

**File:** A121/20

**Applicant:** Elena Bugulova

**Address:** 43 Broda Dr Kleinburg

**Agent:** Guitberg Group Inc.

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

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Cultural Heritage (Urban Design)	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence ( <b>see Schedule B</b> )		

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala  
Hearing Date: Thursday, February 4, 2021



Minor Variance  
Application

Agenda Item: 6

A121/20

Ward: 2

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

**Date & Time of Live Stream Hearing:** Thursday, February 4, 2021 at 6:00 p.m.  
As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

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

Please submit written comments by mail or email to:

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

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

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

**Applicant:** Elena Bugulova

**Agent:** Guitberg Group Inc.

**Property:** 43 Broda Dr Kleinburg

**Zoning:** The subject lands are zoned OS1 under By-law 1-88 as amended.

**OP Designation:** Vaughan Official Plan 2010 ('VOP 2010'): "Natural Areas"

**Related Files:** None

**Purpose:** Relief is being requested to permit the expansion of a legal non-conforming use to allow for the construction of an addition to the front and rear of the existing dwelling which is located within the OS1 Zone. Relief is also being requested to permit the existing uncovered, unexcavated and unenclosed wood deck and the replacement of an existing wood shed located at the rear of the property.

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

By-law Requirement	Proposal
1. The expansion (enlargement) of a residential dwelling with attached deck is not permitted.	1. To permit the expansion (enlargement) of a legal non-conforming use (residential dwelling with attached deck).
2. A minimum interior side yard setback of 15 metres is required for an addition to a dwelling.	2. To permit a minimum easterly interior side yard setback of 2.92 metres to an addition to a dwelling.
3. A minimum interior side yard setback of 15 metres is required for an addition to a dwelling.	3. To permit a minimum westerly interior side yard setback of 5.05 metres to an addition to a dwelling.
4. A minimum front yard setback of 15 metres is required for an addition to a dwelling.	4. To permit a minimum front yard setback of 5.59 metres to an addition to a dwelling.
5. No building or structure other than for conservation or flood control projects is permitted within the OS1 Open Space Conservation Zone.	5. To permit a detached accessory structure (shed) in an OS1, Open Space Conservation Zone.
6. A minimum interior side yard setback of 15 metres is required for a detached accessory structure (shed).	6. To permit a minimum easterly interior side yard setback of 1.2 metres for a detached accessory structure (shed).
7. A minimum interior side yard setback of 14.7 metres is required to an uncovered, unexcavated and unenclosed deck.	7. To permit a minimum westerly interior side yard setback of 5.13 metres to an uncovered, unexcavated and unenclosed deck.
8. A minimum interior side yard setback of 14.7 metres is required to an uncovered, unexcavated and unenclosed deck.	8. To permit a minimum easterly interior side yard setback 6.29 metres to an uncovered, unexcavated and unenclosed deck.

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 January 21, 2021

Applicant confirmed posting of signage on January 20, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	Built 1960's (Purchased 2017)

Applicant has advised that they cannot comply with By-law for the following reason(s): The application is to facilitate the enlargement of a legal non-conforming structure in an OS1 Zone.

Adjournment Request: None

Building Standards (Zoning Review):

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

The Ontario Building Code requires a building permit for structures that exceed 10m2. A building permit has not been issued for the proposed additions to the dwelling. A building permit is required for the proposed alteration to the existing deck.

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

The subject lands may be subject to Ontario Regulation 166/06 (TRCA - Toronto and Region Conservation Authority).

The subject lands may be located within the Greenbelt Area and subject to the Greenbelt Act.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Official Plan: Vaughan Official Plan 2010 ('VOP 2010'): "Natural Areas"

The Owner is requesting to permit the expansion of a legal non-conforming use through a proposed two-storey addition to a single family residential dwelling with a rear deck in an "OS1 Open Space Conservation Zone", whereas Zoning By-law 1-88 does not permit any building or structure within the OS1 Zone.

The subject property is designated "Natural Areas" and are identified as a "Core Feature" within the Natural Heritage Network of VOP 2010. As the existing dwelling is considered legal non-conforming, Section 3.2.3.3 of the VOP 2010 notes the following:

"any development lawfully existing within the Natural Heritage Network on the date this plan is approved is permitted to remain as recognized in policy 10.2.1.4. Minor alterations or additions to such existing development are permitted subject to the policies of this Plan and which may include consultation with the Toronto and Region Conservation Authority, York Region, or Province as required."

The Policy Planning and Environmental Sustainability ('PPES') staff have reviewed the proposed expansion in respect to conformity with Section 3.2.3.3 of VOP 2010 and have concluded, the proposed additions are minor in nature, as the proposed works will not require the manipulation of existing grades, removal of any significant vegetation and do not impact the valley corridor feature. As such, the proposal conforms to the policies of VOP 2010.

The subject lands are also within a valley corridor and regional storm flood plain associated with the Humber River and is entirely located within the Toronto and Region Conservation Authority's ('TRCA') Regulated Area of the Humber River Watershed. As such, the application was circulated for their review and TRCA is satisfied that the proposal meets the TRCA's floodproofing requirements.

In support of the application, the Owner submitted an Arborist Report, prepared by D. Andrew White and dated December 16, 2020. Urban Design staff have reviewed the report and are satisfied. Development Planning staff do not object to the variances requested, as the rear addition occurs within the existing area of disturbance (existing dwelling and rear yard deck). The proposed interior yard setbacks remain consistent with the walls of the existing dwelling and the reduction in the front yard setback from 6.97m to 5.59m is minor and will not impact the existing streetscape. Additionally, Development Engineering staff have reviewed the application and have no concerns regarding grading and water runoff to the shed given it is entirely surrounded by soft landscape.

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 A121/20 subject to the following condition(s)

The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at [DEPermits@vaughan.ca](mailto:DEPermits@vaughan.ca) or visit [https://www.vaughan.ca/services/residential/dev\\_eng/permits/Pages/default.aspx](https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx) to learn how to apply for lot grading and/or servicing approval.

**Parks Development - Forestry:**

Tree protection shall be installed to protect neighboring trees. Applicant must apply for a tree protection permit (construction/Infill). Recommended condition of approval:

A Private Property Tree Removal & Protection Permit (Construction/Infill) is required for the removal/injury to trees (over 20cm DBH) on the subject property and trees located within 6 metres of the subject property, as per By-Law 052-2018.

Recommended condition of approval:

A Private Property Tree Removal & Protection Permit (Construction/Infill) is required for the removal/injury to trees (over 20cm DBH) on the subject property and trees located within 6 metres of the subject property, as per By-Law 052-2018.

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

No comments or concerns.

**Financial Planning and Development Finance:**

No comment no concerns

**Fire Department:**

No comment.

**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

TRCA – comments with conditions

**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:

	Department/Agency	Condition
1	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.khan@vaughan.ca">Farzana.khan@vaughan.ca</a>	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.
2	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:hamedeh.razavi@trca.ca">hamedeh.razavi@trca.ca</a>	1. That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority. 2. The applicant successfully obtains a permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.
3	Parks, Forestry and Horticulture Operations Patrick Courchesne  905-832-8585 x 3617 <a href="mailto:Patrick.Courchesne@vaughan.ca/">Patrick.Courchesne@vaughan.ca/</a>	A Private Property Tree Removal & Protection Permit (Construction/Infill) is required for the removal/injury to trees (over 20cm DBH) on the subject property and trees located within 6 metres of the subject property, as per By-Law 052-2018.

**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://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.

**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.

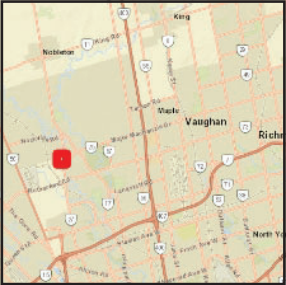
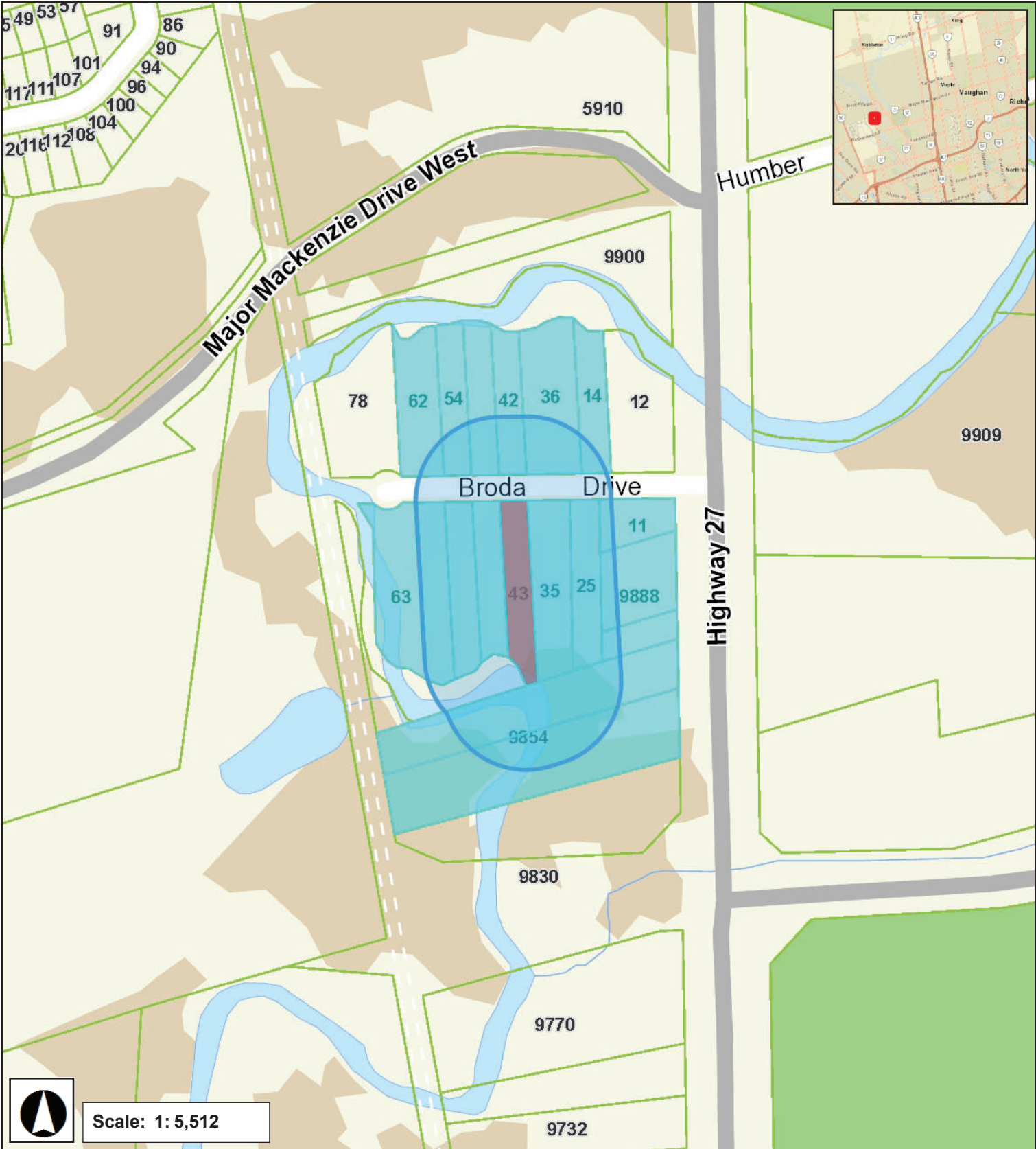
Location Map  
Plans & Sketches





# LOCATION MAP - A121/20

43 BRODA DRIVE, KLEINBURG



Scale: 1: 5,512



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By RECEIVED at 1:17 pm, Dec 11, 2020

A121/20

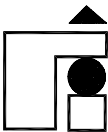
Permit the expansion (enlargement) of a legal non-conforming use (residential dwelling with attached deck).

Permit a detached accessory structure (shed) in an OS1, Open Space Conservation Zone

SITE PLAN

SCALE 1: 400  
DERIVED FROM  
TOPOGRAPHIC SURVEY OF  
LOT 15  
REGISTERED PLAN 4005  
CITY OF VAUGHAN  
(FORMERLY TOWNSHIP OF VAUGHAN)  
REGIONAL MUNICIPALITY OF YORK  
ALEX MARTON LIMITED  
Ontario Land Surveyors  
DATE: MAY 28, 2020

GUITBERG GROUP INC.



33 BELVEDERE CRES.  
RICHMOND HILL ONTARIO  
TEL. (905) 508-7436  
FAX. (905) 508-7453

RESIDENTIAL RENOVATION  
AT 43 BRODA DRIVE  
CITY OF VAUGHAN , ONTARIO

SITE PLAN

DRAWN BY	CHECKED
SCALE 1:400	DATE JULY '20

RECEIVED

By RECEIVED at 11:33 am, Dec 09, 2020

TOPOGRAPHIC SURVEY OF  
LOT 15  
REGISTERED PLAN 4005  
CITY OF VAUGHAN  
(FORMERLY TOWNSHIP OF VAUGHAN)  
REGIONAL MUNICIPALITY OF YORK

SCALE 1 : 300

ALEX MARTON LTD.  
ONTARIO LAND SURVEYORS

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METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

BENCHMARK NOTE

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED  
TO THE CITY OF VAUGHAN BENCHMARK No.81-107  
HAVING AN ELEVATION OF 206.560 METRES.  
BENCHMARK ON HYDRO ELECTRIC POWER COMMISSION TOWER LOCATED AT THE  
SOUTHWEST CORNER OF THE INTERSECTION OF ISLINGOTN AVENUE (Y.R. 7)  
AND MAJOR MACKENZIE DRIVE (Y.R. 25).  
(CUT CROSS IN STEEL NUT ON NORTHEAST LEG OF TOWER)

LEGEND

BB	DENOTES	BOTTOM OF BANK
TB	"	TOP OF BANK
RWS	"	STONE RETAINING WALL
SWW	"	STONE WALKWAY
AC	"	AIR CONDITIONER
UP	"	UTILITY POLE
DS	"	DOOR SILL
CR	"	CENTERLINE
HM	"	HYDRO METER
SWI	"	INTERLOCKING PAVEMENT
EG	"	EDGE OF GRAVEL
O/H	"	OVERHEAD
PIN	"	PROPERTY IDENTIFIER NUMBER
Ø	"	DIAMETER
⊙	"	DECIDUOUS TREE
★	"	CONIFEROUS TREE
✱	"	BUSH

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:  
THE FIELD OBSERVATIONS REPRESENTED ON THIS PLAN  
WERE COMPLETED ON THE 12TH DAY OF MAY, 2020

MAY 28 2020  
DATE

ALEX MARTON  
ONTARIO LAND SURVEYOR

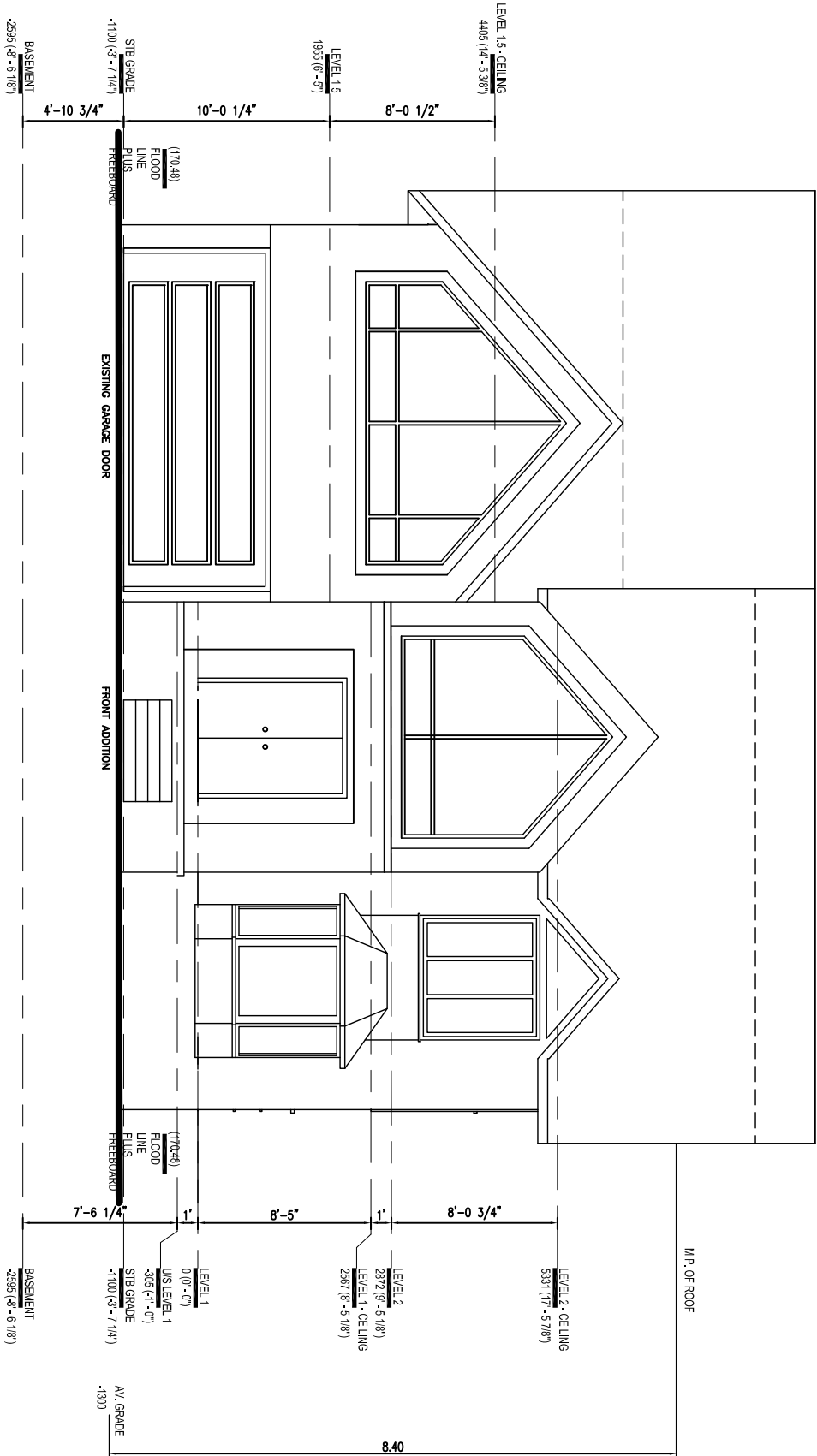
ALEX MARTON LIMITED ONTARIO LAND SURVEYORS 160 APPLEWOOD CRESCENT, UNIT 8, CONCORD, ONTARIO, L4K 4H2 PHONE: 905-879-9889 FAX: 905-879-0770 E-MAIL: alex@amsurveying.ca WEBSITE: www.amsurveying.ca	
PARTY CHIEF: F.V.W.	FILE NAME: 2020-094.DWG
DRAWN : A.K.	PLOT SCALE: 1:300
CHECKED : A.M.	PROJECT No. 2020-094

CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE  
USED FOR MORTGAGE OR TRANSACTION PURPOSES.

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By RECEIVED at 11:34 am, Dec 09, 2020



- NOTES
1. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND LOCATIONS PRIOR TO START OF WORK.
  2. DO NOT SCALE DRAWINGS.
  3. REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR OVERTS TO THE ARCHITECT PRIOR TO START OF WORK.
  4. USE ONLY LATEST REVISED DRAWINGS OR THOSE THAT ARE SPECIFICALLY NOTED ON DESIGN EXEMPTION.
  5. THE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE PROTECTED BY COPYRIGHT. REPRODUCTION OR MODIFICATION OF ANY PART OF THESE DRAWINGS WITHOUT THE ARCHITECT'S WRITTEN PERMISSION IS STRICTLY PROHIBITED.
  6. THESE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE ARCHITECT AND APPROVED BY AUTHORITIES HAVING JURISDICTION.

No.	Description	Date
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RESIDENTIAL RENOVATION  
43 BRODA DRIVE - VAUGHAN ON.

SHEET TITLE

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

NORTH  
ELEVATION

TEL. (905) 508-7436  
FAX. (905) 508-7453

SCALE

1 : 100

ISSUED DATE

06/28/20

DRAWN

CK'D

PROJECT NO.

V/G

Checker

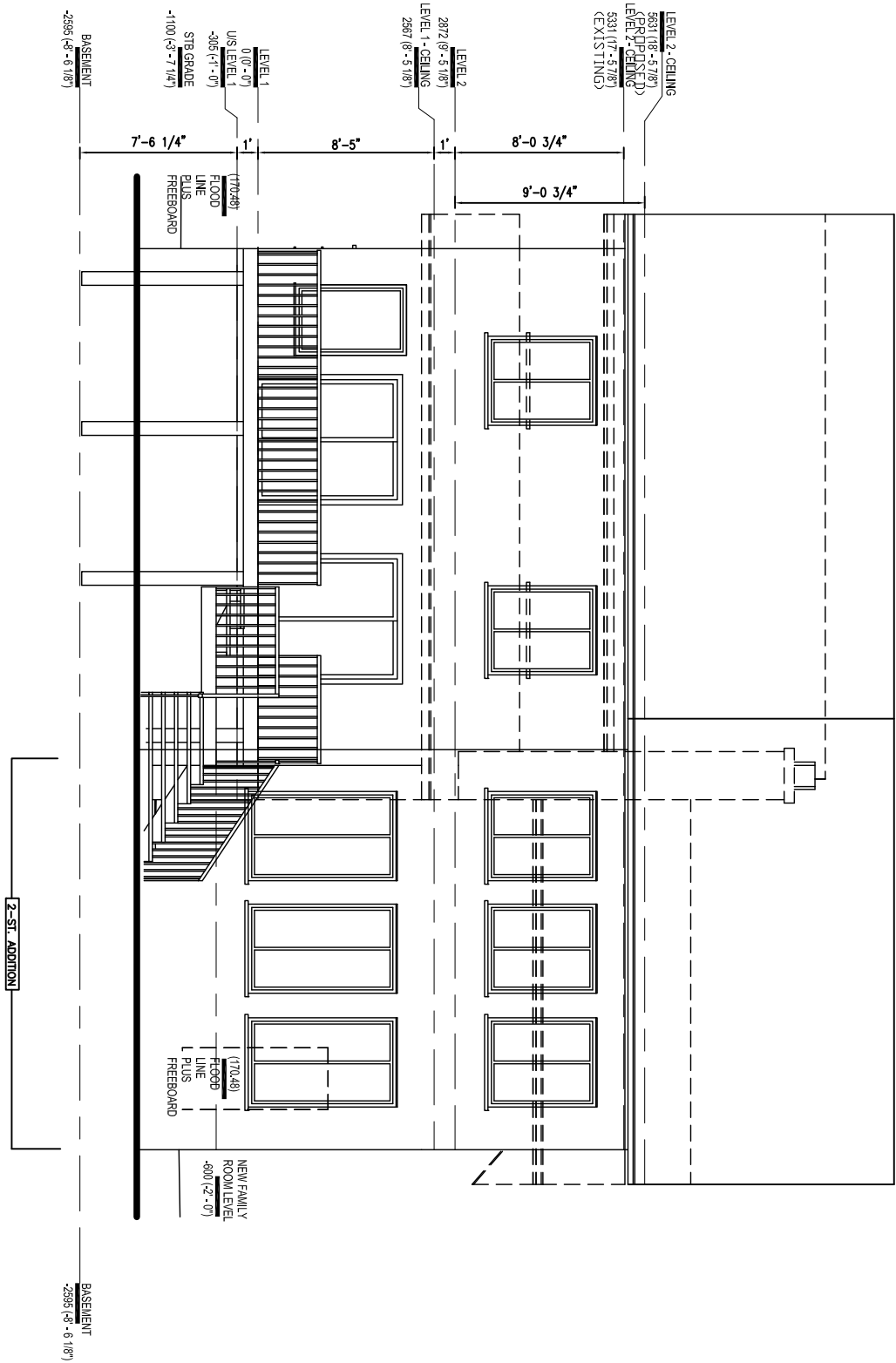
Project Number

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- NOTES
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No.	Description	Date
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SHEET TITLE  
SOUTH  
ELEVATION

SCALE	ISSUED DATE
1 : 100	06/28/20
DRAWN	CHECKED
V/G	PROJECT NO.

A202

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

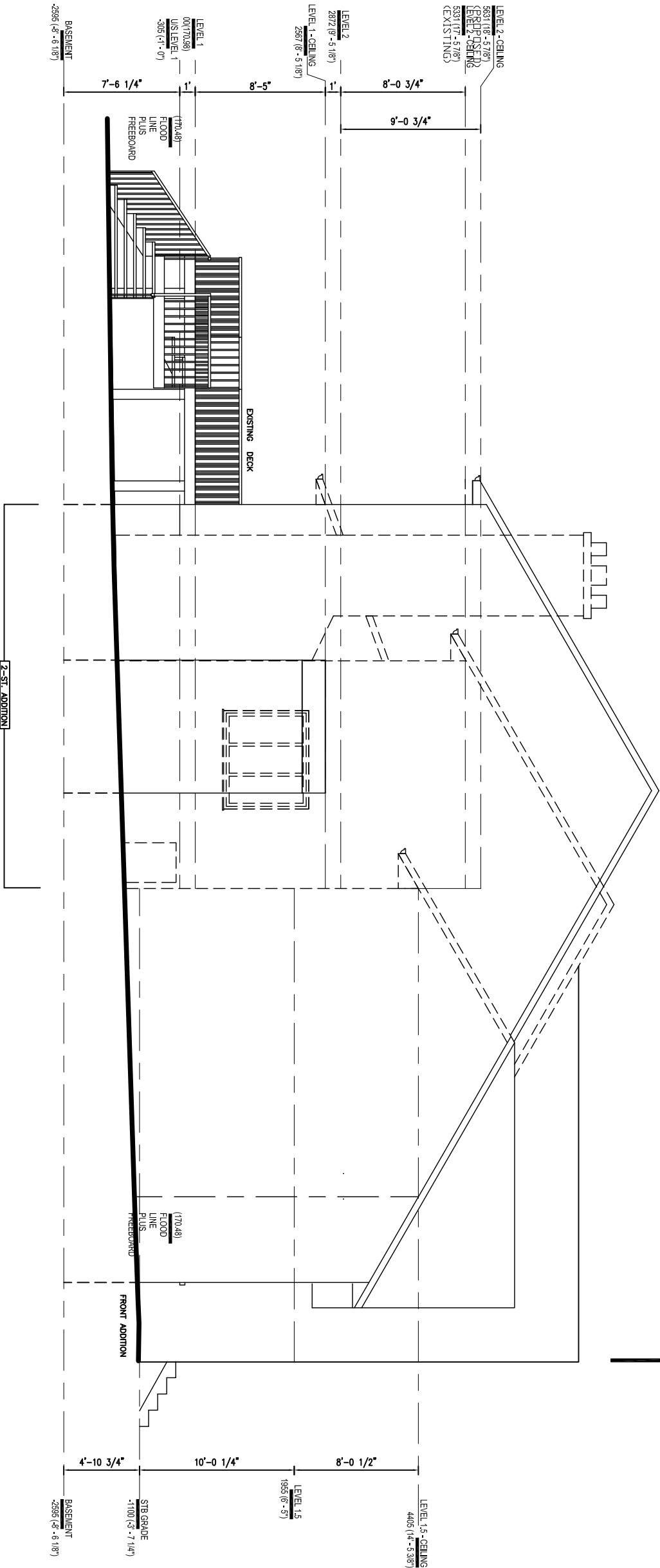
TEL. (905) 508-7436  
FAX. (905) 508-7453

**GUTBERG GROUP INC.**

RESIDENTIAL RENOVATION  
43 BRODA DRIVE - VAUGHAN ON.

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By RECEIVED at 11:35 am, Dec 09, 2020



- NOTES
1. CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON SITE PRIOR TO START OF WORK.
  2. DO NOT SCALE DRAWINGS. IF ERRORS, OMISSIONS OR DISCREPANCIES TO THE ARCHITECT OR DESIGN ENGINEER ARE DETECTED, NOTIFY IMMEDIATELY.
  3. THESE ARE PRELIMINARY DRAWINGS. THEY ARE NOT TO BE USED FOR CONSTRUCTION.
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  5. THE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.
  6. THE DRAWINGS ARE NOT TO BE USED FOR CONSTRUCTION WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.

No.	Description	Date
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SHEET TITLE

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

EAST  
ELEVATION

RESIDENTIAL RENOVATION  
43 BRODA DRIVE - VAUGHAN ON.

TEL. (905) 508-7436  
FAX. (905) 508-7453



GUTBERG GROUP INC

SCALE	ISSUED DATE
1 : 100	06/28/20

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		A203

Author/Checker	Project Number

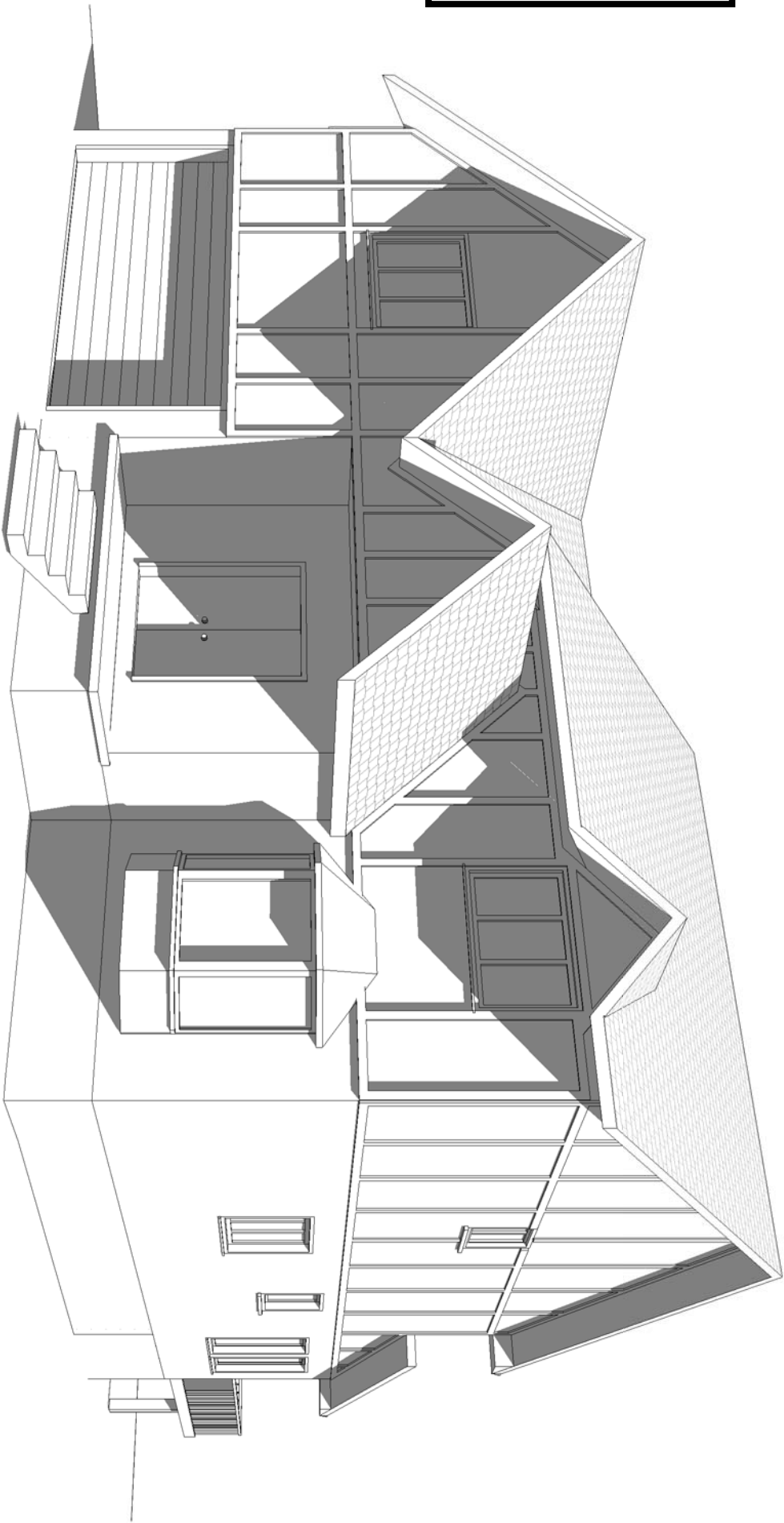
6/29/2020 8:11:03 PM



A121/20

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By RECEIVED at 9:57 am, Nov 10, 2020



RESIDENTIAL RENOVATION

NOTES		
1.	CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO START OF WORK.	
2.	DO NOT SCALE DRAWINGS.	
3.	REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE ARCHITECT OR DESIGN ENGINEER PRIOR TO START OF WORK.	
4.	USE ONLY LATEST REVISIONED DRAWINGS OR THOSE THAT ARE SPECIFICALLY REFERENCED IN THE DOCUMENT.	
5.	THE DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND ARE PROTECTED BY COPYRIGHT. REPRODUCTION OF DRAWINGS AND RELATED DOCUMENTS IN PART OR IN WHOLE IS NOT PERMITTED WITHOUT THE ARCHITECT'S WRITTEN PERMISSION.	
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DRAWINGS LIST	
SHEET NO.	SHEET NAME

A000	COVER SHEETS
A001	EXISTING SITE PLAN
A100	BASEMENT - EXISTING FLOOR PLAN
A101	LEVEL 1 - EXISTING FLOOR PLAN
A102	LEVEL 2 - EXISTING FLOOR PLAN
A201	EXISTING NORTH ELEVATION
A202	EXISTING SOUTH ELEVATION
A203	EXISTING EAST ELEVATION
A204	EXISTING WEST ELEVATION
A301	EXISTING NORTH-SOUTH SECTION
A302	EXISTING EAST-WEST SECTION

RESIDENTIAL RENOVATION  
43 BRODA DRIVE - VAUGHAN ON.

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

TEL. (905) 508-7436  
FAX. (905) 508-7453

GUTBERG GROUP INC.

SHEET TITLE	
COVER SHEETS	
SCALE	ISSUED DATE
DRAWN	CHKD
BM	VG
PROJECT NO.	
Project Number	

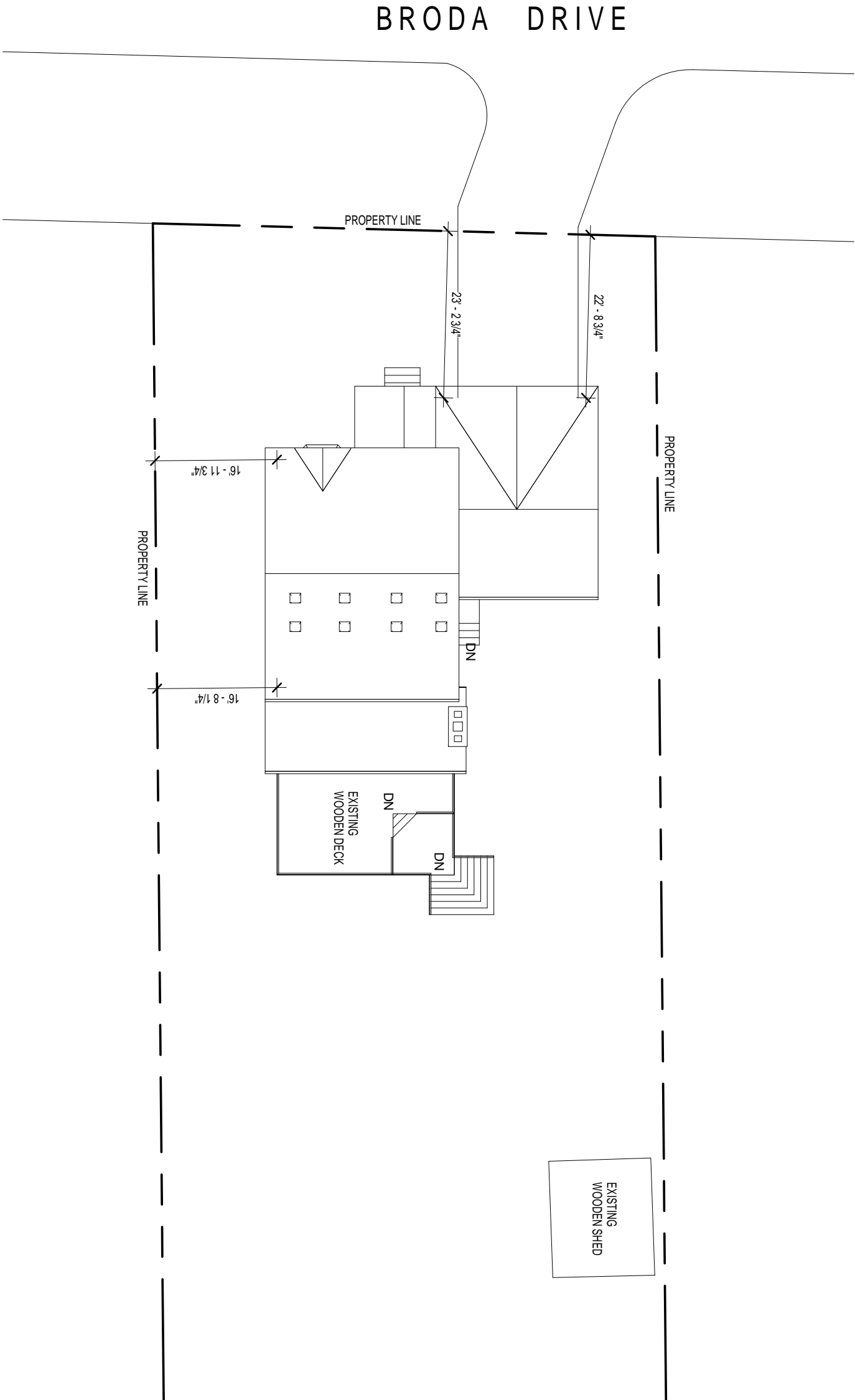
A000

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NOTES  
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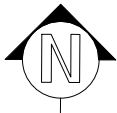
RESIDENTIAL RENOVATION  
43 BRODA DRIVE - VAUGHAN ON.

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

TEL. (905) 508-7436  
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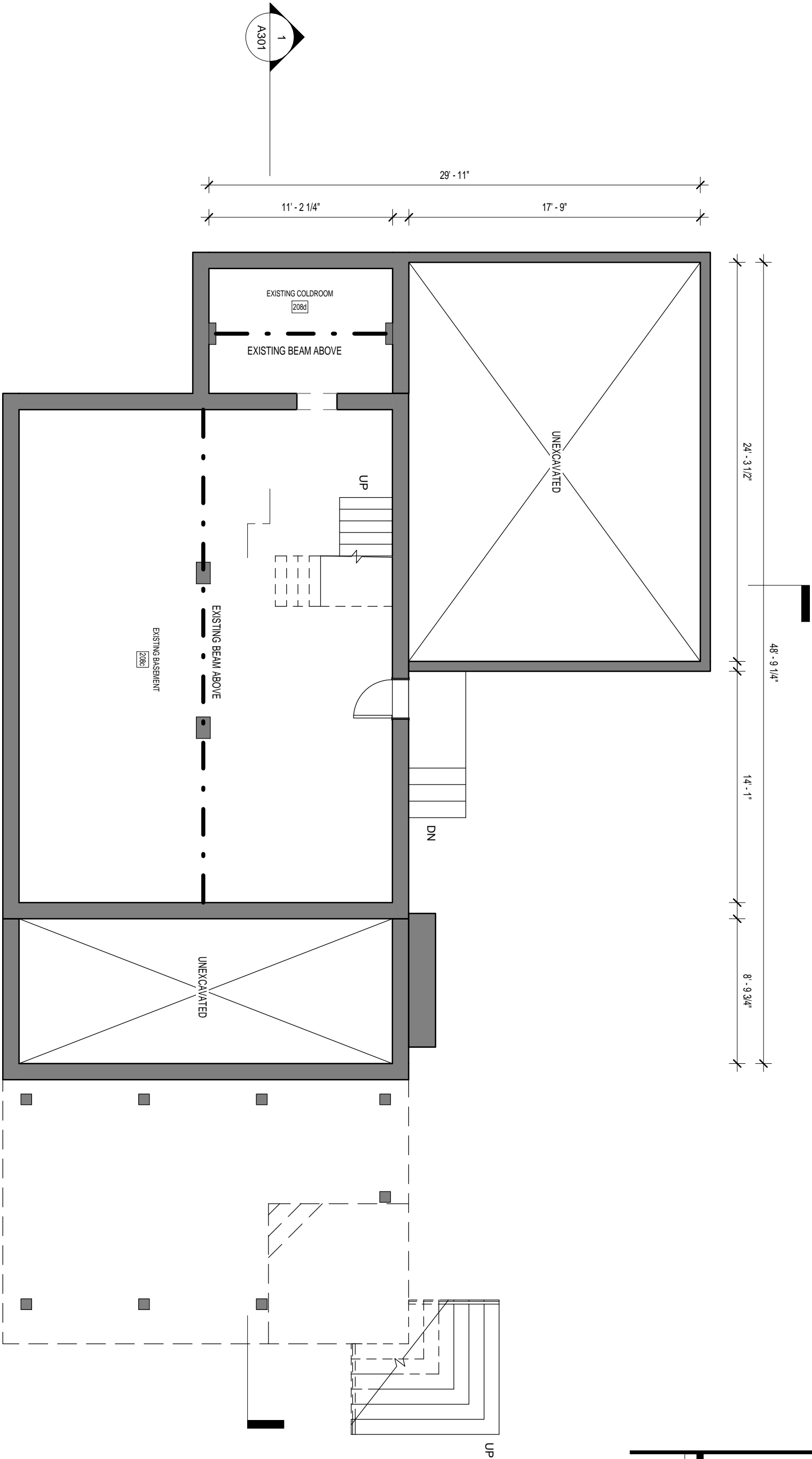
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SCALE		ISSUED DATE	
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DRAWN	CHKD	PROJECT NO.	A001
BM	VG	Project Number	



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No.	Description	Date
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RESIDENTIAL RENOVATION  
43 BRODA DRIVE - VAUGHAN ON.

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

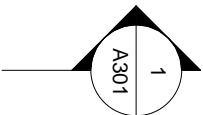
TEL. (905) 508-7436  
FAX. (905) 508-7453

GUTBERG GROUP INC.

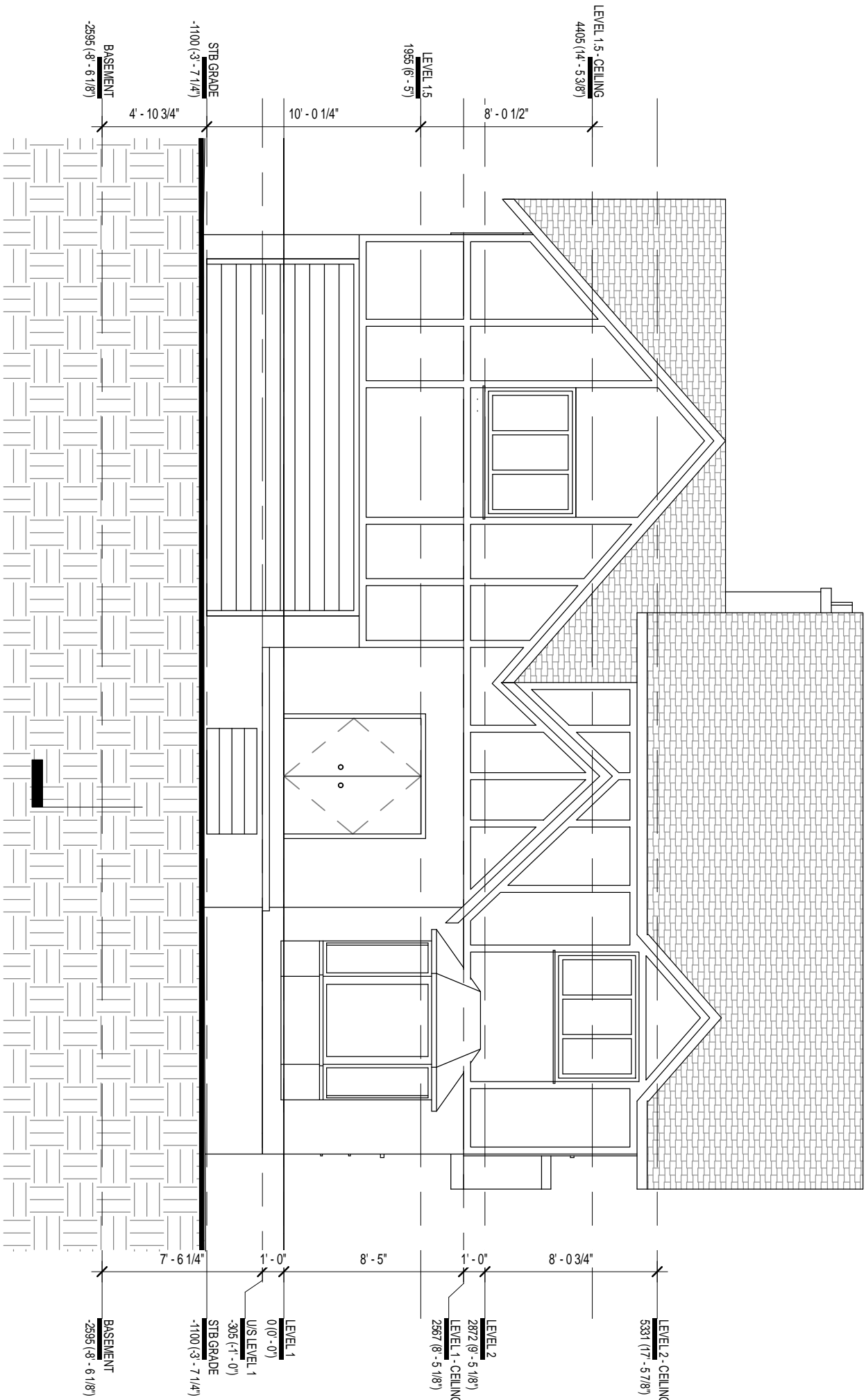
SCALE	ISSUED DATE	
1 : 75	06/28/20	
DRAWN	CHKD	PROJECT NO.
BM	VG	Project Number

A100

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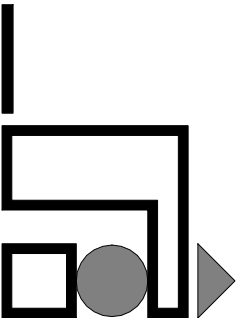
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RESIDENTIAL RENOVATION  
43 BRODA DRIVE - VAUGHAN ON.

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

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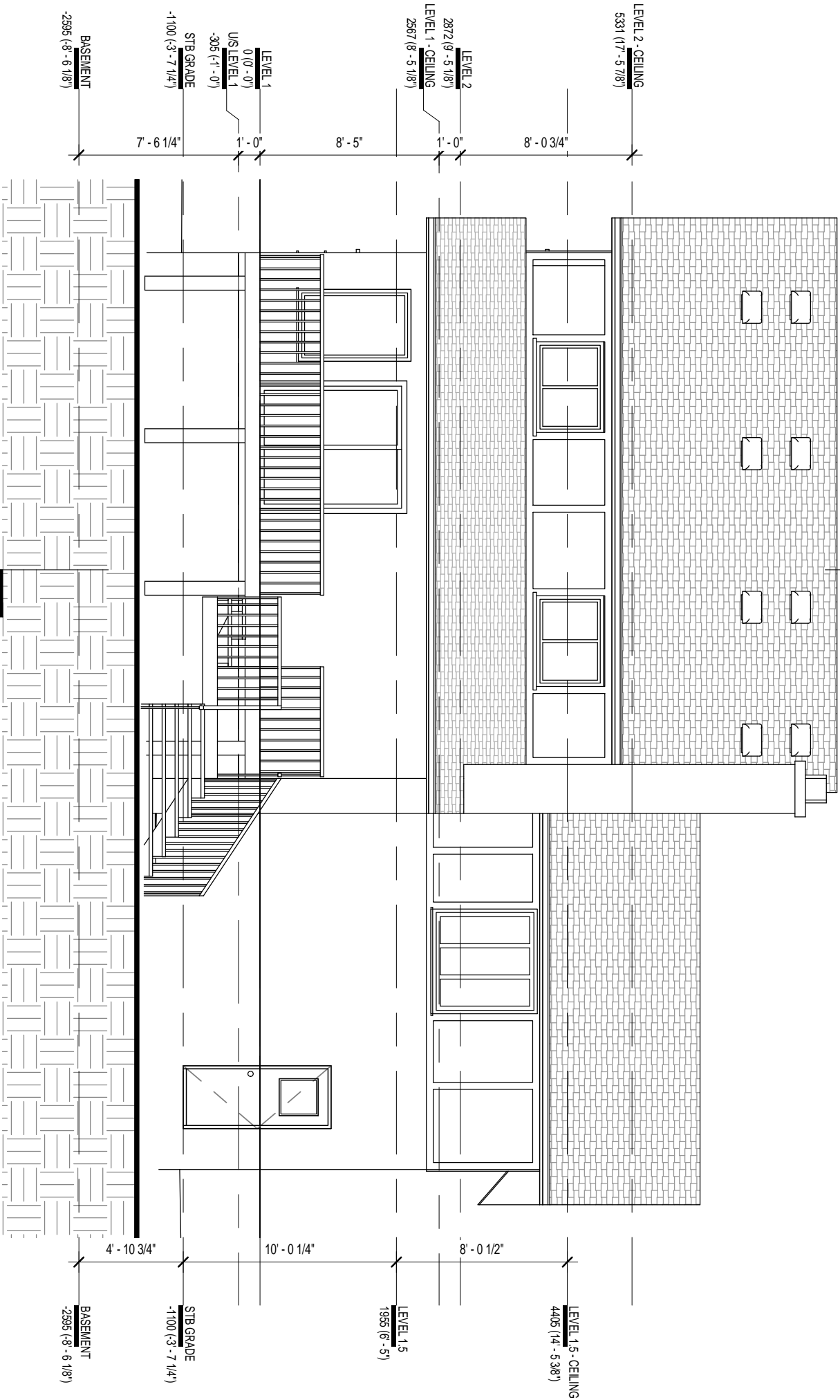
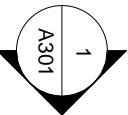
GUTBERG GROUP INC.

SCALE	ISSUED DATE	
1 : 75	06/28/20	
DRAWN	CHKD	PROJECT NO.
BM	VG	Project Number

A201

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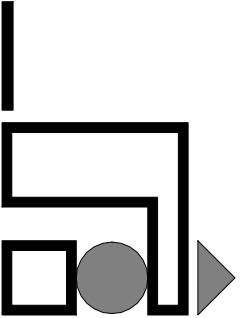
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RESIDENTIAL RENOVATION  
43 BRODA DRIVE - VAUGHAN ON.

33 BELVEDERE CRES.  
RICHMOND HILL  
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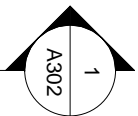


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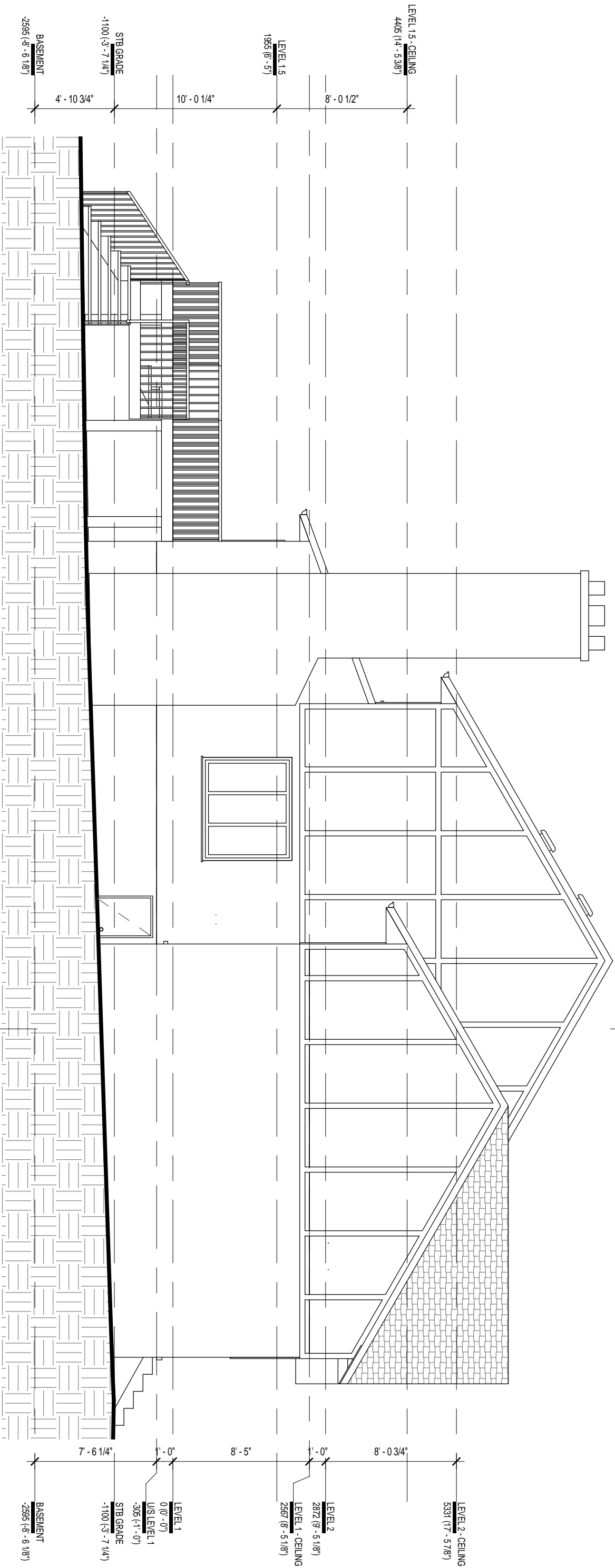
SCALE	ISSUED DATE	
1 : 75	06/28/20	
DRAWN	CHKD	PROJECT NO.
BM	VG	Project Number

A202

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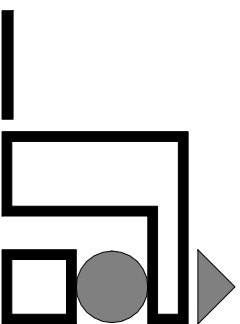


## RESIDENTIAL RENOVATION

### 43 BRODA DRIVE - VAUGHAN ON.

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

TEL. (905) 508-7436  
FAX. (905) 508-7453



GUTBERG GROUP INC.

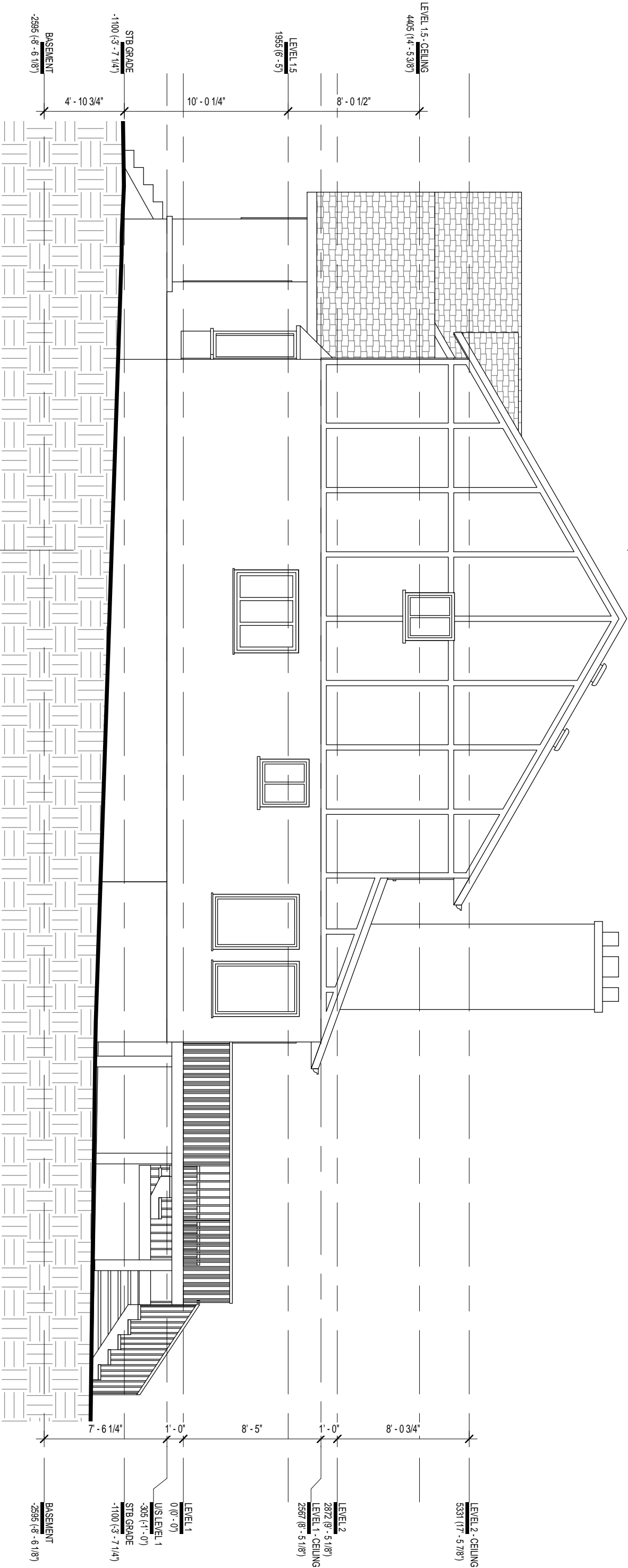
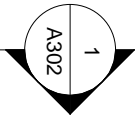
SCALE	ISSUED DATE	
1 : 75	06/28/20	
DRAWN	CHKD	PROJECT NO.
BM	VG	Project Number

A203

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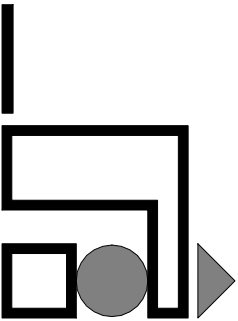


## RESIDENTIAL RENOVATION

### 43 BRODA DRIVE - VAUGHAN ON.

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

TEL. (905) 508-7436  
FAX. (905) 508-7453



GUTBERG GROUP INC.

SCALE	ISSUED DATE	
1 : 75	06/28/20	
DRAWN	CHKD	PROJECT NO.
BM	VG	Project Number

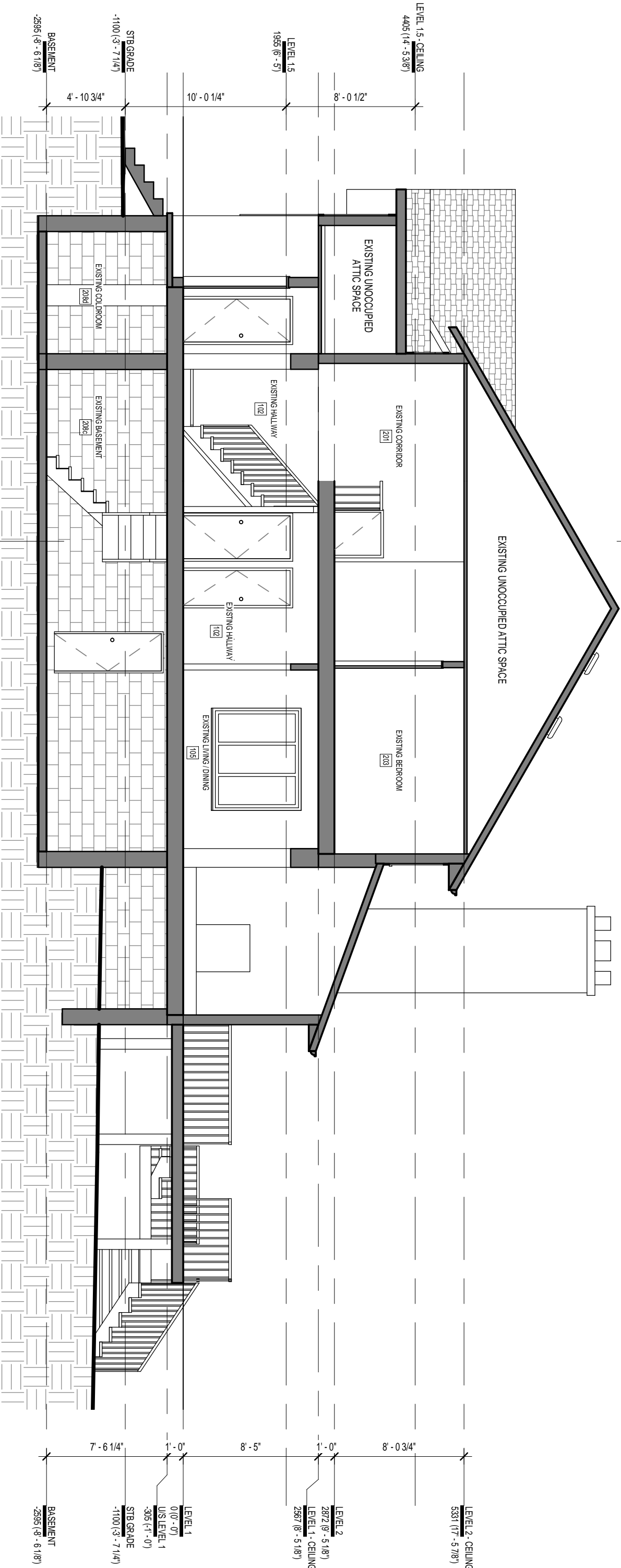
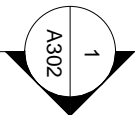
A204

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## RESIDENTIAL RENOVATION

### 43 BRODA DRIVE - VAUGHAN ON.

33 BELVEDERE CRES.  
RICHMOND HILL  
ONTARIO, L4C 8W1

TEL. (905) 508-7436  
FAX. (905) 508-7453

GUTBERG GROUP INC.

SCALE	ISSUED DATE	
1 : 75	06/28/20	
DRAWN	CHKD	PROJECT NO.
BM	VG	Project Number

A301

6/28/2020 10:24:30 PM

**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
- TRCA – comments with conditions

## COMMENTS:

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

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

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

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

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

### References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream(Construction Standard 03-1, 03-4, 03-9), attached
- Canadian Standards Association, latest edition (Basic Clearances)

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

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

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

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

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

**Attwala, Pravina**

---

**Subject:** FW: A121/20 - REQUEST FOR COMMENTS

---

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

**Sent:** November-12-20 12:30 PM

**To:** Vigneault, Christine <Christine.Vigneault@vaughan.ca>

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

**Subject:** [External] RE: A121/20 - REQUEST FOR COMMENTS

Good Afternoon Christine.

MTO has reviewed the subject land(s) located at 43 Broda Dr. 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*

## Attwala, Pravina

---

**Subject:** FW: A121/20 - REQUEST FOR COMMENTS

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

**Sent:** November-19-20 8:35 AM

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

**Cc:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>

**Subject:** [External] RE: A121/20 - REQUEST FOR COMMENTS

Good morning Pravina,

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

Regards

*Gabrielle*

**Gabrielle Hurst MCIP RPP** | Community Planning and Development Services | The Regional Municipality of York | 1-877-464 9675 ext 71538 | [Gabrielle.hurst@york.ca](mailto:Gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)



December 11, 2020

CFN 62574.32  
Ex-Ref CFN 62524.06

**SENT BY E-MAIL: Christine.Vigneault@vaughan.ca**

Ms. Christine Vigneault, Secretary Treasurer  
Committee of Adjustment  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario L6A 1T1

Dear Christine:

**Re: Minor Variance Application A121/20  
43 Broda Drive, Part of Lot 20, Concession 8  
City of Vaughan, Region of York  
Owner: Elena Bugulova  
(Agent: GUITBERG Group Inc.)**

This letter acknowledges receipt of the above noted application, received by Toronto and Region Conservation Authority (TRCA) on November 11, 2020. TRCA staff has reviewed the application and offers the following comments for the consideration of the Committee of Adjustment.

**Background**

The purpose of application A121/20 is to request the following:

1. To permit the expansion (enlargement) of a legal non-conforming use (residential dwelling)
2. To permit a minimum easterly interior side yard setback of 2.92 metres to an addition to a dwelling.
3. To permit a minimum westerly interior side yard setback of 5.05 metres to an addition to a dwelling.
4. To permit a minimum front yard setback of 5.59 metres to an addition to a dwelling.
5. To permit a detached accessory structure (shed) in an OS1, Open Space Conservation Zone.
6. To permit a minimum easterly interior side yard setback of 0.43 metres for a detached accessory structure (shed).
7. To permit a minimum westerly interior side yard setback of 5.13 metres to an uncovered, unexcavated and unenclosed deck.
8. To permit a minimum easterly interior side yard setback 6.29 metres to an uncovered, unexcavated and unenclosed deck.

It is our understanding that the purpose of the noted variances is to permit the construction of a two-storey addition on the north and southeast and a second storey addition on the south of the existing dwelling, consisting of a new family room on the ground floor and a master bedroom on the second floor. The addition does not exceed 50% of the original size of the dwelling.

### **Applicable TRCA Policies and Regulations**

#### **Provincial Policy Statement 2020 (PPS):**

The Planning Act dictates that agencies involved in planning, including the TRCA, “shall be consistent with” the PPS when reviewing development applications. In accordance with Section 3.1 of the PPS, development shall generally be directed to areas outside of natural hazards unless the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards and where the four (4) tests of Section 3.1.7 could be met.

#### **Living City Policies (LCP):**

The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority (LCP) describes a ‘Natural System’ made up of natural features and areas, water resources, natural hazards, potential natural cover and/or buffers. The LCP recommends that development not be permitted within the Natural System and that it be conveyed into public ownership for its long-term protection and enhancement. The LCP also provides policies for developing adjacent to, and in, the Natural System (where permitted), while meeting natural hazard management requirements, and maintaining and enhancing the functions of the protected Natural System. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape. It is these policies that guide TRCA’s review of the subject application, along with those found in other Provincial and municipal plans, documents and guidelines.

#### **Ontario Regulation 166/06:**

The subject property is entirely located within TRCA’s Regulated Area of the Humber River Watershed because it is located within a valley corridor and Regional Storm flood plain associated with the Humber River. In accordance with *Ontario Regulation 166/06*, development, interference, or alteration may be permitted in the Regulated Area where it can be demonstrated to TRCA’s satisfaction that the control of flooding, erosion, dynamic beaches, pollution, or the conservation of land will not be affected. In this regard, TRCA must be contacted prior to any works taking place in the Regulated Area.

### **Application-Specific Comments**

The applicant submitted a concept development application (CFN 62524.06) to TRCA in July 2020 to assess the feasibility of constructing an addition to the existing single-family dwelling. The current minor variance application is consistent with the concept development application.

Based on TRCA’s current mapping and modelling the Regional Storm flood plain reaches an elevation of 170.18 metres above sea level with an associated velocity of 1.7 metres per second (m/s). Based on current Regional Storm flood plain elevation, the depth of water during a Regulatory storm would range from approximately 0.5 m to 1 m around the location of the existing dwelling.

Based on a review of the submitted materials, it appears that the addition has been designed to have all openings (i.e., doors, windows and vent fans) above the Regional Storm flood plain elevation, plus a 0.3-metre freeboard. Furthermore, the addition is less than 50% of the current dwelling, does not include a basement, and does not increase the number of dwelling units in the existing building. As such, the proposed addition meets TRCA’s floodproofing requirements.

TRCA is satisfied that the proposal complies with the intent of the Living City policies and Ontario Regulation 166/06 and has no objections to the proposed variances.

**Fees**

By copy of this letter, the applicant is advised that the TRCA has implemented a fee schedule for our planning application review services. This application is subject to a \$580.00 (Variance-Residential-Minor) review fee. The applicant is responsible for fee payment and should forward the application fee to this office as soon as possible.

**Recommendation**

Based on the above, TRCA staff have **no objection** to the approval of Minor Variance Application A121/20, subject to the following conditions:

1. That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority.
2. The applicant successfully obtains a permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5256 or at [Hamedeh.Razavi@trca.ca](mailto:Hamedeh.Razavi@trca.ca)

Sincerely,



Hamedeh Razavi  
Planner I,  
Development Planning and Permits

HR/jb

C: Bell, Brandon [Brandon.Bell@vaughan.ca](mailto:Brandon.Bell@vaughan.ca)  
Holyday, Margaret [Margaret.Holyday@vaughan.ca](mailto:Margaret.Holyday@vaughan.ca)  
Cascone, Nicholas [Nicholas.Cascone@vaughan.ca](mailto:Nicholas.Cascone@vaughan.ca)