

	<b>Committee of Adjustment Minutes</b>  Hearing Date: March 7, 2019  Location: 2141 Major Mackenzie Drive Committee Room 242/243  Time: 6:00 p.m.
<b>DRAFT</b>	
<b>Committee Member &amp; Staff Attendance</b>	
Committee Members:	Robert Buckler (Chair) Assunta (Sue) Perrella (Vice-Chair) Hao (Charlie) Zheng Stephen Kerwin Adolfo Antinucci
Secretary Treasurer: Assistant Secretary Treasurer: Zoning Staff: Planning Staff:	Christine Vigneault Lenore Providence Pia Basilone Christopher Cosentino
Members / Staff Absent:	None

**Introduction of Addendum Reports**

Item #	File #	Address / Applicant	Commentator	Summary
7	A013/19	47 Karen Street, Thornhill (Margel)	Neighbour	Letter of Support from 49 Karen Street
7	A013/19	47 Karen Street, Thornhill (Margel)	Neighbour	Letter of Support from 45 Karen Street.
9	A016/19	1600 Steeles Avenue, Vaughan (Saulberg Investments Company Ltd.)	Building	Revised Zoning Comments (Comments in Staff Report incorrect).
9	A016/19	1600 Steeles Avenue, Vaughan (Saulberg Investments Company Ltd.)	Finance	Finance Comments: Inclusion of the following condition: Prior to the final approval of the Minor Variance, the Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.
13	A218/18	99 Heritage Estates Road, Maple (Kirsch)	Applicant	Revised Sketch (showing entirety of subject land)

Moved By: A. Perrella  
Seconded By: H. Zheng

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 February 21, 2019 Minutes**

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

THAT the minutes of the Committee of Adjustment Meeting of Thursday, February 21, 2019, be adopted as circulated.

**Motion Carried.**

**Adjournments N/A**

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

That the following adjournments be approved as requested:

Item Number	Application Number/Address	Adjournment Date	Reason for Adjournment
9	A016/19 (1600 Steeles Avenue, Woodbridge	March 21, 2019	David Ashbourne, Lakeshore Group (agent), requested adjournment at hearing to address Finance comments relating to required development charges.

**Motion Carried.**

**Applicant/Public Request:**

A010/19 – Public request to hear A010/19 at 7:00 p.m. to accommodate arrival.

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:

A196/18

Ward 1
- Applicant:

Christina Marotta
- Agent:

Richard Wengle Architect Inc (Sandra Wojtecki)
- Address:

153 Old Humber Cr. Kleinburg
- Purpose:

Relief from the by-law is being requested to permit the construction of a proposed two-storey dwelling, two (2) detached accessory structures (garages) located in the westerly side yard and a cabana located in the rear/easterly side yard.
- The existing dwelling is to be demolished.

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)
None

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

Representation  
Richard Wengle, Richard Wengle Architect Inc

Comments

Richard Wengle explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

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

THAT Application No. A196/18 on behalf of Christina Marotta 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 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	1. The Owner/applicant shall submit the final Lot Grading/Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading/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/servicing approval.  2. The Owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the increased lot coverage area from 10% to 16.18% in order to mitigate potential impacts on the municipal stormwater system.

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: N/A**

6.

File:

A005/19

Applicant:

Rina Mammoliti

Agent:

Arctec Design Consultants (Tony Tersigni)

Address:

129 Villa Park Dr. Woodbridge

Purpose:

Relief from the by-law is being requested to permit the construction of a proposed single family dwelling and cabana. Relief is also being sought to permit two (2) driveways on a lot.

Ward 2

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)
None

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

**Representation**

Tony Tersigni, Arctec Design Consultants

**Comments**

Tony Tersigni explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella

Seconded By: A. Antinucci

THAT Application No. A005/19 on behalf of Rina Mammoliti 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 Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	The owner/applicant shall apply to the Transportation Services Division of the Transportation, Parks and Forestry Operations Department for permits for a curb cut for new driveway, and a curb reinstatement for the removal of existing driveway.

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:** N/A

<b>7.</b>	<b>File:</b>	A013/19	<b>Ward 5</b>
	<b>Applicant:</b>	Harry Margel	
	<b>Agent:</b>	Max Merchasin	
	<b>Address:</b>	47 Karen St. Thornhill	
	<b>Purpose:</b>	Relief from the by-law is being requested to permit the conversion of the existing (attached) garage into living 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)	
Name: J. Helman and A. Helman	
Address: 45 Karen Street, Thornhill	
Nature of Correspondence: Letter of Support	
Name: J. Wen	
Address: 49 Karen Street, Thornhill	
Nature of Correspondence: Letter of Support	

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

## Representation

Max Merchasin

## Comments

Max Merchasin explained the nature of the application.

Member Perrella advised that the application does not have Planning and Engineering support. While letters of support have been submitted from the neighbours, she opined that the variances were not minor and advised that she could not support the application.

In response to Member Perrella, Mr. Merchasin explained that the added living space is required to accommodate a growing family and the shortage of one parking space will not impact the current homeowner. He opined that future purchasers would not purchase the home if the parking did not meet their needs and noted that similar applications have been approved in Vaughan.

Member Perrella advised that it was unlikely that a reduction in required parking spaces was approved by the Committee in a residential zone.

Member Antinucci advised that he conducted a site visit of the area and noted that that the existing dwellings mainly had attached garages, and two parking spaces appeared to be prominent. He observed that cars were not parked on the street and expressed concerns with respect to setting a precedent. He noted that maintaining the integrity of the By-law is important.

Chairman Buckler reviewed Planning and Development Engineering comments pertaining to the application and provided Mr. Merchasin with an opportunity to adjourn the application to revisit the proposal and discuss options with staff.

In response to Chairman Buckler, Mr. Merchasin advised that he was hoping that the reduction of one parking spot could be considered minor and that the application is required as is, given the possibility of utilizing on-street parking.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: A. Antinucci

THAT Application No. A013/19 on behalf of Harry Margel be **REFUSED** for the following reasons:

For the Following Reasons:

1. The general intent and purpose of the by-law will not be maintained.
2. The general intent and purpose of the official plan will not be maintained.
3. The requested variance(s) is/are not acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are not minor in nature.

**Motion Carried.**

**Members Opposed to Motion: N/A**

8.

File:

A015/19

Applicant:

Luigi Fantetti

Agent:

None.

Address:

12 Partridge Crcl. Woodbridge

Purpose:

Relief from the By-Law is being requested to permit the existing solarium attached to the rear of the dwelling.

Ward 2

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)
None

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

**Representation**  
Luigi Fantetti

**Comments**

Luigi Fantetti explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

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

THAT Application No. A015/19 on behalf of Luigi Fantetti 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:** N/A



10.

File:

A018/19

Applicant:

Monarch Castlepoint Kipling South Development Limited

Agent:

David Hegarty

Address:

99 Klein Mills Rd. Kleinburg

Purpose:

Relief from the by-law is being requested to permit the construction of a proposed single family dwelling.

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)
None

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

**Representation**  
David Hegarty

**Comments**

David Hegarty explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

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

THAT Application No. A018/19 on behalf of Monarch Castlepoint Kipling South Development Limited, 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:** N/A

11.

File:

A138/18

Ward 1
- Applicant:

Shana Ditta
- Agent:

Fausto Cortese
- Address:

63 Rainbow's End Kleinburg
- Purpose:

Relief from the by-law is being requested to permit the construction of a proposed cabana and shed (pool equipment) to be located in the rear yard and to permit the existing in-ground pool.

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

**Representation**  
Fausto Cortese

**Comments**

Fausto Cortese explained the nature of the application.

In response to Member Antinucci, Mr. Cortese explained that the length of the cabana was designed to accommodate the applicant's preference.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: H. Zheng

THAT Application No. A138/18 on behalf of Shana Ditta 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 Christopher Cosentino  905-832-8585 x 8215 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That the Owner provides photographic documentation which shows that the works to increase the soft landscaping have been completed to the satisfaction of the Development Planning Department.
2	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	1. The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval for the proposed cabana 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 approval.  2. The Owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the increased impervious area (minimum of 35.59% soft landscaping compared to the By-law requirement of minimum 60% soft landscaping) in order to mitigate potential impacts on the municipal stormwater system.

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: N/A**

12.

File:

A205/18

Ward 4
- Applicant:

Alissa Forman
- Agent:

Brian Forman
- Address:

85 Daphnia Dr. Thornhill
- Purpose:

Relief from the by-law is being requested to permit the existing front yard landscaping.

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: Joe Vallescura, Daniel Berchuk, Emil Yalizerov
Address: 46, 86, 89, 98 Daphnia Drive
Nature of Correspondence: Letters of Support

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

Representation  
Alissa Forman

Comments

Chairman Buckler advised that Member Kerwin and Member Antinucci will not participate in the discussion or voting on the application as they were not present at the previous hearing(s) of the application.

Alissa Forman explained the nature of the application and advised that they did research and provided information with respect to similar approvals granted by the Committee.

Member Perrella noted that the previous approvals provided were not in the same area as the subject land. She calculated that the average variance approved, based on the information provided, appeared to be approximately 20%.

In response to Member Perrella, Ms. Forman clarified calculations provided. She noted that the staff support the application and reviewed recommended conditions of approval addressing concerns with respect to water flow.

Member Perrella, advised that she visited the surrounding area and recognizes that the applicant is the first to apply for relief. Considering staff support of the application, the width of the lot and the existing soft landscaping located on the City owned boulevard she advised that she can support the request. She noted that future applications are to be evaluated based on their own merits and it should not be assumed that automatic support will be given to future applications.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: H. Zheng

THAT Application No. A205/18 on behalf of Alissa Forman 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 Steve Lysecki  905-832-8585 x 8731 <a href="mailto:steve.lysecki@vaughan.ca">steve.lysecki@vaughan.ca</a>	1. The Owner / Applicant shall apply to the Development Inspection & Grading Division of the Development Engineering Department for Lot Grading Approval prior to any work taking place on the property.  2. The Applicant shall supply the Development Engineering Department with a letter or letter brief that outlines the amount of additional stormwater flow generated from the lot due to the proposed increased impervious area (area

	Department/Agency	Condition
		of reduced soft landscaping area). The letter shall utilize the Rational Method for these calculations.

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.
- 5. *Consideration given to landscaping within City Boulevard and existing soft landscaping.*

**Motion Carried.**

**Members Opposed to Motion:** N/A

13.

File:

A218/18

Applicant:

Aaron Kirsch

Agent:

Pool Craft (Rick Johnson)

Address:

99 Heritage Estates Rd. Maple

Purpose:

Relief from the By-Law is being requested to permit the construction of a proposed cabana (located in rear yard) and pool equipment pad (located in southerly side yard).

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)
None

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

**Representation**  
Rick Johnson, Pool Craft

**Comments**

Rick Johnson explained the nature of the application.

In response to Member Kerwin, Mr. Johnson confirmed that the washroom within the cabana will access municipal services (sewer).

Chairman Buckler 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. A218/18 on behalf of Aaron Kirsch 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:** N/A

14.

File:

A008/19

Ward 2
- Applicant:

Anatolia Capital Corp.
- Agent:

Spears & Associated Inc. (Catherine A. Spears)
- Address:

100 Gibraltar Rd. Vaughan
- Purpose:

Relief from the By-Law is being requested to permit proposed generators (to be located on the southwest corner of the lot).

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)
None

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

Representation  
Catherine Spears, Spears & Associated Inc.

Comments

Catherine Spears explained the nature of the application and advised that the applicant is satisfied with the recommended conditions of approval.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: A. Antinucci

THAT Application No. A008/19 on behalf of Anatolia Capital Corp. 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 <a href="mailto:christopher.cosentino@vaughan.ca">christopher.cosentino@vaughan.ca</a>	That the Owner shall provide a landscape plan to the satisfaction of the Development Planning Department
2	Development Engineering Brad Steeves  905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a>	1. The Owner/applicant shall obtain approval for the related Site Servicing Permit Application (17-0581 (R1)) from the Development Engineering (DE) Department. 2. Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder (Letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification to the City's Development Engineering 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: N/A

- 15. File:** A010/19 **Ward 2**
- Applicant:** 907037 Ontario Inc.
- Agent:** Rob Phillips
- Address:** 75 Sarracini Cr. Woodbridge
- Purpose:** Relief from the By-Law is being requested to permit construction of a proposed pool 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: R. Grech	
Address: 71 Sarrachini Crescent	
Nature of Correspondence: Letter of Objection	

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

### Representation

Val Dumitriu

### Comments

Val Dumitriu, 75 Sarracini Cr. Woodbridge, appeared on behalf of the applicant and explained the nature of the application.

Chairman Buckler acknowledged a request to stand down the application to 7:00 p.m. (received by Raymond Grech, 71 Sarrachini Crescent).

In response to Christine Vigneault, Secretary Treasurer, the Committee agreed to recess for five – ten minutes to accommodate the arrival of Mr. Grech.

Recess at 6:29 p.m.

Reconvened 6:36 p.m.

Upon arrival of Mr. Grech, Chairman Buckler asked if anyone present wished to comment on this application.

Mr. Grech expressed concerns regarding the location of the cabana, grading and the impact of the proposal on water flow and drainage. He explained the soil composition in the area (clay) and advised that the developer used a system of culverts and catch basins to address drainage and water flow in the subdivision. He had concerns with respect to the erection, and approval of, accessory structures that may obstruct the drainage system resulting in flooding. He requested assurances with respect to drainage and grading.

Ms. Vigneault advised that Development Engineering typically reviews grading as part of the Building Permit process.

In response to Ms. Vigneault, Pia Basilone, Zoning Examiner, could not confirm if a grading plan would be a requirement of the Building Permit process.

Ms. Vigneault suggested that the Committee could request, as a condition of approval, that the City's Development Engineering Department review lot grading/servicing prior to work being undertaken on the property.

In response to Member Zheng, Mr. Grech explained drainage and water flow between his property and the subject land and advised that any change to the culvert (located on the applicant's property) may impact abutting properties.

Member Buckler recommended that given the location of the culvert and the possible impact on water flow that the standard grading condition, as drafted by the Development Engineering Department, be incorporated into the decision. He read aloud the grading condition.



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

THAT Application No. A010/19 on behalf of 907037 Ontario Inc. 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 Margaret Olivier  905-832-8585 x 8716 <a href="mailto:Margaret.Olivier@vaughan.ca">Margaret.Olivier@vaughan.ca</a>	The Owner/applicant shall submit the final Lot Grading/Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading/servicing approval prior to any work being undertaken on the property.

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:** N/A

**Other Business**

None

**Motion to Adjourn**

Moved By: A. Perrella

Seconded By: H. Zheng

THAT the meeting of Committee of Adjustment be adjourned at 7:10 p.m., and the next regular meeting will be held on March 21, 2019.

**Motion Carried.**

March 7, 2019 Meeting Minutes are to be approved at the March 21, 2019 meeting:

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Chair

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Secretary-Treasurer