



File: A063/21

Applicant: Bleim (Billy) Emra

Address: 68 Endless Circle Kleinburg

Agent: Anthony Paolini

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	<input checked="" type="checkbox"/>	
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: Lenore Providence
Hearing Date: Thursday, May 20, 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: 6-12

A063/21

Ward: 1

Staff Report Prepared By: Lenore Providence, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, May 20, 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: Bleim (Billy) Emra

Agent: Anthony Paolini

Property: 68 Endless Circle, Kleinburg

Zoning: The subject lands are zoned R1 and subject to the provisions of Exception 9(1378) 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, cabana and swimming pool 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. The minimum required rear yard is 7.5 metres. [4.1.9, Schedule "A"]	1. The proposed minimum rear yard of the accessory building (cabana) is 1.2 metres.
2. The maximum height of any accessory building or structure measured from the average finished ground level to the nearest part of the roof shall not be more than three (3) metres. [4.1.1 b)]	2. The proposed maximum height of the proposed accessory building (cabana) measured from the average finished ground level to the nearest part of the roof is 3.81 metres.
3. In an R1 Zone where the area of a rear yard of a lot is greater than 135 sq. m., a minimum of sixty percent (60%) of that portion of the rear yard in excess of 135 sq. m shall be composed of soft landscaping. [4.1.2 b)]	3. A minimum of 49.3% of the portion of the rear yard in excess of 135 sq. m is proposed to be composed of soft landscaping.

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 May 5, 2021

Applicant confirmed posting of signage on April 29, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2016

Applicant has advised that they cannot comply with By-law for the following reason(s): A rear yard setback is being requested to maximize the usable back yard space with little to no impact to the neighbors Height is being requested for only from grade to underside of roof. An increase to overall maximum height 4.50 of the-structure is not being requested. a reduction of softscape is being requested to allow for the pool, cabana and wood deck area.

Adjournment Request: None.

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

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m².

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 received to date

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

The Development Planning Department has reviewed the proposal, and is of the opinion that it 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.

Development Engineering:
The Development Engineering (DE) Department does not object to variance application A063/21. 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 or concerns.

By-Law and Compliance, Licensing and Permit Services:
No comments or concerns.

Development Finance:
No comment nor concerns

Fire Department:
No comment nor 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 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 Farzana.Khan@Vaughan.ca	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

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting [Vaughan.ca/LiveCouncil](https://www.vaughan.ca/LiveCouncil). To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

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 8394
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

LOT 18 REGISTERED PLAN 65M-4377
CITY OF VAUGHAN – KLEINBURG
REGIONAL MUNICIPALITY OF YORK

A063/21

NEW

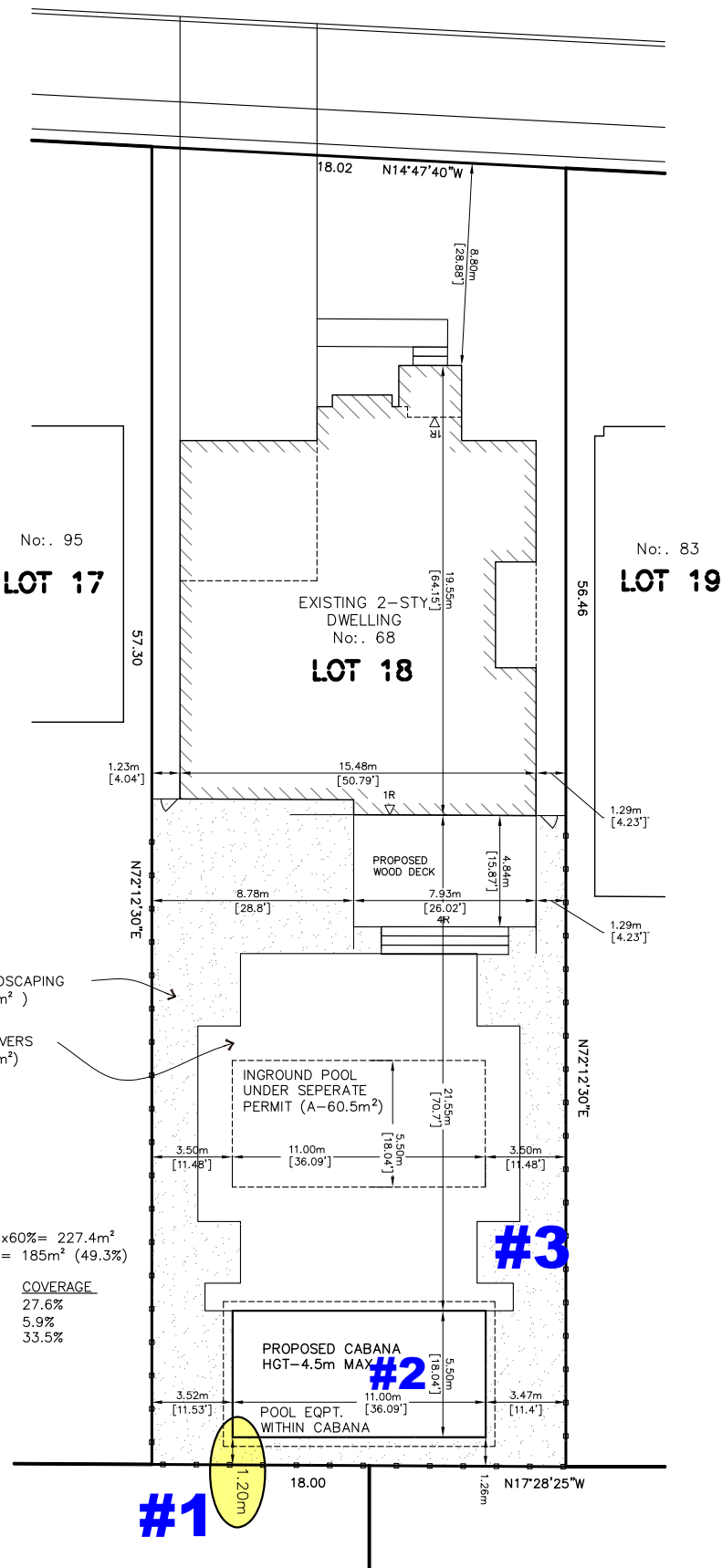
April 21, 2021

ENDLESS CIRCLE



NO.	DESCRIPTION	DATE
1	ADDED HARD/SOFT SCAPE AREA	MAR-30-21
2		
3		
4		

1. The proposed minimum rear yard of the accessory building (cabana) is 1.2 metres.
2. The proposed maximum height of the proposed accessory building (cabana) measured from the average finished ground level to the nearest part of the roof is 3.81 metres.
3. A minimum of 49.3% of the portion of the rear yard in excess of 135 sq. m is proposed to be composed of soft landscaping.



SITE DATA:
LOT AREA: 1023.9m²
REAR LOT AREA: 514.0m²
HARDSCAPED AREA: 329m²
REAR YARD SOFTSCAPING AREA REQUIRED: (514-135)x60%= 227.4m²
REAR YARD SOFTSCAPING AREA PROVIDED: (514-329)= 185m² (49.3%)

	EXISTING GFA	PROPOSED	COVERAGE
1. GROUND FLOOR	282.7m ²	NONE	27.6%
2. CABANA	NONE	60.5m ²	5.9%
		TOTAL	33.5%



DM DESIGN AND ENGINEERING INC.

140 RUSHWORTH CRESCENT, KLEINBURG, ONTARIO,
L0J 1C0, T(647)524-5593, INFO.DMDE@GMAIL.COM

PROPOSED REAR DECK
68 ENDLESS CIRCLE

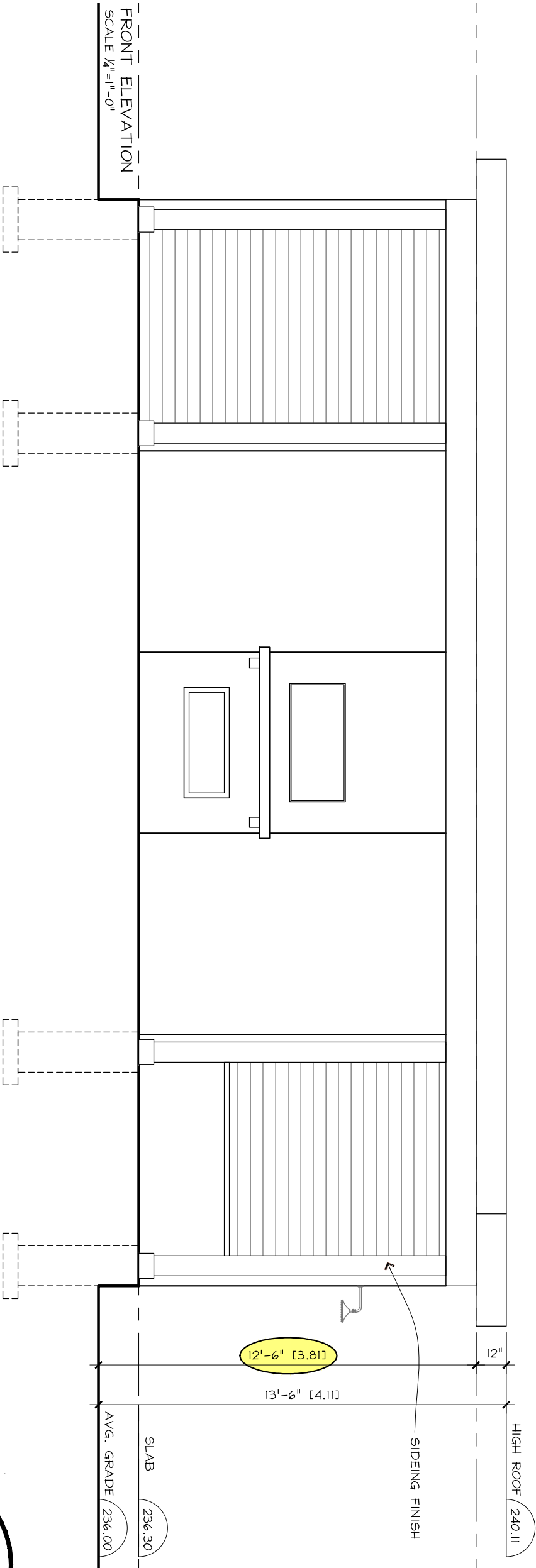
KLEINBURG, VAUGHAN ON L4H 4N6

DRAWN BY: AP	CHECKED BY: BE	SHEET: SP-1
DATE: FEB. 21/21.	SCALE: 1: 300	FILE: 20-116

A063/21

NEW

April 22, 2021



NO.	DESCRIPTION	DATE
1	REVISED AS PER BLDG COMMENTS	APRIL 19-21
2		
3		
4		

ALL DRAWINGS ARE THE PROPERTY OF THE DM DESIGN AND ENGINEERING AND THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN CONSENT.

CONTRACTOR TO CHECK AND VERIFY ALL EXISTING DIMENSIONS, JOIST SIZES AND SPAN DIRECTIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE ENGINEER.

DO NOT SCALE DRAWINGS.



DM DESIGN AND ENGINEERING INC.

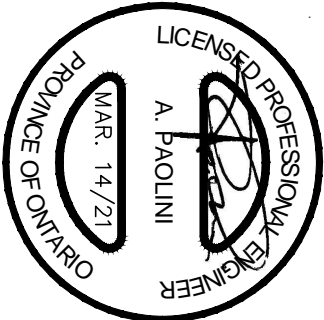
140 RUSHWORTH CRESCENT, KLEINBURG, ONTARIO, L0J 1G0
T (905) 893-2367, C (647) 524-5593
INFO.DMDE@GMAIL.COM

PROPOSED DECK AND REAR CABANA

BILLY EMRA

68 Endless CirWoodbridge, ON L4H 3N

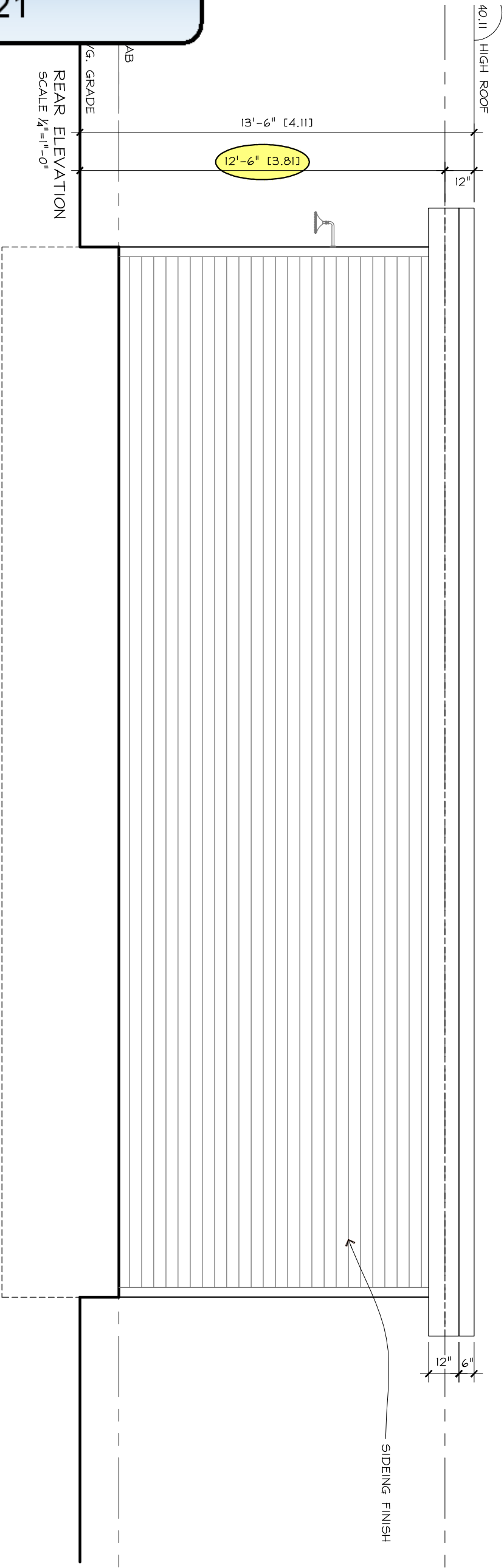
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AP		A1
DATE:	SCALE:	FILE:
FEB. 28/21	AS SHOWN	20-118



A063/21

NEW

April 22, 2021



NO.	DESCRIPTION	DATE
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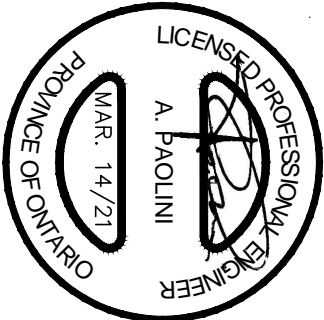
140 RUSHWORTH CRESCENT, KLEINBURG, ONTARIO, L0J 1G0
T (905) 893-2367, C (647) 524-5593
INFO.DMDE@GMAIL.COM

PROPOSED DECK AND REAR CABANA

BILLY EMRA

68 Endless Cirqwoodbridge, ON L4H 3N

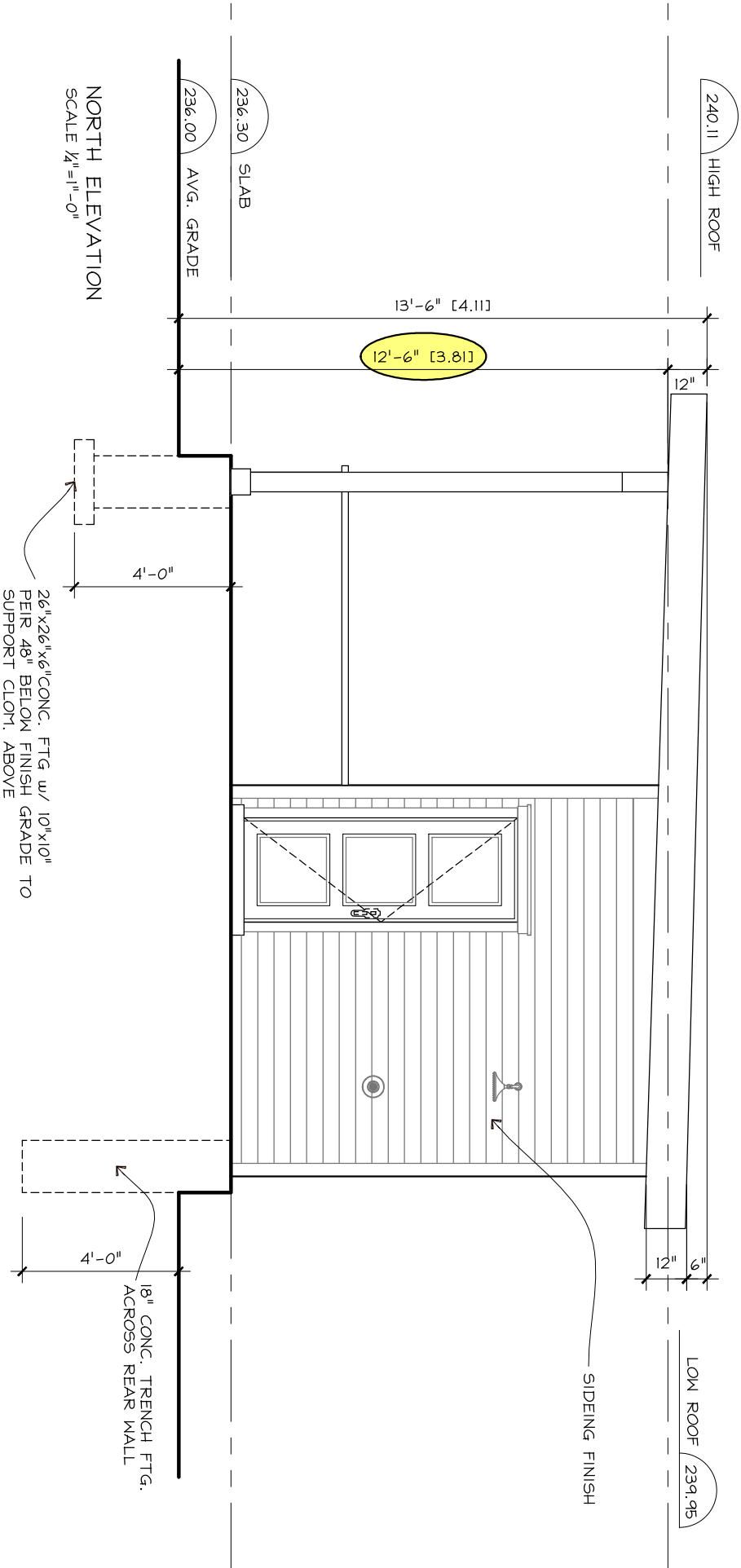
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FEB. 28/21	AS SHOWN	20-118



A063/21

NEW

April 22, 2021



NO.	DESCRIPTION	DATE
1	REVISED AS PER BLDG COMMENTS	APRIL 19-21
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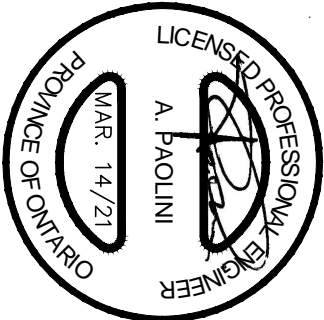
140 RUSHWORTH CRESCENT, KLEINBURG, ONTARIO, L0J 1G0
T (905) 893-2367, C (647) 524-5593
INFO.DMDE@GMAIL.COM

PROPOSED DECK AND REAR CABANA

BILLY EMRA

68 Endless Cirqwoodbridge, ON L4H 3N

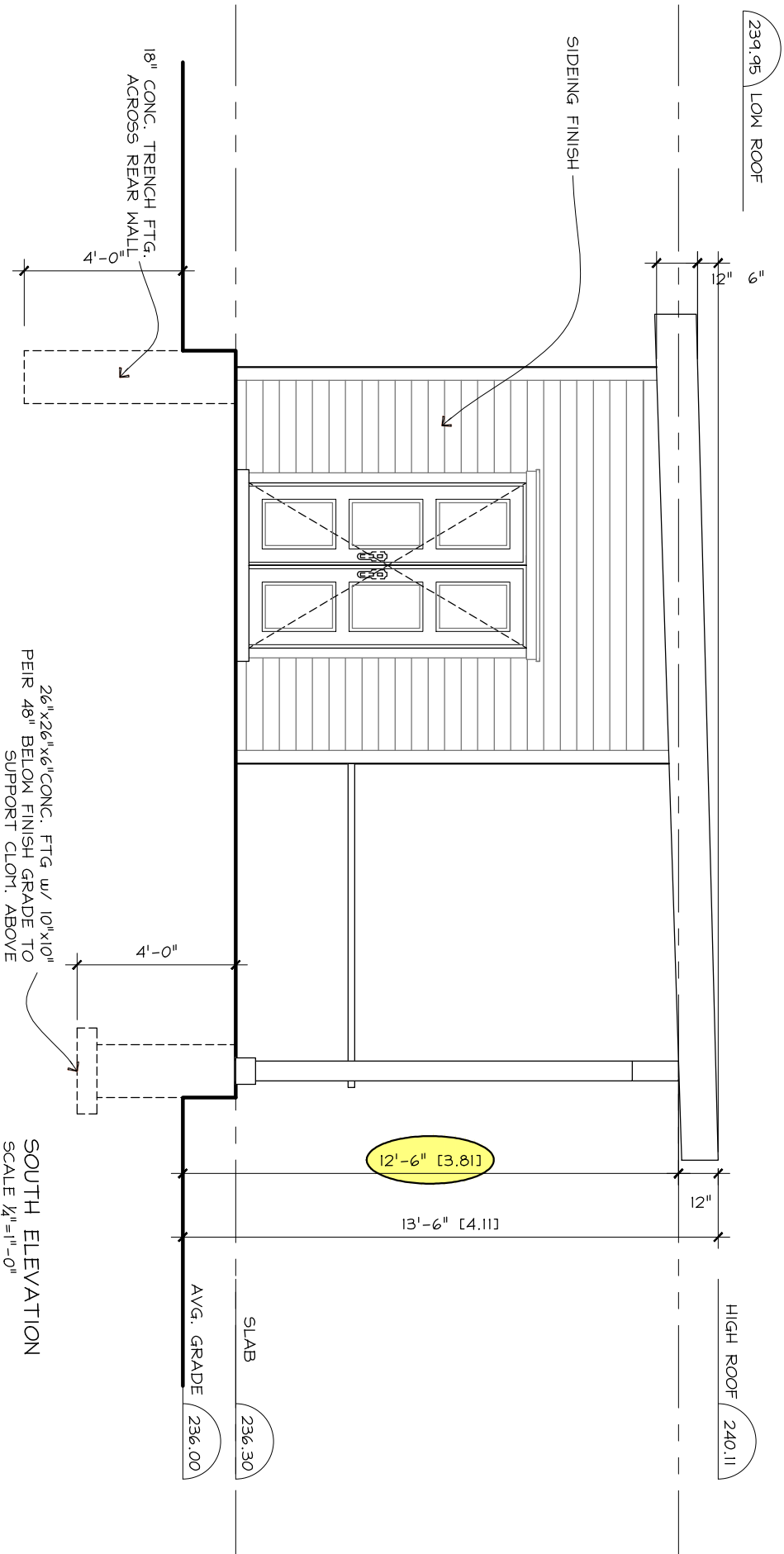
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AP		A3
DATE:	SCALE:	FILE:
FEB. 28/21	A5 SHOWN	20-118



A063/21

NEW

April 22, 2021



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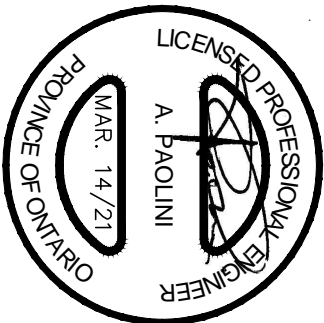
140 RUSHWORTH CRESCENT, KLEINBURG, ONTARIO, L0J 1G0
T (905) 893-2367, C (647) 524-5593
INFO.DMDE@GMAIL.COM

PROPOSED DECK AND REAR CABANA

BILLY EMRA

68 Endless CirWoodbridge, ON L4H 3N

DRAWN BY:	CHECKED BY:	SHEET:
AP		A3
DATE:	SCALE:	FILE:
FEB. 28/21	A5 SHOWN	20-118



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

Providence, Lenore

Subject: FW: [External] RE: A063/21 - REQUEST FOR COMMENTS - 68 Endless Crcl Kleinburg (Full circulation)

From: Mulrenin, Colin (MTO) <Colin.Mulrenin@ontario.ca>

Sent: April-21-21 5:51 PM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

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

Subject: [External] RE: A063/21 - REQUEST FOR COMMENTS - 68 Endless Crcl Kleinburg (Full circulation)

Good afternoon,

As the property at 68 Endless Circle is outside the MTO permit control area, MTO has **no comments**.

Colin Mulrenin (he/him) | 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

Providence, Lenore

Subject: FW: [External] RE: A063/21 - REQUEST FOR COMMENTS - 68 Endless Crcl Kleinburg (Full circulation)

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

Sent: April-26-21 9:33 AM

To: Providence, Lenore <Lenore.Providence@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A063/21 - REQUEST FOR COMMENTS - 68 Endless Crcl Kleinburg (Full circulation)

Good morning Lenore,
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 | www.york.ca