

ITEM #: 6.9

COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A242/22  
80 THORNBANK ROAD, THORNHILL  
COA REPORT SUMMARY

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING  
DEPARTMENTS & AGENCIES:  
\*Please see **Schedule B** of this report for a copy of Staff and Agency correspondence.

Additional comments from departments and agencies may be received after the publication of the Staff Report. These comments will be processed as an addendum and posted on the City’s Website.

| DEPARTMENTS                                   | Circulated                          | Comments Received                   | Conditions                          | Nature of Comments               |
|-----------------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|----------------------------------|
| Committee of Adjustment                       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | General Comments                 |
| Building Standards -Zoning Review *Schedule B | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | General Comments                 |
| Building Inspection (Septic)                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | No Comments Received to Date     |
| Development Planning *Schedule B              | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Recommend Approval/No Conditions |
| Development Engineering                       | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Recommend Approval/No Conditions |
| Parks, Forestry and Horticulture Operations   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | General Comments                 |
| By-law & Compliance, Licensing & Permits      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | General Comments                 |
| Development Finance                           | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | No Comments or Concerns          |
| Real Estate                                   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |                                  |
| Fire Department                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | No Comments Recieved to Date     |
| AGENCIES                                      | Circulated                          | Comments Received                   | Conditions                          | Nature of Comments               |
| TRCA *Schedule B                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | No Comments Received to Date     |
| Ministry of Transportation (MTO) *Schedule B  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | No Comments Received to Date     |
| Region of York *Schedule B                    | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | General Comments                 |
| Alectra *Schedule B                           | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | General Comments                 |
| Bell Canada *Schedule B                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            |                                  |
| YRDSB *Schedule B                             | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |                                  |
| YCDSB *Schedule B                             | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |                                  |
| CN Rail *Schedule B                           | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |                                  |
| CP Rail *Schedule B                           | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |                                  |
| TransCanada Pipeline *Schedule B              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | No Comments Received to Date     |
| Metrolinx *Schedule B                         | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |                                  |
| Propane Operator *Schedule B                  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |                                  |

| PUBLIC & APPLICANT CORRESPONDENCE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |      |         |                            |         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|---------|----------------------------|---------|
| *Please see <b>Schedule C</b> of this report for a copy of the public & applicant correspondence listed below.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |         |                            |         |
| The deadline to submit public comments is <b>noon on the last business day prior to the scheduled hearing date.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |         |                            |         |
| Comments and written public submissions received after the publication of this Staff Report will be processed as an addendum and posted on the City’s Website.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |         |                            |         |
| All personal information collected because of this public meeting (including both written and oral submissions) is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application. |      |         |                            |         |
| Correspondence Type                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Name | Address | Date Received (mm/dd/yyyy) | Summary |
| None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |      |         |                            |         |

| PREVIOUS COA DECISIONS ON THE SUBJECT LAND                             |                             |                  |
|------------------------------------------------------------------------|-----------------------------|------------------|
| *Please see <b>Schedule D</b> for a copy of the Decisions listed below |                             |                  |
| File Number                                                            | Date of Decision MM/DD/YYYY | Decision Outcome |
| B041/15, A299/15 and A300/15                                           | 11/05/2015                  | Refused by COA   |

| PREVIOUS COA DECISIONS ON THE SUBJECT LAND                                                               |            |                 |
|----------------------------------------------------------------------------------------------------------|------------|-----------------|
| *Please see <b>Schedule D</b> for a copy of the Decisions listed below                                   |            |                 |
| PL151229 and PL151232<br>(B041/15, A299/15 and A300/15)                                                  | 08/29/2016 | Approved by OLT |
| ADJOURNMENT HISTORY                                                                                      |            |                 |
| * Previous hearing dates where this application was adjourned by the Committee and public notice issued. |            |                 |
| None                                                                                                     |            |                 |



**COMMITTEE OF ADJUSTMENT REPORT  
MINOR VARIANCE APPLICATION  
A242/22  
80 THORNBANK ROAD, THORNHILL**

|                                                  |                                                                                                                                                                             |
|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>AGENDA ITEM NUMBER: 6.9</b>                   | <b>CITY WARD #: 5</b>                                                                                                                                                       |
| <b>APPLICANT:</b>                                | Mohammad R.D. Moazi & Parizad Karamchi                                                                                                                                      |
| <b>AGENT:</b>                                    | Ali Malik-Zadeh                                                                                                                                                             |
| <b>PROPERTY:</b>                                 | 80 Thornbank Rd Thornhill ON                                                                                                                                                |
| <b>ZONING DESIGNATION:</b>                       | See below.                                                                                                                                                                  |
| <b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b> | Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"                                                                                                             |
| <b>RELATED DEVELOPMENT APPLICATIONS:</b>         | None                                                                                                                                                                        |
| <b>PURPOSE OF APPLICATION:</b>                   | Relief from the Zoning By-law is being requested to permit the construction of a proposed single family dwelling (with covered deck), gazebo and a mechanical/storage shed. |

The following variances have been requested from the City’s Zoning By-law:

**The subject lands are zoned R1E(EN) and subject to the provisions of Exception 14.403 under Zoning By-law 001-2021, as amended.**

| #  | Zoning By-law 01-2021                                                                                                     | Variance requested                                                                                   |
|----|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| 1  | A minimum interior side yard setback of 2.5 metres is required.<br>[Section 14.403]                                       | To permit a minimum interior side yard setback of 1.5 metres.                                        |
| 2  | A minimum exterior side yard setback of 9.0 metres is required.<br>[Section 7.2.2]                                        | To permit a minimum exterior side yard setback of 8.0 metres.                                        |
| 3  | A maximum lot coverage of 20% is permitted.<br>[Section 7.2.2]                                                            | To permit a maximum lot coverage of 25.0%                                                            |
| 4  | A minimum exterior side yard setback of 9.0 metres to the uncovered porch is required [Section 7.2.2, 4.13]               | To permit a minimum exterior side yard setback of 5.5 metres to the uncovered porch.                 |
| 5  | A minimum exterior side yard setback of 8.4 metres to the ornamental building feature is required.                        | To permit a minimum exterior side yard setback of 5.0 metres to the ornamental building feature.     |
| 6  | A minimum interior side yard setback of 2.4 metres to the Residential Accessory structure is required<br>[Section 4.1]    | To permit a minimum interior side yard setback of 1.5 metres to the Residential Accessory Structure. |
| 7  | A canopy can encroach a maximum of 0.6 metres into a required yard.<br>[Section 4.13]                                     | To permit a canopy to encroach a maximum of 0.64 metres into a required yard.                        |
| 8  | A maximum building height of 8.5 metres is permitted.<br>[Section 4.5, 7.2.2]                                             | To permit a maximum building height of 10.3 metres.                                                  |
| 9  | A maximum building height of 3.0 metres for the proposed Residential Accessory Structure is permitted.<br>[Section 4.1.4] | To permit a maximum building height of 3.5 metres for the proposed Residential Accessory structure.  |
| 10 | A minimum front yard setback of 23.6 metres is permitted.<br>[Section 7.2.2]                                              | To permit a minimum front yard setback of 17.7 metres.                                               |
| 11 | A minimum front yard setback of 21.8 metres to the uncovered platform and access stairs is permitted.<br>[Section 4.13]   | To permit a front yard setback of 18.2 metres to the uncovered platform and access stairs.           |



| INTRODUCTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>Section 45(1) of the Planning Act sets the criteria for authorizing minor variances to the City of Vaughan’s Zoning By-law. Accordingly, review of the application may consider the following:</p> <p>That the general intent and purpose of the by-law will be maintained.<br/>That the general intent and purpose of the official plan will be maintained.<br/>That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.<br/>That the requested variance(s) is/are minor in nature.</p> <p>Public written and oral submissions relating to this application are taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.</p> |  |

| COMMITTEE OF ADJUSTMENT COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                        |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|--|
| Date Public Notice Mailed:                                                                                                                                                                                                                                                                                                                                                                                                                                               | January 12, 2023                                                                       |  |
| Date Applicant Confirmed Posting of Sign:                                                                                                                                                                                                                                                                                                                                                                                                                                | January 6, 2023                                                                        |  |
| Applicant Justification for Variances:<br>*As provided by Applicant in Application Form                                                                                                                                                                                                                                                                                                                                                                                  | The front set back, building coverage will not comply with minimum by-law requirements |  |
| Adjournment Requests (from staff):<br>*Adjournment requests provided to applicant prior to issuance of public notice                                                                                                                                                                                                                                                                                                                                                     | None                                                                                   |  |
| Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:                                                                                                                                                                                                                                                                                                                                                                                                            | No                                                                                     |  |
| *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice.                                                                                                                                                                                                                                                                  |                                                                                        |  |
| *A revised submission may be required to address staff / agency comments received as part of the application review process.                                                                                                                                                                                                                                                                                                                                             |                                                                                        |  |
| *Where a zoning review has not been completed on a revised submission, an opportunity is provided to the applicant to adjourn the proposal prior to the issuance of public notice.                                                                                                                                                                                                                                                                                       |                                                                                        |  |
| <b>Adjournment Fees:</b><br>In accordance with Procedural By-law 069-2019, an Adjournment Fee is applicable to reschedule an application after the issuance of public notice where a request for adjournment has been provided to the applicant prior to the issuance of public notice.<br><br>An Adjournment Fee can only be waived in instances where adjournment of an application is requested by the Committee or staff <b>after</b> the issuance of public notice. |                                                                                        |  |
| Committee of Adjustment Comments:                                                                                                                                                                                                                                                                                                                                                                                                                                        | None                                                                                   |  |
| Committee of Adjustment Recommended Conditions of Approval:                                                                                                                                                                                                                                                                                                                                                                                                              | None                                                                                   |  |

| BUILDING STANDARDS (ZONING) COMMENTS                             |      |
|------------------------------------------------------------------|------|
| <b>**See Schedule B for Building Standards (Zoning) Comments</b> |      |
| Building Standards Recommended Conditions of Approval:           | None |

| DEVELOPMENT PLANNING COMMENTS                              |      |
|------------------------------------------------------------|------|
| <b>**See Schedule B for Development Planning Comments.</b> |      |
| Development Planning Recommended Conditions of Approval:   | None |

| DEVELOPMENT ENGINEERING COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |
| <p>As the proposed Dwelling in the subject property is 382.5m2, the owner/ applicant needs to obtain a lot grading permit from Development Inspection and Lot Grading division of the City’s Development Engineering Department. Please note any in ground structure over 10 m2 requires a grading permit. Please contact COA application engineering reviewer after receiving the grading permit to clear the condition. (Condition attached)</p> <p>The proposed work by the owner/ applicant is increasing the lot coverage area from 20% to 25.5% in the subject property. The added hardscape may have impact on City’s Storm Water management system. Stuff suggests the owner/applicant to introduce Low-impact Development (LID) measures (Bioswales, Permeable pavers, Rain Gardens, Rain Barrels etc.) to reduce the impacts.</p> |  |

| DEVELOPMENT ENGINEERING COMMENTS                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <a href="#">Link to Grading Permit</a> <a href="#">Link to Pool Permit</a> <a href="#">Link to Curb Curt Permit</a> <a href="#">Link Culvert Installation</a>                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>The owner/applicant shall contact Transportation and Fleet Management Services (Joint Operations Centre) if there is any work required related to the driveway culvert. Please visit the culvert work link provided above for more information.</p> <p>The Development Engineering (DE) Department does not object to the variance application A242/22.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Development Engineering Recommended Conditions of Approval:</b>                                                                                                                                                                                                                                                                                             | <p>The Owner/applicant shall submit a revised Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.</p> |

| PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS  |      |
|------------------------------------------------|------|
| None                                           |      |
| <b>PFH Recommended Conditions of Approval:</b> | None |

| DEVELOPMENT FINANCE COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| <p>That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.</p> <p>That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.</p> <p>That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.</p> <p>That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.</p> <p>Demolition development charge credits valid for a period of 48 months from date of demolition permit issuance. After 48 months, full development charges apply as per by-laws.</p> |      |
| <b>Development Finance Recommended Conditions of Approval:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | None |

| BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS |      |
|---------------------------------------------------------------|------|
| No comment no concerns                                        |      |
| <b>BCLPS Recommended Conditions of Approval:</b>              | None |

| BUILDING INSPECTION (SEPTIC) COMMENTS                          |      |
|----------------------------------------------------------------|------|
| No comments received to date.                                  |      |
| <b>Building Inspection Recommended Conditions of Approval:</b> | None |

| FIRE DEPARTMENT COMMENTS                                   |      |
|------------------------------------------------------------|------|
| No comments received to date.                              |      |
| <b>Fire Department Recommended Conditions of Approval:</b> | None |

| SCHEDULES TO STAFF REPORT                |                                                   |
|------------------------------------------|---------------------------------------------------|
| *See Schedule for list of correspondence |                                                   |
| Schedule A                               | Drawings & Plans Submitted with the Application   |
| Schedule B                               | Development Planning & Agency Comments            |
| Schedule C (if required)                 | Correspondence (Received from Public & Applicant) |
| Schedule D (if required)                 | Previous COA Decisions on the Subject Land        |

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application, as required by Ontario Regulation 200/96, the following conditions have been recommended:

| SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL                                                                                                                                                                                                                                                                                                                                                           |                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| All conditions of approval, unless otherwise stated, are considered to be incorporated into the approval “if required”. If a condition is no longer required after an approval is final and binding, the condition may be waived by the respective department or agency requesting conditional approval. A condition cannot be waived without written consent from the respective department or agency. |                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| #                                                                                                                                                                                                                                                                                                                                                                                                       | DEPARTMENT / AGENCY                                                                         | CONDITION(S) DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 1                                                                                                                                                                                                                                                                                                                                                                                                       | Development Engineering<br><a href="mailto:Rex.bondad@vaughan.ca">Rex.bondad@vaughan.ca</a> | The Owner/applicant shall submit a revised Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit the grading permit link provided above to learn how to apply for lot grading and/or servicing approval. |

| IMPORTANT INFORMATION – PLEASE READ                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>CONDITIONS:</b> It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency (<b>see condition chart above for contact</b>). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.</p> <p>An approval obtained from the Committee of Adjustment, where applicable, is tied to the building envelope shown on the plans and drawings submitted with the application and subject to the variance approval.</p> <p>A building envelope is defined by the setbacks of the buildings and/or structures shown on the plans and drawings submitted with the application, as required by Ontario Regulation 200/96. Future development outside of an approved building envelope, where a minor variance was obtained, must comply with the provisions of the City’s Zoning By-law.</p> <p>Elevation drawings are provided to reflect the style of roof (i.e. flat, mansard, gable etc.) to which a building height variance has been applied. Where a height variance is approved, building height is applied to the style of roof (as defined in the City’s Zoning By-law) shown on the elevation plans submitted with the application.</p> <p>Architectural design features that are not regulated by the City’s Zoning By-law are not to be considered part of an approval unless specified in the Committee’s decision.</p> |
| <p><b>DEVELOPMENT CHARGES:</b> That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.</p> <p>That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.</p> <p>That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment</p> <p>That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.</p>                                                                             |

**IMPORTANT INFORMATION – PLEASE READ**

**NOTICE OF DECISION:** If you wish to be notified of the decision in respect to this application or a related Ontario Land Tribunal (OLT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee’s decision you will **not** receive notice.

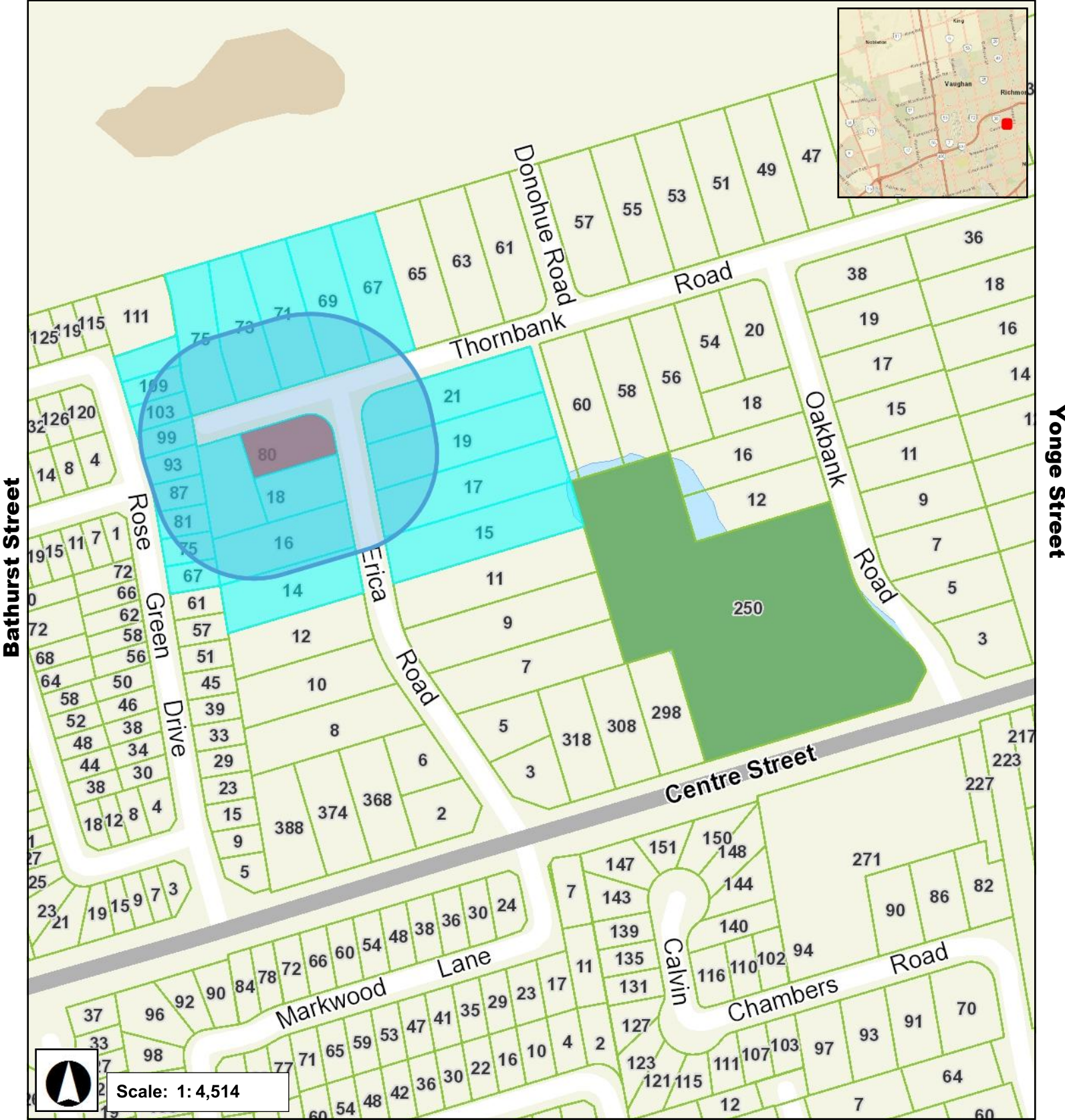
**SCHEDULE A: DRAWINGS & PLANS**



LOCATION MAP - A242/22

80 THORNBANK ROAD, THORNHILL

**Highway 7**



NOTE:

THIS DRAWING IS COPYRIGHTED INSTRUMENT OF SERVICE AND IT REMAINS THE PROPERTY OF THE CONSULTANT(S)

USE AND REPRODUCTION OF THIS DRAWING WITHOUT THE CONSENT OF THE CONSULTANT(S) IS NOT ALLOWED

WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS ANY DISCREPANCIES AND ERRORS TO BE REPORTED TO THE CONSULTANT(S)

DO NOT PROCEED WITH WORK WITHOUT APPROVED REVISION TO THE DRAWING

 **URBANSCAPE**  
ARCHITECTS

236 Lesmill Road, Toronto, ON, M3B 2T5 | Phone: 416.850.0021  
info@urbanscapearchitect.com | www.urbanscapearchitect.com

|                                          |         |
|------------------------------------------|---------|
| PROJECT                                  | DWG No. |
| 80 THORNBANK RD<br>Thornhill, ON L4J 6X7 | A-01.1  |

## A-01.1

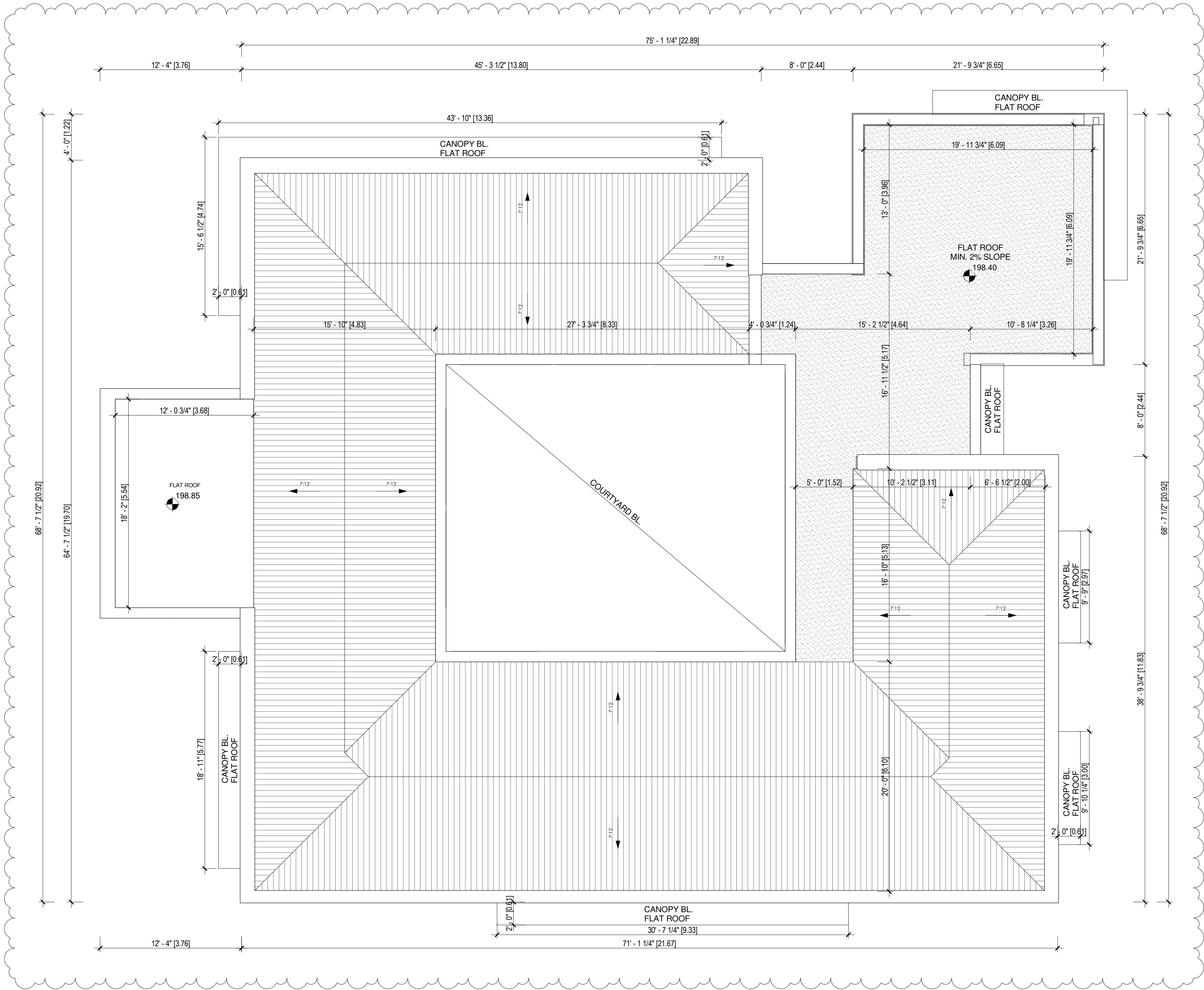


| 80 THORNBANK ROAD, VAUGHAN, ON L4J 6X7 |                       |          |                       |          |
|----------------------------------------|-----------------------|----------|-----------------------|----------|
| NEW 2-STORY SINGLE FAMILY DWELLING     |                       |          |                       |          |
|                                        | BY-LAW 01-88          |          | BY-LAW 001-2021       |          |
| SITE STATISTICS                        |                       |          |                       |          |
| ZONONG DESIGNATION                     | R1V                   |          | R1E (EN)              |          |
| MINIMUM LOT AREA                       | 845 SQ.M              |          |                       |          |
| LOT AREA                               | 1722.95 SQ.M          |          |                       |          |
| MINIMUM LOT FRONTAGE                   | 30.0 M                |          |                       |          |
| LOT FRONTAGE                           | 30.48 M               |          |                       |          |
| LOT COVERAGE                           | MAX. PERMITTED        |          | PROPOSED              |          |
| TOTAL LOT COVERAGE                     | 344.59 SQ. M - 20.00% |          | 430.60 SQ. M - 24.99% |          |
| DWELLING                               | 396.31 SQ.M - 23.00%  |          |                       |          |
| COVERED REAR DECK                      | 11.76 SQ.M - 0.68%    |          |                       |          |
| COVERED MECH/ STORAGE                  | 22.53 SQ.M - 1.31%    |          |                       |          |
| HEIGHT                                 | MAX. PERMITTED        | PROPOSED | MAX. PERMITTED        | PROPOSED |
| BUILDING HEIGHT                        | 9.5 M                 | 10.29 M  | 11.0 M                | 10.29 M  |
| EXIST. BUILDING HEIGHT                 | 9 M                   |          |                       |          |
| SETBACKS                               | MIN. REQUIRED         |          | PROPOSED              |          |
| FRONT YARD (EAST)                      | 23.63 M               |          | 20.04 M               |          |
| REAR YARD (WEST)                       | 7.50 M                |          | 12.31 M               |          |
| EXTERIOR SIDE YARD (NORTH)             | 9.0 M                 |          | 8.01M                 |          |
| INTERIOR SIDE YARD (SOUTH)             | 1.50 M                |          | 1.50 M                |          |
| GROSS FLOOR AREA                       | PROPOSED              |          |                       |          |
| FIRST FLOOR                            | 4118 ft 2 (382.5 m2)  |          |                       |          |
| SECOND FLOOR                           | 3987 ft 2 (370.4 m2)  |          |                       |          |
| TOTAL                                  | 8105 ft 2 (752.9m2)   |          |                       |          |
| FINISHED BASEMENT                      | 4118 ft 2 (382.5 m2)  |          |                       |          |

| REAR YARD LANDSCAPE CALCULATION |              |             |        |
|---------------------------------|--------------|-------------|--------|
|                                 | AREA (SQ.FT) | AREA (SQ.M) | %      |
| REAR YARD AREA                  | 4385.20      | 407.40      | 64.98% |
| HARD LANDSCAPE                  | 1535.57      | 142.66      |        |
| SOFT LANDSCAPE                  | 2849.63      | 264.74      |        |

80 THORNBANK RD

Thornhill, ON L4J 6X7



| NO. | DATE       | REVISION DESCRIPTION        | NOTE |
|-----|------------|-----------------------------|------|
| 9   | 2022-11-23 | Revised as per COA comments | City |
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STAMP

ONTARIO ASSOCIATION OF ARCHITECTS  
OCT 26/22  
ALEX KISHEN  
LICENCE 4487

NORTH

24"x36" SHEET SIZE

**URBANSCAPE**  
ARCHITECTS

236 Lesmill Road, Toronto, ON, M3B 2T5 | Phone: 416.850.0021  
info@urbanscapearchitect.com | www.urbanscapearchitect.com

SHEET TITLE  
**ROOF PLAN**

PROJECT  
**80 THORNBANK RD**  
Thornhill, ON L4J 6X7

PROJ. / REV No.  
345-21

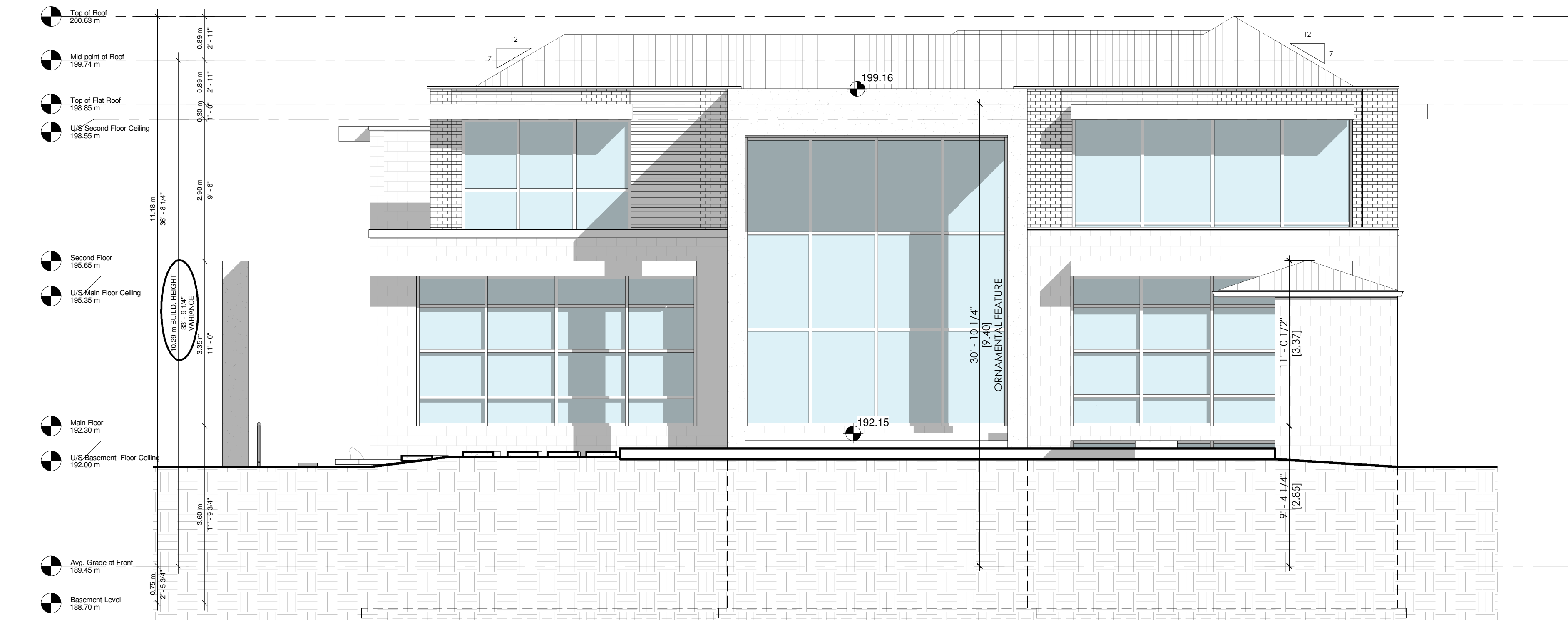
DWG No.  
**A-05**

1 3\_ROOF PLAN  
3/16" = 1'-0"





① EAST ELEV. (FRONT)  
3/16" = 1'-0"



② WEST ELEV. (REAR)  
3/16" = 1'-0"

| NO. | DATE       | REVISION DESCRIPTION        | NOTE |
|-----|------------|-----------------------------|------|
| 9   | 2022-11-23 | Revised as per COA comments | City |
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STAMP

NORTH

24"X36" SHEET SIZE

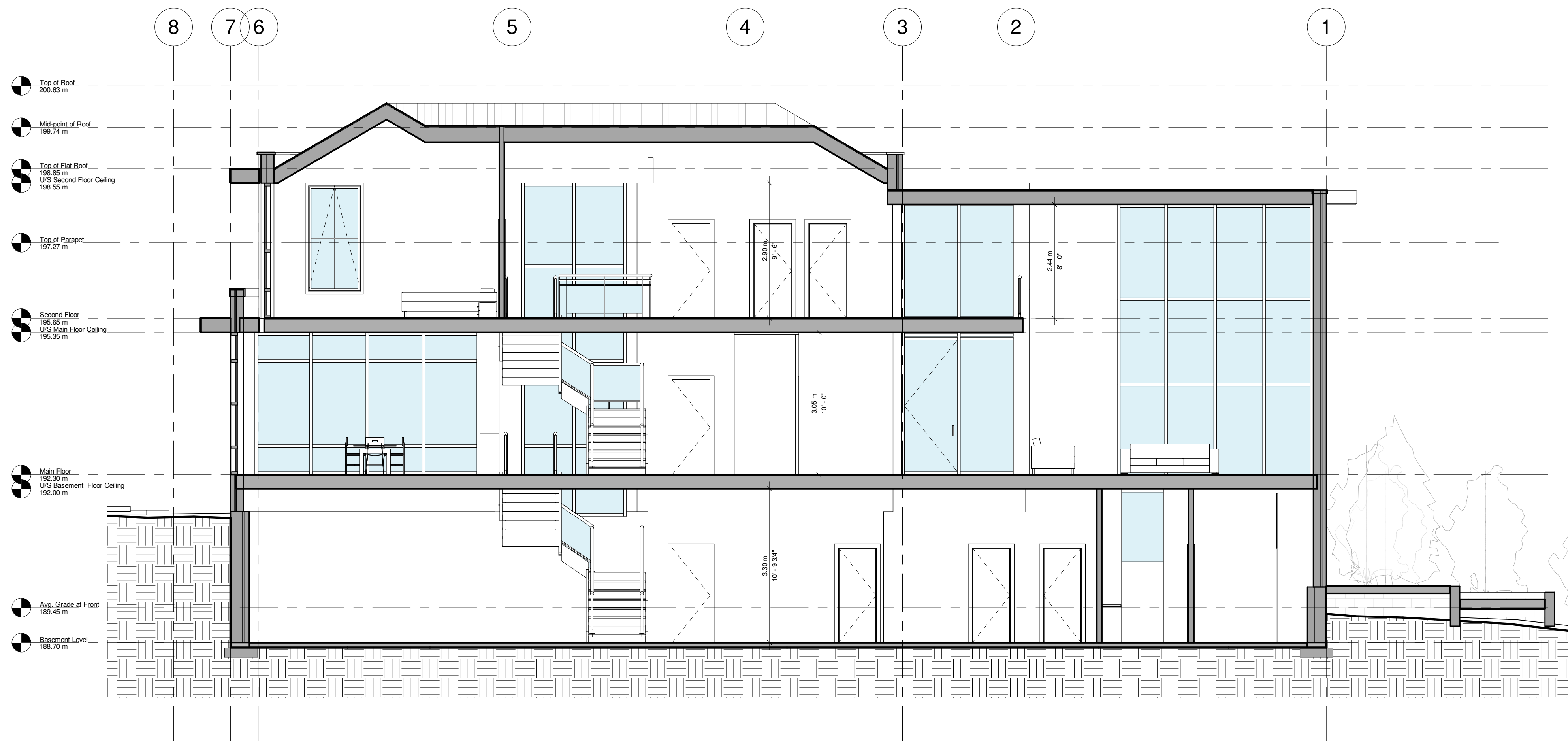
236 Lesmill Road, Toronto, ON, M3B 2T5 | Phone: 416.850.0021  
info@urbanscapearchitect.com | www.urbanscapearchitect.com

SHEET TITLE  
EAST & WEST ELEV.

PROJECT  
80 THORNBANK RD  
Thornhill, ON L4J 6X7

PROJ. / REV No.  
345-21

DWG No.  
A-07



① Building Section  
3/16" = 1'-0"

| NO. | DATE | REVISION DESCRIPTION | NOTE |
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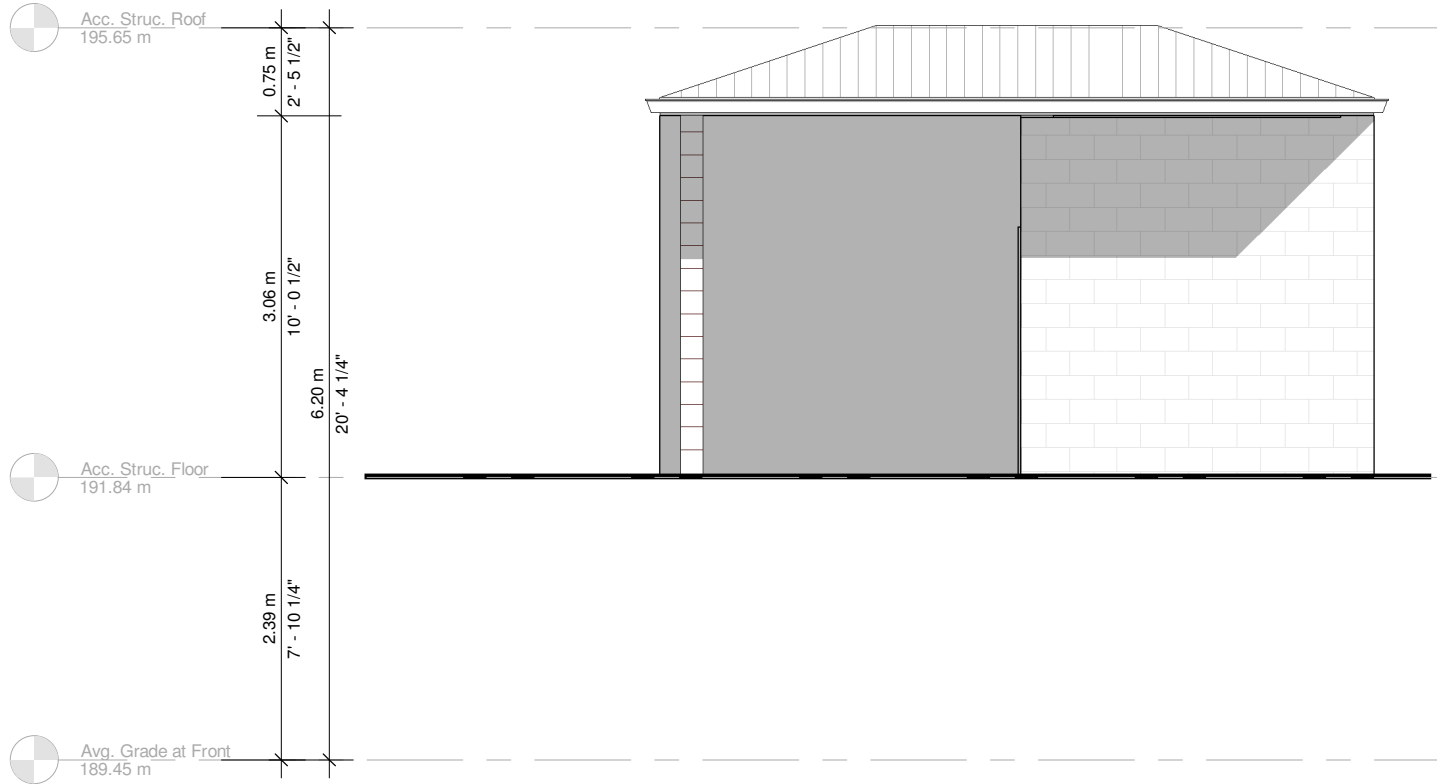
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24"X36" SHEET SIZE

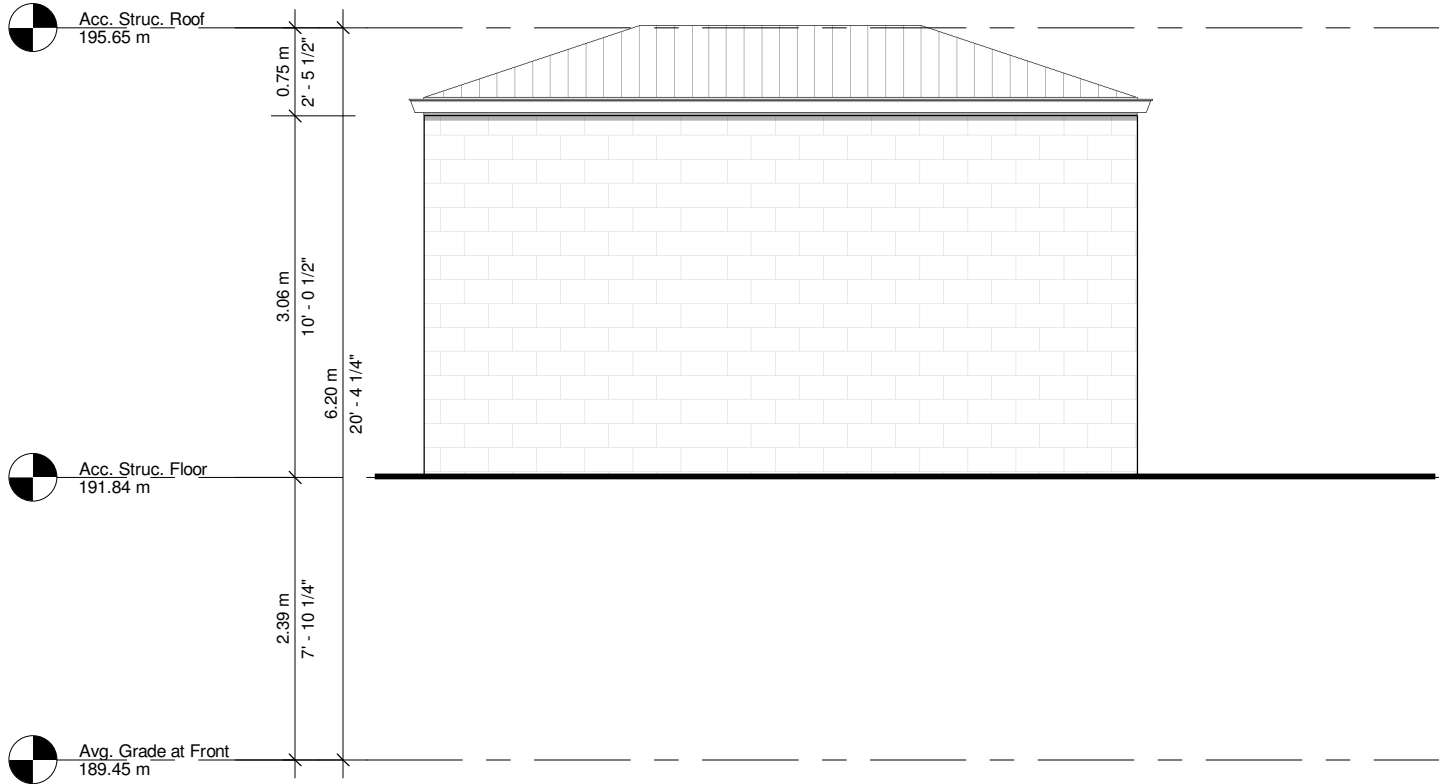
236 Lesmill Road, Toronto, ON, M3B 2T5 | Phone: 416.850.0021  
info@urbanscapearchitect.com | www.urbanscapearchitect.com

|                                                     |                           |
|-----------------------------------------------------|---------------------------|
| SHEET TITLE<br>BUILDING SECTION                     | PROJ. / REV No.<br>345-21 |
| PROJECT<br>80 THORNBANK RD<br>Thornhill, ON L4J 6X7 | DWG No.<br>A-08           |

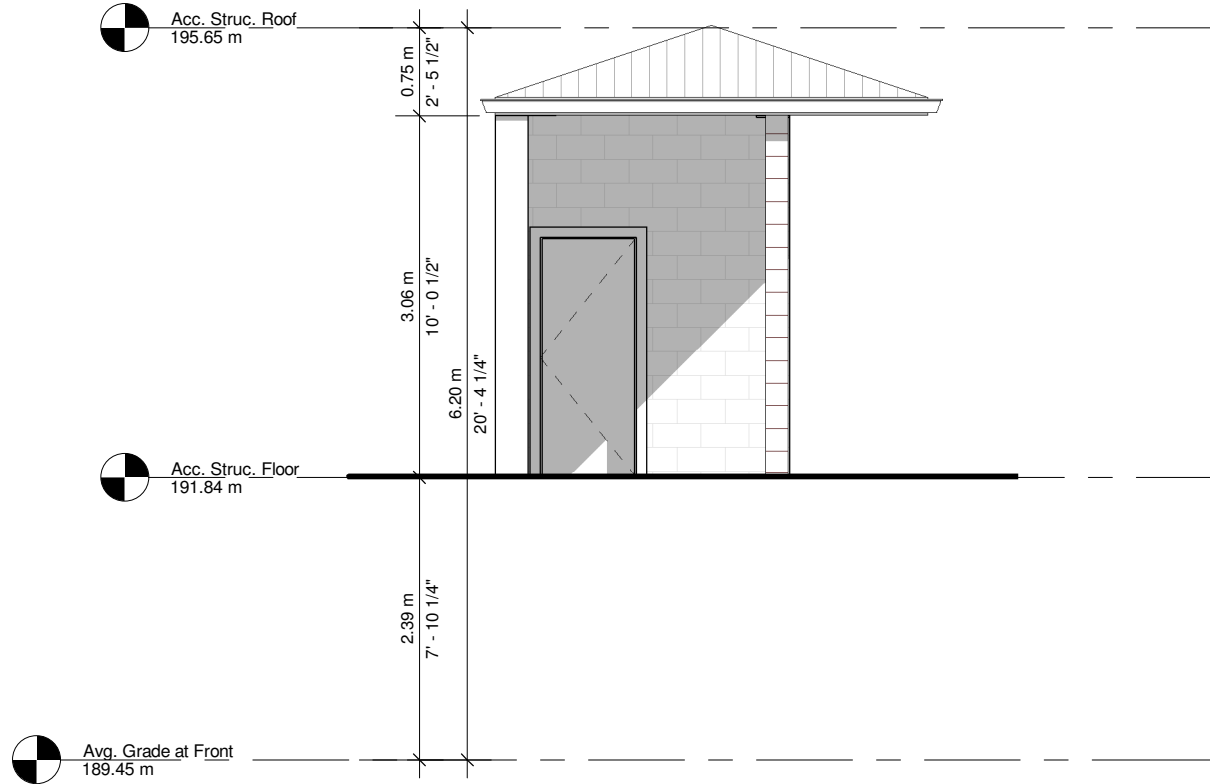
| NO. | DATE       | REVISION DESCRIPTION        | NOTE |
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| 4   | 2022-10-05 | Revised as per COA comments | City |
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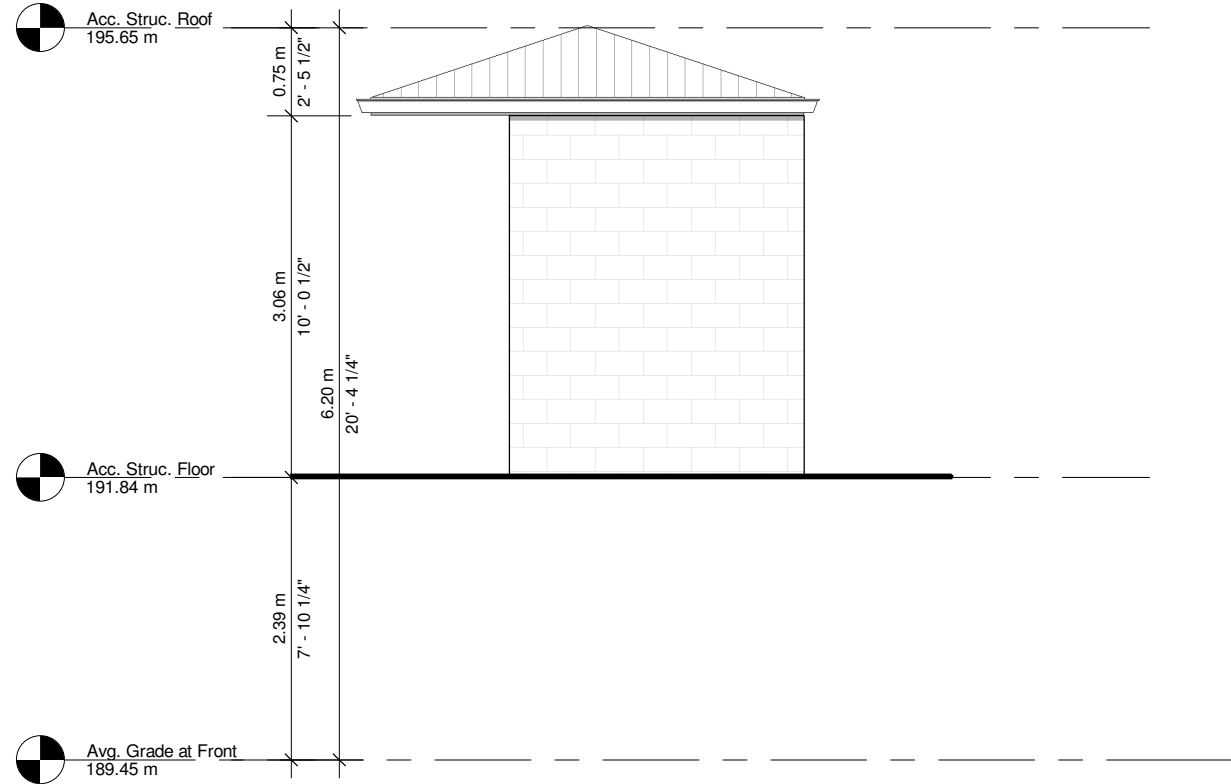
① NORTH ELEV. (Accessory Structure)  
3/16" = 1'-0"



② SOUTH ELEV. (Accessory Structure)  
3/16" = 1'-0"



③ EAST ELEV. (Accessory Structure)  
3/16" = 1'-0"



④ WEST ELEV. (Accessory Structure)  
3/16" = 1'-0"

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STAMP

NORTH

24"X36" SHEET SIZE

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info@urbanscapearchitect.com | www.urbanscapearchitect.com

SHEET TITLE  
ACCESSORY STRUCTURE ELEV.

PROJECT  
80 THORNBANK RD  
Thornhill, ON L4J 6X7

PROJ. / REV No.  
345-21

DWG No.  
A-09

SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

| DEPT/AGENCY                                  | Circulated                          | Comments Received                   | Conditions               | Nature of Comments               |
|----------------------------------------------|-------------------------------------|-------------------------------------|--------------------------|----------------------------------|
| TRCA *Schedule B                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | No Comments Received to Date     |
| Ministry of Transportation (MTO) *Schedule B | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | No Comments Received to Date     |
| Region of York *Schedule B                   | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | General Comments                 |
| Alectra *Schedule B                          | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | General Comments                 |
| Bell Canada *Schedule B                      | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |                                  |
| YRDSB *Schedule B                            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |                                  |
| YCDSB *Schedule B                            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |                                  |
| CN Rail *Schedule B                          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |                                  |
| CP Rail *Schedule B                          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |                                  |
| TransCanada Pipeline *Schedule B             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | No Comments Received to Date     |
| Metrolinx *Schedule B                        | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |                                  |
| Propane Operator *Schedule B                 | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |                                  |
| Development Planning                         | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Recommend Approval/no conditions |
| Building Standards (Zoning)                  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | General Comments                 |

**Date:** October 24<sup>th</sup> , 2022

**Attention:** **Christine Vigneault**

**RE:** Request for Comments

**File No.:** **A242-22**

**Related Files:**

**Applicant** Mohammad R.D. Moazi & Parizad Karamchi

**Location** 80 Thornbank Road

**COMMENTS:**

- ☐ We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- ☒ We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- ☐ We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

**References:**

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

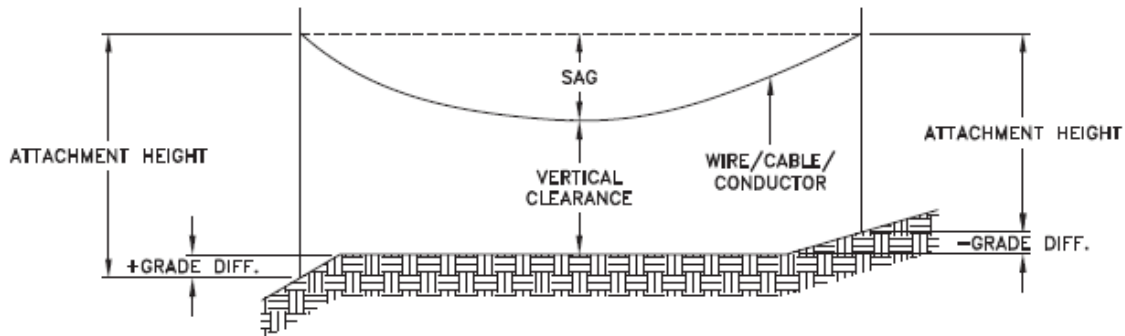
Mr. Stephen Cranley, C.E.T  
Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

**E-mail:** [stephen.cranley@alectrautilities.com](mailto:stephen.cranley@alectrautilities.com)

Mitchell Penner  
Supervisor, Distribution Design-Subdivisions  
**Phone:** 416-302-6215

**Email:** [Mitchell.Penner@alectrautilities.com](mailto:Mitchell.Penner@alectrautilities.com)

| LOCATION OF WIRES, CABLES OR CONDUCTORS                                   | SYSTEM VOLTAGE                           |                        |                                      |       |
|---------------------------------------------------------------------------|------------------------------------------|------------------------|--------------------------------------|-------|
|                                                                           | SPAN GUYS AND COMMUNICATIONS WIRES       | UP TO 600V AND NEUTRAL | 4.16/2.4kV TO 27.6/16kV (SEE NOTE 1) | 44kV  |
|                                                                           | MINIMUM VERTICAL CLEARANCES (SEE NOTE 2) |                        |                                      |       |
| OVER OR ALONGSIDE ROADS, DRIVEWAYS OR LANDS ACCESSIBLE TO <u>VEHICLES</u> | 442cm                                    | 442cm                  | 480cm                                | 520cm |
| OVER GROUND ACCESSIBLE TO <u>PEDESTRIANS AND BICYCLES ONLY</u>            | 250cm                                    | 310cm                  | 340cm                                | 370cm |
| ABOVE TOP OF RAIL AT <u>RAILWAY CROSSINGS</u>                             | 730cm                                    | 730cm                  | 760cm                                | 810cm |



MINIMUM ATTACHMENT HEIGHT = MAXIMUM SAG  
 + MINIMUM VERTICAL CLEARANCE (FROM ABOVE TABLE)  
 + GRADE DIFFERENCE  
 + 0.3m (VEHICLE OR RAILWAY LOCATION)  
 + SNOW DEPTH (PEDESTRIAN LOCATION, SEE NOTE 3)

**NOTES:**

1. THE MULTIGROUNDED SYSTEM NEUTRAL HAS THE SAME CLEARANCE AS THE 600V SYSTEM.
2. THE VERTICAL CLEARANCES IN THE ABOVE TABLE ARE UNDER MAXIMUM SAG CONDITIONS.
3. REFER TO CSA STANDARD C22.3 No.1, ANNEX D FOR LOCAL SNOW DEPTH VALUES.
4. ALL CLEARANCES ARE IN ACCORDANCE TO CSA STANDARD C22.3.

**CONVERSION TABLE**

| METRIC | IMPERIAL (APPROX) |
|--------|-------------------|
| 810cm  | 27'-0"            |
| 760cm  | 25'-4"            |
| 730cm  | 24'-4"            |
| 520cm  | 17'-4"            |
| 480cm  | 16'-0"            |
| 442cm  | 15'-5"            |
| 370cm  | 12'-4"            |
| 340cm  | 11'-4"            |
| 310cm  | 10'-4"            |
| 250cm  | 8'-4"             |

**REFERENCES**

SAGS AND TENSIONS | SECTION 02

**MINIMUM VERTICAL CLEARANCES OF WIRES, CABLES AND CONDUCTORS ABOVE GROUND OR RAILS**

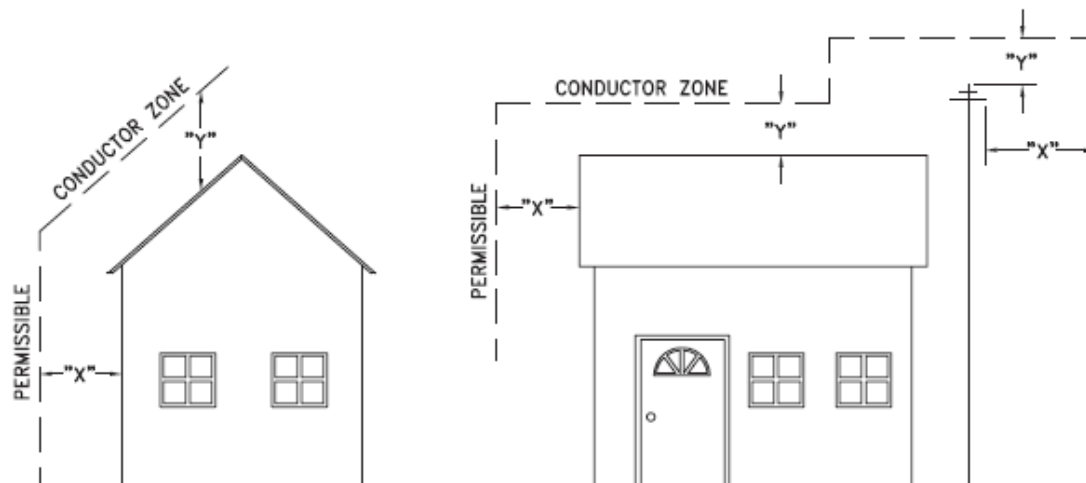
ORIGINAL ISSUE DATE: 2010-DEC-24 REVISION NO: R1 REVISION DATE: 2012-JAN-09

**Certificate of Approval**

This construction Standard meets the safety requirements of Section 4 of Regulation 22/04

Joe Crozier, P.Eng. 2012-JAN-09  
 Name Date

P.Eng. Approval By: Joe Crozier



| VOLTAGE            | MINIMUM HORIZONTAL CLEARNACE<br>UNDER MAXIMUM SWING CONDITIONS<br>DIMENSION "X"<br>(SEE NOTES 1, 3 & 4) | MINIMUM VERTICAL CLEARANCE<br>UNDER MAXIMUM DESIGN SAG CONDITIONS<br>DIMENSION "Y"<br>(SEE NOTES 1, 2, 4 & 5) |
|--------------------|---------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| 0-600V AND NEUTRAL | 100cm                                                                                                   | 250cm                                                                                                         |
| 4.16/2.4 TO 44kV   | 300cm                                                                                                   | 480cm                                                                                                         |

### NOTES

1. UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.
2. THE VERTICAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM DESIGN SAG.
3. THE HORIZONTAL CLEARANCES ARE UNDER CONDITIONS OF MAXIMUM SWING. WHERE THE CONDUCTOR SWING IS NOT KNOWN A HORIZONTAL CLEARANCE OF 480CM SHALL BE USED.
4. BUILDINGS THAT EXCEED 3 STOREYS OR 15M IN HEIGHT, THE MINIMUM HORIZONTAL CLEARANCE OF THE SECONDARY CONDUCTORS SHOULD BE INCREASED TO 300cm WHERE IT IS NECESSARY TO ALLOW FOR THE RAISING OF LADDERS BY LOCAL FIRE DEPARTMENTS.
5. IN SITUATIONS SUCH AS MULTI-LEVEL GARAGES, WHERE ROOFS ARE NORMALLY USED BY PERSONS AND VEHICLES, THE VERTICAL CLEARANCES OF POWERSTREAM STANDARD 03-1 SHALL APPLY.
6. DISTRIBUTION LINES CONSTRUCTED NEAR BUILDINGS SHALL BE BUILT TO AVOID OVERHANG WHEREVER POSSIBLE. WHERE LINES MUST BE CONSTRUCTED OVER OR ADJACENT TO BUILDINGS THE APPLICABLE HORIZONTAL AND VERTICAL CLEARANCES SHALL BE AT CONDITIONS OF MAXIMUM CONDUCTOR SWING AND MAXIMUM SAG. THE ABOVE CLEARANCES ARE DESIGNED TO PREVENT PERSONS ON OR IN BUILDINGS AS WELL AS EXTERNAL MACHINERY USED IN CONJUNCTION WITH A BUILDING TO COME IN CONTACT WITH CONDUCTORS. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES WHERE POSSIBLE.
7. ALL CLEARANCES ARE IN ACCORDANCE TO CSA C22.3 NO.1-06 (TABLE-9).

| CONVERSION TABLE |                   |
|------------------|-------------------|
| METRIC           | IMPERIAL (APPROX) |
| 480cm            | 16'-0"            |
| 300cm            | 10'-0"            |
| 250cm            | 8'-4"             |
| 100cm            | 3'-4"             |

### MINIMUM VERTICAL & HORIZONTAL CLEARANCES OF CONDUCTORS FROM BUILDINGS OR OTHER PERMANENT STRUCTURES (CONDUCTORS NOT ATTACHED TO BUILDINGS)

ORIGINAL ISSUE DATE: 2010-MAY-05 REVISION NO: REVISION DATE:

PS:\System Planning and Standards\Standard Design\PowerStream Standards\PowerStream Standards working folder\Section 3\3-4\DWG 03-4 R0 May 5, 2010.dwg, 5/5/2010 8:22:02 AM, Adobe PDF

| Certificate of Approval                                                                   |             |
|-------------------------------------------------------------------------------------------|-------------|
| This construction Standard meets the safety requirements of Section 4 of Regulation 22/04 |             |
| Debbie Dadwani, P.Eng.                                                                    | 2010-MAY-05 |
| Name                                                                                      | Date        |
| P.Eng. Approval By: <u>D. Dadwani</u>                                                     |             |

**To:** Committee of Adjustment

**From:** Sarah Scauzillo, Building Standards Department

**Date:** November 28, 2022

**Applicant:** Mohammad R.D. Moazi & Parizad Karamchi

**Location:** 80 Thornbank Road  
PLAN RP3977 Lot 24

**File No.(s):** A242/22

**Zoning Classification:**

The subject lands are zoned R1E(EN) and subject to the provisions of Exception 14.403 under Zoning By-law 001-2021, as amended.

| #  | Zoning By-law 01-2021                                                                                                     | Variance requested                                                                                    |
|----|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 1  | A minimum interior side yard setback of 2.5 metres is required.<br>[Section 14.403]                                       | To permit a minimum interior side yard setback of 1.5 metres.                                         |
| 2  | A minimum exterior side yard setback of 9.0 metres is required.<br>[Section 7.2.2]                                        | To permit a minimum exterior side yard setback of 8.0 metres.                                         |
| 3  | A maximum lot coverage of 20% is permitted.<br>[Section 7.2.2]                                                            | To permit a maximum lot coverage of 25.0%                                                             |
| 4  | A minimum exterior side yard setback of 9.0 metres to the uncovered porch is required [Section 7.2.2, 4.13]               | To permit a minimum exterior side yard setback of 5.5 metres to the uncovered porch.                  |
| 5  | A minimum exterior side yard setback of 8.4 metres to the ornamental building feature is required.                        | To permit a minimum exterior side yard setback of 5.0 metres to the ornamental building feature.      |
| 6  | A minimum interior side yard setback of 2.4 metres to the Residential Accessory structure is required [Section 4.1]       | To permit a minimum interior side yard setback of 1.5 metres to the Residential Accessory Structure.  |
| 7  | A canopy can encroach a maximum of 0.6 metres into a required yard.<br>[Section 4.13]                                     | To permit a canopy to encroach a maximum of 0.64 metres into a required yard.                         |
| 8  | A maximum building height of 8.5 metres is permitted.<br>[Section 4.5, 7.2.2]                                             | To permit a maximum building height of 10.3 metres.                                                   |
| 9  | A maximum building height of 3.0 metres for the proposed Residential Accessory Structure is permitted.<br>[Section 4.1.4] | To permit a maximum building height of 3.5 metres for the proposed Residential Accessory structure.   |
| 10 | A minimum front yard setback of 23.6 metres is permitted.<br>[Section 7.2.2]                                              | To permit a minimum front yard setback of 17.7 metres.                                                |
| 11 | A minimum front yard setback of 21.8 metres to the uncovered platform and access stairs is permitted.<br>[Section 4.13]   | To permit a front yard setback of 18.2 metres to the uncovered platform and access stairs.            |
| 12 | A minimum rear yard setback of 2.4 metres to the proposed Residential Accessory Structure is required<br>[Section 4.1]    | To permit a minimum rear yard setback of 1.66 metres to the proposed residential accessory structure. |

The subject lands are zoned R1V and subject to the provisions of Exception 9(662) under Zoning By-law 1-88, as amended.

|    | Zoning By-law 1-88                                                                  | Variance requested                                            |
|----|-------------------------------------------------------------------------------------|---------------------------------------------------------------|
| 13 | A minimum interior side yard setback of 2.5 metres is required.<br>[Section 9(662)] | To permit a minimum interior side yard setback of 1.5 metres. |

|    |                                                                                                                                             |                                                                                                                                               |
|----|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| 14 | A minimum exterior side yard setback of 9.0 metres is required.<br>[Schedule A]                                                             | To permit a minimum exterior side yard setback of 8.0 metres.                                                                                 |
| 15 | A maximum lot coverage of 20% is permitted.<br>[Schedule A]                                                                                 | To permit a maximum lot coverage of 25.0%                                                                                                     |
| 16 | A maximum building height of 9.5 metres is required.<br>[Schedule A]                                                                        | To permit a maximum building height of 10.3 metres                                                                                            |
| 17 | A minimum exterior side yard setback of 9.0 metres to the uncovered porch is required.<br>[Schedule A, Section 3.14]                        | To permit a minimum exterior side yard setback of 5.5 metres to the uncovered porch.                                                          |
| 18 | A minimum exterior side yard setback of 6.2 metres to the architectural feature is required.<br>[Section 4.1]                               | To permit a minimum exterior side yard setback of 5.0 metres to the architectural feature.                                                    |
| 19 | A minimum rear yard setback of 9.0 metres to the Residential Accessory Structure is required.<br>[Section 4.1]                              | To permit a minimum rear yard setback of 1.66 metres to the residential accessory structure.                                                  |
| 20 | A minimum interior side yard setback of 2.5 metres to the Residential Accessory structure is required.<br>[Section 4.1]                     | To permit a minimum interior side yard setback of 1.5 metres to the Residential Accessory Structure.                                          |
| 21 | A canopy can encroach a maximum of 0.5 metres into a required yard and shall not be closer than 1.2 metres to a lot line.<br>[Section 3.14] | To permit a canopy to encroach a maximum of 0.64 metres into a required yard and shall not be closer than 0.9 metres to an interior lot line. |
| 22 | A maximum building height of 9.5 metres is permitted.<br>[Schedule A]                                                                       | To permit a maximum building height of 10.73 metres.                                                                                          |
| 23 | The nearest part of a roof of a Residential Accessory Structure shall not be more than 3.0 metres above finished grade.<br>[Section 4.1]    | To permit the nearest part of a roof of a Residential Accessory Structure to be 3.05 metres above finished grade.                             |
| 24 | A minimum front yard setback of 23.6 metres is required.<br>[Schedule A]                                                                    | To permit a minimum front yard setback of 20.0 metres.                                                                                        |
| 25 | A minimum front yard setback of 21.8 metres to the uncovered platform and access stairs is permitted.<br>[Section 3.14]                     | To permit a front yard setback of 18.2 metres to the uncovered platform and access stairs.                                                    |

**Staff Comments:**

**Stop Work Order(s) and Order(s) to Comply:**

There are no outstanding Orders on file

**Building Permit(s) Issued:**

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m<sup>2</sup>

**Other Comments:**

| General Comments |                                                                                                                                                  |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                | The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval. |

**Conditions of Approval:**

If the committee finds merit in the application, the following conditions of approval are recommended.

\* Comments are based on the review of documentation supplied with this application.

**To:** Christine Vigneault, Committee of Adjustment Secretary Treasurer

**From:** Nancy Tuckett, Director of Development Planning

**Date:** January 16, 2022

**Name of Owners:** Mohammad R.D. Moazi and Parizad Karamchi

**Location:** 80 Thornbank Road, PLAN RP3977 Lot 24

**File No.(s):** A242/22

---

**Proposed Variance(s) (By-law 01-2021):**

1. To permit a minimum interior side yard setback of 1.5 m.
2. To permit a minimum exterior side yard setback of 8.0 m.
3. To permit a maximum lot coverage of 25.0%.
4. To permit a minimum exterior side yard setback of 5.5 m to the uncovered porch.
5. To permit a minimum exterior side yard setback of 5.0 m to the ornamental building feature.
6. To permit a minimum interior side yard setback of 1.5 m to the Residential Accessory Structure.
7. To permit a canopy to encroach a maximum of 0.64 m into a required yard.
8. To permit a maximum building height of 10.3 m.
9. To permit a maximum building height of 3.5 m for the proposed Residential Accessory Structure.
10. To permit a minimum front yard setback of 17.7 m.
11. To permit a front yard setback of 18.2 m to the uncovered platform and access stairs.
12. To permit a minimum rear yard setback of 1.66 m to the proposed Residential Accessory Structure.

**By-Law Requirement(s) (By-law 01-2021):**

1. A minimum interior side yard setback of 2.5 m is required. [Section 14.403]
2. A minimum exterior side yard setback of 9.0 m is required. [Section 7.2.2]
3. A maximum lot coverage of 20% is permitted. [Section 7.2.2]
4. A minimum exterior side yard setback of 9.0 m to the uncovered porch is required. [Section 7.2.2, 4.13]
5. A minimum exterior side yard setback of 8.4 m to the ornamental building feature is required.
6. A minimum interior side yard setback of 2.4 m to the Residential Accessory structure is required. [Section 4.1]
7. A canopy can encroach a maximum of 0.6 m into a required yard. [Section 4.13]
8. A maximum building height of 8.5 m is permitted. [Section 4.5, 7.2.2]
9. A maximum building height of 3.0 m for the proposed Residential Accessory Structure is permitted. [Section 4.1.4]
10. A minimum front yard setback of 23.6 m is permitted. [Section 7.2.2]
11. A minimum front yard setback of 21.8 m to the uncovered platform and access stairs is permitted. [Section 4.13]
12. A minimum rear yard setback of 2.4 m to the proposed Residential Accessory Structure is required [Section 4.1]

**Proposed Variance(s) (By-law 1-88):**

13. To permit a minimum interior side yard setback of 1.5 m.
14. To permit a minimum exterior side yard setback of 8.0 m.
15. To permit a maximum lot coverage of 25.0%.
16. To permit a maximum building height of 10.3 m.
17. To permit a minimum exterior side yard setback of 5.5 m to the uncovered porch.
18. To permit a minimum exterior side yard setback of 5.0 m to the architectural feature.
19. To permit a minimum rear yard setback of 1.66 m to the residential accessory structure.
20. To permit a minimum interior side yard setback of 1.5 m to the Residential Accessory Structure.
21. To permit a canopy to encroach a maximum of 0.64 m into a required yard and shall not be closer than 0.9 m to an interior lot line.
22. To permit a maximum building height of 10.73 m.
23. To permit the nearest part of a roof of a Residential Accessory Structure to be 3.05 m above finished grade.

- 24. To permit a minimum front yard setback of 20.0 m.
- 25. To permit a front yard setback of 18.2 m to the uncovered platform and access stairs.

**By-law Requirement(s) (By-law 1-88):**

- 13. A minimum interior side yard setback of 2.5 m is required. [Section 9(662)]
- 14. A minimum exterior side yard setback of 9.0 m is required. [Schedule A]
- 15. A maximum lot coverage of 20% is permitted. [Schedule A]
- 16. A maximum building height of 9.5 m is required. [Schedule A]
- 17. A minimum exterior side yard setback of 9.0 m to the uncovered porch is required. [Schedule A, Section 3.14]
- 18. A minimum exterior side yard setback of 6.2 m to the architectural feature is required. [Section 4.1]
- 19. A minimum rear yard setback of 9.0 m to the Residential Accessory Structure is required. [Section 4.1]
- 20. A minimum interior side yard setback of 2.5 m to the Residential Accessory structure is required. [Section 4.1]
- 21. A canopy can encroach a maximum of 0.5 m into a required yard and shall not be closer than 1.2 m to a lot line. [Section 3.14]
- 22. A maximum building height of 9.5 m is permitted. [Schedule A]
- 23. The nearest part of a roof of a Residential Accessory Structure shall not be more than 3.0 m above finished grade. [Section 4.1]
- 24. A minimum front yard setback of 23.6 m is required. [Schedule A]
- 25. A minimum front yard setback of 21.8 m to the uncovered platform and access stairs is permitted. [Section 3.14]

**Official Plan:**

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

**Comments:**

The Owners are requesting permission to demolish the existing two-storey single-detached dwelling and replace it with a new two-storey single-detached dwelling and accessory structure with the above noted variances. The Subject Land is a corner lot. The current dwelling fronts onto Thornbank Road. The proposed dwelling fronts onto Erica Road.

At the request of the Development Planning Department (Development Planning) the Owners reduced the maximum lot coverage, height, and adjusted the façades to maintain a scale of built form compatible with the established neighbourhood. A total lot coverage of 25 % (Variances 3 & 15) consisting of 23% for the main dwelling, 1.32% for accessory structure and 0.68% for the rear deck establishes a proposal that is compatible with other 2-storey dwellings in the area. The proposed maximum building height of 10.3 m (Variances 8, 16, and 22) achieves a built form that is in keeping with the overall mass of existing dwellings in the area. The perception of mass visible from the streets have been improved upon by lowering the roof line, which also provides for a reduced height of the glass façades located on part of the east and north walls at the northeast corner of the proposed dwelling. Development Planning is of the opinion the increases in height and coverage are consistent with other approvals in the area and maintain the character of the neighbourhood.

There is some variation in the front yard setbacks of the dwellings along Eric Road. With respect to Variances 1, 2, 10, 13, 14 and 24 associated with front, interior side and exterior side setbacks to the main walls of the dwelling, the reductions are reasonable and necessary to accommodate the proposed footprint while establishing a front yard setback that, while reduced, is similar to that of some nearby properties on Erica Road. Similarly, the requested setback reductions (Variances 4, 5, 17 and 18) to the uncovered porch and ornamental building will not contribute to the dwelling's massing and architecturally compliment the dwelling. In terms of Variances 6, 9, 12, 19, 20 and 23, Development Engineering and Urban Design staff are of the opinion the reduced rear and side yard setback, as well as the increase in building height to the accessory structure will not affect water drainage on-site and provides adequate distance to safely access the mechanical/storage area. The remaining variances (7, 11, 21 and 25) are specific to canopy encroachments and setback to the uncovered platform and access stairs which enhance the streetscape and curb appeal typically seen in custom built homes.

In support of the application, the Owner submitted an Arborist Report and Tree Preservation Plan, prepared by Redbud Forestry Consultants, last revised January 12,

2023. Urban Design has reviewed the material and is generally satisfied but concludes the Owner is responsible in providing cash-in-lieu for 17 trees and obtaining all the required tree permits (consent letter, if applicable) through Parks, Forestry and Horticulture Operations.

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

**Recommendation:**

The Development Planning Department recommends approval of the application.

**Conditions of Approval:**

If the Committee finds merit in the application, the following condition of approval is recommended:

None

**Comments Prepared by:**

Roberto Simbana, Planner I

David Harding, Senior Planner

**Pravina Attwala**

---

**Subject:** FW: [External] RE: A242/22 (80 THORNBANK ROAD) - REQUEST FOR COMMENTS

---

**From:** Development Services <developmentservices@york.ca>  
**Sent:** November-14-22 1:41 PM  
**To:** Pravina Attwala <Pravina.Attwala@vaughan.ca>  
**Cc:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] RE: A242/22 (80 THORNBANK ROAD) - REQUEST FOR COMMENTS

Hi Pravina,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Many thanks,

**Christine Meehan, B.U.R.PL.** | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services

---

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1  
1-877-464-9675 x73012 | [christine.meehan@york.ca](mailto:christine.meehan@york.ca) | [www.york.ca](http://www.york.ca)  
*Our Values: Integrity, Commitment, Accountability, Respect, Excellence*



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| SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE |      |         |                                  |         |
|-----------------------------------------------|------|---------|----------------------------------|---------|
| Correspondence<br>Type                        | Name | Address | Date<br>Received<br>(mm/dd/yyyy) | Summary |
| None.                                         |      |         |                                  |         |

| SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND  |                                |                  |
|---------------------------------------------------------|--------------------------------|------------------|
| File Number                                             | Date of Decision<br>MM/DD/YYYY | Decision Outcome |
| B041/15, A299/15 and A300/15                            | 11/05/2015                     | Refused by COA   |
| PL151229 and PL151232<br>(B041/15, A299/15 and A300/15) | 08/29/2016                     | Approved by OLT  |

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** August 29, 2016

**CASE NO(S):** PL151229  
PL151232

**PROCEEDING COMMENCED UNDER** subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

|                               |                                                                                |
|-------------------------------|--------------------------------------------------------------------------------|
| Applicant and Appellant:      | Gil Shcolyar                                                                   |
| Subject:                      | Consent                                                                        |
| Property Address/Description: | 18 Erica Road/ Part of Lot 31, Concession 1 (Lot 25, Registered Plan No. 3977) |
| Municipality:                 | City of Vaughan                                                                |
| Municipal File No.:           | B040/15                                                                        |
| OMB Case No.:                 | PL151229                                                                       |
| OMB File No.:                 | PL151229                                                                       |
| OMB Case Name:                | Shcolyar v. Vaughan (City)                                                     |

**PROCEEDING COMMENCED UNDER** subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

|                               |                                                                                |
|-------------------------------|--------------------------------------------------------------------------------|
| Applicant and Appellant:      | Gil Shcolyar                                                                   |
| Subject:                      | Minor Variance                                                                 |
| Variance from By-law No.:     | 1-88, as amended                                                               |
| Property Address/Description: | 18 Erica Road/ Part of Lot 31, Concession 1 (Lot 25, Registered Plan No. 3977) |
| Municipality:                 | City of Vaughan                                                                |
| Municipal File No.:           | A298/15                                                                        |
| OMB Case No.:                 | PL151229                                                                       |
| OMB File No.:                 | PL151230                                                                       |

**PROCEEDING COMMENCED UNDER** subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

|                               |                                                  |
|-------------------------------|--------------------------------------------------|
| Applicant and Appellant:      | Gil Shcolyar                                     |
| Subject:                      | Minor Variance                                   |
| Variance from By-law No.:     | 1-88, as amended                                 |
| Property Address/Description: | 18 Erica Road/ Part of Lot 31, Concession 1 (Lot |

Municipality: 25, Registered Plan No. 3977)  
City of Vaughan  
Municipal File No.: A349/15  
OMB Case No.: PL151229  
OMB File No.: PL151231

**PROCEEDING COMMENCED UNDER** subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Marina Shcolyar  
Subject: Consent  
Property Address/Description: 80 Thornbank Road/ Part of Lot 31, Concession 1 (Lot 24, Registered Plan No. 3977)  
Municipality: City of Vaughan  
Municipal File No.: B041/15  
OMB Case No.: PL151232  
OMB File No.: PL151232  
OMB Case Name: Shcolyar v. Vaughan (City)

**PROCEEDING COMMENCED UNDER** subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Marina Shcolyar  
Subject: Minor Variance  
Variance from By-law No.: 1-88, as amended  
Property Address/Description: 80 Thornbank Road/ Part of Lot 31, Concession 1 (Lot 24, Registered Plan No. 3977)  
Municipality: City of Vaughan  
Municipal File No.: A299/15  
OMB Case No.: PL151232  
OMB File No.: PL151233

**PROCEEDING COMMENCED UNDER** subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Marina Shcolyar  
Subject: Minor Variance  
Variance from By-law No.: 1-88, as amended  
Property Address/Description: 80 Thornbank Road/ Part of Lot 31, Concession 1 (Lot 24, Registered Plan No. 3977)  
Municipality: City of Vaughan  
Municipal File No.: A300/15  
OMB Case No.: PL151232  
OMB File No.: PL151234

**Heard:** May 12, 2016 in Vaughan, Ontario

**APPEARANCES:**

**Parties**

Gil and Marina Shcolyar

**Counsel**

C. Lyons

**DECISION DELIVERED BY JASON CHEE-HING AND ORDER OF THE BOARD**

---

**CONTEXT**

[1] Gil and Marina Shcolyar (“Applicants”, “Appellants”, “Proponent”) have appealed the decisions of the City of Vaughan (“City”) Committee of Adjustment (“COA”) to refuse approval of their consent and associated minor variance applications for the subject properties located at 18 Erica Road (“Erica”) and the abutting property at 80 Thornbank Road (“Thornbank”). Gil Shcolyar is the registered owner of 18 Erica and Marina Shcolyar is the registered owner of 80 Thornbank.

[2] The purpose of the consent applications is to create a new building lot by merging/consolidating the severed portions of the subject properties. The rear yard of 18 Erica and the side yard of 80 Thornbank are to be severed and combined to create a new building lot. The proposed new building lot will have frontage on Thornbank. As such there are two consent applications and associated minor variances before the Board. The proposed consents and land assembly are shown in the severance sketch found in Exhibit 2D. The associated minor variances to the Zoning By-law (“ZBL”) 1-88 are to permit increased lot coverage and interior side yards.

[3] A detached dwelling is currently being constructed on 18 Erica. There is an existing home on 80 Thornbank. If the consent applications are approved both homes

will be located on the retained portions of the subject properties while a new home will be constructed on the newly created building lot.

[4] Due to the peculiarities of this ZBL, minor variances are also required to permit two dwellings to be erected on Plan 3977 whereas the ZBL prohibits the erection of more than one dwelling on any lot shown on Plan 3977. The reality however is that should the applications be approved by the Board then there will be only one dwelling on the proposed new building lot.

#### Consent Applications (B040/15, B041/15)::

The purpose of the consent applications is to sever the rear yard of 18 Erica Road and the side yard of 80 Thornbank Avenue to create a new building lot.

Attachment 1 to this decision provides the severance plan and dimensions for each consent application.

#### Minor Variance Applications:

##### 18 Erica Road (rear) A298/15

- 1) To permit two single family dwellings on a lot, whereas Section 3.20 of By-law 1-88 permits one single family dwelling on a lot.

##### 18 Erica Road (front) A349/15

- 1) To permit two single family dwellings on a lot, whereas Section 3.20 of By-law 1-88 permits one single family dwelling on a lot.
- 2) To permit a lot coverage 24.19% (building and porch 20.05%, uncovered deck 4.14%), whereas Schedule 'A' to By-law 1-88 permits a maximum lot coverage of 20%.

##### 80 Thornbank Road (front) A299/15

- 1) To permit two single family dwelling on a lot, whereas Section 3.20 of By-law 1-88 permits one single family dwelling on a lot.
- 2) Permit the sum of the side yards to be a maximum 15.9 m (existing), whereas Schedule 'A' Note 1 to By-law 1-88 provides that the sum of the side yards shall not exceed 15.0 metres.
- 3) Permit rear-yard of 7.60m, whereas Exception 9(662) ci) to By-law 1-88 requires a minimum rear yard setback of 9.0 metres.

80 Thornbank Road (rear) A300/15

- 1) To permit two single family dwellings on a lot, whereas Section 3.20 of By-law 1-88 permits one single family dwelling on a lot.

[5] At the hearing, the Appellants were represented by counsel and retained a qualified land use planner. The City was not present. The Board notes that City planning staff in its staff report to the COA recommended approval of the consent and minor variance applications for the subject lands. There were six participants – all residents of the neighbourhood - who spoke in opposition to the applications.

#### **THE EVIDENCE, BOARD FINDINGS AND REASONS:**

[6] Murray Evans a qualified planner provided planning opinion evidence in support of the applications. He described the immediate neighbourhood as one of large lots with large homes. The subdivision was built out in the 1960s and is a prestigious neighbourhood. He described the area as experiencing significant re-investment especially through the replacement of older homes with new construction. Mr. Evans did a lot study of the area and provided the Board with an analysis of severance and minor variances approved by the COA for the immediate area.

[7] It was his planning opinion that the severances being sought had appropriate regard for the criteria found in s. 51(24) of the *Planning Act* ("Act"). It was his planning opinion that the new building lot and the retained lots would be compatible with the range of lots sizes found in the neighbourhood. It was his opinion that the variances being sought were within the range of approvals given by the COA and that the minor variances individually and cumulatively satisfied the statutory tests found in s. 45(1) of the Act.

[8] The participants' collective objections to the applications were that the proposal if approved would result in three lots (retained and severed) that would be incompatible

with the existing physical character of the area. It was their view that this is a prestigious neighbourhood consisting of wide deep lots and that the lots being proposed would be significantly smaller. A particular concern of the participants on Erica Road was that the owners of the subject lands have been inappropriately seeking planning approvals on an incremental basis (more on this later). It is their view that the owners can and should build within the ZBL performance standards.

[9] Finally, planning staff of the City in their staff report supported the severance and minor variance applications and recommended approval to the COA.

[10] The Board considered all of the evidence – both expert and lay – and submissions given at this hearing.

[11] With respect to the consent applications, the Board finds that the proposed severed and retained lots will be consistent with the lotting fabric and physical character of the neighbourhood. The proposed consents have appropriate regard for the criteria found in s. 51(24) of the Act.

[12] With respect to the associated minor variances, the Board finds that they individually and cumulatively meet the statutory tests found in s. 45(1) of the Act in that they maintain the general intent of the Official Plan and the ZBL, they are desirable for the appropriate development of the lands and they are minor. The Board finds that there will be no adverse impacts to the surrounding neighbours.

[13] The Board finds that the conditions attached to the approval of the consent applications to be appropriate and would ensure that the relationship of the proposed detached dwelling to the new building lot would remain fixed in the future. The applicants have agreed not to apply for any additional variances for the newly created building lot relating to height, coverage, setbacks, combined setbacks for a period of 10 years from the date of the Board's Order. These conditions are provided as Attachment 1 to this decision.

[14] The Board's reasons follow.

[15] With respect to the compatibility of the proposed retained and severed lots with the existing physical character of the neighbourhood, the Board prefers the evidence of the proponent's planner. Mr. Evans testified that the proposed lots comply with the minimum frontage requirements and minimum lot area of the ZBL.

[16] Mr. Evans testified that the neighbourhood consists of large lots with large stately homes and that the new residential lot as well as the retained lots would be compatible with the existing physical character. The original subdivision was built out in the 1960s. His description of this neighbourhood is similar to the participants' to the extent that the existing lots and dwellings are large. Where they differ is that the participants' hold the view that the proposed new building lot and the retained lots are smaller than the existing lots in the neighbourhood and as such are not compatible with its physical character.

[17] It is the Board's view that the proposed new building lot with a 30 metres ("m") frontage, lot depth of approximately 61 m and a lot area of 2030 square metres is significant in size and would be compatible with the existing physical character and range of lot sizes found in this neighbourhood. While the retained and severed parcels may not be as large as some of the lots in this neighbourhood it is the Board's view that they are compatible with the range of lot sizes and the existing physical character. In this regard the Board prefers the planning evidence of Mr. Evans.

[18] Aviva Bushuev, Lyle Juravsky, Gordon Foss all have homes on Erica Road within close proximity to the subject lands. On the issue of lot compatibility the participants view that this is a prestigious neighbourhood whose character is defined by large homes on large lots and that the proposed new lot would be incompatible with this character.

[19] There was no disagreement between the planner and the participants on the existing physical character of this neighbourhood. However, Mr. Evans was able to demonstrate to the Board that the neighbourhood is undergoing significant re-investment primarily through replacement of older homes through new construction. Additionally, he provided evidence of COA approval of severances within the area. It is the Board's view that the home currently under construction for 18 Erica and the proposed home for the new lot are of significant size and would be compatible with the existing homes found in the area. The Board notes that the dimensions of the retained and new building lot comply with the ZBL standards.

[20] With respect to the requested variances in the Board's view the contentious variance was the requested relief to the lot coverage standard of the ZBL for 18 Erica Road. On this variance, Mr. Evans provided an analysis of COA approvals for increased lot coverage over what the ZBL permits. Mr. Evans was able to demonstrate that the increased lot coverage being sought was within the range of approvals given by the COA.

[21] A particular concern shared among the participants that live on Erica Road was the assertion that the Applicants/Owners have been inappropriately seeking planning approvals on an incremental basis. This was done in order to create a new building lot from the severances of the rear yards of the existing two lots and to increase the lot coverage of one of the retained lots (18 Erica Road). They asserted that this "planning approvals by stealth" used by the Applicants has been to the detriment of the neighbourhood in terms of changing its existing physical character.

[22] During the hearing and partly in response to the participants concerns, the Applicants/Owners through their representatives proposed additional conditions which would restrict them from seeking any future variances on the proposed new lot relating to height, coverage, setbacks, combined setbacks for a period of 10 years from the date of the Board's Order should the Board find merit in their applications.

[23] Additionally, the Applicants consented to maintaining a west interior side yard of a minimum of 7.5 m, notwithstanding that the minimum interior side yard required pursuant to Section (b) of Exception 9(662) of the ZBL could be as small as 2.5 m. The proposed 7.5 m west interior side yard would abut the rear yards of the homes on Rose Green Drive giving additional separation distances from those homes.

[24] It is the Board's view that these conditions are appropriate and the ten year restriction on minor variances to the proposed new lot would mitigate the particular concerns of the neighbours on Erica Road. The conditions of approval are found in Attachment 1.

[25] Sanda and Ruxanda Badulescu, and Mohammad Bidgoli live on Rose Green Drive which is immediately west of the subject lands. Their concerns were with respect to view and privacy. The Board finds that their homes are at a higher elevation than the subject lands and it is their properties that overlook the subject lands. The Badulescu's liked the view of trees from their rear yards. However, these trees are on the subject lands. There is no right to a view under the Act nor is there a right to a view of trees on private property. The Board finds the proposed new home to be built on the new building lot would have little adverse impact, if any, on the homes that back onto Rose Green Drive.

## **ORDER**

[26] With respect to the consent applications, the Board orders that the appeals are allowed and provisional consent is granted subject to the conditions found in Attachment 2 which is attached hereto.

[27] With respect to the associated minor variance applications, the Board orders that the appeals are allowed and the variances to By-law No. 1-88 are authorized subject to the following condition:

1. For 18 Erica Road, the uncovered deck remains uncovered and the porch shall at all times remain unenclosed so as not to create year round habitable space to the satisfaction of the City of Vaughan's Building Department.

[28] Board Rule 107 states:

**107. Effective Date of Board Decision** A Board decision is effective on the date that the decision or order is issued in hard copy, unless it states otherwise.

[29] Pursuant to Board Rule 107, this decision takes effect on the date that it is e-mailed by Board administrative staff to the clerk of the municipality where the property is located.

*"Jason Chee-Hing"*

JASON CHEE-HING  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Ontario Municipal Board**

A constituent tribunal of Environment and Land Tribunals Ontario  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

## **NOTICE OF DECISION** **MINOR VARIANCES**

**FILE NUMBER:** A299/15

**APPLICANT:** MARINA SHCOLYAR

**PROPERTY:** Part of Lot 31, Concession 1 (Lot 24, Registered Plan No.3977) municipally known as 80 Thornbank Road, Thornhill

**ZONING:** The subject lands are zoned R1V, Old Village Residential Zone and subject to the provisions of Exception 9(662) under By-law 1-88 as amended.

**PURPOSE:** To facilitate the severance of the total lands (Retained parcel of land in file B041/15, and permit the construction of a proposed single family dwelling.

**PROPOSAL:**

1. To permit two (2) single family dwellings to be erected on the subject lands located on Lot 24 of RP-3977.
2. To permit the sum of the side yards to be a maximum of 15.9 metres.
3. To permit a minimum rear yard setback of 7.60 metres

**BY-LAW REQUIREMENT:**

1. No person shall erect more than one (1) single family dwelling on any lot as shown on lot 24, RP-3977.
2. The sum of the side yards shall not exceed 15 metres.
3. A minimum rear yard setback of 9.0 metres is required.

**BACKGROUND INFORMATION:** Other Planning Act Applications  
The land which is the subject in this application was also the subject of another application under the Planning Act:  
B041/15 Related Consent file  
A300/15 Related Variance file  
B040/15 Related Consent file at 18 Erica Road, Thornhill  
A298/15 Related Variance file at 18 Erica Road, Thornhill

A sketch is attached illustrating the request.

**MOVED BY:**

**SECONDED BY:**


THAT the Committee is of the opinion that the variances sought, can not be considered minor and are not desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will not be maintained.


THAT Application No. **A299/15, MARINA SHCOLYAR**, be **REFUSED**.


**CARRIED**

**CHAIR:**

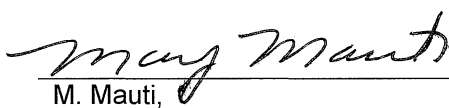
Signed by all members present who concur in this decision:

  
A. Perrella,  
Chair

  
H. Zheng,  
Vice Chair

  
R. Buckler,  
Member

  
J. Cesario,  
Member

  
M. Mauti,  
Member

**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.



Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

**Date of Hearing:            NOVEMBER 5, 2015**

**Last Date of Appeal:       NOVEMBER 25, 2015**

**APPEALS**

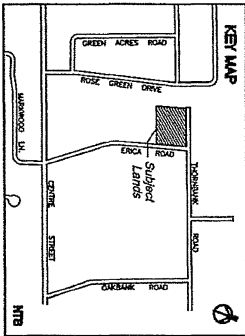
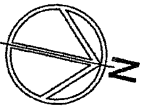
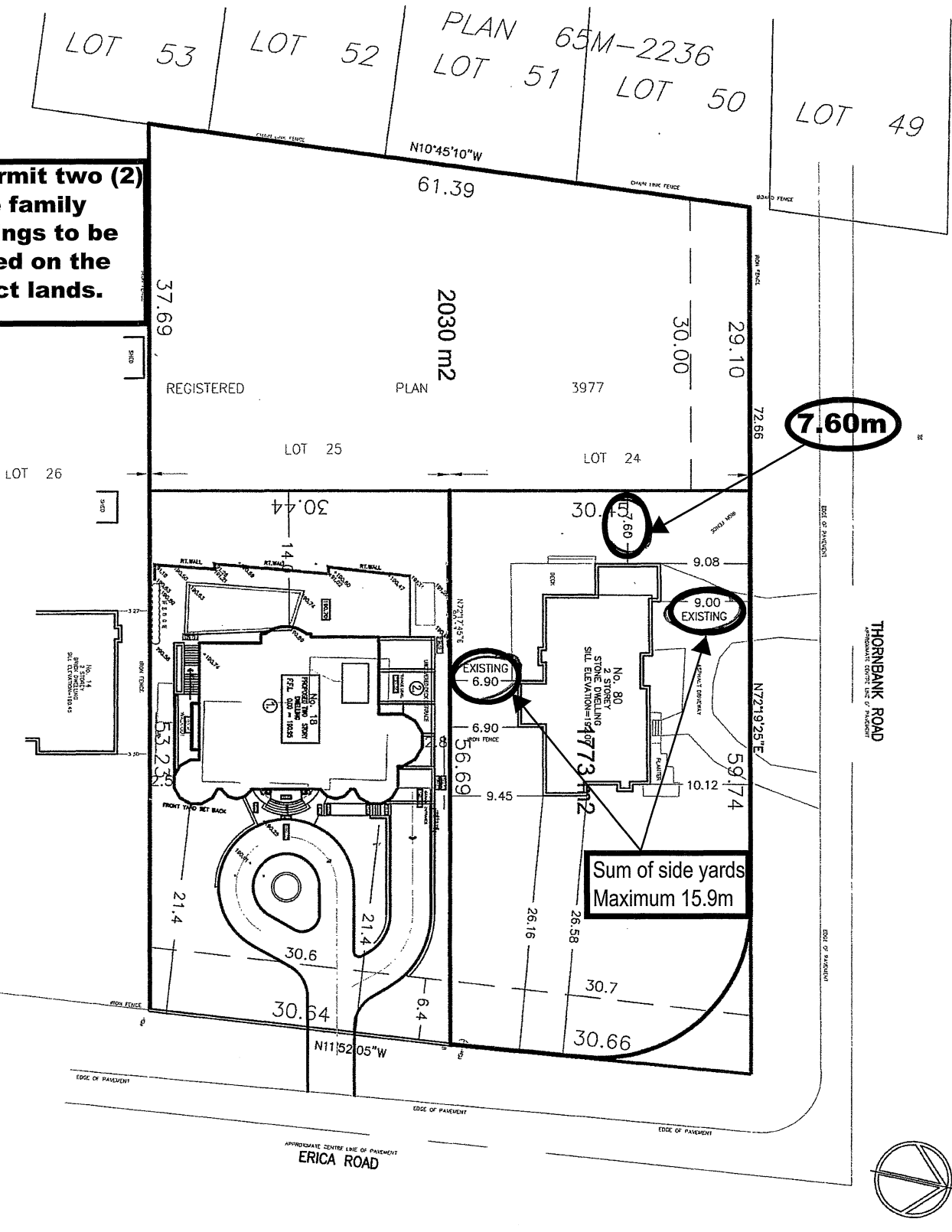
***APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.***

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

To permit two (2) single family dwellings to be erected on the subject lands.



CONCEPT PLAN  
Lots 24 & 25  
Registered Plan 3977  
City of Vaughan  
Regional Municipality of York

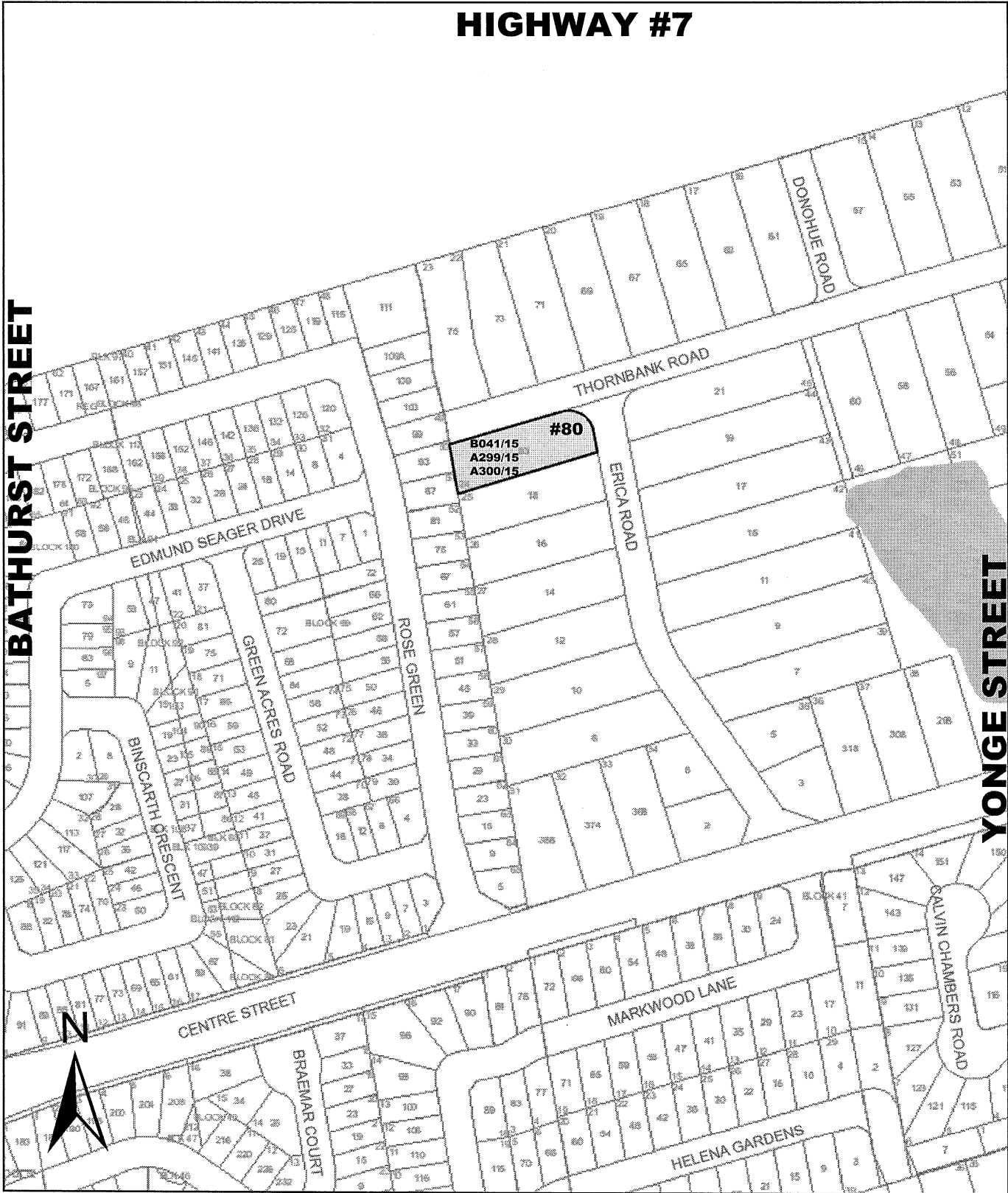
Scale 1:250

4441 DUNDAS STREET  
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# Location Map

B041/15, A299/15, A300/15 - 80 THORNBANK ROAD, THORNHILL



City of Vaughan

0 0.05 0.1 0.2 Kilometers

The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

## **NOTICE OF DECISION**

### **MINOR VARIANCES**

**FILE NUMBER:** A300/15

**APPLICANT:** MARINA SHCOLYAR

**PROPERTY:** Part of Lot 31, Concession 1 (Lot 24, Registered Plan No.3977) municipally known as 80 Thornbank Road, Thornhill

**ZONING:** The subject lands are zoned R1V, Old Village Residential Zone and subject to the provisions of Exception 9(662) under By-law 1-88 as amended.

**PURPOSE:** To facilitate the severance of the total lands (Subject parcel of land in file B041/15), and permit the construction of a single family dwelling.

**PROPOSAL:** 1. To permit two (2) single family dwellings to be erected on the subject lands located on Lot 24 of RP-3977.

**BY-LAW REQUIREMENT:** 1. No person shall erect more than one (1) single family dwelling on any lot as shown on lot 24, RP-3977.

**BACKGROUND INFORMATION:** Other Planning Act Applications  
The land which is the subject in this application was also the subject of another application under the Planning Act:  
B041/15 Related Consent file  
A299/15 Related Variance file  
B040/15 Related Consent file at 18 Erica Road, Thornhill  
A298/15 Related Variance file at 18 Erica Road, Thornhill

A sketch is attached illustrating the request.

**MOVED BY:**

**SECONDED BY:**


THAT the Committee is of the opinion that the variances sought, can not be considered minor and are not desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will not be maintained.


THAT Application No. **A300/15, MARINA SHCOLYAR**, be **REFUSED**.


**CARRIED**

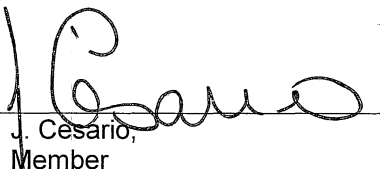
**CHAIR:**


Signed by all members present who concur in this decision:

  
A. Perrella,  
Chair

  
H. Zheng,  
Vice Chair

  
R. Buckler,  
Member

  
J. Cesario,  
Member

  
M. Mauti,  
Member

**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.



Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

**Date of Hearing: NOVEMBER 5, 2015**

**Last Date of Appeal: NOVEMBER 25, 2015**

**APPEALS**

**APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.**

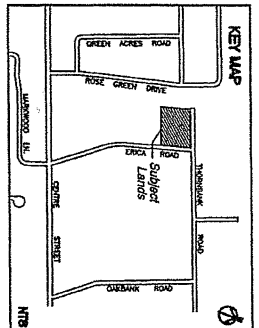
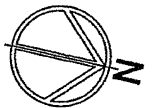
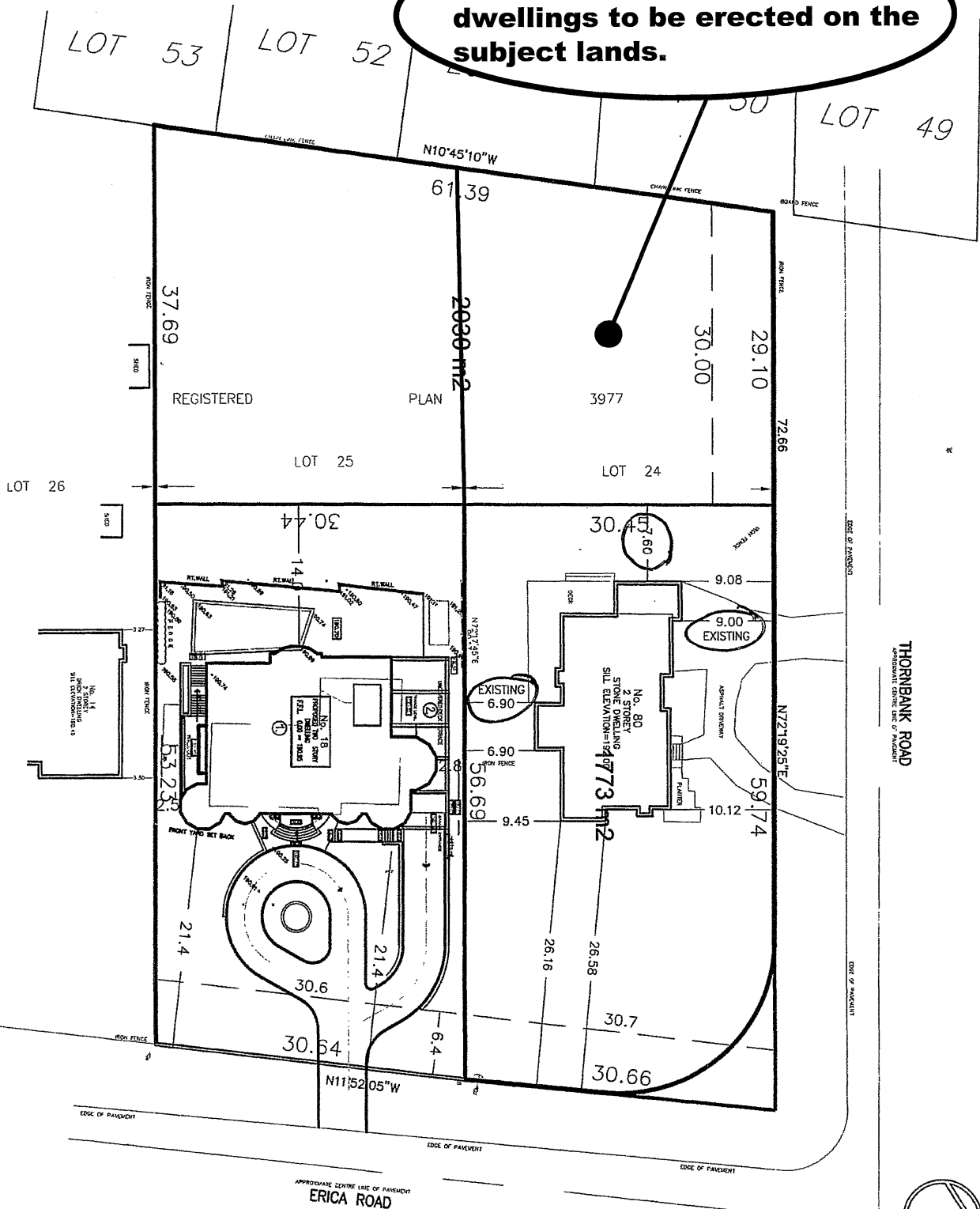
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the \$650.00 processing fee, paid by certified cheque or money order, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of \$125.00 for each application appealed, paid by certified cheque or money order, made payable to the "ONTARIO MINISTER OF FINANCE".

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

**A300/15**

**To permit two (2) single family dwellings to be erected on the subject lands.**



**CONCEPT PLAN**  
Lots 24 & 25  
Registered Plan 3977  
City of Vaughan  
Regional Municipality of York  
Scale 1:250



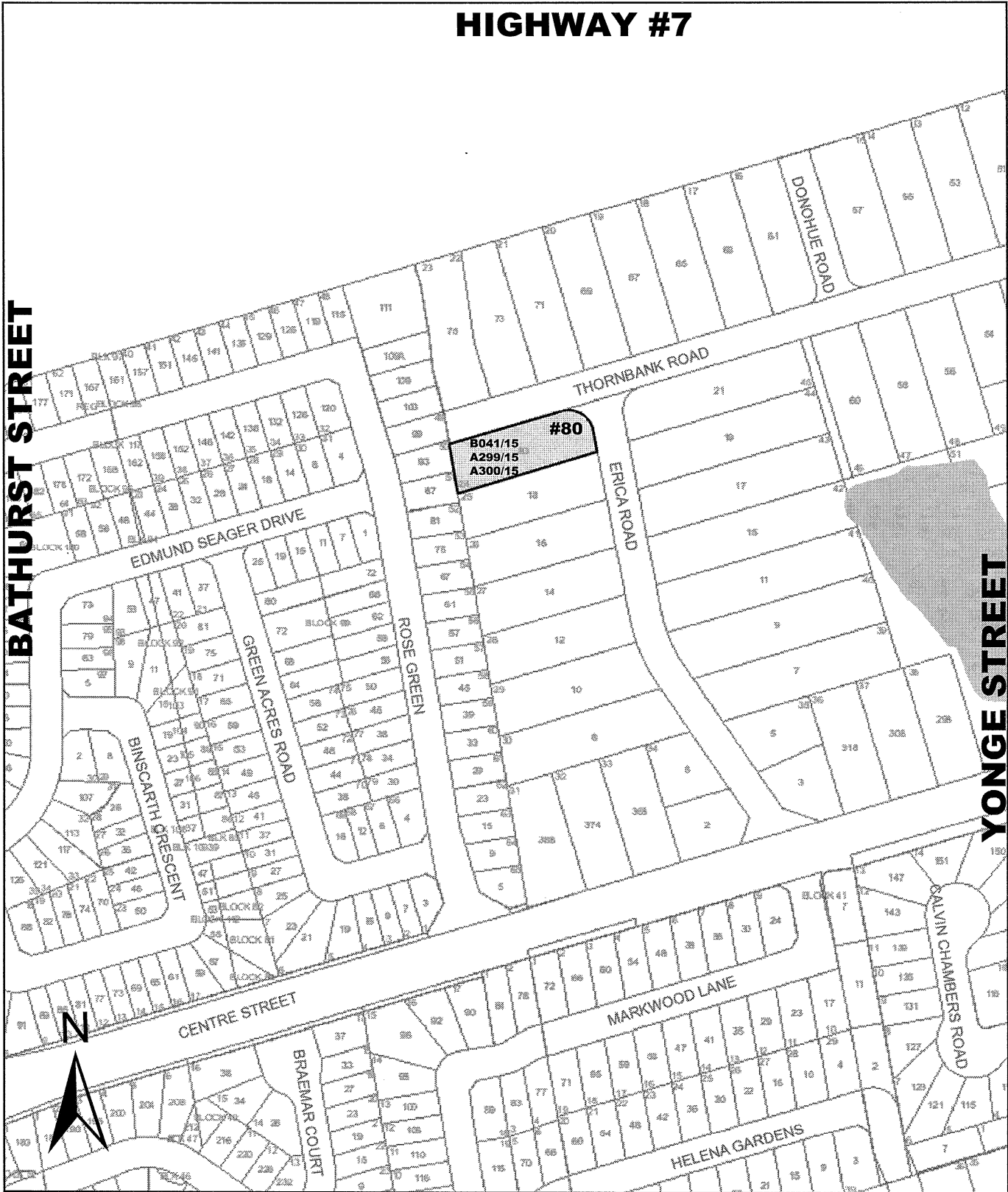
**Real Estate Services**  
Vaughan Office  
304-400-0000  
www.304-400-0000



# Location Map

B041/15, A299/15, A300/15 - 80 THORNBANK ROAD, THORNHILL

## HIGHWAY #7



City of Vaughan

0 0.05 0.1 0.2 Kilometers

The City of Vaughan makes every effort to ensure that this map is free of errors but does not warrant that the map or its features are spatially, tabularly, or temporally accurate or fit for a particular use. This map is provided by the City of Vaughan without warranties of any kind, either expressed or implied.

## **NOTICE OF DECISION** **CONSENTS**

**FILE NUMBER:** B014/15

**APPLICANT:** NANCY CAMPOLI

**PROPERTY:** Part of Lot 26, Concession 8 (Lot 34, Registered Plan 65M-3466) municipally known as 179 Weaver Court, Kleinburg.

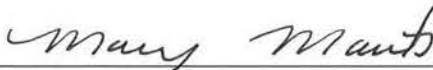
**ZONING:** The subject lands are zoned R1, Residential Zone subject to Exception 9(563) under By-law 1-88 as amended.

**PURPOSE:** The purpose of this application is to request the consent of the Committee of Adjustment to convey parcel of land marked "A" on the attached sketch as an ADDITION to an existing lot taken into the title of the lands to the WEST, together with all required easements and right-of-ways, if required, and retain the lands marked "B" on the attached sketch for residential purposes.

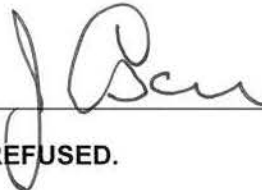
Sketches are attached illustrating the request.

The above noted application was heard by the Committee of Adjustment on **APRIL 30, 2015**.

**MOVED BY:**



**SECONDED BY:**



THAT Application No. **B014/15**, **NANCY CAMPOLI**, be **REFUSED**.

**CARRIED**

**CHAIR:**



Signed by all members present who concur in this decision:



A. Perrella,  
Chair



H. Zheng,  
Vice Chair

**OPPOSED**

R. Buckler,  
Member



J. Cesario,  
Member



M. Manti,  
Member

### **CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.



Todd Coles, BES, MCIP, RPP  
Manager of Development Services  
and Secretary-Treasurer to  
Committee of Adjustment

|                             |                       |
|-----------------------------|-----------------------|
| <b>Date of Hearing:</b>     | <b>APRIL 30, 2015</b> |
| <b>Date of Notice:</b>      | <b>MAY 8, 2015</b>    |
| <b>Last Date of Appeal:</b> | <b>MAY 28, 2015</b>   |

**APPEALS**

***APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.***

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at [www.omb.gov.on.ca](http://www.omb.gov.on.ca). If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

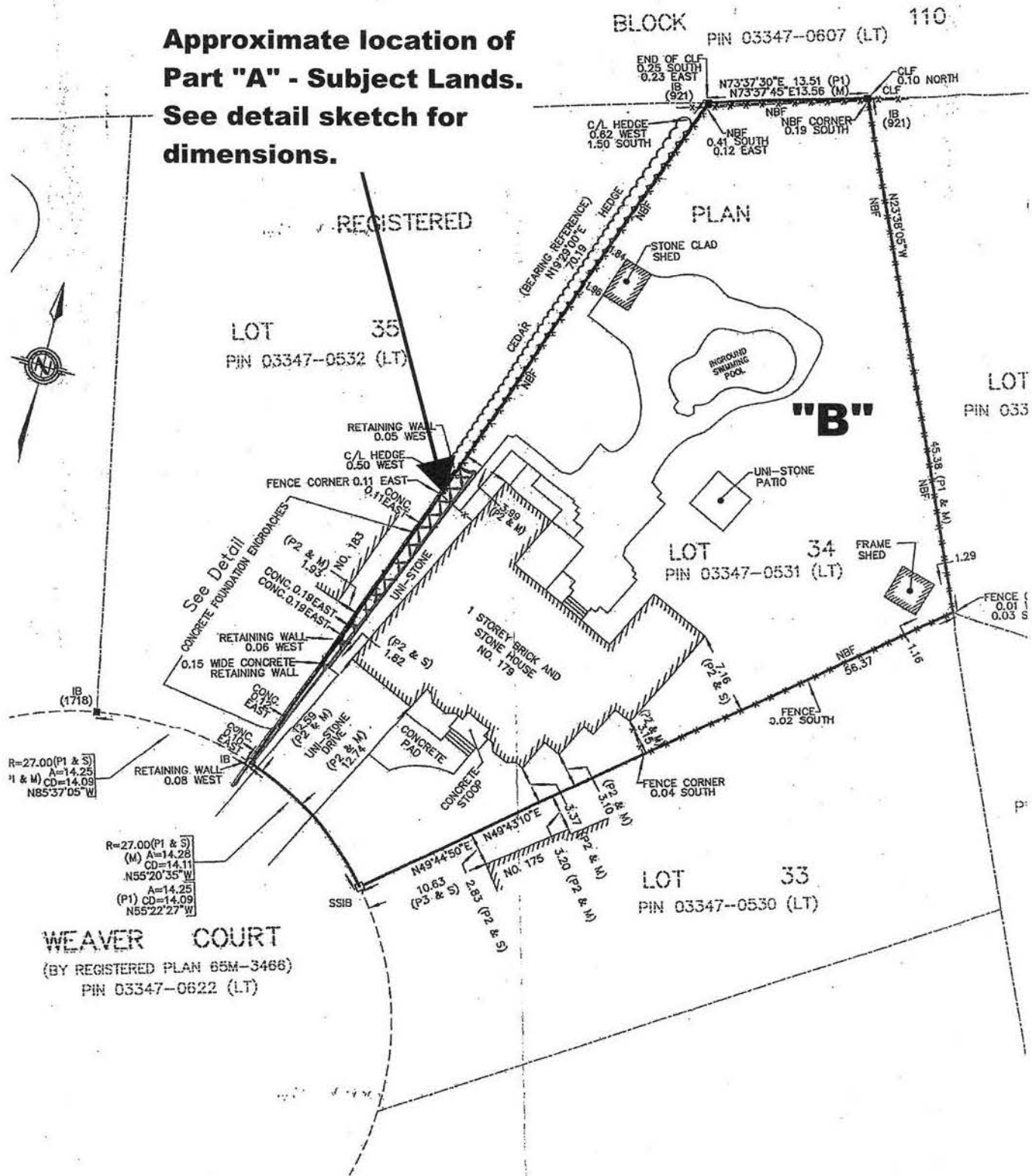
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the **\$690.00** processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of **\$125.00** for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

**NOTE:** The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

**NOTES**

1. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.
2. A Certificate pursuant to Subsection 53(21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.

**Approximate location of  
Part "A" - Subject Lands.  
See detail sketch for  
dimensions.**

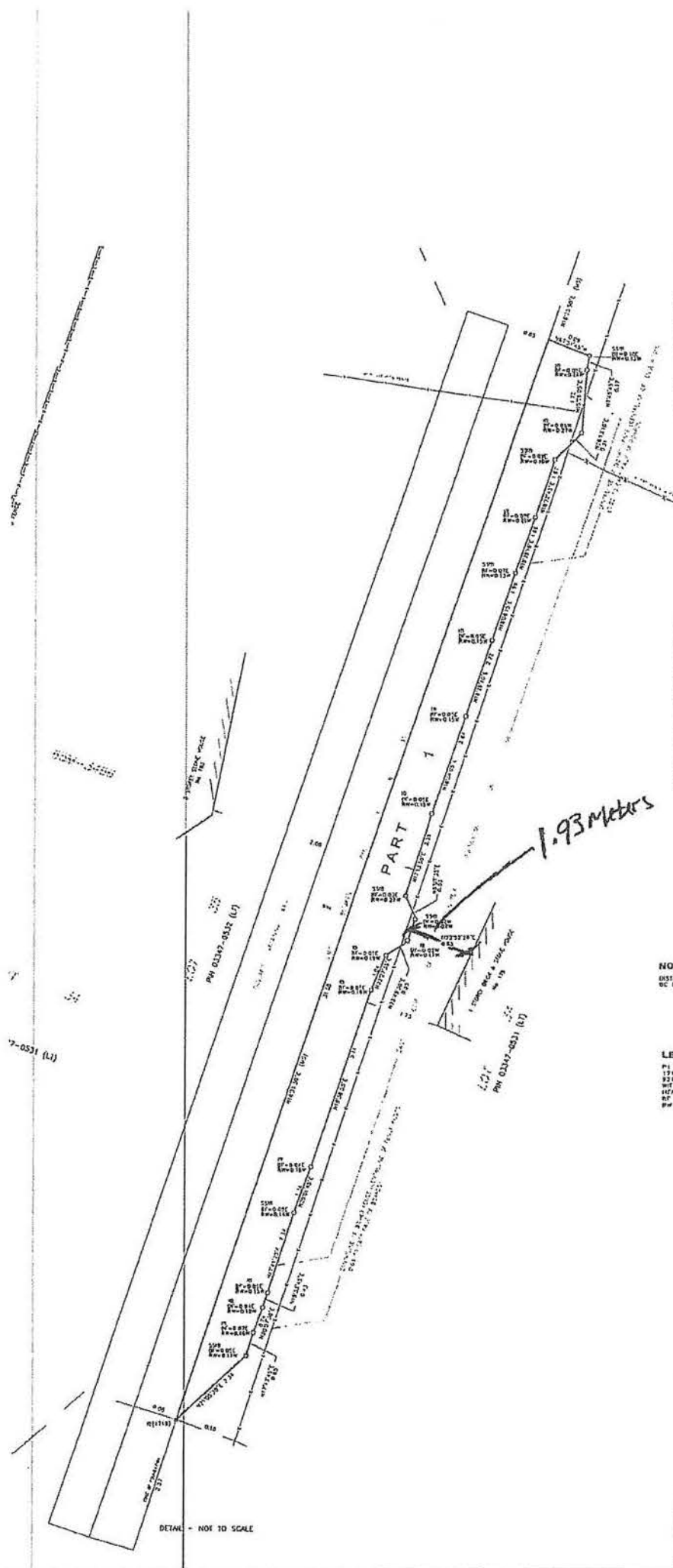


**B014/15**

## Detail of Part "A" - Subject Lands

1.93 METERS

DETAIL - NOT TO SCALE



PLAN OF SURVEY  
PART OF LOT 34  
REGISTERED PL  
CITY OF VAUGH.  
REGIONAL MUNIC

SCALE 1:1000

RODOLPH GIEYER  
ONTARIO LAND SURVEY

NOTES

BEARINGS ARE LONG ONE  
AND TWO BY LOCAL TRUE  
TO THE COASTAL WORK  
(1987 EPOCH)

DISTANCES ARE GROUND  
MEASUREMENTS IN THE ED

ADJUSTED MEASUREMENTS  
ONCE ADJUSTED USING 1  
AND 2 CSRS (1997) 1  
COORDINATES TO 1987

| POINT NO. | COORDINATES (EASTING, NORTING) |
|-----------|--------------------------------|
| ONE A     | 440000.00, 440000.00           |
| ONE B     | 440000.00, 440000.00           |

NOTES

DISTANCES AND COORDINATE  
BE CONVERTED TO FEET BY

LEGEND

PL DENOTES POINT OF 1  
1918 EXHIBITS RODOLPH G.  
B.S. DENOTES P. 10100.  
WIT DENOTES WITNESS  
H.F.S. DENOTES H.F.S.  
R.F. DENOTES ROAD F.E.  
R.W. DENOTES ROAD F.E.

SURVEYOR'S C

I CERTIFY THAT:

1. THIS SURVEY WAS  
MADE IN ACCORDANCE WITH THE SURVEY  
ACT AND THE R.O.

2. THE SURVEY WAS  
MADE IN 2015.

DATE: 21, 2015

111  
10/1/14

# KIRBY ROAD



# TESTON ROAD



COMMITTEE OF ADJUSTMENT  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
Phone: (905)832-8585 Fax: (905)832-8535

|  |              |                                                                         |
|--|--------------|-------------------------------------------------------------------------|
|  | FILE NUMBER: | B014/15                                                                 |
|  | APPLICANT:   | NANCY CAMPOLI                                                           |
|  |              | <b>Subject Area</b><br>Municipally known as 179 Weaver Court, Kleinburg |