

ITEM: 6.17	REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A171/24
------------	---

Report Date: May 30, 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
TRCA	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments
Region of York	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	General Comments

PUBLIC & APPLICANT CORRESPONDENCE (SEE SCHEDULE C)				
All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.				
Correspondence Type	Name	Address	Date Received <small>(mm/dd/yyyy)</small>	Summary
Applicant	Daniel Berry		04/03/2025	Application Cover Letter
Letter of support	Julia Gropper and Hadi Soudkhah	481 Greenock Drive	04/03/2025	Letter of support from neighbour

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	
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 A171/24

CITY WARD #:	1
APPLICANT:	Sandip Sarkar, Shibani Kavita Rana
AGENT:	Vulcan Design Inc.
PROPERTY:	78 Whitburn Crescent, Maple
ZONING DESIGNATION:	See Below
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	N/A
PURPOSE OF APPLICATION:	Relief from the zoning by-law is being requested to permit the construction of an accessory structure (cabana) in the rear yard.

The following variances are being requested from the City's Zoning By-law to accommodate the above proposal:

The subject lands are zoned **R2A(EN) – Second Density Residential Zone (Established Neighbourhood)** and subject to the provisions of **Exception 14.295 under Zoning By-law 001-2021, as amended.**

#	Zoning By-law 001-2021	Variance requested
1	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m [Section 4.1.4.1.] . See note # 1 below.	To permit a maximum height of 3.69 m for an accessory structure (Cabana).
2	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line [Section 4.1.2.b.] .	To permit a residential accessory structure (Cabana) with a height greater than 2.8 m to be located a minimum of 1.06 m from the interior side lot line.
3	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line [Section 4.1.2.b.] .	To permit a residential accessory structure (Cabana) with a height greater than 2.8 m to be located a minimum of 0.68 m from the rear lot line.
4	An uncovered platform including access stairs is permitted to encroach a maximum of 2.4m into the required rear yard [Table 4-1] .	To permit an uncovered platform (Deck) including access stairs to encroach a maximum of 3.01m into the required rear yard.

HEARING INFORMATION

DATE OF MEETING: Thursday, June 5, 2025

TIME: 6:00 p.m.

MEETING LOCATION: Vaughan City Hall, Woodbridge Room (2nd Floor), 2141 Major Mackenzie Drive

LIVE STREAM LINK: [Vaughan.ca/LiveCouncil](https://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

HEARING INFORMATION

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:

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:	May 22, 2025
Date Applicant Confirmed Posting of Sign:	May 20, 2025
Applicant Justification for Variances: <small>*As provided in Application Form</small>	Shed was to be built at 10'x16'. Owner changed the dimensions to 11'9"x17'1" when crew showed up to construct shed, not understanding bylaw requirements.
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
---	------

DEVELOPMENT PLANNING

****See Schedule B for Development Planning Comments.**

Development Planning Recommended Conditions of Approval:	None
---	------

DEVELOPMENT ENGINEERING

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

As the proposed cabana in the subject property is 18.58m², the Owner/ Applicant needs to obtain a 'Lot Grading Permit' from the Development Inspection and Lot Grading Division of the City's Development Engineering Department. Please note any in-ground structure over 10 m² requires a 'Grading Permit'. Please contact the Development Engineering Reviewer after receiving the Grading Permit to clear the condition. (Condition attached) Retaining wall shall be constructed in conformance with Section 2.4 of the Engineering Design Standard with the exception that retaining walls must be placed 600 mm from the property line if less than 1 m in height. The Development Engineering Department does not object to the Minor Variance application A171/24, subject to the following condition:

DEVELOPMENT ENGINEERING

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

Development Engineering Recommended Conditions of Approval:	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: https://www.vaughan.ca/about-city-vaughan/departments/development-engineering/permits to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email DEPermits@vaughan.ca .
--	---

PARKS, FORESTRY & HORTICULTURE (PFH)

No comments received to date.

PFH Recommended Conditions of Approval:	None
--	------

DEVELOPMENT FINANCE

No comment no concerns.

Development Finance Recommended Conditions of Approval:	None
--	------

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES

No comments received to date.

BCLPS Recommended Conditions of Approval:	None
--	------

BUILDING INSPECTION (SEPTIC)

No comments received to date.

Building Inspection Recommended Conditions of Approval:	None
--	------

FIRE DEPARTMENT

No comments received to date.

Fire Department Recommended Conditions of Approval:	None
--	------

RECOMMENDED CONDITIONS OF APPROVAL SUMMARY

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

#	DEPARTMENT / AGENCY	CONDITION
1	Development Engineering jonah.hall@vaughan.ca	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: https://www.vaughan.ca/about-city-vaughan/departments/development-engineering/permits to apply for a Grading Permit. For any inquiries regarding the Grading Permit, please email DEPermits@vaughan.ca .

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

IMPORTANT INFORMATION

CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (**see condition chart above for contact**). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

APPROVALS: Making any changes to your proposal after a decision has been made may impact the validity of the Committee's decision.

An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.

A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City's Zoning By-law.

Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City's Zoning By-law) shown on the elevation plans submitted with the application.

Architectural design features that are not regulated by the City's Zoning By-law are not to be considered part of an approval unless specified in the Committee's decision.

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

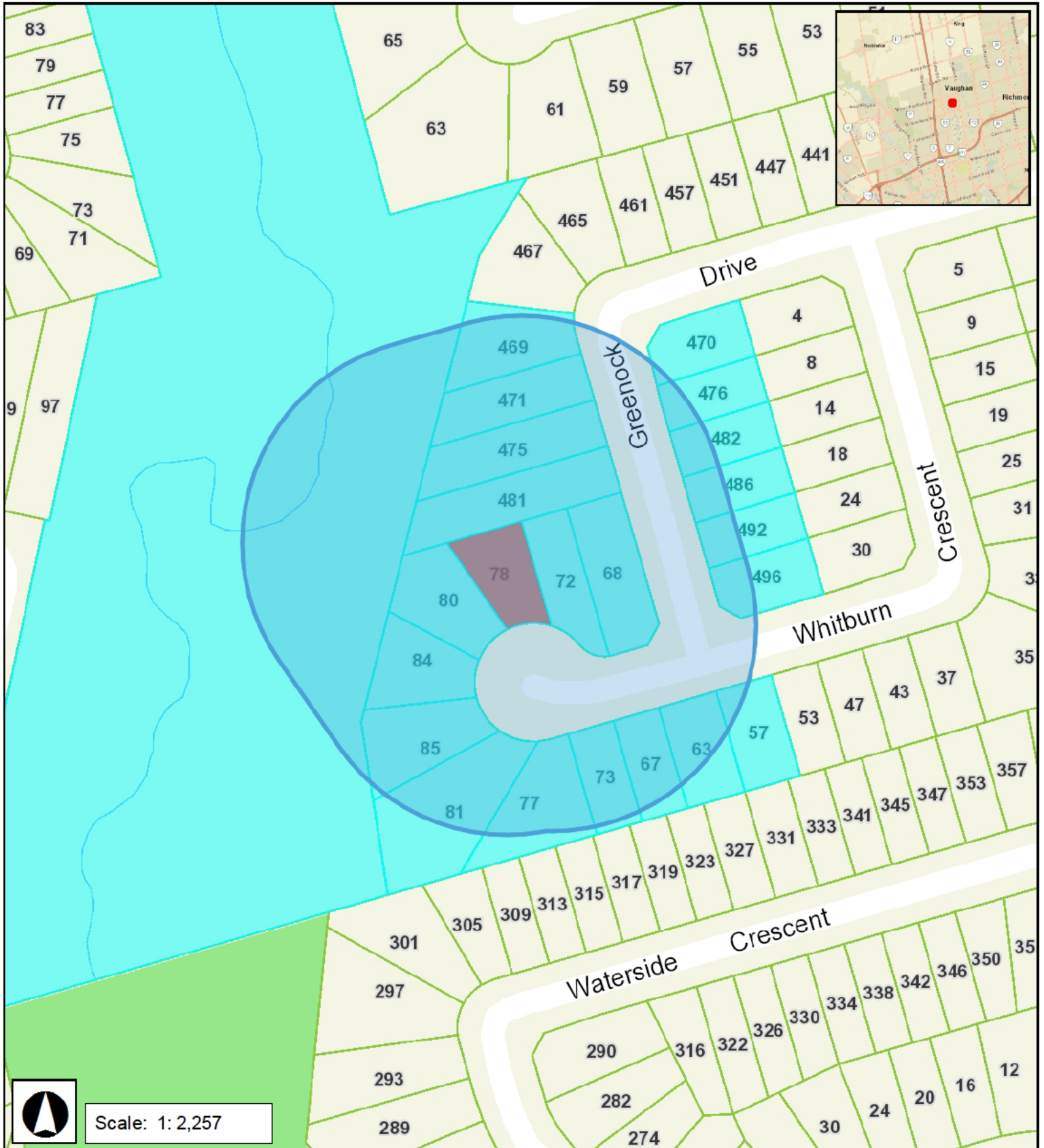
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

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

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

SCHEDULE A: DRAWINGS & PLANS



SURVEYOR'S REAL PROPERTY REPORT
PART 1 – PLAN OF SURVEY OF
LOT 119
REGISTERED PLAN 65M-2592
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

SCALE = 1:150 m
POLAR SURVEYING LTD.
© COPYRIGHT 2025

METRIC: DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PART 2 – REPORT SUMMARY

MUNICIPALLY KNOWN AS NO. 78 WHITBURN CRESCENT
LOT 119, REGISTERED PLAN 65M-2592
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK

EASEMENTS OR RIGHT OF WAY
SUBJECT TO AN EASEMENT AS SET OUT IN INSTRUMENT NO. LT555207.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS

NO INVESTIGATION WITH RESPECT TO MUNICIPAL ZONING
REQUIREMENT HAS BEEN MADE IN CONNECTION WITH THIS REPORT.

ADDITIONAL REMARKS

- MONUMENTS SHOWN AS "WIT" ARE WITNESS MONUMENTS AND ARE NOT AT THE PROPERTY CORNER.

- THE FENCES ARE AS SHOWN ON THE SURVEY PLAN.

- LEGEND:
- | | | |
|---------|---------|--|
| ■ | DENOTES | SURVEY MONUMENT FOUND |
| □ | DENOTES | SURVEY MONUMENT PLANTED |
| Ms | DENOTES | MEASURED |
| P1 | DENOTES | REGISTERED PLAN 65M-2592 |
| P2 | DENOTES | BUILDING LOCATION SURVEY BY P. SALNA COMPANY LTD., O.L.S. DATED AUGUST 24, 1988 (FILE NO. 87-77) |
| N,S,E,W | DENOTES | NORTH, SOUTH, EAST, WEST |
| SIE | DENOTES | SUBJECT TO EASEMENT AS INSTRUMENT NO. |
| BF | DENOTES | BOARD FENCE |
| BR | DENOTES | BRICK |
| CRB | DENOTES | CURB |
| C/L | DENOTES | CENTRELINE |
| CLH | DENOTES | CENTRELINE OF HEDGE |
| CON | DENOTES | CONCRETE |
| COR | DENOTES | CORNER |
| DS | DENOTES | DOOR SILL |
| GS | DENOTES | GARAGE SILL |
| MH | DENOTES | MANHOLE |
| OL | DENOTES | ON LINE |
| SRW | DENOTES | STONE RETAINING WALL |
| T/W | DENOTES | TOP OF WALL |
| SUC | DENOTES | SHED UNDER CONSTRUCTION |
| UB | DENOTES | UTILITY BOX |
| Ø | DENOTES | DIAMETER |
| ○ | DENOTES | DECIDUOUS TREE |
| ✱ | DENOTES | CONIFEROUS TREE |
| ♻ | DENOTES | SHRUB |

GEODETIC:

ELEVATIONS SHOWN ARE GEODETIC AND ARE DERIVED FROM THE CITY OF VAUGHAN BENCH MARK NO. 18-3 HAVING A PUBLISHED ELEVATION OF 220.110 METRES (CGVD28-78 ADJUSTMENT).

NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTHERLY LIMIT OF LOT 116 AS SHOWN ON REGISTERED PLAN 65M-2592, AS HAVING A BEARING OF N73°50'10"E.

ALL BUILDING TIES TO CONCRETE FOUNDATION UNLESS OTHERWISE NOTED.

THIS REPORT REFLECTS CONDITIONS AT TIME OF SURVEY. UPDATING MAY BE REQUIRED TO ISSUE ADDITIONAL COPIES SUBSEQUENT TO DATE OF THE SURVEYOR'S CERTIFICATE.

PLEASE BE ADVISED THAT CONDUCTING TOPOGRAPHIC SURVEYS IN SNOW-COVERED CONDITIONS MAY LEAD TO CERTAIN FEATURES BEING MISSED DUE TO LIMITED VISIBILITY. IF ANY FEATURES ARE LATER FOUND TO BE PRESENT AFTER THE SNOW MELTS, AN ADDITIONAL FEE WILL APPLY FOR A RETURN VISIT TO CAPTURE THOSE ELEMENTS. ADDITIONALLY, FROZEN OR SNOW-COVERED GROUND CAN IMPACT ELEVATION ACCURACY, AND ELEVATIONS RECORDED DURING WINTER CONDITIONS MAY DIFFER ONCE THE SNOW HAS MELTED.

SITE PLAN

DESIGN FIRM:

VULCAN DESIGN INC.

35 Mcdonald Street
Alliston, ON L9R-1J5
PH: 416-885-5200
EMAIL: dberry@vulcandesigninc.com

NOTE

THIS PLAN HAS BEEN PREPARED FOR THE LIMITED USE OF "SHAWN SARKAR" AND CANNOT BE USED BY OTHER PARTIES. THIS PLAN IS TO REMAIN CONFIDENTIAL, IS PREPARED UNDER COPYRIGHT AND MUST NOT BE USED WITHOUT THE PERMISSION OF THE SIGNING SURVEYOR OR THE COMPANY RESPONSIBLE FOR THE PLAN.

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

Internal Departments *Comments Received	Conditions Required		Nature of 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

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

To: Committee of Adjustment

From: Niloufar Youssefi, Building Standards Department

Date: April 25, 2024

Applicant: Vulcan Design Inc.

Location: 78 Whitburn Crescent
PLAN 65M2592 Lot 119

File No.(s): A171/24

Zoning Classification:

The subject lands are zoned R2A(EN) – Second Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.295 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m [Section 4.1.4.1.]. See note # 1 below.	To permit a maximum height of 3.69 m for an accessory structure (Cabana).
2	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line [Section 4.1.2.b.].	To permit a residential accessory structure (Cabana) with a height greater than 2.8 m to be located a minimum of 1.06 m from the interior side lot line.
3	A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line [Section 4.1.2.b.].	To permit a residential accessory structure (Cabana) with a height greater than 2.8 m to be located a minimum of 0.68 m from the rear lot line.
4	An uncovered platform including access stairs is permitted to encroach a maximum of 2.4m into the required rear yard [Table 4-1].	To permit an uncovered platform (Deck) including access stairs to encroach a maximum of 3.01m into the required rear yard.

Staff Comments:

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

Order No. 24-129962, Order to Comply for, Issue Date: Sep 04, 2024.

Building Permit(s) Issued:

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².

Other Comments:

Zoning By-law 001-2021	
1	The City does not have a record of the building permit for the uncovered platforms (Decks) in the rear yard and interior side yard. Building permit may be required for the decks.
2	Please note that accessory structure (Cabana) eaves are encroaching into the minimum rear and interior side yards. However, they will comply with the requirements of the bylaw provided that the minor variance for the required yards get approved.
General Comments	
3	The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

Conditions of Approval:

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

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

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development and Parks Planning

Date: May 27, 2025

Name of Owner: Sandip Sarkar, and Shibani Kavita Rana

Location: 78 Whitburn Crescent, Maple

File No.(s): A171/24

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

1. To permit a maximum height of 3.69 m for an accessory structure (Cabana).
2. To permit a residential accessory structure (Cabana) with a height greater than 2.8 m to be located a minimum of 1.06 m from the interior side lot line.
3. To permit a residential accessory structure (Cabana) with a height greater than 2.8 m to be located a minimum of 0.68 m from the rear lot line.
4. To permit an uncovered platform (Deck) including access stairs to encroach a maximum of 3.01m into the required rear yard.

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

1. In any Residential Zone, the maximum height of an accessory building and residential accessory structure shall be 3.0 m.
2. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
3. A residential accessory structure with a height greater than 2.8 m shall not be located closer than 2.4 m to any lot line.
4. An uncovered platform including access stairs is permitted to encroach a maximum of 2.4m into the required rear yard.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential" by Schedule 13 Land Use, and "Greenbelt Plan External Linkages" Schedule 4

Comments:

The Owners are seeking relief to permit a cabana and deck, with the above noted variances.

The Development and Parks Planning Department have no objections to Variances 1, 2, and 3, with respect to the height and location of the proposed cabana. Variance 1 seeks to permit a height of 3.69 m, whereas the Zoning By-law permits 3.0 m. The 3.69 m height is measured from grade to the peak of the roof and the 0.69 m increase in height is minimal in nature. The modest size and flat roof design of the cabana is not anticipated to cause any adverse massing impacts on the surrounding properties. Variances 2 and 3, seek to permit the location of the cabana to be 1.06 m from the interior side lot line, and 0.68 from the rear lot line, whereas the By-law requires 2.4 m to any lot line. The proposed setbacks provides sufficient distance for maintenance access if required. The Development Engineering Department has reviewed this application and has no objection or concerns with drainage.

The Development and Parks Planning Department has no objection to Variance 4 to permit an existing deck with access stairs to encroach 3.01 m into the required rear yard, whereas the By-law permits 2.4m. The rear deck is irregular in shape and the additional encroachment of 0.61 into the required rear yard is minimal in nature and does not hinder the overall function of the rear yard as an outdoor amenity space.

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

Recommendation:

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:

Alyssa Pangilinan, Planner
Janany Nagulan, Senior Planner

Date: December 23rd 2024

Attention: **Christine Vigneault**

RE: Request for Comments

File No.:

Related Files: **A171-24**

Applicant: Vulcan Design Inc.

Location 78 Whitburn Crescent

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:

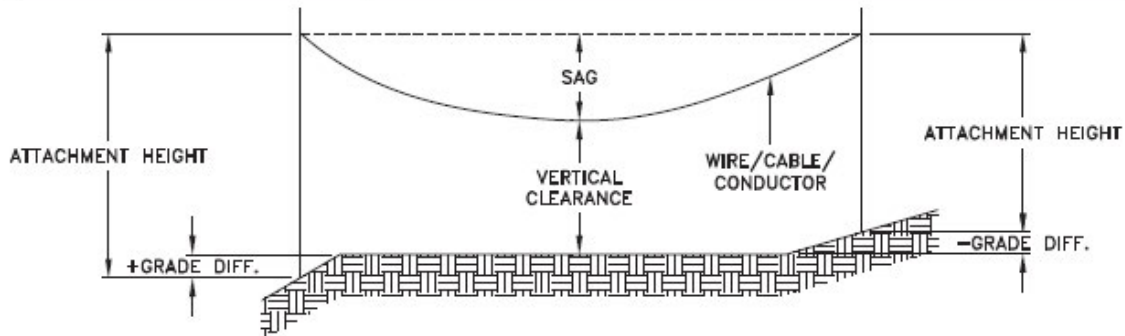
Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

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"

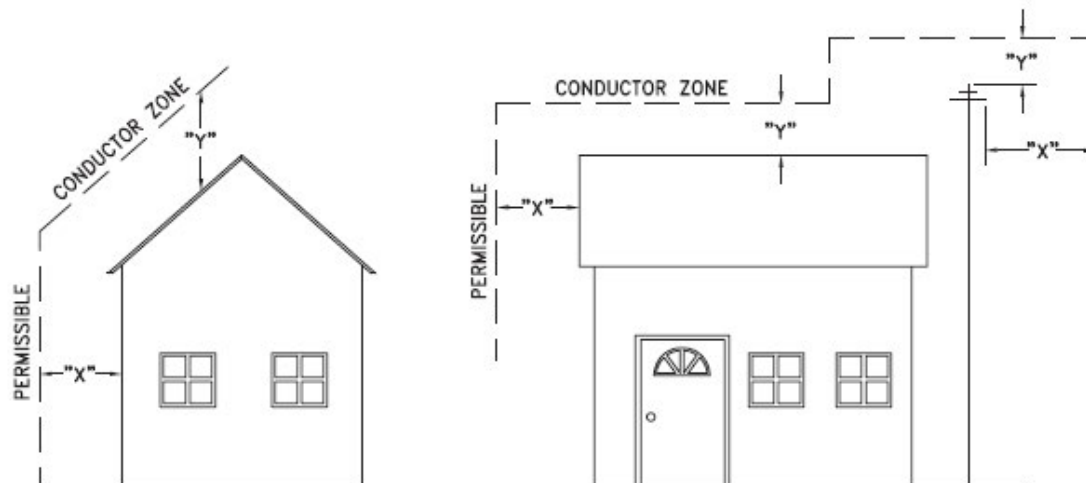
REFERENCES

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 CLEARNACE 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).

CONVERSION TABLE	
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)**

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:

PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 3\3-4\DWG 03-4 R0 May 5, 2010.dwg, 5/5/2010 8:22:02 AM, Adobe PDF

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

From: [Cameron McDonald](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A171/24 - 78 WHITBURN CRESCENT - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Monday, January 6, 2025 11:30:15 AM
Attachments: [image001.png](#)

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

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



From: [Development Services](#)
To: [Committee of Adjustment Mailbox](#)
Subject: [External] RE: A171/24 - 78 WHITBURN CRESCENT - REQUEST FOR COMMENTS, CITY OF VAUGHAN
Date: Thursday, January 2, 2025 10:12:22 AM
Attachments: [image001.png](#)
[image003.png](#)

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,

The Region has completed its review of minor variance application A171/24 and has no comment. Please provide a copy of the notice of decision for our records.

Many thanks,

Christine Meehan, B.U.R.Pl., B. B. A | Planner (Intake Lead), Economic and Development Services Branch, Corporate Services Department

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

Our Values: Integrity, Commitment, Accountability, Respect, Excellence



Our Mission: Working together to serve our thriving communities – today and tomorrow

Please consider the environment before printing this email.

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Applicant	Daniel Berry		04/03/2025	Application Cover Letter
Letter of support	Julia Gropper and Hadi Soudkhah	481 Greenock Drive	04/03/2025	Letter of support from neighbour

04.3.2025

Cover Letter

To

COA Staff
City of Vaughan

IE: 78 Whitburn Ave.
COA Application
Cover Letter

Dear Staff,

We are re-submitting our building drawings and site plan drawings for the noted application. As well, we have resubmitted the Structure Setback Chart / Confirm Variance Chart. We have obtained a new topographical survey for the property and have made minor adjustments as a result of that.

On the original application comments from the Engineering department; they requested that either a letter of acknowledgement from the neighbors be received for the location of the built retaining wall OR move the existing retaining wall 0.6m away from the neighbor's property line.

In the attached revisions, the neighbor at 481 Greenock Drive (North side) has provided sign off and letter is attached. The neighbor on East side at 72 Whitburn Crst will not provide sign off. As a result, the home owner is going to move the cabana shed and retaining wall to satisfy the engineering department comments. This is reflected in the revised site plan drawings.

Thank you and have a great day!

Daniel Berry
Registered Designer
dberry@vulcandesigninc.com

Vulcan Design Inc

Tel 416-885-5200

35 McDonald Street
Alliston, ON L9R 1J5

vulcandesigninc.com
dberry@vulcandesigninc.com



CITY OF VAUGHAN COMMITTEE OF ADJUSTMENT APPLICATION
NEIGHBOUR ACKNOWLEDGMENT LETTER

Date: Feb 25 2025

Home Owner's name: Shawn & Shibani Sarkar

Home Owner's address: 78 Whitburn Crescent, Maple ONT. L6A 1M7

Home Owner's contact information
(e.g., email and/or phone number):

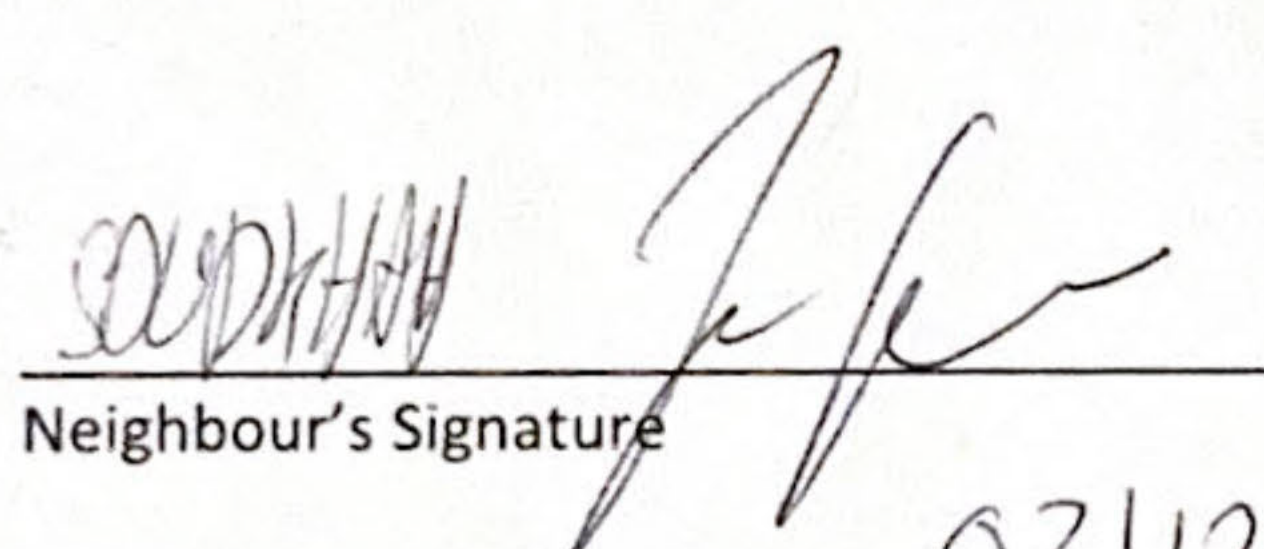
SUBJECT: COA REFERENCE FILE #: A171/24 - 78 Whitburn Crescent Maple

NEIGHBOUR'S ACKNOWLEDGMENT LETTER FOR

To: The City of Vaughan Development Engineering Department,

This is to confirm that I, Julia Gropper & Heidi Soudkh (the Neighbour) residing at
481 Greenock Drive, Maple (Neighbour's address)

have not experienced any grading and/or drainage adverse effects on my property and also have no issues or concerns with the newly constructed retaining wall and shed, in the rear yard, on the property at 78 Whitburn Crst. Furthermore, I(we) have no objections to the presence of the walls or shed and do not object to the COA Application to allow the existing condition to remain.


Neighbour's Signature

Date Signed on (mm/dd/yy):

03/12/25

Neighbour's contact information (e.g., email and/or phone number):

SCHEDULE D: BACKGROUND

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