



File: A045/21

Applicant: Prithy Serrao

Address: 98 Headwind Blvd, Woodbridge

Agent: Permit Guys

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

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson  
Hearing Date: Thursday, April 8, 2021

*\*Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



Minor Variance  
Application

Agenda Item: 18

A045/21

Ward: 3

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

**Date & Time of Live Stream Hearing:** Thursday, April 8, 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:** Prithy Serrao

**Agent:** Permit Guys

**Property:** 98 Headwind Blvd, Woodbridge

**Zoning:** The subject lands are zoned RD3, Residential and subject to the provisions of Exception 9(1288) 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 deck with stairs to basement below (basement walk-up). The deck is 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 7.5 metres is required.	1. To permit a minimum rear yard setback of 4.02 metres to an enclosed deck.
2. A minimum rear yard setback of 5.7 metres is required.	2. To permit a minimum rear yard setback of 3.10 metres to basement walk-up stairs.

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

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

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

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

**Committee of Adjustment:**  
Public notice was mailed on March 24, 2021

Applicant confirmed posting of signage on March 25, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2014
Deck	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): Setbacks do not provide enough deck space to allow for patio furniture. Looking to enhance the backyard with outdoor living space.

**Adjournment Request:** None

**Building Standards (Zoning Review):**  
Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

Building Permit No. 20-116165 for Shed/Gazebo - Addition, Issue Date: (Not Yet Issued)

The proposed deck is enclosed, and therefore, is subject to the same minimum rear yard setback as the dwelling.

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

**Building Inspections (Septic):**  
No comments or concerns

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

The Owner is requesting permission to construct a raised deck over an enclosed new basement entrance and walk-up stairs in the rear yard of an existing single-family dwelling. In support of this minor variance application, the Owner has provided the Development Planning Department with a photo of the abutting woodlot feature (in the rear) and submitted a site plan that clearly depicts the closest trees from the rear lot line. Both Urban Design and Policy Planning and Environmental Sustainability staff have reviewed the material and conclude the proposed works will not negatively impact the abutting natural heritage feature (woodlot). Development Planning staff is of the opinion that the reduction in rear yard is appropriate, given the deck and walk-up stairs maintain an interior yard setback that complies with Zoning By-law 1-88 and remain compatible to other accessory structures in the area.

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.

**Development Engineering:**  
The Development Engineering (DE) Department does not object to variance application A045/21. subject to the following condition(s):

Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (Letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.

**Parks Development - Forestry:**  
No Comments.

**By-Law and Compliance, Licensing and Permit Services:**  
No Comments.

**Financial Planning and Development Finance:**  
No comment, no concerns.

**Fire Department:**  
No comments to date.

**Schedule A – Plans & Sketches**

**Schedule B – Public Correspondence**  
None

**Schedule C - Agency Comments**  
Alectra (Formerly PowerStream) – No concerns or objections  
Region of York – No concerns or objections

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

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

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

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

	Department/Agency	Condition
1	Development Engineering Farzana Khan  905-832-8585 x 3608 <a href="mailto:Farzana.Khan@Vaughan.ca">Farzana.Khan@Vaughan.ca</a>	Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder and approval (Letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification and approval to the City's Development Engineering Department.

**Conditions**

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

**Please Note:**

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

**Notice to the Applicant – Development Charges**

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

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City’s Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City’s Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

## Notice to Public

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

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

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

**ELECTRONIC PARTICIPATION:** During the COVID-19 emergency, residents can view a live stream of the meeting [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](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.

**PUBLIC RECORD:** Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

**For further information please contact the City of Vaughan, Committee of Adjustment**  
**Adriana MacPherson**  
T 905 832 8585 Extension 8360  
E [CofA@vaughan.ca](mailto:CofA@vaughan.ca)

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

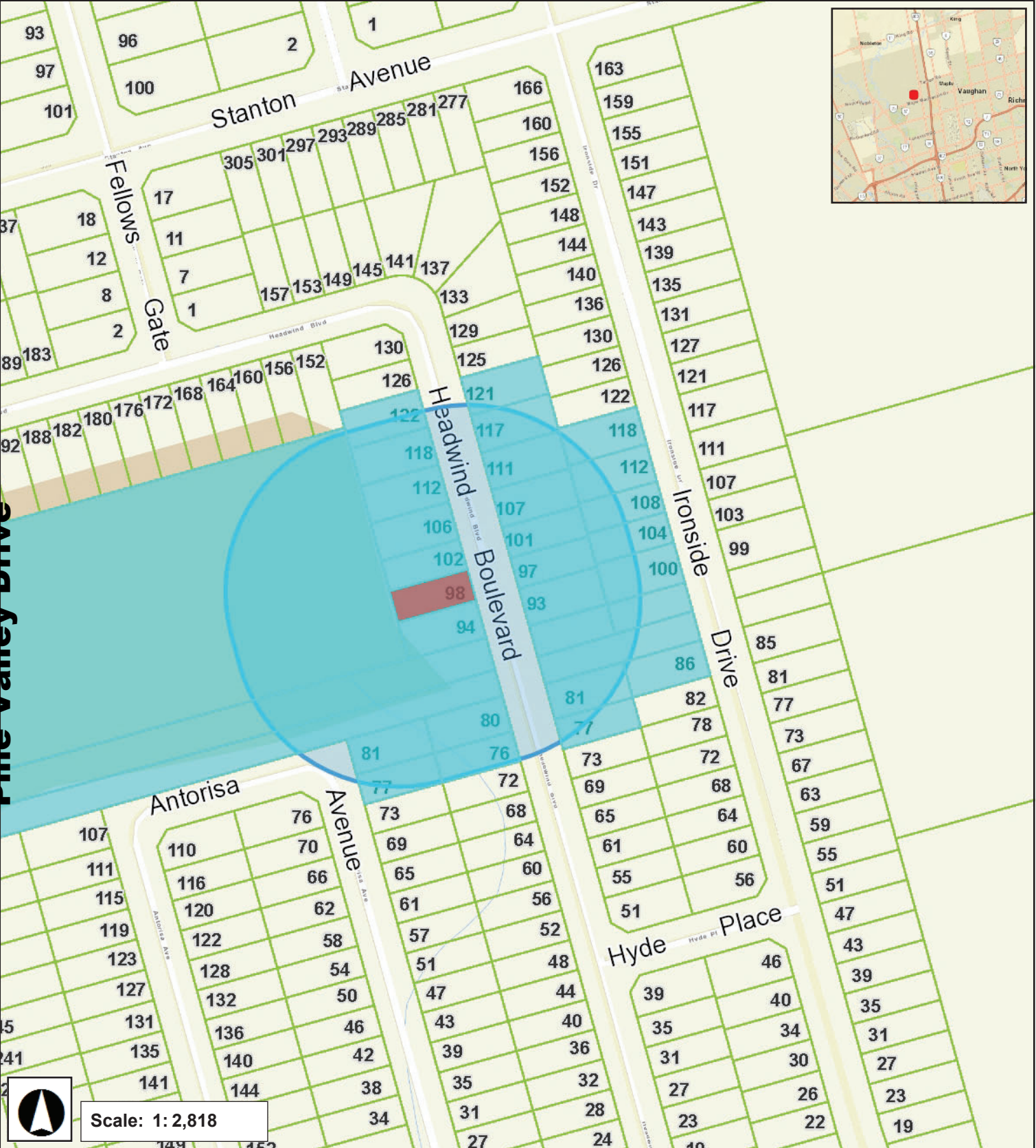
Location Map  
Plans & Sketches



# A045/21 - Notification Map

98 Headwind Blvd, Vaughan

Teston Road



1. To permit a minimum rear yard setback of 4.02 metres to an enclosed deck.
2. To permit a minimum rear yard setback of 3.10 metres to basement walk-up stairs.

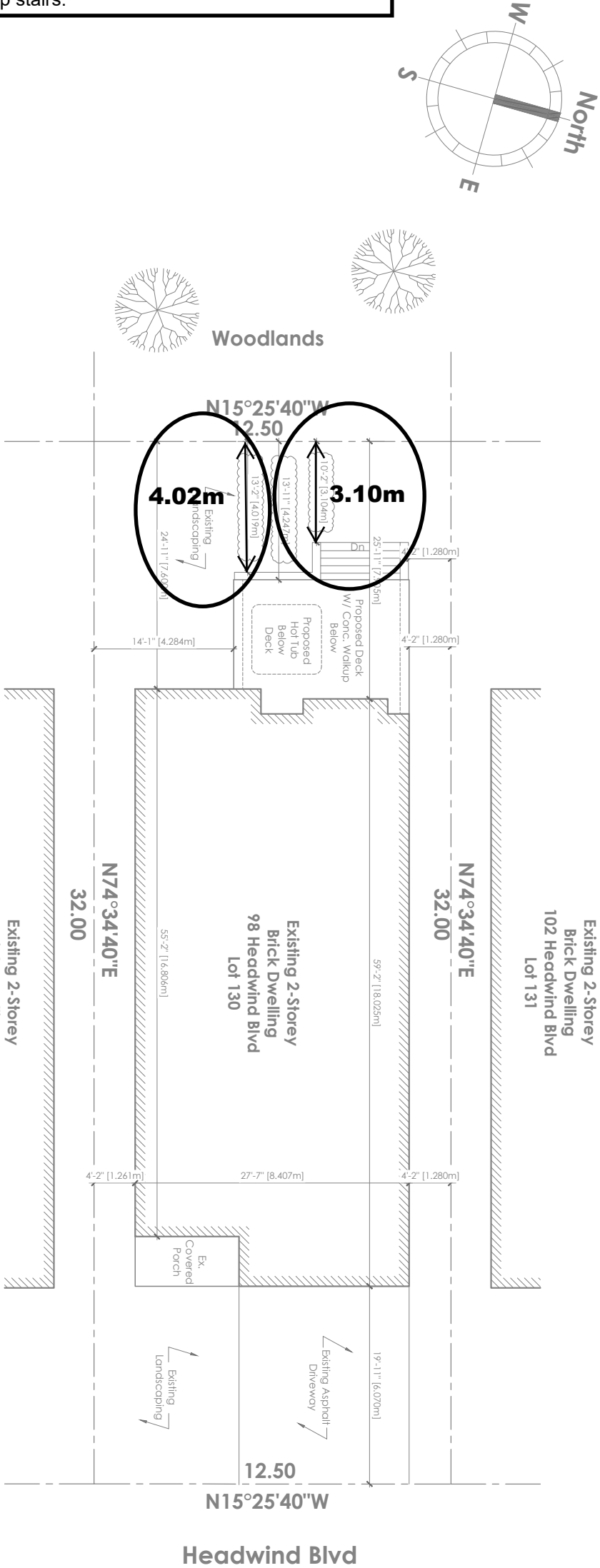
1. All dimensions to be checked and verified on site prior commencement of work. Any discrepancies shall be brought to the attention of permittees prior to continuation of work;
2. The contractor shall take all precautionary measures under the occupational health and safety act as required by the ministry of labour.
3. All work shall be done in accordance with the minimum standards and specifications of the municipality's engineering department.
4. All work in the municipal road allowance shall meet the minimum standards and specifications of the municipality's engineering department. The contractor is required to obtain & pay for permit to work in municipal r. O.W.
5. Prior to the commencing any work on the installation of services & grading, an approved set of plans and specifications must be available on the job site and shall remain there while work is being done.
6. The owners of the utilities must be informed at least two weeks prior to construction on any existing municipal road allowance. All existing underground utilities within the limits of construction shall be located and marked. Any utilities, damaged or disturbed during construction, shall be repaired or replaced to the satisfaction of the governing body or the contractors expense.
7. Prior to commencing any construction, all sewer outlet information, benchmarks, elevations and grades must be checked by the contractor and verified and any discrepancies reported to the engineer.
8. The contractor is responsible for ensuring that there is no interruption of any surface or subsurface drainage flow that would adversely affect neighboring properties

PLAN OF LOTS 130, 131 & 132  
REGISTERED PLAN 65M-4359

## All Units in Metric

A detailed map of the area surrounding the intersection of Highway 67 and Highway 101. The map shows various residential streets including Valleyview Drive, Parkside Drive, Meadowbrook Drive, and others. A large grey shaded area indicates the proposed development site, located south of the intersection. A compass rose in the bottom left corner shows North, South, East, and West. A scale bar at the top right indicates distances from 0 to 100 meters. A legend in the bottom right corner identifies symbols for 'Proposed Development Site' (grey rectangle) and 'Public School' (yellow circle). The map also shows existing roads like Highway 67, Highway 101, and Highway 102, as well as landmarks such as the 'Lambert Public School' and 'Lambert Road'. The map is oriented with North at the top.

# Rear Yard Walk up & Deck Permit CoA



Wall Legend:

Walls to remain

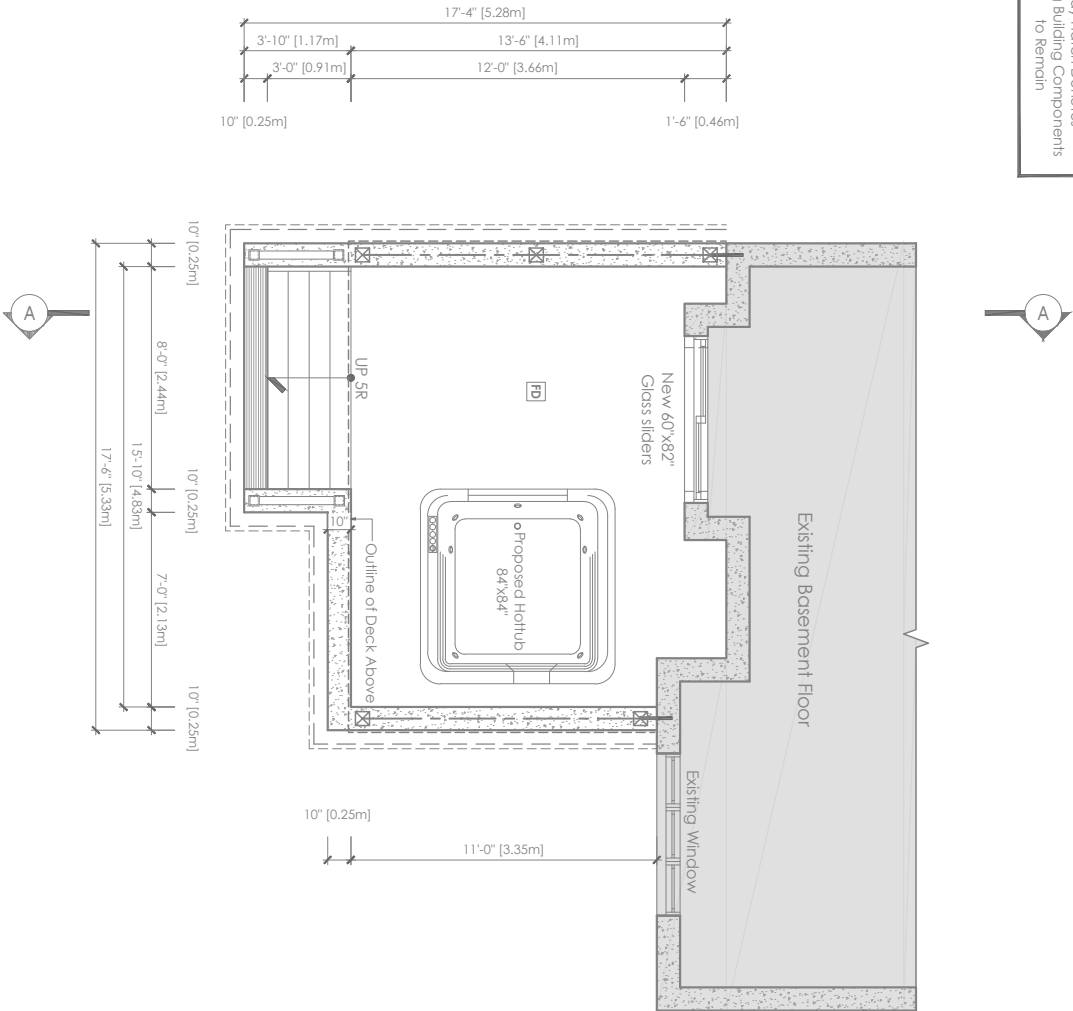
Proposed foundation

Proposed walls

Walls to be removed

Wall to be Filled

Gray Hatch Denotes  
Existing Building Components  
to Remain



## Proposed Foundation Plan

**permitguys.ca**

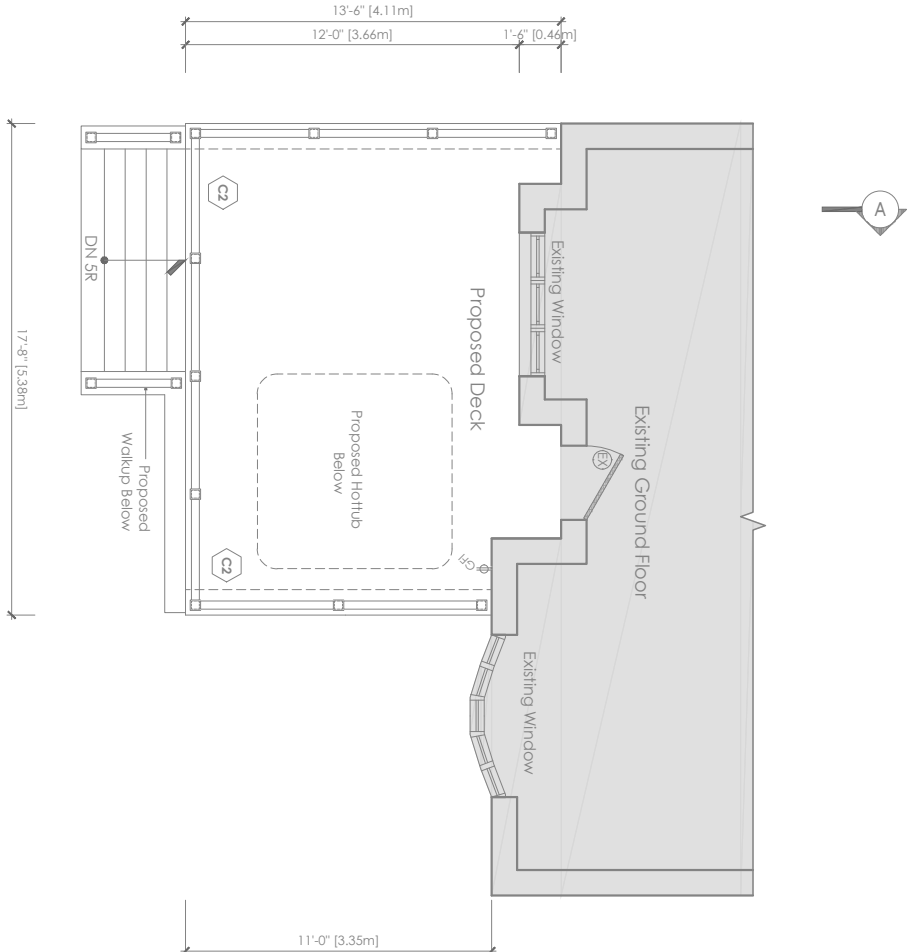
1-32 Sky Harbour Drive,  
Brampton ON L6Y 0C9  
Tel: 416 479 9556  
Email: info@permitguys.ca

Agent Name  
**Michael Zeman**  
Contact Information  
X101, michael@permitguys.ca  
705-836-1001

This is design work as provided and does not constitute a design, as well as having the qualifications and requirements mandated by the Ontario Building Code (OBC) to be a designer.

Qualification Information  
**Aamou Kelga** 113576  
Name Signature  
Registration No. 110882

Permitguys Inc. 110882



## Proposed Deck Plan

Title  
**Proposed Foundation Plan**

Project Name  
**98 Headwind Blvd**

Project No.  
20-99

Drawn By  
KJ

Checked By  
MZ

Date  
2021-01-18

Scale  
3/16"=1'-0"

Municipality  
**Woodbridge, ON**

Heretofore  
98 HEADWIND BLVD COA

Sheet No.  
**A2**

Wall Legend:

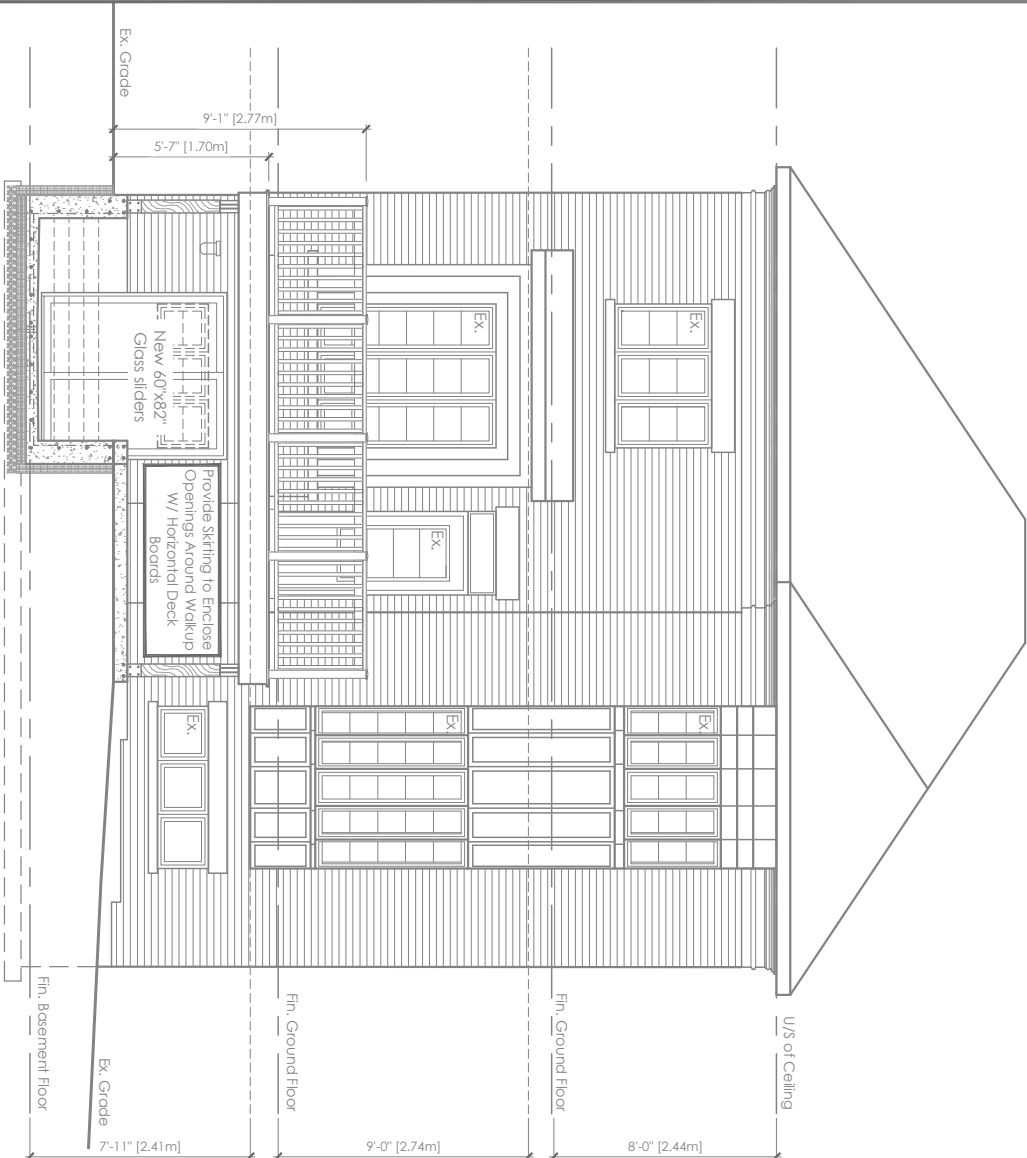
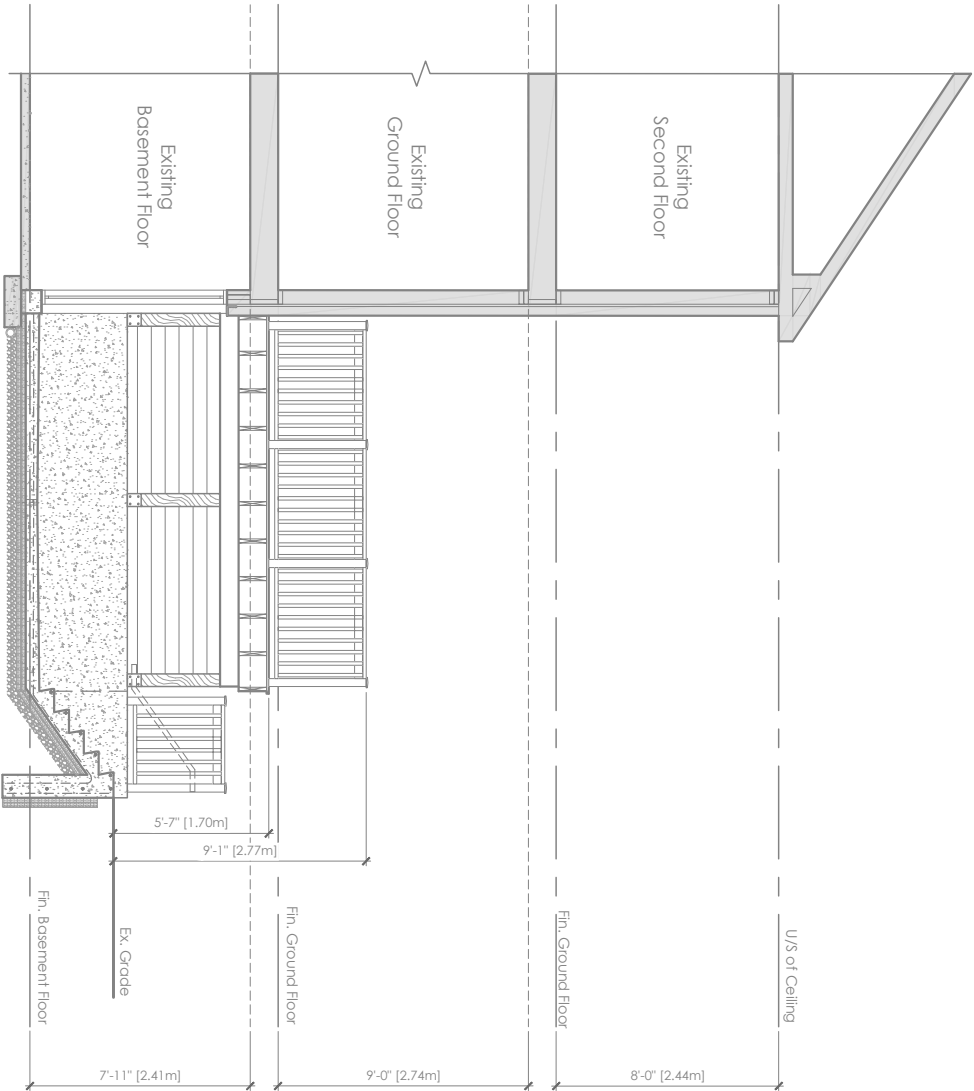
Walls to remain

Proposed foundation

Proposed walls

Walls to be removed

Wall to be Filled



## Proposed Rear Elevation

**permitguys.ca**  
1-32 Sky Harbour Drive,  
Brampton, ON L6Y 0C9  
Tel: 416 479 9556  
Email: info@permitguys.ca

Agent Name  
**Maia Kamen**  
Contact Information  
X101, maia@permitguys.ca  
705-836-1011

This is design work as provided and does not constitute a guarantee, as well as having the qualifications and requirements provided by the Ontario Building Code (OBC) to be a designer.  
Qualification Information  
Name  
**Aamou Kelg** 113576  
Registration No.  
**Permitguys.ca** 110882

**Proposed Rear Elevation**  
Project Name  
**98 Headwind Blvd**  
Project No.  
**20-99**  
Drawn By  
**KJ**  
Checked By  
**MZ**

Municipality  
**Woodbridge, ON**  
Reference  
**98 HEADWIND BLVD COA**

Sheet No.  
**A3**

Schedule B: Public Correspondence Received

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

None

Schedule C: Agency Comments

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

**Alectra (Formerly PowerStream) – No concerns or objections**  
**Region of York – No concerns or objections**

**COMMENTS:**

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

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

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

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

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

**References:**

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

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

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

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

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

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

## MacPherson, Adriana

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**Subject:** FW: A045/21 - Request for Comment

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** March-11-21 10:39 AM  
**To:** MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>  
**Cc:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A045/21 - Request for Comment

Good morning Adriana,  
The Regional Municipality of York has completed its review of the above minor variance and has no comments.

*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)