

ITEM: 6.7	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A127/24
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Report Date: September 27, 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 *Comments Received	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 type="checkbox"/>	Application Under Review
Development Engineering	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions
Development Finance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Forestry	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments w/Conditions

External Agencies *Comments Received	Conditions Required		Nature of Comments *See Schedule B for full comments
Alectra	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
TRCA	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 (mm/dd/yyyy)	Summary
Applicant			07/17/2024	Application Cover Letter

BACKGROUND (SCHEDULE D, IF REQUIRED)

* Background Information contains historical development approvals considered to be related to this file.
This information should not be considered comprehensive.

Application No. (City File)	Application Description (i.e. Minor Variance Application; Approved by COA / OLT)
N/A	N/A

ADJOURNMENT HISTORY

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

Hearing Date	Reason for Adjournment (to be obtained from NOD_ADJ)
N/A	N/A

SCHEDULES

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



MINOR VARIANCE APPLICATION FILE NUMBER A127/24

CITY WARD #:	5
APPLICANT:	Copper Kirby Developments Limited
AGENT:	Steven McIntyre (Malone Given Parsons Limited.)
PROPERTY:	11363 Highway 27, Vaughan
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ("VOP 2010"): "Low-Rise Residential" by Volume 2, Section 13.47 - 11363 Regional Road 27 (OPA #47)
RELATED DEVELOPMENT APPLICATIONS:	OP.17.007, 19T-22V006 & Z.22.029
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit a proposed retaining wall.

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

The subject lands are zoned R4(H) Fourth Density Residential Zone with a Holding Symbol(H) and OS1 Open Space Zone subject to the provisions of Exception 14.1161 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A retaining wall shall be setback an equal distance to the height of the highest portion of the retaining wall. (A minimum setback of 3.0 m is required for the retaining wall) [Table 4-1]	To permit minimum setback of 0.3 metres from a lot line for a retaining wall with a maximum height of 3.0 m.

HEARING INFORMATION

DATE OF MEETING: Thursday, October 3, 2024
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive
LIVE STREAM LINK: 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

If you would like to submit written comments, please quote file number above and submit by mail or email to:

Email: 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 no later than NOON on the last business day before the meeting.

THE DEADLINE TO REGISTER TO SPEAK ELECTRONICALLY OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

INTRODUCTION

Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.

Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application may consider the following:

INTRODUCTION

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

Date Public Notice Mailed:	September 19, 2024
Date Applicant Confirmed Posting of Sign:	September 11, 2024
Applicant Justification for Variances: <small>*As provided in Application Form</small>	If the setback is provided as per Zoning By-law 001-2021 there will be issues associated with maintenance of the lands between the bottom of the retaining wall and the property line, as there will be solid wooden fence on top of the wall, effectively preventing resident access to the lands below.
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant: <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"/>
COMMENTS:	
None	
Committee of Adjustment Recommended Conditions of Approval:	None

BUILDING STANDARDS (ZONING)

**See Schedule B for Building Standards (Zoning) Comments

Building Standards Recommended Conditions of Approval:	None
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DEVELOPMENT PLANNING

**See Schedule B for Development Planning Comments.

Development Planning Recommended Conditions of Approval:	TBD
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DEVELOPMENT ENGINEERING

[Link to Grading Permit](#) [Link to Pool Permit](#) [Link to Curb Curt Permit](#) [Link Culvert Installation](#)

Development Engineering has reviewed application for the construction of the retaining wall and its encroachment to the temporary access to the existing dwelling where the sanitary pump station is proposed to be located. It is important that the timing of construction of the retaining wall is key so that it will not affect the disruption of the temporary access driveway. The Development Engineering Department does not object to the Minor Variance application A127/24, subject to the following condition(s):

Development Engineering Recommended Conditions of Approval:	The retaining wall shall not be constructed until an alternative access to the existing house has been provided, to the satisfaction of the City. Once the alternate access road is completed, the Owner/Applicant must submit proof, i.e. as-built drawings, inspection report, verifying that the road has been constructed.
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PARKS, FORESTRY & HORTICULTURE (PFH)

Recommended condition of approval:

PFH Recommended Conditions of Approval:	A Private Property Tree Removal & Protection Permit (Construction/Infill) is required for the removal/injury of the 2 municipally owned trees of any size and any trees located within 6 meters of the subject property, as per By-Law 052-2018.
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DEVELOPMENT FINANCE

No comment no concerns.

Development Finance Recommended Conditions of Approval:	None.
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BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

BCLPS Recommended Conditions of Approval:	None.
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BUILDING INSPECTION (SEPTIC)

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None.
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FIRE DEPARTMENT

No comments received to date.

Fire Department Recommended Conditions of Approval:	None.
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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	Development Planning Harry.zhao@vaughan.ca	TBD
2	Development Engineering Rex.bondad@vaughan.ca	The retaining wall shall not be constructed until an alternative access to the existing house has been provided, to the satisfaction of the City. Once the alternate access road is completed, the Owner/Applicant must submit proof, i.e. as-built drawings, inspection report, verifying that the road has been constructed.
3	Parks, Forestry and Horticulture Operations Kari.SthyrHansen@vaughan.ca	A Private Property Tree Removal & Protection Permit (Construction/Infill) is required for the removal/injury of the 2 municipally owned trees of any size and any trees located within 6 meters of the subject property, as per By-Law 052-2018.

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.

IMPORTANT INFORMATION

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.

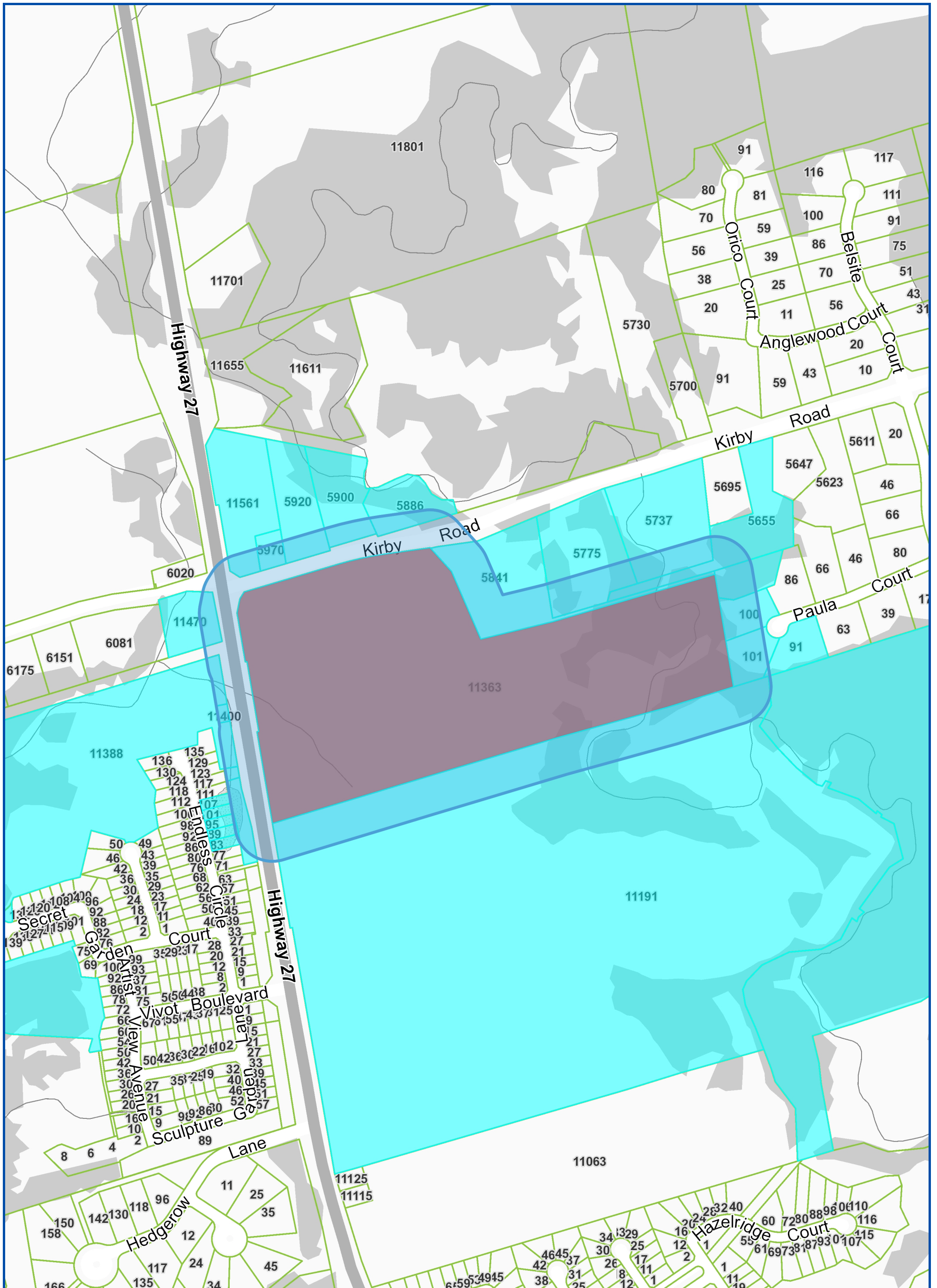
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

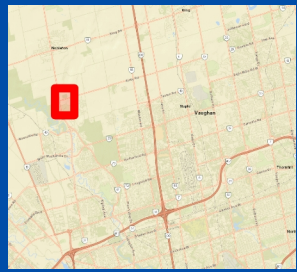
That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the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



Map Information:



Title:

Formerly Pt of 11363 Highway 27

NOTIFICATION MAP - A127/24

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: 1:8,405

0 0.13 km



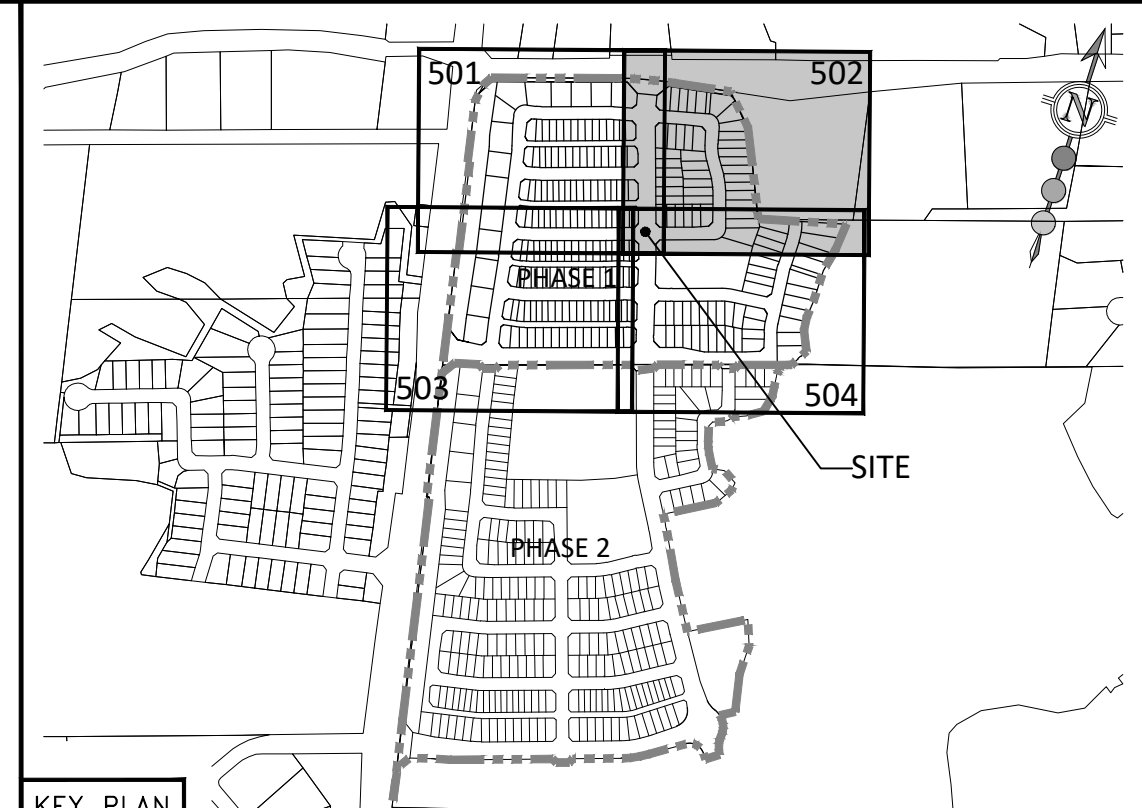
Created By:

Infrastructure Delivery
Department
July 17, 2024 12:49 PM

Projection:
NAD 83
UTM Zone
17N



FOR CROSS SECTIONS
A-A TO D-D, REFER TO
DRAWING 905



LEGEND:

	LIMIT OF SUBDIVISION
	LIMIT OF PHASE
	LIMIT OF GRADING
	EXISTING REGIONAL FLOODLINE
	TEMP. DEAD-END BARRICADE AS PER CITY STD. R-113 (SEE DETAIL ON DWG. 904)
	SANITARY MANHOLE
	SINGLE/DOUBLE CATCHBASIN (NO INLET CONTROL DEVICE)
	PRECAST BOX SECTION WITH BORDEN TYPE GALVANIZED GRATING R/W-22.4 (TYP.) (SEE GRATING DETAIL ON DWG. 904)
	HYDRANT AND VALVE
	ENGINEERED FILL LOTS
	VALVE CHAMBER
	BLOW-OFF AND VALVE (SEE DETAIL ON DWG. 904)
	LOT NUMBER
	EXISTING CONTOUR AND ELEVATION
	EXISTING ELEVATION
	PROPOSED ELEVATION
	PROPOSED GUTTER ELEVATION
	PROPOSED SWALE ELEVATION
	FRONT DRAINING LOT
	BACK SPLIT TYPE LOT
	WALKOUT TYPE LOT
	TRANSITION TYPE LOT
	OVERLAND FLOW
	EMERGENCY OVERLAND FLOW SPILL
	EMBANKMENT (MAX SLOPE 3:1 UNLESS OTHERWISE NOTED)
	FILTEREX GROYSOCK CHECK DAM
	TURF REINFORCEMENT MAT
	DRIVEWAY LOCATION
	BOREHOLE LOCATION
	PROPOSED SWALE
	100 YEAR CAPTURE POINT
	1.5m HIGH CHAIN LINK FENCE (SEE LANDSCAPE DRAWINGS FOR DETAILS)
	1.2m HIGH DECORATIVE FENCE (SEE LANDSCAPING DRAWINGS FOR DETAILS)
	1.8m HIGH PRIVACY FENCE (SEE LANDSCAPE DRAWINGS FOR DETAILS)
	2.4m & 2.6m HIGH ACOUSTIC FENCE (SEE LANDSCAPE DRAWINGS FOR DETAILS)
	INFILTRATION TRENCH (SEE DETAIL ON DWG. 904)

NOTE:
1. FOR ALL GENERAL NOTES AND BENCHMARK INFORMATION, REFER TO DWG. 100.

NO.	DESCRIPTION	BY	DATE

UPDATES & REVISIONS

CONSULTING ENGINEER: 30 CENTURIAN DRIVE, SUITE 100 MARKHAM, ONTARIO L3R 8B8 TEL: (905) 475-1900 FAX: (905) 475-8335	OWNER: COPPER KIRBY DEVELOPMENT LIMITED
ENGINEER'S STAMP: APPROVED AS TO FORM IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF THE CONSULTING ENGINEERS AS TO DESIGN AND SPECIFICATIONS. DIRECTOR OF DEVELOPMENT ENGINEERING AND INFRASTRUCTURE PLANNING DATE	

COPPER KIRBY PHASE 1
19T - 22V006

GRADING PLAN 2



DESIGNED BY: S.C./L.T.C.	DATE: MARCH 2024	CHECKED BY: M.R.C./C.C.
DRAWN BY: M.T.C.	PROJ. No. 1716	APPROVED BY: C.C.
HORIZONTAL SCALE: 1:500		DWG. No. 502
VERTICAL: 1:100		

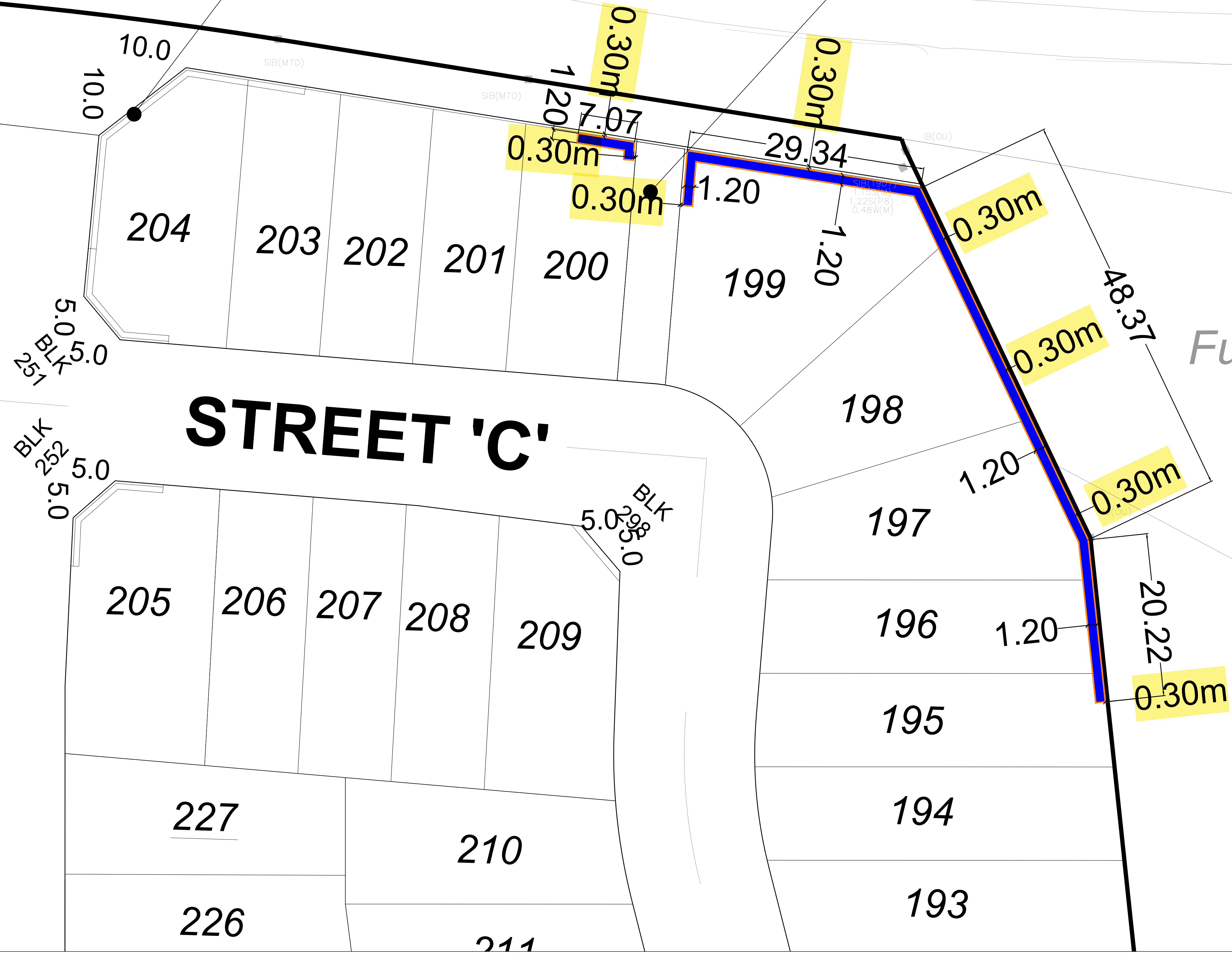
#	Zoning By-law 001-2021	Variance requested
1	A retaining wall shall be setback an equal distance to the height of the highest portion of the retaining wall. (A minimum setback of 3.0 m is required for the retaining wall) [Table 4-1]	To permit minimum setback of 0.3 metres from a lot line for a retaining wall with a maximum height of 3.0 m.

Block 248
0.3m Reserve

Block 247
Overland Flow Route
0.02 ha.

KIRBY ROAD

RECEIVED
By Christine Vigneault at 4:31 pm, Aug 26, 2024



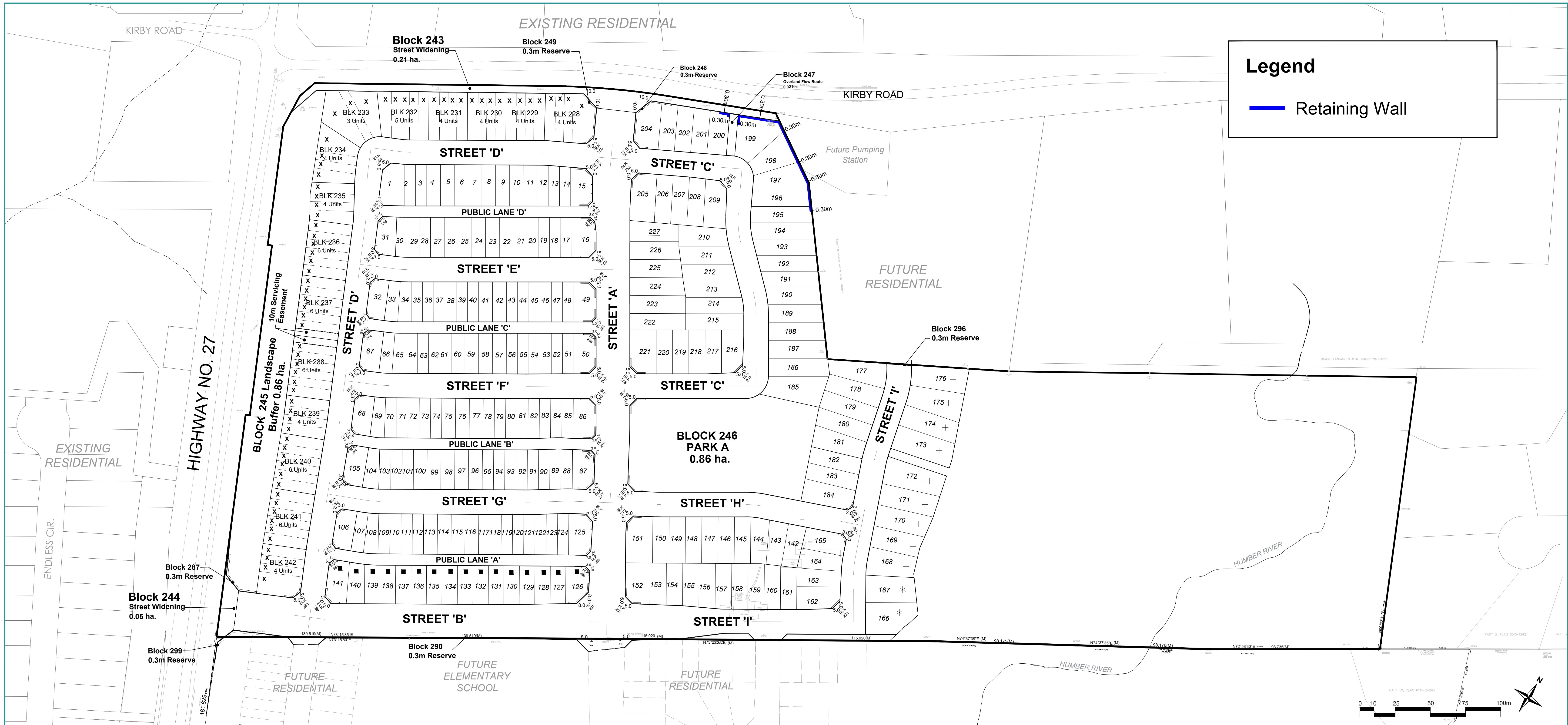
Future Pumping Station

Legend

- Retaining Wall
- Property Boundary

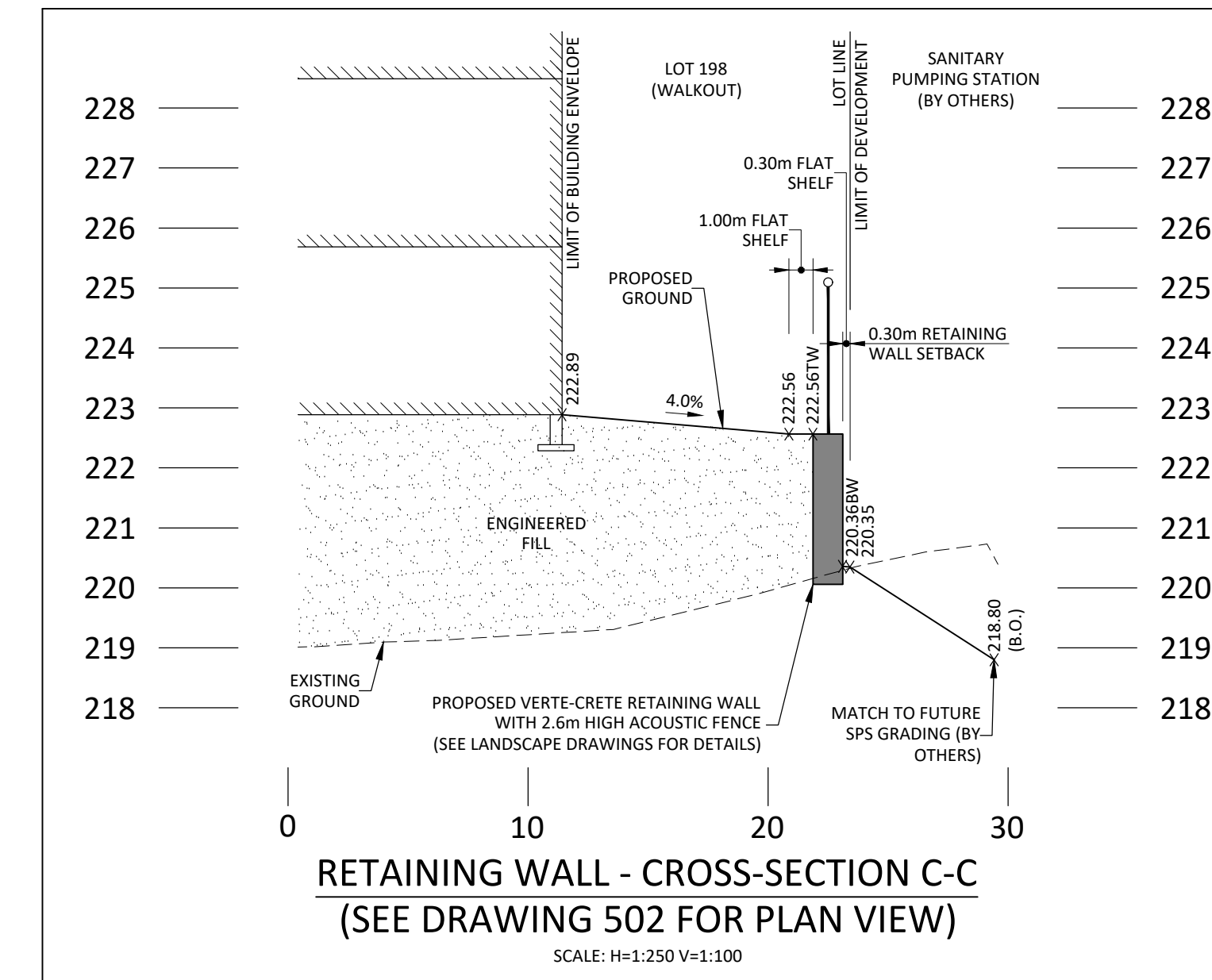
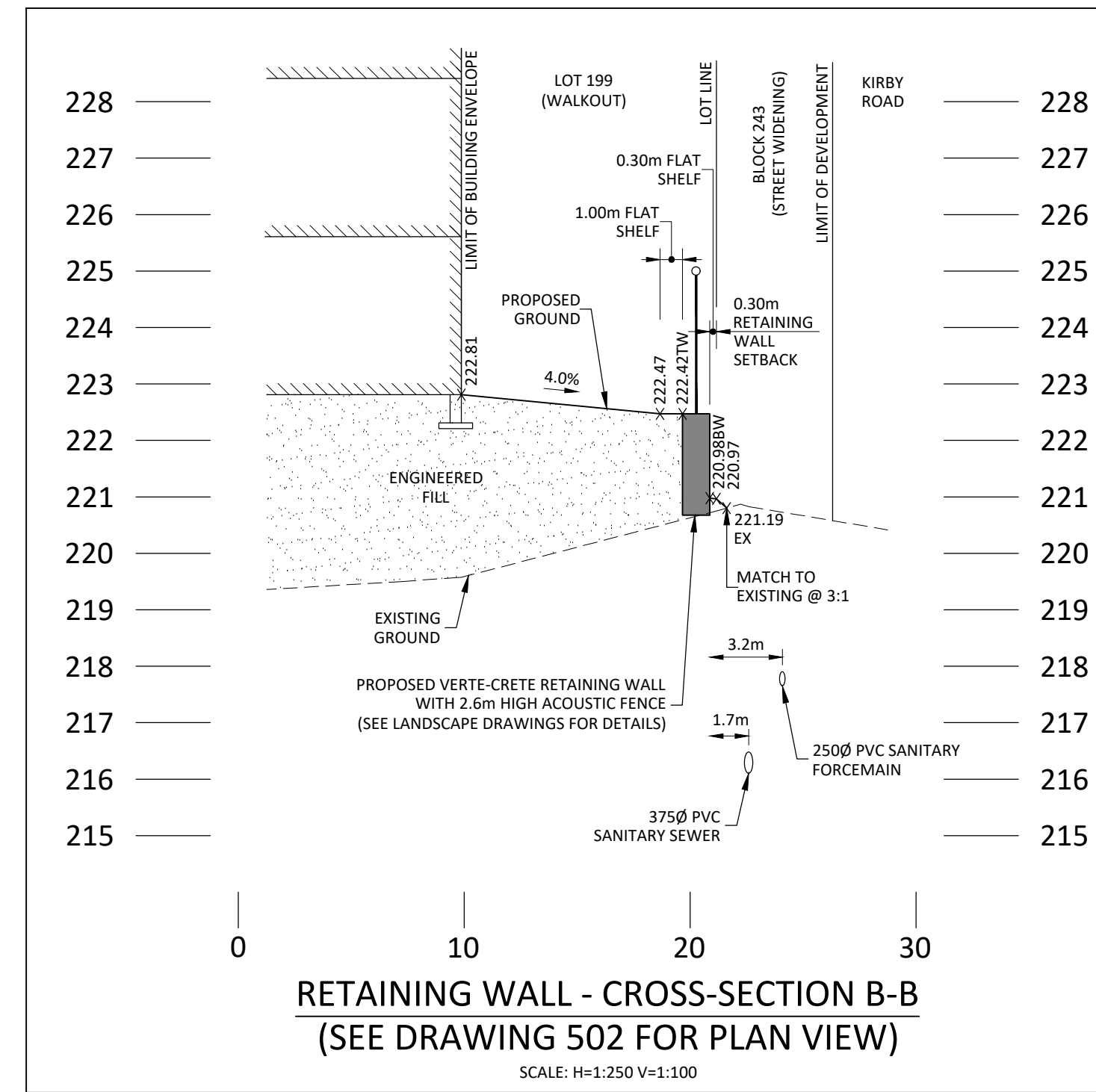
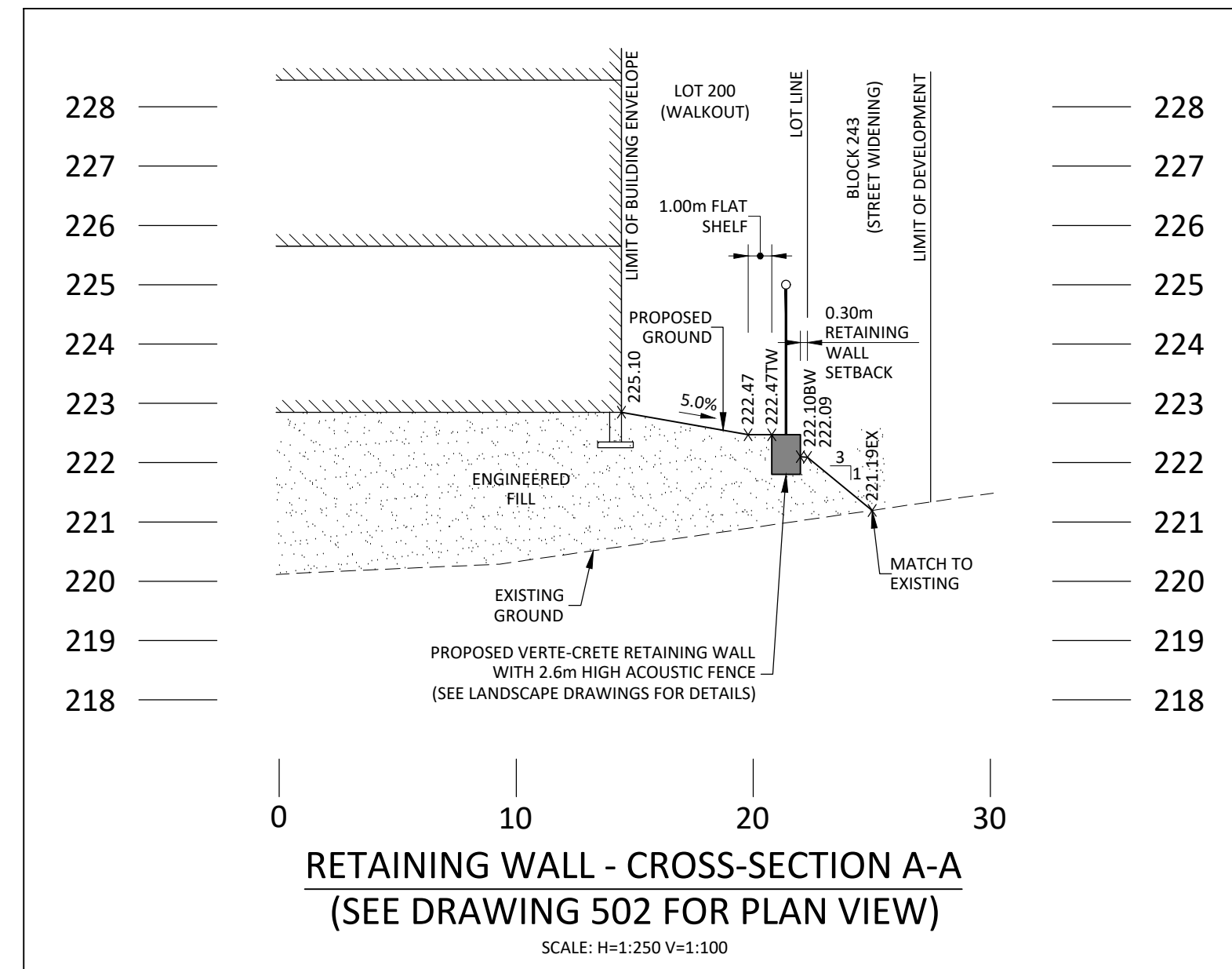
RECEIVED

By Christine Vigneault at 9:20 am, Aug 02, 2024

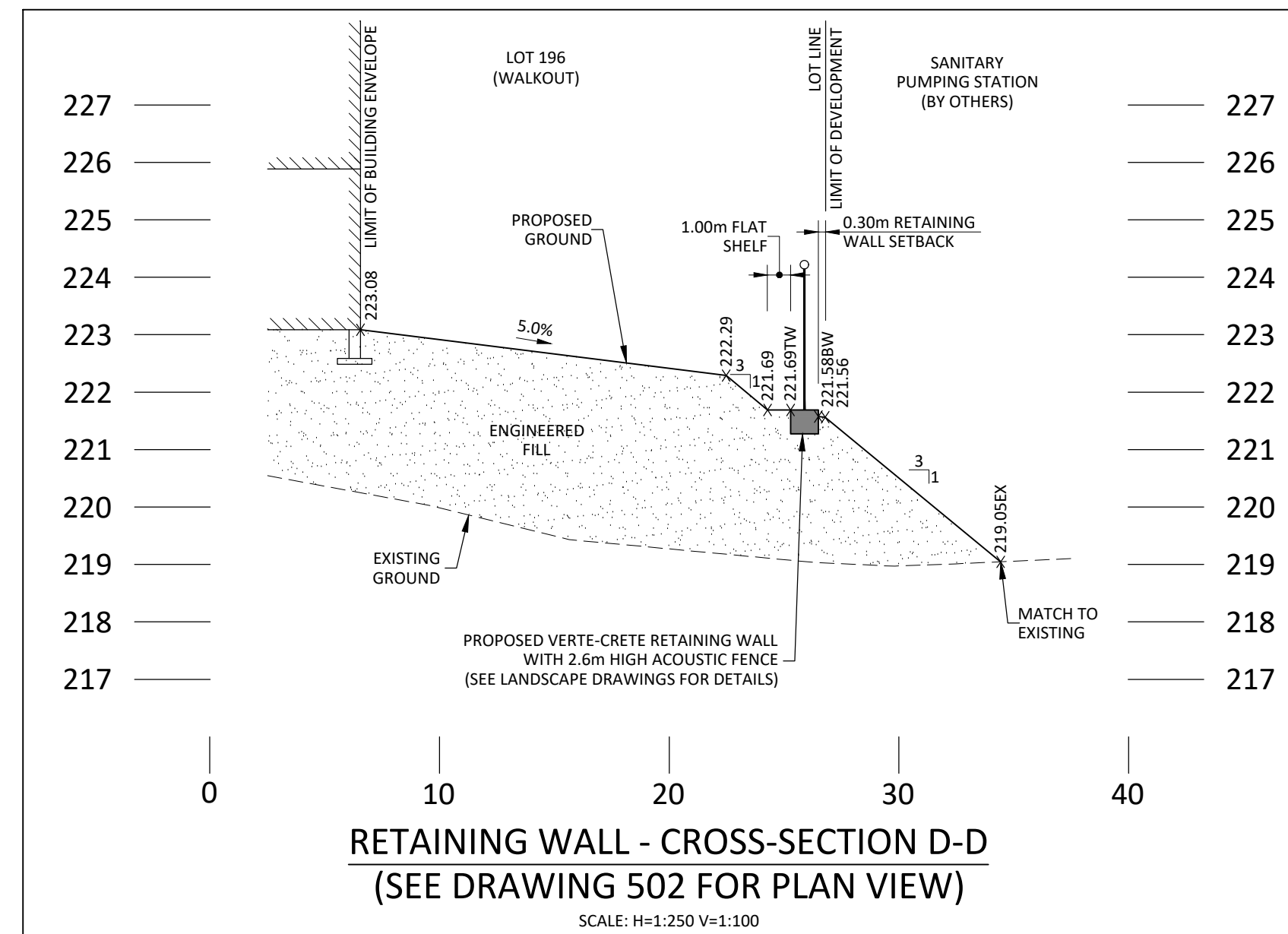


Legend

— Retaining Wall



RECEIVED
By Christine Vigneault at 5:53 pm, Sep 11, 2024



NOTE: 1. FOR ALL GENERAL NOTES AND BENCHMARK INFORMATION, REFER TO DWG. 100.		
No.	DESCRIPTION	BY DATE
UPDATES & REVISIONS		
CONSULTING ENGINEER: 30 CENTURIAN DRIVE, SUITE 100 MARKHAM, ONTARIO L3R 8B8 TEL: (905) 475-1900 FAX: (905) 475-8335	OWNER: COPPER KIRBY DEVELOPMENT LIMITED	
ENGINEER'S STAMP:	APPROVED AS TO FORM IN RELIANCE UPON THE PROFESSIONAL SKILL AND ABILITY OF THE CONSULTING ENGINEERS AS TO DESIGN AND SPECIFICATIONS. DIRECTOR OF DEVELOPMENT ENGINEERING AND INFRASTRUCTURE PLANNING DATE	
COPPER KIRBY PHASE 1 19T - 22V006		
DETAILS PLAN 5		
 THE CORPORATION OF THE CITY OF VAUGHAN		
DESIGNED BY: S.C./L.T.C.	DATE: MARCH 2024	CHECKED BY: M.R.C.
DRAWN BY: M.T.C.	PROJ. No.	APPROVED BY: C.C.
SCALE: AS SHOWN	1716	DWG. No. 905

**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 type="checkbox"/>	Application Under Review

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
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

Date: August 22nd 2024

Attention: Christine Vigneault

RE:

File No.: A127-24

Related Files:

Applicant Malone Given Parsons Ltd.

Location 11363 Hwy 27



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:

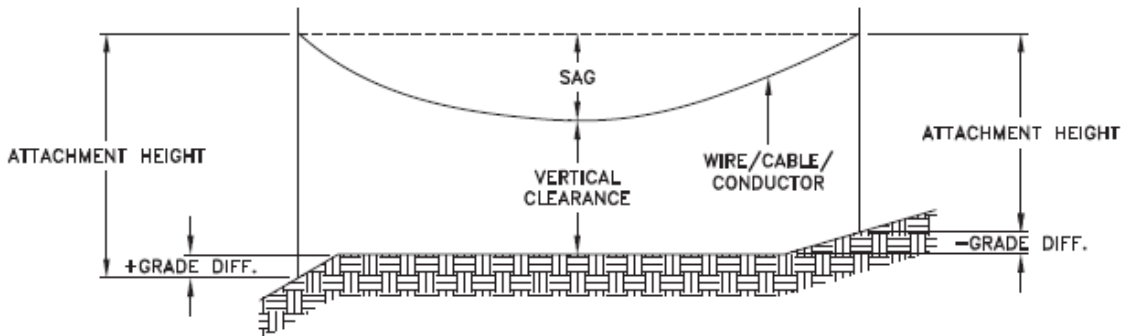
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner
Supervisor, Distribution Design-Subdivisions
Phone: 416-302-6215

Email: 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"

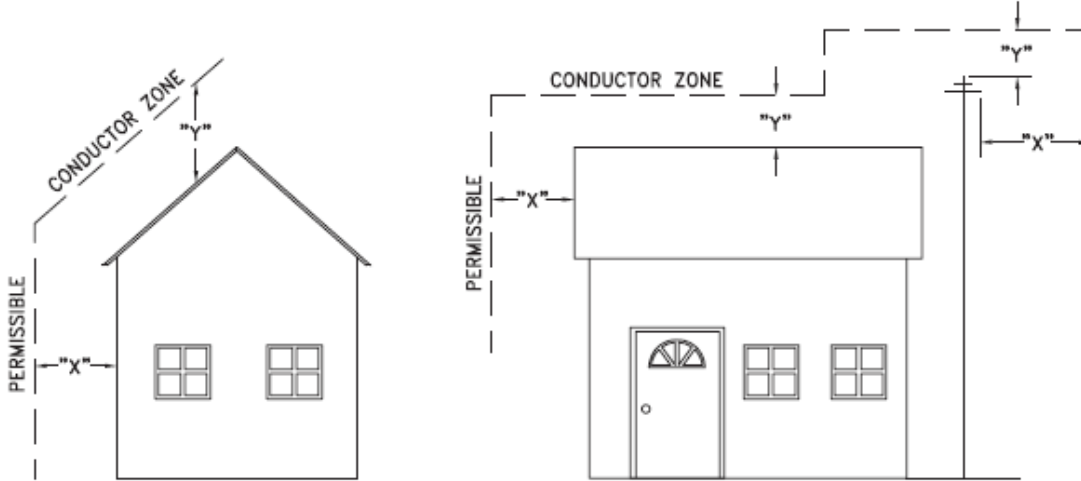
REFERENCES

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 files\Section 3-1-02\WG 03-4 R0 May 5, 2010.dwg, 5/5/2010 10:22:02 AM, Adobe PDF

To: Committee of Adjustment
From: Gregory Seganfreddo, Building Standards Department
Date: September 19, 2024
Applicant: Malone Given Parsons Ltd.
Location: 11363 HIGHWAY 27
File No.(s): A127/24

Zoning Classification:

The subject lands are zoned R4(H) Fourth Density Residential Zone with a Holding Symbol(H) and OS1 Open Space Zone subject to the provisions of Exception 14.1161 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	A retaining wall shall be setback an equal distance to the height of the highest portion of the retaining wall. (A minimum setback of 3.0 m is required for the retaining wall) [Table 4-1]	To permit minimum setback of 0.3 metres from a lot line for a retaining wall with a maximum height of 3.0 m.

Staff Comments:

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

There are no outstanding Orders on file.

Building Permit(s) Issued:

Other Comments:

Zoning By-law 001-2021	
1	None.

General Comments	
2	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.
3	The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).
4	The subject lands may be subject to the Green Belt Act 2005.

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.

From: [Cameron McDonald](#)
To: [Committee of Adjustment](#)
Subject: [External] RE: A127/24 (11363 Hwy 27) – REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Wednesday, August 28, 2024 2:50:54 PM
Attachments: [image002.png](#)
[APPCOVERLETTER_A127_24.pdf](#)
[APPPLANS_A127_24.pdf](#)

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Good afternoon,

Based on a review of our screening mapping, I can confirm that the proposed retaining wall, in the attached document, is not located within TRCA's Regulated Area. As such, a permit for the retaining wall is not required from the TRCA.

Based on the above, no comments are required for Minor Variance application A127/24.

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

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



From: [Development Services](#)
To: [Christine Vigneault](#)
Cc: [Committee of Adjustment](#)
Subject: [External] RE: A127/24 (11363 Hwy 27) – REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Friday, August 30, 2024 4:30:13 PM
Attachments: [image001.png](#)
[image003.png](#)

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Hi Christine,

The Regional Municipality of York has completed its review of the minor variance application – A127/24 (11363 Hwy 27) 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 Planning | Economic and Development Services Branch | Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca

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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			07/17/2024	Application Cover Letter

July 8, 2024

MGP File: 22-3123

Office of the City Clerk – Committee of Adjustment
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

via email: cofa@vaughan.ca

Attention: Secretary-Treasurer, Committee of Adjustment

Dear Sir/Madam:

**RE: Block 55 Northwest – Copper Kirby Developments Limited Phase 1
Application for Minor Variance**

On behalf of Copper Kirby Developments Limited & East Kleinburg Developments Inc./1045501 Ontario Limited, we are pleased to submit the enclosed application for a Minor Variance for the Phase 1 lands within Block 55 Northwest (Subject Lands).

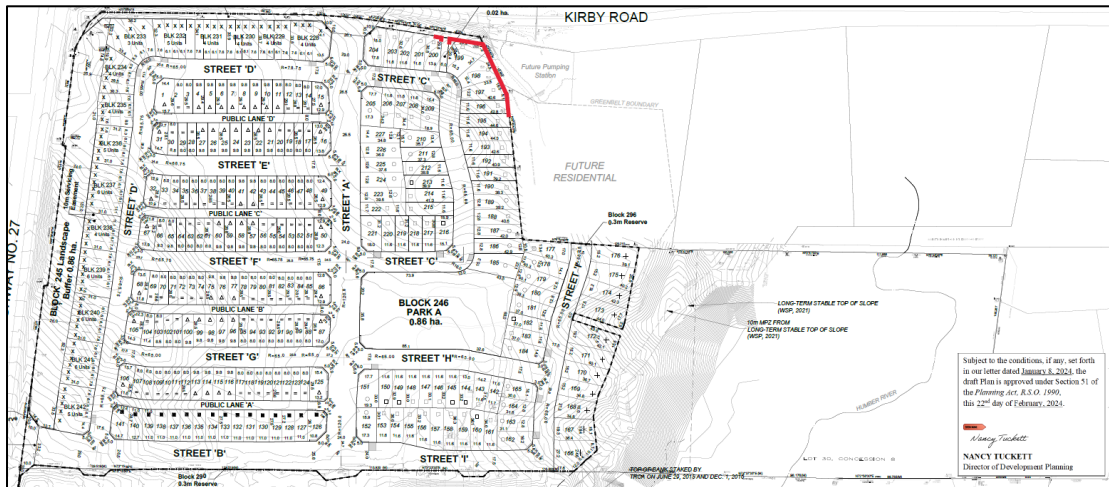
In support of the minor variance application, enclosed please find:

- Variance Chart
- Size of Structure(s) Chart
- Setback Chart
- Tree Declaration form
- Authorizing Form
- Authorizing Statements
- Grading Plan

1.0 Context

The Subject Lands are located at the southeast corner of the Kirby Road and Highway 27 intersection, and the north end of the Block 55 North West Block Plan. Planning for Block 55 North West has been ongoing since 2017. Since that time, the Official Plan Amendment, Block Plan, and Draft Plan of Subdivision/Zoning By-law Amendment (Phase 1) applications have been approved by the City of Vaughan. The Draft Plan of Subdivision and Zoning By-law Amendment applications for Phases 2-4 are currently under review by the City and expected to be approved later this year.

Figure 1 - Site Location with Retaining Walls Identified



Source: Approved Phase 1 Draft Plan, July 28, 2023, Prepared by Malone Given Parsons Ltd.

2.0 Need for a Minor Variance

As part of the detailed design engineering review for the Phase 1 lands, it has been brought to our attention that under the City’s new Zoning By-law 001-2021, there is a new encroachment provision within Table 4-1 for retaining walls that was not required under the previous By-law 1-88.

Under By-law 001-2021 the following encroachments are permitted for retaining walls.

Table 1 – Retaining Wall Encroachments under By-law 001-2021

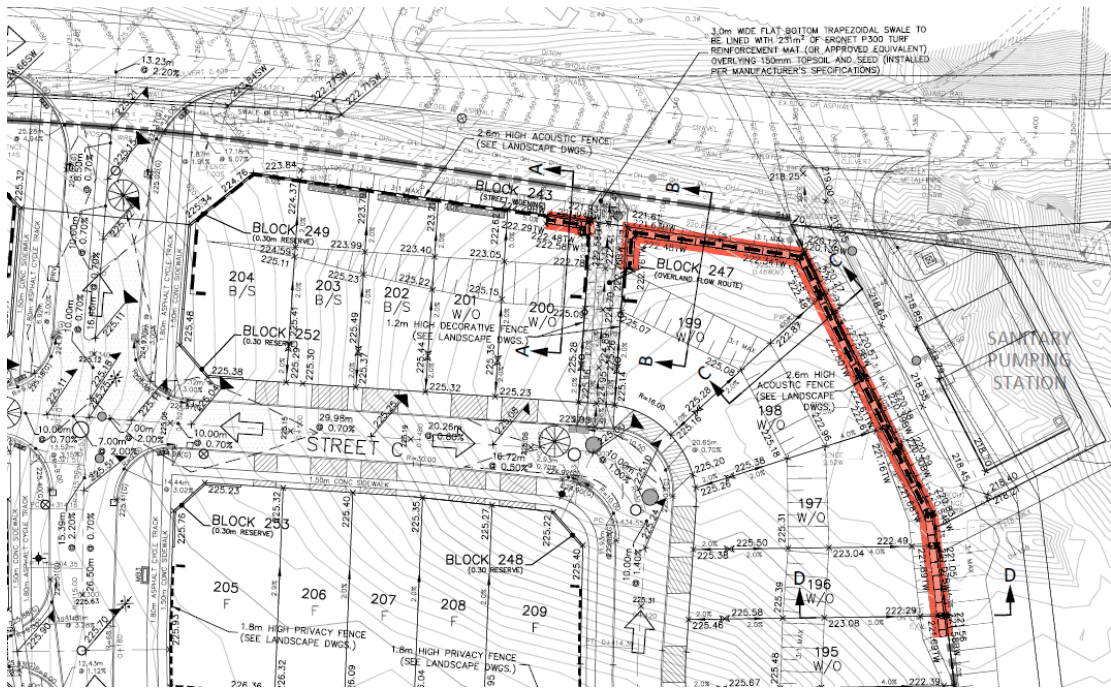
Structure or Feature	Required Yard	Permitted Encroachment into a Minimum Required Yard (m)
Retaining Wall	Shall be <u>setback</u> an equal distance to the <u>height</u> of the highest portion of the retaining wall	A retaining wall less than 1m in <u>height</u> is permitted to be 0 <u>lot line</u>

The retaining walls are generally located along the Kirby Road right-of-way and separate five lots from the sanitary pumping station site to the east. Figure 2 below highlights the location of the retaining walls.

The engineering design for the Phase 1 lands requires retaining walls up to approximately 3.0 m in height, with a 0.3 m setback from the rear and side lot lines. The 0.3m setback does not meet the encroachment provisions of By-law 001-2021 as shown in the table above, and an exception to By-law 001-2021 is required.

As a result, we are requesting a variance to By-law 001-2021 to permit a Retaining Wall Setback of 0.3m from a lot line, for a retaining wall of any height. Refer to Table 2.

Figure 2 – Retaining Wall Locations



Prepared by SCS Consulting Group Ltd., dated March 2024

Table 2 – Requested Variance

#	Zoning By-law 01-2021	Variance Requested
1	Retaining Wall Setback	A retaining wall of any height shall be permitted to be a minimum of 0.3 m from a lot line

3.0 Minor Variance Tests

Section 45(1) of the Planning Act outlines four tests to which applications for minor variances must comply. A description of how the requested variance meets each of the four tests is outlined below:

1. The general intent of the City’s Official Plan is maintained.

The Subject Lands are designated Community Area under the Vaughan Official Plan (2010). Under OPA 47, the Subject Lands are further designated as Low-Rise Residential, which permits low-rise residential buildings, including detached houses and townhouses. The proposed Minor Variance will permit the development of the Subject Lands for low-rise residential uses, as has been planned for throughout the Block Plan and Draft Plan approval processes.

2. The general intent of the City’s Zoning By-law is maintained.

The requested variance allows for the creation of residential lots in accordance with an approved subdivision plan. The rear yards depths permitted with this variance will be as anticipated in the approved subdivision plan and zoning by-law amendment. Furthermore, the requested variance will allow for more efficient use of land in an urban area.

3. The request is minor in nature.

In our experience, retaining walls are typically a landscaping and grading detail that are not usually addressed in zoning by-laws, but rather by the engineering department during their detailed review. Through the final review of grading plans for approval by the City’s Engineering Department the need for the variance was identified. At this point the Engineering department is looking to Planning and others for direction and comment on the viability of reduced setbacks for retaining walls. The Engineering department has not raised any objection to the use of retaining walls in these locations. The use of 0.3m setback contains the retaining wall to private property and places the ownership and responsibility for maintenance on the future homeowner, not the municipality.

4. The request is desirable for the appropriate development or use of the land, building or structure.

The requested variance allows for the logical construction of the Phase 1 Block 55 North West lands, as has been demonstrated throughout the previous Official Plan Amendment, Block Plan, Draft Plan and Zoning By-law Amendment processes. There is no practical reason for the required setback in the Zoning By-law. If the setback is provided as per Zoning By-law 001-2021 there will be issues associated with maintenance of the lands between the bottom of the retaining wall and the property line, as there will be solid wooden fence on top of the wall, effectively preventing resident access to the lands below. By permitting the reduced setback for the retaining walls, this will be minimized and the backyard depths will be maintained as planned. As such, the request is desirable for the for the use of the Subject Lands.

4.0 Other Items

Tree Permit

There are two public trees located within 6m of construction of the proposed retaining wall of Lot 199. If it is determined that a Tree Permit is required for these trees, the proper permit will be applied for and obtained through the Subdivision Agreement process for the Phase 1 subdivision.

Fees

A cheque in the amount of \$1,742.50, representing the application fee for a Minor development Type 1 Application, has been submitted separately to the City’s office.

We trust the enclosed information is sufficient to support the application, however we would be happy to provide further planning rationale if required. We look forward to working with you on this application and request to be included on the next available Committee of Adjustment agenda.

Yours very truly,
Malone Given Parsons Ltd.

A handwritten signature in black ink that reads "Steven McIntyre". The signature is written in a cursive, flowing style.

Steven McIntyre, MCIP, RPP

cc. Aaron Hershoff, TACC Developments
Joan MacIntyre, Malone Given Parsons Ltd.

SCHEDULE D: BACKGROUND

Application No. (City File)	Application Description (i.e. Minor Variance Application; Approved by COA / OLT)
N/A	N/A