

**File:** A107/20

**Applicant:** Andrew & Olga Kaminer

**Address:** 8 Silk Oak Ct Maple

**Agent:** Andrii Golovnia

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 <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection		
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	<input checked="" type="checkbox"/>	
TRCA		
Ministry of Transportation	<input checked="" type="checkbox"/>	
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: N/A

Background History: N/A

Staff Report Prepared By: Pravina Attwala  
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: 3

A107/20

Ward: 4

Staff Report Prepared By: Pravina Attwala, 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](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:** Andrew & Olga Kaminer

**Agent:** Andrii Golovnia

**Property:** 8 Silk Oak Ct Maple

**Zoning:** The subject lands are zoned RD3 and subject to the provisions of Exception 9(1227) 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 existing covered deck located in the rear yard and to permit the existing front yard soft landscaped area.

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 for a covered deck [Schedule A3 RD2].	1. To permit a minimum rear yard setback of 4.67 metres to a covered deck.
2. A maximum of encroachment of 0.5 metres is permitted for eaves and gutters into a required yard.[3.14 a)]	2. To permit a maximum encroachment of 0.6 metres for eaves, gutters into the required yard.
3. A minimum front yard landscaped area of 19.0 sq.m is required. [4.1.4 f) v)].	3. To permit a minimum front yard soft-landscaped area of 16.20 sqm.

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](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: 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 April 14, 2021

Applicant confirmed posting of signage on April 6, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2014/2020

Applicant has advised that they cannot comply with By-law for the following reason(s): We covered the existing deck as we thought we already got the permit for it but the inspector said there are additional requirements.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: Order No. 20-106856, Order to Comply for Construction of a deck extension and roof over deck, has been undertaken prior to obtaining the required building permit, Issue Date: Jun 04, 2020

Order No. 20-106857, Order to Comply for Construction of the building authorized by the above permit has not been carried out in accordance with the building code; specifically: cold room converted to habitable space., Issue Date: Jun 04, 2020

Building Permit No. 17-000698 for Single Detached Dwelling - Alteration, Issue Date: Nov 28, 2017  
Building Permit No. 17-000698 for Single Detached Dwelling - Alteration, Issue Date: Jun 15, 2017

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

The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.

Building Inspections (Septic):

No Response

Development Planning:

Official Plan: 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 A107/20

The owner/applicant shall apply and obtain the necessary curb cut permit through the Transportation Services Division

Parks Development - Forestry:

No comments or concerns.

Parks Development - Parks:

No comments or concerns.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date.

Financial Planning and Development Finance:

No comment no concerns

Fire Department:

No comment no concerns

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 **adjourn** this application the following condition(s) is required: N/A

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 Planning Roberto Simbana  905-832-8585 x 8810 <a href="mailto:roberto.simbana@vaughan.ca">roberto.simbana@vaughan.ca</a>	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](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.

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**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.

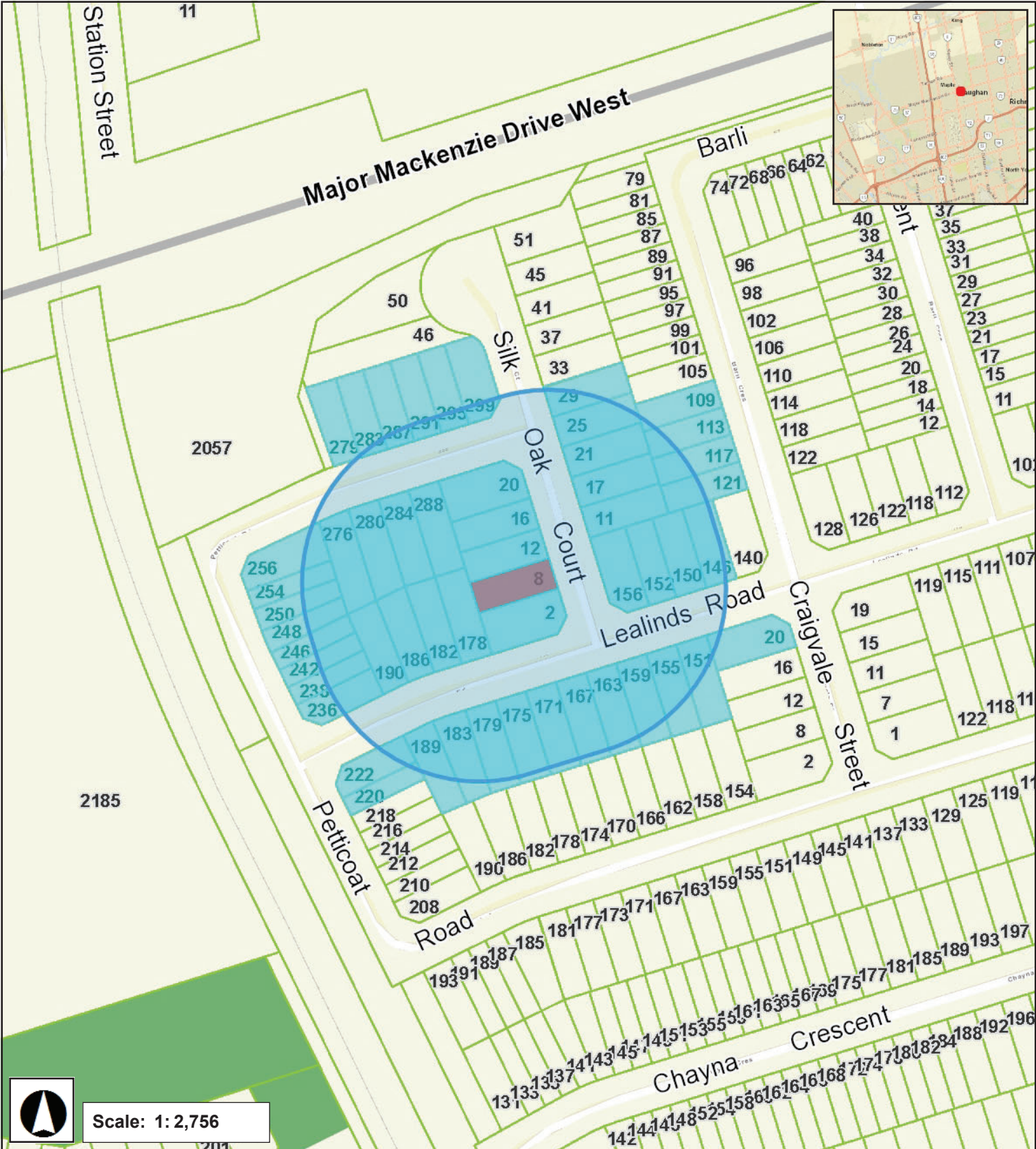
Location Map  
Plans & Sketches





# LOCATION MAP - A107/20

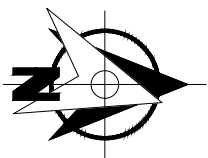
8 SILK OAK COURT, MAPLE



Rutherford Road

March 30, 2021 12:17 PM

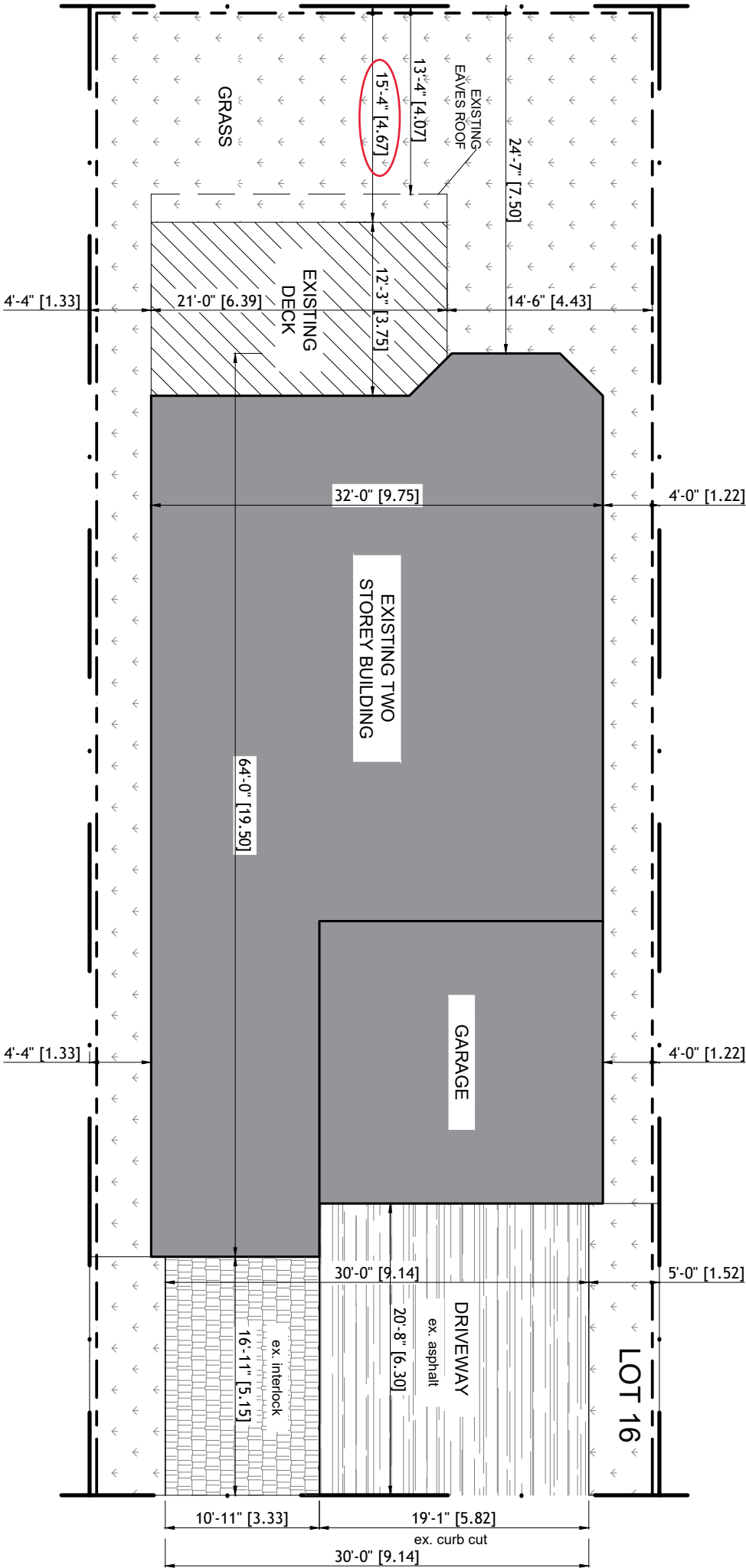
A107/20



FRONT YARD SOFTSCAPE  
= 16.20 SQM

LINES	
SYMBOL	DESCRIPTION
	PROPERTY LINE
	FENCE

STATISTICS	
LOT AREA	4256.74 sq.ft
EXISTING BUILDING AREA	1907.66 sq.ft
PROPOSED DECK AREA	254.04 sq.ft
PROPOSED DECK COVERAGE	5.97%
TOTAL AREA	2161.7 sq.ft
TOTAL LOT COVERAGE	50.78%
SETBACKS	
FRONT	16'-11"
REAR	15'-4"
NORTH	4'-0"
SOUTH	4'-4"
LOT FRONTAGE	40'-4 1/4"
BUILDING LENGTH	64'-0"
BUILDING HEIGHT	10'-0"
REAR YARD AREA	1074.53 sq.ft
SOFT LANDSCAPING (FRONT YARD)	824.21 sq.ft
FRONT YARD AREA	772.5 sq.ft
DRIVEWAY	578.66 sq.ft
DRIVEWAY WIDTH	30'-0"
SOFT LANDSCAPING (FRONT YARD)	174.48 sq.ft



SILK OAK COURT

Site Plan

RECEIVED

By RECEIVED at 4:45 pm, Mar 02, 2021

GENERAL NOTES:

- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AT THE SITE AND REPORT ANY DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING WITH WORK.
- DO NOT SCALE DRAWINGS
- ALL WORKS IS TO BE CARRIED OUT ACCORDING TO THE ONTARIO BUILDING CODE 2012 AND BY-LAWS
- ALL EXISTING SURFACES AND STRUCTURES ADJACENT TO THE PROPOSED WORK ARE TO BE PROTECTED DURING DEMOLITION AND CONSTRUCTION
- THE CONTRACTOR AND/OR THE OWNER SHALL BE RESPONSIBLE FOR THE ARRANGEMENT OF ALL NECESSARY INSPECTIONS AND FOLLOW INSPECTION SCHEDULES
- ALL TEMPORARY WORKS INCLUDING SHORING ARE TO BE PROVIDED BY THE CONTRACTOR
- READ THIS DRAWING IN CONJUNCTION WITH OTHER DRAWINGS, ARCHITECT STRUCTURAL, MECHANICAL, ELECTRICAL AND OTHER RELEVANT DRAWINGS AND SPECIFICATIONS
- THESE DRAWING MUST NOT BE DUPLICATED IN ANY FORM, OR USE FOR ANY OTHER PROJECTS, WITHOUT WRITTEN CONSENT OF THE ARCHITECT

REVISIONS AND ISSUES:

DATE	NO.	DESCRIPTION
2021-02-23	0	ISSUED FOR BUILDING PERMIT



2275 Lake Shore Blvd. West Suite 224, Toronto, ON M8V 3Y3  
Phone: (647) 585-3585 Web: [ithd.ca](http://ithd.ca)  
Toll free: (855) 561-4161 Email: [info@ithd.ca](mailto:info@ithd.ca)

PROFESSIONAL SEAL:

PROJECT NAME & ADDRESS:

8 Silk Oak Ct, Vaughan,  
ON

DATE: 2021-02-23

DRAWN BY: N.M.

CHECKED BY: A.G.

SCALE: 1:100

FILE No. 2020-362

SHEET TITLE:

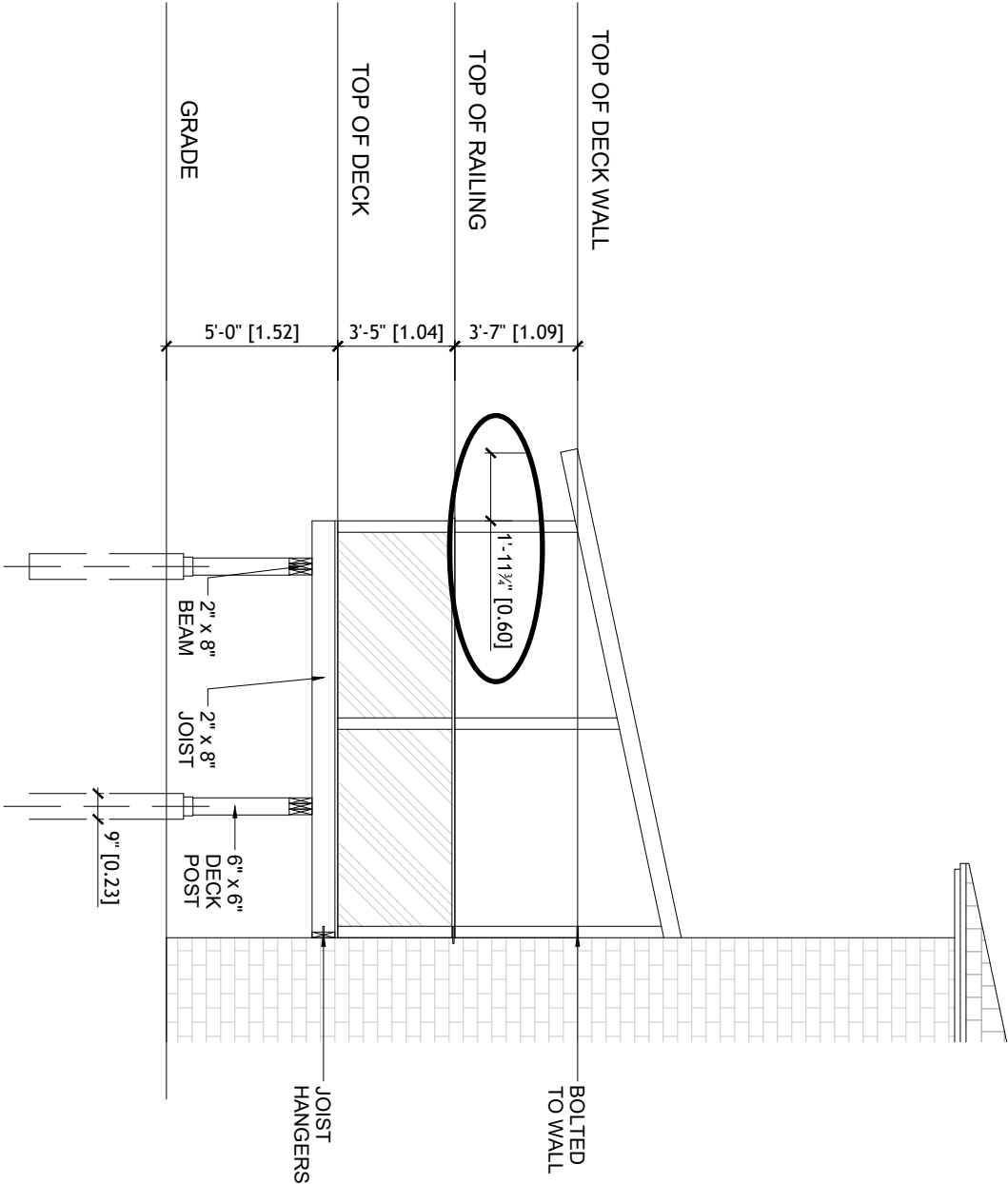
Site Plan

DRAWING NO.

A-1.0



A107/21



South Elevation  
(Existing)

RECEIVED

By RECEIVED at 4:48 pm, Mar 02, 2021

- GENERAL NOTES:
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AT THE SITE AND REPORT ANY DISCREPANCIES TO THE CONSULTANT BEFORE PROCEEDING WITH WORK
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REVISIONS AND ISSUES:		
2021-02-23	0	ISSUED FOR BUILDING PERMIT
DATE	NO.	DESCRIPTION



2275 Lake Shore Blvd. West Suite 224, Toronto, ON M8V 3Y3  
Phone: (647) 985-3585 Web: ithd.ca  
Toll free: (855) 5614161 Email: info@ithd.ca

PROFESSIONAL SEAL:

PROJECT NAME & ADDRESS:

8 Silk Oak Ct, Vaughan,  
ON

DATE: 2021-02-23

DRAWN BY: N.M.

CHECKED BY: A.G.

SCALE: 3/16" = 1'-0"

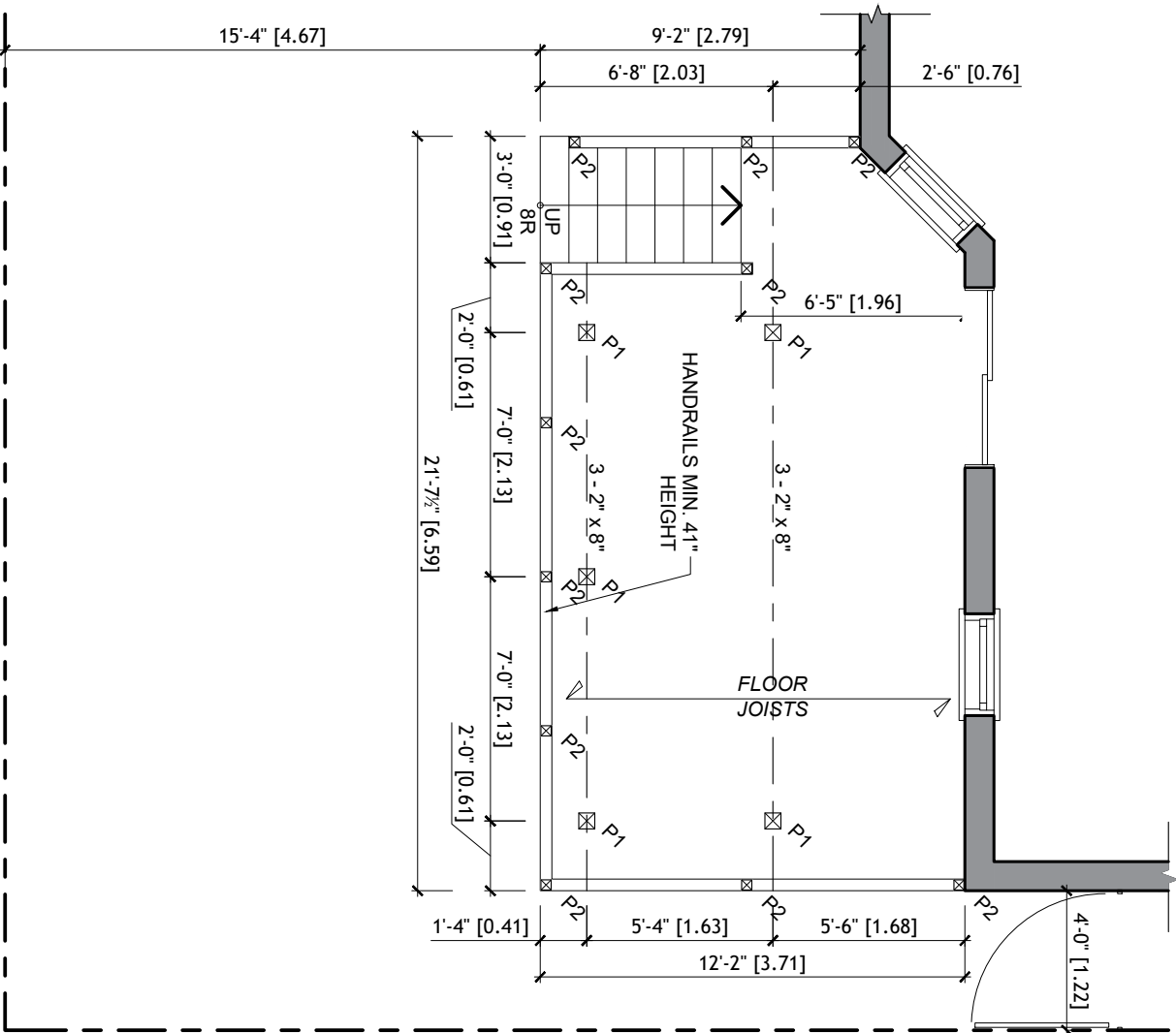
FILE NO. 2020-362

SHEET TITLE:

South Elevation  
(Existing)

DRAWING NO.

A-5.0



Deck Floor Plan  
(Existing)

FLOOR PLAN SYMBOL LEGEND	
SYMBOL	DESCRIPTION
P1	6" x 6" DECK POST
P2	4" x 4" RAILING POST

LINES	
SYMBOL	DESCRIPTION
---	FENCE

- GENERAL NOTES:
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REVISIONS AND ISSUES:	
2021-02-23	0 ISSUED FOR BUILDING PERMIT
DATE	NO. DESCRIPTION



2275 Lake Shore Blvd. West Suite 224, Toronto, ON M8V 3Y3  
Phone: (647) 985-3585 Web: ithd.ca  
Toll free: (855) 5614161 Email: info@ithd.ca

PROFESSIONAL SEAL:

PROJECT NAME & ADDRESS:

8 Silk Oak Ct, Vaughan,  
ON

DATE: 2021-02-23

DRAWN BY: N.M.

CHECKED BY: A.G.

SCALE: 3/16" = 1'-0"

FILE No. 2020-362

SHEET TITLE:

Deck Framing Plan  
(Existing)

DRAWING NO.

A-3.0

RECEIVED

By RECEIVED at 4:47 pm, Mar 02, 2021

- GENERAL NOTES:
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REVISIONS AND ISSUES:		
2021-02-23	0	ISSUED FOR BUILDING PERMIT
DATE	NO.	DESCRIPTION

ITH

INTECH

HOUSE DESIGN

2275 Lake Shore Blvd. West Suite 224, Toronto, ON M8V 3Y3

Phone: (647) 985-3585

Toll free: (855) 5614161

Web: ithd.ca

Email: info@ithd.ca

PROFESSIONAL SEAL:

PROJECT NAME & ADDRESS:

8 Silk Oak Ct, Vaughan,  
ON

DATE: 2021-02-23

DRAWN BY: N.M.

CHECKED BY: A.G.

SCALE: 3/16" = 1'-0"

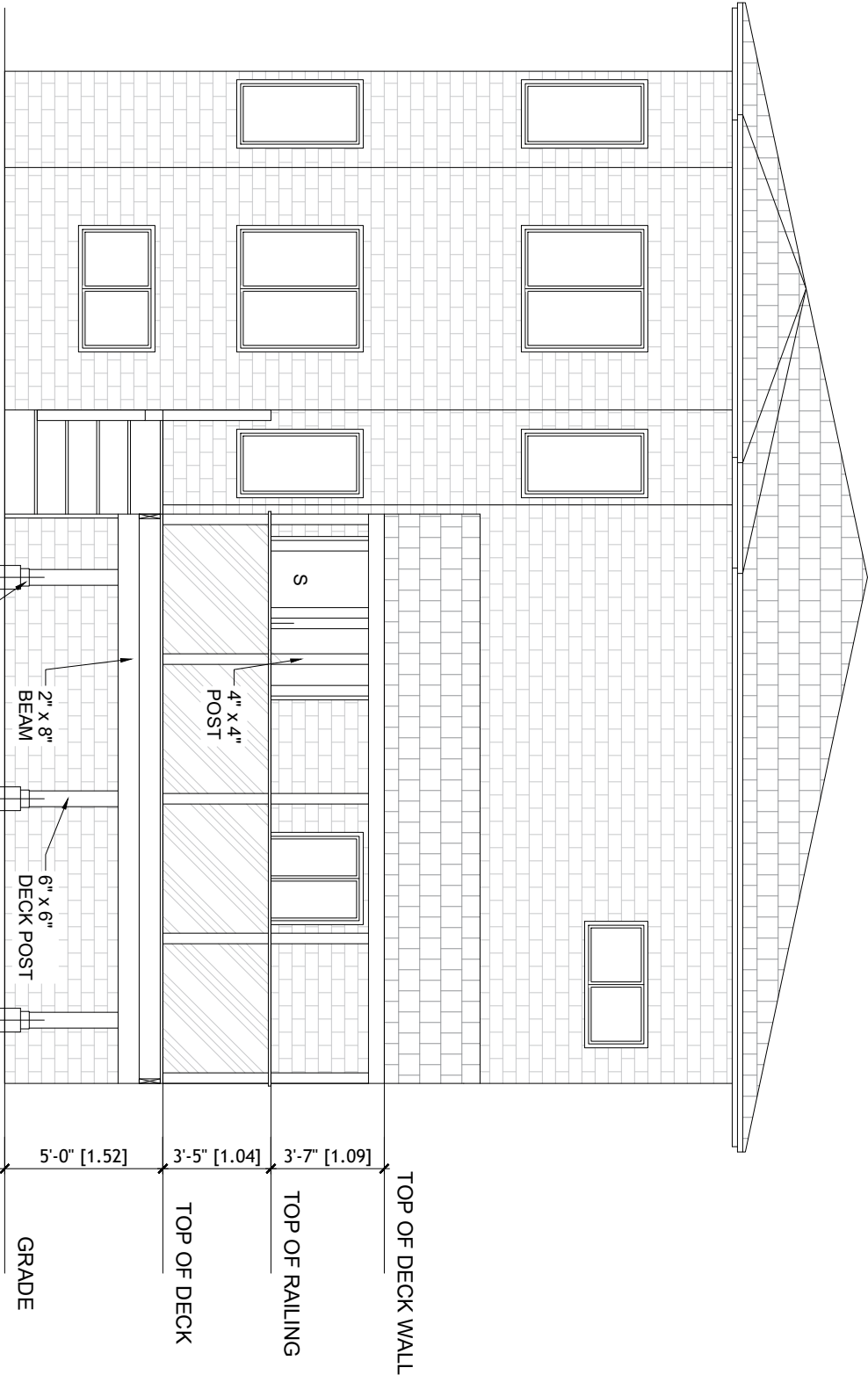
FILE NO. 2020-362

SHEET TITLE:

West Elevation  
(Existing)

DRAWING NO.

A-4.0



3'-0" [0.91] 2'-0" [0.61] 2'-0" [0.61] 14'-0" [4.27] 2'-0" [0.61]

West Elevation  
(Existing)

RECEIVED

By RECEIVED at 4:48 pm, Mar 02, 2021

**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](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**

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**Subject:** FW: A107/20 - REQUEST FOR COMMENTS

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**From:** Blaney, Cameron (MTO) <Cameron.Blaney@ontario.ca>

**Sent:** March-08-21 2:06 PM

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

**Subject:** [External] RE: A107/20 - REQUEST FOR COMMENTS

Hello Pravina,

**8 Silk Oak Ct** is not within MTO permit control area and MTO has no concerns.

**Cameron Blaney | Corridor Management Planner | Simcoe & York**

Highway Corridor Management Section – Central Operations

159 Sir William Hearst Avenue | Ministry of Transportation

7<sup>th</sup> Floor, Building D | Downsview, Ontario | M3M 0B7

416-358-7871

[Cameron.Blaney@ontario.ca](mailto:Cameron.Blaney@ontario.ca)

## Attwala, Pravina

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**Subject:** FW: A107/20 - REQUEST FOR COMMENTS

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**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>  
**Sent:** March-16-21 1:41 PM  
**To:** Attwala, Pravina <Pravina.Attwala@vaughan.ca>  
**Cc:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A107/20 - REQUEST FOR COMMENTS

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

*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)