



File: A078/20

Applicant: Niral Vinay Merchant

Address: 48 Apple Grove Ct Maple

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)<br><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"/>                  |   |
| Parks, Forestry and Horticulture Operations | <input checked="" type="checkbox"/>                  |   |
| By-law & Compliance                         |  |   |
| Financial Planning & Development            | <input checked="" type="checkbox"/>                  |   |
| Fire Department                             | <input checked="" type="checkbox"/>                  |   |
| TRCA  |  |   |
| Ministry of Transportation                  | <input checked="" type="checkbox"/>                  |   |
| Region of York                              | <input checked="" type="checkbox"/>                  |   |
| Alectra (Formerly PowerStream)              | <input checked="" type="checkbox"/>                  |   |
| Public Correspondence (see Schedule B)      | <input checked="" type="checkbox"/>                  |   |

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, October 1, 2020



**Minor Variance Application**

Agenda Item: 16

**A078/20**

Ward: 4

**Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer**

**Date & Time of Live Stream Hearing:** Thursday, October 1, 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](http://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:** Niral Vinay Merchant

**Agent:** None

**Property:** 48 Apple Grove Ct Maple

**Zoning:** The subject lands are zoned RD3 and subject to the provisions of Exception 9(1264) under By-law 1-88 as amended

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

**Related Files:** None

**Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed pool and cabana to be located in the rear yard.

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

| By-law Requirement   | Proposal  |
|--|---|
| 1. A minimum rear yard setback of 1.5m to the proposed swimming pool is required.                | 1. To permit a minimum rear yard setback of 1.00m to the proposed swimming pool.            |
| 2. A minimum side yard setback of 1.5m to the proposed swimming pool is required.                | 2. To permit a minimum side yard setback of 0.91m to the proposed swimming pool.            |
| 3. A minimum side yard setback of 1.2m to the proposed accessory structure (cabana) is required. | 3. To permit a minimum side yard setback of 0.61m to proposed accessory structure (Cabana). |
| 4. A maximum height of 2.5m is permitted for the proposed accessory structure (Cabana)           | 4. To permit a maximum height of 3.1m for the proposed accessory structure (Cabana).        |

**Background (previous applications approved by the Committee on the subject land): N/A**

For information on the previous approvals listed above please visit [www.vaughan.ca](http://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: N/A**

## 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 September 16, 2020

Applicant confirmed posting of signage on September 14, 2020

| Property Information |                       |
|----------------------|-----------------------|
| Existing Structures  | Year Constructed      |
| Dwelling             | 2008 (Purchased 2012) |

Applicant has advised that they cannot comply with By-law for the following reason(s): We have a small backyard. Without the minor variances proposed, sewer/catch basin gets in the way. The height of the cabana requires a minor variance to allow for proper height for roofing.

**Adjournment Request:** None

### Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m<sup>2</sup>

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

The pool equipment shall be uncovered and unenclosed.

### Building Inspections (Septic):

No comments or concerns

### Development Planning:

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

The Owner is requesting to construct an in-ground swimming pool and accessory structure (cabana) with the above noted variances.

The Planning Department has no objection to Variances 1 and 2, as the reductions are minor and appropriate given the context of the area. Development Planning has recognized that a 1.0 metre setback is sufficiently distanced to the open space area in the north. Additionally, the Owner's engineer has confirmed with Development Engineering staff that increasing the 0.91 metres interior side yard setback will have a detrimental effect on the existing catch basin located on the north-east corner of the property. Development Planning is of the opinion that in-ground pool is in an optimal location where it remains accessible and ensures proper water drainage on-site.

The Planning Department has no objection to Variances 3 and 4, as the proposed accessory structure (cabana) is situated in an area that does not project further into the rear yard than the neighbouring property's westerly wall. As a result, an interior side yard setback of 0.61 metres and height of 3.1 metres will not cause any implications (i.e., shadow effect, privacy issues) that could reduce the quality in amenity space for the property Owner to the east (52 Apple Grove Court).

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

The Development Planning Department recommends approval of the application.

### Cultural Heritage (Urban Design):

There are no cultural heritage concerns for this application.

### Development Engineering:

The Development Engineering (DE) Department does not object to variance application A078/20.

### Parks, Forestry and Horticulture Operations:

Forestry has no comments at this time.

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

No comments or concerns

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No comments or concerns

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

- A078/20 – Public Correspondence (48 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (24 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (40 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (41 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (44 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (45 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (52 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (56 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (60 Apple Grove Court, Maple)
- A078/20 – Public Correspondence (73 Crimson Forest Drive, Maple)

**Schedule C - Agency Comments**

- Alectra (Formerly PowerStream) – No concerns or objections
- Region of York – No concerns or objections
- MTO – Located outside of MTO permit control area

**Schedule D - Previous Approvals (Notice of Decision)**

None

**Staff Recommendations:**

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

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

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

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

**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 [Vaughan.ca/LiveCouncil](https://www.vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit [www.vaughan.ca](http://www.vaughan.ca)

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.

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**

T 905 832 8585 Extension 8002  
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**

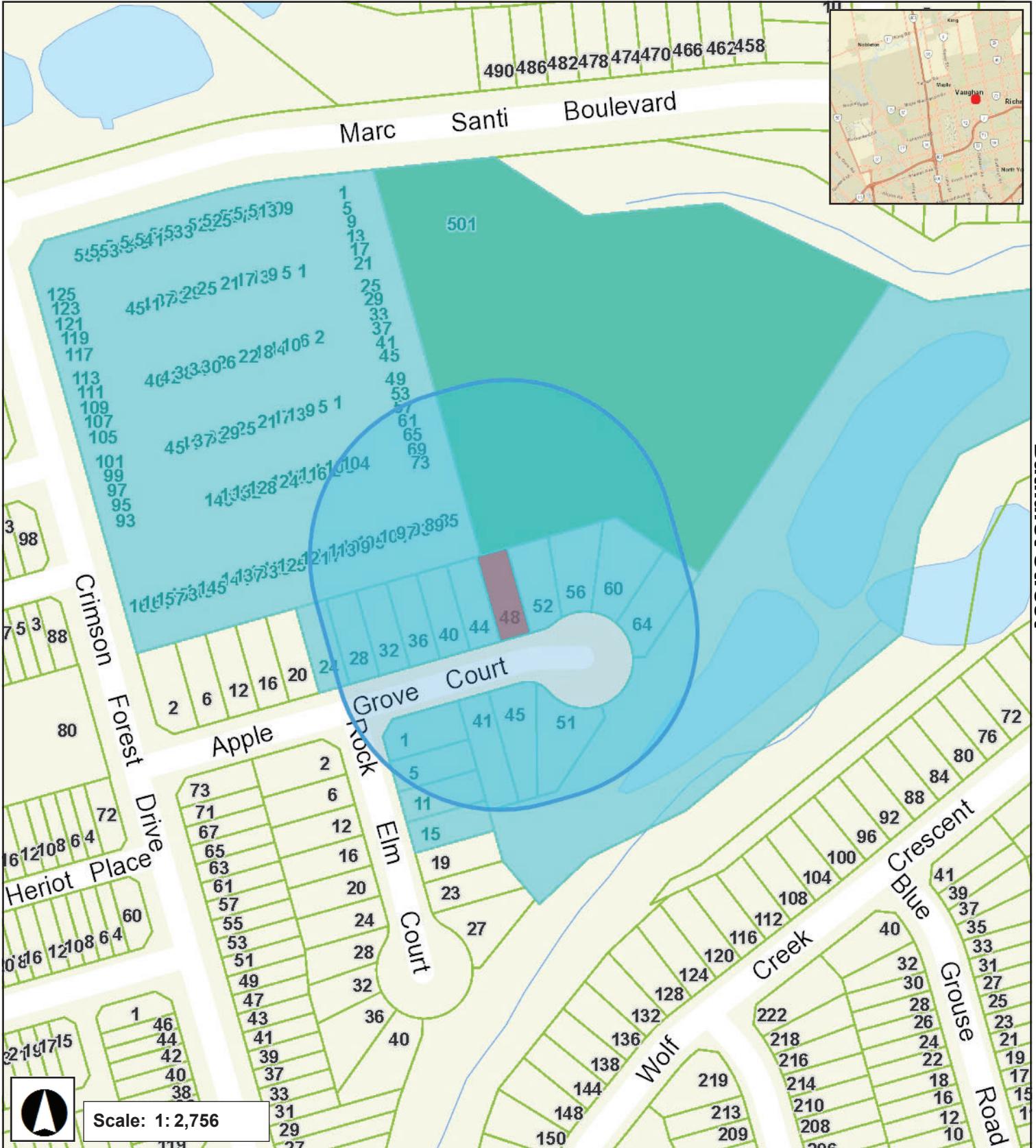
**Plans & Sketches**



# LOCATION MAP - A078/20

48 APPLE GROVE COURT, MAPLE

## Major Mackenzie Drive



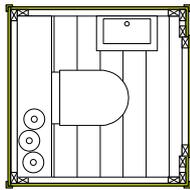
Scale: 1:2,756

Rutherford Road

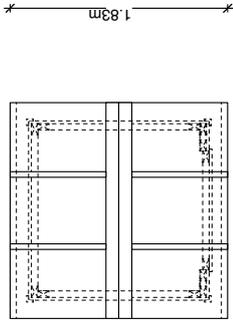
September 4, 2020 3:30 PM



OVERHEAD VIEW

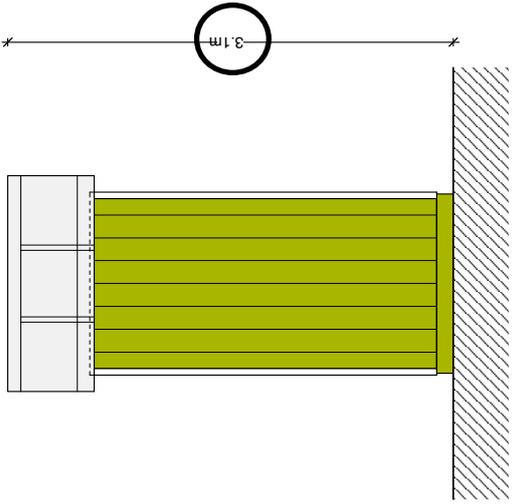


TOP VIEW

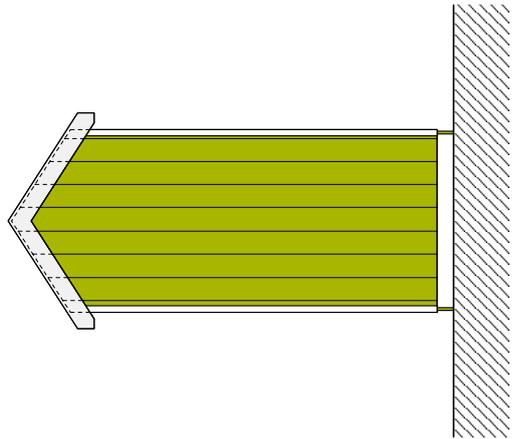


EXCLUDES 0.13 m  
EAVESTROUGH OVERHANG

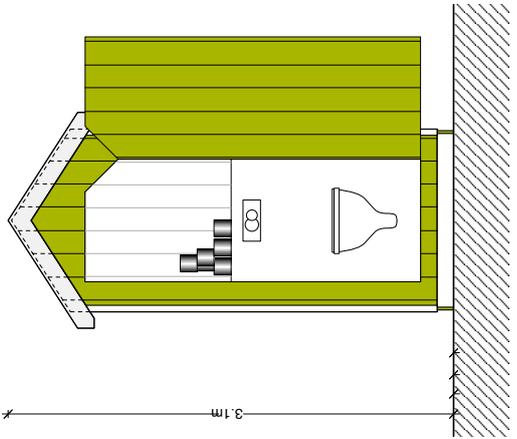
RIGHT SIDE VIEW



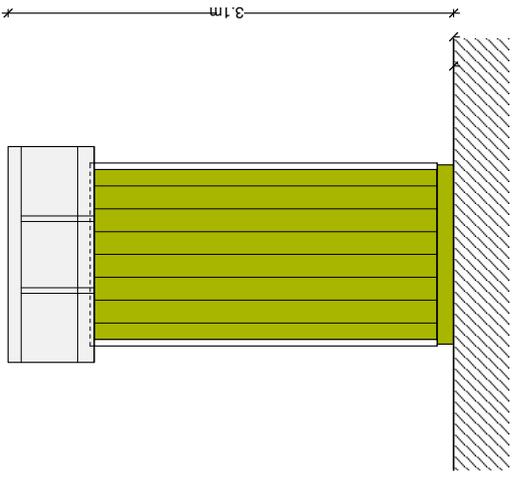
REAR VIEW



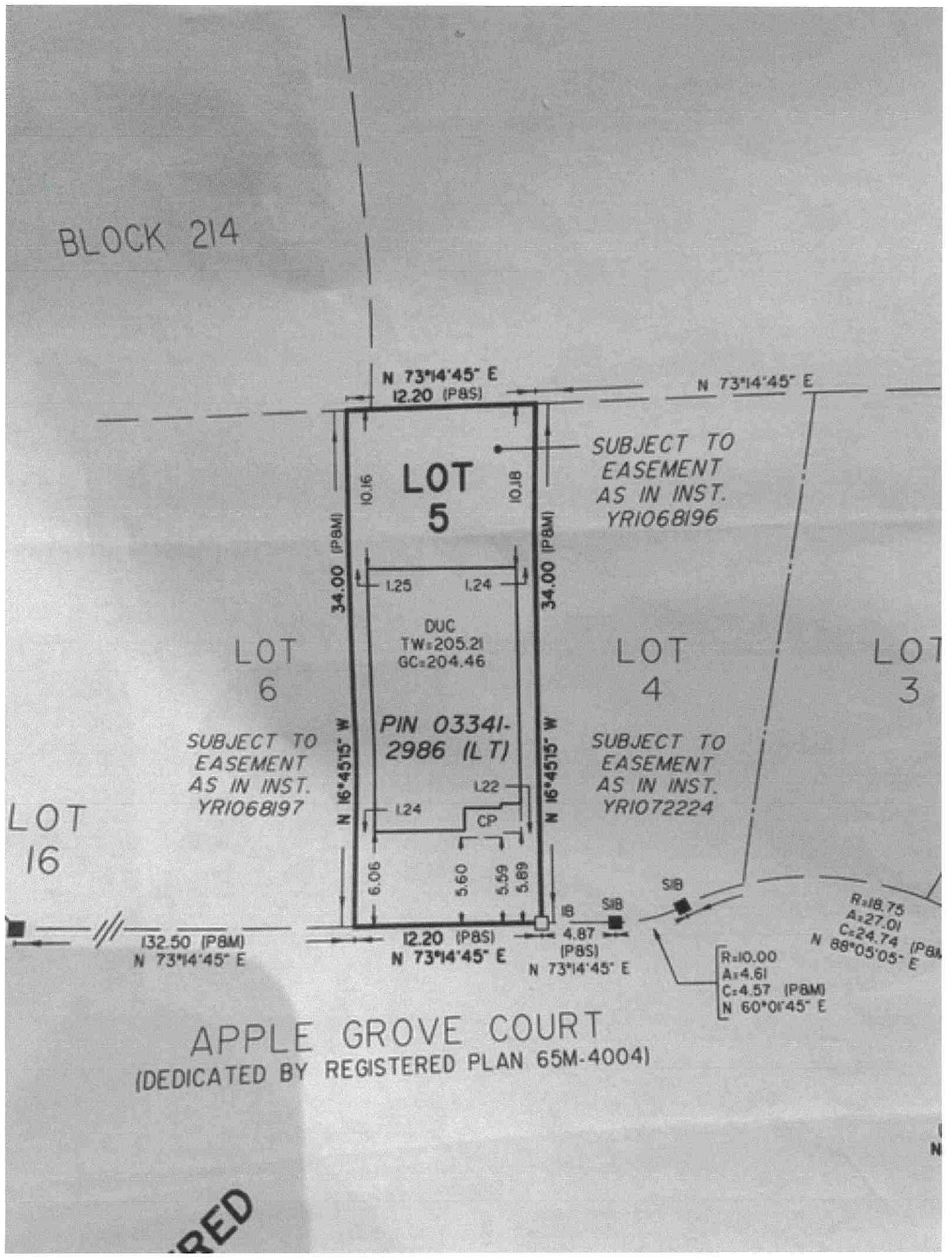
FRONT VIEW



LEFT SIDE VIEW



BLOCK 214



## **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.

- A078/20 – Public Correspondence (48 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (24 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (40 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (41 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (44 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (45 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (52 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (56 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (60 Apple Grove Court, Maple)**
- A078/20 – Public Correspondence (73 Crimson Forest Drive, Maple)**

Location: **PLAN 65M4004 Lot 5** municipally known as **48 Apple Grove Court**  
File No.(s): A078/20  
Type: Minor Variance Application  
Hearing Date: Oct 1 2020

### **Supplemental Information for the Committee of Adjustments**

This document outlines how the Proposed Pool and Proposed Accessory Structure at **48 Apple Grove Court, Maple, Ontario** satisfy the following key criteria for approval and represent good planning and land use.

#### **1. General Purpose and Intent of the Zoning Bylaw:**

The Proposed Pool and Proposed Accessory Structure fall within the overall requirements and principals of By-Law 1-88, which are to locate the Proposed Pool and Proposed Accessory Structure in the backyard, keep the Proposed Accessory Structure low enough to the ground and keep both away from abutting lots.

In the case of the Proposed Pool, although the By-Law requires 1.5m of space from water's edge to the property line, the proposal of 0.91m on the North and Western portions of the lot still provide adequate space between the pool water and the abutting properties (and parkland) to the North and West.

In the case of the Proposed Accessory Structure, although the By-Law requires 1.2m of space from the structure to the property line, the proposal of 0.6m still ensures that no encroachment or adverse enjoyment will enure to the abutting lot as a result of this proposal.

In the case of the Proposed Accessory Structure, the proposed height is only slightly more than the By-Law height restriction of 2.5m, and is designed to accommodate a sloping roof to catch rain water.

The variances for the Proposed Pool setbacks and variances to the Proposed Accessory Structure have been reviewed with my neighbours immediately to the east and west abutting lots (44 Apple Grove Court and 52 Apple Grove Court) and both have given me letters of support which have been submitted for your consideration.

With respect to the neighbours at the rear lot line, the majority of my rear yard abuts City of Vaughan controlled and maintained parkland (a "no cut zone"), except for a small portion along the west corner where there is currently a large vacant lot which is planned for townhouse development.

**2. General Purpose and Intent of the City of Vaughan Official Plan:**

There are no polices in the City of Vaughan Official Plan that stipulate height of cabanas or pool setbacks. These are specifically stipulated only through the zoning bylaw. However, the property is designated residential and pools and accessory buildings which add amenity to a residential use are permitted. The proposed variances are consistent with the intent and purpose of the Official Plan.

**3. Appropriate Development & Minor Nature of the Variances Proposed in the Application**

The proposed variances represent appropriate development and are minor in nature. There are a number of pools and accessory structures in proximity of my property.

Of particular note is a property at 32 Apple Grove Court only 3 doors to the West from my property which made application to the Committee of Adjustments for variances to pool setback requirements of 1.2m and 1.2m instead of 1.5m for side and rear yards respectively, and a variance to the height of the accessory structure of 3.04m instead of the By-law requirement of 2.5m. The Planning Department has previously recommended approval and concluded that the application for 32 Apple Grove Court should be supported for the following reasons:

- The variances, are minor in nature, maintain the general intent and purpose of the Official Plan and the Zoning Bylaw, and are desirable for the appropriate development of the land.

On January 11, 2018 the Committee of Adjustment approved the 32 Apple Grove Court application for the same reasons. Given the similarity of my application it is my submission that my application meets the four tests and I respectfully request your approval.

Many thanks and kind regards,

Niral Merchant  
Resident & HomeOwner  
48 Apple Grove Court, Maple in the City of Vaughan



**From:** [REDACTED]  
**To:** [Committee of Adjustment](#)  
**Cc:** [REDACTED]  
**Subject:** [External] Minor Variance Application  
**Date:** Tuesday, September 8, 2020 9:20:22 PM

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Committee of Adjustments  
City of Vaughan  
[cofa@vaughan.ca](mailto:cofa@vaughan.ca)

RE: Minor Variance Application  
City File A078/20  
48 Apple Grove Court

Dear Committee Members:

My name is Talia Charezenko and I reside at [24 Apple Grove Court, Maple](#) in the City of Vaughan.

I am writing to you in support of the minor variance application made by Niral Merchant who resides at [48 Apple Grove Court](#). I have reviewed the proposed variances and find them minor in nature, consistent with the land use in the area, and am not concerned about the land use in the area being affected by these minor setback and height variances.

Many thanks.

Talia Charezenko  
24 Apple Grove Court

Sent from my iPhone

**From:** [Redacted]  
**To:** [Committee of Adjustment](#)  
**Cc:** [Redacted]  
**Subject:** [External] Minor Variance Application (City File A078/20,48 Apple Grove Court)  
**Date:** Monday, September 7, 2020 1:04:09 PM  
**Attachments:** [48 Applegrove Ct MV Application Drawing v3 Aug 28 2020.pdf](#)

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RE: Minor Variance Application  
City File A078/20  
48 Apple Grove Court

Dear Committee Members:

My name is Danny Abramowitz I and I reside at 40 Apple Grove Court, Maple in the City of Vaughan

I am writing to you in support of the minor variance application made by Niral Merchant who resides at 48 Apple Grove Court, my neighbour I have reviewed the proposed variances and find them minor in nature, consistent with the land use in the area, and am not concerned about the land use in the area being affected by these minor setback and height variances

Many thanks

Danny & Michelle Abramowitz  
40 Apple Grove Court

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**DANNY ABRAMOWITZ**

[Redacted signature block]

**From:** [REDACTED]  
**To:** [Committee of Adjustment](#)  
**Cc:** [REDACTED]  
**Subject:** [External] City File A078/20, 48 Apple Grove Court  
**Date:** Monday, September 7, 2020 1:09:09 PM  
**Attachments:** [48 Applegrove Ct MV Application Drawing v3 Aug 28 2020.pdf](#)

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TO: Committee of Adjustments  
City of Vaughan

RE: Minor Variance Application  
City File A078/20  
48 Apple Grove Court

Dear Committee Members:

My name is Rachel Albanese, and I reside at 41 Apple Grove Court, Maple in the City of Vaughan.

I am writing to you in support of the minor variance application made by Niral Merchant who resides at 48 Apple Grove Court. I have reviewed the proposed variances and find them minor in nature, consistent with the land use in the area, and am not concerned about the land use in the area being affected by these minor setback and height variances.

Many thanks.

Rachel Albanese  
41 Apple Grove Court

[REDACTED]

**From:** [REDACTED]  
**To:** [Committee of Adjustment](#)  
**Subject:** [External] Minor Variance Application (City File A078/20, 48 Apple Grove Court)  
**Date:** Tuesday, September 8, 2020 9:25:02 AM  
**Attachments:** [48 Applegrove Ct MV Application Drawing v3 Aug 28 2020.pdf](#)

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Committee of Adjustments  
City of Vaughan  
[cofa@vaughan.ca](mailto:cofa@vaughan.ca)

RE: Minor Variance Application  
City File A078/20  
48 Apple Grove Court

Dear Committee Members:

My names is Darryl Shull and I reside at 44 Apple Grove Court, Maple in the City of Vaughan.

I am writing to you in support of the minor variance application made by Niral Merchant who resides at 48 Apple Grove Court, my neighbour. I have reviewed the proposed variances and find them minor in nature, consistent with the land use in the area, and am not concerned about the land use in the area being affected by these minor setback and height variances.

Many thanks.

Darryl Shull  
44 Apple Grove Court

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [Committee of Adjustment](#)  
**Cc:** [REDACTED]  
**Subject:** [External] Minor Variance Application City File A078/20 48 Apple Grove Court  
**Date:** Sunday, September 6, 2020 3:44:51 PM  
**Attachments:** [cidf\\_keqky08a0.pdf](#)  
[ATT00001.htm](#)

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Committee of Adjustments  
City of Vaughan  
[coa@vaughan.ca](mailto:coa@vaughan.ca)

RE: Minor Variance Application  
City File A078/20  
48 Apple Grove Court

Dear Committee Members:

My name is Alex Lachter and I reside at [45 Apple Grove Court](#), Maple in the City of Vaughan.

I am writing to you in support of the minor variance application made by Niral Merchant who resides at [48 Apple Grove Court](#). I have reviewed the proposed variances and find them minor in nature, consistent with the land use in the area, and am not concerned about the land use in the area being affected by these minor setback and height variances.

Many thanks.

Alex Lachter  
45 Apple Grove Court

[REDACTED]

**From:** [REDACTED]  
**To:** [Committee of Adjustment](#)  
**Cc:** [REDACTED]  
**Subject:** [External] Minor Variance Application (City File A078/20, 48 Apple Grove Court)  
**Date:** Monday, September 7, 2020 11:59:14 AM

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Dear Committee Members:

My name is Ori Bzowski.

My wife, Marla Bzowski, and I reside at 52 Apple Grove Court, Maple in the City of Vaughan.

I am writing to you in support of the minor variance application made by my neighbour Niral Merchant, who resides at 48 Apple Grove Court.

We have reviewed the proposed variances and find them minor in nature, consistent with the land use in our area, and we are not concerned about the land use in the area being affected by these minor setback and height variances.

Kindly,

Ori & Marla Bzowski  
52 Apple Grove Court  
[REDACTED]

**Attwala, Pravina**

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**Subject:** FW: [External] Fwd: Minor Variance Application (City File A078/20, 48 Apple Grove Court)  
**Attachments:** 48 Applegrove Ct MV Application Drawing v3 Aug 28 2020.pdf

**From:** Elise Weingarten-Szabo [REDACTED]  
**Sent:** September-14-20 9:42 PM  
**To:** Committee of Adjustment <CofA@vaughan.ca>  
**Cc:** Niral Merchant (Gmail) [REDACTED]; [REDACTED]  
**Subject:** [External] Fwd: Minor Variance Application (City File A078/20, 48 Apple Grove Court)

Committee of Adjustments  
City of Vaughan  
[coa@vaughan.ca](mailto:coa@vaughan.ca)

RE: Minor Variance Application  
City File A078/20  
48 Apple Grove Court

Dear Committee Members:

My name is Elise Weingarten and I reside at 56 Apple Grove Court, Maple in the City of Vaughan.

I am writing to you in support of the minor variance application made by Niral Merchant who resides at 48 Apple Grove Court. I have reviewed the proposed variances and find them minor in nature, consistent with the land use in the area, and am not concerned about the land use in the area being affected by these minor setback and height variances.

Many thanks.

Elise Weingarten  
56 Apple Grove Court  
[REDACTED]

**From:** [REDACTED]  
**To:** [Committee of Adjustment](#)  
**Subject:** [External] [Newsletter/Marketing] Minor Variance Application -City File A078/20 -48 Apple Grove Court  
**Date:** Tuesday, September 8, 2020 10:19:55 AM

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Dear Committee Members:

My name is Mitchell Torch and I reside at 60 Apple Grove Court, Maple in the City of Vaughan.

I am writing to you in support of the minor variance application made by Niral Merchant who resides at 48 Apple Grove Court. I have reviewed the proposed variances and find them minor in nature, consistent with the land use in the area, and am not concerned about the land use in the area being affected by these minor setback and height variances.

Many thanks.

Mitch Torch  
60 Apple Grove Court

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

*This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is*

**From:** [REDACTED]  
**To:** [Committee of Adjustment](#)  
**Cc:** [REDACTED]  
**Subject:** [External] Minor Variance Application City File A078/20  
**Date:** Thursday, September 10, 2020 9:07:27 AM

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Minor Variance Application  
City File A078/20  
48 Apple Grove Court

Dear Committee Members:

My name is Julia Milovanovic I and I reside at 73 Crimson Forest Drive, Maple in the City of Vaughan.

I am writing to you in support of the minor variance application made by Niral Merchant who resides at 48 Apple Grove Court, my neighbour. I have reviewed the proposed variances and find them minor in nature, consistent with the land use in the area, and am not concerned about the land use in the area being affected by these minor setback and height variances.

Many thanks.

Julia Milovanovic  
73 Crimson Forest Drive

## **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**

**MTO – Located outside of MTO permit control area**



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**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

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

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

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

**Attwala, Pravina**

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**Subject:** FW: A078/20 - REQUEST FOR COMMENTS

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**From:** Hajjar, Alexander (MTO) <Alexander.Hajjar@ontario.ca>

**Sent:** August-28-20 3:47 PM

**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>

**Cc:** Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>; Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: A078/20 - REQUEST FOR COMMENTS

Good Afternoon Pravina,

MTO has reviewed the subject land(s) located at 48 Apple Grove Crt. in the City of Vaughan. The subject lands are outside the MTO permit control area and therefore do not require a permit from this office.

Best Regards,

**Alexander Hajjar**

*Transportation Technician*

*Highway Corridor Management Section*

*Ministry of Transportation, MTO*

*416.235.4504*

## Attwala, Pravina

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**Subject:** FW: A078/20 - REQUEST FOR COMMENTS

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

**Sent:** September-03-20 3:33 PM

**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>

**Subject:** [External] RE: A078/20 - REQUEST FOR COMMENTS

Good afternoon Pravina,

The Regional Municipality of York has reviewed the above minor variance and has no comment,

*Gabrielle*

**Gabrielle Hurst MCIP RPP** | Community Planning and Development Services | 1-877 464 9675 ext 71538 |

[Gabrielle.hurst@york.ca](mailto:Gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)