



File: A051/21

Applicant: Paradise Homes Kleinburg Inc.

Address: 14 Canard Drive, Kleinburg

Agent: Aaron Hershoff

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		
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
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: None

Background History: None

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, April 29, 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: 21

A051/21

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, April 29, 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

To make an electronic deputation at the meeting please contact the Committee of Adjustment at 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: Paradise Homes Kleinburg Inc.

Agent: Aaron Hershoff

Property: 14 Canard Drive, 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"

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 on Block 222, Plan 65M-4672 and Block 114, Plan 65M-4556.

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 of 3 parking spaces is required. (Schedule A3)	1. To permit 2 parking spaces.
2. A minimum lot frontage of 12.0m is required. (Schedule A3)	2. To permit a minimum lot frontage of 11.6m.

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. 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 April 14, 2021

Applicant confirmed posting of signage on April 1, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): The lot is made up of two blocks on two separate plans. An error was made in the zoning of the lot. The zone requirements for width and parking spaces cannot be met.

Building Standards (Zoning Review):

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

Building Permit No. 20-115626 for Single Detached Dwelling - New (Repeat Housing) (No Arch. Exam), Issue Date: (Not Yet Issued)

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

Building Inspections (Septic):

No comments or concerns

Development Planning:

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

Application under review.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A051/21.

Parks Development - Forestry:

Boulevard planted trees must be protected during all phases of construction, street not assumed by the City, the tree would be the responsibility of the developer/builder.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date

Development Finance:

No comment no concerns

Fire Department:

No comments received 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
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.

	Department/Agency	Condition
1	Development Planning Roberto Simbana 905-832-8585 x 8810 roberto.simbana@vaughan.ca	Application under review.

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

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

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

Schedule A: Plans & Sketches

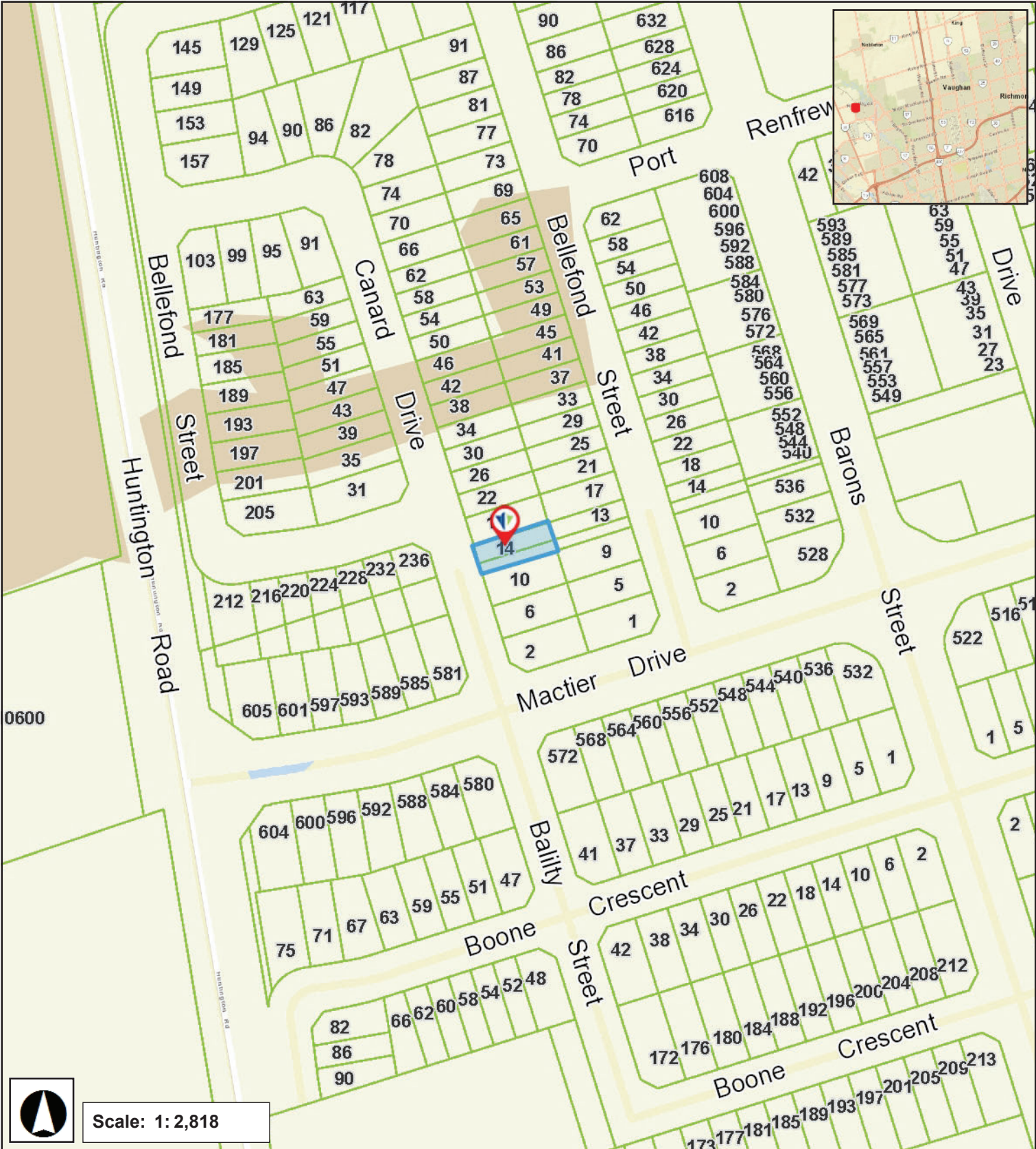
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches



A051/21 - Location Map

14 Canard Drive, Kleinburg



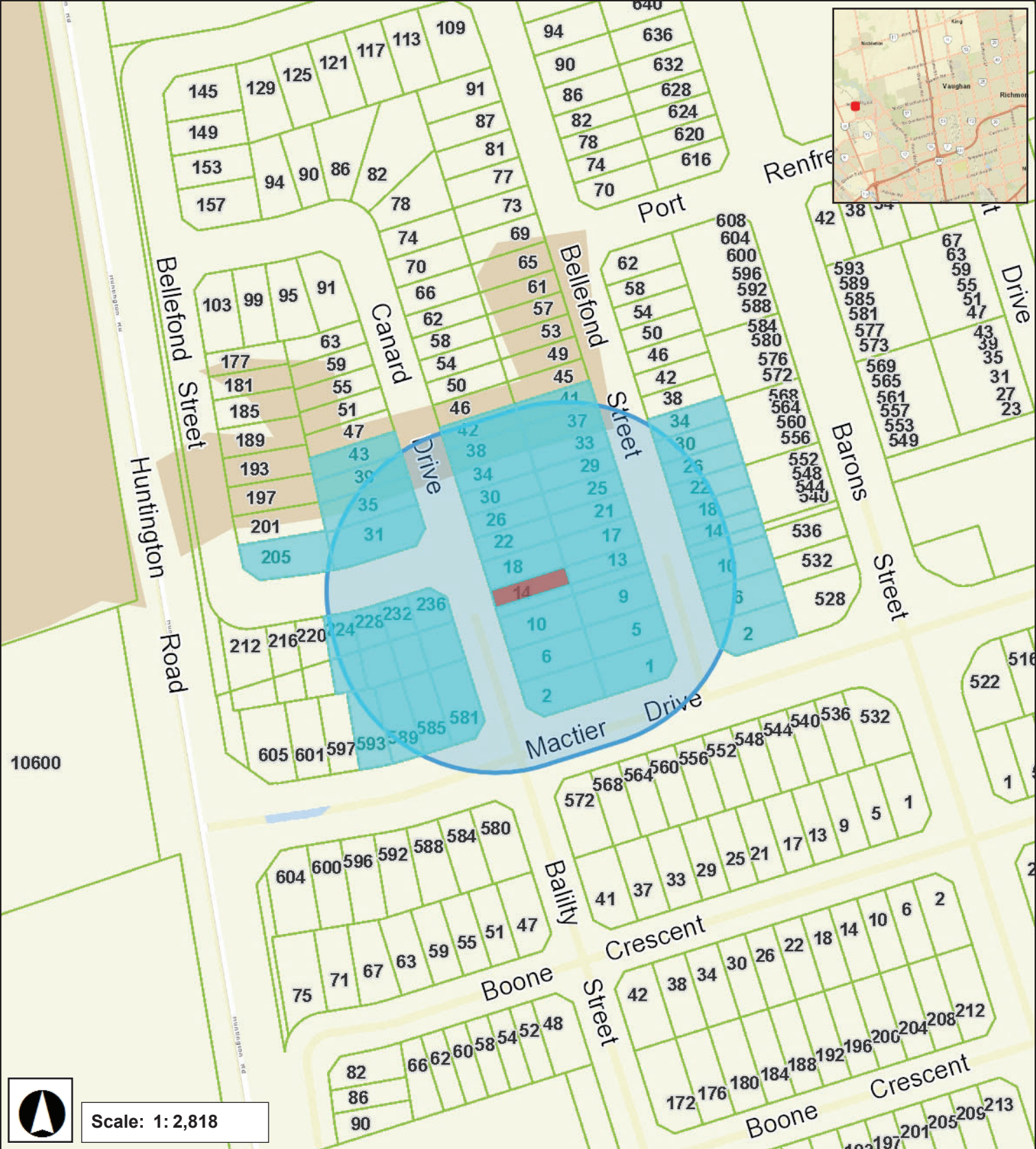
Major Mackenzie Drive

April 15, 2021 11:51 AM



A051/21 - Notification Map

14 Canard Drive, Kleinburg



Major Mackenzie Drive

April 15, 2021 11:53 AM

Proposal:

- 1. To permit 2 parking spaces.
- 2. To permit a minimum lot frontage of 11.6m.

A051/21

MASIMARD | THU FEB 11/21 03:31 PM | K:\PROJECTS\2019\219033.PAR\SITE\219033WSP-01.DWG

GRADING AND DRAINAGE NOTES

1. STANDARD DRAWING AND LOT GRADING CRITERIA OF THE CITY OF VAUGHAN AND THE REGIONAL MUNICIPALITY OF YORK CONSTITUTE PART OF THE PROJECT DRAWINGS FOR THE SUBDIVISION.
2. MINIMUM GRADIENT OF GRASS SWALES ALONG SIDE AND REAR LOT LINE SHALL BE 2.00%. THE PROPOSED ELEVATION OF THE SIDE LOT SWALE AT THE BUILDING LINE SHALL BE A MINIMUM OF 0.15 METERS BELOW THE PROPOSED ELEVATION OF A BUILDING LINE AT CENTER OF THE LOT.
3. TAKE UP REAR YARD GRADE DIFFERENCE USING SLOPES BETWEEN 2.0% AND 5.0% FOR MAXIMUM OF 75% OF THE REAR YARD LENGTH AND SLOPES OF 3:1 TO THE REAR LOT LINE. USE RETAINING WALLS IF GRADE DIFFERENCE IS MORE THAN 0.60 m CONSTRUCT RETAINING WALLS WITHIN THE REAR LOT LINE.
4. ROOF LEADERS SHALL NOT BE CONNECTED TO THE STORM SEWER BUT SHALL DISCHARGE TO THE GROUND ONTO A SPLASH PAD AND SHALL DRAIN TO THE FRONT OF THE HOUSE TO STREET. ENSURE DOWNSPOUT DRAINAGE TO THE FRONT OF THE HOUSE ONLY.
5. FOOTINGS CONSTRUCTED NEXT TO A CATCH BASIN LEAD PIPE OR OTHER MUNICIPAL SERVICES SHALL BE INSTALLED BELOW LEAD PIPE EXCAVATION. FOOTINGS MUST BE CONSTRUCTED ON UNDISTURBED SOIL. SOIL CONSULTANTS VERIFICATION REQUIRED.
6. EDGE OF DRIVEWAYS ARE TO BE A MINIMUM OF 1.0m FROM THE EDGE OF STREET CATCH BASIN AND STREET FURNITURE. THE BUILDER IS TO VERIFY THE LOCATIONS AND INFORM THE ENGINEER IF THIS DIMENSION CANNOT BE MAINTAINED PRIOR TO EXCAVATION FOR THE FOOTINGS.
7. IF THE DISTANCE BETWEEN THE MAIN WALLS OF ADJACENT UNITS IS LESS THAN 1.0m, A SIDE YARD DRAINAGE SWALE SHALL BE CONSTRUCTED AND BE SURFACED WITH 13m LIMESTONE SCREENING, OVERLAIN BY A PATIO SLAB WALKWAY.
8. BRICK LINE SHALL BE 0.15m ABOVE SOO ELEVATION.
9. ALL FENCES ABUTTING PUBLIC LANDS AND OR EXISTING PROPERTIES SHALL BE CONSTRUCTED COMPLETELY ON PRIVATE LANDS (INCLUDING FOUNDATIONS) AND TOTALLY CLEAR OF ANY 0.30m RESERVES.
10. SOIL CONSULTANTS VERIFICATION IS REQUIRED FOR FOOTINGS CONSTRUCTED ON ENGINEERED FILL LOTS
11. IN LOTS WITH REAR LOT CATCHBASINS, THE MINIMUM SIDE YARD WIDTH SHALL BE 1.2m ALONG THE CATCHBASIN LEAD.
12. BUILDER TO STAKE OUT CURB DEPRESSIONS ON ALL LOTS.
13. THE BUILDER MUST VERIFY THE EXISTING SANITARY AND STORM LATERAL SEWER INVERTS AND INFORM THE ENGINEER IF THE MINIMUM 2% SLOPE CANNOT BE MAINTAINED PRIOR TO PLACING OF CONCRETE FOOTINGS.

CONSULTANTS CERTIFICATION

I HAVE REVIEWED THE SITE AND GRADING PLAN FOR THE PROPOSED BUILDING TO BE CONSTRUCTED AND HEREBY CERTIFY THAT:

1. THE PROPOSED GRADING AND APPURTENANT DRAINAGE WORKS COMPLY WITH SOUND ENGINEERING PRINCIPLES.
2. THE PROPOSED GRADING IS IN CONFORMITY WITH THE GRADING PLAN APPROVED FOR THIS SUBDIVISION AND WILL NOT ADVERSELY AFFECT ADJACENT LANDS.
3. THE PROPOSED BUILDING IS COMPATIBLE WITH THE PROPOSED GRADING.
4. THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL UTILITIES ON THE SITE.
5. WATER SERVICE TO BE LOCATED IN THE GRASSED PORTION OF THE YARD.

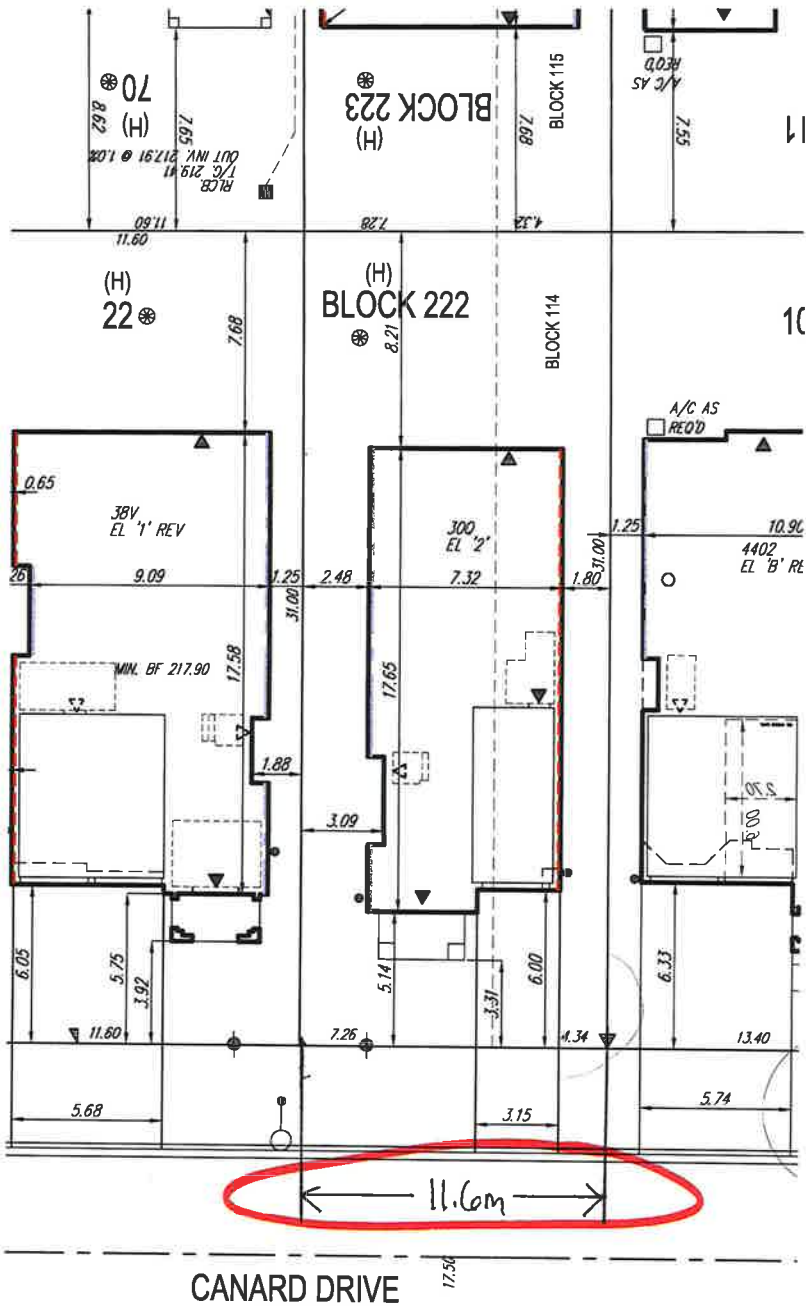
SCHAEFFER'S AND ASSOCIATES

DATE

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.

AC



GENERAL NOTES:

1. BUILDER TO VERIFY LOCATION OF UTILITIES AND OTHER SERVICES. IF MIN. DIMENSIONS ARE NOT MAINTAINED, BUILDER IS TO RELOCATE AT BUILDER'S EXPENSE.
2. BUILDER TO VERIFY ELEV. OF STM. AND SAN. LATERALS IN RELATION TO BASEMENT US OF FOOTING ELEVATIONS FOR COMPLIANCE WITH MUNICIPAL STANDARDS PRIOR TO EXCAVATION.
3. APPROVED PERMIT DRAWINGS & CONSTRUCTION NOTES MUST BE REVIEWED AND FOLLOWED IN CONJUNCTION WITH THE SITING AND GRADING PLAN. BUILDER TO VERIFY BUILDING ENVELOPE ON SITE PLAN MATCHES APPROVED PERMIT DRAWINGS & CONSTRUCTION NOTES PRIOR TO POURING CONCRETE. IF THERE ARE ANY DISCREPANCIES, THEY ARE TO BE BROUGHT TO THE ATTENTION OF HUNT DESIGN ASSOCIATES INC.
4. UNLESS NOTED ON BUILDING ENVELOPE OR APPROVED PERMIT DRAWINGS & CONSTRUCTION NOTES, ALL TOP OF FOUNDATION WALLS INCLUDING GARAGE WALLS TO BE CONSISTENT WITH THE ELEVATION PROVIDED FOR TFW ON SITING AND GRADING PLAN. THE EXTERIOR OF THE FOUNDATION WALL TO BE PROVIDED WITH A REDUCTION OF THICKNESS FOR MASONRY VENEER AS REQUIRED.

ISSUED FOR FINAL APPROVAL MAS 2020.11.11
ISSUED FOR PRELIMINARY APPROVAL MAS 2020.10.20

ENGINEERED FILL LOTS	SANITARY MANHOLE	WATER SERVICE	BELL PEDESTAL	HYDRO TRANSFORMER	SANITARY LINE	DOWNSPOUTS	SUMP PUMP AND SURFACE DISCHARGE LOCATION	FF FINISHED FLOOR
STREET TREE	STORM MANHOLE	HYDRO SERVICE	CABLE PEDESTAL	PADMOUNTED MOTOR	STORM WATER LINE	WINDOWS PERMITTED	UPGRADE ELEVATION	TFW TOP OF FOUNDATION WALL
RETAINING WALL	VALVE & CHAMBER	SHEET DRAINAGE	HYDRO POLE	EXISTING GRADES	WATERLINE	45 MINUTE FIRE RATED WALL	CHAIN LINK FENCE	BF BASEMENT FLOOR
CATCH BASIN	VALVE & BOX	STREET LIGHT PEDESTAL	HYDRO POLE GUY	PROPOSED GRADES	HYDRO LINE	SIDEYARD DISTANCE IS LESS	FENCE AND GATE	UF UNDERSIDE OF FOOTING
DOUBLE / SINGLE STM & SAN CONNECTION	HYDRANT	STREET LIGHT	COMMUNITY MAILBOX	2.0% SWALE DIRECTION	GAS LINE	(NO WINDOWS PERMITTED)	PRIVACY FENCE	WOD WALKOUT DECK
		TRAFFIC SIGNAL POWER PEDESTAL		EMBANKMENT / BERM MAX 3:1 SLOPE	CABLE LINE	EXTERIOR DOOR LOCATION IF GRADE PERMITS	ACOUSTIC FENCE	WOB WALKOUT BASEMENT
					BELL			MOD MODIFIED
					HYDRO, GAS, BELL, CABLE LINE			REV REVERSED
								ND NO DOOR
								HIGHLIGHTED GRADE

SITING AND GRADING PLAN

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

QUALIFICATION INFORMATION

Mark-André Simard

21640

NAME

SIGNATURE

BCIN

REGISTRATION INFORMATION

HUNT DESIGN ASSOCIATES INC.

19695

HUNT DESIGN ASSOCIATES INC.
www.huntdesign.ca

65M-4672

(H) BLOCK 222

CANARD DRIVE

PARADISE DEVELOPMENTS - 219033
NEW KLEINBURG Phase 4, VAUGHAN ON

Drawn By

Checked By

Scale

File Number

Lot / Page Number

MAS

MAS

1:250

219033WSP01

(H)BL222

8966 Woodbine Ave, Markham, ON L3R 0J7 T 905.737.5133 F 905.737.7326

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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

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

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

Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A051/21 - Request for Comments

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>
Sent: March-30-21 3:31 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: A051/21 - Request for Comments

Good afternoon Adriana,
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 | www.york.ca

MacPherson, Adriana

Subject: FW: A051/21 - Request for Comments

From: Mulrenin, Colin (MTO) <Colin.Mulrenin@ontario.ca>
Sent: March-24-21 4:59 PM
To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>
Cc: Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>
Subject: [External] Re: A051/21 - Request for Comments

Good afternoon,

This site 14 Canard Dr. is not within MTO permit control area and MTO has no concerns.

Colin Mulrenin | Corridor Management Officer | York

Highway Corridor Management Section – Central Operations

159 Sir William Hearst Avenue | Ministry of Transportation

7th Floor, Building D | Downsview, Ontario | M3M 0B7

Colin.Mulrenin@ontario.ca