



**File:** A110/20

**Applicant:** Kleinvit Estates

**Address:** 1 Vivot Blvd. Kleinburg

**Agent:** None

---

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

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	<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)		
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
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)		

Adjournment History: N/A

---

Background History: N/A

---

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, December 3, 2020



**Minor Variance Application**

Agenda Item: 5

**A110/20**

Ward: 1

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

**Date & Time of Live Stream Hearing:** Thursday, December 3, 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:** Kleinvit Estates
- Agent:** None
- Property:** **Lot 41 65M4371 (Address to be assigned: 1 Vivot Blvd. Kleinburg)**
- Zoning:** The subject lands are zoned and subject to the provisions of Exception under By-law 1-88 as amended
- OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Site Specific Policy 13.21: "North Humber Extension Area 1."
- Related Files:** None
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed single family dwelling.

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

By-law Requirement	Proposal
Minimum 4.5m of exterior side yard setback is required.	To permit a minimum exterior side yard setback of 2.32m.

**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 November 18, 2020

Applicant confirmed posting of signage on November 20, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC (land purchased 2004)

Applicant has advised that they cannot comply with By-law for the following reason(s): We sold the house and it doesn't meet the required flankage.

Recommended conditions of approval:

That the applicant obtain a municipal address from the GIS Mapping Section of the Development Planning Department and that confirmation of address creation be provided to the Secretary Treasurer.

**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 applicant has confirmed that building height, lot coverage and landscaping are in compliance.

**Building Inspections (Septic):**

No comments or concerns

**Development Planning:**

Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Site Specific Policy 13.21: "North Humber Extension Area 1."

The Owner has submitted a Minor Variance application to facilitate the development of a new single-detached dwelling on the subject lands with the above-noted variance.

The reduced exterior side yard setback is 2.32 m to the stairs and 3.85 m to the covered and unenclosed porch, having no adverse impacts on the neighbouring properties. Accordingly, 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 A110/20.

**Parks, Forestry and Horticulture Operations:**

No Response.

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

No Response.

**Financial Planning and Development Finance:**

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

**Fire Department:**

No Response.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**

None

**Schedule C - Agency Comments**

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

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:

	<b>Department/Agency</b>	<b>Condition</b>
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaugan.ca">christine.vigneault@vaugan.ca</a>	That the applicant obtain a municipal address from the GIS Mapping Section of the Development Planning Department and that confirmation of address creation be provided to the Secretary Treasurer.

**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](https://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.

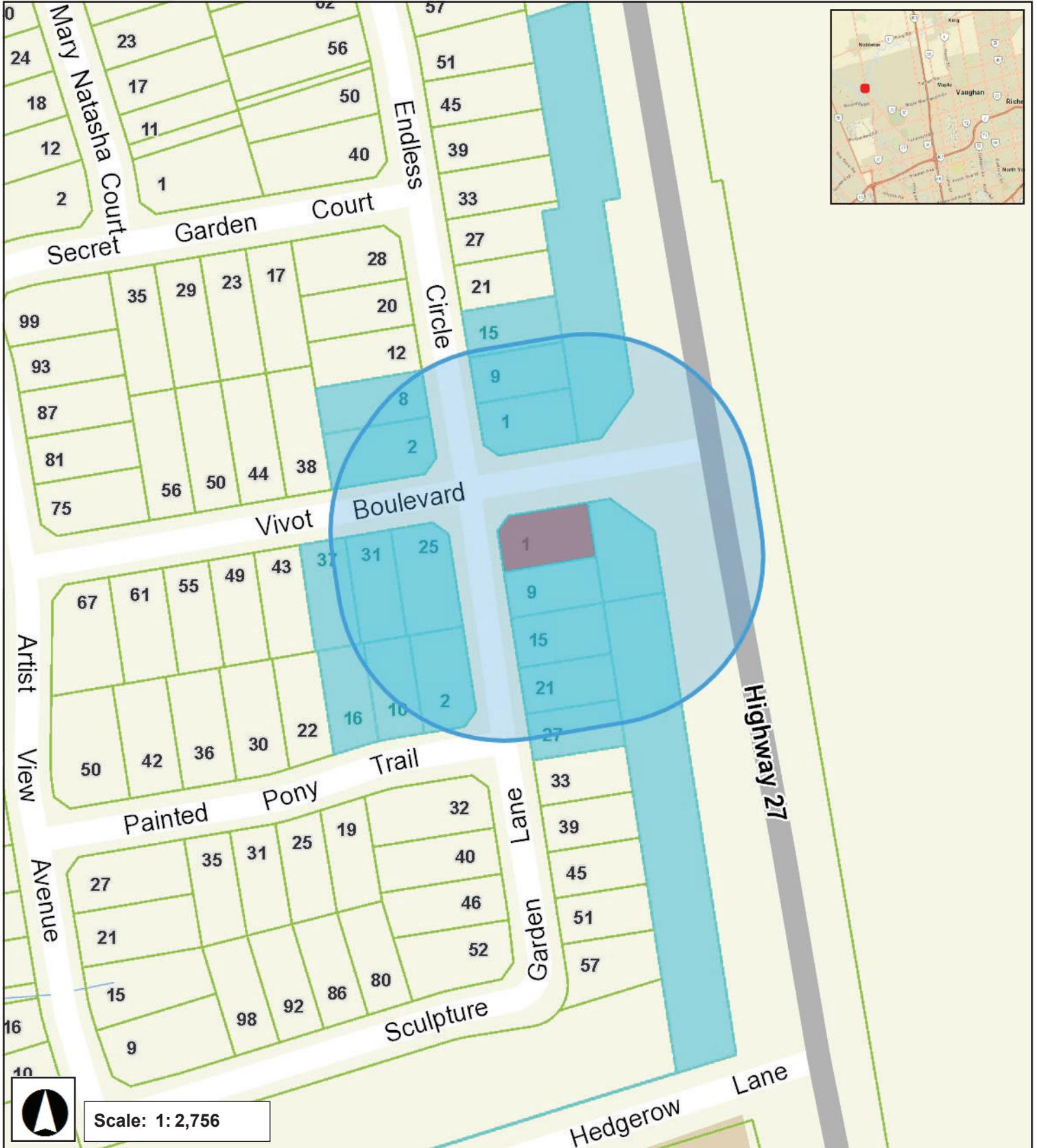
**Location Map**  
**Plans & Sketches**



# LOCATION MAP - A110/20

1 VIVOT BLVD, KLEINBURG

**Kirby Road**



**Nashville Road**

November 3, 2020 12:55 PM

RECEIVED

October 29, 2020

Committee of Adjustment

A110/20

NOTE: BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED BUILDER IS TO RELOCATE AT HIS OWN EXPENSE.

CLIENT  
MOSAİK HOMES

PROJECT/LOCATION  
KLEINBURG, ONTARIO

DRAWING  
SITE PLAN

BUILDING STATISTICS

REG. PLAN No.	65M-4371
ZONE	R1
LOT NUMBER	41
LOT AREA(m <sup>2</sup> )	769.67
BLDG AREA(m <sup>2</sup> )	269.53
LOT COVERAGE(%)	35%
No. OF STOREYS	2
MEAN HEIGHT(m)	9.58
PEAK HEIGHT(m)	N/A
DECK LINE(m)	N/A

LEGEND

- FFE FINISHED FLOOR ELEVATION
- TFW TOP OF FOUNDATION WALL
- TBS TOP OF BASEMENT SLAB
- USF UNDER SIDE FOOTING
- USFR UNDER SIDE FOOTING @ REAR
- USFG UNDER SIDE FOOTING @ GARAGE
- TEF TOP OF ENGINEERED FILL
- R NUMBER OF RISERS TO GRADE
- WOD WALKOUT DECK
- LOB LOOKOUT BASEMENT
- WOB WALK OUT BASEMENT
- REV REVERSE PLAN
- STD STANDARD PLAN
- △ DOOR
- WINDOW
- BELL PEDISTAL
- CABLE PEDISTAL
- CATCH BASIN
- DBL CATCH BASIN
- ⊕ ENGINEERED FILL
- ⊕ HYDRO CONNECTION
- ⊕ FIRE HYDRANT
- ⊕ STREET LIGHT
- ⊕ MAIL BOX
- ⊕ TRANSFORMER
- ⊕ WATER VALVE
- ⊕ WATER CONNECTION
- ⊕ SEWER CONNECTIONS 2 LOTS
- ⊕ SEWER CONNECTIONS 1 LOT
- ⊕ AIR CONDITIONING
- ⊕ DOWN SPOUT TO SPLASH PAD
- ⊕ SWALE DIRECTION
- ⊕ SUMP PUMP
- ⊕ CHAINLINK FENCE
- ⊕ PRIVACY FENCE
- ⊕ SOUND BARRIER
- ⊕ FOOTING TO BE EXTENDED TO 1.25 (MIN) BELOW GRADE

ISSUED OR REVISION COMMENTS

NO.	DESCRIPTION	DATE	DWN	CHK
1	ISSUED FOR REVIEW	OCT/24/17	JC	AL
2	ISSUED FOR REVIEW	OCT/28/17	JC	AL
3	REVISED TEMPLATE - ISSUED FOR REVIEW	NOV/03/17	JC	AL
4	REVISED PER ENG. COMMENTS	MAR/09/18	JC	AL
5	ISSUED FOR FINAL	MAR/14/18	JC	AL

I, ARTHUR PUJYAN LAW DECLARE THAT I HAVE REVIEWED AND TAKE DESIGN RESPONSIBILITY FOR THE DESIGN WORK ON BEHALF OF RN DESIGN LIMITED UNDER DIVISION C, PART 3, SUBSECTION 3.2.4 OF THE BUILDING CODE. I AM QUALIFIED, AND THE FIRM IS REGISTERED, IN THE APPROPRIATE CLASSES/CATEGORIES.

QUALIFIED DESIGNER BCIN 41230

FIRM BCIN 26995

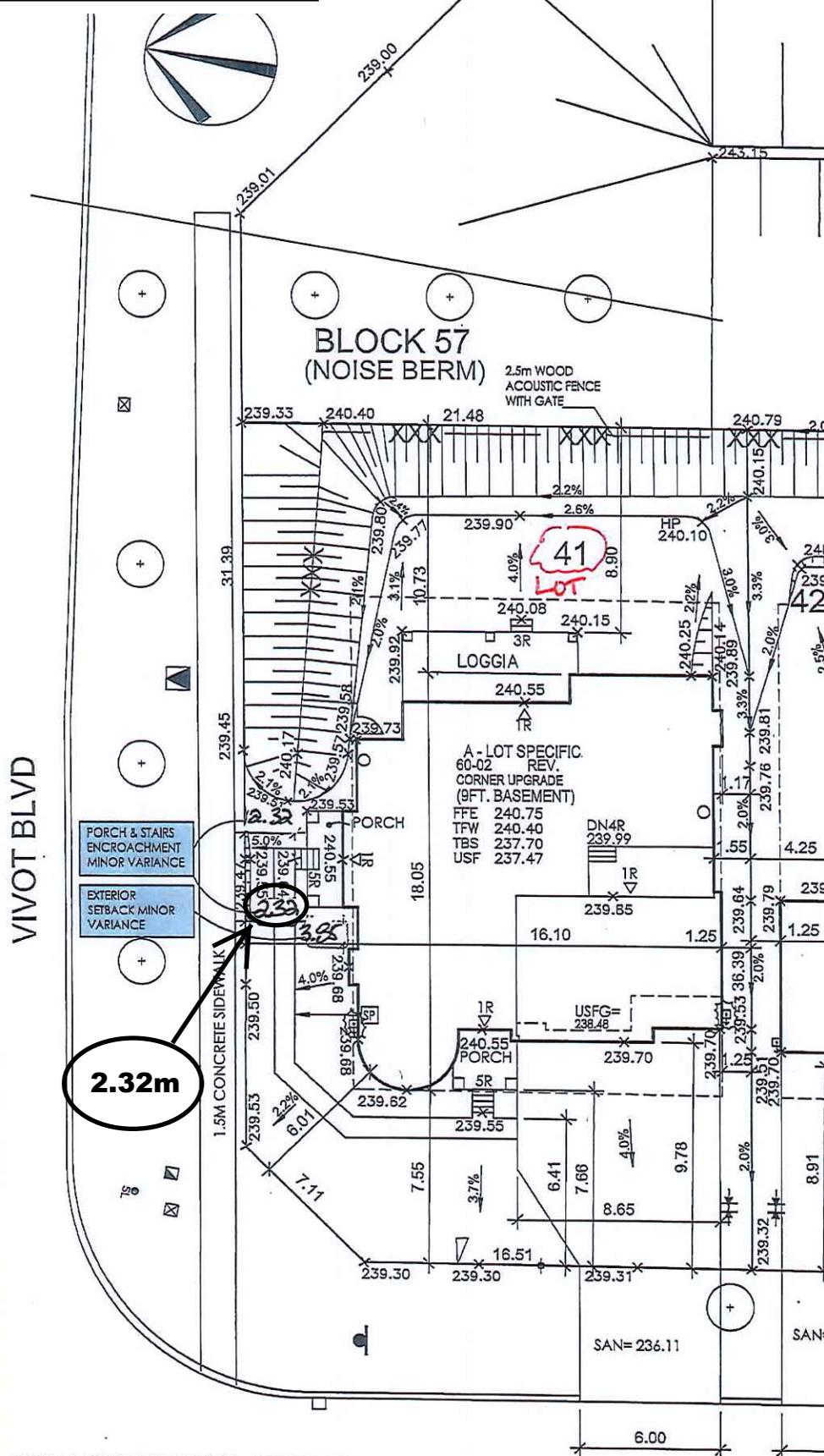
MAR/14/18  
DATE SIGNATURE

DRAWN BY  
JC

SCALE  
1:250

PROJECT No.  
11087

LOT NUMBER  
41



SUBDIVISION NUMBER: 19T-03V02

SCULPTURE GARDEN LANE

It is the builder's complete responsibility to ensure that all plans submitted for approval fully comply with the Architectural Guidelines and all applicable regulations and requirements including zoning provisions and any provisions in the subdivision agreement. The Control Architect is not responsible in any way for examining or approving site (lotting) plans or working drawings with respect to any zoning or building code or permit matter or that any house can be properly built or located on its lot.

This is to certify that these plans comply with the applicable Architectural Design Guidelines approved by the City of VAUGHAN.

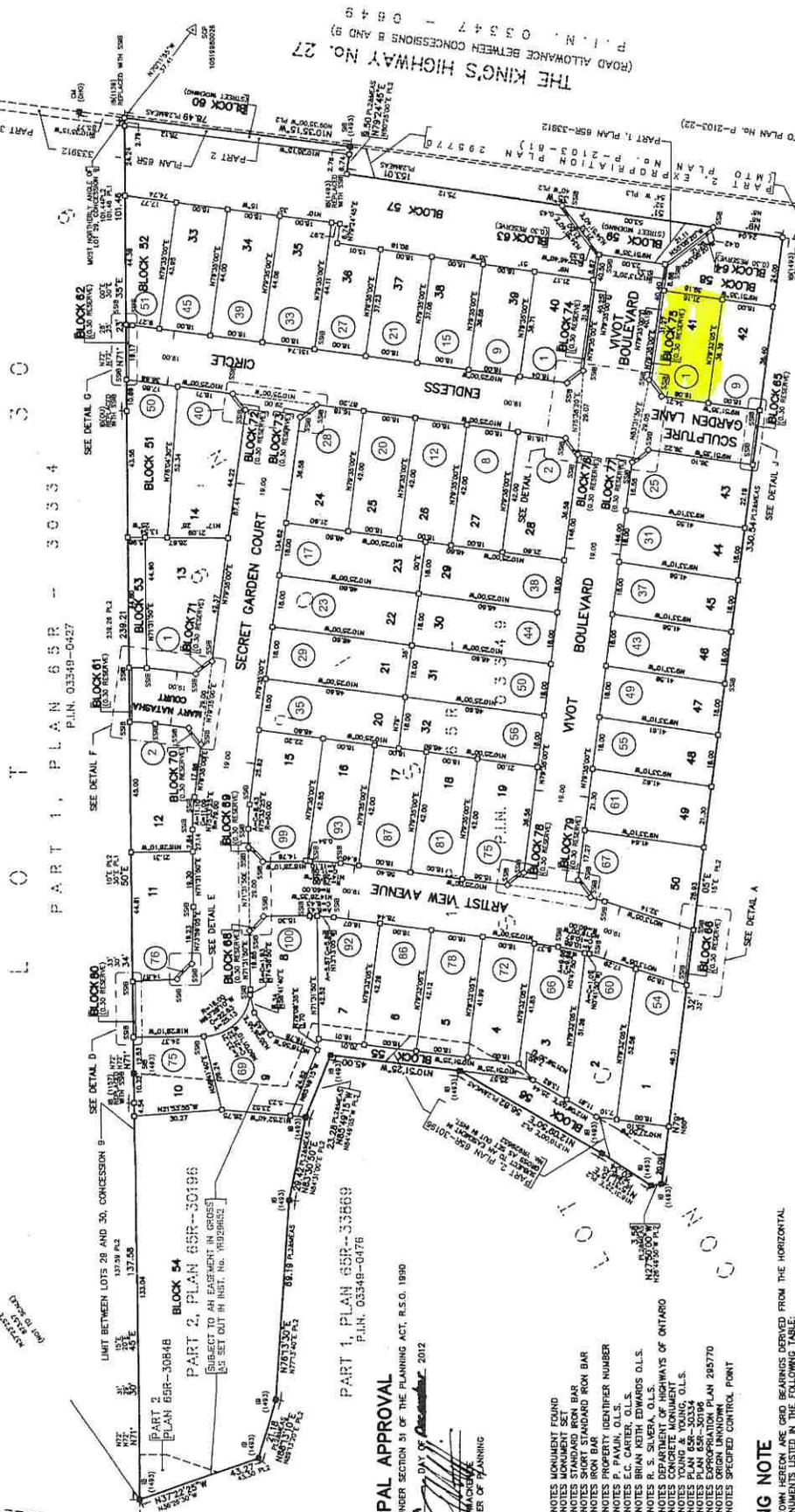
NOTE:  
ALL DRIVEWAYS TO BE PAVED WITH PERMEABLE PAVERS

This plan prepared for street numbering purposes only.

PLAN OF SUBDIVISION OF PART OF LOT 29, CONCESSION 9 (GEOGRAPHIC TOWNSHIP OF VAUGHAN) CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK

SCALE 1:1000 RADI-PENTEK & EDWARD SURVEYING LTD., O.L.S., METRIC DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

PART 1, PLAN 65R-3008 P.I.N. 03348-0380



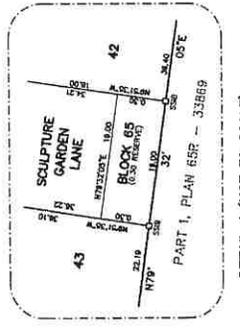
SURVEYOR'S CERTIFICATE I CERTIFY THAT: 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM. 2. THE SURVEY WAS COMPLETED ON THE 11th DAY OF JUNE, 2012. DATE: JUNE 11, 2012

C. B. EDWARDS ONTARIO LAND SURVEYOR

MUNICIPAL APPROVAL APPROVED UNDER SECTION 31 OF THE PLANNING ACT, R.S.O. 1990 THIS 5th DAY OF December, 2012 JOHN MACCRELLE COMMISSIONER OF PLANNING

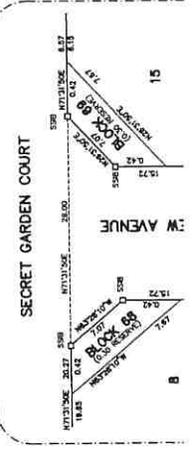
OWNER'S CERTIFICATE THIS IS TO CERTIFY THAT: 1. LOTS 1 TO 50, BOTH INCLUSIVE, BLOCKS 51 TO 58 (BOTH INCLUSIVE), LOTS 1 TO 50, BOTH INCLUSIVE, BLOCKS 59 AND 60 (BOTH INCLUSIVE), BLOCKS 61 TO 80, BOTH INCLUSIVE, AND 85 (RESERVED), NAMELY VIVOT BOULEVARD, ENDESS CIRCLE, SCULPTURE GARDEN LANE, ARTIST VIEW AVENUE, SECRET GARDEN COURT AND MARY NATASHA COURT, HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS. 2. THE STREETS ARE DEDICATED TO THE CORPORATION OF THE CITY OF VAUGHAN AS PUBLIC HIGHWAYS. 3. THE STREET WIDTHS, NAMELY BLOCKS 59 AND 60, ARE DEDICATED TO THE REGIONAL MUNICIPALITY OF YORK AS A PUBLIC HIGHWAYS.

DATED THE 11th DAY OF JUNE, 2012 1321352 ONTARIO INC. I HAVE THE AUTHORITY TO BIND THE CORPORATION



- NOTES DENOTES MONUMENT FOUND DENOTES MONUMENT SET DENOTES MONUMENT NOT FOUND DENOTES SHORT STANDARD IRON BAR DENOTES PROPERTY IDENTIFIER NUMBER DENOTES PAVILION DENOTES R.S. SILVERA, O.L.S. DENOTES R. S. SILVERA, O.L.S. DENOTES DEPARTMENT OF HIGHWAYS OF ONTARIO DENOTES YOUNG E. VOJNICH, O.L.S. DENOTES PLAN 65R-30034 DENOTES EXPROPRIATION PLAN 285770 DENOTES ORIGIN UNKNOWN DENOTES SPECIFIED CONTROL POINT

BEARING NOTE BEARINGS SHOWN HEREON ARE GRID BEARINGS DERIVED FROM THE HORIZONTAL CONTROL MONUMENTS LISTED IN THE FOLLOWING TABLE. 10519980026 (EAST 609073.637, NORTH 4837302.709), AND 10519980027 (EAST 609114.455, NORTH 4837658.037). WEST (LONGITUDE), ZONE 17, ONTARIO COORDINATE SYSTEM, (G UTM), NAD-83 (ORIG.). DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE USED TO COMPUTE GRID DISTANCES BY MULTIPLYING A COMBINED SCALE FACTOR OF 0.9997.



## **Schedule B: Public Correspondence Received**

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

**None**

## **Schedule C: Agency Comments**

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

**Alectra (Formerly PowerStream) – No concerns or objections**

**Region of York – No concerns or objections**

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

**Date:** November 4<sup>th</sup> , 2020

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

**RE:** Request for Comments

**File No.:** **A110-20**

**Related Files:**

**Applicant:** Kleinvit Estates

**Location** 1 Vivot Blvd



Discover the possibilities

### COMMENTS:

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

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

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

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

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

### References:

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

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

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

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**

---

**Subject:** FW: A110/20 - REQUEST FOR COMMENTS

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

**Sent:** October-30-20 3:51 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: A110/20 - REQUEST FOR COMMENTS

Good Afternoon Pravina,

MTO has reviewed the subject land(s) located at 1 Vivot Blvd. 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*

*437.833.9453*

is strictly prohibited.