

Committee of Adjustment Minutes

Hearing Date: March 16, 2023

Time: 6:00 p.m.

DRAFT

*To obtain the audio/video recording of the minutes please email cofa@vaughan.ca.

In the event of technical difficulties an audio/video recording may not be available.

Committee Member & Staff Attendance

Committee Members:	Assunta (Sue) Perrella (Chair) Stephen Kerwin (Vice-Chair) Brandon Bell Jordon Kalpin Mark Milunsky
Secretary Treasurer: Administrative Coordinator in Attendance: Zoning Staff in Attendance: Planning Staff in Attendance:	Christine Vigneault Lenore Providence Faegheh Gholami Robert Simbana
Members / Staff Absent:	None

Disclosure of Pecuniary Interest

Member	Nature of Interest	
N/A	N/A	

Adoption of March 2, 2023, Minutes

Required Amendment	Page Number	
N/A	N/A	

Moved By: Vice Chair S. Kerwin Seconded By: Mark Milunsky

THAT the minutes of the Committee of Adjustment Meeting of Thursday, March 2, 2023, be adopted as circulated.

Motion Carried.

Adjournments / Deferrals from the March 16, 2023 Hearing

Item 6.2 – A001/23 (320 Milani Blvd) - Adjourned to (Monday) March 20 to accommodate statutory public notice requirements.

Item 6.9 - A246/22 (49 Nashville Road) – Adjourned to April 20 to permit time to address review comments.

Call for Items Requiring Separate Discussion

*Any item where the Committee, applicant /agent or public wish to speak or where there is relevant correspondence will be called for separate discussion.

The following items were confirmed by the Committee of Adjustment to **require** separate discussion:

Item:	File No:	Property
6.10	A309/22	12387 Weston Road, Vaughan
6.12	A320/22	341 Laurentian Boulevard, Maple

Item:	File No:	Property
6.15	A337/22	9 Bucks Place, Woodbridge
6.17	A340/22	272 Tansley Road, Thornhill

Approval of Items Not Requiring Separate Discussion

Item:	File No:	Property	
6.1	B002/23	9200 Weston Road, Vaughan	
6.3	A007/23	52 Thornridge Drive, Thornhill	
6.4	A010/23	Block 4, 65M 4761 (Huntington Road), Vaughan	
6.5	A011/23	Block 3, 65M 4761 (Huntington Road), Vaughan	
6.6	A012/23	Unit 1, Block 20 65M 4761 (140 Hartington Road), Vaughan	
6.7	A013/23	Block 19, 65M-4761 (162, 166, & 170 Hartington Street), Vaughan	
6.8	A017/23	27 Korda Gate, Vaughan	
6.11	A314/22	12 Centre Street, Thornhill	
6.13	A330/22	50 Deanna Court, Woodbridge	
6.14	A333/22	205 Old Humber Crescent, Kleinburg	
6.16	A339/22	10 Rainbow's End, Kleinburg	

Moved By: Member S. Kerwin Seconded By: Member Brandon Bell

THAT the above items **DO NOT** require separate discussion; and

THAT the items <u>not</u> requiring separate discussion be **APPROVED**, together with all recommended conditions of approval, as it is the opinion of the Committee that these applications meet all four tests under Section 45(1) of the Planning Act.

CARRIED

ITEM: 6.10	FILE NO.: A309/22
	PROPERTY: 12387 WESTON ROAD, VAUGHAN

File Manager: Christine Vigneault, Administrative Coordinator

Adjournment History: March 2, 2023

Address: 12387 Weston Rd. Vaughan

Applicant: Maryam Sayed

Agent: Sahand Homes Inc. (Shervin Farzam Behboudi & Donya Abasiliasi)

Purpose: Relief from the Zoning By-law is being requested to permit a proposed detached garage and wall mounted air conditioner.

The subject lands are zoned FD under Zoning By-law 001-2021, as amended.

#	Zoning By-law 001-2021	Variance requested
1	The minimum required rear yard setback for the Detached Garage is 7.5m. Section 13.3 table 13-3	To permit a minimum required rear yard setback for the detached garage of 1.20m.
2.	The minimum required interior side yard setback for the detached garage is 3.0m. Section 13.3 table 13-3	To permit a minimum interior side yard setback for the detached garage of 1.20m.
3	The maximum permitted encroachment for a wall mounted air conditioner on the detached garage is 0.60m into the required 3.0m interior side yard setback.	To permit a maximum encroachment of a wall mounted air conditioner on the detached garage of 2.4m into the required 3.0m interior side yard setback.

Public Correspondence *Public correspondence received and considered by the Committee				
Correspondence Name Address Date Summary Received (mm/dd/yyyy)				Summary
Public	Brijesh Patel	12331 Weston Road	03/01/2023	Letter in objection

Late Public Correspondence				
*	* Public Correspondence received after the correspondence deadline			
(D	(Deadline: Noon on the last business day prior to the scheduled hearing)			
Correspondence	Correspondence Name Address Date Summary			
Type Received			•	
(mm/dd/yyyy)				
None				

	Staff & Agency Correspondence (Addendum)	
	* Processed as an addendum to the Staff Report	
No	one	

Applicant Representation at Hearing:

Donya Abasiliasi, Sahand Homes Inc.

Persons Before the Committee:

The following persons appeared before the Committee of Adjustment in connection with Minor Variance Application A309/22:

Name	Position/Title	Address (Public)	Nature of Submission
Christine	Secretary		Secretary Treasurer reviewed the
Vigneault	Treasurer		proposal, confirmed public written submissions/deputations and recommended conditions of approval.
Donya Abasiliasi, Sahand Homes Inc.	Applicant Representation		Summary of Application Addressed public comments.

Brijesh Patel	Public	12331 Weston Road	Opposed to Application
		1,000	Concerns Raised: Damage to fence Construction of garage without a permit Adherence to By-laws
			Loss of Privacy
Dharmista Patel	Public	12331 Weston Rd	Opposed to Application
			Concerns Raised: Loss of trees
			 Damage to fence (during A/C installation)
			Opined variance not required due to size of property

The following points of clarification were requested by the Committee:

Committee Member:	Addressed to:	Point of Clarification:	
Chair A. Perrella	Applicant	Requested clarification on the necessity of the variances	
	Representation		
Chair A. Perrella	Planning	Requested clarification on conditions of approval.	
Chair A. Perrella	Planning	Requested clarification on tree removal process (without permit)	

Moved By: Vice Chair S. Kerwin

Seconded By: B. Bell

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended:

THAT Application No. A309/22 for 12387 Weston Road be **APPROVED**, in accordance with the drawings and plans submitted with the application and subject to the following conditions:

	SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL				
All co	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				
conse	ent from the respective department or ag	ency.			
#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION			
1	Development Planning	That the final Arborist Report and Tree Preservation Plan			
	Joshua.cipolletta@vaughan.ca	be approved to the satisfaction of the Development			
	Planning Department.				
2	Development Engineering Rex.bondad@vaughan.ca	The Owner / Applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca.			
3	Parks, Forestry and Horticulture Operations				

For the following Reasons:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into

March 16, 2023 Committee of Adjustment Hearing

consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

Motion Carried

Members Opposed: None Members Absent from Hearing: None

ITEM: 6.12 FILE NO.: A320/22 PROPERTY: 341 LAURENTIAN BLVD, MAPLE

File Manager: Lenore Providence, Administrative Coordinator

Adjournment History: None

Address: 341 Laurentian Blvd. Maple

Applicant: Sorina Benhas and Kaveh Hamzavi

Agent: Pool Craft (Olusola Egunjobi)

Purpose: Relief from the Zoning By-law is being requested to permit a proposed cabana.

<Insert variances/chart as per public notice>

Public Correspondence *Public correspondence received and considered by the Committee				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
	Susan Sigrist & Mark Hubbard	27 Matterhorn Road	03/02/2023	Letter of Objection

Late Public Correspondence					
*	* Public Correspondence received after the correspondence deadline				
(D	(Deadline: Noon on the last business day prior to the scheduled hearing)				
Correspondence	Correspondence Name Address Date Summary				
Type			Received	,	
.			(mm/dd/yyyy)		
None					

Staff & Agency Correspondence (Addendum) * Processed as an addendum to the Staff Report
None

Applicant Representation at Hearing:

Pool Craft (Olusola Egunjobi)

Persons Before the Committee:

The following persons appeared before the Committee of Adjustment in connection with Minor Variance Application A320/22:

Name	Position/Title	Address (Public)	Nature of Submission
Christine Vigneault	Secretary Treasurer		Secretary Treasurer reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.
Pool Craft (Olusola Eguniobi)	Applicant Representation		Summary of Application Address public letter

The following points of clarification were requested by the Committee: None

Moved By: Vice Chair S. Kerwin

Seconded By: B. Bell

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended:

THAT Application No. A320/22 for 341 Laurentian Blvd be **APPROVED**, in accordance with the drawings and plans submitted with the application and subject to the following conditions:

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 Rex.bondad@vaughan.ca	The Owner / Applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca.			

For the following Reasons:

andrew.swedlo@vaughan.ca

Parks, Forestry and Horticulture Operations

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

Motion Carried

Applicant is to acquire a Tree Protection

Permit from the Forestry division.

Members Opposed: None

Members Absent from Hearing: None

ITEM: 6.15 FILE NO.: A337/22 PROPERTY: 9 BUCK'S PLACE, WOODBRIDGE

File Manager: Pravina Attwala, Administrative Coordinator

Adjournment History: None

Address: 9 Buck's Pl. Woodbridge

Applicant: 2826765 Ontario Ltd.

Agent: Ian Robertson Design (Michael Grisch)

Purpose: Relief from the Zoning By-law is being requested to permit a proposed single-family

dwelling, swimming pool and circular driveway.

The subject lands are zoned RE(EN) – Estate Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.82 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021	Variance requested
1	A minimum interior side yard setback (east) of	To permit a minimum interior side yard setback
	7.7m is required. [Section 4.5, 7.2.2]	(east) of 4.8m
2	A minimum interior side yard setback (west) of	To permit a minimum interior side yard setback
	6.24m is required. [Section 4.5, 7.2.2]	(west) of 4.6m
3	A minimum front yard setback of 15.0 metres	To permit a minimum front yard setback of 13.9
	is required. [Section 4.5, 7.2.2]	metres.
4	A maximum building height of 9.5 metres is	To permit a maximum building height of 10.87
	permitted. [Section 4.5, 7.2.2]	metres.
5	A circular driveway shall not provide access to	To permit a circular driveway to access more
	more than one road. [Section 6.7.4]	than one road.
6	A swimming pool shall only be located in the	To permit a swimming pool to be located not in
	rear yard of a lot. [Section 4.21]	the rear yard.

Public Correspondence *Public correspondence received and considered by the Committee				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				

Late Public Correspondence * Public Correspondence received after the correspondence deadline (Deadline: Noon on the last business day prior to the scheduled hearing)				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None				

Staff & Agency Correspondence (Addendum)	
* Processed as an addendum to the Staff Report	
Department: Building Standards	
Nature of Correspondence: Zoning comments	
Date Received: March 8, 2023	
Department: Development Planning	
Nature of Correspondence: Planning comments	
Date Received: March 16, 2023	

Applicant Representation at Hearing:

Ian Robertson

Persons Before the Committee:

The following persons appeared before the Committee of Adjustment in connection with Minor Variance Application A337/22:

Name	Position/Title	Address (Public)	Nature of Submission
Christine	Secretary		Secretary Treasurer reviewed the
Vigneault	Treasurer		proposal, confirmed public written
			submissions/deputations and
			recommended conditions of approval.
Ian Robertson	Applicant		Summary of Application
Design	Representation		
(Michael Grisch)			

The following points of clarification were requested by the Committee: None

Moved By: Vice Chair S. Kerwin Seconded By: M. Milunsky

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended:

VARIANCE #1 for Application No. **A337/22** for 9 Buck's Place, Woodbridge be **REFUSED** as it is the opinion of the Committee that this variance fails to meet all four tests under Section 45(1) of the Planning Act

AND;

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended:

That **VARIANCES #2, #3, #4, #5, and #6** for Application No. **A337/22** for 9 Buck's Place, Woodbridge be **APPROVED**, in accordance with the drawings and plans submitted with the application and subject to the following conditions:

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION			
by wr It i	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. 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 (see condition chart below for contact). This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a				
	ilding Permit.				
1	Development Planning <u>Joshua.cipolletta@vaughan.ca</u>	That the final Compensation Planting Plan shall be amended to show the proposed pillars related to the front fence and all replacement tree plantings outside the drip line of the existing trees and shall be approved to the satisfaction of the Development Planning Department.			
2	Development Engineering Rex.bondad@vaughan.ca	The Owner / Applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final Lot Grading and/or Servicing Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca.			
3	Parks, Forestry and Horticulture Operations <u>zachary.guizzetti@vaughan.ca</u>	Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property.			
4	TRCA Kristen.Regier@trca.ca	 That the applicant provides the required fee amount of \$660.00 payable to the Toronto and Region Conservation Authority. That the applicant obtains a permit for the proposed works within the Regulated Area pursuant to Ontario Regulation 166/06. 			

For the following Reasons:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, these variances meet all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

Motion Carried

Members Opposed: None

Members Absent from Hearing: None

ITEM: 6.17 FILE NO.: A340/22 PROPERTY: 272 TANSLEY RD. THORNHILL

File Manager: Christine Vigneault, Administrative Coordinator

Adjournment History: None

Address: 272 Tansley Rd. Thornhill

Applicant: Batay Reena

Agent: Viji Hariharan

Purpose: Relief from the Zoning By-law is being requested to permit an excavated, covered porch to encroach into the required front yard setback. The front porch is being proposed as part of the construction of a single-family dwelling.

The subject lands are zoned R4(EN) and R5(EN) subject to the provisions of Exception 14.268 under Zoning By-law 001-2021, as amended.

#	Zoning By-law 01-2021 as amended	Variance requested
	None	

#	Zoning By-law 1-88 as amended	Variance requested
1	An excavated, covered porch is permitted to	To permit an excavated, covered porch to
	encroach 0.0 metres into the required front	encroach 1.8 metres into the required front yard
	yard setback. [Section 3.14]	setback.

Public Correspondence *Public correspondence received and considered by the Committee				
Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Public	Simon Du	6 Eddy Green Court	03/12/2023	Letter with concerns

	Late P	ublic Correspondenc	е	
* Public Correspondence received after the correspondence deadline				
(D	eadline: Noon on the las	t business day prior to the	e scheduled hea	aring)
Correspondence	Name	Address	Date	Summary
Type			Received	
			(mm/dd/yyyy)	
None				

	Staff & Agency Correspondence (Addendum) * Processed as an addendum to the Staff Report
None	

Applicant Representation at Hearing:

Viji Hariharan

Persons Before the Committee:

The following persons appeared before the Committee of Adjustment in connection with Minor Variance Application A340/22:

Name	Position/Title	Address (Public)	Nature of Submission
Christine	Secretary		Secretary Treasurer reviewed the
Vigneault	Treasurer		proposal, confirmed public written submissions/deputations and recommended conditions of approval.
Viji Hariharan	Applicant		Summary of Application
	Representation		Addressed public comments
Gary Gladstone	Public	272 Tansley Road, Thornhill	In Support of Application
Tamara Zalev	Public	272 Tansley Road, Thornhill	In Support of Application

Sol Fleising	Public	56 North Meadow Crescent	In Support of Application
Carla Beker	Public	49 Hetherington Cres.	In Support of Application
David Grabel	Public	23 Finlayson Court	In Support of Application

The following points of clarification were requested by the Committee: None

Moved By: Vice Chair S. Kerwin Seconded By: M. Milunsky

That in the matter of an application under Section 45(1) of the Planning Act, R.S.O. 1990, c.P13, as amended:

THAT Application No. A340/22 for 272 Tansley Road be **APPROVED**, in accordance with the drawings and plans submitted with the application and subject to the following conditions:

DEPARTMENT / AGENCY CONDITION(S) DESCRIPTION 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. 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 (see condition chart below for contact). 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. **Development Engineering** The Owner / Applicant shall submit the final Lot Rex.bondad@vaughan.ca 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 Permit prior to any work being undertaken on the property. Please visit the Grading Permit page at City of Vaughan website to learn how to apply for the Grading Permit. If you have any questions about Grading Permit, please contact the Development Engineering Department by email at DEPermits@vaughan.ca. 2. The Owner / Applicant shall contact the Development Inspection and Lot Grading Division of the Development Engineering Department at serviceconnections@vaughan.ca to apply (online portal or email) for the required service connections for the severed and retained lands as per the City's Design Criteria Standards, which must include the submission of a servicing and lot grading plan. The Development Inspection and Lot Grading Division will provide a cost estimate for the installation of the required services to the Owner/applicant. The Owner/applicant shall pay all applicable fee(s) including the servicing cost estimate and administrative fees to the Development Inspection and Lot Grading Division. The Owner/applicant shall then provide confirmation to the COA application engineering reviewer that the applicable fees have been paid. Note: The Owner / Applicant is strongly encouraged to initiate the service connection request as early as possible to allow sufficient time to complete the service connection application process. Please be advised there is an expiry timeline for the Owner / Applicant to initiate the service connection in order for the quoted estimate to remain valid. This will be noted by the Development Inspection and Lot Grading Division.

#	DEPARTMENT / AGENCY	CONDITION(S) DESCRIPTION
2	Parks, Forestry and Horticulture Operations andrew.swedlo@vaughan.ca	Applicant to acquire a Tree Removal/Protection Permit from the Forestry division.

For the following Reasons:

This application is approved, as it is the opinion of the Committee that, with the above noted conditions of approval, this application meets all four tests under Section 45(1) of the Planning Act.

Any and all written submissions relating to this application that were made to the Committee of Adjustment before its decision and any and all oral submissions related to this application that were made at a public hearing, held under the Planning Act, have been, on balance, taken into consideration by the Committee of Adjustment as part of its deliberations and final decision on this matter.

Motion Carried

Members Opposed: None

Members Absent from Hearing: None

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Other Business

None

Motion to Adjourn
Moved By: Vice Chair S. Kerwin Seconded By: B. Bell
THAT the meeting of Committee of Adjustment be adjourned at 6:53 p.m., and the next regular meeting will be held on March 20, 2023.
Motion Carried
March 16, 2023, Meeting Minutes to be approved at the April 20, 2023, Committee of Adjustment Hearing.
Chair:
Secretary Treasurer: