



File: A014/20

Applicant: Irina Tsirikhova

Address: 45 Kylemount Court, Thornhill

Agent: None

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
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, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
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: 8

A014/20

Ward: 4

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date & Time of Live Stream Hearing:** Thursday, June 11, 2020 at 6:00 p.m.

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

A live stream of the meeting is available at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

Please submit written comments by mail or email to:

City of Vaughan  
Office of the City Clerk – Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[cofa@vaughan.ca](mailto:cofa@vaughan.ca)

To make an electronic deputation at the meeting please contact the Committee of Adjustment at [cofa@vaughan.ca](mailto:cofa@vaughan.ca) or 905-832-8504. Ext. 8332

**Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.**

**Applicant:** Irina Tsirikhova

**Agent:** None

**Property:** 45 Kylemount Court, Thornhill

**Zoning:** The subject lands are zoned RV4 and subject to the provisions of Exception 9(1063) under By-law 1-88 as amended

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

**Related Files:** None

**Purpose:** Relief from the By-law is being requested to permit an existing deck 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
A minimum rear yard setback of 5.7 metres is required to a deck.	To permit an existing rear yard setback of 4.9 metres to a deck.

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

For information on the previous approvals listed above please visit [www.vaughan.ca](https://www.vaughan.ca). To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

**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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

**Committee of Adjustment:**  
Public notice was mailed on May 27, 2020

Applicant confirmed posting of signage on May 14, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	2016
Deck	2016

Applicant has advised that they cannot comply with By-law for the following reason(s): Contractor constructed the deck against the by-law requirements.

**Adjournment Request:** N/A

**Building Standards (Zoning Review):**

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file  
Building Permit No. 16-003897 for Single Detached Dwelling - Alteration, Issue Date: (Not Yet Issued)

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

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

The Development Planning department does not object to application A014/20 and recommends approval.

**Cultural Heritage (Urban Design):**

No Response

**Development Engineering:**

The Development Engineering (DE) Department does not object to variance application A014/20 subject to the following condition(s):

Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and obtain a approval (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, Forestry and Horticulture Operations:**

Forestry has no Comments at this time.

**By-Law and Compliance, Licensing and Permit Services:**

No Response.

**Financial Planning and Development Finance:**

No comment no 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

**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 <a href="mailto:jason.pham@vaughan.ca">jason.pham@vaughan.ca</a>	Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and obtain a approval (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.

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.

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.

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

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

**PUBLIC CONSULTATION DURING OFFICE CLOSURE:** Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan  
Office of the City Clerk – Committee of Adjustment  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[cofa@vaughan.ca](mailto:cofa@vaughan.ca)

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting at [vaughan.ca/LiveCouncil](http://vaughan.ca/LiveCouncil). To make an electronic deputation, residents must contact the Committee of Adjustment no later than **noon** on the last business prior to the day of the scheduled hearing (see above for contact details).

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video 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**  
**Adriana MacPherson**  
T 905 832 8585 Extension 8360  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

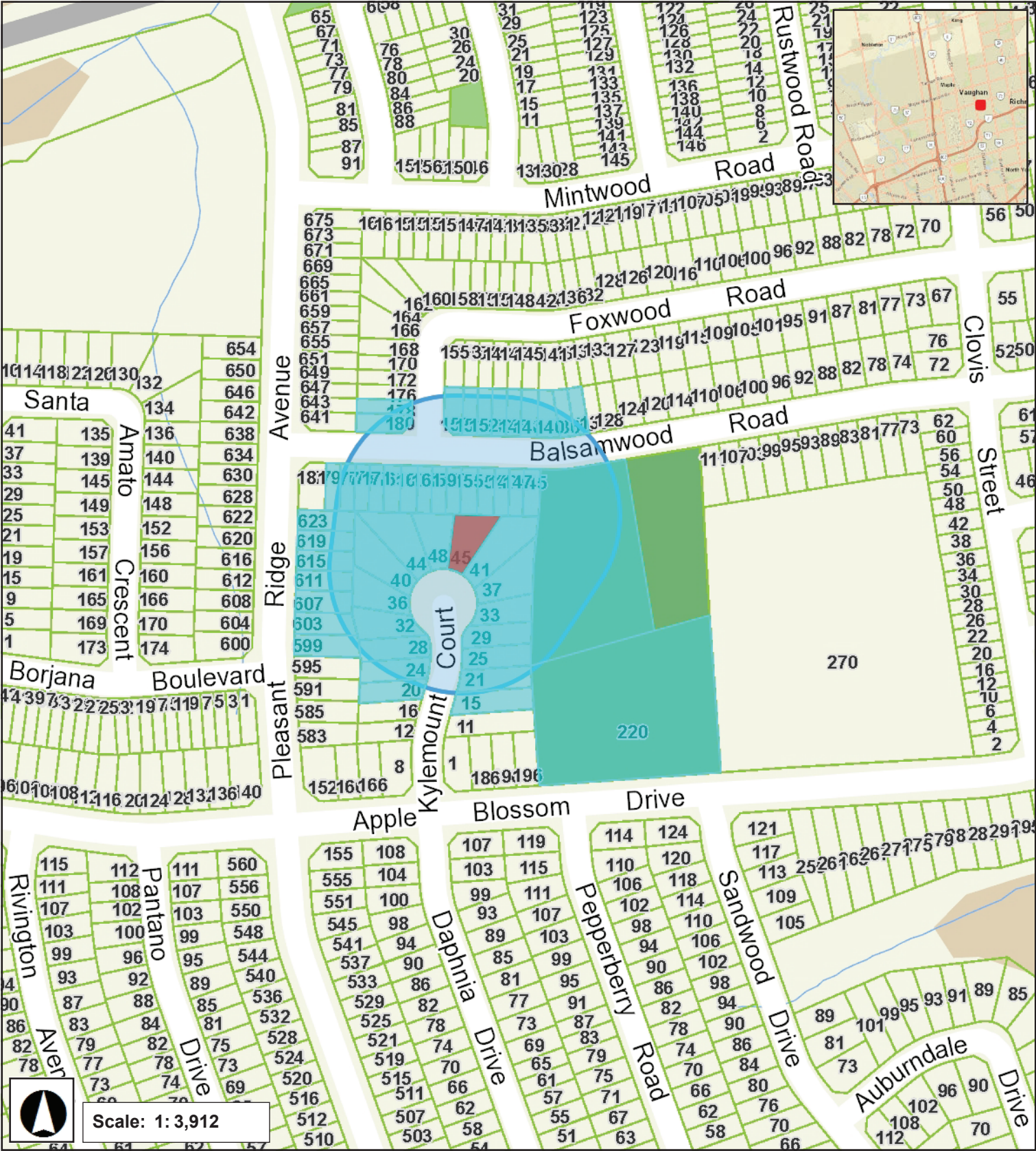
Schedule A: Plans & Sketches

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.

Location Map  
Plans & Sketches



45 Kylemount Court, Thornhill





## SURVEYOR'S REAL PROPERTY REPORT

## PART 1

PLAN OF LOTS 25, 26, 27, 28,  
29 AND 30

PLAN 65M-4401

CITY OF VAUGHAN

REGIONAL MUNICIPALITY OF YORK

SCALE 1:300

10m 5m 0 10m 20metres

RADY-PENTEK &amp; 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.

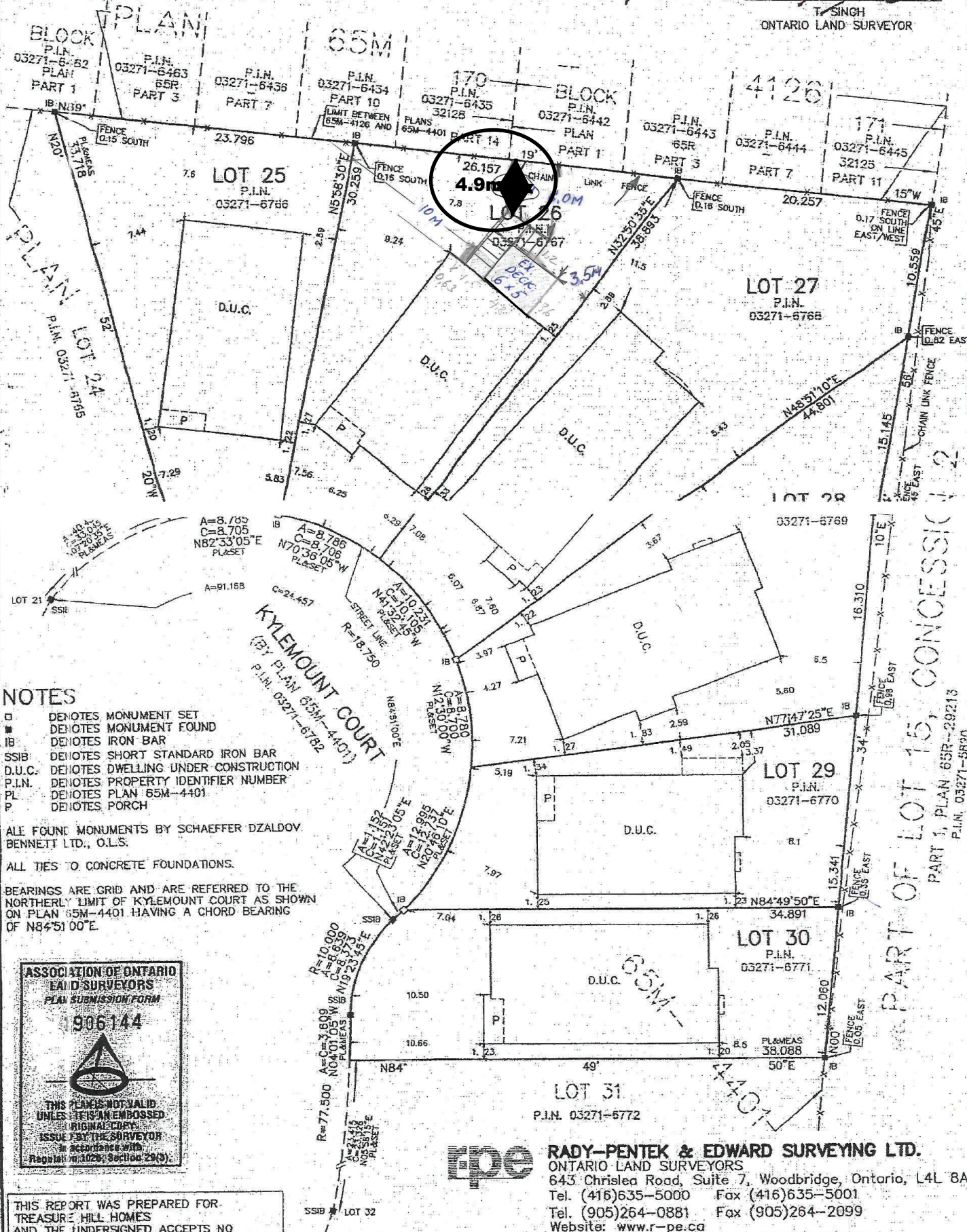
## PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS: NONE  
ADDITIONAL COMMENTS: NOTE THE LOCATION OF CHAIN LINK  
FENCE ALONG THE REAR OF LOTS 25 TO 27.  
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

## SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULA
- THE SURVEY WAS COMPLETED ON THE 10 DAY OF April, 2014.

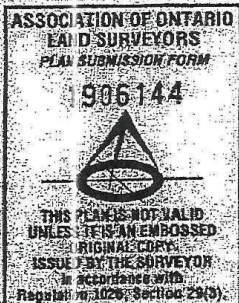
DATE July 3, 2014.T. SINGH  
ONTARIO LAND SURVEYOR

## NOTES

- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- IB DENOTES IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- D.U.C. DENOTES DWELLING UNDER CONSTRUCTION
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- PL DENOTES PLAN 65M-4401
- P DENOTES PORCH

ALL FOUND MONUMENTS BY SCHAEFFER DZALDOV  
BENNETT LTD., O.L.S.

ALL TIES TO CONCRETE FOUNDATIONS.

BEARINGS ARE GRID AND ARE REFERRED TO THE  
NORTHERLY LIMIT OF KYLEMOUNT COURT AS SHOWN  
ON PLAN 65M-4401 HAVING A CHORD BEARING  
OF N84°51'00"ETHIS REPORT WAS PREPARED FOR:  
TREASURE HILL HOMES  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR USE BY OTHER PARTIES.

©RADY-PENTEK &amp; EDWARD, SURVEYING LTD., O.L.S. 2014.

## RADY-PENTEK &amp; 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.

CHECKED: G.Y./T.S.

CAD FILE No. 4401-25

JOB No. 13-205



**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.

**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.-

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

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

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

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



## MacPherson, Adriana

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**Subject:** FW: [External] RE: A014/20 (45 Kylemount Court, Thornhill) - REQUEST FOR COMMENTS (Vaughan Committee of Adjustment)

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

**Sent:** March-27-20 1:28 PM

**To:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Attwala, Pravina <Pravina.Attwala@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>

**Subject:** [External] RE: A014/20 (45 Kylemount Court, Thornhill) - REQUEST FOR COMMENTS (Vaughan Committee of Adjustment)

Good afternoon Adriana

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

Regards,

*Gabrielle*

Gabrielle Hurst mcip rpp | Associate Planner, Community Planning and Development Services | Corporate Services  
The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877 464 9675 ext 71538 | [Gabrielle.hurst@york.ca](mailto:Gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)