

<b>ITEM: 6.6</b>	<b>REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A189/24</b>
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Report Date: Friday, January 31, 2025

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES (SEE SCHEDULE B):**

Additional comments from departments and agencies received after the publication of the report will be made available on the City's [website](#).

Internal Departments <small>*Comments Received</small>	Conditions Required		Nature of Comments
Committee of Adjustment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Recommend Approval/No Conditions
Development Engineering	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	General Comments w/Conditions
Forestry	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Finance	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

External Agencies <small>*Comments Received</small>	Conditions Required		Nature of Comments <small>*See Schedule B for full comments</small>
Alectra	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
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 <small>(mm/dd/yyyy)</small>	Summary
Applicant			12/10/2024	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 <small>(i.e. Minor Variance Application; Approved by COA / OLT)</small>
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 <small>(to be obtained from NOD_ADJ)</small>
N/A	N/A

**SCHEDULES**

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



## MINOR VARIANCE APPLICATION FILE NUMBER A189/24

<b>CITY WARD #:</b>	2
<b>APPLICANT:</b>	Huzeyfe Kaya
<b>AGENT:</b>	Christian Kehinde
<b>PROPERTY:</b>	99 Arista Gate, Woodbridge
<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>	N/A
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit stair access to a proposed secondary suite and an existing deck.

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

**The subject lands are zoned R2 (EN) Second Density Residential Zone (Established Neighbourhood) and subject to Exception 14.654 under Zoning Bylaw 001-2021.**

#	Zoning By-law 001-2021	Variance requested
1	A minimum setback of 6.0 m is required from the rear lot line to the closest point of covered access stairs. [Exception 14.654 and Figure T-105]	To permit a minimum setback of 4.21 m from the rear lot line to the closes point of covered access stairs.
2	A maximum encroachment of 2.4 m from the rear lot line to an uncovered platform with a floor height of 1.55 m is permitted. A minimum setback of 3.6 m is required. [Subsection 4.13]	To permit a maximum encroachment of 3.64 m from the rear lot line to an uncovered platform (existing deck) with a floor height of 1.55 m. A minimum setback of 2.36 m is proposed.

### HEARING INFORMATION

**DATE OF MEETING:** Thursday, February 6, 2025

**TIME:** 6:00 p.m.

**MEETING LOCATION:** Vaughan City Hall, Woodbridge Room (2<sup>nd</sup> Floor), 2141 Major Mackenzie Drive

**LIVE STREAM LINK:** [Vaughan.ca/LiveCouncil](http://Vaughan.ca/LiveCouncil)

#### PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the [Request to Speak Form](#) and submit to [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

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

**Email:** [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

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

To speak electronically, pre-registration is required by completing the [Request to Speak Form](#) on-line and submitting it to [cofa@vaughan.ca](mailto:cofa@vaughan.ca) no later than NOON on the last business day before the meeting.

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

## INTRODUCTION

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

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

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

Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

## COMMITTEE OF ADJUSTMENT

<b>Date Public Notice Mailed:</b>	January 23, 2025
<b>Date Applicant Confirmed Posting of Sign:</b>	January 20, 2025
<b>Applicant Justification for Variances:</b> <small>*As provided in Application Form</small>	The existing house itself does not comply with the minimum required setback from the rear lot line. The existing house currently stands at a distance of 5.55m from the rear lot line making it impossible to for the basement walkup to comply with the provisions of the City's Zoning By-law.
<b>Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:</b> <small>*ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.</small>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>COMMENTS:</b>	
None	
<b>Committee of Adjustment Recommended Conditions of Approval:</b>	None

## BUILDING STANDARDS (ZONING)

<b>**See Schedule B for Building Standards (Zoning) Comments</b>	
<b>Building Standards Recommended Conditions of Approval:</b>	None

## DEVELOPMENT PLANNING

<b>**See Schedule B for Development Planning Comments.</b>	
<b>Development Planning Recommended Conditions of Approval:</b>	None

## DEVELOPMENT ENGINEERING

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

The Owner / Applicant shall ensure that the proposed walk-up basement does not negatively impact neighbours due to surface water runoff. The property should be properly graded, ensuring that surface water from the residence doesn't flow onto adjacent lots in accordance with the City's Engineering Standards. It's important to note that walk-up basements necessitate a Grading Permit. Once the Grading Permit is obtained, please reach out to the Development Engineering Reviewer to clear the Condition imposed on this application. The Development Engineering Department does not object to the Minor Variance application A189/24, subject to the following condition(s):

<b>Development Engineering Recommended Conditions of Approval:</b>	The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Permits page of the City of Vaughan's website: <a href="#">Permits   City of Vaughan</a> to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a>
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### PARKS, FORESTRY & HORTICULTURE (PFH)

Forestry has no comment at this time.

<b>PFH Recommended Conditions of Approval:</b>	None
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### DEVELOPMENT FINANCE

No comment no concerns.

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

No comments received to date.

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

No comments received to date.

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

No comments received to date.

<b>Fire Department Recommended Conditions of Approval:</b>	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 Engineering <a href="mailto:Rex.bondad@vaughan.ca">Rex.bondad@vaughan.ca</a>	The Owner/Applicant shall submit an application and obtain an approved Grading Permit before initiating any work on the property. The Final Lot Grading and/or Servicing Plan will be required for the Grading Permit Application. Please visit the Permits page of the City of Vaughan's website: <a href="#">Permits   City of Vaughan</a> to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a>

*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.

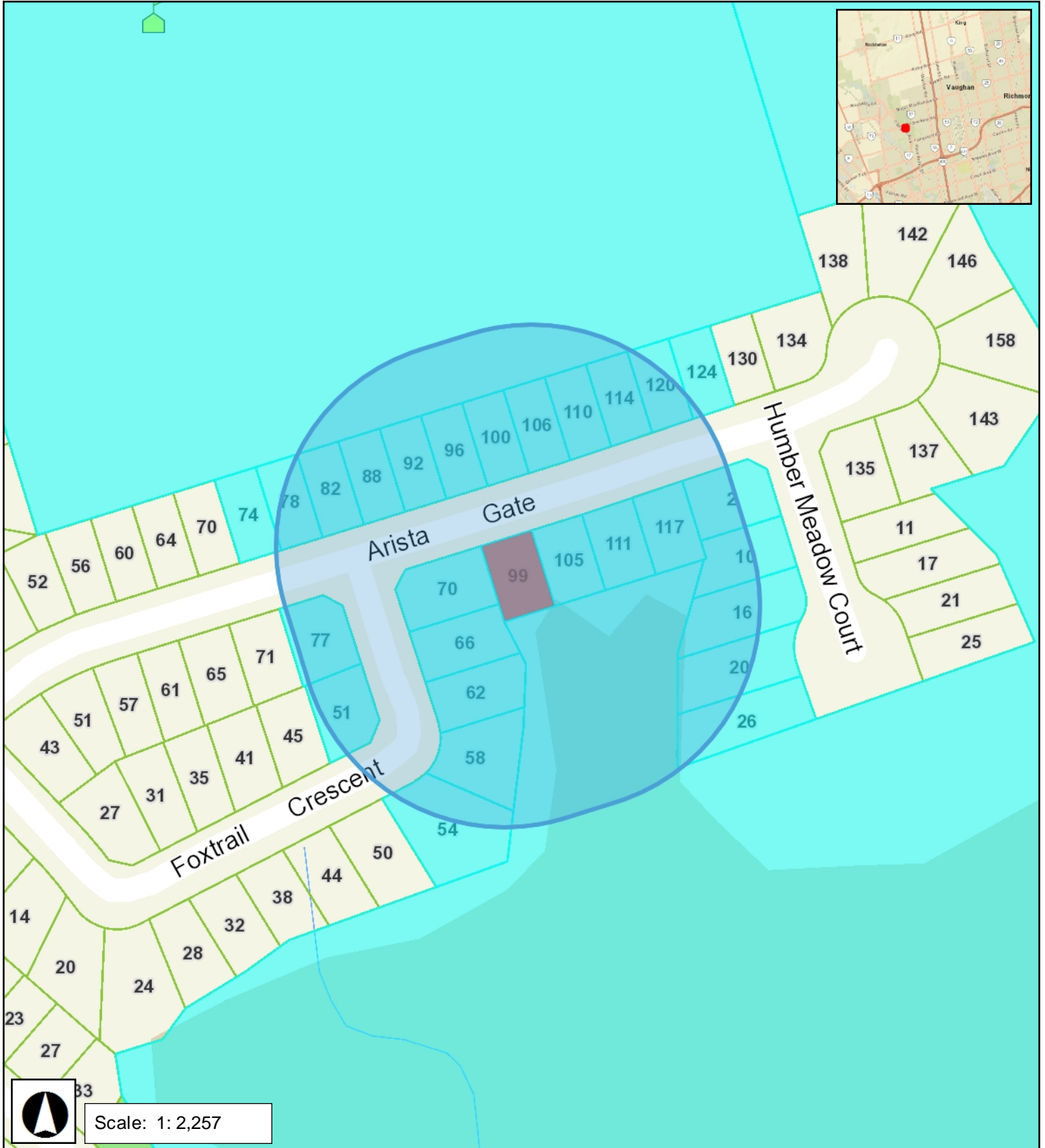
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

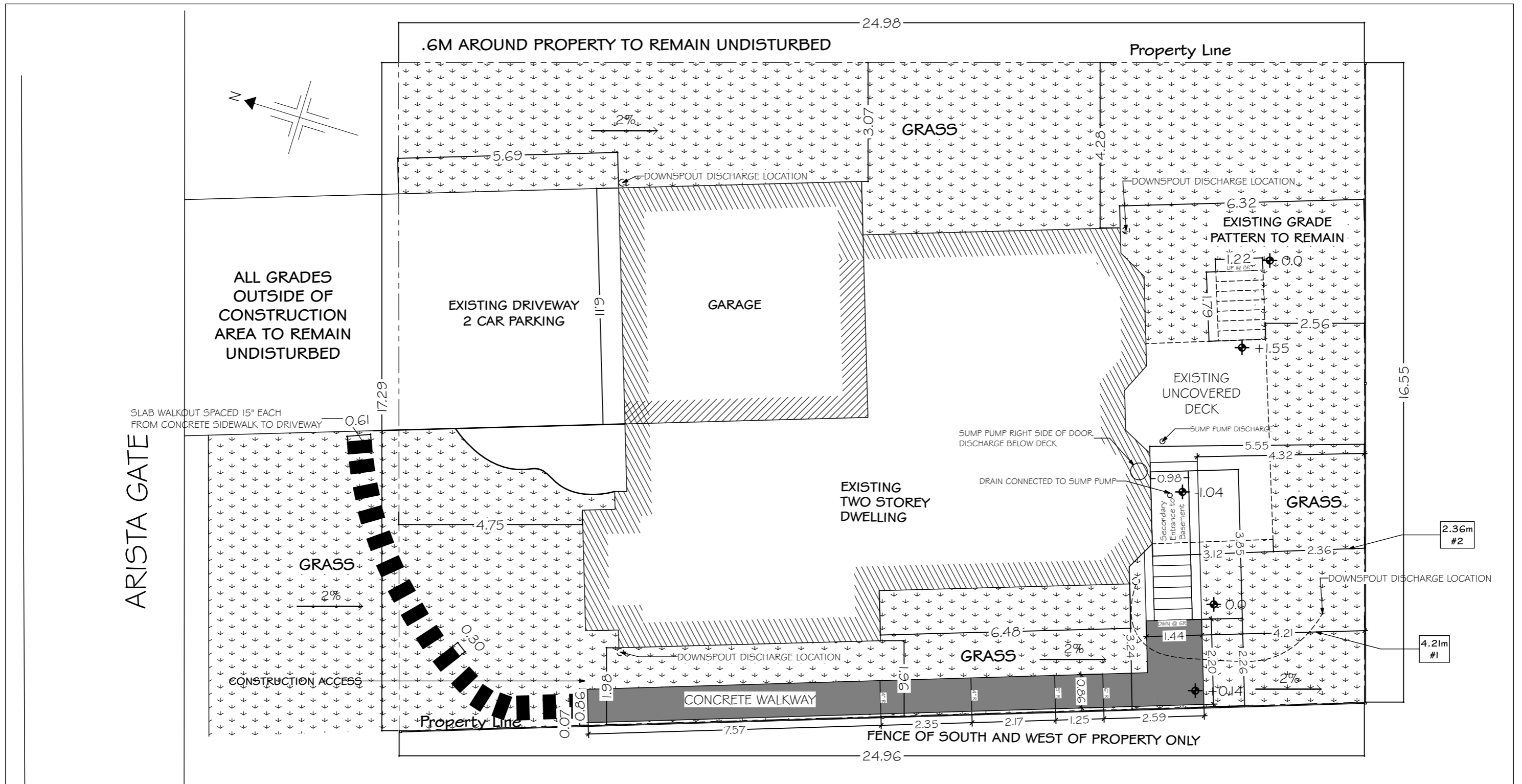
That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

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**





-2-

**GENERAL NOTES:**

1. DO NOT SCALE DRAWING
2. THIS DRAWING IS NOT TO BE REPRODUCED UNLESS PROPER WRITTEN CONSENT IS OBTAINED FROM KENNYLABS DESIGNS
3. ALL DIMENSIONS TO BE VERIFIED PRIOR TO CONSTRUCTION
4. ALL WORK SHOULD BE IN STRICT ACCORDANCE WITH THE 2012 ONTARIO BUILDING CODE & LOCAL MUNICIPAL BY-LAWS
5. THESE DRAWINGS MAY BE ALTERED DUE TO ON SITE CONDITIONS NOT FORESEEN PRIOR TO CONSTRUCTION
6. AFTER PERMIT IS OBTAINED ANY CHANGES MADE BY OWNER OR CONTRACTOR WILL BE THEIR RESPONSIBILITY AND KENNYLABS DESIGNS WILL NOT BE RESPONSIBLE
7. BEFORE BEGINNING ANY WORK IF CONTRACTOR FINDS ANY DISCREPANCIES NOTIFY KENNYLABS DESIGNS TO RECTIFY A SOLUTION
8. THESE PLANS FORM THE BASES FOR PERMIT ISSUANCE AND ANY DEVIATIONS FROM THESE PLANS AND DETAILS, INCLUDING THE VENTILATION SYSTEM, HEATING SYSTEM, WOODSTOVE, FIREPLACE, DECKS, BALCONIES, AND FINISHED BASEMENTS, WILL REQUIRE REVISED DRAWINGS AND CLEARANCE BY THE BUILDING DEPARTMENT

**Site Plan**

The undersigned has reviewed and takes responsibility for this design and has the qualifications and meets the requirements set out in the Ontario Building Code to be designer.

QUALIFICATION INFORMATION- Required unless design is exempt under 3.2.5.1 of Division "C" of the Ontario Building Code

**Christian Kehinde** 118137  
 Name SIGNATURE BCIN

**Kenny Labs Designs** Firm BCIN: 119038

QUALIFICATION INFORMATION- Required unless design is exempt under 3.2.5.1 of Division "C" of the Ontario Building Code

**Drawing Name**  
**Site Plan**

**Huzeyfe Walkout**  
 99 Arista Gate



**Kenny Labs Designs**

903- 90 Queens Wharf Road, Toronto, ON, M5V 0J4.  
 T: 416 833-6898, 647 588-7209 E: kennylabsdesigns@gmail.com

**Drawn by:**  
**Chris K & Beomi L**

**Drawing #:**  
**A.02**

**Scale:**  
 As Shown

**Revision**

1:100



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

<b>Internal Departments</b> <small>*Comments Received</small>	<b>Conditions Required</b>		<b>Nature of Comments</b>
Building Standards (Zoning)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Development Planning	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Recommend Approval/No Conditions

<b>External Agencies</b> <small>*Comments Received</small>	<b>Conditions Required</b>		<b>Nature of Comments</b> <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:** December 12<sup>th</sup> 2024

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:**

**Related Files:** **A189-24**

**Applicant:** Huzeyfe Kaya

**Location** 99 Arista Gate



Discover the possibilities

### COMMENTS:

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

### References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

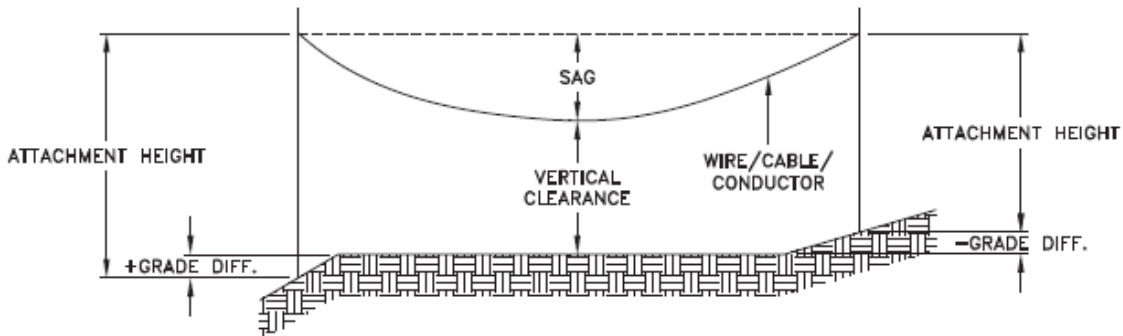
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

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

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

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

LOCATION OF WIRES, CABLES OR CONDUCTORS	SYSTEM VOLTAGE			
	SPAN GUYS AND COMMUNICATIONS WIRES	UP TO 600V AND NEUTRAL	4.16/2.4kV TO 27.6/16kV (SEE NOTE 1)	44kV
MINIMUM VERTICAL CLEARANCES (SEE NOTE 2)				
OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u>	442cm	442cm	480cm	520cm
OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>	250cm	310cm	340cm	370cm
ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>	730cm	730cm	760cm	810cm



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG  
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)  
 ± GRADE DIFFERENCE  
 + 0.3m (VEHICLE OR RAILWAY LOCATION)  
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

**NOTES:**

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

**CONVERSION TABLE**

METRIC	IMPERIAL (APPROX)
810cm	27'-0"
760cm	25'-4"
730cm	24'-4"
520cm	17'-4"
480cm	16'-0"
442cm	15'-5"
370cm	12'-4"
340cm	11'-4"
310cm	10'-4"
250cm	8'-4"

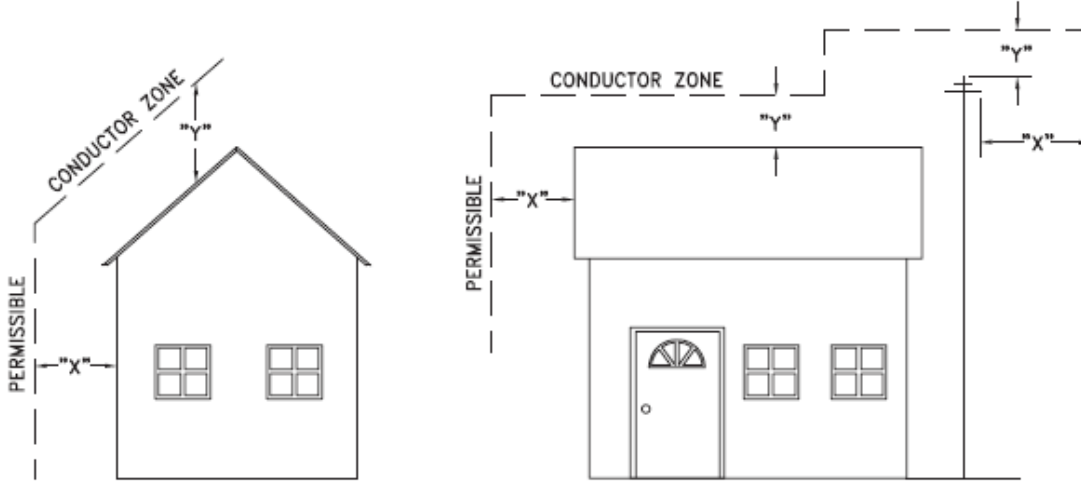
**REFERENCES**

SAGS AND TENSIONS | SECTION 02

**MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS**

ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

Certificate of Approval	
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04	
Joe Crozier, P.Eng.	2012-JAN-09
Name	Date
P.Eng. Approval By:	Joe Crozier



VOLTAGE	MINIMUM HORIZONTAL CLEARANCE UNDER MAXIMUM SWING CONDITIONS DIMENSION "X" (SEE NOTES 1, 3 & 4)	MINIMUM VERTICAL CLEARANCE UNDER MAXIMUM DESIGN SAG CONDITIONS DIMENSION "Y" (SEE NOTES 1, 2, 4 & 5)
0-600V AND NEUTRAL	100cm	250cm
4.16/2.4 TO 44kV	300cm	480cm

**NOTES**

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

METRIC	IMPERIAL (APPROX)
480cm	16'-0"
300cm	10'-0"
250cm	8'-4"
100cm	3'-4"

**MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)**

**Certificate of Approval**  
This construction Standard meets the safety requirements of Section 4 of Regulation 22/04  
Debbie Dadwani, P.Eng. 2010-MAY-05  
Name Date  
P. Eng. Approval By: *D. Dadwani*

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:  
PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working 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:** Catherine Saluri, Building Standards Department  
**Date:** December 10, 2024  
**Applicant:** Huzeyfe Kaya  
**Location:** 99 Arista Gate  
**File No.(s):** A189/24

**Zoning Classification:**

The subject lands are zoned R2 (EN) Second Density Residential Zone (Established Neighbourhood) and subject to Exception 14.654 under Zoning Bylaw 001-2021.

#	Zoning By-law 001-2021	Variance requested
1	A minimum setback of 6.0 m is required from the rear lot line to the closest point of covered access stairs. [Exception 14.654 and Figure T-105]	To permit a minimum setback of 4.21 m from the rear lot line to the closes point of covered access stairs.
2	A maximum encroachment of 2.4 m from the rear lot line to an uncovered platform with a floor height of 1.55 m is permitted. A minimum setback of 3.6 m is required. [Subsection 4.13]	To permit a maximum encroachment of 3.64 m from the rear lot line to an uncovered platform (existing deck) with a floor height of 1.55 m. A minimum setback of 2.36 m is proposed.

**Staff Comments:**

**Building Permits:**

An application for building permit has been submitted for the proposed entrance to the basement but has not been issued to date. (2024 104752).

A building permit appears to be required for the existing platform (deck), as this department does not have a record of same.

**Order to Comply:**

Order to Comply OB - 23 142567 has been issued for the construction of a walkout from basement level, and the construction of a secondary suite prior to obtaining the required building permits.

**Other Comments:**

General Comments	
1	The Applicant has confirmed in writing that the entrance to the basement of the dwelling will be used for personal access to the basement only. The Applicant should consult with the Building Standards Department – Inspection Section, to discuss Order to Comply OB - 23 142567.
2	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

None

\* Comments are based on the review of documentation supplied with this application.

**From:** [Douglas Best](#)  
**To:** [Committee of Adjustment Mailbox](#)  
**Subject:** A189/24 Vaughan - Fire - Complete No Conditions (Gianluca Russo)  
**Date:** Friday, January 3, 2025 2:38:48 PM

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Please note that Vaughan - Fire process is now complete for a COA folder with the following details:

File No: A189/24

Type: Minor Variance - Minor Type 1

Address: 99 Arista Gt

Comments:

Conditions:

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer  
**From:** Nancy Tuckett, Director of Development and Parks Planning  
**Date:** January 21, 2025  
**Name of Owner:** Huzeyfe Kaya  
**Location:** 99 Arista Gate  
**File No.(s):** A189/24

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**Proposed Variance(s):**

1. To permit a minimum setback of **4.21 m** from the rear lot line to the closes point of covered access stairs.
2. To permit a maximum encroachment of **3.64 m** from the rear lot line to an uncovered platform (existing deck) with a floor height of 1.55 m. A minimum setback of **2.36 m** is proposed.

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

1. A minimum setback of **6.0 m** is required from the rear lot line to the closest point of covered access stairs.
2. A maximum encroachment of **2.4 m** from the rear lot line to an uncovered platform with a floor height of 1.55 m is permitted. A minimum setback of **3.6 m** is required.

**Official Plan:**

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

**Comments:**

The Owner is seeking relief to permit a partially covered access stairway and an uncovered deck in the rear yard with the above-noted variances.

The Development and Parks Planning Department has no objections to Variance 1 to decrease the minimum rear lot line setback of the partially covered access stairway from 6.0 m to 4.21 m. The stairway provides access to a basement walkout from the rear yard, and is partially covered by the existing uncovered deck. The basement walkout is for the Owner's personal use and this minor variance application does not contemplate a secondary suite in the basement. The stairway runs parallel to the rear dwelling wall, and provides adequate spatial separation to allow for access and maintenance within the rear yard. The proposed stairway maintains the general intent of the Zoning By-law and is minor in nature.

The Development and Parks Planning Department has no objections to Variance 2 to increase the maximum permitted encroachment of the uncovered deck from 2.4 m to 3.64 m. The uncovered deck is 1.55 m in height and set back 2.36 m from the rear lot line, which provides sufficient space for access and maintenance within the rear yard. The uncovered deck is modest in size and massing, and is not anticipated to have any negative impacts on the neighbouring properties and the City-owned woodlot to the south.

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

**Recommendation:**

The Development and Parks 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:**

Harry Zhao, Planner 1

Janany Nagulan, Senior Planner

**From:** [Cameron McDonald](#)  
**To:** [Committee of Adjustment Mailbox](#)  
**Subject:** [External] RE: A189/24 - 99 ARISTA GATE - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Friday, December 13, 2024 8:57:57 AM  
**Attachments:** [image002.png](#)

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**CAUTION!** This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Hello,

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

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

Regards,

**Cameron McDonald**

Planner I

Development Planning and Permits | Development and Engineering Services

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

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

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



**From:** [Development Services](#)  
**To:** [Committee of Adjustment Mailbox](#)  
**Subject:** [External] RE: A189/24 - 99 ARISTA GATE - REQUEST FOR COMMENTS, CITY OF VAUGHAN  
**Date:** Monday, December 30, 2024 2:28:48 PM

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**CAUTION!** This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, please use the Phish Alert Button.

Good afternoon,

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

Thank you

*Gabrielle*

**Gabrielle Hurst MCIP, RPP** | Associate Planner, Development Planning, Economic and Development Services Branch | 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)

## SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant			12/10/2024	Application Cover Letter

Record No. 643645  
PLAN 65M3231 Lot 37  
99 Arista Gate

Subject: Confirmation of Basement Walk-Up Usage for Owner's Personal Access

Dear Vaughan Building Officials,

I hope this letter finds you well. I, Huzeyfe Kaya, am writing to formally confirm our discussion regarding the installation of a new Basement Walk-Up at 99 Arista Gate. As the registered property owner, I acknowledge and provide my consent for the construction and use of the Basement Walk-Up for my personal access to the basement area.

The purpose of the Basement Walk-Up is solely for my convenience and ease of access to the basement space within the aforementioned property. I understand and agree that this modification is for personal use only, and I will ensure that it complies with all relevant local building codes and regulations.

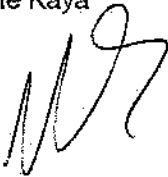
I take full responsibility for any costs associated with the installation, maintenance, and any potential modifications required in the future. I also assure you that the Basement Walk-Up will be kept in good condition, and any necessary repairs or alterations will be made promptly and in compliance with the applicable regulations.

I appreciate your cooperation and support in this matter. If you require any additional information or have concerns regarding this project, please do not hesitate to contact me at 647-621-6565 or huzeyfekaya22@gmail.com.

Thank you for your understanding and cooperation. I look forward to the successful completion of this project and the continued enjoyment of my property.

Sincerely,  
Huzeyfe Kaya

01. March 2024



## SCHEDULE D: BACKGROUND

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