



File: A162/21

Applicant: Mariana & Alexander Gendelman

Address: 11 Woodchuck Ct Thornhill

Agent: Acadia Design Consultants Inc.

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

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection		
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	<input checked="" type="checkbox"/>	
TRCA	<input checked="" type="checkbox"/>	
Ministry of Transportation		
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, September 9, 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: 12

A162/21

Ward: 4

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, September 9, 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: Mariana & Alexander Gendelman

Agent: Acadia Design Consultants Inc.

Property: 11 Woodchuck Ct Thornhill

Zoning: The subject lands are zoned RD3 and subject to the provisions of Exception 9(1264) 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 two existing canopies 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 to the proposed accessory structure is required (Schedule A, By-law 1-88a.a.).	1. To permit a minimum rear yard setback of 1.73 metres to the proposed accessory structure #1.
2. A minimum rear yard setback of 7.5 metres to the proposed accessory structure is required(Schedule A, By-law 1-88a.a.).	2. To permit a minimum rear yard setback of 1.40 metres to the proposed accessory structure #2.
3. A minimum interior side yard setback of 1.2 metres to the proposed accessory structure is required (Schedule A, By-law 1-88a.a.).	3. To permit a minimum interior side yard setback of 1.10 metres to the proposed accessory structure #2.
4. A minimum interior side yard setback of 0.7 metres to the proposed accessory structure roof overhang is required (Schedule A, Section 3.14, By-law 1-88a.a.).	4. To permit a minimum interior side yard setback of 0.63 metres to the proposed accessory structure #2 roof overhang.

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. 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 August 25, 2021

Applicant confirmed posting of signage on August 25, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2011 (canopies 2020)

Applicant has advised that they cannot comply with By-law for the following reason(s): The rear yard setback of 1.73 metres to the as-built canopy #1 encroaches into the minimum required rear yard setback of 7.5 metres.

Adjournment Request: N/A

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: Order No. 21-105720, Order to Comply for, Issue Date: Mar 17, 2021

Building Permit No. 20-109553 for Shed/Gazebo - New, 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 response

Development Planning:

Official Plan: Vaughan Official Plan 2010 {"VOP 2010"}: "Low-Rise Residential"

The Owner is requesting permission to maintain two existing accessory structures (canopies) in the rear yard. The Development Planning Department has no concerns with the requested variances, as there is adequate distance being provided between the unenclosed accessory structures and the rear lot line. Both the Development Planning and Development Engineering Departments recognize the canopies are surrounded by soft landscaping to assist with the water drainage on-site while minimizing impact to the neighboring properties. Development Planning staff is of the opinion the reduction in interior side yard setbacks is minimal as the canopies comply with the height provisions of the Zoning By-law.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

Development Engineering:

As the subject structure(s) are over 10 m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City's Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit.

The Development Engineering (DE) Department does not object to variance application A162/21 subject to the following condition(s):

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

Parks Development - Forestry:

No comment no concerns

By-Law and Compliance, Licensing and Permit Services:

No comment no concerns

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
TRCA – No concerns or objections

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: None

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

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 Ontario Land Tribunal (OLT) 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

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.

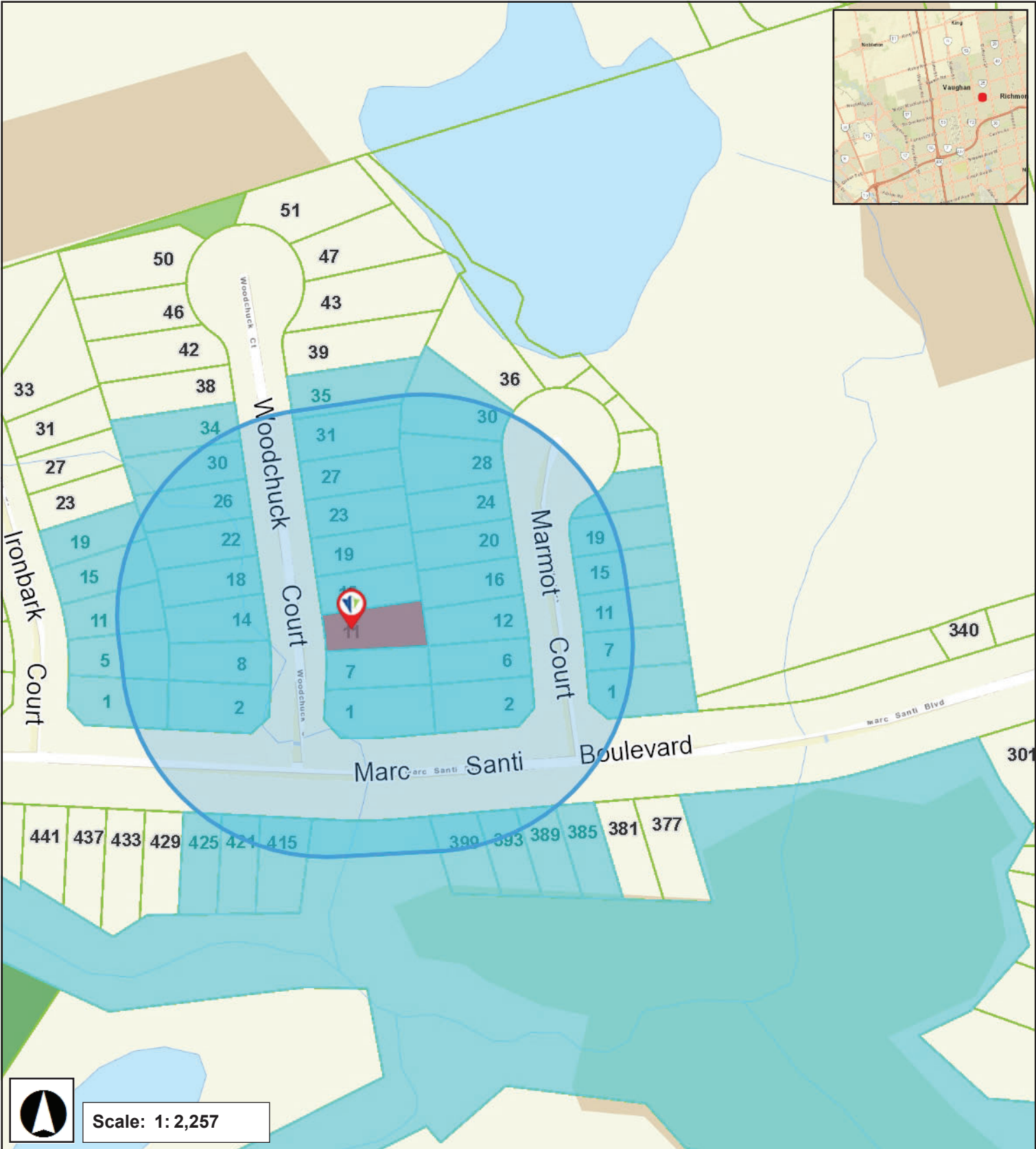
Location Map
Plans & Sketches



LOCATION MAP - A162/21

11 WOODCHUCK COURT, THORNHILL

Major Mackenzie Drive



Scale: 1: 2,257

Rutherford Road

INDEX SHEET:

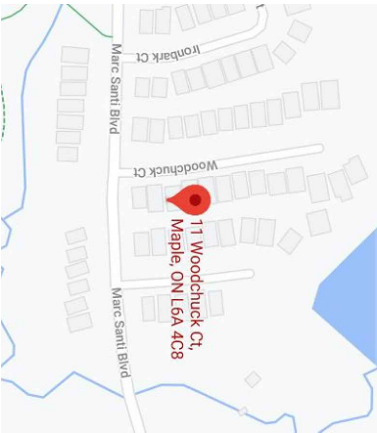
- A1

COVER PAGE AND SITE PLAN
- A2

AS-BUILT CANOPY#1 FLOOR PLAN
A2.1 CANOPY#1 ROOF PLAN
A2.2 CANOPY#1 WEST ELEVATION
A2.3 CANOPY#1 EAST ELEVATION
A2.4 CANOPY#1 SOUTH ELEVATION
A2.5 CANOPY#1 NORTH ELEVATION
- A3

AS-BUILT CANOPY#2 FLOOR PLAN
A3.1 CANOPY#2 ROOF PLAN
A3.2 CANOPY#2 WEST ELEVATION
A3.3 CANOPY#2 EAST ELEVATION
A3.4 CANOPY#2 SOUTH ELEVATION
A3.5 CANOPY#2 NORTH ELEVATION

KEY PLAN: 11 Woodchuck Ct, Maple, ON L6A 4C8



LEGEND:

- PROPERTY LINE

EXISTING DWELLING

SCOPE OF WORK

EXISTING ENTRANCE
-
- WOODCHUCK CT.
-
- 1

Site Plan

A1

1:125
- ACADIA

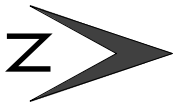
design•consultants

Phone: +1 (647) 478-0292

Fax: +1 (877) 347-3479

www.AcadiaDC.ca
- DO NOT SCALE**

CONTRACTOR MUST VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF THE WORK. ALL DRAWINGS & SPECIFICATIONS ARE PROPERTY OF ACADIA DESIGN CONSULTANTS INC. AND MUST BE RETURNED UPON COMPLETION OF THE WORK. DRAWINGS ARE NOT TO BE USED FOR OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.
- REVISIONS & ISSUES:
- | # | DATE | DESCRIPTION |
|---|------------|------------------------------------|
| 1 | 2021-04-14 | ISSUED TO CLIENT FOR DESIGN REVIEW |
| 2 | 2021-05-19 | ISSUED TO BURNER TO REVIEW |
- DRAWN BY: EG
- CHECKED BY: EG
- Site Plan
- A1
- Scale: 1:125
- Date: 2021-04-14
- Legalize As-Built Canopy
- Project: 11 Woodchuck Ct,
Maple, ON
L6A 4C8



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2	2021-05-19	ISSUED TO ENGINEER TO REVIEW

DRAWN BY: CHECKED BY:

EG EG

AS-BUILT CANOPY #1 FLR.

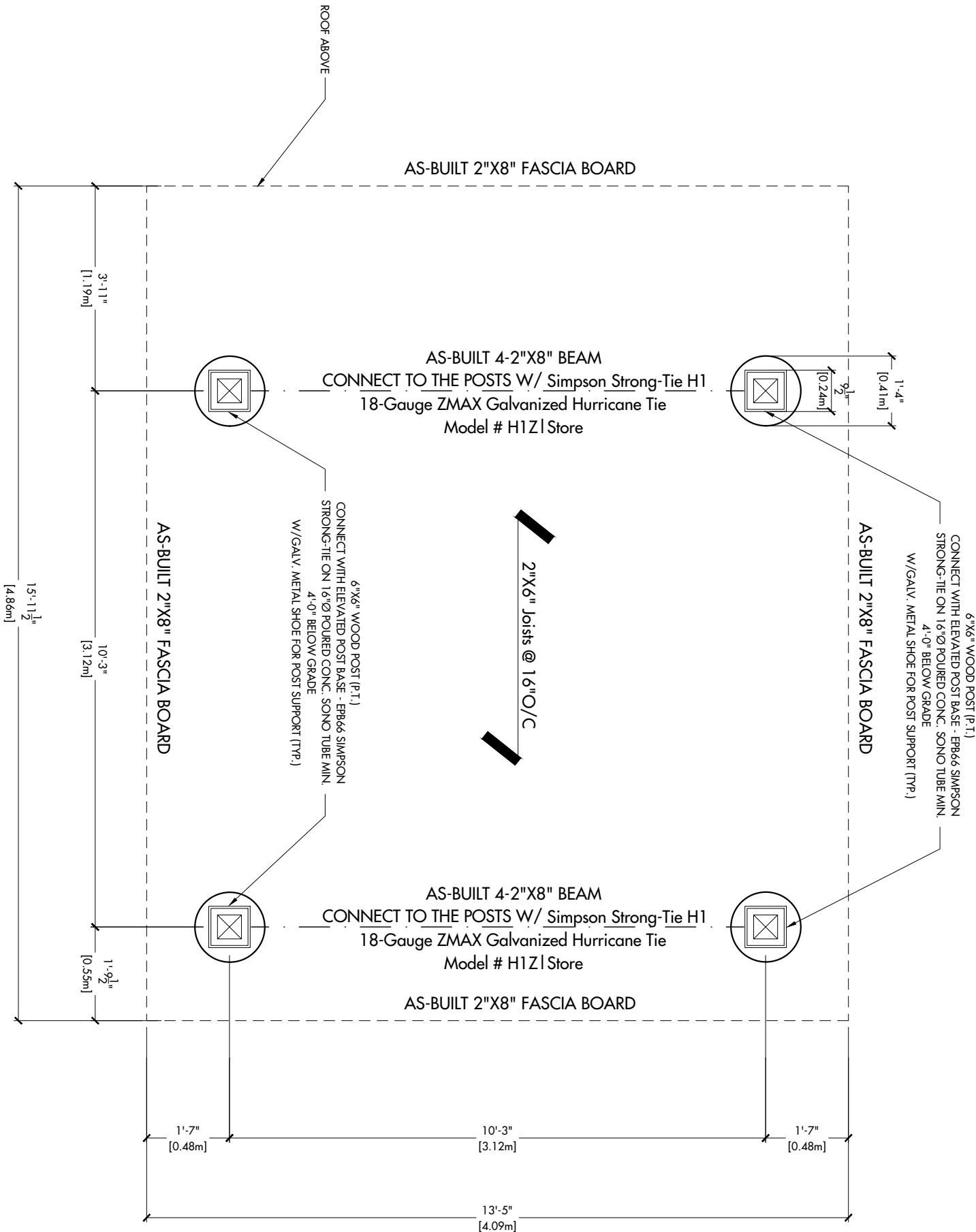
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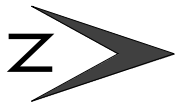
Scale: 1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodhuck Ct,
Maple, ON
L6A 4C8





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DRAWN BY: CHECKED BY:

EG EG

AS-BUILT CANOPY #1 ROOF

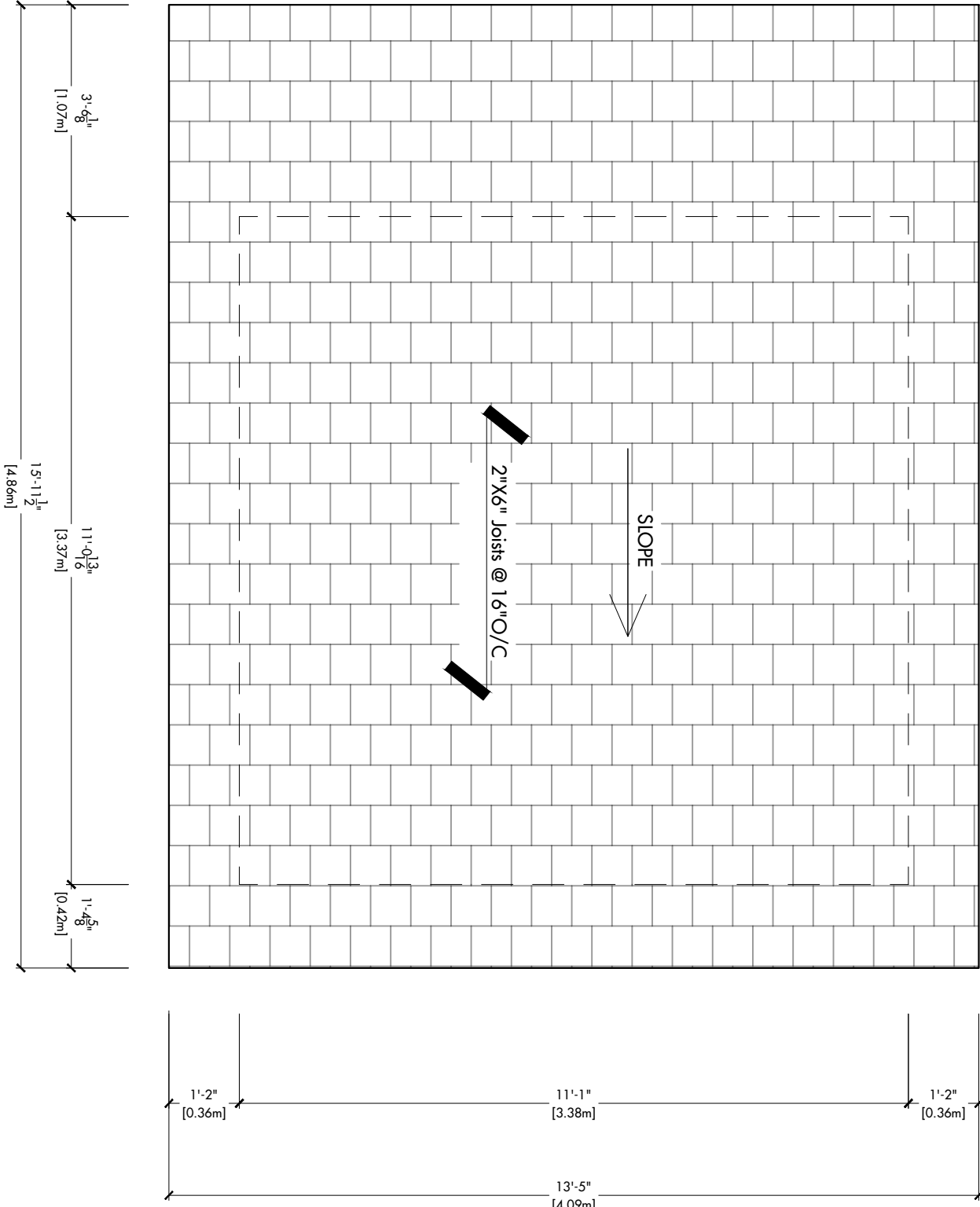
A2.1

Scale: 1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodchuck Ct,
Maple, ON
L6A 4C8





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DRAWN BY: CHECKED BY:

EG EG

WEST ELEV. CANOPY #1

A2.2

Scale: 1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodchuck Ct,
Maple, ON
L6A 4C8



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DRAWN BY: CHECKED BY:

EG EG

EAST ELEVATION CANOPY #1

A2.3

Scale: 1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodchuck Ct,
Maple, ON
L6A 4C8



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[illegible]

A2.4

Project: 11 Woodchuck Ct,
Maple, ON
L6A 4C8



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DRAWN BY: CHECKED BY:

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NORTH ELEV. CANOPY #1

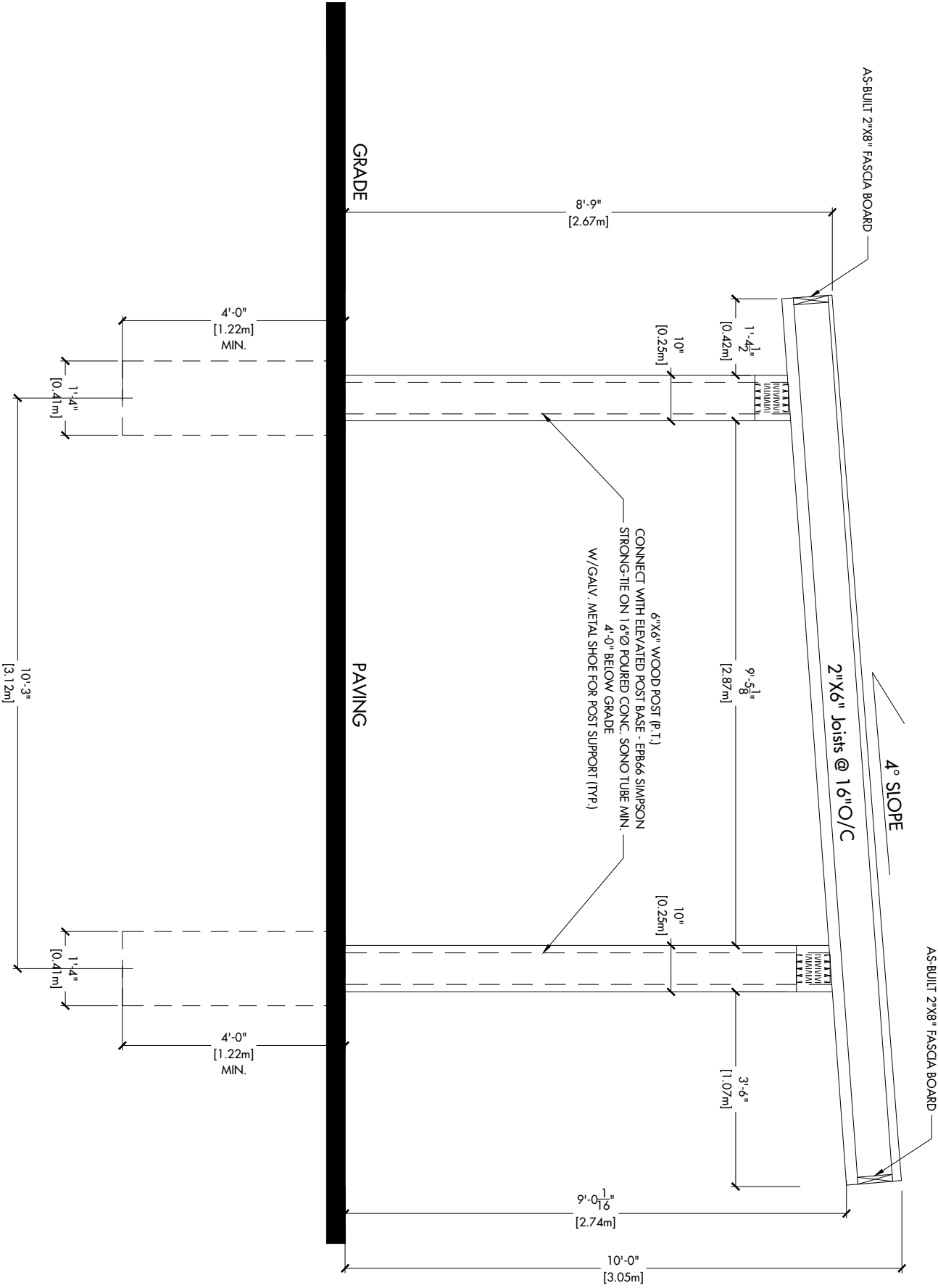
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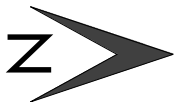
Scale: 1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodchuck Ct,
Maple, ON
L6A 4C8





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AS-BUILT CANOPY #2 FLR.

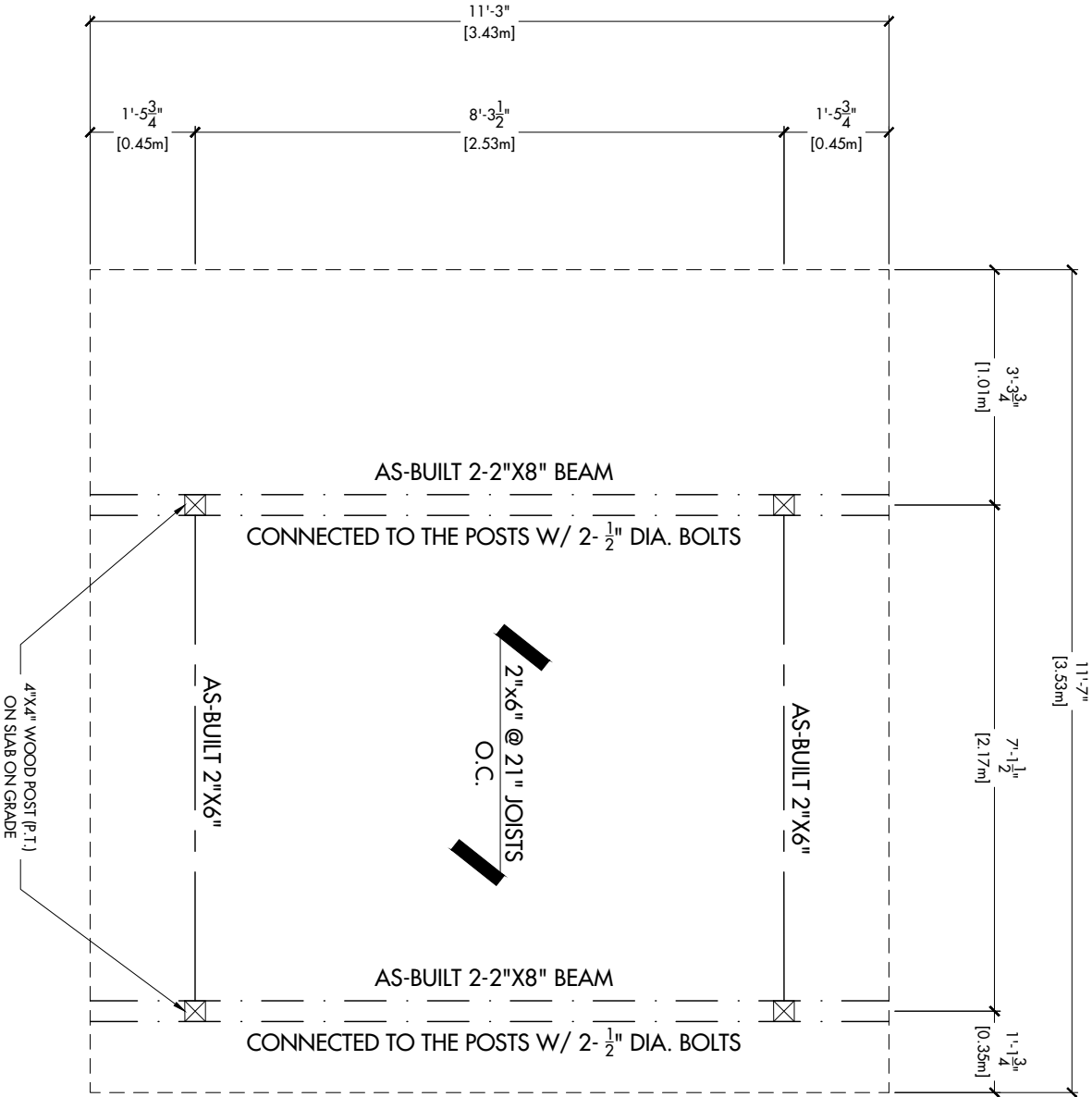
A3

Scale: 1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodchuck Ct,
Maple, ON
L6A 4C8





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AS-BUILT CANOPY #2 ROOF

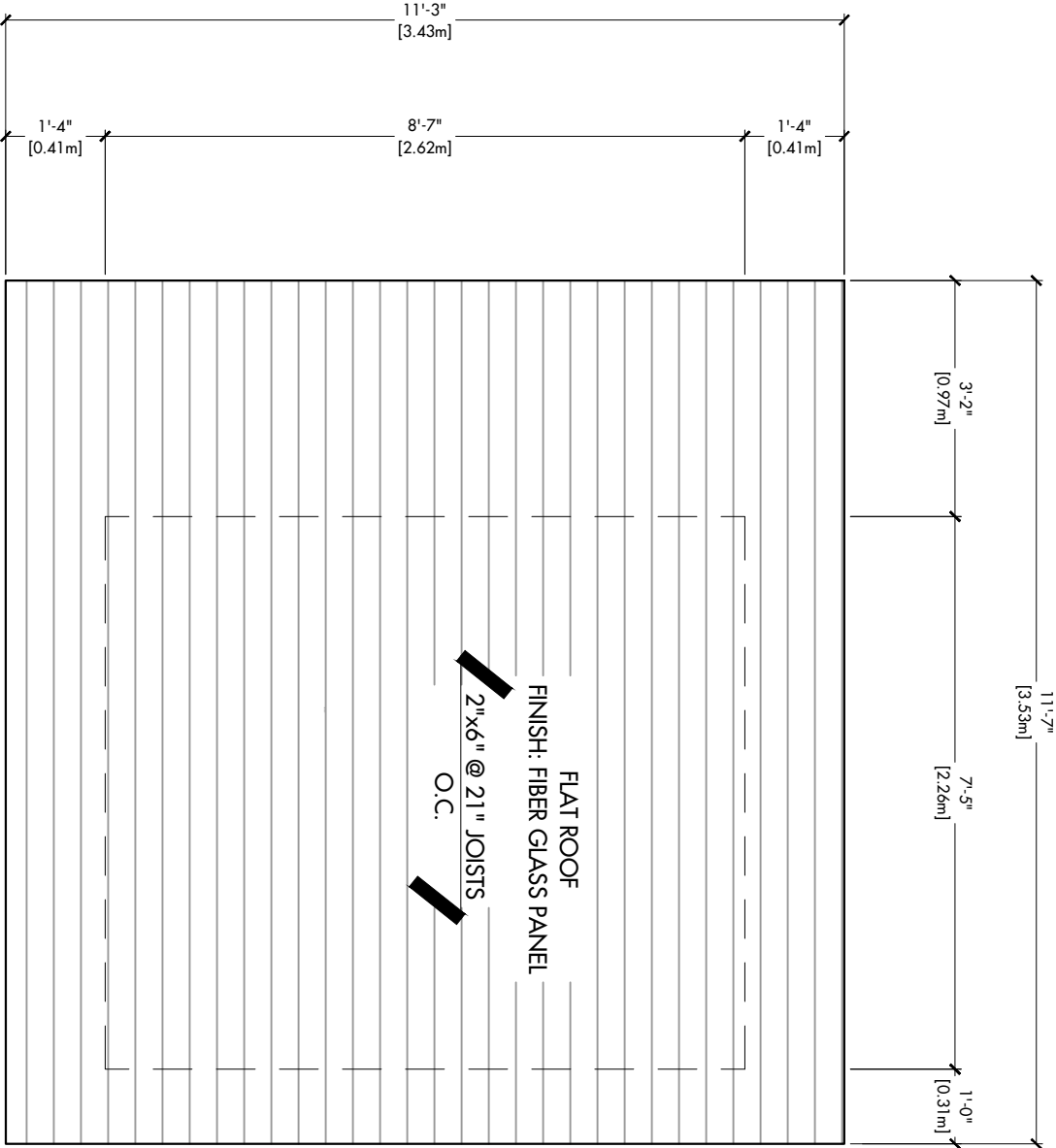
A3.1

Scale: 1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodchuck Ct,
Maple, ON
L6A 4C8





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DRAWN BY: CHECKED BY:

EG EG

WEST ELEV. CANOPY #2

A3.2

Scale:
1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodchuck Ct,

L6A 4C8



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EG EG

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EAST ELEV. CANOPY #2.

A3.3

Scale:
1:30

Date: 2021-04-14

Legalize As-Built Canopy

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Maple, ON
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DRAWN BY: CHECKED BY:

EG EG

EG

SOUTH ELEV. CANOPY #2

A3.4

Scale:
1:30

Date: 2021-04-14

Legalize As-Built Canopy

Project: 11 Woodchuck Ct,



R.

REVISIONS & ISSUES:

ISSUED TO ENGINEER TO REVIEW

OWN BY: _____ CHECKED: _____

EG

NORTH ELEV. CANOPY #2

A3.5

Scale:
1:30

Date: 2021-04-14

Legalize As-Built Canopy

11 Woodchuck Ct,

L6A 4C8

SCHAEFFER DZALDOV BENNETT LTD. ONTARIO LAND SURVEYORS			
64 JARVIS DRIVE	CORNER OF GATHERS LANE SPS	TEL. 468-7371-01	
BRAND ACADEMY	CHERRY HILL	SCALE 1:500	JOB NO. 95-04-01

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
TRCA – 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

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

Email: tony.donofrio@alectrautilities.com

Pravina Attwala

Subject: FW: REQUEST FOR COMMENTS - A162/21 (11 WOODCHUCK COURT)

From: York Plan <yorkplan@trca.ca>

Sent: July-23-21 9:17 AM

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

Subject: [External] RE: REQUEST FOR COMMENTS - A162/21 (11 WOODCHUCK COURT)

TRCA has no concerns with regard to the above noted application.

Should further clarification be required, please contact the undersigned at your earliest convenience.

Mark Howard, BES, MLA, MCIP, RPP

Senior Planner – Vaughan Review Area

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: mark.howard@trca.ca

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)



Please note that TRCA's Offices are presently closed to visitors. The plan input and review function continues during the Coronavirus pandemic. In order to reduce the potential of transmission, TRCA requests that development planning and permit applications and materials be submitted digitally in PDF format. Paper submissions are discouraged and may result in extended timeframes for review.

All digital submissions and documents can be submitted to the following e-mail addresses:

Enquiries/ applications within Peel Region municipalities – peelplan@trca.ca

Enquiries/ applications within York Region municipalities – yorkplan@trca.ca

We thank you for your cooperation as we respond to the current situation.

Pravina Attwala

Subject: FW: REQUEST FOR COMMENTS - A162/21 (11 WOODCHUCK COURT)

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

Sent: July-23-21 8:43 AM

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

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

Subject: [External] RE: REQUEST FOR COMMENTS - A162/21 (11 WOODCHUCK COURT)

Good morning 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 | www.york.ca