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|  | Committee of Adjustment Minutes Hearing Date: February 6, 2020 |
| <p style="text-align: center; font-size: 24pt; font-weight: bold;">APPROVED</p> | Location: 2141 Major Mackenzie Drive Committee Room 242/243 Time: 6:00 p.m. |
| Committee Member & Staff Attendance | |
| Committee Members: | Robert Buckler Adolfo Antinucci Stephen Kerwin Hao (Charlie) Zheng (Vice-Chair) |
| Secretary Treasurer: Assistant Secretary Treasurer: Zoning Staff: Planning Staff: | Christine Vigneault Lenore Providence Garrett Dvernichuk Michael Di Febo |
| Members / Staff Absent: | Assunta (Sue) Perrella (Chair) |

Introduction of Addendum Reports

| Item # | File # | Address / Applicant | Commentator | Summary |
|--------|---------|------------------------------------|-------------|---|
| 08 | A138/19 | 418 Spring Gate Blvd, Thornhill | Planning | Planning Comments |
| 10 | A168/19 | 17 Honey Locust Court, Maple | Planning | Planning Comments |
| 11 | A171/19 | 223 Ridgefield Crescent, Maple | Neighbour | Public Correspondence 227 Ridgefield Crescent |
| 11 | A171/19 | 223 Ridgefield Crescent, Maple | Neighbour | Public Correspondence 219 Ridgefield Crescent |
| 11 | A171/19 | 223 Ridgefield Crescent, Maple | Neighbour | Public Correspondence Angelo Lunardo (no address) |
| 11 | A171/19 | 223 Ridgefield Crescent, Maple | Neighbour | Public Correspondence 254 Barrhill Road |
| 11 | A171/19 | 223 Ridgefield Crescent, Maple | Neighbour | Public Correspondence - Petition of Support from: 200, 206, 207, 210, 211, 214, 215, 220, 227, 231 & 238 Ridgefield Crescent. |
| 15 | A128/19 | 28 Asner Avenue, Maple | Neighbour | Public Correspondence 27 Gamla Road |

Moved By: R. Buckler
Seconded By: A. Antinucci

That the addendum reports be incorporated into the minutes and be on view at the back of the room in the Report Book.

Motion Carried.

Disclosure of Pecuniary Interest

| Member | Nature of Interest |
|--------|--------------------|
| N/A | N/A |

Adoption of January 16, 2020 Minutes

| Required Amendment | Page Number |
|--------------------|-------------|
| N/A | N/A |

Moved By: R. Buckler
Seconded By: A. Antinucci

THAT the minutes of the Committee of Adjustment Meeting of Thursday, January 16, 2020, be adopted as circulated.

Motion Carried.

Adjournments

Moved By: R. Buckler
Seconded By: S. Kerwin

That the following adjournments be approved as requested:

| Item Number | Application Number/Address | Adjournment Date | Reason for Adjournment |
|-------------|--|------------------|---------------------------------------|
| 08 | A163/19 (2920 Hwy 7 Bldg 5 Vaughan) | Sine Die | Allow time to address staff concerns. |

Motion Carried.

Applications Addressed by the Committee of Adjustment

Please Note: For complete application details please reference the Notice of Decision issued for each respective application. A copy can be obtained by submitting a written request to the Secretary Treasurer.

5. **File:** B036/19 **Ward 4**
- Applicant:** 627150 Ontario Inc., The Hollywood Princess Convention and Banquet Centre Ltd.
- Agent:** Royal 7 Developments Ltd. (Nicole Sgrignuoli)
- Address:** 2800 Hwy 7 Vaughan
- Purpose:** Consent is being requested for an easement over Part 1 on the draft reference plan submitted with the application (servient land) for access (vehicular) and construction/maintenance (of road) purposes in favour of the lands to the west, being Part 2 & 3 on the draft plan submitted with the application (dominant land).
- The proposed easement is to provide for vehicular access and to allow for construction and maintenance of a private road (Street B) located adjacent to the EXPO City Development and the Rivera Event Space.

Public Written Submissions

* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)

N/A

Additional Addendum Reports received and provided to the Committee from:

Revised Planning Comments – Provided at hearing.

Representation

Nicole Sgrignuoli, Royal 7 Developments Ltd.

Comments

Nicole Sgrignuoli explained the nature of the application.

Michael Di Febo, Planner, provided an addendum to Planning comments and reviewed the following recommended (amended) conditions of approval with the Committee and Ms. Sgrignuoli:

1. The Hollywood Princess Convention and Banquet Centre Ltd. submit an amendment to the Site Development Application for the construction of Part 1 on the attached reference plan 65- draft.
2. The Owner shall convey to the City a public access easement free of all encumbrances over Part 1 on reference plan 65R-draft for nominal consideration at the Owner's expense to the satisfaction of the Development Planning Department.
3. The related Consent File B003/20 be approved by the Committee of Adjustment.

In response to Vice Chair Zheng, Ms. Sgrignuoli agreed to the amended conditions.

Vice Chair Zheng asked if anyone present wished to comment on this application. There was no response.

Moved By: R. Buckler

Seconded By: A. Antinucci

THAT Application No. B036/19 on behalf of 627150 Ontario Inc., The Hollywood Princess Convention and Banquet Centre Ltd. be, **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

| | Department/Agency | Condition |
|---|---|--|
| 1 | Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 Christine.vigneault@vaughan.ca | 1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies only to the severed parcel, leased land, |

| | Department/Agency | Condition |
|---|---|---|
| | | <p>easement etc. as conditionally approved by the Committee of Adjustment.</p> <p>2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.</p> <p>3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</p> |
| 2 | <p>Development Planning Michael Di Febo</p> <p>905-832-8585 x 8990 michael.difebo@vaughan.ca</p> | <p>1. The Hollywood Princess Convention and Banquet Centre Ltd. submit an amendment to the Site Development Application for the construction of Part 1 on the attached reference plan 65- draft.</p> <p>2. The Owner shall convey to the City a public access easement free of all encumbrances over Part 1 on reference plan 65R-draft for nominal consideration at the Owner's expense to the satisfaction of the Development Planning Department.</p> <p>3. The related Consent File B003/20 be approved by the Committee of Adjustment.</p> |
| 3 | <p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 nelson.pereira@vaughan.ca</p> | <p>The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p> |

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019

6. **File:** B003/20 **Ward 4**
- Applicant:** Royal 7 Developments Ltd.
- Agent:** Cortel Group (Nicole Sgrignuoli)
- Address:** Hwy 7, Vaughan
- Purpose:** Consent is being requested for an easement over Parts 2 & 3 on the draft reference plan submitted with the application (servient land) for access (vehicular) and construction / maintenance (of road) purposes in favour of the lands to the east, being Part 1 on the draft plan submitted with the application (dominant land).
- The proposed easement is to provide for vehicular access and to allow for construction and maintenance of a private road (Street B) located adjacent to the EXPO City Development and the Rivera Event Space.

| Public Written Submissions |
|---|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) |
| N/A |

Additional Addendum Reports received and provided to the Committee from:
Revised Planning Comments – Provided at hearing.

Representation

Nicole Sgrignuoli, Cortel Group

Comments

Nicole Sgrignuoli explained the nature of the application.

Michael Di Febo, Planner, provided an addendum to Planning comments and reviewed the following recommended (amended) conditions of approval with the Committee and Ms. Sgrignuoli:

1. The Owner shall convey to the City a public access easement free of all encumbrances over Parts 2 and 3 on reference plan 65R-draft for nominal consideration at the Owner's expense to the satisfaction of the Development Planning Department.
2. The related Consent File B036/19 for 2800 Highway 7 be approved by the Committee of Adjustment.

In response to Vice Chair Zheng, Ms. Sgrignuoli agreed to the amended conditions.

Vice Chair Zheng asked if anyone present wished to comment on this application. There was no response.

Moved By: R. Buckler

Seconded By: A. Antinucci

THAT Application No. B003/20 on behalf of Royal 7 Developments Ltd. (Peter Cortellucci) be **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

| | Department/Agency | Condition |
|---|---|---|
| 1 | Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca | 1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies only to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment. 2. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted. |

| | Department/Agency | Condition |
|---|--|---|
| | | 3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule. |
| 2 | Development Planning Michael Di Febo 905-832-8585 x 8990 michael.difebo@vaughan.ca | 1. The Owner shall convey to the City a public access easement free of all encumbrances over Parts 2 and 3 on reference plan 65R-draft for nominal consideration at the Owner's expense to the satisfaction of the Development Planning Department. 2. The related Consent File B036/19 for 2800 Highway 7 be approved by the Committee of Adjustment. |
| 3 | Development Finance Nelson Pereira 905-832-8585 x 8393 nelson.pereira@vaughan.ca | The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared). |

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019

8. **File:** A138/19 **Ward 5**
- Applicant:** Itay, Shmuel & Ameet Balilty
- Agent:** Guitberg Group Inc. (Victor Guitberg)
- Address:** 418 Spring Gate Blvd. Thornhill
- Purpose:** Relief from the by-law is being requested to permit the construction of a proposed single family dwelling.

| Public Written Submissions | |
|---|--|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) | |
| N/A | |

Additional Addendum Reports received and provided to the Committee from:
Planning Comments – Received February 6, 2020

Representation

Victor Guitberg, Guitberg Group Inc.

Comments

Victor Guitberg explained the nature of the application and advised that the main dwelling complies with the lot coverage requirement, he clarified that the increase in lot coverage is due to the proposed porches. He noted that the requirement for a reduced front yard setback is due to the daylight triangle which has been conveyed to the City.

In response to Member Kerwin, Mr. Guitberg, explained how the daylight triangle impacted the lot area calculation.

In response to Member Antinucci, Mr. Guitberg advised that the applicant did work with staff to reduce the original length of the home and he noted that similar approvals have been granted in the area.

Vice Chair Zheng asked if anyone present wished to comment on this application. There was no response.

Moved By: R. Buckler

Seconded By: S. Kerwin

THAT Application No. A138/19 on behalf of Itay, Shmuel & Ameet Balilty be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following condition:

| | Department/Agency | Condition |
|---|--|---|
| 1 | Development Engineering Jason Pham 905-832-8585 x 8716 Jason.pham@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 Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading and/or servicing approval. |

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019

9.

File:

A166/19

Ward 3

Applicant:

Glenn and Anna Bortolus

Agent:

None

Address:

25 Hanson Court, Woodbridge

Purpose:

Relief from the by-law is requested to permit the proposed construction of a cabana located in the rear yard.

| Public Written Submissions |
|---|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) |
| Name: G. De Gasperis, Address:20 Hanson Court, Woodbridge Nature of Correspondence: Letter of Support |
| Name: S. De Gasperis, Address:11 Hanson Court, Woodbridge Nature of Correspondence: Letter of Support |
| Name: A. & S. Franzolini, Address:10 Hanson Court, Woodbridge Nature of Correspondence: Letter of Support |
| Name: R. Franzolini, Nova Plumbing & Heating Ltd, Address:144 Romina Drive, Concord Nature of Correspondence: Letter of Support |
| Name: F. and R. Carogioiello, Address:137 Balding Boulevard, Woodbridge Nature of Correspondence: Letter of Support |
| Name: S. Carogioiello, Royal Pine Homes, Address:200-3550 Langstaff Road Nature of Correspondence: Letter of Support |
| Name: M. De Simone, Address:180 Balding Boulevard, Woodbridge Nature of Correspondence: Letter of Support |

Additional Addendum Reports received and provided to the Committee from: None.

Representation
Glenn Bortolus

Comments

Glenn Bortolus explained the nature of the application.

In response to Member Buckler, Mr. Bortolus explained that the design and height of the cabana was done to compliment the main dwelling. He also noted that the property backs onto a golf course and provided letters of support from his neighbours.

Vice Chair Zheng asked if anyone present wished to comment on this application. There was no response.

Moved By: S. Kerwin
Seconded By: R. Buckler

THAT Application No. A166/19 on behalf of Glenn & Anna Bortolus
25 Hanson Ct. Woodbridge be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

For the Following Reasons:

1.

The general intent and purpose of the by-law will be maintained.

2.

The general intent and purpose of the official plan will be maintained.

3.

The requested variance(s) is/are acceptable for the appropriate development of the subject lands.

4.

The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019

10.

File:

A168/19

Applicant:

Mary Baldassarra

Agent:

Inova Design Inc. (Frank Falcone)

Address:

17 Honey Locust Ct. Maple

Purpose:

Relief from the By-Law is being requested to permit the construction of a proposed storey single family dwelling (including attached garage, porch and loggia) and a detached garage.
- Ward 1

| Public Written Submissions |
|---|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) |
| Name: Frank Falcone (Agent) Nature of Correspondence: Authorization of Claudio Brutto to represent the applicant. |
| Name: Inova Design Inc. (Agent) Nature of Correspondence: Application Justification Letter |

Additional Addendum Reports received and provided to the Committee from:
Planning Comments – Received January 28, 2020

Representation
Claudio Brutto

Comments

Claudio Brutto explained the nature of the application.

In response to Member Buckler, Mr. Brutto explained that the proposed detached garage will store items that do not fit in the attached garage (i.e. snow blower etc.),

Vice Chair Zheng asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Antinucci
Seconded By: S. Kerwin

THAT Application No. A168/19 on behalf of Mary Baldassarra (Mary Baldassarra) be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019

11.

File:

A171/19

Applicant:

Nancy Tarantino

Agent:

None

Address:

223 Ridgefield Crescent, Maple

Purpose:

Relief from the By-law is being requested to permit an existing covered deck and shed located in the rear yard.

Ward 1

| Public Written Submissions |
|---|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) |
| Name: Ms. Zavagkia Address: 219 Ridgefield Cres Nature of Correspondence: Letter of Objection |
| Name: Nicola & Maria Mastroianni Address: 227 Ridgefield Cres Nature of Correspondence: Letter of Support |
| Name: Nancy Tarantino Address:223 Ridgefield Cres Nature of Correspondence: Response to Objection letter |
| Name: Angelo Lunardo Address: N/A Nature of Correspondence: Letter of Objection |
| Name: Brian Ritchie Address: 254 Barhill Road Nature of Correspondence: Letter of Objection |
| Address: 200, 206, 207, 210, 211, 214, 215, 220, 227, 231, 238 Ridgefield Crescent Nature of Correspondence: Petition in Support |

Additional Addendum Reports received and provided to the Committee from: None.

Representation
Nancy Tarantino, Applicant
Luciano Petrella, Agent

Comments

Nancy Tarantino explained the nature of the application.

Luciano Petrella advised that the height of the existing shed complies with the By-law.

In response to Member Buckler, Mr. Petrella advised that shed can be moved to accommodate the removal of variance #2 & #3.

In response to Member Antinucci, Mr. Petrella advised that there is no intention to close in the deck.

In response to Member Kerwin, Ms. Tarantino advised that she is not covering the steel poles and that the home has been sold.

Vice Chair Zheng asked if anyone present wished to comment on this application.

Albina Zavaglia, 219 Ridgefield Crescent, expressed concerns with respect to closing in the deck.

Member Buckler motioned to approve the application subject to the removal of variance #2 & #3 pertaining to the shed.

Moved By: R. Buckler
Seconded By: A. Antinucci

THAT Application No. A171/19 on behalf of Nancy Tarantino be **APPROVED, AS AMENDED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019

- 12. File:** A172/19 **Ward 2**
- Applicant:** 2334504 Ontario Inc.
- Agent:** Gagnon Walker Domes Ltd. (Richard Domes)
- Address:** 6800 Hwy 7 Vaughan
- Purpose:** Relief from the By-law is being requested to permit the proposed construction of a proposed six (6) storey hotel and to facilitate Site Plan Application DA18.005.

| Public Written Submissions | |
|---|--|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) | |
| N/A | |

Additional Addendum Reports received and provided to the Committee from:
Planning Comments – Received January 25, 2018

Representation

Richard Domes, Gagnon Walker Domes Ltd.

Comments

Richard Domes explained the nature of the application and noted that the property is designated employment commercial/mixed use which permits a ten (10) storey hotel as well as various commercial uses. He advised that the related site plan application was approved by Council on January 28, 2020, subject to the approval of the required minor variance application. He noted a typo with respect to variance #2 (should be 20.75 metres not 20.7 m).

Christine Vigneault, Secretary Treasurer, confirmed that the public notice provided that variance #2 is 20.75m.

In response to Member Buckler, Mr. Domes advised that parking spaces are determined by # of units (1 space per room).

Vice Chair Zheng asked if anyone present wished to comment on this application. There was no response.

Moved By: R. Buckler

Seconded By: S. Kerwin

THAT Application No. A172/19 on behalf of 2334504 Ontario Inc. (Sherang Singh Rana) be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

| | Department/Agency | Condition |
|---|---|--|
| 1 | Development Planning Brandon Bell 905-832-8585 x 8112 Brandon.Bell@vaughan.ca | That Site Development File DA.18.005 be approved to the satisfaction of the Development Planning Department. |
| 2 | Development Engineering Jason Pham 905-832-8585 x 8716 Jason.pham@vaughan.ca | The owner/applicant shall obtain approval for the related Site Development Application (DA.18.005) from the Development Engineering (DE) Department. |

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019

13.

File:

A178/19

Applicant:

Diane and Lorenzo Paravani

Agent:

Great Room Inc.

Address:

64 Brownlee Ave. Woodbridge

Purpose:

Relief from the by-law is being requested to permit the construction of a proposed cabana at the rear of the existing dwelling and to permit the proposed swimming pool.

Ward 3

| Public Written Submissions |
|---|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) |
| Name: Joseph Deo Address: 77 Mellings Drive Nature of Correspondence: Letter of Objection |

Additional Addendum Reports received and provided to the Committee from: None.

Representation
George, Shama, Great Room Inc.

Comments

George Shama explained the nature of the application and addressed the letter of objection. He noted that the design has not changed from the original proposal and noted that the variance is required to address an oversight on the previous application.

Vice Chair Zheng asked if anyone present wished to comment on this application. There was no response.

In response to Member Antinucci, Mr. Shama advised that the landscape area has already been approved.

In response to Member Buckler, Mr. Sharma advised that the grading permit has already been obtained.

Moved By: R. Buckler
Seconded By: A. Antinucci

THAT Application No. A178/19 on behalf of Diane and Lorenzo Paravani be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019

14.

File:

A116/19

Ward 5

Applicant:

Lousia Benoliel-Benitah

Agent:

Paul Guest

Address:

2 Forest Lane Dr. Thornhill

Purpose:

Relief from the By-Law is being requested to permit the construction of a proposed inground pool and shed to be located in the exterior side yard.

| Public Written Submissions |
|--|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) |
| Address:141, 145 &149 Concord Rd Nature of Correspondence: Objection Letter – Received Dec 11/19 |
| Address: 141, 145 &149 Concord Rd Nature of Correspondence: Objection Letter – Received Dec 12/19 |
| Address: 118, 141, 145 Concord Rd.) Nature of Correspondence: Objection Letter/Petition – Received Jan 16/20 |
| Name: Paul Guest (Agent) Nature of Correspondence: Agent Response to Public Correspondence/Petition (dated January 16, 2020), including rendering of proposed fence and updated site plan – Received Jan 22/20 |
| Name: Residents residing at 118, 141, 145, 149 Concord Road, 79 Vaughan Blvd, 53 Forest Lane Drive, 385 & 546 Glenn Blvd, 12 Loudon Crescent Nature of Correspondence: Letter of Objection/Petition – Received February 6, 2020 |

Additional Addendum Reports received and provided to the Committee from: None.

Representation
Paul Guest, Agent

Comments

In response to Vice Chair Zheng, Paul Guest confirmed that the application was previously adjourned to address neighbour concerns. He advised that the applicant did have an opportunity to share the proposal with neighbours and that measures were taken to address concerns with respect to the fence by increasing the sight triangle. He noted that the application is supported by engineering staff.

Vice Chair Zheng asked if anyone present wished to comment on this application.

██████████ 141 Concord Road, explained the location of her property (positioned directly behind the subject land) and expressed safety concerns regarding the visual impact of the fence (sightlines) and the curvature of the road. She noted that multiple accidents have occurred in the area and the expressed concern regarding safety of children and pedestrians using sidewalk (which is located on one side of the road only). She opined that the fence will reduce sight line and increase potential for accidents.

In response to Vice Chair Zheng, Mr. Guest advised that after consultation with staff, the site triangle was increased to address safety concerns. He noted that there are speed bumps in the area.

In response to Vice Chair Zheng, Ms. ██████████ commented that she is not supportive of comments received from staff and is not comfortable with the proposal. She referenced requirements of the City’s Fence By-law (162-2004) and reiterated her concerns regarding safety.

Christine Vigneault, Secretary Treasurer, advised that the Committee is authorized under the Planning Act to grant relief from the Zoning By-law (By-law 1-88). Compliance of the fence may be addressed by the City’s By-law Department. She noted that By-law staff were involved in the application review process, Development Engineering staff were on site and their comments on the application have been reflected in the Staff Report.

In response to Ms. Vigneault, Ms. ██████████ expressed concern that the fence does not comply with the Fence By-law and noted that grading needs to be considered when determining fence requirements due to the impact of the slope on sightlines.

Vice Chair Zheng reviewed Development Engineering comments pertaining to the application and the Committee's jurisdiction to approve variances to the City's Zoning By-law.

In response to Vice Chair Zheng, Ms. [REDACTED] reiterated concerns with respect to traffic and sightlines and commented that all by-laws and factors need to be considered. She requested that a larger setback be provided to maintain a clear view and opined that the erection of a fence will put people in danger.

In response to Vice Chair Zheng, Ms. [REDACTED] advised that the revised proposal did not address neighbour concerns and questioned the accuracy of the 3D rendering (provided by the applicant) demonstrating the location of the fence and proposed sight triangle. She referred to By-law 162-2004 and opined that the proposed location and height of the fence would block view when exiting the driveway and children will not be able to enjoy the front yard.

Member Antinucci reviewed Development Engineering comments pertaining to the fence and reiterated that the Committee is reviewing the variances to the Zoning By-law.

In response to Member Antinucci, Ms. [REDACTED] commented that the fence is required to accommodate the pool, therefore it should be taken into consideration.

Ted Szilagyi, 145 Concord Road, expressed concern with respect to the location of the pool in the exterior yard and the number of variances being requested. He opined that the proposed location of the pool is to accommodate an existing deck. He expressed concern with respect to setting a precedence, maintaining character of neighbourhood and depreciating property values.

In response to Vice Chair Zheng, Mr. Guest advised that due to the existing hard landscaping in the rear yard the location of the pool cannot be changed. He noted that the fence will be constructed for safety and visually, neighbours will not be able to see the pool.

Michael Di Febo, Planner, provided examples of similar approval in the area.

[REDACTED], 141 Concord Road, reviewed a petition signed by fourteen (14) residents and expressed concerns regarding safety, including accidents in area and sightlines, third party risks/liability and home values on behalf of residents who could not attend the meeting. He reviewed the variances requested and opined that the application, as submitted, was not accurate and that additional variances from the Zoning By-law may be required as noted on page 4-5 of the petition. Mr. [REDACTED] commented that the proposal had not changed from the December 16, 2019 submission and did not address neighbour concerns. He questioned the policy requirements that dictate the size of the sight triangle and reviewed Appendix A of the petition submitted and the Transportation Agency of Canada (TAC) guidelines. He opined that the variances before the Committee are not minor. He questioned the requirement of tree replacement and opined that the sight triangle at 4 Fairfax Court is not a true comparison to the situation along Concord Road due to the curve, slope and width of street and the existence of a sidewalk on both sides of the street. To enhance safety, he requested that a 8m x 12m sight triangle be applied given that a standard calculation does not apply to this scenario.

In response to Ms. Vigneault, Mr. Di Febo, advised that the TAC guidelines only apply to collector and arterial road intersections.

Amir Lopci, 5 Sea Hawk Way expressed concerns regarding the number of accidents in the area, he noted that he is a civil engineer and commented that a surveyed plan was not completed (which should show adjacent home). He questioned how the fence sight triangle was calculated and opined that the variances are not minor.

Mr. [REDACTED] reviewed the TAC guidelines and questioned how pedestrians running or jogging would be incorporated into the sight triangle calculation (concerns outlined on page 6 of the petition submitted). He advised that given the curve on Concord Road, residents do not feel safe and reiterated that safety and value of homes are main concern.

Joel Majer, 79 Vaughan Blvd, expressed concerns with respect to the location of the pool and safety of children using sidewalk to get to school. He advised that a few neighbourhood dogs had also been killed due to the obstructed view on street.

In response to Mr. [REDACTED] Ms. Vigneault clarified that the Committee may have approved similar variances in area that were not constructed.

Mr. Di Febo reviewed a similar variance approval at 40 Concord Road (A057/16) which was supported by staff and approved by the Committee.

In response to Mr. Di Febo, Mr. [REDACTED] opined that the approval at 40 Concord Road was

not a true comparison because the pool was located almost entirely in the rear yard.

In response to Vice Chair Zheng, Mr. [REDACTED] advised that all concerns are outlined in the petition submitted to the Committee.

Moved By: A. Antinucci

Seconded By: R. Buckler

THAT Application No. A116/19 on behalf of Lousia Benoliel-Benitah be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

| | Department/Agency | Condition |
|---|--|---|
| 1 | Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@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 Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading and/or servicing approval. |

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: None

Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019.

In response to Member Buckler, Ms. Vigneault explained the procedures to file an appeal to the Local Planning Appeal Tribunal (LPAT).

In response to Mr. [REDACTED], Ms. Vigneault reviewed the four (4) statutory tests of a minor variance under the Planning Act.

15.

File:

A128/19

Applicant:

Abraham Simach

Agent:

None

Address:

28 Asner Ave. Maple

Purpose:

Relief from the by-law is being requested to permit the existing deck located at the rear of the existing dwelling.
- Ward 4

| Public Written Submissions |
|---|
| * Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date) |
| Name: Zheng Gu Address: 27 Gamla Road Nature of Correspondence: Letter of Objection |
| Name: Applicant Nature of Correspondence: Additional Photos |
| Name: Applicant Nature of Correspondence: Additional photos addressing letters of objection |
| Name: Yoram Meartsi Address: 27 Asner Avenue Nature of Correspondence: No Objections |
| Name: Yoram Meartsi Address: 27 Asner Avenue Nature of Correspondence: Letter of Objection |
| Name: Applicant Nature of Correspondence: Photos |
| Name: Applicant Nature of Correspondence: Addressing letter of Objection |
| Name: Qing-Chong You Address: 22 Asner Avenue Nature of Correspondence: Letter of Objection |
| Name: Ariel & Rita Motlis Address: 33 Gamla Road Nature of Correspondence: No Objections |

Additional Addendum Reports received and provided to the Committee from: None.

Representation
Abraham Simach

Comments

Abraham Simach explained the nature of the application and addressed the letters of objection. He reviewed pictures submitted to demonstrate how privacy will be maintained. He noted that the deck does not have stair access.

In response to Vice Chair Zheng, Mr. Simach advised that the deck was extended because it was too narrow and could not accommodate a table. He advised that he is also concerned about privacy and wants to maintain.

Vice Chair Zheng asked if anyone present wished to comment on this application.

Luna Gong, 32 Asner Avenue, provided photos to demonstrate impact of extended to deck. She expressed concerns regarding the loss of sunlight and enjoyment of their property, growth of moss and mould, reduced space between homes and view into bathroom window/lack of privacy.

In response to Member Buckler, Ms. Gong advised that she did not express concerns to applicant regarding deck.

In response to Member Buckler, Mr. Simach advised that frosted glass panel can be used to enhance privacy and increase sunlight between the properties.

In response to Vice Chair Zheng, Mr. Simach advised that the panels are approximately six (6) feet high.

In response to Member Kerwin, Mr. Simach provided a picture (sample) of translucent glass.

Michael Di Febo, Planner, reviewed similar approvals in the area.

Ms. Gong expressed concern that the translucent glass can be altered by future owners.

In response to Vice Chair Zheng, Mr. Simach confirmed that the deck is existing.

In response to Vice Chair Zheng, Ms. Gong indicated her view from bathroom window (in pictures provided), she expressed concern regarding view from deck into her master bathroom and impact of deck on the value of her home.

Member Buckler commented that window coverings can be used to enhance privacy.

In response to Vice Chair Zheng, Mr. Simach agreed to alter the northern corner of the deck to accommodate a 45 degree (approximate) angle and to use translucent glass to reduce visual impact and increase privacy.

Garrett Dvernichuk, Zoning, reviewed By-law requirements pertaining to the deck.

Christine Vigneault, Secretary Treasurer, clarified the inclusion of the following condition of approval:

That the applicant provide a revised sketch indicating that the northern corner of the existing deck will be re-designed to accommodate the removal of a portion of the deck (approx. 45 degree angle) to accommodate privacy; and further, that the applicant acknowledge on the revised sketch that translucent material will be used to construct a privacy panel on the deck.

Moved By: R. Buckler
Seconded By: A. Antinucci

THAT Application No. A128/19 on behalf of Abraham Simach be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) subject to the following condition:

| | Department/Agency | Condition |
|---|---|---|
| 1 | Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca | That the applicant provide a revised sketch indicating that the northern corner of the existing deck will be re-designed to accommodate the removal of a portion of the deck (approx. 45 degree angle) to accommodate privacy; and further, that the applicant acknowledge on the revised sketch that translucent material will be used to construct a privacy panel on the deck. |

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: None

Member/Chair Perrella Absent, Vice-Chair Zheng abstained from voting as per By-law 069-2019).

Other Business

N/A

Motion to Adjourn

Moved By: R. Buckler

Seconded By: A. Antinucci

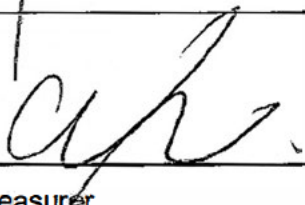
THAT the meeting of Committee of Adjustment be adjourned at 8:08 p.m., and the next regular meeting will be held on February 27, 2020.

Motion Carried.

February 6, 2020 Meeting Minutes were approved at the February 27, 2020 meeting, as amended:



Chair



Secretary-Treasurer