

COMMITTEE OF THE WHOLE (2) – MARCH 9, 2020**COMMUNICATIONS****Distributed February 28, 2020****Item**

C1. Mr. Olton Hysenbegas, dated February 23, 2020. Dep. 1

Distributed March 6, 2020

C2. Memorandum from the Acting Deputy City Manager, Planning and Growth Management, dated March 6, 2020. 8

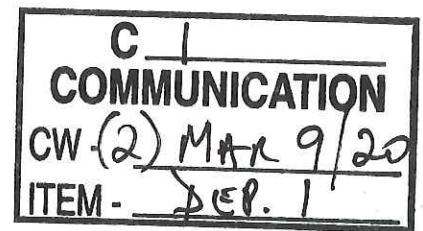
C3. Mr. Olton Hysenbegas. Dep. 1

Disclaimer Respecting External Communications

Communications are posted on the City's website pursuant to Procedure By-law Number 7-2011. The City of Vaughan is not responsible for the validity or accuracy of any facts and/or opinions contained in external Communications listed on printed agendas and/or agendas posted on the City's website.

Please note there may be further Communications.

From: Olton Hysenbegas <[REDACTED]>
Sent: Sunday, February 23, 2020 2:01 PM
To: Britto, John <John.Britto@vaughan.ca>
Subject: Re: Deputation on a matter that is not on an Agenda



Thank you Mr. Britto.

I will try to summarize in a one pager the deputation however as reference please ensure that the feedback and minutes from the CofA (email just sent) and the attached petition is printed for all members of the council.

I will be reaching out later next week with the video to be shared before the deputation.

Thank you so much for all your help and support.

Best regards, Olton

Request/Petition

To: The City of Vaughan regarding: application A116/19

Vaughan Committee of Adjustment, Chair and Committee Members

Mr. Alan Shefman Ward 5 councillor alan.shefman@vaughan.ca

Mr. Mario Ferri Deputy Major mario.ferri@vaughan.ca

Mr. Gino Rosati, Local and Regional Councillor gino.rosati@vaughan.ca

Mrs. Linda Jackson, Local and Regional Councillor linda.jackson@vaughan.ca

Awareness: Ward 1 Councillor, Marilyn Iafrate marilyn.iafrate@vaughan.ca

Ward 2 Councillor, Tony Carella tony.carella@vaughan.ca

Ward 3 Councillor, Rosanna Defrancesca rosanna.defrancesca@vaughan.ca

Ward 4 Councillor, Sandra Racco sandra.racco@vaughan.ca

Date: Feb.5, 2020

From: Residents of Thornhill, neighborhood - Concord Rd, Forest Lane, Bev. Glenn, signatures page 9

██████████ concord Rd, ██████████ concord Rd, ██████████ Vaughan Blvd., ██████████ forest lane drive, ██████████ Bev. Glenn Blvd., ██████████ Loudon crescent).

Subject: Concerns on multiple by law changes which result in safety and security issues & risks
Bylaws noncompliance, adjustments requested are major in nature and are setting precedent for
Thornhill in particular & proposal from community to city

As mentioned in previous correspondence (contained within), we support all projects that beautify the area/neighborhood. As a community we have had multiple discussions on the many exemptions requested for this application and while some of us were engaged in this process late in Nov.2019 & Dec. 2019 when first hearing happened, some others were able to get information and share concerns in Jan. 2020 (after holiday season), and what has been concerning is we have to pay for specialist/professional advice to protect our rights, study all by laws by ourselves. We all pay taxes and we expect the city to treat us in a fair, just manner and standards and by laws to be applied to all citizens consistently. The role of the city and its departments is to be the regulator and ensure its bylaws protect its citizens.

Page 1-2 concerns from the community directed to all officials and committees copied to this petition

Page 3-4 concerns with the staff report, on technical requirements assessment and conclusions

Page 5-6 list of other by laws impacted & safety and security concerns not addressed

Page 7-9 recommendation from community & signatures from the community

We are faced with 6 and more exceptions listed in this application and even though it is been hearings and we have expressed concerns during public hearings, it appears the city departments who should keep in mind the public/community interests, appear to allow for modifications of many city by laws, unclear what is the city benefiting by allowing so many exceptions? Why the standards and by laws do not apply the same, to all citizens?!

A shed located on the back of one of us, which was less than 2 feet set back from the fence was requested by city bylaw to be removed and relocated even though there were no concerns raised from any resident in the area; the resident moved the shed, because we respect bylaws. However in this application it appears to be the opposite situation, where for one resident it is OK to have the city making adjustments/changes to many of its bylaws and not considering the issues, risks and concerns of the community at large, even though that a public hearings are requested, because the applicant is not entitled to the requested changes, unless these significant variances are approved. This can easily become precedent for not only Thornhill, and other areas in Vaughan.

If this is the case that all bylaws can be adjusted and changed to fit needs of the agent, or anyone as long as they pay, and not consider the community & impacted residents in the neighborhood, then why we have by laws or request public hearings?!

To address the 23 concerns raised in the letter / petition sent via email (dated: Jan. 16,2020), addressed to Committee of Adjustment and all City of Vaughan departments impacted by this application, we received the response from applicant agent on Jan. 22. The agent is right as per his response of Jan.22, 2020. The onus is on the city to apply bylaws. Because the city is allowing these adjustments to by laws then the city owns the risks, the issues, concerns and third-party litigation risk; applicant agent has made it clear in their response dated Jan. 22,2020.

1. It feels, the city is putting residents at risk? Why the city is putting residents in a position to discuss with the pool company (applicant agent)? Why the city is putting itself at risk?
2. Why the city is not playing the role as the independent body / regulator facilitating win win solution that will address the needs of the community? This area is a school zone (schedule provided as attachment) and because of that safety and security of our kids going to school is paramount.
3. It feels that the city is putting residents against each other?

We have contacted the councilor for the Ward and made him aware of the concerns raised (December 2019) & again on Jan. 17, 2020. Debbie, his secretary was asked to print and to share with Mr.Shefman.

We are advised by CofA representative that the committee looks at the requested adjustments by the applicant (6 adjustments). The fencing, other bylaws other than zoning concerns etc. are not jurisdiction of the committee of adjustment, but city council, hence inclusion to this request/petition. Application cannot be looked in isolation.

The existing zoning & planning for the area does keep an open and "residential estate" look and feel of the area & this is how it is been for the past 30 years. The fencing by law #: sections 3.3, item c as amended and appendix/schedule a does not allow for a fence to be erected in front yard of ■■■ concord rd. Because fence is not allowed beyond the corner of the front wall of ■■■ concord then how can a pool be built on the side of ■■■ forest lane drive, facing front yard of ■■■ concord?? The bylaws regarding pool, includes setbacks, safety requirements and fence for privacy, safety and health reasons.

By Law: 80-90 (by law applicable selected and highlighted and pictures outlined in attachment)	Section 3.3 Attached for ease of convenience the relevant By-law amendment and the Original By law with the Schedule "A" on page 7 of by law 80-90, illustration, for section 3.3 c.
Amendment: 162-2004 (by law selected and highlighted), page 1, item 1, adding paragraph c) to section 3.3 as follows:	<u>"No fence exceeding 1.2 meters (4 feet) in height, whether erected on or inside the property line, shall be erected closer to the front lot line than a point opposite the corner of the front wall containing the front door of any adjacent dwelling".</u>

By law requirement	Proposed adjustment A116/19	Noncompliance with respective by laws
Item 2: the accessory building shall be located in the rear yard only.	To permit shed not to be located in the rear yard only.	As per zoning by law 1-88 this accessory building will be built completely on the side yard. <u>This constitutes a major adjustment because it fails conformity test.</u>
Item 3: Min. exterior side yard setback of 4.5 m.	To permit exterior side yard setback of 1.63 m.	<u>Major deviation from the by law set back requirements. By law: 1-88.</u>
Item 4: A private pool shall be located in rear yard	To permit a pool not to be located entirely in rear yard.	As per zoning by law, 1-88 the swimming pool is to be located <u>Only in rear yard</u> , page 44, section i) "a private swimming pool shall be constructed <u>ONLY</u> in the rear yard and not near any rear or interior side lot line then 1.5 m or to any exterior lot line than the required set back of the main dwelling unit on the lot..." <u>Because 2 forest lane is a corner lot the pool will be located almost all on the side exterior yard as per definitions on the by zoning by law page 16, section 2 definitions. The pool will be facing the front yard of 141 concord rd. This is a not a minor adjustment. Fails the conformity test.</u>
Items 5, 6 Set backs for the pool 1.5 m from rear yard Set back from the exterior side yard 4.5 m	To permit minimum rear yard set back of 1.22 m to pool To permit a minimum exterior yard set back of 3.09m	<u>Modifications / Adjustments look small from a qualitative perspective however set backs for pool are set for safety, health and security and apply to rear yard.</u> The application of setbacks should be more conservative when applied on side/exterior yards respectively. As per community request/petition sent on Dec. 12, 2019 and again on Jan. 16, 2020 impacts to the community are significant.
Concerns on issues raised with city on request dated Jan. 16, 2020 ahead of Feb. 6, 2020 committee of adjustment and city of Vaughan. Request sent by community and responses from applicant agent attached.	<ol style="list-style-type: none"> Information on page 3 of the application is incorrect. Dwelling of 2 forest lane was built in 1997. <ol style="list-style-type: none"> And the shed is not an existing structure. Application also calls for a cabana. There is none in the drawings/sketch, so it is assumed will be built in the future? Where will be located & how will it impact line of sight triangle? Few city dept have no comment or have not seen application? Why? Clarifications about the shed, height, cabana height, grading, elevation, drainage, location of new 8 or so trees included in the request of Jan. 16, 2020 were requested to better understand implications for clear line of sight, sight triangle for both forest lane drive/concord and 2 forest lane exterior and 141,145,149 concord (school zone area) and impacts to drainage/grading. The proposed shed of 2.5 m tall and fence impact sight triangle forest lane/concord if so, are the sight triangle setbacks considered? As per engineering standard attached, sight triangle required however because of curve on concord 8 x 12 m required (8m x 16m preferred). Advised the city that the design for the fence provided by agent was misleading. Information shared with CofA via email. Refer to the Transportation Agency of Canada definitions on sight triangle (page #: 13, appendix A). 	

As per staffing report prepared and circulated for Jan. 16, 2020 & Jan. 30, 2020:

Committee of Adjustment comment; it is unclear why it is marked as approved? The rest of the areas have expressed no comments or concerns or no objection ... N/A appropriate

Page 3 of Vaughan staff report – Jan. 16, 2020 & Jan. 30, 2020:

1. comment from building standards: "the applicant shall be advised that additional variances may be required upon review of detailed drawings for building permit / site approval". – **Why the detailed drawing is not provided and what additional variances may be required?**
2. Development planning on the front yard landscaping of 45.79% (variance 1). "The proposed variance is existing condition and considered minor in nature". **If existing condition then why an exception is required?**
 - Development planning, comment page 3: "owner is requesting construction of a swimming pool and shed in the side yard in the subject lands which is a corner lot of abutting forest lane drive and concord rd. " **This is exactly what we have pointed out that the request is to build the pool and shed in the side yard not partially in the rear and side yard as pointed above on items or variances 2 and 4. Also development planning is considering adjustments minor because there is enough land in the exterior yard?? One of criteria for planning is to do the conformity test. Issues raised by community about impacts to property and also in the area there is no home that has a pool, shed, cabana all on the side yard facing adjacent dwelling front yard/drive way. This application does not pass the conformity test. How come is a minor adjustment?**
 - Development planning comments are unclear in terms of messaging on page 3. As per bullet point c) above the shed and pool will be built on the side/exterior yard, however the paragraphs right below, it states the variances are in the rear and side yards?! Which one is correct? How does the building of a pool, patio, cabana, shed replacing the green and open executive residential area maintain the same intent and purpose of the official plan and zoning by law? The conformity test does not appear to be a pass for this application.
3. **What is the arborist report and how many trees will be replaced and where? Will it impact any of the sight triangles mentioned above?**
4. Development engineering section on page 3: Lot grading, and servicing plan. Because of elevation and existing grading why the final lot grading and servicing plan is not provided for review and approval? **Will this trigger other exceptions?**

Comments from development engineering on Jan. 16, 2020: Given that there is no policy, by law or standard to calculate the setbacks for sight triangle as per development engineering how is it acceptable and adequate what is proposed by agent (pool company), reflected in revised design of Dec. 16 or identical design of Jan. 23 (different date)?
5. In the revised city report of Jan. 30, development engineering response, the example of 4 Fairfax is comparing apples to oranges.
 - the fence is built when home built, applies to both ■ and ■ Fairfax
 - it is ■ Fairfax home backyards, so owner blocking their view; not the same scenario rear and exterior yard facing front yard/drive yard and the road is not curved, in addition city has not provided any adjustment for that that is on file
 - The sight triangle as a definition was introduced in 1999 with by law amendment 240-99 (Jul. 12, 1999) after the original fence was built.

- The property owner of [REDACTED] Bev. Glenn, advised his view is significantly obstructed. He advised that has had a few almost accidents on cars & folks on sidewalk (concurrence added).
- The properties in the Fairfax and area surrounding have a different evaluation and different market value. Properties on Concord, Laurie, King High, Forest lane drive have different market value which is a multiple compared to the properties in Fairfax area.
- As provided in the letter of Jan.16, 2020 [REDACTED] Coldwater/[REDACTED] Beverly Glenn Blvd. shows the exact scenario of [REDACTED] forest lane and [REDACTED] concord and no fence is erected beyond the corner front of [REDACTED] Beverly Glenn property. Picture #: 2, page 7 of letter from community of Jan. 16.
- Owner of [REDACTED] Beverly Glenn Blvd concurrence added. Concerned their view will be obstructed if their [REDACTED] cold water neighbor follows suit similar to this application (because same positioning in terms of back yard/external yard and driveway/front yard). If this application is approved as is it will become a precedent that will impact safety and security for the whole neighborhood.

Page 4 of Vaughan staff report – Jan. 16, 2020 & Jan. 30, 2020:

6. Why by-law dept has no response? Many by law variances? What is by law department opinion on non-compliance?
7. As per note on page 4 of staff report above the conditions it outlines other exceptions may be required. What are those?

other variances on by laws:

a) By law: 152-2002 (amend the General Provisions of the City of Vaughan Zoning By-law 1-88)

b) section i) "the garden or storage shed shall be located in the rear yard;"

c) section ii) erected in the rear yard only; and, iii) used only as a garden or storage shed.

Variance 1: => "The Shed must be located in the rear yard and not on the front/exterior yard"

Variance 2: => "Purpose for using the Shed as per agent response is to be used to place all the machinery for the swimming pool". As per by law shed is for storage not for machinery/ devices.

b.) By law 80-90: "fence erected up to a point opposite to the front corner of the builder nearer the road". Will this require an exemption because as per design fence will be erected beyond that corner of 141 concord rd.? Will this require an exemption?

for fence height:

fence in the rear yard (elevation where the upper patio will be built is 1 meter + 1.5 – 1.8 m fence so the fence will be tall between 2.5 and 2.8 meters from 141 concord rd. grading?? Is this right?

Pool will have a 0.51 m elevation as per sketch, from 141 grading so the fence on top will be between 1.5 – 1.8 as per agent so the fence will be 2 m – 2.3 m (in height) ...Is this right? ***What exemptions will be requested?***

c.) By law: 203-2006 requests that for the pool to provide complete details for pool enclosure. Views have been requested and 3-dimensional rendering to understand obstruction of view. What was provided was misleading. As per google view of where property line is etc...all that is correct however the view has to include all what is proposed to be built from top, sides, front to have a good understanding of sight triangle, drainage/grading perspective.

d.) Will an exemption be requested for a cabana because it is not in the sketch/design but listed in the application? Set backs for cabana are 4.5 m (side) and 7.5m (rear). Where will it be located and will impact sight triangle?

e.) TRCA requirements applicable to this application?

By laws are to protect citizens. The adjustments, variations may look small from a numbers perspective alone and that perhaps considered minor adjustment if looked as a technicality, however the **impacts to the neighborhood are significant**. Looking at just numbers doesn't give the full picture; looking at the qualitative items will allow for the right decision that is win-win for all to be made. We understand our right as per the property standards by law 231, that because changes are asked, if it is not in our community interest, we may not permit. In addition, as per planning act one of the criteria is that the requested variances are acceptable for the appropriate development of subject lands (community concerns and issues raised re: proposed adjustments and safety issues are not addressed).

Our concern is safety for pedestrians, children, dogs and cars walking on the sidewalk and cars driving on concord rd./forest lane dr. Third Party Liability litigation/risk: high risk of endangering children's, pedestrians, dogs, cars. With the original design for this application and modified design/sketches there are serious concerns from a safety standpoint because of obstructed line of sight which will not allow children/pedestrians & cars / traffic to see cars backing out and cars backing out to allow sufficient time to see children, pedestrians and traffic.

- a. Our kids will not enjoy the front yards as they do today when they play in the front yard with their friends' basketball or soccer etc.
- b. Already there has been accidents on concord recorded in the past to present (as shared with committee of adjustment on Dec.12).

The revised design of Dec. 16, 2019 & Jan. 23, 2020 (same different date), shows agent proposed small sight triangle that does not address the safety concern raised by community and as outlined in appendix A, page 13, Transportation Agency of Canada manual. As per discussion with engineering team on Jan. 14, 2020 there is no by law, policy or standard for calculations for this scenario and calculation was done based on people walking on the side walk (method of calculation and criteria does not exist we were told and was not shared). The scenario described for the proposed irregular sight triangle does not consider kids using the bike and biking on the side walk, residents jogging or kids running, dogs unleashed, also based on the speed limit on concord rd. and distance from concord to [REDACTED] or [REDACTED] concord rd. properties the time a car can reach them is between 1-3 seconds. In addition, if it is a larger car like a pickup truck (page 10 picture 2), attached will require a deeper and wider set back criterion for safety and security triangle which is not considered. Without proper and clear sight triangle the community does not feel safe.

ii). At the absence of a standard for the scenario known scenarios and engineering standard to be applied. The clear triangle is to be set back in at least, 8 meters in the driveway of [REDACTED] concord rd. and at least 12 meters (preferred 16 m), set back on the exterior yard of [REDACTED] forest lane

iii). The sight triangle to be city owned, so that no changes to the triangle will not be allowed to be made by any of the owners in the future. Nothing is to be planted or built in the safety sight triangle (no shrubs, trees, just to be left with grass and to the grade). City to consider and provide relief to [REDACTED] forest lane property owner. This request is also in alignment with the Transportation Agency of Canada – Appendix A, page 13.

As per discussion with Vaughan planning specialist Jan. 14, 2020, the lot for 2 forest lane, should have been designed differently where the triangle from the intersection of concord and forest lane to [REDACTED] concord driveway should have been owned by city (what we as community requested as unobstructed view in Dec. 11, 2019 (sketch revised Oct. 30, 2019), submitted as attachment to the written submission from community.

Concord rd. has only side walk on located on the front of [REDACTED] concord rd. and exterior yard of [REDACTED] forest lane etc. Residents of both sides of concord rd. use the sidewalk, same applies for forest lane drive road. The many exception to allow this application to proceed will not allow us to enjoy our properties because we will no longer will feel safe in our properties.

<p>In spirit of collaboration and constructive support between us as neighbors, we proposed as per our letter of Jan. 16, 2020 that: the sight triangle to be set up at least 8 meters x at least 12 meters (preferred 16 m), instead of 3.574m x 6.328m, applying the standards set in the engineering dept. and ensuring the area is to be left open, as is same grading, elevation and with grass only... to allow for the clear line of sight triangle now and for future. (refer to table below paragraph for by laws, standards).</p> <p>Clarification on clear line of sight triangle calculation & engineering standards provided attached to this artifact. As per Committee of Adjustment motion of Dec. 12, 2019 following the concerns from the community to add the clear line of sight, engineering added the clear line of sight condition to the application.</p>	<p><u>We were advised by the city engineers that there is no standard for the scenario exterior yard vs front yard intersection, so the proposal was to give a sight triangle of 3.5m to 6.5 m. When requested where this is based, we were told that there is no by law for the calculation of this scenario and no policy or standard.</u></p> <p>We residents of Thornhill, challenged the above and made our proposal below based on traffic by law "284-94", by law 240-99 on "clear sight triangle". Something is not right if we as residents to protect our rights have to pay fees to protect our rights.</p> <p>When we know that there are issues with accidents today in the area; any obstruction of view will make things worse, and is a set up for more accidents to happen. Cannot tell a community that is safe because pool company offered something and they feel still unsafe. <u>This is an irregular sight triangle.</u></p> <p>By laws as it looks are written and give enough room to be interpreted one way and the other to allow for resilience and flexibility. This should allow for the community concerns to be addressed within the parameters of the bylaws.</p>	<ol style="list-style-type: none"> 1. As per traffic by law 284-94, section (i) on page 1, the driveway because of the traffic on Concord (minor collector) to Bev. Glenn Blvd. (minor collector), driveways are to be considered as intersection to these collectors, due to traffic of pedestrians (both sides of concord use sidewalk), heavy traffic, on page 15 same by law and schedule B, part 2, page 34 same bylaw. <p>Many cars use [redacted] and [redacted] concord to make turns, to either go back to Beverly Glenn Blvd. or Concord rd. south or north, which raises traffic and the probability of accidents if view is further obstructed as proposed in this application.</p> <ol style="list-style-type: none"> 2. As per bylaw 240-99 "sight triangle" means the area of land abutting the corner of a lot of enclosed by the projection of each lot line". 3. As per city of Vaughan engineering dept, D-1, confirmed on Jan. 15, 2020 as the most current standard, <u>the 8m x 12m setback to be applied for the sight triangle (preferred 8 x 16 m)</u> 4. As per bylaw 029-2014 "fence and height exemption are granted only for health and safety of the public" as per section 3.5, bullet point e). 5. As per bylaw 029-2014, item f) any comments received from land owners to whom notice has been provided, any impact to sight lines are key criteria as per section f when director of by law and compliance looks for fence exemptions.
---	---	--

1. *No fence for the 2 forest lane drive rear/side/external yard should be allowed to be erected up beyond the point opposite to the front corner of the [redacted] concord rd. (the building nearer the road)" as per by law 162-2004.*
2. Sight triangle to be set up 8m x 16 m. as per engineering standard (standard attached) and transportation of Canada (details on page 13). This hearing and this discussion with extensive input from the community, could be looked, considered as an opportunity also for the city to standardize the sight triangle for this scenario and include in a policy or by law as appropriate.
3. We also proposed that the city provide relief to [redacted] forest lane drive given that the clear sight triangle portion of their lot will not be utilized by them, as per by law, and be noted as such on property, so no current or future owners will be allowed to obstruct view. No shrubs, trees etc. are allowed to plant.

When we met at the city with officials from different areas, we were told that there is not enough land to build what is being requested and when speaking to a zoning specialist at the city of Vaughan, we were told that the clear triangle needs to be wider, to be made deeper on both sides to avoid accidents otherwise it is set for accidents to happen. We also were told to ensure to have the condition added that nothing can be planted in that triangle because that will obstruct view in the future. We were shown pictures when trees or shrubs grew over time in those triangles and blocked/obstructed view. As these adjustments for this application are to be presented on Feb. 6, 2020 we expect the city departments to make the appropriate updates as noted in this petition addressing concerns the community is raising to the city of Vaughan and all officials copied and to whom this petition is communicated to and decision to reflect compliance to the by law and community concerns, issues and proposal.

Regards,

Attachments provided in addition to this petition:

1. *Engineering Standard for sight triangle confirmed with city as most current on Jan. 14, 2020 (attached as a file)*
2. *By laws 80-90, and all amendments and outlined in attached submission (attached as a file)*
3. *Outlined issues with staff report on page 3 and 4 of the city staff report (in this document)*
4. *School zone area defined where [REDACTED] concord rd. homes and other homes on forest lane, Vaughan and Coldwater etc. are defined to be part of the school zone (schedule e-705; section 9/630) (attached as a file)*
5. *Video showing traffic on concord rd. (to be sent via a file sharing tool or play using own phone)*

Note: *this petition will be used in case of appeal to the local planning appeal tribunal in case of unfavorable decision from committee of adjustment. In case of LPAT hearing more residents have expressed support and will be added to this petition.*

List of owners that provided electronic concurrence for this request/petition (owners email addresses added to the submission).

1. Arion Hysenbegas - [REDACTED] concord rd.
2. Vjollca Hysenbegas - [REDACTED] concord rd.
3. Selda Hysenbegas - [REDACTED] concord rd.
4. Olton Hysenbegas - [REDACTED] concord rd.
5. Ted Szilagyi - [REDACTED] concord rd.
6. Robyn Szilagyi - [REDACTED] concord rd.
7. Anna Brandes - [REDACTED] concord rd.
8. Dov Brandes - [REDACTED] concord rd.
9. Joel Majer - [REDACTED] Vaughan Blvd.
10. Tuula Katz - [REDACTED] Forest Lane Drive
11. David Katz - [REDACTED] Forest Lane Drive

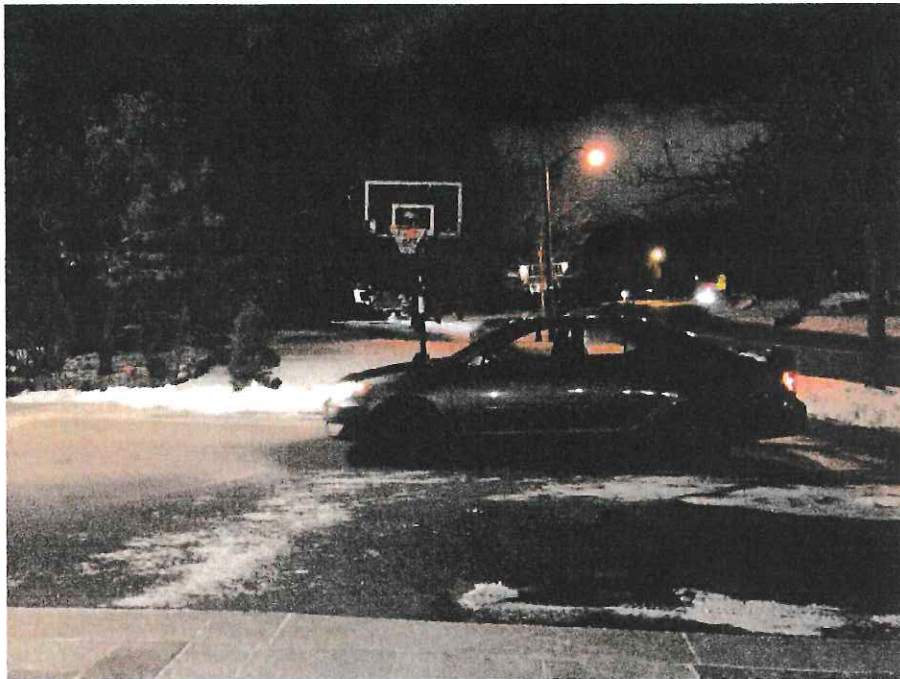
12. Vladimir Mikovov
[REDACTED] Beverley Glen Blvd

13. Christina Chen [REDACTED] Beverley Glen

14. GREG NYDELMAN, [REDACTED] Loudon Crescent

ELECTRONIC CONCURRENCE
via e-mail, Feb. 4, 2029
AT 11:16 AM

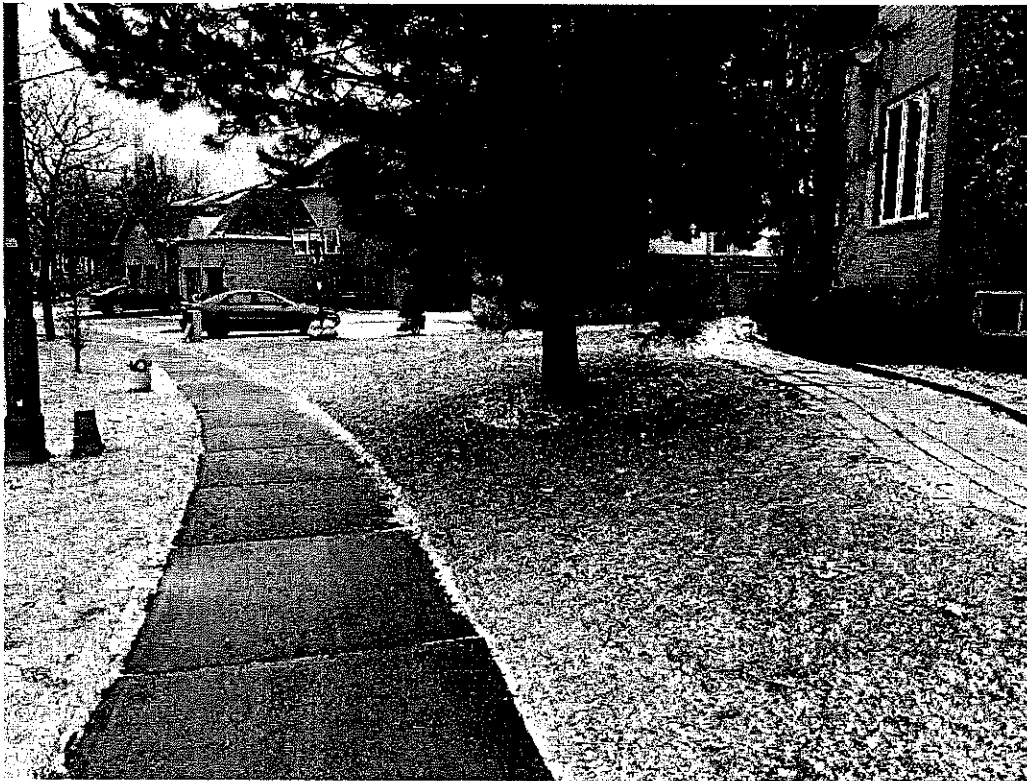
Picture 1&2: (forest lane/ concord rd.). Sedan parked and pickup truck parked in driveway



Picture 3&4: ■ concord front lawn and driveway & ■ forest lane side/external yard.



Picture 5&6: [redacted] concord front lawn and driveway & [redacted] forest lane side/external yard (different view showing slope, grading, elevation etc.) and front lawn and driveway of [redacted] concord rd. properties.



Appendix A: Transportation Agency of Canada – Sight distance.

"The Transportation Association of Canada (TAC) manual, states that the sight distance for a minor road with stop control should be at least the "distance traveled in three (3) seconds at design speeds to decision sight distance". For a driveway connection to a public road, it is recommended that the minimum stopping sight distance should be provided since it exceeds the distance traveled in three (3) seconds by a vehicle traveling at the design speed. From a stop-controlled approach, the sight triangles are a function of the vehicle speeds on the major roadway and the crossing or turning departure maneuver of the vehicle leaving from a stopped condition. The TAC sight distances for turning movements from a stop are noted as follows. Required sight distances are dependent upon posted speed limits. Posted speed limits are the white regulatory signs and not the yellow curve advisory signs. Below is a table showing required sight distances for different posted road speed limits."

Posted speed of road – km/h	Required sight distance – meters	Required sight distance – feet
40	85	280
50	105	345
60	130	430
70	150	495
80	170	560

The sight distance available along Concord Road to the south extend for more than 120 meters (because of the curve), and is limited by the horizontal curvature of the road. Driveways [REDACTED] concord to concord rd. constitutes "Irregular sight triangle"

"Imagine sitting in your car and you are about to enter the road. You look up and down the road before proceeding. The point where you observe the road is the sight distance. This is important because you need to see approaching traffic and they need to see you." "At locations where sight distance is poor, you may need to clear some of the vegetation to help you achieve the required sight line distance. Remember the vegetation may grow back and you will have to clear it from time to time. It is the responsibility of the access owner to receive permission from the landowner to clear vegetation other than what is needed for the primary access construction."

DATE: MARCH 6, 2020

TO: MAYOR AND MEMBERS OF COUNCIL

**FROM: BILL KIRU, ACTING DEPUTY CITY MANAGER,
PLANNING AND GROWTH MANAGEMENT**

RE: ITEM NO. 8 – COMMITTEE OF THE WHOLE (2) – MARCH 9, 2020

MAJOR TRANSIT STATION AREAS

Recommendations

That the following recommendations be added to the recommendations contained in the report of the Acting Deputy City Manager, Planning and Growth Management dated March 9, 2020:

3. THAT the Dufferin Street and Centre Street intersection be evaluated through the Vaughan Official Plan 2010 update and Major Transit Station Areas evaluation as outlined in the Council Report 'Major Transit Station Areas' dated March 9, 2020, to satisfy the requirement for a secondary plan pursuant to Schedule 14-A of Vaughan Official Plan 2010;
4. THAT the Dufferin Street and Centre Street Secondary Plan update, as approved by Council in September 2019, be removed from the departmental work program; and
5. THAT Capital budget PL-9027-12 be renamed to The Major Transit Station Areas Evaluation in support of the land use review for the Dufferin Street and Centre Street intersection.

Purpose

To undertake the land use evaluation of the Dufferin Street and Centre Street intersection, identified as Major Transit Station Area (MTSA) 16 in the staff report to the March 9, 2020 meeting of the Committee of the Whole (Item No. 8), through the VOP update and MTSA evaluation as opposed to a Secondary Plan. The land use evaluation will establish appropriate land uses, heights and density requirements. This approach satisfies Council's direction for a Secondary Plan for the area, while avoiding duplication of work, providing for efficient use of staff resources and promoting fiscal responsibility.

Background

The Vaughan Official Plan (VOP) 2010 identifies the Dufferin Street and Centre Street intersection as an area that requires further study

VOP 2010 identifies the intersection of Dufferin Street and Centre Street as requiring both a Secondary Plan (Schedule 14-A) (Attachment 1) and an Area Specific Plan (Schedule 14-B) (Attachment 2). This intersection is identified in the City's urban structure as part of a Regional Intensification Corridor (Schedule 1 Urban Structure), but is not identified as an intensification centre.

This intersection is part of the Centre Street Corridor Area Specific Plan that is currently before the Local Planning Appeal Tribunal (LPAT). By decision dated April 23, 2013, Council directed staff to undertake a Secondary Plan to establish the land use planning and urban design framework for this intersection to inform the City's position on the potential Highway 407 interchange ramp at Centre Street.

The Dufferin Street and Centre Street Area Specific Plan was deferred by Council on June 27, 2017 to allow time for the Highway 407 ETR Interchange Feasibility Study at Centre Street to be finalized

On June 27, 2017 Policy Planning and Environmental Sustainability (PPES) staff prepared a draft Study Report and Official Plan Amendment to VOP 2010 for consideration by the Committee of the Whole. On June 27, 2017, Council deferred the Study Report and amendment to VOP 2010. The draft amendment to VOP 2010, which included the deferred Area Specific Plan, proposed a land use planning framework, transportation network and urban design principles for only the northeast quadrant of the intersection. The southern quadrants of the intersection were identified as 'MTO Further Study Area' by the deferred Plan as the 407 ETR Interchange Feasibility Study was on-going at the time of the Plan deferral.

On February 6, 2019 staff reported to Committee of the Whole that the 407 ETR Interchange Feasibility Study (September 2018) removed Centre Street as a potential highway interchange. Approximately 4.8 hectares of land previously identified for a potential 407 interchange are potentially available for development and warrant further study. Infrastructure Ontario owns the southwest quadrant and the Ministry of Transportation owns the southeast quadrant of the intersection. These lands remain under review by the respective Ministries.

On September 17, 2019 Committee of the Whole supported the staff recommendation to review the deferred plan and ensure conformity with the updated Provincial policy framework

Staff recommended all four quadrants of the intersection be evaluated comprehensively (Attachment 3) given the recent changes to Provincial planning policies that impact this area, including the updated Growth Plan (2019) and Bill 108, and that no further consideration of a highway interchange at Centre Street was being considered by the Province. Evaluating all four quadrants of this intersection aligns with the proposed MTSA boundary and implementation of the Growth Plan policies.

Analysis

Through the Growth Plan (2017 & 2019), the Dufferin and Centre Street intersection is identified as a proposed 'Major Transit Station Area' (MTSA), which was not addressed in the deferred Amendment to VOP 2010

MTSAs are strategic growth areas delineated within 500 to 800 metres of existing and planned higher order transit station(s) and/or stop(s). The Growth Plan (2019) policies for MTSAs recognize significant investment in transit and are required to be planned as complete communities to maximize potential transit riders and opportunities for active transportation.

The Dufferin-Centre MTSA, which is serviced by Regional Bus Rapid Transit on Centre Street, is approximately 18 hectares in size. The proposed density target identified by York Region for

this MTSA is a minimum of 160 people and jobs per hectare. Analysis to date by City and York Region staff indicate a projected ultimate density of 285 people and jobs per hectare.

The land use planning framework, proposed minimum density requirements and boundary delineation for each MTSA will be implemented through the City's Vaughan Official Plan update

The City is required to implement the approved MTSA policy framework and boundary. In this case, as the boundaries of the recommended Secondary Plan area aligned with the MTSA (Attachment 3), it would be a duplication of work to retain a qualified consultant to prepare a secondary plan. Given that this intersection is identified for further study through VOP 2010, the subject area can be evaluated in more detail through the VOP update and MTSA evaluation.

Additional scope of work for this intersection may include evaluating the transportation network, establishing urban design principles, and assessing public infrastructure and servicing needs. If necessary, a portion of the \$200,000 approved budget allocated for the Secondary Plan review can be used to fund the additional scope of work. Should the evaluation of this intersection determine that additional policies beyond the MTSA policy framework are required, they will be included as part of the site-specific policies section in the VOP update.

The proposed approach for the land use review is considered reasonable to avoid unnecessary duplication of work and to align with the MTSA review being undertaken for the same area for the following reasons:

1. Work effort – Reviewing the subject intersection as part of the City's VOP update and MTSA process avoids duplication of work, thereby allocating current staff resources to other Department deliverables.
2. Budget – Evaluating the subject area through the VOP update and MTSA evaluation allows for fiscal responsibility by potentially reallocating a portion of the approved capital funds to another project within the Policy Planning and Environmental Sustainability Department.
3. Durability – The MTSA and resulting land use planning framework, once approved, cannot be appealed to the Local Planning Appeal Tribunal (LPAT). This helps to avoid a lengthy and costly appeal process.

An appropriate policy framework for the Dufferin Street and Centre Street intersection will be determined through the Vaughan Official Plan update either through an area-specific plan or site-specific policies based on the recommended structure for the VOP, including MTSA's

The proposed approach will include the appropriate land use schedules and associated policies for the Dufferin Street and Centre Street intersection to be implemented through the VOP update. The land use evaluation will provide an approval process that is concurrent with the VOP update given that the area is an MTSA.

There is an active development application for a portion of lands located in the northwest quadrant of the intersection that will continue to be processed under VOP 2010

In 2015, Council approved a development application (Vaughan Crossings) to allow a mixed use and service commercial development on the northwest quadrant of the intersection. To recognize these existing permissions, this quadrant was excluded from the deferred Plan. The

northwest quadrant was subsequently sold, and a new application was submitted in 2017 seeking to allow medium density residential uses (Triaxis). The 2017 submission was deemed incomplete and not processed by staff. In 2019, a portion of the northwest quadrant was sold to a new owner (Marydel Homes) who are continuing with the 2017 development application, subject to a complete submission. The outcome of this application will be used to inform the policy framework for the remainder of the northwest quadrant.

Financial Impact

In December 2019, approximately \$200,000 was approved for the Dufferin Street and Centre Street Secondary Plan review as part of the City's 2020 Budget. There is no incremental financial impact as a result of this report. Capital budget PL-9027-12 will be repurposed and renamed from Centre Street (West) Gateway Secondary Plan to The Major Transit Station Area Evaluation of which the land use review for the Dufferin Street and Centre Street intersection is one component

Conclusion

VOP 2010 identifies the Dufferin Street and Centre Street intersection as an area requiring both a Secondary Plan (Schedule 14-A) and an Area Specific Plan (Schedule 14-B). As outlined, a Secondary Plan for the Dufferin Street and Centre Street intersection is no longer required given that the lands are literally identical to the MTSA area. Accordingly, staff recommend to remove the Dufferin Street and Centre Street Secondary Plan from the Departmental work program and pursue the land use evaluation through the VOP update and MTSA evaluation.

Attachments

1. VOP 2010 Schedule 14-A Required Secondary Plan Areas - Dufferin Street & Centre Street
2. VOP 2010 Schedule 14-B Required Area Specific Plans – Centre Street Corridor
3. Proposed MTSA (16) Boundary and Council Deferred Plan Boundary (2017) – Dufferin Street & Center Street

Prepared by

Cameron Balfour, Planner, Extension 8411

Michelle Moretti, Senior Planner, Extension 8214

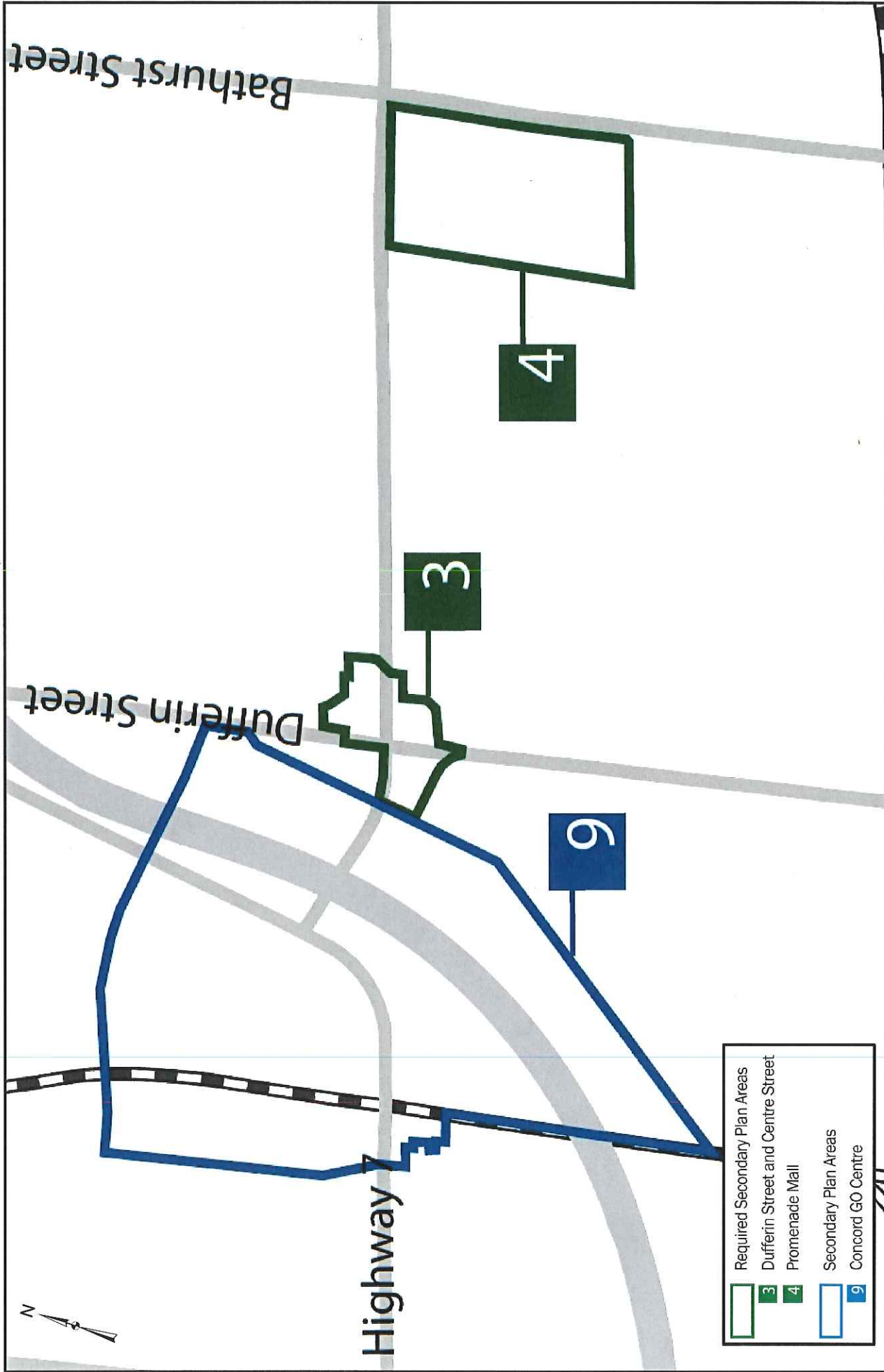
Frank Marzo, Acting Manager of Short-Range Planning, Extension 8063

Tony Iacobelli, Acting Director of Policy Planning & Environmental Sustainability

Respectfully submitted,



BILL KIRU
Acting Deputy City Manager
Planning and Growth Management



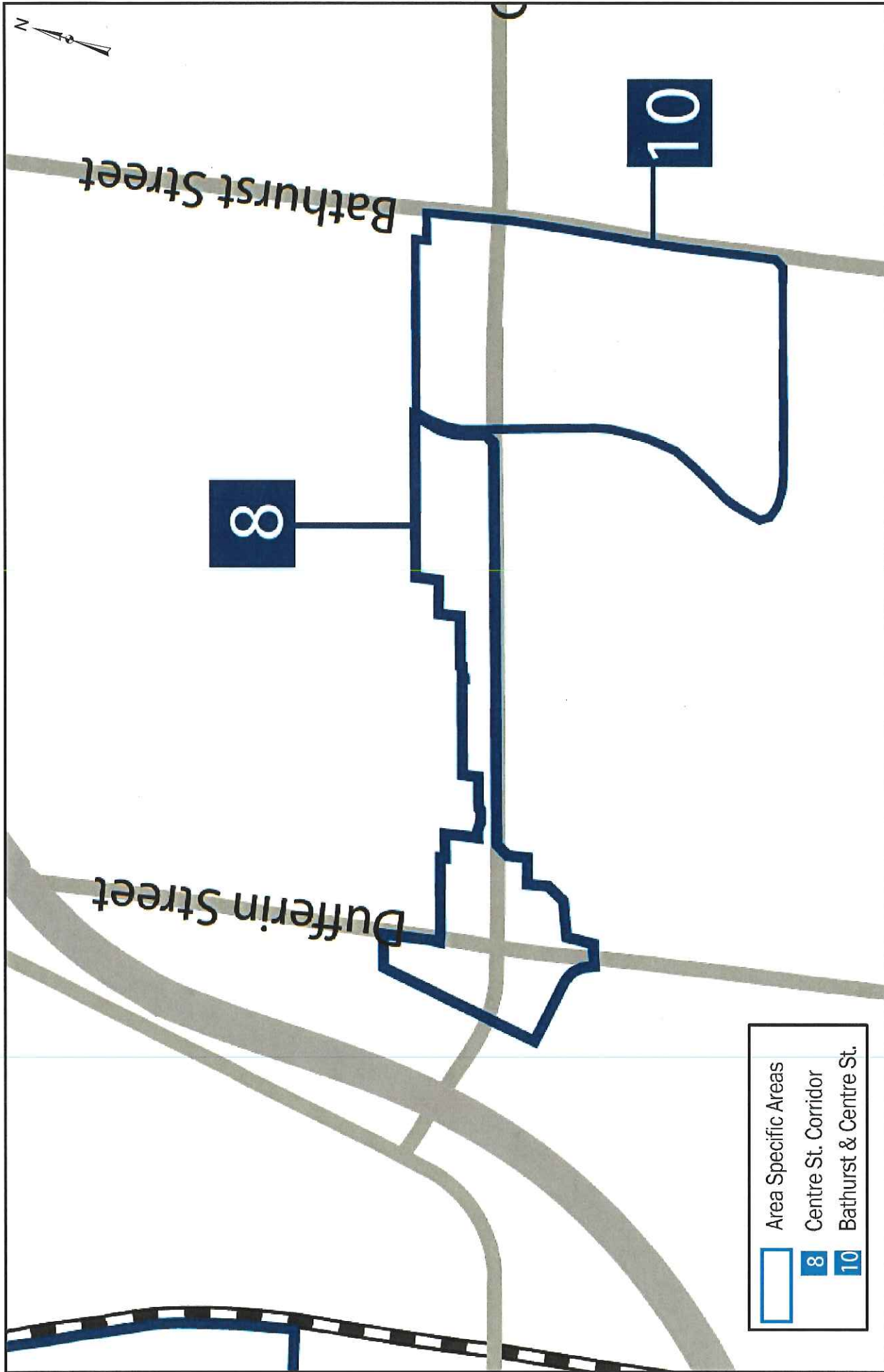
VOP 2010 Schedule 14-A Required Secondary Plan Areas - Dufferin Street & Centre Street

LOCATION:
Part of Lots 5 and 6, Concession 3, and
Part of Lots 5 and 6, Concession 2



Attachment

FILE: 26.19
DATE: March 9, 2020



VOP 2010 Schedule 14-B Required Area Specific Plans - Centre Street Corridor

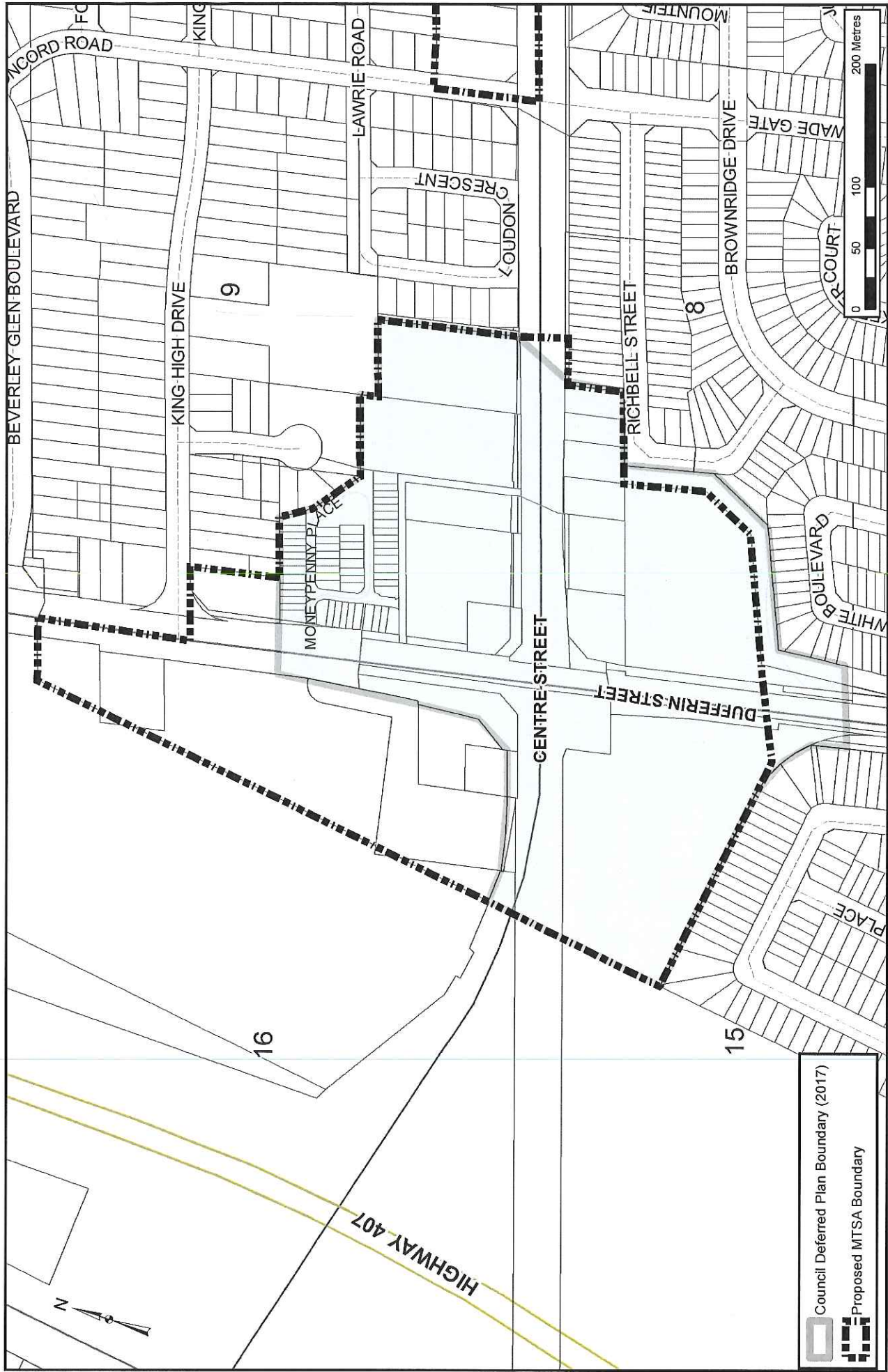
LOCATION:
Part of Lots 5 and 6, Concession 3, and
Part of Lots 5 and 6, Concession 2

Document Path: N:\GIS_Archive\Projects\Policy\Planning\Dufferin-Centre Study\26.19\26.19_MTSA_Schedule14-B.mxd



Attachment

FILE: 26.19
DATE: March 9, 2020
2
Created On: 2/28/2020



Proposed MTSA (16) Boundary and Council Deferred Plan Boundary (2017) - Dufferin Street & Centre Street

LOCATION: Part of Lots 5 and 6, Concession 3, and
Part of Lots 5 and 6, Concession 2

Document Path: N:\GIS_Archive\Projects\PolicyPlanning\Dufferin-Centre Study\26.19.26.19_MTSA_AreaSpecPlanCentre_Duffr.mxd



Attachment

FILE: 26.19
DATE: March 9, 2020

3

Created On: 3/2/2020

CW(2) MAR 9/20

ITEM - DEP. 1

Deputation to City of Vaughan Whole Council Members: March 9, 2020Key Topics that will be covered during deputation scheduled for March 9, 2020 at 9:30am:

1. Deputations to the Committee of Adjustment written and oral submissions, sent to the City of Vaughan committee of Adjustment, before the scheduled meeting of Dec. 12, 2019, before scheduled, and rescheduled meeting of Jan. 16, 2020, and the meeting of Feb. 6, 2020, outlined the community concerns relating to the safety, security and risks associated with the adjustments requested (application A116/19) which will further obstruct view and increase risk to endanger pedestrians, children, cars and increase third party liability risk for the residents and city of Vaughan (there are accidents that have happened and further obstructing view will result in more accidents to happen). There was no safety triangle in the Dec. 12, 2019 CofA meeting and sketch the agent presented.
2. Copy of the petition signed by 14 residents shared before Feb. 6 with Committee of Adjustment and city council members. Copy of this petition is also circulated to the whole council for this deputation along with this cover pages and additional information shared in the subsequent pages.
3. In discussions in December 2019 and January 2020, any official in the city by law, planning, zoning etc. contacted was supportive and understanding of community concerns. Mr. Shefman was made aware of the situation by sharing copies of written submissions from December 2019, ongoing and Mr. Shefman stated on submissions quote "reasonable and rational"; Tina in zoning when we met with her on Jan. 14, 2020 and showed her the proposed triangle from agent (dated Dec. 16), agreed that the triangle (3.5 x 6.5m), had to adjusted to be set back much more in particular on the driveway side, and ensuring that nothing is planted in the triangle because will obstruct view in the future otherwise she stated quote "wait for more accidents to happen"; Daniel Coats in by law was very helpful in clarifying by laws (in particular fence by law), understood and listened with respect to community concerns and he did take us to engineering, etc., he was skeptical adjustments will be approved however the responsibility belonged to CofA, and M. Torres in planning was very helpful because it did share information that was requested promptly and in a very professional manner; Bruno in engineering was helpful because he confirmed that the standard on setbacks for safety triangles for intersections was the most current. In meeting of Dec. 12 Ms. Perrella was very understanding and supportive; last but not least, want to thank Mr. Britto for his support in facilitating and info sharing ahead of this deputation.
4. In absence of a by law, policy, guideline related to calculating the safety sight triangle for the scenario between 2 forest lane drive and 141 concord rd. (sight triangle or irregular sight triangle) we requested engineering to speak with residents when visiting to understand risks, variables listed in correspondence of Jan. 16, 2020 and petition emailed later and consider our safety concerns. Instead multiple meetings happened with agent and none with us residents. We felt misled as outlined in petition because on Jan. 14, 2020 we were told that the calculation for triangle was done by engineering considering pedestrians walking, and despite our requests to see the calculations and understand so we will feel safe, or to meet when visiting area, those requests were not considered. When we requested why the calculation did not include slope, school zone, accidents that have happened, kids biking on the side walk, kids and pedestrians jogging or unleashed dogs bigger car parked (page 10, picture 2 of petition Feb. 6), etc. etc. no answer was provided from Jan to Feb. 6, 2020. The only thing we were told is kids are not allowed to bike on the sidewalk?!. In the engineering staff report generated before the meeting of Feb. 6 it is written that the triangle was proposed by the agent and city approved, with what rationale??, it remains to be found.

The planner assigned by the city to the CofA "knew everything" had no intention of listening and understanding and instead had a mission of defending what agent had proposed. Meeting of Feb. 6 was over 1 hour of oral submission (4 residents/owners were able to make meeting and a family friend that had an accident); it felt that the decision was made before hand, despite the public hearing requirement. Another struggle was that community input and feedback reflecting the audio recording shared to the CofA Feb. 6 meeting. Feedback was provided and what was added was selective, in addition other input was added that we could not "decipher" from the audio recording shared with us, or we could recall from the meeting, unless there are other recordings. Overall it does appear the treasurer currently has a lot of influencing power to the committee members and decisions and that needs to be looked at as a risk.

5. We as community believe that when we interact with the city the experience has to be top notch and not one area passing the torch to another dept.

It is important that when a decision is made all variables, by laws that could be impacted are to be considered and above all input from the residents because of public hearing requirement; key is to consider in addition to quantitative also qualitative conditions/considerations.

As an example when we discussed or shared in writing, how the height of the fence (including elevation etc.), cabana location, shed height (and elevation), new trees planted etc. will be located etc. to better understand long term implications related to safety and third party risk liabilities, we were told that the committee does not have jurisdiction for these items. In our opinion it is unreasonable to make a decision without considering and understanding all factors (qualitative & quantitative), looking at the sketch/design in 3 D for the impacted properties, to allow for visualizing other issues or risks from arising in the future.

6. Given the decision that was made that did not consider any information shared both oral and written, and the one exception we requested as a community, if the 6 adjustment will be approved, we were and are forced to spend money to protect our safety (paying for advice and also paying for the appeal to LPAT hefty fees). It is unfair for us as citizens that we are forced to pay more of what the applicant/agent is paying for 6 exceptions to protect our safety. Something is not right.
7. In addition, it is general practice as pointed out in the additional information below, by the city of Vaughan, to use information from other municipalities as a comparable. We considered both in absence of a standard, by law or policy or guideline for irregular sight triangle:
 - a. we referenced in our request the city of Vaughan engineering standard for latest safety triangle dimensions for intersections definitions and setbacks. Because of the variables outlined in the petition we picked the most conservative, however we were open and as advised in writing the CofA treasurer, agent and city officials engaged etc. we wanted to get to an agreement that will be win win for both the 2 forest lane and the community at large.
 - b. we also referenced also the comparable info from other municipalities after speaking with folks in those municipalities.
8. We are happy to support any project or initiative that beautifies our area. We are happy to support our neighbor of 2 forest lane drive however we request that the city of Vaughan council supports the community in addressing the safety concern and for allowing us to enjoy our properties. What can the city council do to ensure safety and security is maintained providing relief to us and the 2

forest lane drive applicant? What can the city of Vaughan council do to help this Thornhill community?

9. The work we have done as a community in conducting research, speaking with residents, speaking with other municipalities or finding TAC guidelines etc. can help the city of Vaughan. We have shared in writing with the CofA of the above which outlines some areas of focus that perhaps the city can look and address such as completeness of staff reports, transparency, treating all fairly, public hearings concerns are understood and considered by staff etc. and decisions are made considering qualitative and quantitative considerations and impacts and implications to by laws mitigating risks and minimizing exceptions to be requested as a fast follow.

Above all we have gathered information for the irregular sight triangle as it pertains to a corner property abutting front lawn of neighboring property (scenario of 2 forest lane & 141, 145 concord rd.) where slope, curve, radius, traffic, etc. are considered.

10. City of Vaughan does not have as mentioned above a standard and policy, by law for this requirement (safety sight irregular triangle). Information gathered about variables to be added to calculation, risks and impacts to community, references to the Transportation Agency of Canada (as referenced in by law) guidelines, and comparable from other municipalities etc. This information can assist city of Vaughan to draft a by law, policy or standard so the calculation for safety triangle is defined, so it removes ambiguity and resulting in increased transparency.

Thank you for your time, and for listening to this deputation.

We look forward to hear City of Vaughan action, in addressing the above.

Additional Information

(information will be shared with City of Vaughan whole council on Mar. 9, 2020).

Committee of Adjustment (Feb. 6, 2020), did not consider the repeated requests from the community in particular on the safety and security risks, third party liability etc. and did not consider requesting contractor (agent) for 2 forest lane drive, to accommodate a set back closer to what the community was requesting referencing what exists in engineering standard (request was for 8 meters x 12 meters) for the irregular sight triangle between 2 forest lane drive and 141 concord rd. properties and the request to ensure easement is in place for 2 forest lane drive for the sight triangle for the purpose of inspecting and removing any obstructions, natural or otherwise, to the clear sight line which is necessary for the safe use of the traffic, pedestrians, children's etc. and consisting of the right to restrict ... This results that the risk and mitigations reside with the residents of the properties impacted listed in the petition and community at large and the city of Vaughan. Request from the community was driven by the fact that there is no standard on the calculations on the sight triangle and is driven by the engineering team. In this instance the calculations were provided by contractor (agent for 2 forest lane), and the city has approved without a rationale that was shared in the staff report or verbally with the community or at the committee of adjustment meeting.

All what the community asked in this situation was for this property were 6 or more exceptions that will be approved and the community was asking for an exception to be approved for the community as follows the triangle of 8m x 12 m (set back in driveway and sidewalk) and easement on the triangle so no obstruction in the future could be allowed. In addition, the ask was to provide relief to the 2 forest lane drive given that they will not utilize that portion of their property.

It is common practice that when a standard does not exist then comparable information is found in municipalities close by or that will be similar to Vaughan. Even this was not provided or shared. As a reference please find below the comparable information found by the community members of Thornhill.

The below information is for regular sight triangles. Referencing the below the in driveway the sight triangle is to be set from 4.5 m – 6m in driveway by 6m to 8m or more if there is an exception approved for irregular sight triangles. References below. When we explained to them the details on the curve, hill/slope, radius 75 degree, increased traffic, narrow street, known accidents, large number of kids taking the one side walk that exists to go to school and pedestrians, etc. the fact that the concord is a minor collector in close proximity to the corridor (centre) and very close proximity to Beverly Glenn Blvd (another minor collector), (as pointed in detail in petition of Feb.6), they stated that the triangle will fall in the high risk and the committee must have accommodated an exception that will address the community needs given the public hearing and address safety and security concerns raised.

We did connect and spoke with folks in by law and compliance and engineering as applicable in the municipalities below. They did advise that if city of Vaughan needs information they can share all that with city of Vaughan by law or engineering when a formal request is sent to them.

We are aware that city of Vaughan takes security and safety seriously. As an example, for 76 Worth Blvd. It was a driveway expanded and a large pick up truck was parked blocking view and sight triangle. City of Vaughan did request owner to remove expanded driveway and to park so the sight triangle is not obstructed for properties in question. In this circumstance the sight triangle in this case was between 5 m x 10m or so and was a regular sight triangle not with the irregular parameters mentioned above that impact visibility and obstruct view for Concord rd. residents 141, 145 and 149.

Common practice from City of Vaughan using other municipalities comparable:

(As a reference: Fence by law review, May 7, 2019, Mary Reali, Deputy City Mgr. Reference).

City of Mississauga provided a more complete view and detail on sight triangle and was able to share more information:

By-law 397-78: Page 2: Definitions, items a) and b) "sight triangle" means: (a) that portion of a corner lot within the triangular space formed by the street lines and a straight line drawn from a point in one street line to a point in the other street line, each such point being 6 meters (19 ft. 8 inches) measured along each street line from the point of intersection of the street lines, or (b) such other sight triangle set out; (i) in the relevant sections of the City of Mississauga Zoning By-laws, as amended, or (ii) in a site plan agreement, for a particular lot.

Point 6 item 4: Where a rear yard of one property abuts the front yard of an adjoining property and the safety of passing pedestrians from vehicular movement may be affected by the presence of a solid type rear yard fence then the fence must be of open construction if it is erected within 4.5 meters of a driveway on an adjoining lot. (By-law 349-83)

Point 7 page 4: Except as provided in subsection (2) of this section, no person shall erect, or cause to be erected, a privacy screen on any land lawfully used for residential or commercial purposes. (2) A privacy screen may be erected in a side yard or rear yard, if: (a) it is more than 4.5 meters (14 ft. 9 inches) from the street property;

Item 8: page 5: No person shall erect, cause to be erected, or, in the case of trees, hedges or shrubs, maintain or allow a fence or privacy screen to grow to a height that is higher than 1 meter (39 inches) above effective ground level within a sight triangle unless such fence or privacy screen is of open construction and does not obstruct the visibility of motorists and pedestrians. (By-law 349-83, 236-01)

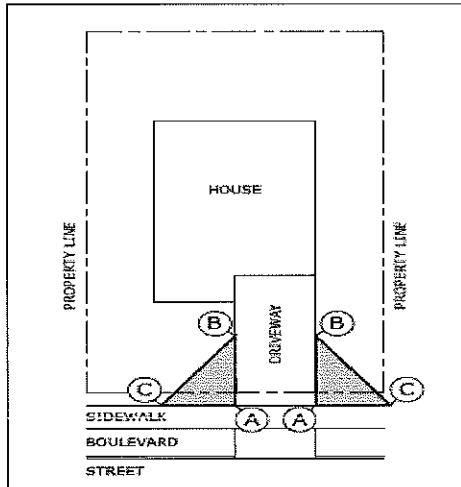
Page 6, 7: In considering the completed application for an exemption, the Commissioner shall take into account the following: (298-08) (a) any special circumstances or conditions applying to the fence or privacy screen referred to in the application; (b) whether strict application of the provisions of this by-law would result in practical difficulties or unnecessary hardship to the applicant; The Fence By-law 397-78 7 (c) **whether the fence or privacy screen may affect surrounding sight lines and create, or potentially create, a hazardous condition for persons or vehicles;** and (d) whether the affected Ward Councillor is in agreement with granting the exemption or any conditions that may be attached.

The item above is used by city of Mississauga to deal with exceptions i.e. irregular sight triangle.

City of Guelph:

Other lots: Measure five meters (16.5 feet) from the stake (point A) along the driveway to point B. Measure four meters (13.2 feet) from the stake (point A) along the sidewalk or street to point C. The area between these three points is the sightline triangle, and must be kept free of obstructions.

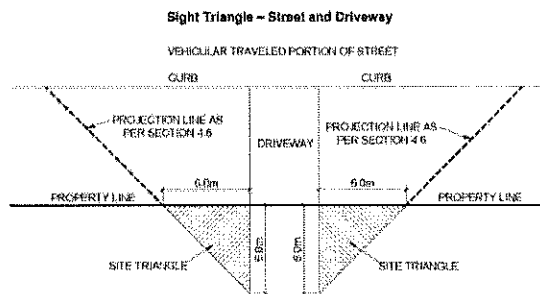
<https://guelph.ca/living/house-and-home/corner-lot-properties/>



Driveway sightline triangles with sidewalk

City of London:

https://www.london.ca/business/Permit-Licences/Sign-Permits/Documents/Sign_By-law_2017-Figure1-Sight_Triangle.pdf



The above illustrations are for clarification and convenience only and do not form part of the by-law.

Please also refer to the Section 2 - Definitions and Section 4 - General Provisions of the by-law.

City of Markham

<https://www3.markham.ca/Markham/aspc/engineeringPortal85/drawings/getPDF.aspx?ATTACHMENTR SN=617006>

Minimum Sight "Triangle" Requirements

The following table indicates the minimum sight "triangle" requirements, in the form of street line roundings and triangles, for various intersecting roadway situations under ideal conditions. Sight "triangles" shall otherwise be sized according to safe sight distance requirements when conditions dictate.

Table 4: Minimum Rounding/Day-light Triangle Requirements

Road Type	Intersecting Road Type	Minimum Rounding Requirements
Laneways	All	3.0 m
Local	Local, Minor and major Collectors	5.0 m
Minor and Major Collectors	Minor and Major Collectors	10.0 m x 10.0 m (triangle)
Major Collector	Major Collector	15.0 m x 15.0 m (triangle)
All City's Roads/Laneways	Regional Roads	As per the Region