25 Granary Road
Kleinburg, Ontario L0J 1C0

September 20, 2022

Committee of Adjustment
City of Vaughan Building Standards – Zoning, Development Planning, & Development Engineering
City of Vaughan
Vaughan City Hall,
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

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

In response to **Minor Variance Application A226/22** for 19 Granary Road, I am the immediate, adjacent neighbor at 25 Granary Road. My family and property have already been negatively impacted by the ongoing construction and other commercial business activity at 19 Granary Road. I am firmly opposed to the variances being requested by the Applicants for the following reasons:

A. The minimum soft landscaping is being reduced from the required 60% to then 55% (CofA A086/22) to 43% and now 52% is not in keeping with the intent of the by-law. The numbers keep changing as if calculated on the back of a napkin and the City has not provided any explanation. We already have a water problem between the houses and this variance to the by-law will only exacerbate it. See pictures.

B. The proposed structure is NOT a "mostly open" structure as stated by City of Vaughan Development Planning staff in the June 16, 2022 report for previous CofA Application A086/22. See pictures. The structure is now even more enclosed. The excessive height of the custom structure could have easily been designed to meet the 3.0m height by-law for accessory buildings. The massive roof blocks all views and looms over my property from the side.

C. The Applicants form letters of support are for a previous structure design from the June 16, 2022 CofA meeting and mention complying with O.B.C. but nothing about the by-law variances being sought. The letters are from neighbors completely not affected. Nothing in this application has to do with O.B.C.

D. The egregious construction activities at 19 Granary Road have already negatively impacted my family home and the health and welfare of my family members and destroyed the peace and tranquility that we once enjoyed in our home. Approval of this application will only serve to re-victimize my family.

E. The Applicants moved into 19 Granary Road in early January 2021 with multiple Aquaview Pool trucks and Core Precision Interlock trucks. From the outset, it appears that multiple construction business are being run out of the Applicants property and my family's quality of life has been negatively impacted. This is completely unacceptable.

1. The minimum soft landscaping is being reduced from the required 60% to then 55% (previous CofA application A086/22) to 43% and now 52%:

    a. The variance requested does not maintain the general intent and purpose of the zoning by-law which is to limit stormwater runoff from private properties and overburden the stormwater system;

    b. The excessive hardscaping for such a large property is not necessary and will contribute to additional stormwater run-off that is already a problem between the properties (see pictures) and a critical problem for the City of Vaughan in general;

    c. There is ample opportunity on this property for the Applicants to meet the minimum 60% soft landscaping by-law requirement;

    d. The Applicants are installing / running great lengths of weeping tile to collect stormwater that is supposed to be absorbed in place by the soft landscaping;

    e. 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 landscaping will increase stormwater runoff and is excessive for such a large property.

2. The Applicant's proposed height of 3.65m, exceeds the maximum 3.0 height requirement for an accessory building:

    a. The proposed structure is custom designed and the 3.0m maximum height can easily be reduced by lowering the roof pitch;

    b. In the June 16, 2022 City of Vaughan staff report (previous CofA Application A086/22), Development Planning stated they had "no objection to Variances 3 and 8 for the proposed height of the pavilion as it is a mostly open structure". The proposed structure is no longer an open structure leading one to infer that it was never intended to be an open structure. This is an abuse of the process.

    c. Contrary to City of Vaughan staff comments, the part of the structure hulking over my fence, which is what my family sees, is most certainly all enclosed. The massive roof. blocks all the views that my family enjoyed for the last 20 years. Please see attached pictures

    d. All of the other structures that the Applicant is referencing are built deep in the rear yard of 350' (106m) deep properties that are not similar to the much shorter 213' (65m) properties on Granary Road.

3. I provided written and verbal comments at the June 16, 2022 Committee of Adjustment meeting that the Applicants drawings were not a complete and accurate representation of what is being constructed and here we are again regarding the very issues that I raised.

    a. I am requesting that this Application be deferred to a future CofA meeting so that it can be reviewed in further detail with additional information with City of Vaughan staff.

4. The Applicants have altered the grading along the fence with my property at 25 Granary Road, have removed the swale that existed at the non-fenced area (see attached pictures), had removed my air conditioner and damaged my property;

    a. This is contrary to the drawing notation that "No grade changes or hardscaping within the 0.6m of the Property line will be made". For greater clarity 0.6m = 2'-0".

    b. My soil is already falling into the changes the Applicant made on his side. See pictures.

    c. Applicants have 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.

    d. Original grades and swale must be restored to original on both properties.

    e. Any walkway to the front of the house on the Applicants' property must not extend into the 0.6m (2'-0") soft landscaping swale on the Applicants' side of the property line.

    f. This is now a civil legal matter and a claim has been commenced to recover all damages and to pay for all work required to restore my property at 25 Granary Road.

5. All of the Applicants form letters of support are for a previous structure design from the June 16, 2022 CofA meeting. Furthermore:

    a. The letters are from neighbors across the street or on another street who are not at all impacted by the egregious construction activities at 19 Granary Road.

    b. The letters are self-serving form letters written by the Applicant for the June 16, 2022 CofA meeting and they mention meeting O.B.C but do NOT mention anything about the by-law variances being sought. NOTHING in this application has to do with meeting O.B.C. This is a very deceiving tactic.

    c. As for a family shelter, a child can often be seen playing on the construction site next to an empty pool. This is a fall hazard and a serious construction safety violation.

My family's kindness and goodwill have been pushed to the limit for more than a year now and I've had enough of the shenanigans at 19 Granary Road. My family deserves to live in tranquility in a home that is safe from construction activity that shakes our home, damages our property, happens outside of construction hours and days, and causes mental anguish and distress.

I am firmly opposed to this Application because the variances sought are not minor in nature, do not meet the intent of the by-laws and will have a compounding negative effect on the drainage between the homes, which is already a problem. I urge the Committee to reject the variances sought or at the very least defer the application until the numbers can be verified and the City performs a fulsome review.

Regards,

Joe Chimenti ***B.Arch. B.Tech. PMP***
25 Granary Road
Kleinburg, Ontario L0J 1C0
[redacted]

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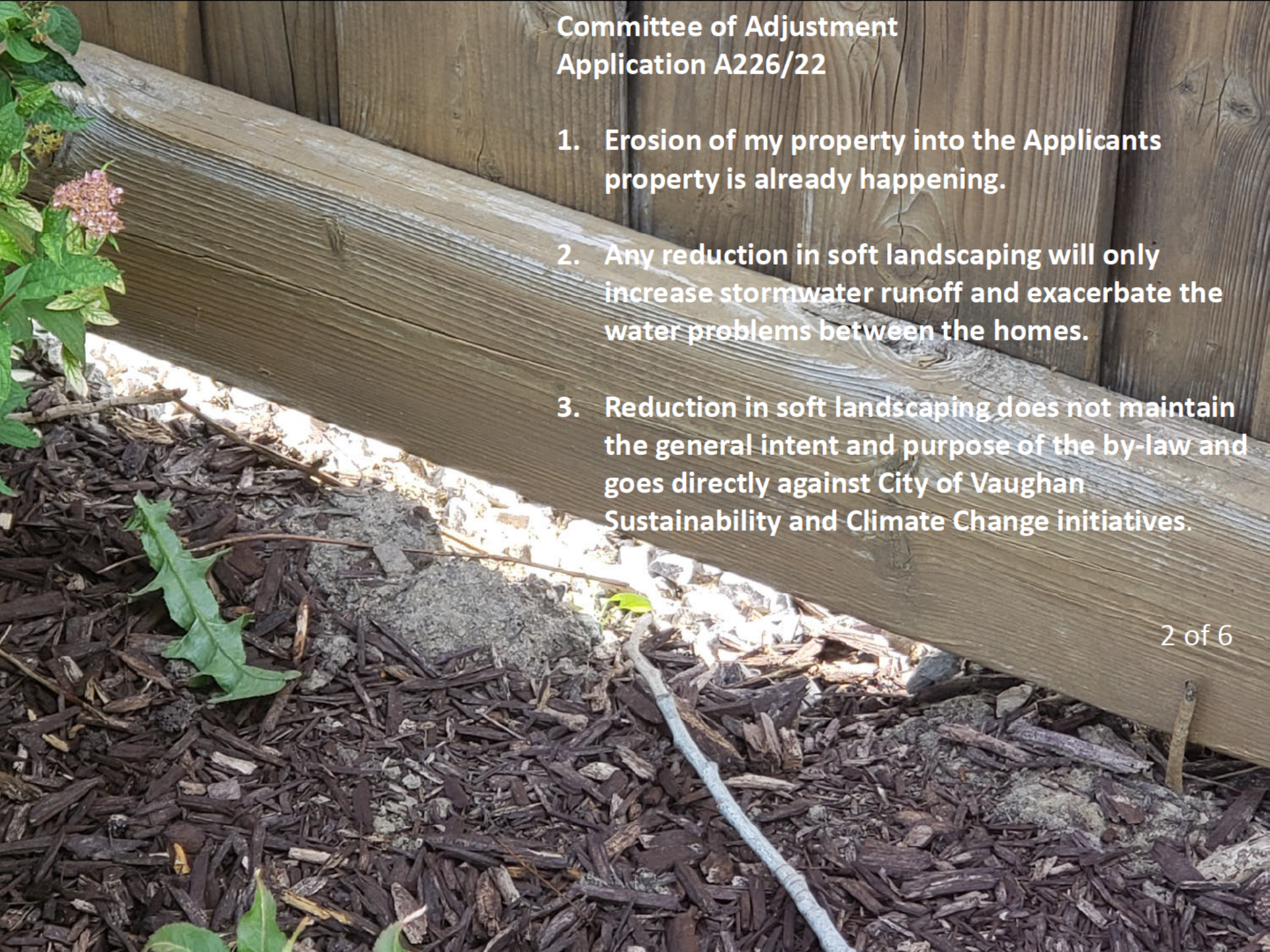
1. Picture taken before reduction in soft landscaping clearly indicates volume of water that drains between houses.

2. Any reduction in soft landscaping will only increase stormwater runoff and exacerbate the water problems between the homes.

3. Reduction in soft landscaping does not maintain the general intent and purpose of the by-law and goes directly against City of Vaughan Sustainability and Climate Change initiatives.

4. Problem is compounded in winter and spring with snow melt when weeping tile near surface are frozen.



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1. **Erosion of my property into the Applicants property is already happening.**

2. **Any reduction in soft landscaping will only increase stormwater runoff and exacerbate the water problems between the homes.**

3. **Reduction in soft landscaping does not maintain the general intent and purpose of the by-law and goes directly against City of Vaughan Sustainability and Climate Change initiatives.**

1. The majority of backyard at 19 Granary Road has been paved over which is not in keeping with minimum soft landscaping by-laws and City of Vaughan Sustainability and Climate Change initiatives.
2. Why do the soft landscaping numbers keep changing by the minute from 55% to 43% to 52% and how were they calculated? The City has not provided any explanation.
3. Reduction in minimum soft landscaping will increase stormwater runoff and add to the water problems between the houses.

1. The structure is clearly not an “open structure” contrary to City of Vaughan Development Planning comments (CofA A086/22). Now the Applicant proposes enclosing it which is not in keeping with previous CofA approvals.

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1. Excessive height and size of the structure that looms over my property is not acceptable.

2. This is a custom structure can be designed to any height including the 3.0 maximum height.

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In summary:

1. This situation between the houses is not acceptable and will be exacerbated by the approval of this Application.
2. The soft landscape numbers keep changing last minute and the City has not provided any adequate explanation to the public.
3. The excessive height and size of the structure that looms over my property is not acceptable and could be designed to meet by-law requirements.
4. The self-serving letters of support were written by the Applicant, reference a previous design & Application from June 16, 2022, and only mention O.B.C. , not by-law requirements.