

# CONTEMPO STUDIO

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TORONTO, ON  
M8Z-1P7  
416 – 836 – 1042

February 3, 2023  
FILE NO. A302/22  
OWNER(S): Arnold Averbuch and Shelly Zaidman-Averbuch  
69 THORNBANK RD  
THORNHILL, ON

## COVER LETTER

Dear Chair and Committee Members,

We are submitting this letter in support of the proposed application on behalf of our client Arnold Averbuch and Shelly Zaidman-Averbuch.

The subject site is in the emergent Thornhill neighbourhood located North of Centre St, West of Yonge St. The site is positioned with good proximity to Oakbank Pond Park and Uplands Golf Club. Our clients have recently purchased the property at 69 Thornbank Rd with the hopes to build a fitting custom home that adds to the existing neighbourhood's charm and appeal.

We have worked closely with the clients to design a home while keeping in mind the existing neighbourhood. We have made great efforts to limit the need for variances, and the items we are seeking are truly minor to accommodate a new home for this family in this neighbourhood.

In addition to this letter, we have outlined a summary of recent approvals submitted as a supporting document.

The application is for a new single family detached dwelling. The subject variances request relief from the new by-law no. 01-2021 and By-law 1-88 as part of this application:

A brief history on this property, There was a previously approved Committee of Adjustment hearing on this property **File number -A259/16** in 2017. At that time, the following variances were reviewed and approved by the City of Vaughan as follows:

1. To permit a maximum lot coverage of 24.62%
2. To permit a minimum easterly side yard setback of 1.78 metres.
3. To permit a maximum building height of 11.0 metres.
4. To permit a minimum front yard setback of 21.09 metres.

The current proposal's intention was to design a home for the new homeowners within the boundaries of the previous approved variances in order to not trigger any new variances that were not previously already approved. We applied for Building Permit under the assumption that we comply with Zoning and the previously approved variances. The Zoning examiner assigned to this project has stated that we would still require variances because the house design changed from what was originally approved. This is the main reason that we require a minor variance application.

There is also an existing easement on the west side of the property which limits the scale and positioning of the home. It is an existing condition that the homeowners were willing to accept when purchasing the property with the assumption that there was already a

Committee of Adjustment Hearing approved and boundaries set for what could be proposed within the property.

We wish to emphasize that the new proposed design has a smaller building envelope than what was previously approved at the previous hearing A259/16. The previous approved design had a wider building width of 22.76m, a much deeper building length of 41.29m and a higher building height of 11.0m.

The previous approval also requested a maximum lot coverage of 24.62%, while our current proposal of the proposed dwelling and proposed cabana combined amounts to 17.90% only.

## **SIDEYARD SETBACK**

R1E(EN) - Exception 14.403 Zoning By-law 01-2021

**Item 1 A minimum interior side yard setback of 2.5 m is required.**

**[Exception 14.403.2.2]**

**Variance requested: To permit a minimum interior side yard setback of 2.09 m.**

The proposed side yard setback on the East side is 2.09m and proposed West side setback is 6.88m. The previous approved hearing proposed an Easterly Side Yard setback of 1.78m from the previous application A259/16. We have improved this variance considerably at 2.09m with our current proposal.

It is important to note that there is an existing easement on the West side of the property which requires the proposed building envelope to provide a west side yard setback of approximately 6m. This restricts the amount of total building width we can have on the property.

The proposal is consistent with other approved variances including 12 OAKBANK RD (2.04m), 29 RIVERSIDE BLVD (1.82m), 73 THORNBANK RD (1.50m) and 7 THORNBANK RD (2.31m). It is our opinion that this variance is minor in nature and is keeping with similar approvals in the neighbourhood and surrounding built form.

## **BUILDING HEIGHT**

R1E(EN) - Exception 14.403 Zoning By-law 01-2021

**Item 2 A maximum permitted building height is 8.5 m. [Section 4.5.1]**

**Variance requested: To permit a maximum height of 10.46 m.**

The proposed maximum building height is 10.46m, while the maximum permitted height is 8.5m under the new by-law 01-2021 and 9.5m in the former by-law 1-88. The proposed structure was designed to limit the impact of the main wall on the street. The proposal was developed to fit the surrounding built form that has similar massing.

The proposal is consistent with other approved variances including 41 THORNBANK RD (11.00m), 51 THORNBANK RD (11.00m), 29 THORNBANK RD (10.80m), etc.

Please note that planning comments from the Staff Report of 41 Thornbank Rd A079/21 mentioned the previous approved hearing as supporting material, "Previously, Committee of Adjustment approved 69 Thornbank Road (File A259/16 permitting a maximum building height of 11 m and lot coverage of 24.62%)".

It is our opinion that this variance is minor in nature and is in keeping with similar approvals in the neighbourhood and the existing and evolving surrounding built form.

## **ACCESSORY STRUCTURE (CABANA) & RETAINING WALLS**

**Item 3 A maximum permitted height of any residential accessory structure is 3.0 m.**

**[Section 4.1.4.1]**

**Variance requested:** To permit a residential accessory structure (cabana) of a maximum height of 3.45 m.

**Item 4 A minimum setback of 2.3m is required for the 2.3m high retaining wall.**

**[Table 4.1]**

**Variance requested:** To permit a minimum of 1.5m setback for the 2.3m high retaining wall at the front yard.

**Item 5 A minimum setback of 2.3m is required for the 2.3m high retaining wall.**

**[Table 4.1]**

**Variance requested:** To permit a minimum of 1.31m setback for the 2.3m high retaining wall.

The proposed retaining walls are required to address existing site conditions and have been thoughtfully designed to accommodate Grading requirements as per Approved Grading Plan from Development Engineering. We have also worked with the Forestry Department in order to obtain a Tree Permit as required.

We have worked closely with City planning and Urban Design Review to ensure the proposed dwelling is compatible with the neighbourhood. It is our opinion that the above variances pertaining to the proposed accessory structure are minor in nature and is keeping with similar approvals in the area.

Regards,



Marin Zabzuni  
**Principal**

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**69 THORNBANK RD**

Thornhill, ON L4J 2A1

Variance: Building Height (9.5m maximum)		
Address	Metric	Decision
9 THORNBANK RD	10.36 m	Approved
<b>69 THORNBANK RD</b>	10.46 m	
41 THORNBANK RD	11.00 m	Approved
51 THORNBANK RD	11.00 m	Approved
67 THORNBANK RD	10.13 m	Approved
29 THORNBANK RD	10.80 m	Approved
4 ELMBANK RD	11.00 m	Approved
3 ELMBANK RD	11.00 m	Approved
14 RIVERSIDE BLVD	10.80 m	Approved
35 RIVERSIDE BLVD	10.70 m	Approved
18 RIVERSIDE BLVD	11.41 m	Approved
10 RIVERSIDE BLVD	11.00 m	Approved
29 RIVERSIDE BLVD	11.00 m	Approved
73 RIVERSIDE BLVD	11.00 m	Approved
14 RIVERSIDE BLVD	10.80 m	Approved
8 ERICA RD	10.50 m	Approved
16 ELMBANK RD	10.68 m	Approved
125 PARR PL	11.00 m	Approved
71 CALLAWAY CT	10.53 m	Approved

Variance: Accessory Structure Height (3.0m maximum)		
Address	Metric	Decision
<b>69 THORNBANK RD</b>	3.07 m	
17 OAKBANK RD	3.11 m	Approved
7 THORNBANK RD	3.80 m	Approved
51 THORNBANK RD	4.31 m	Approved
20 OAKBANK RD	4.50 m	Approved
71 CALLAWAY CT	4.55 m	Approved

Max Coverage (20% maximum)		
Address	Metric	Decision
<b>69 THORNBANK RD</b>	17.90 %	
3 THORNBANK RD	23.60 %	Approved
7 THORNBANK RD	25.14 %	Approved
41 THORNBANK RD	24.32 %	Approved
73 THORNBANK RD	23.39 %	Approved
16 ELMBANK RD	24.82 %	Approved
150 PARR PLACE	25.65 %	Approved
36 UPLANDS AVE	26.30 %	Approved
18 PARR PLACE	26.32 %	Approved
23 DONNA MAE CRES	27.99 %	Approved
45 DONNA MAE CRES	26.50 %	Approved
71 CALLAWAY CT	29.33 %	Approved

Variance: Side Yard Setback (2.5m minimum)		
Address	Metric	Decision
<b>69 THORNBANK RD</b>	2.09 m	
7 THORNBANK RD	2.31 m	Approved
73 THORNBANK RD	1.50 m	Approved
12 OAKBANK RD	2.04 m	Approved
18 ERICA RD (TO RETAINING WALL)	1.50 m	Approved
29 RIVERSIDE BLVD	1.82 m	Approved
14 RIVERSIDE BLVD	1.59 m	Approved
40 DONNA MAE CRES	1.38 m	Approved
8 ERICA RD	1.37 m	Approved
21 DONNA MAE CRES	1.20 m	Approved
69 GLENFORST DR	0.60 m	Approved