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JUNE 14, 2022

Committee of Adjustment

A086/22

Dear City of Vaughan Staff and members of the Committee of Adjustment:

In response to **Minor Variance Application A086/22** for 19 Granary Road, I am the immediate, adjacent neighbor at 25 Granary Road and submit the following comments along with two attachments. My family has been negatively impacted by the ongoing construction and other commercial business activity at 19 Granary Road for more than a year now. I am opposed to the variances being requested by the Applicants for the following reasons:

1. The Applicant's property is very large at over 1145 square meters, that:
 - a. If nothing else, there is ample opportunity to meet the minimum 60% soft landscaping by-law requirement;
 - b. a smaller proposed pavilion structure could be easily accommodated within ALL the current Zoning By-Law requirements;
 - c. the structure can easily be moved over to satisfy current Zoning By-Law requirements.
2. The excessive hardscaping for such a large property is not necessary and will contribute to additional stormwater run-off that is already a critical problem for the City of Vaughan.
 - a. The Applicants are installing / running great lengths of weeping tile to collect stormwater that is supposed to be absorbed in place by the soft landscape;
 - b. The City of Vaughan's sustainable approach to managing stormwater was put in place to protect the environment and lessen the impacts of climate change with a long-term plan to manage the damaging effects of stormwater runoff. The variance requested to reduce soft-scaping will increase stormwater runoff and is excessive for such a large property.
3. The excessive height of the proposed pavilion structure:
 - a. can be easily reduced by lowering the roof pitch;
 - b. provides an unwanted opportunity to contribute to light pollution and light spillover into the adjacent properties which is already problematic in the area.
 - i. No lighting has been shown on the Applicants' drawings;
 - ii. Indiscriminate lighting pointing at neighbors' properties is not acceptable.
4. The Applicants drawings are not a complete and accurate representation of what is being constructed:
 - a. The "Concrete Patio" is a **new structure, not** existing (see attached pictures) with full foundations and visible DMX AG Foundation Wrap Water Proofing. **City of Vaughan to confirm the extent of this structure, whether a basement or not, and the building permit requirements.**
 - i. A new BBQ / Kitchen and stone fireplace were recently constructed as part of this new "Concrete Patio" with new electrical and gas services.

- ii. The Applicants commenced constructing this structure in November 2021, with concrete foundation work even happening December 24, 2021 on Christmas eve. Construction is still ongoing in 2022. This is a new structure to this site.
 - iii. The Applicant's Pool Permit Plan drawing is dated 2022-03-06 but pictures from March 18, 2022 clearly show that the concrete slab had not been poured and wasn't poured till well into April 2022.
 - b. The Applicants have altered the grading along the fence with adjacent 25 Granary Road and have even removed the swale that existed at the non-fenced area (See attached pictures).
 - i. This is contrary to the Applicants drawing notation that "No grade changes or hardscaping within the 0.6m of the Property line will be made".
 - ii. Therefore, any walkway along the Applicants' property cannot extend into the 0.6m, all along the property line.
 - c. Applicants have altered the grades on both 19 Granary and 25 Granary Road properties, the swale is gone, two downspouts are blocked at 25 Granary Road by construction soils and water is ponding.
 - d. Original grades and swale must be restored between properties.
 - e. The stone waterfall wall recently constructed along the pool is not shown on the Applicants Pool Permit Plan drawing and not clear if this is part of the pool permit.
 - f. The Pool Equipment Room looks small on the Applicant's drawing for the number of hoses and conduits that the Applicant has already run. No room size is indicated.
 - g. It's not clear what type of construction the "Pool Equipment in Enclosed Room:" will be that is shown on the Applicants Pool Permit drawing.
5. The Applicants moved into the home at 19 Granary Road in early January 2021 with multiple Aquaview Pool trucks and Core Precision Interlock trucks arriving. From the outset, it appears that multiple construction business are being run out of the Applicants residential property and my family's quality of life has been negatively impacted.
- a. The address for both the above businesses is the local Kleinburg Post Office at 10504 Islington Avenue, PO Box 835 and PO Box 901 respectively.
 - b. We suspect that the new walkout stair and backyard pool may be further used for commercial business purposes and clients. This is not acceptable for a residential property.
 - c. Multiple pieces of construction equipment (excavators, skid-steer loaders, etc.) have been parked and stored on the front driveway and backyard of this property even when no construction was happening.
 - d. Construction equipment (excavators, skid-steer loaders, etc.) and other are delivered to and picked up at this property for jobs at other sites.

- e. The Applicants property has 3 garages but none are used for parking vehicles. It appears business related supplies are stored there and workers have been seen opening the garages. We even regularly see open fuel containers just left outside.
- 6. The Applicant used our property at 25 Granary Road for construction access and we have endured many days of their large Bobcat skid-steer loader speeding along the side of our home, with our home shaking, dishes and doors rattling and we even had a bottle fall off a shelf and break.
 - a. Initially, the Applicants indicated that they would pay to repair all damages. However, we have since had to hire a lawyer, at great expense, and are preparing a legal claim for damages to the foundation wall of our home which has been cracked due to the excessive forces of the Applicants construction equipment running along our basement wall.
 - b. The Applicants removed our air conditioner at 25 Granary Road in the Fall of 2021 under questionable circumstances and only after hiring a lawyer at great expense did the Applicants finally reinstate the AC on May 24, 2022. Legal action to recover costs is pending.
 - c. On many a Saturday AND Sunday, we could not enjoy meals in our home due to the Applicant's construction machines running along our house and I've had to move from the Kitchen when taking work meetings on weekdays due to the shaking and noise.
 - d. The police and the City had to be contacted due to the Applicants' egregious actions.

My family's kindness, goodwill and tolerance have been pushed past the limit and I've had enough of the Applicants shenanigans. My family moved to our home in Kleinburg almost 20 years ago and have roots in Vaughan that span more than 40 years. We have enjoyed many years in unity with ALL our friendly neighbors in Kleinburg, without ANY issues. The kids have grown up playing on the streets, and everyone has lived in harmony and peace. But since the Applicants moved in just over a year ago, the peace and tranquility has been shattered. We used to enjoy sitting on the porch of our home but over the last year all you see are the Applicants construction vehicles with advertising and construction equipment, coming and going.

It is completely unacceptable to exploit a residential property for commercial use and that is exactly what I see happening here. I am opposed to the variances being requested by the Applicants.

Regards,

Joe Chimenti **B.Arch. B.Tech. PMP**
25 Granary Road
Kleinburg, Ontario L0J 1C0
Mobile 647-236-7109

Attachments:

- 1. Application A086-22 -JC Picture Comments Package.pdf (13 pages)
- 2. Application A086-22 Pool Permit Plan -JC Comments.pdf (1 page)

cc: Marilyn Iafrate, Ward 1 Councillor, City of Vaughan

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Picture A - taken August 29, 2021.

- View between 19 Granary (left) and 25 Granary (right)
1. Applicant has altered grades on both 19 Granary and 25 Granary Road properties, the swale is gone, two downspouts are blocked at 25 Granary Road by construction soils and water is ponding.
 2. Original grades and swale must be restored between properties.
 3. As per Applicants drawing: No grade changes or hardscaping within 0.6m of the property line will be made. Therefore, any walkway along the Applicants' property cannot extend into the 0.6m along the property line.



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Picture B - taken June 7, 2022.

- View between 19 Granary (left) and 25 Granary (right)
1. Current condition between homes.
 2. Applicant has refused to reinstate original condition at 25 Granary Road, including swale. Ongoing legal dispute.
 3. Stormwater is not flowing from backyard at 25 Granary Road, two downspouts are blocked by construction soils and water is ponding.
 4. Original grades and swale must be restored between properties.
 5. As per Applicants drawing: No grade changes or hardscaping within 0.6m of the property line will be made.



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Picture C - taken Monday May 23, 2022.

- Victoria Day Monday
 - View of my AC on my porch that Applicant removed and refusing to reinstate.
1. Applicant removed my AC at 25 Granary for construction access and refused to reinstate in April/early May 2022 before warm temperatures commenced.
 2. I had to commence legal action against the Applicants at great expense to reinstate the AC and pursue repairs for damage to my foundation wall.
 3. AC was finally reinstated on May 24, 2022. Legal action & claim for foundation wall damage etc. is pending.



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Picture D - taken Monday May 23, 2022.

- Victoria Day Monday
 - View of Applicant operating construction equipment on Statutory Holiday contrary to Noise By-law 121-2021.
1. Construction work is not permitted on Sunday or statutory holidays.
 2. Our guest that day decided to go home rather than listen to the construction noise.
 3. We have experienced many intrusions into our family home time with the Applicant running his Bobcat back and forth on Sundays and other days causing excessive noise and vibration to our home.



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Picture E - taken Tuesday May 24, 2022
at 7:00am.

- View of Applicant's own construction company Core Precision Interlock Inc. picking up construction equipment to bring to other job sites which is a typical weekly occurrence.

1. Truck and trailer arrived before 7:00 am.





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Picture F - taken March 18, 2022.

- View of Applicant's concrete structure with full foundations built after they said it was.

1. Applicants Pool Permit Plan drawing dated March 6, 2022 indicates "existing concrete patio" but picture clearly shows that the concrete structure was not existing on March 18, 2022.
2. City of Vaughan to confirm building permit requirements.



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Picture G - taken June 5, 2022.

- View of Applicant's concrete structure with full foundations.

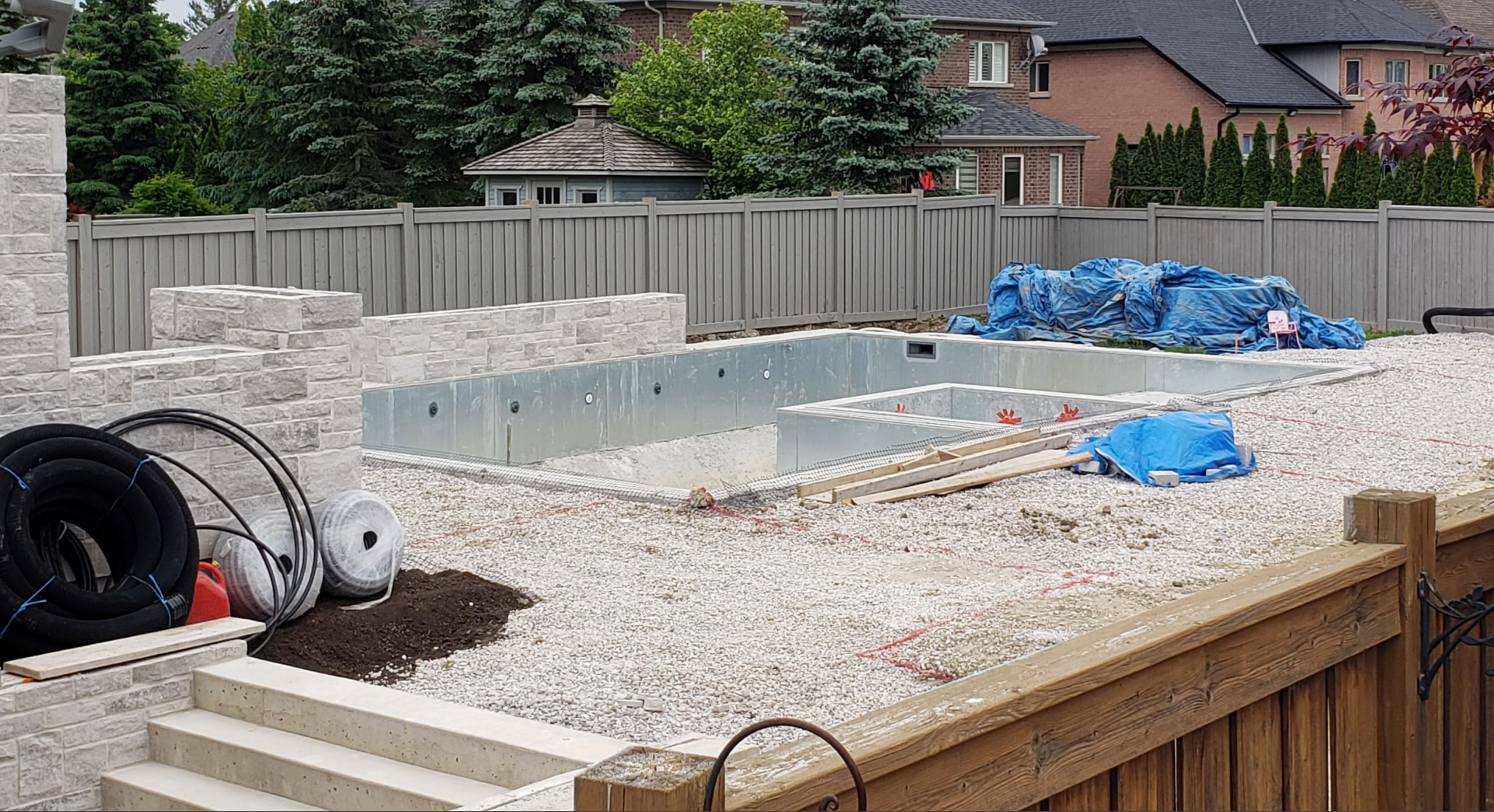
1. Applicants Pool Permit Plan drawing dated March 6, 2022 indicates "existing concrete patio" but it did not exist on that date. Started Nov 2021.
2. City of Vaughan to confirm if this structure is a basement extension with building permit. DMX AG Foundation Wrap Water Proofing is clearly visible.
3. Includes natural gas and electrical services.

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Picture H - taken June 5, 2022.

- View of Applicant's concrete structure with fireplace and full foundations.
1. City of Vaughan to confirm if this a basement structure with permit. DMX AG Foundation Wrap Water Proofing is clearly visible.
 2. Includes new natural gas and electrical services.





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Picture I - taken June 5, 2022.

- View of Applicant's large backyard.

1. Extremely large backyard provides ample opportunity to meet minimum 60% soft landscaping and other by-law requirements.
2. Reduction in soft landscaping will contribute unnecessarily to stormwater run off problem for City of Vaughan.



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1. Construction machines stored in driveway when no construction. Walkout stairwell was mostly complete. No other permits.

Picture J - taken November 22, 2021.

- View of Applicant's machine storage.

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Picture K - taken Sunday May 1, 2022.

- View of Applicant's construction equipment stored on driveway.
1. Open fuel containers.
 2. A disaster to look at from my porch.



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Picture L - taken Monday May 2, 2022.

- View of Applicant's construction equipment being picked up by their construction company Core Precision Interlock Inc to transport to another of their job sites.

1. Truck usually shows up early morning before 7 am and the thud of the ramps being let down can be heard plus the back-up beeping of machines.





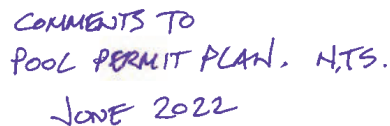
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Picture M - taken June 1, 2022.

- View of Applicant's pool equipment rough-in.

1. Rough-in area with numerous hoses and conduits appears far larger than on the Applicant's drawing. What is the size of the pool equipment room?

May 20, 2022



NOTES:
FULL LOT 1145.706m²
STRUCTURE 1: 276.318m² INCLUDES EVES
STRUCTURE 2: 60.653m² INCLUDES EVES
REAR LOT: = 522.151m² = 100 PERCENT
REAR SOFT 266 = 60 PERCENT
REAR HARD 178.15m² = 40 PERCENT