with the Humber River. In accordance with Ontario Regulation 166/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses), development, interference or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA's satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected.

### **Application-Specific Comments**

TRCA staff are currently reviewing a permit application (0566/21/VAUG) for the proposed replacement dwelling. As a part of the permit application process, TRCA staff requested and reviewed a geotechnical slope stability report. The intent of the report is to determine the location of the Long Term Stable Top of Slope (LTSTOS) associated with the valley (i.e., limit of the erosion hazard). TRCA staff are in agreement with the analysis of the report and the delineation of the LTSTOS. The proponent has provided a minimum 8 metre setback between the proposed replacement dwelling and the LTSTOS. TRCA staff are satisfied with the proposed setback to ensure stability.

Although TRCA has no objection to the footprint of the proposed replacement dwelling and the requested variances, we advise that staff are continuing to work with the applicant to address outstanding technical comments related to the landscape planting plan, grading plan, and erosion and sediment control plan.

### **Fees**

By copy of this letter, the applicant is advised that TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$610.00 (Variance-Residential-Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

### **Recommendations**

Based on the comments noted above, TRCA has **no objection** to the approval of Minor Variance Application A218.21 subject to the following conditions:

1. That the applicant provides the required fee amount of \$610.00 payable to the Toronto and Region Conservation Authority.
2. The applicant successfully obtains a permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.

TRCA's conditional approval does not include any clearance and/or approvals for the technical issues related to the noted permit application.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca)

Sincerely,



Hamedeh Razavi  
Planner I  
Development Planning and Permits

HR/mh

**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	Fernando Di Battista	43 Klein's Ridge	01/14/2022	Letter of Opposition
Applicant / Authorized Agent	Applicant	96 Klein's Ridge	01/17/2022	Response to Public Correspondence
Public	Mr. and Mrs. Rolando Roti	110 Klein's Ridge	01/18/2022	Letter of Opposition
Public	Rob Nicolucci on behalf of:	83 Klein's Ridge	01/19/2022	Letter of Opposition
Public	Rob Nicolucci on behalf of:	43, 83, 110, 113 Klein's Ridge	02/02/2022	Letter of Opposition

## Lenore Providence

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**Subject:** FW: [External] A218/21 96 Klein's Ridge Kleinburg Ont

> -----Original Message-----

> From: Fernando Di Battista [REDACTED]

> **Sent: January-14-22 7:52 AM**

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

> Subject: [External] A218/21 96 Klein's Ridge Kleinburg Ont

>

> To whoever this may concern. I am opposing the height and the 10m set back from the road. I feel our street has character and a systematic feel to it because every home looks and feels the same ( the newer ones also fit in with character of heritage). The owner of 96 Klein's ridge will be making a mistake by doing what he wants and the whole look of our street will be destroyed. I am against his request . My name is Fernando Di Battista. I can be reached on my cell, [REDACTED] thank you.

>

>

> Fernando Di Battista

43 Klein's Ridge



## Lenore Providence

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**Subject:** FW: [External] A218/21 - Letter in objection to the application

**Attachments:** 125 Klein's Ridge survey .pdf

**Importance:** High

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**From:** Jazz Pahal < >

**Sent:** January-17-22 10:46 AM

**To:** Lenore Providence <Lenore.Providence@vaughan.ca>

**Cc:** 'RnH Designs' <rnhdesigns21@gmail.com>; Christine Vigneault <Christine.Vigneault@vaughan.ca>; Michael Torres <Michael.Torres@vaughan.ca>

**Subject:** [External] A218/21 - Letter in objection to the application

**Importance:** High

Hi Lenore

Here is the house across the street that has been recently built on this street

The set back on this house is 7.16 meters and this got approved by this city as per the survey attached

Please review this and let me know

Rajinder Pahal



**Lenore Providence**

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**Subject:** FW: Public Correspondence (Addendum) Minor Variance Application A218/21 (96 Klein's Ridge)

**From:** Rolando Roti [REDACTED]

**Sent:** Tuesday, January 18, 2022 3:47 PM

**To:** Committee of Adjustment <[CofA@vaughan.ca](mailto:CofA@vaughan.ca)>

**Subject:** [External] Minor Variance Application A218/21

Good day

In regards to Minor Variance Application A218/21, I am the owner of 110 Klein's Ridge. I hereby object to minor variance request item ..., which relates to reducing the front yard setback only.

The reason for my objection is that my home sits further back and lower from the road. By removing the setback, the new home will be closer to the road and it will be much more apparent, the site line will be different and this will be changing the overall feel and privacy of my property.

If the minor variance is approved it should be approved with the condition for the property owner to provide, at their cost, substantial landscaping planted between the new structure and the property line that is between 110 and 96 Klein's Ridge to help with the privacy from my neighbour's view into my home. I am asking that they plant mature 16 foot or taller, evergreens as a buffer that are close enough and substantial enough to create a privacy hedge.

I believe this would be a fair compromise and will mitigate/resolve my objection.

Please let me know if you have any questions

Mr & Mrs Roti

110 Klein's Ridge



A218/21 (96 Klein's Ridge)  
Objection to application of MV

Committee members,

My name is Rob Nicolucci and I am submitting this email on behalf of:

- Mario and Lucy Pestrin, 83 Klien's Ridge.**
- Riccardo Tesan - #133 Klein's Ridge**
- Rolando Roti #110 Klein's Ridge**
- Fernando Di Battista- 43 Klien's Ridge**

This group of neighbours formally object to the front yard setback reduction for many reasons, primarily for how this house, at the proposed setback, will impact the existing street.

All homes are setback 15m or greater and fit into the natural surrounds of such a unique street. This proposal will change that feeling and will impose on the surroundings instead of fit in.

Another point to consider is this lot is located on a high point from Nashville Road so the front yard reduction will impose on the view corridor for anyone driving up the street. It will likely be the first thing you see from Nashville Road.

Also, considering the proposed home is 2 stories lacking articulation, replacing the existing bungalow, the front yard reduction will have a negative impact on the neighbourhood.

We appreciate the difficulty of the rear yard conservation restrictions but that shouldn't negatively effect the neighbourhood.

This lot requires more attention and design to have it fit in better with the natural feel of the existing street.

We are open to have discussions with the applicant to work on a solution that works for everyone.

Thank you,



**Rob Nicolucci**

8395 JANE ST. SUITE 203, VAUGHAN, ON, L4K 5Y2  
Office Hours: M-T 8am-5:30pm, F 8am-12pm  
T. 289.217.5996

*The Plus Group of Companies*



**Received from R. Patel**

January 19, 2022

A218/21 (96 Klein's Ridge)  
Objection to application of MV

Committee members,

My name is Rob Nicolucci and I am submitting this email on behalf of my In-laws, Mario and Lucy Pestrin, who live across the street from the subject property at 83 Klien's Ridge.

We formally object to the front yard setback reduction for many reasons, primarily for how this house at the proposed setback will impact the existing street.

All homes are setback 15m or greater and fit into the natural surrounds of such a unique street. This proposal will change that feeling and will impose on the surroundings instead of fit in.

Another point to consider is this lot is located on a high point from Nashville Road so the front yard reduction will impose on the view corridor for anyone driving up the street. It will likely be the first thing you see from Nashville Road.

Also, considering the proposed home is 2 stories lacking articulation, replacing the existing bungalow, the front yard reduction will have a negative impact on the neighbourhood.

We appreciate the difficulty of the rear yard conservation restrictions but that shouldn't negatively effect the neighbourhood.

This lot requires more attention and design to have it fit in better with the natural feel of the existing street.

We are open to have discussions with the applicant to work on a solution that works for everyone.

Thank you,



**Rob Nicolucci**

8395 JANE ST. SUITE 203, VAUGHAN, ON, L4K 5Y2  
Office Hours: M-T 8am-5:30pm, F 8am-12pm



*The Plus Group of Companies*

