



File: A074/19

Applicant: Maria and Marcelo Paltin

Address: 107 Endless Crcl Kleinburg ON

Agent: None.

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

| Commenting Department | <input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment | Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> |
|----------------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Committee of Adjustment | <input checked="" type="checkbox"/> | |
| Building Standards | <input checked="" type="checkbox"/> | |
| Building Inspection | <input checked="" type="checkbox"/> | |
| Development Planning | <input checked="" type="checkbox"/> | |
| Cultural Heritage (Urban Design) | <input checked="" type="checkbox"/> | |
| Development Engineering | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks Department | | |
| By-law & Compliance | <input checked="" type="checkbox"/> | |
| Financial Planning & Development | <input checked="" type="checkbox"/> | |
| Fire Department | | |
| TRCA | | |
| Ministry of Transportation | <input checked="" type="checkbox"/> | |
| Region of York | <input checked="" type="checkbox"/> | |
| Alectra (Formerly PowerStream) | <input checked="" type="checkbox"/> | |
| Public Correspondence (see Schedule B) | | |

Adjournment History: None.

Background History: None.



Minor Variance
Application

Agenda Item: 09

A074/19

Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date of Hearing: Thursday, July 25, 2019

Applicant: Maria and Marcelo Paltin

Agent: None.

Property: 107 Endless Circle, Kleinburg ON

Zoning: The subject lands are zoned R1, Residential and subject to the provisions of Exception 9(1378) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010: "Low-Rise Residential", subject to Site Specific Policy 13.21: North Humber Extension Area 1.

Related Files: None.

Purpose: Relief from the by-law is being requested to permit the construction of a proposed shed and gazebo located in the rear yard.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

| By-law Requirement | Proposal |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| 1. A minimum rear yard setback of 7.5 metres for an accessory structure (shed) is required. | 1. To permit a minimum rear yard setback of 1.2 metres for an accessory structure (shed). |
| 2. A minimum rear yard setback of 7.5 metres for an accessory structure (gazebo) is required. | 2. To permit a minimum rear yard setback of 1.2 metres for an accessory structure (gazebo). |
| 3. A minimum interior side yard setback of 1.2 metres for an accessory structure (shed) is required. | 3. To permit a minimum northerly interior side yard setback of 0.6 metres for an accessory structure (shed). |
| 4. A minimum interior side yard setback of 1.2 metres for an accessory structure (gazebo) is required. | 4. To permit a minimum southerly interior side yard setback of 0.6 metres for an accessory structure (gazebo). |

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

Adjournment History: None

Staff & Agency Comments

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

Committee of Adjustment:
Public notice was mailed on July 10, 2019

Applicant confirmed posting of signage on June 28, 2019

| Property Information | |
|----------------------|------------------|
| Existing Structures | Year Constructed |
| Dwelling | 2018 |

Applicant has advised that they cannot comply with By-law for the following reason(s): My gazebo and shed will be in the middle of my backyard.

Adjournment Request: N/A

Building Standards (Zoning Review):
Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

A Building Permit has not been issued (gazebo, shed, deck and porch extension). Applicant to contact the Building Standards Department at (905) 832-8510 for assistance)

A permit shall be obtained from the Engineering Department for the future inground pool.

A permit shall be obtained from the Public Works Department for the proposed driveway widening and curb cut.

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

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010: "Low-Rise Residential", subject to Site Specific Policy 13.21: North Humber Extension Area 1.

The Owner is requesting permission to construct a pool, shed and gazebo on the subject lands with the above-noted variances. Development Planning staff conducted a site visit on June 17, 2019.

At the request of the Development Planning Department, the Owner has made changes to the proposed driveway, which now complies with the requirements of Zoning By-law 1-88.

The proposed rear yard setbacks of 1.2 metres to the shed and gazebo are considered minor as the rear lot line of the subject property abuts an earthen berm adjacent to Highway 27, minimizing potential visual impacts on abutting properties.

The proposed interior side yard setbacks of 0.6m to the shed and gazebo are considered minor while still maintaining drainage. On this basis, the Development Planning Department has no objection to the requested variances.

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

The Development Planning Department recommends approval of the application.

Cultural Heritage (Urban Design):

The Cultural Heritage Division does not object to this Variance Application. The subject parcel of land lies in an area identified as a being of high archaeological potential in the City's database of archaeological resources. As such, the applicant should be advised that the following standard clauses apply:

Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Department shall be notified immediately.

In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

Development Engineering:

The Development Engineering (DE) Department has reviewed minor variance application A074/19 and provides the following advisory comments listed below:

- Once the Owner/applicant is prepared for construction of the pool, they shall apply for a pool permit with the Development Engineering (DE) Department. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply.

The Development Engineering (DE) Department does not object to variance application A074/19 subject to the following condition(s):

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

2. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder (Letter or Email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.

Parks Development:

Please forward to Kirk Scarlett for review of proposed curb cut. No additional comments or concerns

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns

Financial Planning and Development Finance:

No comments or concerns

Fire Department:

No Response.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

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

Schedule D - Previous Approvals (Notice of Decision)

None.

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

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

| | Department/Agency | Condition |
|---|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Development Engineering Jason Pham 905-832-8585 x 8716 jason.pham@vaughan.ca | 1. The Owner/applicant shall submit the final Lot Grading to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval for the proposed accessory structures prior to any work being undertaken on the property (greater than 10m2 and therefore requires a grading permit). Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading/servicing approval. 2. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder (Letter or Email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department. |

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Notice to the Applicant – Development Charges

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

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

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

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

Notice to Public

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

Written submissions can be mailed and/or emailed to:

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

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

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

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

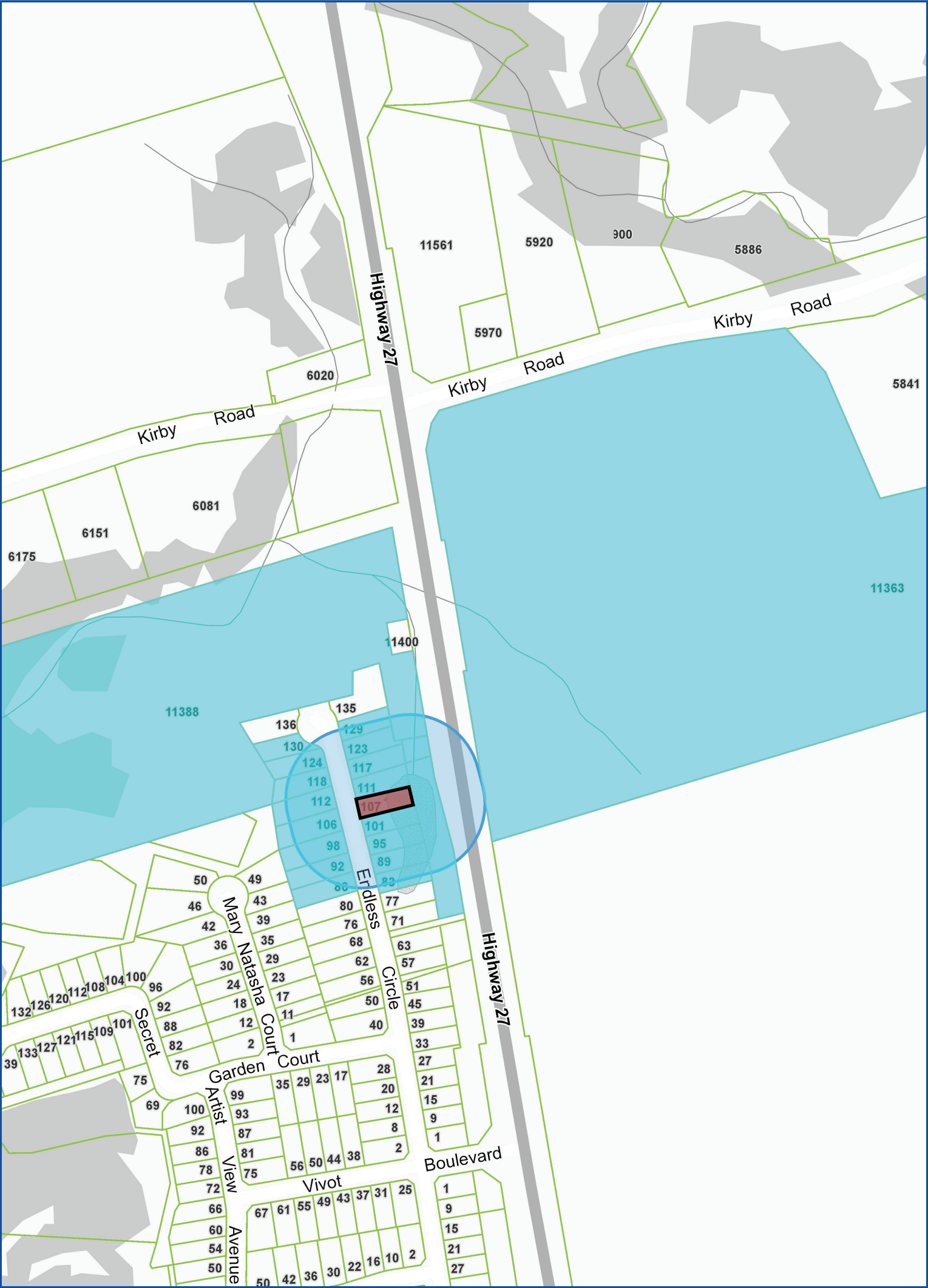
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8394
E CofA@vaughan.ca

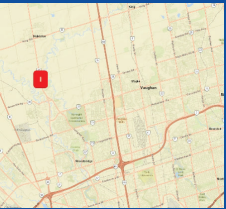
Schedule A: Plans & Sketches

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

Location Map
Sketches



Map Information:



Title:

107 Endless Circle, Kleinburg.

LOCATION MAP - A074/19

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: 1:4,514

0 0.07 km



Created By:

Infrastructure Delivery
Department
July 9, 2019 5:50 PM

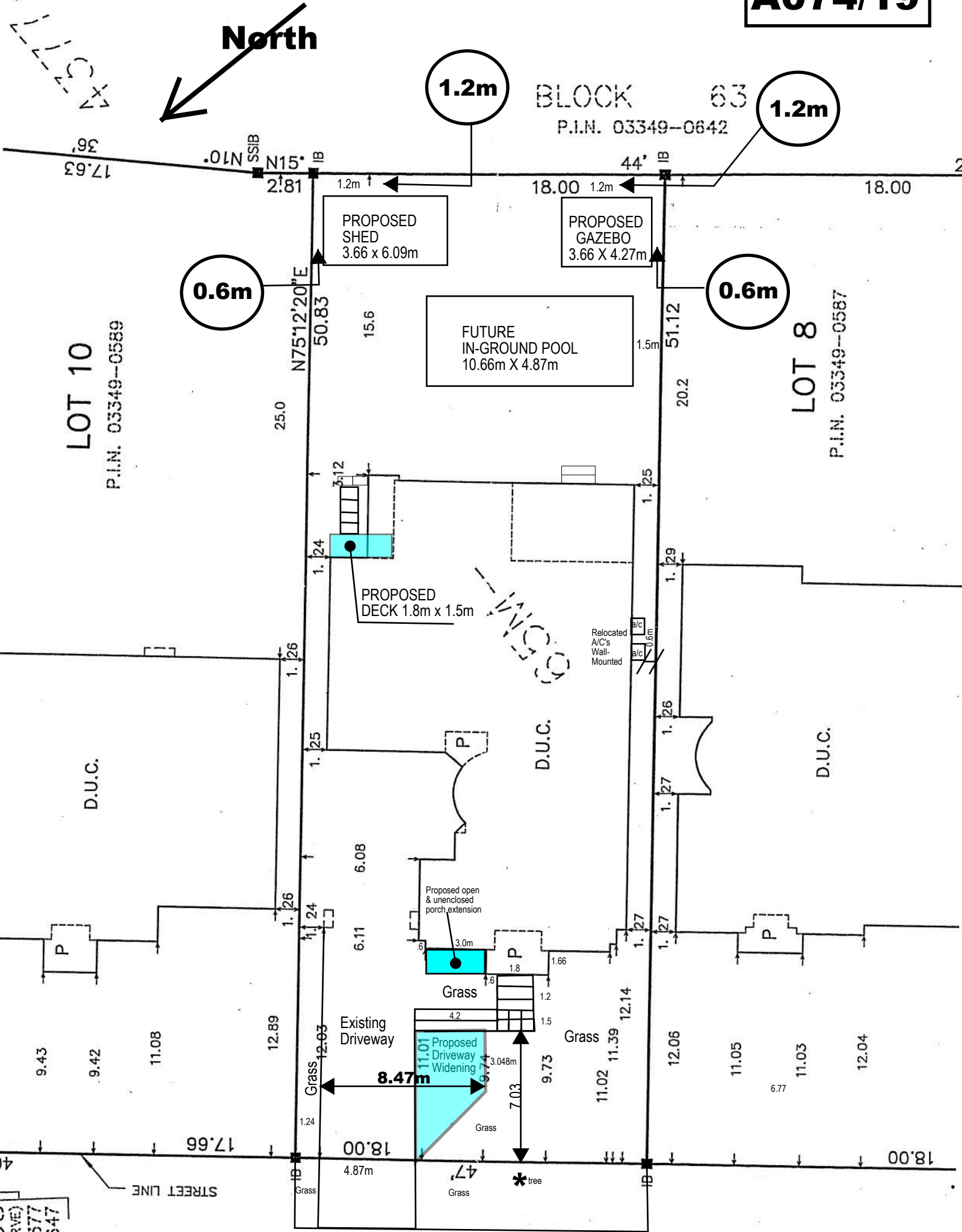
Projection:

NAD 83
UTM Zone
17N

REVISED June 25/19

A074/19

North



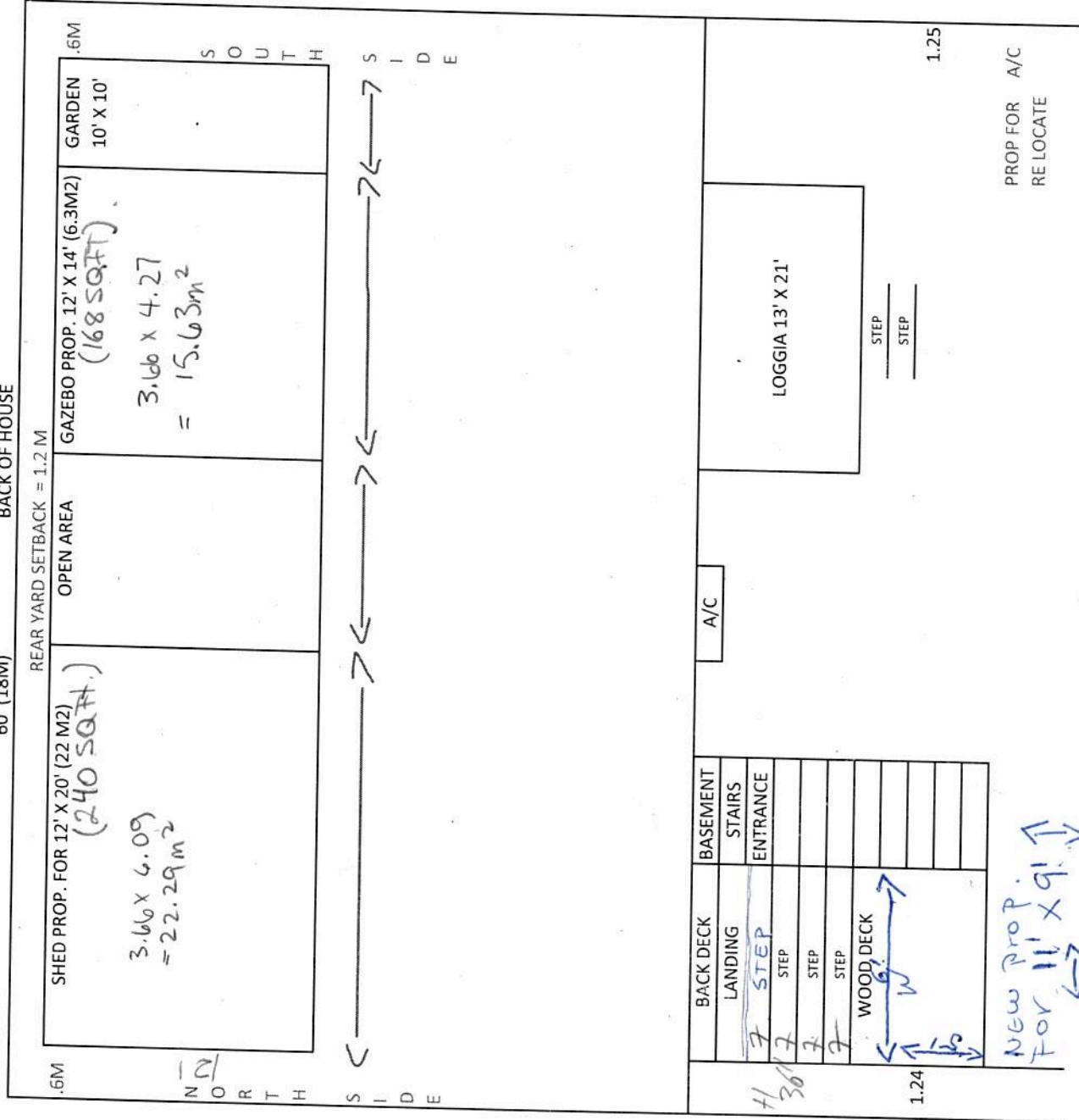
ENDLESS CIRCLE

PLAN 65M-4377
P.I.N. 03349-0647
(0.30 RESERVE)



BACK OF HOUSE

REAR YARD SETBACK = 1.2 M



new prop. for $\mathbb{P}^1 \times \mathbb{P}^1$

PROP FOR A/C
RE LOCATE

Deck
6' X 5'
new prop
11' X 9'

$$\begin{array}{r} 15.6 \\ - 10.6 \\ \hline 5m \end{array}$$

**SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF LOTS 8, 9 AND 10
PLAN 65M-4377
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK**

SCALE 1:300

10m 5m 0 10m 20metres

RADY-PENTEK & EDWARD SURVEYING LTD., O.L.S.

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN
BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS: NONE

THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

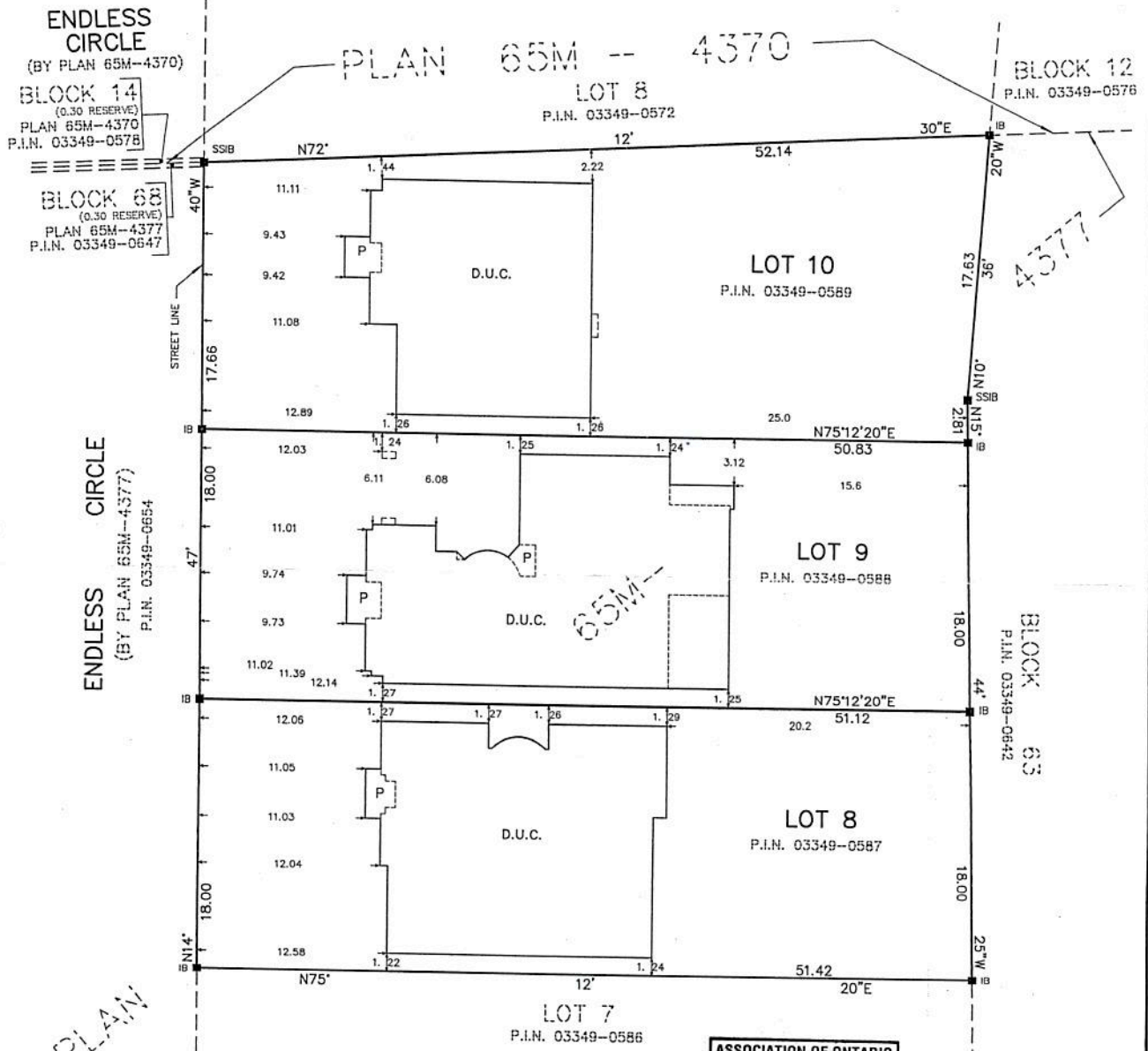
SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 21ST DAY OF DECEMBER, 2016.

DATE April 3, 2017.

T. SINGH
T. SINGH
ONTARIO LAND SURVEYOR



NOTES

- DENOTES MONUMENT FOUND
- IB DENOTES IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- D.U.C. DENOTES DWELLING UNDER CONSTRUCTION
- P DENOTES PORCH

ALL FOUND MONUMENTS BY RADY-PENTEK &
EDWARD SURVEYING, LTD., O.L.S.

ALL TIES TO CONCRETE FOUNDATIONS.

BEARINGS ARE GRID AND ARE REFERRED TO
THE EASTERLY LIMIT OF ENDLESS CIRCLE
AS SHOWN ON PLAN 65M-4377 HAVING A
BEARING OF N14°47'40\"W.

THIS REPORT WAS PREPARED FOR
SORBARA GROUP
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES.

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ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM

2011221



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3).

RPE

RADY-PENTEK & EDWARD SURVEYING LTD.

ONTARIO LAND SURVEYORS

643 Chrislea Road, Suite 7

Woodbridge, Ontario L4L 8A3

Tel. (416) 635-5000 Fax (416) 635-5001

Tel. (905) 264-0881 Fax (905) 264-2099

Website: www.r-pe.ca

DRAWN: V.H.

JOB No. 14-142

CHECKED: S.G./T.S.

CAD FILE No. 4377-8

14-142 *65M-4377 L8-10*



Schedule B: Public Correspondence Received

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

None.

Schedule C: Agency Comments

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

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



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
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

Providence, Lenore

Subject: FW: A074/19 - REQUEST FOR COMMENTS (VAUGHAN - Committee of Adjustment)
Attachments: A074-19 - CIRCULATION.pdf

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

Sent: July-10-19 11:34 AM

To: Committee of Adjustment <CofA@vaughan.ca>
Subject: FW: A074/19 - REQUEST FOR COMMENTS (VAUGHAN - Committee of Adjustment)

Hello Lenore,

The Regional Municipality of York has completed its review of the above Minor Variance Application-A074/19 (107 Endless Circle) and has **no comments**. Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

Tiffany Wong, B.E.S. | Associate Planner, Programs and Process Improvement,
Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | tiffany.wong@york.ca | www.york.ca
Our Values: Integrity, Commitment, Accountability, Respect, Excellence



Please consider the environment before printing this email.