

	<b>COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A012/22</b>
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<b>AGENDA ITEM NUMBER: 3</b>	<b>CITY WARD #: 5</b>
<b>APPLICANT:</b>	Marina Shcolyar
<b>AGENT:</b>	Evans Planning Inc.
<b>PROPERTY:</b>	8 Campbell Ave, Thornhill
<b>ZONING DESIGNATION:</b>	The subject lands are zoned R2 9(275) and subject to the provisions of Exception under By-law 1-88 as amended The subject lands are zoned R2A(EN) – Second Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.140 under Zoning By-law 01-2021.
<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b> <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	B001/22 and A011/22
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to permit the construction of a proposed single family on the severed lands subject to B001/22.

**THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:**

\*Please see **Schedule B** of this report for a copy of Development Planning 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Recommend Approval w/Conditions
Building Standards (Zoning Review)	<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 Recieved to Date
Development Planning	<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 w/Conditions
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No Comments or Concerns
By-law & Compliance, Licensing & Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<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
Cover Letter	Evans Planning	8481 Keele Street, Unit 12	03/11/2022	Planning Justification

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
B37/94	04/28/1994	Approved by COA
A083/95	05/04/1995	Partially Approved by COA
A98/94	07/21/1994	Approved by COA

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  
A012/22**

**FILE MANAGER:** Adriana MacPherson, Administrative Coordinator - Committee of Adjustment

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<b>VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:</b>	Vaughan Official Plan 2010 ('VOP2010'): "Low-Rise Residential"
<b>RELATED DEVELOPMENT APPLICATIONS:</b> <small>*May include related applications for minor variance, consent, site plan, zoning amendments etc.</small>	B001/22 and A011/22
<b>PURPOSE OF APPLICATION:</b>	Relief from the Zoning By-law is being requested to to permit the construction of a proposed single family on the severed lands subject to B001/22.

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

**The subject lands are zoned R2A(EN) – Second Density Residential Zone (Established Neighbourhood) and subject to the provisions of Exception 14.140 under Zoning By-law 01-2021.**

#	Zoning By-law 01-2021	Variance requested
1	Where a lot in a Residential Zone is subject to the zone suffix "-EN" as shown on Schedule A, the following requirements shall apply: 1. The maximum building height shall be the least (more restrictive) of: a. The requirement of the applicable zone; or b. The existing building height plus 3.0 m, but in no case shall the maximum building height requirement be less than 8.5 m. (Section 4.5)	To permit the height of 8.84m for the new building.

**The subject lands are zoned R2 – Residential Zone and subject to the provisions of Exception 9(275) under Zoning By-law 1-88, as amended.**

	Zoning By-law 1-88	Variance requested
2	NA	NA

### HEARING INFORMATION

**DATE & TIME OF HEARING:** Thursday, April 14, 2022 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

#### PUBLIC PARTICIPATION

You can watch a live stream of the hearing at [Vaughan.ca/LiveCouncil](https://vaughan.ca/LiveCouncil)

If you wish to speak to the Committee of Adjustment on an application please complete and submit a [Request to Speak Form](#) to [cofa@vaughan.ca](mailto:cofa@vaughan.ca) by noon on the last business day prior to the hearing.

Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an

Application must be submitted by **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be emailed to [cofa@vaughan.ca](mailto:cofa@vaughan.ca)

[For more information, please visit the City of Vaughan website.](#)

INTRODUCTION	
Staff and Agencies act as advisory bodies to the Committee of Adjustment. The comments contained in this report are presented as recommendations to the Committee.	
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:	
That the general intent and purpose of the by-law will be maintained. That the general intent and purpose of the official plan will be maintained. That the requested variance(s) is/are acceptable for the appropriate development of the subject lands. That the requested variance(s) is/are minor in nature.	
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.	

COMMITTEE OF ADJUSTMENT COMMENTS		
Date Public Notice Mailed:	March 29, 2022	
Date Applicant Confirmed Posting of Sign:	March 29, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	In order to facilitate the construction of a detached dwelling in the retained lot, the frontage and area will both be deficient in relation lo the R2 Zone.	
Adjournment Requests (from staff): *Adjournment requests provided to applicant prior to issuance of public notice	None	
Was a Zoning Review Waiver (ZRW) Form submitted by Applicant:  *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.	No	
Adjournment Fees: 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.  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:	That Consent Application B001/22 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.	

BUILDING STANDARDS (ZONING) COMMENTS	
Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file Building Permit No. 88-000911 for In-Ground Pool (Sfd/Semi) - Wang Converted Record, Issue Date: Apr 13, 1988	
Other Comments: 1 The applicant shall be advised to confirm the variance in height. 2 The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule C for Development Planning Comments.	

DEVELOPMENT PLANNING COMMENTS	
Development Planning Recommended Conditions of Approval:	None

DEVELOPMENT ENGINEERING COMMENTS	
<p>As the proposed dwelling in the subject property is 106.6m2, 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.</p> <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 <a href="https://www.vaughan.ca/services/residential/transportation/roads/culvert_installation/Pages/default.asp">https://www.vaughan.ca/services/residential/transportation/roads/culvert_installation/Pages/default.asp</a> for more information.</p> <p>The variance application A011/22 and A012/22 shall be approved final and binding in conjunction with consent application B001/22.</p>	
Development Engineering Recommended Conditions of Approval:	<p>The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at DEPermits@vaughan.ca or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.</p> <p>The variance application A011/22 and A012/22 shall be approved final and binding in conjunction with consent application B001/22.</p>

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
<p>Parks: None</p> <p>Forestry: Forestry has submitted comments for file A011/22 in regards to tree removals on the subject site(s). Forestry has no additional comments at this time.</p> <p>Horticulture: None</p>	
PFH Recommended Conditions of Approval:	<p>Parks: None</p> <p>Forestry: None</p> <p>Horticulture: None</p>

DEVELOPMENT FINANCE COMMENTS	
No comment no concerns	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments	
BCLPS Recommended Conditions of Approval:	No comments

BUILDING INSPECTION (SEPTIC) COMMENTS	
No response	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No response	
Fire Department Recommended Conditions of Approval:	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	Committee of Adjustment <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	That Consent Application B001/22 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.
2	Development Engineering <a href="mailto:farzana.khan@vaughan.ca">farzana.khan@vaughan.ca</a>	<p>The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact the Development Engineering Department through email at <a href="mailto:DEPermits@vaughan.ca">DEPermits@vaughan.ca</a> or visit <a href="https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx">https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx</a> to learn how to apply for lot grading and/or servicing approval.</p> <p>The variance application A011/22 and A012/22 shall be approved final and binding in conjunction with consent application B001/22.</p>

IMPORTANT INFORMATION – PLEASE READ
<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.
<b>APPROVALS:</b> Making any changes to your proposal after a decision has been made may impact the validity of the Committee’s decision.
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.
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.
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.
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.
<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.
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.
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
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.
<b>NOTICE OF DECISION:</b> 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 <b>not</b> receive notice.

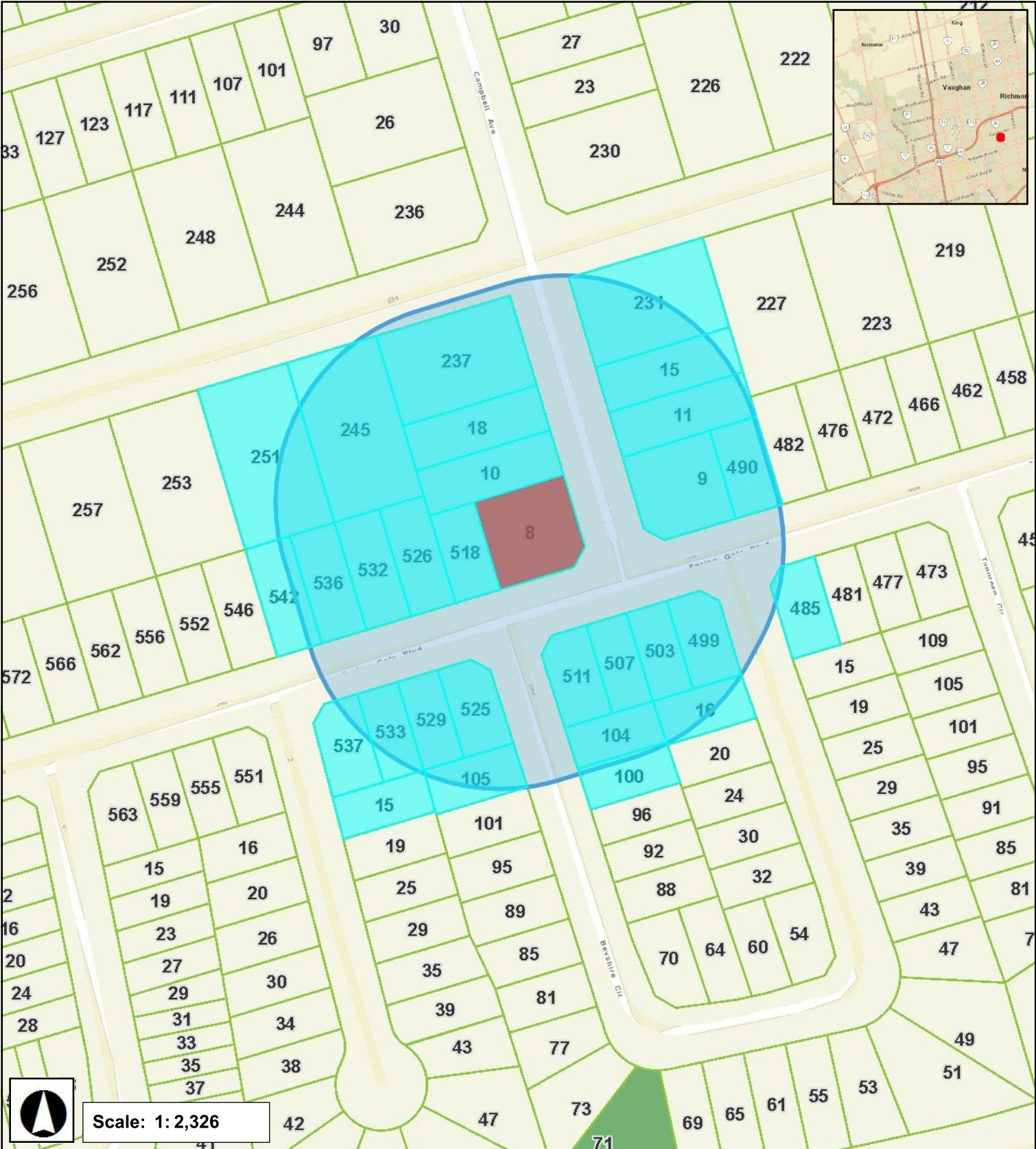


SCHEDULE A: DRAWINGS & PLANS



# B0011/22, A011/22, A012/22 - Notification Map

8 Campbell Avenue, Thornhill



Clark Avenue

March 25, 2022 8:11 AM







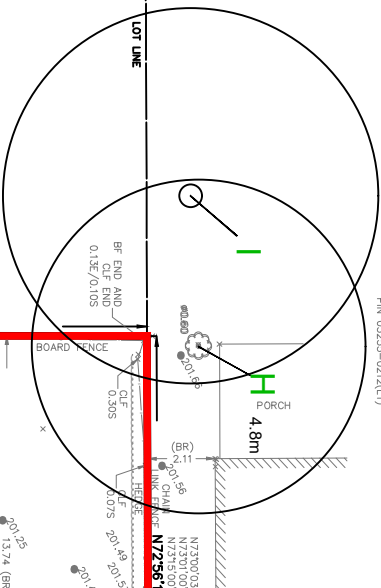
EXISTING RESIDENTIAL

LOT 52, REGISTERED PLAN 3715

PART 2, PLAN 65R-7427

PIN 03255-0212(LT)

No. 10  
CAMPELL AVENUE  
BRICK DWELLING  
2 STOREY  
ROOF=210.37



LOT 51,

REGISTERED

PLAN 65R-17114

LOT 51,

REGISTERED

PLAN 65R-17114

LOT 51,

REGISTERED

PLAN 65R-17114

LOT 51,

REGISTERED

PLAN 65R-17114

LOT 51,

REGISTERED

PLAN 65R-17114

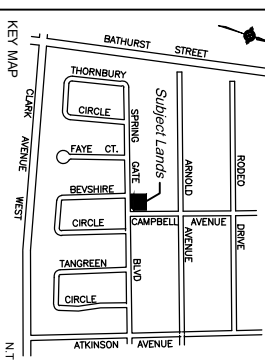
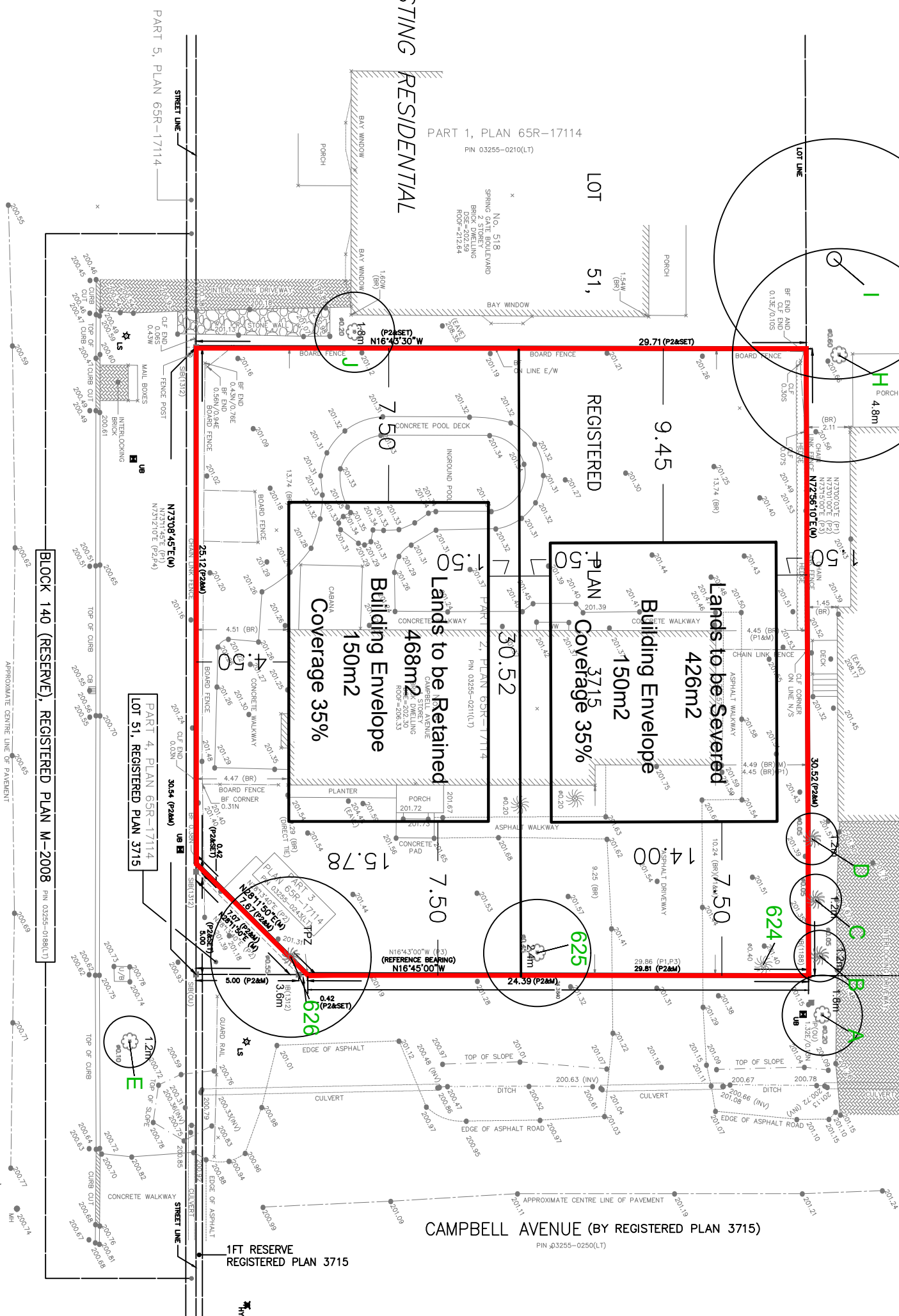
EXISTING RESIDENTIAL

PART 1, PLAN 65R-17114  
PIN 03255-0210(LT)

No. 51B  
SPRING 2 STOREY  
BRICK DWELLING  
ROOF=212.84

Lands to be Retained  
Building Envelope  
468m<sup>2</sup>  
Coverage 35%

Lands to be Severed  
Building Envelope  
426m<sup>2</sup>  
Coverage 35%



Subject Lands

Frontage	Area
14.00m	426m <sup>2</sup>
15.78m	468m <sup>2</sup>
29.78m	894m <sup>2</sup>

SEVERANCE PLAN

8 CAMPBELL AVENUE  
PART OF LOT 51  
REGISTERED PLAN 3715  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK

Scale:



METRIC  
DISTANCES SHOWN ON THIS PLAN ARE  
IN METRES AND CAN BE CONVERTED  
TO FEET BY DIVIDING BY 0.3048.

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
V-17856



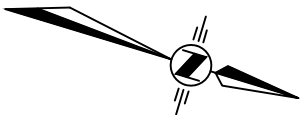
THIS PLANT IS NOT VALID  
UNLESS IT IS APPROVED  
AND SIGNED BY THE SURVEYOR  
ISSUED BY THE SURVEYOR  
IN ACCORDANCE WITH  
REGULATION 1026, SECTION 28(3).

LOT 52, REGISTERED PLAN 3715

PART 2, PLAN 65R-7427

PM 03255-0212(L1)

No. 10  
CAMPBELL AVENUE  
BRICK DWELLING  
DSE-203.03  
ROOF-210.37



SURVEYOR'S REAL PROPERTY REPORT  
PART 1) PLAN AND TOPOGRAPHIC DETAIL OF  
PART OF LOT 51  
REGISTERED PLAN 3715  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK  
SCALE 1:150  
VLADIMIR DOSEN SURVEYING, O.L.S.

NO PERSON MAY COPY, REPRODUCE, INSTITUTE OR ALTER THIS  
PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION  
OF VLADIMIR DOSEN, O.L.S.

LEGEND

- DENOTES SURVEY MONUMENT PLANTED
- DENOTES SURVEY MONUMENT FOUND
- IB DENOTES IRON BAR
- IP DENOTES IRON PIPE
- SIB DENOTES STANDARD IRON BAR
- M DENOTES MEASURED
- (1186) DENOTES C.A. SEXTON, O.L.S.
- (1312) DENOTES JOSEPH STEL, O.L.S.
- (OU) DENOTES ORIGIN UNKNOWN
- (P1) DENOTES PLAN 65R-7427
- (P2) DENOTES PLAN 65R-17114
- (P3) DENOTES REGISTERED PLAN 3715
- (P4) DENOTES REGISTERED PLAN M-2008
- Ø DENOTES DIAMETER/ROUND
- BF DENOTES BOARD FENCE
- BR DENOTES TIES TO BRICK
- CB DENOTES CATCH BASIN
- CLF DENOTES CHAIN LINK FENCE
- DSE DENOTES DOOR SILL ELEVATION
- HYD DENOTES FIRE HYDRANT
- INV DENOTES INVERT
- LS DENOTES LIGHT STANDARD
- MH DENOTES MAN HOLE
- UB DENOTES UTILITY BOX
- WW DENOTES WINDOW WELL
- DENOTES CONIFEROUS TREE
- DENOTES DECIDUOUS TREE

BENCHMARK NOTE:

ELEVATIONS SHOWN HEREON ARE GEODETIC AND  
ARE RELATED TO CITY OF VAUGHAN  
BENCHMARK No. 1-3, HAVING A  
PUBLISHED ELEVATION OF 174.950 METRES.

BEARING NOTE:

BEARINGS ARE ASTRONOMIC AND ARE  
DERIVED FROM THE WESTERLY LIMIT  
OF CAMPBELL AVENUE, AS SHOWN  
ON REGISTERED PLAN 3715, HAVING  
A BEARING OF N16°45'00"W.

THIS REPORT WAS PREPARED FOR  
PETROCOLD  
AND THE UNDERSIGNED ACCEPTS NO  
RESPONSIBILITY FOR USE BY  
OTHER PARTIES

PART 2) SURVEY REPORT

DESCRIPTION OF LAND:  
PART OF LOT 51, REGISTERED PLAN 3715, PM 03255-0211(L1),  
REGISTERED EASEMENTS AND/OR RIGHT OF WAYS:  
NONE.

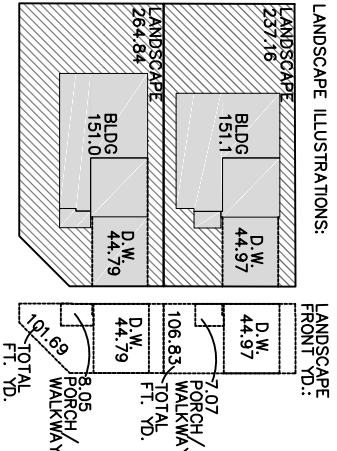
BOUNDARY FEATURES:  
POSITION OF FENCES AS SHOWN ON PLAN.  
COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS:  
THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING  
BY-LAWS.

LOT STATISTICS:

LOT # 1

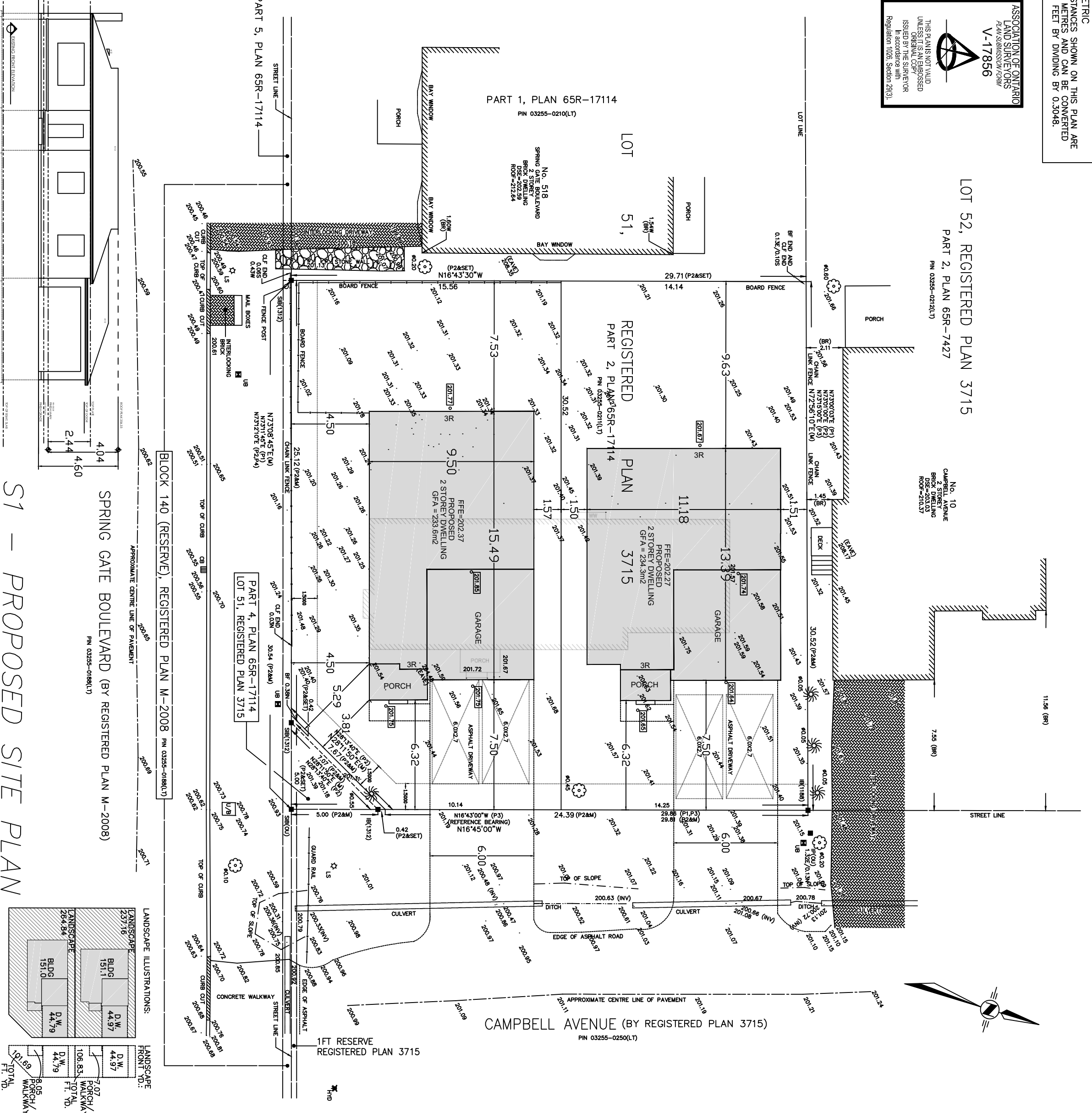
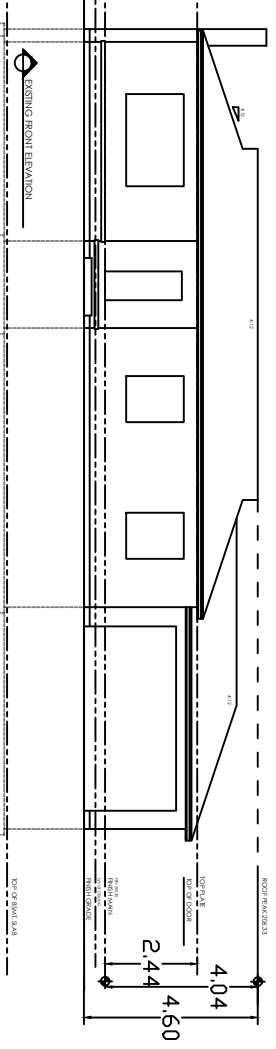
LOT # 2

LOT STATISTICS:	PROPOSED	LOT STATISTICS:	PROPOSED
ZONE =	433.23 m2	LOT AREA =	460.63 m2
LOT AREA:	14.29M	LOT FRONTAGE:	15.56M
LOT FRONTAGE:			
BUILDING AREA	106.6 m2	BUILDING AREA	105.3 m2
PORCH AREA	5.0 m2	PORCH AREA	6.4 m2
GARAGE AREA	39.5 m2	GARAGE AREA	39.5 m2
TOTAL BUILDING AREA	151.1 m2	TOTAL BUILDING AREA	151.0 m2
LOT COVERAGE	34.8 %	LOT COVERAGE	32.7 %
FRONT YARD SETBACK	7.50M	FRONT YARD SETBACK	7.50M
SIDE YARD SETBACK	1.50M	SIDE YARD SETBACK	1.50M
REAR YARD SETBACK	9.63M	REAR YARD SETBACK	7.53M
BUILDING HEIGHT (MID-POINT)	8.941M	BUILDING HEIGHT (MID-POINT)	9.07M
EXISTING BLDG HEIGHT (PEAK)	4.62M	EXISTING BLDG HEIGHT (PEAK)	4.62M
GFA STATISTICS:		GFA STATISTICS:	
ALL FLOORS (EXCL. BSM1)	106.6 m2	ALL FLOORS (EXCL. BSM1)	106.6 m2
GROUND FL. AREA:	137.4 m2	GROUND FL. AREA:	137.4 m2
TOTAL GFA:	57.9%	TOTAL GFA:	234.3 m2
FRONT YARD LANDSCAPE %	85.8%	FRONT YARD LANDSCAPE %	85.8%
FT. YARD SOFT LANDSCAPE %	54.74%	FT. YARD SOFT LANDSCAPE %	57.4%
TOTAL YARD LANDSCAPE %		TOTAL YARD LANDSCAPE %	

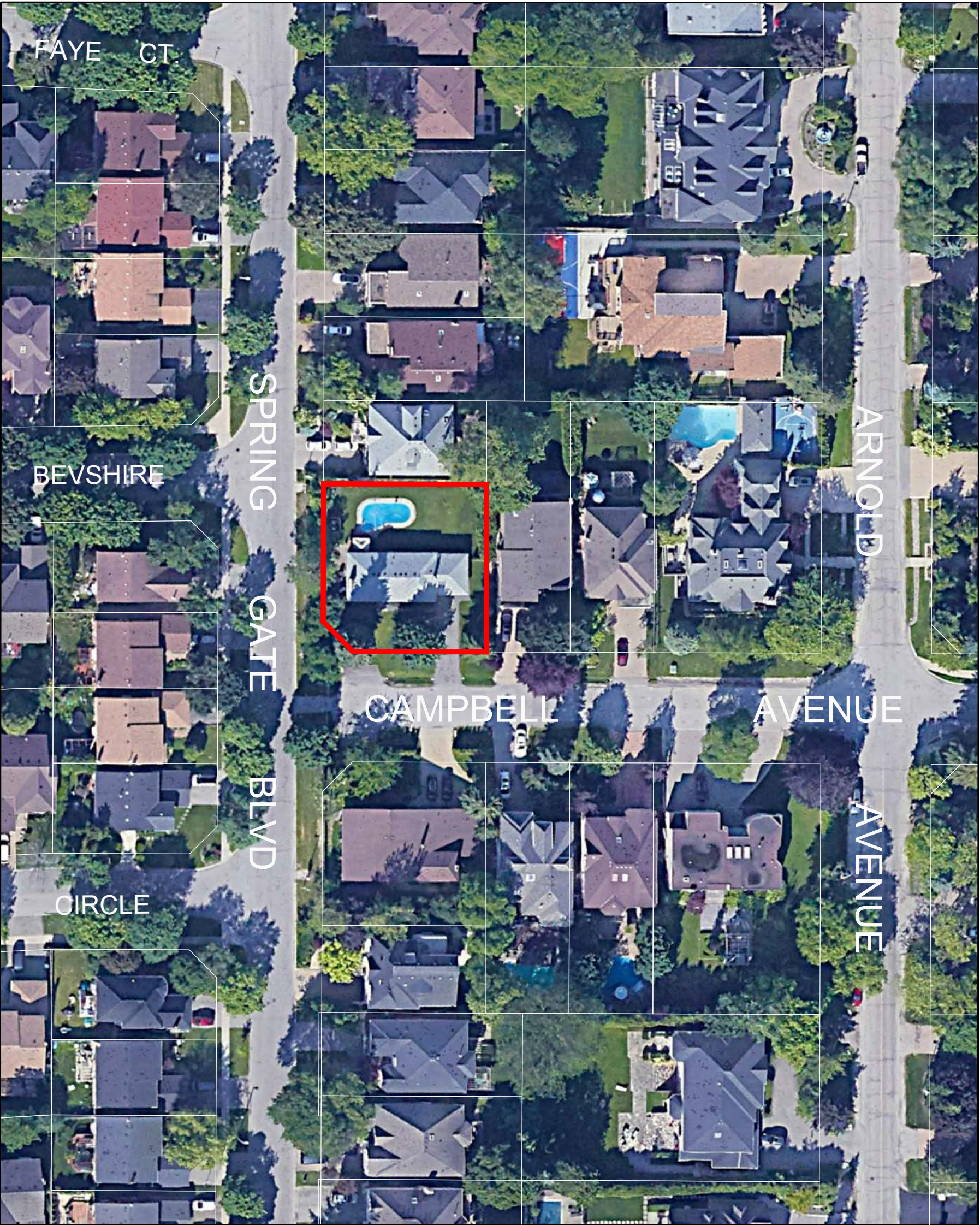


SPRING GATE BOULEVARD (BY REGISTERED PLAN M-2008)  
PIN 03255-0184(L1)

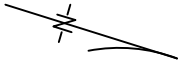
S1 - PROPOSED SITE PLAN







Subject Lands

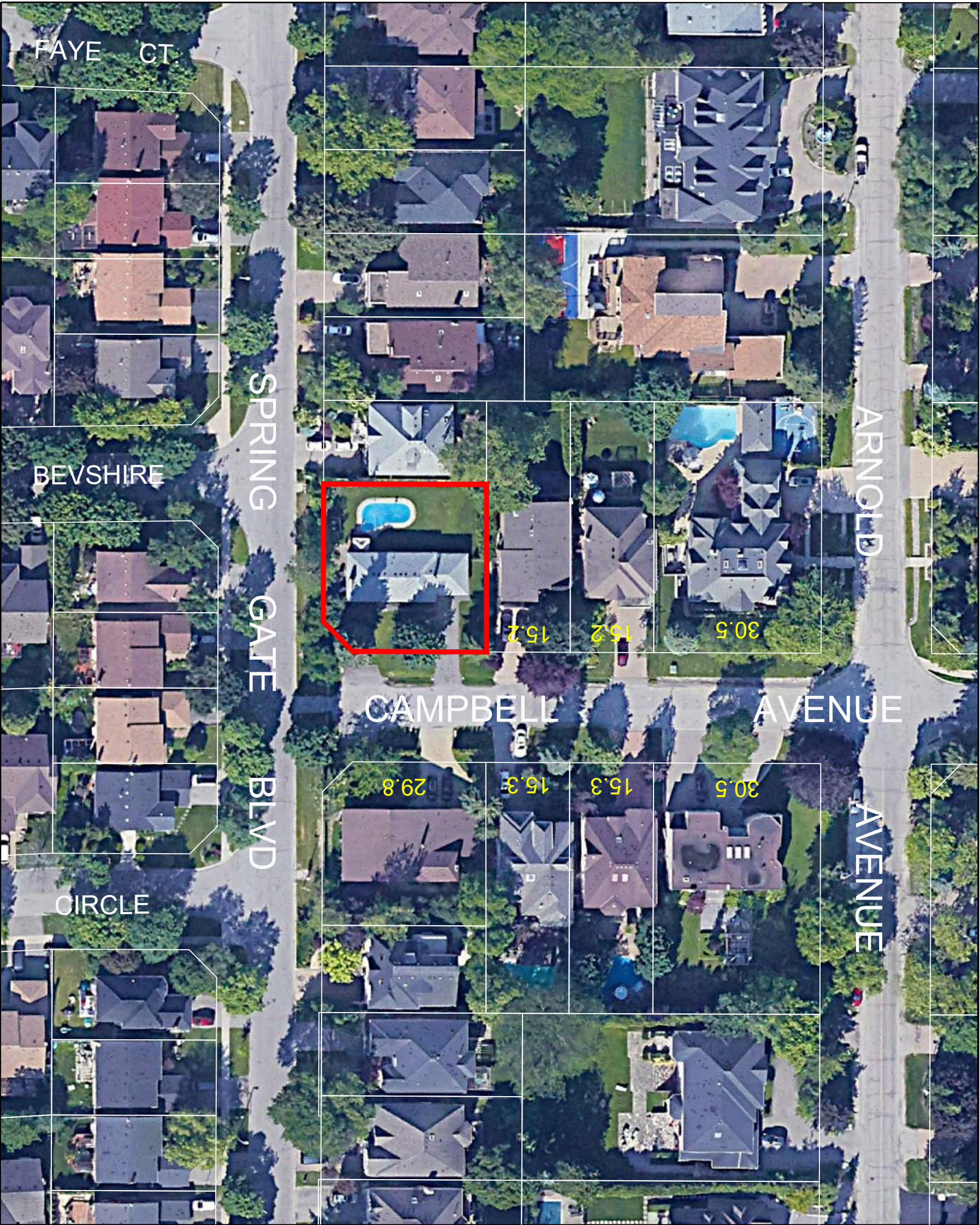


TAXID	
Block 1	
Block 2	
Block 3	
Block 4	
Block 5	

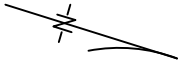
**CONTEXT MAP**  
8 CAMPBELL AVENUE  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK  
Scale (m)  
0 20 40 60

**ES** LAND SURVEYING  
9441 Keele Street  
Unit 10  
Vaughan, ON L4R 0A7  
Tel: (905) 709-8888  
Fax: (905) 709-8889  
www.eslandsurveying.com





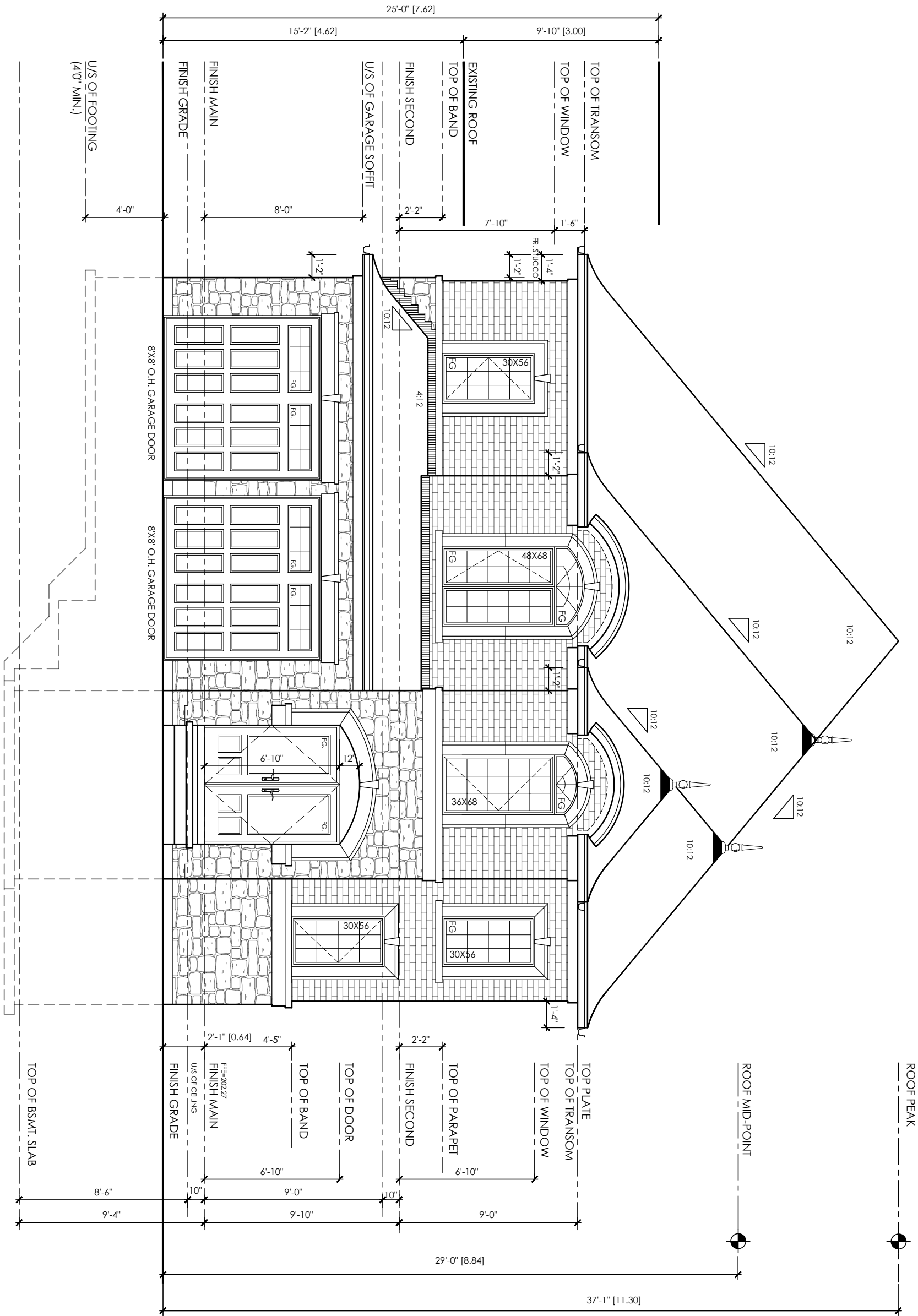
Subject Lands



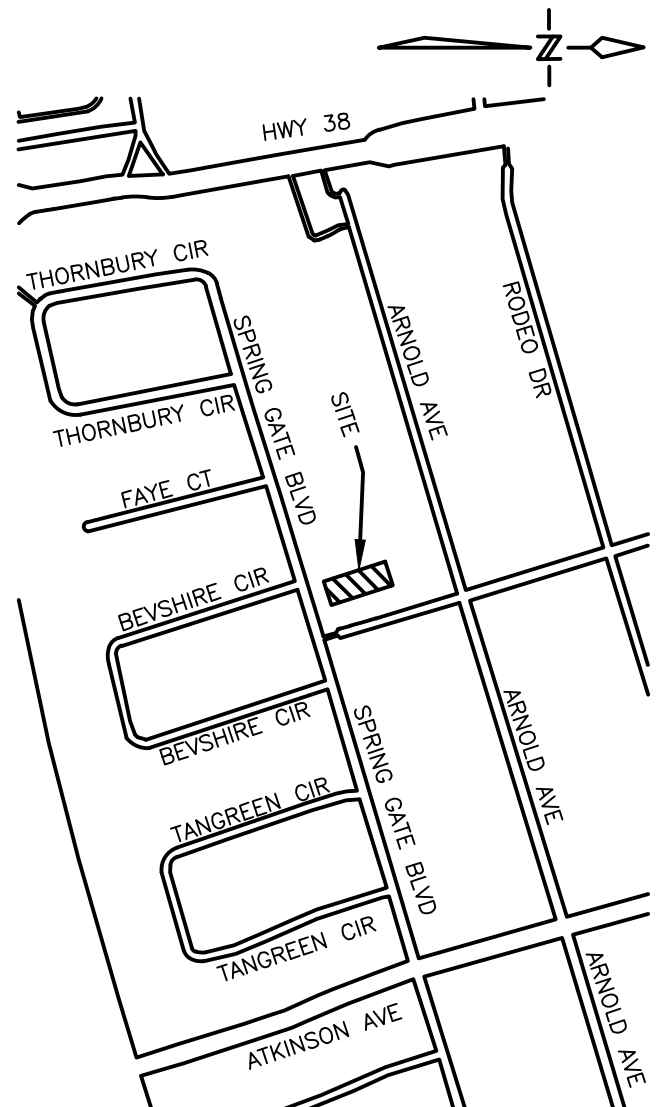
TAXID		
Block 1		
Block 2		
Block 3		
Block 4		

CONTEXT MAP  
8 CAMPBELL AVENUE  
CITY OF VAUGHAN  
REGIONAL MUNICIPALITY OF YORK  
Scale (m)  
0 20 40 60









KEY PLAN  
NOT TO SCALE

BENCH MARK  
ELEVATIONS SHOWN HEREON ARE GEODETIC AND RELATED TO CITY OF VAUGHAN BENCHMARK  
No. 1-3, HAVING A PUBLISHED ELEVATION OF 174.950 METRES.

DUST CONTROL MEASURES:

- A. PRE-GRADING PLANNING
1. THE SITE SERVING FOR THE SITE SHALL BE SCHEDULED SUCH THAT THE OVERALL TIME OF CONSTRUCTION SHALL BE MINIMIZED.
  2. THE TOPSOIL STOCKPILE (IF APPLICABLE) SHALL BE STABILIZED WITHIN 30 DAYS OF EXPOSURE TO THE ELEMENTS.
  3. THE CONTRACTOR SHALL APPLY WATER TO PAUL ROADS AND STOCKPILES (IF APPLICABLE) BY WAY OF WATER TRUCK.
  4. WITHIN AREAS WHERE EARTHWORKS AND/OR UNDERGROUND MUNICIPAL SERVICES IS EXPOSED, THE CONTRACTOR SHALL TAKE MEASURES TO PREVENT VISIBLE DUST EMISSIONS FROM EXTENDING MORE THAN 30m FROM THE POINT OF ORIGIN.
  5. THE ON-SITE SPEED LIMIT FOR CONSTRUCTION VEHICLES SHALL BE MINIMIZED AND TO BE USED IN CONJUNCTION WITH WATERING TO PREVENT VISIBLE DUST EMISSIONS.
  6. RESTRICTED ACTIVITIES DURING HIGH WIND PERIODS
  7. THE HIGH VIBRITY OF CRANES WORKS AND THE CLOSE PROXIMITY AND POPULATION DENSITY OF THE AREA SHALL BE TAKEN INTO CONSIDERATION.
  8. MECHANICAL STREET SWEEPERS OR FLUSHER TRUCK AT LEAST BY THE END OF THE WORK DAY MUST BE CLEANED UP IMMEDIATELY, MORE THAN 15m ALONG A PAVED PUBLIC ROADWAY, IMPROVING AND EXPORTING OF MATERIALS ON AND OFF-SITE WILL BE SHUT DOWN DURING AND FOLLOWING INCLEMENT WEATHER UNTIL THE ROAD SURFACES HAVE BEEN CLEANED.

SEDIMENT CONTROL CONSTRUCTION SCHEDULE

1. INSTALL PERIMETER ENVIRONMENTAL FENCE AND CONSTRUCTION VEHICLE ACCESS.
2. EXCAVATE PERIMETER SWALES AND SEDIMENT POND AS REQUIRED.
3. FENCE SITE AND POST-GRADING AND REMOVE OFF-SITE OR STOCKPILE AND PROVIDE ENVIRONMENTAL FENCE.
4. INSTALL MINOR STORM SEWER SYSTEM ALONG WITH OTHER SERVICES.
5. INSTALL CATCHBASIN FILTRATION ON ALL CATCHBASINS AND CATCHBASIN.
6. SEDIMENT CONTROL MEASURES ARE TO BE MAINTAINED UNTIL ALL AREAS OF THE SITE HAVE BEEN STABILIZED WITH SOD OR ASPHALT.

PERIMETER ENVIRONMENTAL FENCE  
DIRECTION OF OVERLAND FLOW  
CATCHBASIN FILTRATION

NO.	DATE	REVISION	BY

8 CAMPBELL AVENUE

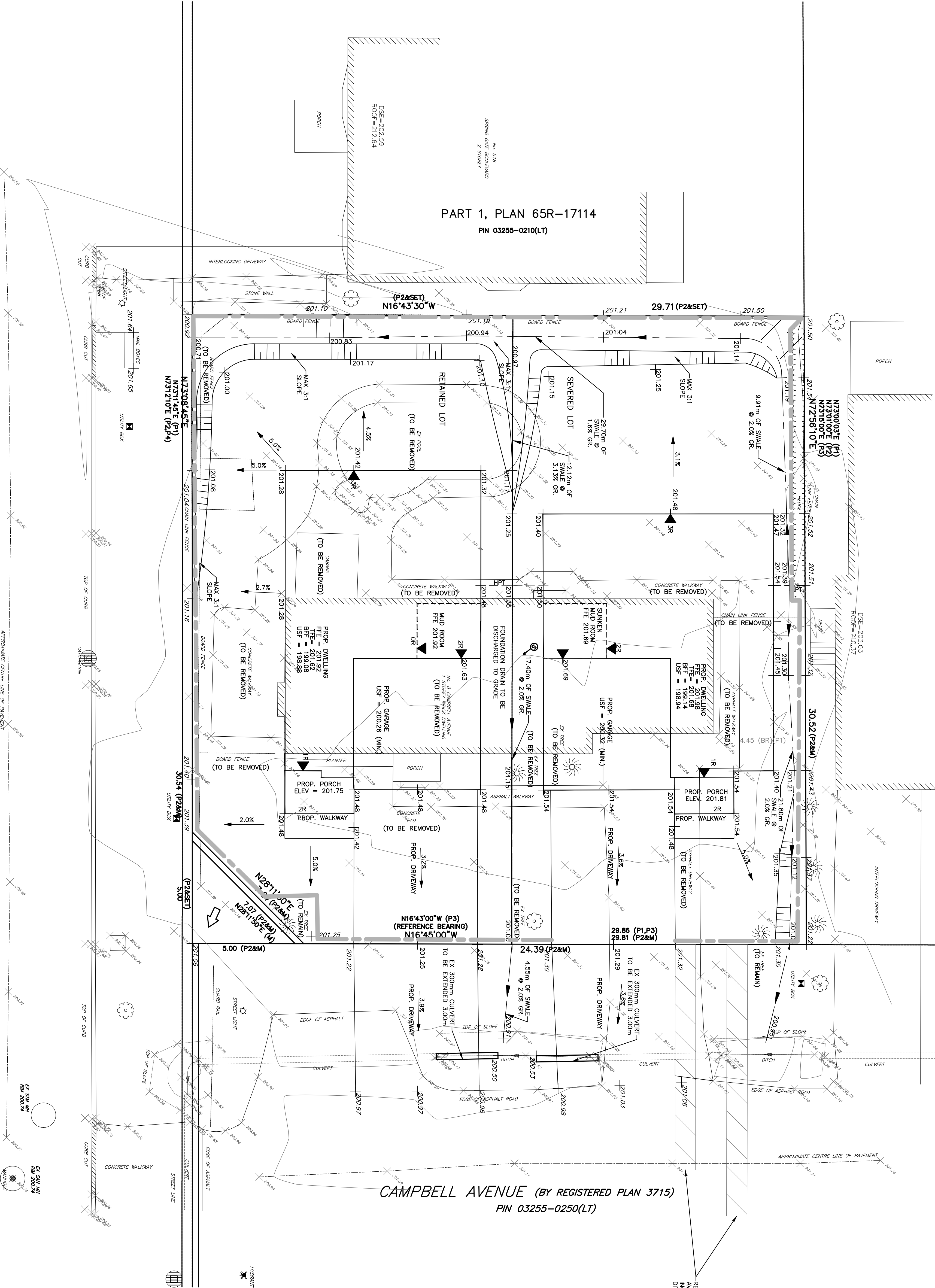
EROSION AND SEDIMENT  
CONTROL PLAN

**D.G. Biddle & Associates Limited**  
consulting engineers and planners  
96 KING STREET EAST, OSHAWA ON L1H 3B6  
PHONE: (905) 576-9730  
info@dbiddle.com

SCALE: 1:100	PROJECT NO. 121136
DRAWN BY: M.A.N.	DRAWING NO.
DESIGN BY: J.S.W.	
CHECKED BY: R.M.L.	
DATE: DECEMBER 2021	



PART 1, PLAN 65R-17114  
PIN 03255-0210(LT)



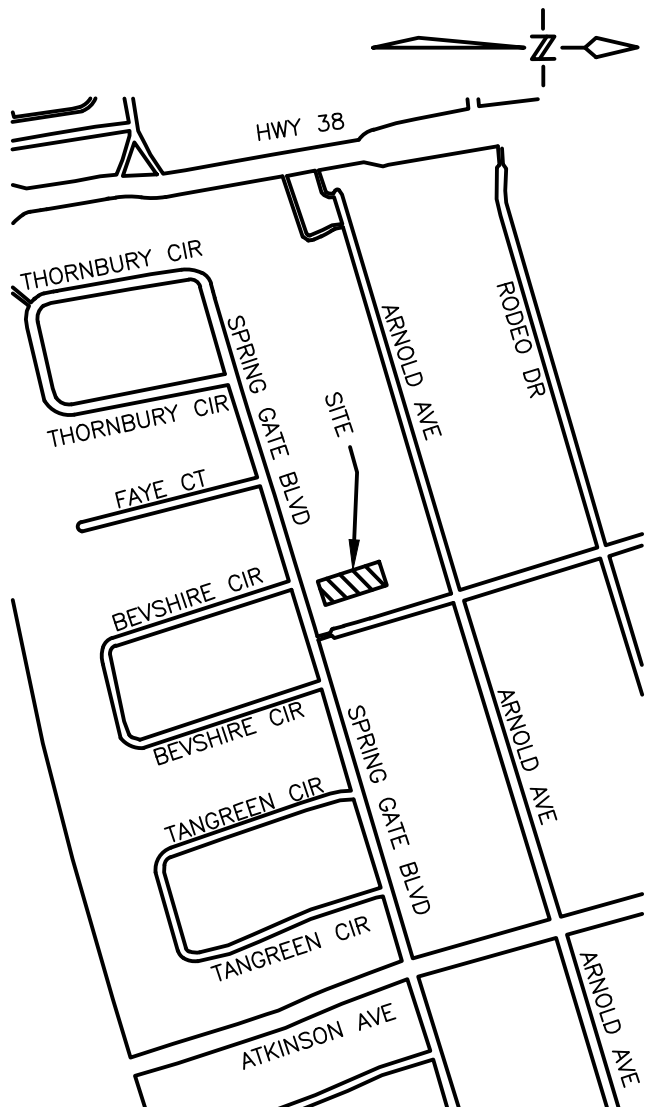
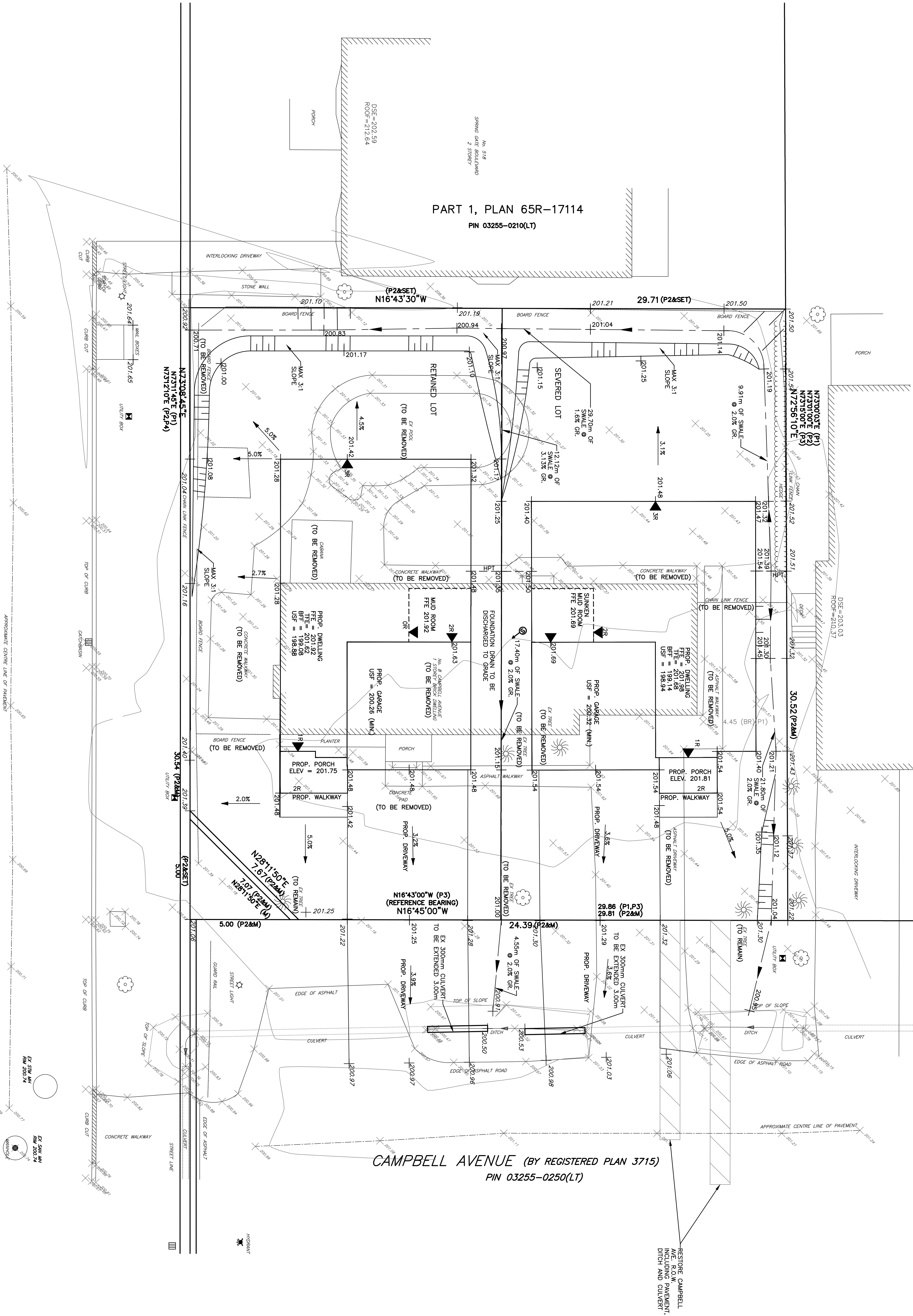
CAMPBELL AVENUE (BY REGISTERED PLAN 3715)  
PIN 03255-0250(LT)

RESTORE CAMPBELL  
AFTER ROAD PAVEMENT,  
DITCH AND CULVERT

SPRING GATE BOULEVARD (BY REGISTERED PLAN W-2008)  
PIN 03255-0188(LT)

PRELIMINARY  
NOT FOR CONSTRUCTION





BENCH MARK  
ELEVATIONS SHOWN HEREON ARE GEODETIC AND RELATED TO CITY OF VAUGHAN BENCHMARK  
No. 1-3, HAVING A PUBLISHED ELEVATION OF 174.950 METRES.

SITE GRADING NOTES

1. A ROAD OCCUPANCY PERMIT WILL BE REQUIRED FOR ANY WORKS WITHIN THE MUNICIPAL RIGHT OF WAY.
2. ALL WORKS OR RESTORATION WITHIN THE MUNICIPAL RIGHT OF WAY SHALL BE COMPLETED AS PER MUNICIPAL FIELD STAFF DIRECTION.
3. ALL DISTURBED AREAS SHALL BE RESTORED TO ORIGINAL CONDITION AND SERVICES TO BE GIVEN ADVANCED NOTICE FOR STAKE OUT. THE CONSULTANT ASSUMES NO RESPONSIBILITY FOR THE ACQUISITION OF THE UTILITIES SHOWN ON THE DRAWINGS.
4. TO ORDERING MATERIALS OR COMMENCING CONSTRUCTION BY THE CONTRACTOR PRIOR TO THE DRAWINGS.
5. ALL SLOPES SHALL BE CONSTRUCTED AT 3:1 (MAXIMUM) UNLESS OTHERWISE NOTED ON THE DRAWINGS.
6. ALL SWALES SHALL BE CONSTRUCTED WITH 2% MINIMUM GRADE UNLESS OTHERWISE NOTED.
7. ALL SLOPES, SWALES AND OPEN SPACE AREAS SHALL BE SOODED ON A MINIMUM OF 150mm OF TOPSOIL.
8. ALL DISTURBED AREAS WITHIN ADJUTING MUNICIPAL RIGHT OF WAYS SHALL BE SOODED ON A MINIMUM OF 150mm OF TOPSOIL.

**D.G. Biddle & Associates Limited**  
consulting engineers and planners  
96 KING STREET EAST, OSHAWA ON L1H 3B6  
PHONE (905) 576-9730  
info@dbiddle.com

PROJECT NO.	121136
SCALE:	1:100
DRAWN BY:	M.A.N.
DESIGN BY:	J.S.W.
CHECKED BY:	R.M.L.
DATE:	DECEMBER 2021







SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Ministry of Transportation (MTO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
Region of York	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Alectra	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	General Comments
Bell Canada	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Comments Recieved to Date
YRDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
YCDSB	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CN Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
CP Rail	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TransCanada Pipeline	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Metrolinx	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Propane Operator	<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

**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, 03-9), attached
- Canadian Standards Association, latest edition (Basic Clearances)

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

Stephen Cranley, C.E.T

Mitchell Penner

Supervisor, Distribution Design, ICI & Layouts (North)  
**Phone:** 1-877-963-6900 ext. 31297

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

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

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

## Adriana MacPherson

---

**Subject:** FW: [External] RE: City of Vaughan Request for Comments: A012/22 (8 Campbell Ave, Vaughan)

---

**From:** Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

**Sent:** March-25-22 11:00 AM

**To:** Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

**Cc:** Committee of Adjustment <CofA@vaughan.ca>

**Subject:** [External] RE: City of Vaughan Request for Comments: A012/22 (8 Campbell Ave, Vaughan)

Good morning Adriana,

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

*Gabrielle*

**Gabrielle Hurst mcip rpp** | Programs and Process Improvement | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | [gabrielle.hurst@york.ca](mailto:gabrielle.hurst@york.ca) | [www.york.ca](http://www.york.ca)

## Adriana MacPherson

---

**Subject:** FW: [External] RE: City of Vaughan Request for Comments: A012/22 (8 Campbell Ave, Vaughan)

---

**From:** York Plan <yorkplan@trca.ca>

**Sent:** March-23-22 8:14 AM

**To:** Adriana MacPherson <Adriana.MacPherson@vaughan.ca>

**Cc:** Hamedeh Razavi <Hamedeh.Razavi@trca.ca>

**Subject:** [External] RE: City of Vaughan Request for Comments: A012/22 (8 Campbell Ave, Vaughan)

TRCA wishes to confirm that it has **no interests or concerns with the above noted application.**

Based on a review of our available mapping, the subject property is not within TRCA's Regulated Area. As such, a permit from TRCA pursuant to Ontario Regulation 166/06 would not be required for any development or site alteration on the property. Furthermore, the site is not within the Well Head Protection Area for Quantity control (WHPA-Q2) per the Source Protection Plan, so no water balance would be required.

Should further clarification be required, please contact me at your convenience.

**Mark Howard, BES, MLA, MCIP, RPP**

Senior Planner – Vaughan Review Area

Development Planning and Permits | Development and Engineering Services

Toronto and Region Conservation Authority (TRCA)

T: [\(416\) 661-6600](tel:4166616600) ext 5269

E: [mark.howard@trca.ca](mailto:mark.howard@trca.ca)

A: [101 Exchange Avenue, Vaughan, ON, L4K 5R6](https://www.trca.ca/101-Exchange-Avenue-Vaughan-ON-L4K-5R6) | [trca.ca](https://www.trca.ca)



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

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

**Date:** April 14, 2022

**Name of Owner:** Marina Shcolyar

**Location:** 8 Campbell Avenue

**File No.(s):** B001/22, A011/22 & A012/22

---

**Proposal:**B001/22

The Owner has submitted Consent Application File B004/21 to facilitate the severance of a 426 m<sup>2</sup> northerly portion of the subject lands and retain a 468 m<sup>2</sup> southerly portion for the creation of two residential lots.

A011/22 (Severed Lands – Northerly Portion)*Proposed Variance(s) (By-law 01-2021):*

1. To permit a minimum lot frontage of 14 m.
2. To permit a minimum lot area of 426 m<sup>2</sup>.
3. To permit a maximum building height of 9 m.

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

1. Minimum required lot frontage is 15 m. [Section 7.2.3, Table 7-4]
2. Minimum required lot area is 450 m<sup>2</sup>. [Section 7.2.3, Table 7-4]
3. The maximum permitted building height is 8.5 m. [Section 4.5]

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

4. To permit a minimum lot frontage of 14 m.
5. To permit a minimum lot area of 426 m<sup>2</sup>.

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

4. Minimum lot frontage requirement is 15 m. [Schedule 'A']
5. Minimum required lot area is 450 m<sup>2</sup>. [Schedule 'A']

A012/22 (Retained Lands – Southerly Portion)*Proposed Variance(s) (By-law 01-2021):*

1. To permit the height of 8.84 m for the new building.

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

1. Where a lot in a Residential Zone is subject to the zone suffix “-EN” as shown on Schedule A, the following requirements shall apply:
  1. The maximum building height shall be the least (more restrictive) of:
    - a. The requirement of the applicable zone; or
    - b. The existing building height plus 3.0 m, but in no case shall the maximum building height requirement be less than 8.5 m. [Section 4.5]

**Official Plan:**

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

**Comments:**

The lands were previously subject to Committee of Adjustment Applications B037/ 94 and A098/04 which were approved on April 28, 1994, and July 21, 1994. The purpose of the applications was to permit the severance of 'Part A' (518 Spring Gate Blvd.) and retain 'Part B' (8 Campbell Avenue), along with increasing the maximum lot coverage to 37.5%.



B001/22

The Owner is proposing to demolish the existing 1-storey single-detached dwelling and sever the subject lands to develop two new single-detached dwellings, one on each the severed (northerly) and retained lands (southerly) with the above-noted variances. The severed lands propose a lot frontage of 14 m, a lot depth of 30.52 m and a lot area of 426 m<sup>2</sup>. The retained lands propose a lot frontage of 15.78 m, a lot depth of 30.52 m, and a lot area of 468 m<sup>2</sup>. The severed and retained lands will continue a consistent lot pattern along Campbell Avenue and establish setbacks that are compatible with other dwellings within the R2A and R2 Zone.

A011/22 Variances #1, 2, 4 & 5 – Lot Frontage and Area

The proposed severed lands will be deficient in lot frontage by 1 m and lot area by 24 m<sup>2</sup>, largely due to the subject lands having to previously convey an 5m-by-5m daylight triangle at the intersection of Campbell Avenue and Spring Gate Boulevard, associated with a condition of approval from a previous consent application File B037/94 associated with the creation of 518 Spring Gate Boulevard. As the proposed variances to lot area and frontage are considered minor reductions from the requirements of the By-laws, and the severed lands are reinforcing the existing lot pattern and setbacks in the area, the Development Planning Department has no objection to the proposed lot frontage and area.

A011/22 Variance #3 and A012/22 Variance #1 – Maximum Building Height

The increase in building height for both the proposed dwellings are considered minor increases and maintain the existing character of the neighbourhood. As such, the Development Planning Department has no objection to the proposed building heights.

In support of the application, the Owner submitted a Tree Inventory and Preservation Plan Report, prepared by Kuntz Forestry Consulting Inc., dated November 12, 2021. The Urban Design Division of the Development Planning Department has reviewed the report and have no comments.

Additionally, the Owner submitted a Planning Justification Brief dated November 26, 2021. The Development Planning Department has reviewed the brief and have no comments.

Accordingly, the Development Planning Department has no objection to the requested severance and is of the opinion that the proposal conforms to VOP 2010, and the consent criteria stipulated in Section 51(24) of the *Planning Act, R.S.O. 1990, c P.13*. The Development Planning Department is also of the opinion that the requested variances to both the severed and retained lands are minor in nature, maintain the general intent and purpose of the Official Plan and Zoning By-law, and are desirable for the appropriate development of the lands.

**Recommendation:**

The Development Planning Department recommends approval of the applications.

**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

Chris Cosentino, Senior Planner

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
Cover Letter	Evans Planning	8481 Keele Street, Unit 12	03/11/2022	Planning Justification



March 11, 2022

City of Vaughan  
Committee of Adjustment  
2141 Major Mackenzie Drive  
Vaughan, Ontario  
L6A 1T1

Attn: Adriana MacPherson, Administrative Coordinator

Dear Adriana MacPherson,

RE: Applications for Consent and Minor Variance - Addendum Letter  
B001/22A011/22, A012/22  
Marina Scholyar  
8 Campbell Avenue  
City of Vaughan

Evans Planning acts on behalf of Marina Scholyar, the owner of the property located at 8 Campbell Avenue in the City of Vaughan (the subject property). This letter has been prepared to clarify and amend the variances requested for applications A011/22, A012/22 and B001/22, to reflect additional relief required from the newly approved Citywide Comprehensive By-law 001-2021, as confirmed by City Staff during the process of their Zoning Review process.

The subject property is located at the north-east corner of Spring Gate Boulevard and Campbell Avenue, Thornhill. Our Client intends to sever the lands to create two new detached lots. To facilitate the requested variance, it is necessary to seek relief from the By-law with respect to lot area and lot frontage. Further, we herewith amend the requested variances to include relief from the maximum building height provisions of By-law 001-2021.

A table outlining the requested Variances can be found as appendix 1 to this letter, but are summarized as follows:

- Application A011/22-Retained Lot , Lot 1:
  - By-law 1-88, Schedule A - Minimum Lot Frontage: 15 metres required, whereas 14 metres is requested

- By-law 1-88, Schedule A - Minimum Lot Area: 450 metres squared is required, whereas 420 metres squared is requested
  - By-law 001-2021, Section 7.2.3, Table 7-4 – Minimum Lot Frontage: 15 metres is required, whereas 14 meters is requested
  - By-law 001-2021, Section 7.2.3, Table 7-4 – Minimum Lot Area: 450 metres squared is required, whereas 420 metres squared is requested
  - By-law 001-2021, Section 7.2.3 Table 7-4, Section 4.5.1 - Maximum Building Height: 8.5 metres permitted, whereas 9 meters is requested
- Application A012/22-Severed Lot , Lot 2:
    - By-law 001-2021, Sec. 7.2.3 Table 7-4, Sec. 4.5.1 - Maximum Building Height: 8.5 metres permitted, whereas 9.5 meters is requested

Our opinion remains that the proposed Variances would be minor in nature, are desirable, maintain the intent of the City of Vaughan Official Plan and Zoning By-laws 1-88 and 001-2021. In our opinion, the requested Consent and Minor Variances constitute good planning.

To assist with your review of the applications, the following materials are provided for your review:

- Updated Drawing Set for Application A011/22
- Updated Drawing Set for Application A012/22
- Summary Table of Variances Requested (**Appendix 1**)

I trust that these materials should be sufficient for your review. Should you require any additional information or materials, please contact the undersigned at your earliest convenience.

Yours truly,



David Mejia Monico

cc. Marina Scholyar, Punya Marahatta, Farzana Khan

**Summary Table - Variances Requested - Appendix 1**

File Number – Retained/Severed Lot – Site Plan Lot Number	Requirement – Zoning By- law 1-88	<u>Variances requested – Zoning By-law 1-88</u>	Requirement – Zoning By-law 001-2021	<u>Variances requested – Zoning By-law 001-2021</u>	Buildings Proposed - Dimensions
A011/22 - Retained Lot - <b>Lot 1</b>	Min. Lot Area: 450.00 m <sup>2</sup>  Min. Lot Frontage: 15.0m  Max. Building Height: 9.5 m	<u>Min. Lot Area: 420 m<sup>2</sup></u>  <u>Min. lot Frontage: 14 m</u>	Min. Lot Area: 450.00 m <sup>2</sup>  Min. Required Lot Frontage: 15.0 m  Max. Building Height: 8.5 m	<u>Min. Lot Area: 420 m<sup>2</sup></u>  <u>Min. Lot Frontage: 14 m</u>  <u>Max. Building Height: 9 m</u>	Lot Area: 433 m <sup>2</sup>  Lot Frontage: 14.25  Building Height: 8.84 m
A012/22 - Severed Lot - <b>Lot 2</b>	Min. Lot Area: 450.00 m <sup>2</sup>  Min. Lot Frontage: 15.0m  Max. Building Height: 9.5 m	<u>No Variance Requested</u>	Min. Lot Area: 450.00 m <sup>2</sup>  Min. Lot Frontage: 15.0 m  Max. Building Height: 8.5 m	<u>Max. Building Height: 9.5 m</u>	Lot Area: 460.63 m <sup>2</sup>  Lot Frontage: 15.56 m  Building Height: 9.07 m



**SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND**

File Number	Date of Decision MM/DD/YYYY	Decision Outcome
B37/94	04/28/1994	Approved by COA
A083/95	05/04/1995	Partially Approved by COA
A98/94	07/21/1994	Approved by COA

COMMITTEE OF ADJUSTMENT  
(CONSENTS)

Address all Correspondence to the Secretary-Treasurer

**NOTICE OF DECISION**

Application No: B37/94  
C.94.37

Date of Decision: April 28th, 1994

Name: Lynn Wilcox  
Address: 8 Campbell Avenue,  
Thornhill, Ontario L4J 2J2

Property: Lot 51, Registered Plan 3715 (Part of Lot 29, Concession 1), municipally known as 8 Campbell Avenue.

The owner proposes to convey a parcel of land marked "A" on the attached sketch for residential purposes and retain the land marked "B" for residential purposes.

The above noted application was heard by the Committee of Adjustment on: April 28th, 1994.

It is the decision of the Committee that the consent to convey a parcel of land shown as "Subject Lands" on Schedule "A" attached hereto, be **APPROVED**, subject to the following conditions:

1. Payment to the City of Vaughan of a Tree Fee, if required, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the Treasury Department;
2. The applicant shall provide the City with an appraisal report and valuation of the subject land (land only) to be prepared by an accredited appraiser, if required. Payment of a Parkland Levy to the City in lieu of the deeding of land for park purposes shall be made. Said levy is to be 5% of the appraised market value of the subject land as of the day before the day of the giving of consent. Said levy shall be approved by the Manager of Real Estate. Payment shall be made by certified cheque only;
3. The applicant should pay to the City of Vaughan frontage charges on Spring Gate Boulevard as per the Runnymede Subdivision Agreement. Including interest, the amount due will be \$28,373.06. Payment shall be made by certified cheque only, if required, to the satisfaction of the Finance Department;
4. The applicant shall prepare a registered plan at its costs in order to lift the 0.3m road reserve for access onto Spring Gate Boulevard, if required, to the satisfaction of the Engineering Department;
5. The applicant shall convey to the City a 5.0m x 5.0m daylight triangle with a 0.3m reserve on the retained lands at the northwest corner of Campbell Avenue and Spring Gate Boulevard, if required, to the satisfaction of the Engineering Department. The applicant shall pay all costs associated with the preparation and registration of the registered plan, if required, to the satisfaction of the Legal Department;
6. A submission to the Secretary-Treasurer of written confirmation by the City of Vaughan that the subject land has frontage on a public road, if required, to the satisfaction of the Engineering Department;
7. Submission to the Secretary-Treasurer of three (3) white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;

Cont'd...

## NOTICE OF DECISION

File No. B37/94

Applicant: LYNN WILCOX

8. Upon fulfilling and complying with all of the above-noted conditions, and only if required, the Secretary-Treasurer of the Committee of Adjustment must be provided with three (3) copies of the Transfer/Deed of Land for the subject land to be stamped accordingly; or may provide a Certificate to the Applicant stating the Consent has been given in certain cases;
9. Prior to the issuance of a building permit, if required, the applicant shall fulfill and comply with all of the above noted consent conditions;
10. Pursuant to Section 53(20) of the Planning Act, the applicant shall have a period of one year from the date of the Committee of Adjustment giving Notice of the herein Decision to the Applicant to fulfill and comply with all of the (above-noted) conditions of Consent, if required, failing which the application for consent shall thereupon deem to be refused;

### PLEASE NOTE:

1. That the payment of the Regional Development Charge 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.
2. That the payment of the City Development Charge 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.
3. That the payment of the Education Development Charge 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.


Members concurring in this decision:

\_\_\_\_\_  
M. S. Panicali  
Chairman,

\_\_\_\_\_  
K. Fass,  
Member,

\_\_\_\_\_  
N. Pinto,  
Member,

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.

  
\_\_\_\_\_  
Dianne E.L. Grout, A.M.C.A.,  
Secretary-Treasurer  
City of Vaughan  
Committee of Adjustment

**BE ADVISED THAT:** A Certificate pursuant to Subsection 53 (21) of The Planning Act (RSO 1985, c.1) cannot be given until all conditions of consent have been fulfilled.

**Date of this notice was sent:** May 6th, 1994

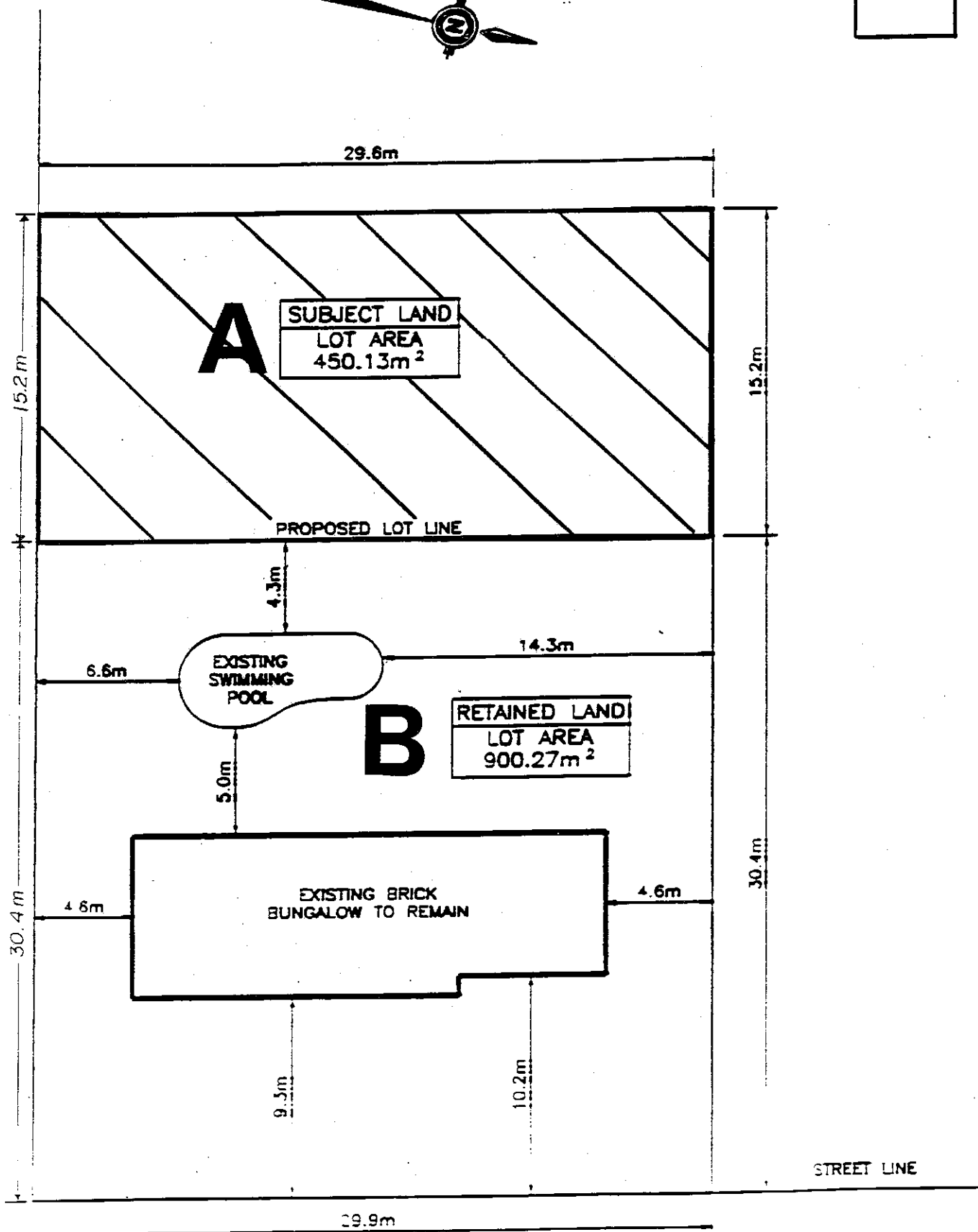
**The last date for appealing the decision is:** May 27th, 1994

**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 names of individual group members, and not in the name of the group.

B37/94  
LYNN WILCOX



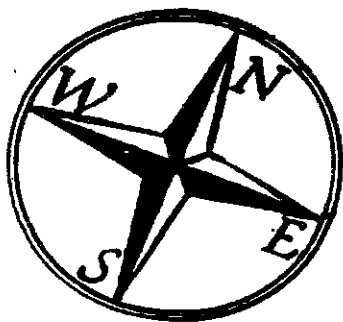
SPRING GATE BLVD



CAMPBELL AVENUE

CITY OF VAUGHAN

COMMITTEE OF ADJUSTMENT

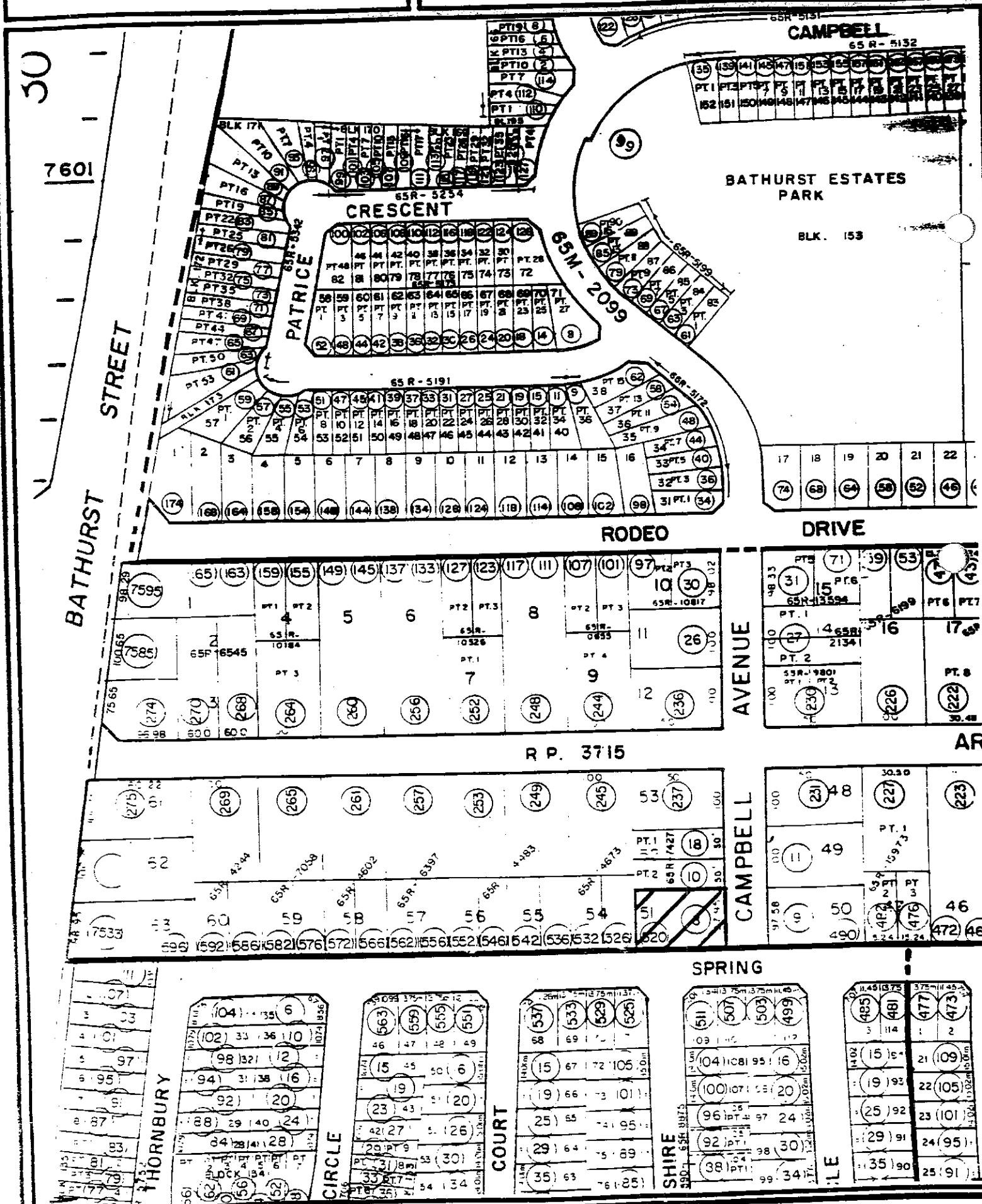


FILE NO : B 37/94

APPLICANT : LYNN WILCOX



SUBJECT AREA





2141 Major Mackenzie Drive  
Vaughan, Ontario  
Canada L6A 1T1  
Tel (416) 832-2281

COMMITTEE OF ADJUSTMENT  
(CONSENTS)

Address all correspondence to the Secretary-Treasurer

Please refer to the file number

B37/94

**NOTICE TO THE OWNER**

The Committee of Adjustment has approved your application for consent, subject to certain conditions.

A copy of the "notice of decision" is attached, together with relevant information concerning appeal of the decision.

If the decision is not appealed, you will receive a notice that it is "final and binding", in due course. It will be in order for you to fulfill the conditions of approval.

All conditions must be fulfilled before a Certificate can be issued by the Secretary-Treasurer certifying that consent has been given. These conditions must be fulfilled not later than the date set out in the decision.

The period for fulfilling conditions cannot be extended.

Although you may have appointed an agent to act on your behalf in the application, it is your responsibility, as owner, to ensure that all conditions are fulfilled in time. Failure to do so will result in the decision being deemed to have been refused, pursuant to subsection 53(20) of The Planning Act, and your application file will be closed.

**NO FURTHER NOTICE OF THE LAST DAY FOR FULFILLING CONDITIONS WILL BE GIVEN.**

Respectfully,

Dianne E. L. Grout, A.M.C.T.,  
Secretary-Treasurer  
City of Vaughan  
Committee of Adjustment





2141 Major Mackenzie Drive  
Vaughan, Ontario  
Canada L6A 1T1  
Tel (416) 832-2281

COMMITTEE OF ADJUSTMENT  
**(CONSENTS)**

TO: OWNER/AGENT/SOLICITOR  
SUBJECT: **Fulfilling Conditions of Consent**

Please Note:

1. The enclosed decision of the Land Division Committee is subject to an appeal period. Caution should, therefore, be exercised in fulfilling any conditions of consent prior to being notified in writing that no appeal has been taken against the decision and that the decision is final and binding. In this way, unnecessary costs will be avoided, should the decision be appealed.
2. The decision, including any conditions of approval set out, cannot be varied except as may be allowed by the Ontario Municipal Board, on appeal.

**PLEASE ALSO READ 11(B)**

COMMITTEE OF ADJUSTMENT  
(CONSENTS)

APPEAL OF DECISION - (Reference: Section 53 of The Planning Act)

- (7) The applicant, the Minister and every agency or other person to whom notice of the decision was sent may within thirty days of the making of the decision appeal to the Municipal Board against the decision by filing with the Secretary-Treasurer of the Committee of Adjustment, a notice of appeal setting out written reasons in support of the appeal and accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Board under The Ontario Municipal Board Act.\*
- (8) Where the applicant, the Minister or any agency or other person to whom notice of the decision was sent, is not satisfied as to the conditions or any of the conditions imposed by the Committee of Adjustment, he or she may within thirty days of the making of the decision appeal in respect of the conditions or any of the conditions by filing with the Secretary-Treasurer of the Committee of Adjustment, a notice of appeal specifying the condition or conditions appealed and setting out written reasons in support of the appeal, accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Board under The Ontario Municipal Board Act.\*
- (9) The Secretary-Treasurer of Committee of Adjustment upon receipt of a notice of appeal filed under subsection (7) or (8) shall forthwith forward the notice of appeal and the amount of the fee mentioned in subsection (7) or (8) to the Municipal Board by registered mail together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Board.
- (15) On an appeal to the Municipal Board under subsection (7) or where conditions are appealed under subsection (8), the Board shall hold a Hearing of which notice shall be given to such agencies or persons and in such manner as the Board may determine.
- (16) Despite subsection (15), the Municipal Board may, where it is of the opinion that the reasons in support of an appeal under subsection (7) or (8) are insufficient, dismiss the appeal without holding a full Hearing, but before so dismissing the appeal, shall notify the appellant and afford him an opportunity to make representations as to the merits of the appeal.
- (17) Following the Hearing on an appeal under subsection (7) the Municipal Board May make any decision that the Committee of Adjustment could have made on the original application and on a referral of conditions under subsection (8) the Board shall determine the question as to the condition or conditions referred to it.
- (18) Where under subsection (17) the decision of the Municipal Board is that a consent be given, the committee of Adjustment shall thereupon give the consent, except that where conditions have been imposed the consent shall not be given until the Committee of Adjustment is satisfied that the conditions have been fulfilled.
- (19) Where the decision of the Committee of Adjustment on an application is to give a consent and there has been no appeal under subsection (7) or (8), the consent shall be given, except that where conditions have been imposed the consent shall not be given until the Committee of Adjustment is satisfied that the conditions have been fulfilled.
- (20) Where conditions have been imposed and the applicant has not, within a period of one year from the giving of the notice of decision, fulfilled the conditions, the application for consent shall thereupon be deemed to be refused.
- (21) When a consent has been given under this Section, the Secretary-Treasurer of the Committee of Adjustment shall give a certificate to the applicant stating that the consent has been given and the certificate is conclusive evidence that the consent was given and that the provisions of this Act leading to the consent have been complied with and that, despite any other provision of this act, the Committee of Adjustment had jurisdiction to grant the consent and after the Certificate no action may be maintained to question the validity of the consent.
- (22) A consent given under this Section lapses at the expiration of two years from the date of the certificate given under subsection (21), if the transaction in respect of which the consent was given is not carried out within the two-year period, by the Committee of Adjustment in giving the consent may provide for an earlier lapsing of the consent.
- \* \$125.00 for primary consent appeal, by cheque, payable to the Minister of Finance and \$25.00 for each related appeal.



2141 Major Mackenzie Drive  
Vaughan, Ontario  
Canada L6A 1T1  
Tel (416) 832-2281

COMMITTEE OF ADJUSTMENT  
(CONSENTS)

TO: OWNER/AGENT/SOLICITOR

Please refer to file number B37/94

SUBJECT: FULFILLMENT OF CONDITIONS OF APPROVAL

Please note carefully the following:

1. All conditions of approval must be fulfilled before a Certificate of Consent pursuant to subsection 21 of Section 50 of The Planning Act can be issued. Unnecessary delay in the issue of the Certificate can be avoided by observing the following procedures:

(a) CONDITIONS CONCERNING THE MUNICIPALITY IN WHICH THE SUBJECT LAND IS LOCATED:

Payment of lot levy, fees, deed for road widening requests for written advice, agreements, etc., must be forwarded directly to the Municipality, together with a request that a certificate that such conditions have been fulfilled, be forwarded to the Secretary-Treasurer (standard certificate forms have been provided to the Municipality for the purpose).

(b) CONDITIONS CONCERNING THE REGIONAL MUNICIPALITY OF YORK:

- (i) Deed for road widening - must forwarded directly to the Regional Solicitors,

62 Bayview Avenue,  
Box 147  
Newmarket, Ontario  
L3Y 3W3

together with necessary certification that the land described in the deed is free of all encumbrances. The deed must be accompanied by a white print of the deposited Reference Plan referred to in the deed.

- (ii) Payment of a Regional Development Charge is payable to the City of Vaughan and is to be deposited with the City Treasurer in accordance with the Development Charges Act and Regional By-law DC1-91-136.

- (iii) Water wells and private waste disposal systems - required information or requests for information must be submitted directly to the Regional Health Department,

22 Prospect Street  
Newmarket, Ontario  
L3Y 3S9

together with a request that the information required by the Committee be forwarded to the Secretary-Treasurer.

(c) CONDITIONS CONCERNING OTHER AGENCIES:

(i.e. Conservation Authorities, Ministry of Transportation and Communications, etc.) - requests for written advice, permits, etc., must be forwarded directly to the Agency concerned, together with a request that the information required by the Committee be forwarded to the Secretary-Treasurer.

PLEASE INCLUDE OWNER'S NAME AND APPLICATION NUMBER WITH ANY MATERIAL FORWARDED TO THE ABOVE MUNICIPALITIES AND AGENCIES.

2. It is the owner's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision not later than the date set out in the decision. Failure to do so will result in a lapse of the consent and the file will be closed. Time limits set out in the decision CANNOT be extended. NO FURTHER NOTICE WITH REGARD TO THE LAST DAY FOR FULFILLING CONDITIONS OF APPROVAL WILL BE GIVEN.

IMPORTANT NOTICE:

Examination of the document to which Certificate of Consent is to be affixed will not be commenced until all conditions of approval have been fulfilled and necessary documentation has been filed with the Secretary-Treasurer. The certificate cannot be issued the same day as the document is presented and/or all conditions have been fulfilled. It will be necessary to allow up to three (3) working days after all conditions have been fulfilled and documentation filed, for issue of the Certificate. The owner is cautioned not to make arrangements for completion of the transaction until the Certificate has been issued, in order to avoid possible inconvenience.

COMMITTEE OF ADJUSTMENT  
(VARIANCES)

**NOTICE OF DECISION**

**FILE NO: A98/94**

IN THE MATTER OF Subsection 45 (5) of the Planning Act, S.O. 1983,  
c. 1, and

During the applicant's submission it was agreed to amend the application and Notice of Hearing to reflect the following..."the maximum lot coverage will be 37.5%..."

THEREFORE, IN THE MATTER OF an application by NAOMI SHRAM, with respect to property in Part of Lot 51 (Part A), Registered Plan 3715 (Part of Lot 29, Concession 1), municipally known as 520 Spring Gate Boulevard.

By-law 1-88 zones this parcel Residential Zone "R2".

The applicant is requesting a variance to permit the construction of a proposed two-storey, single family detached dwelling with an attached garage, notwithstanding, the maximum lot coverage will be 37.5% rather than the required 35.0%.

The Committee is of the opinion that the variance sought, and as amended, can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

That Application No. A98/94, NAOMI SHRAM, be APPROVED, as amended, subject to the following condition:

1. That if a Building Permit is not issued, based upon the decision of the Committee of Adjustment within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.

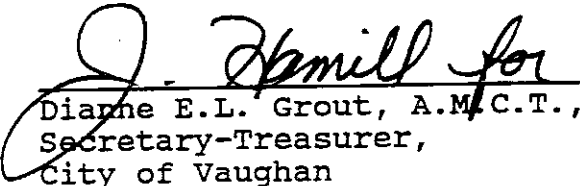
Members concurring in this decision:

\_\_\_\_\_  
M.S. Panicali,  
Chairman

\_\_\_\_\_  
R. De Vincenzo,  
Vice Chairman

\_\_\_\_\_  
N. Pinto,  
Member

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.

  
Dianne E.L. Grout, A.M.C.T.,  
Secretary-Treasurer,  
City of Vaughan  
Committee of Adjustment

cont'd...

## **NOTICE OF DECISION**

File No: A98/94

Applicant: NAOMI SHRAM

(cont'd.)

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DATE OF HEARING:

July 21st, 1994

LAST DATE OF APPEAL:

August 19th, 1994

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 names of individual group members, and not in the name of the group.

---

A98/94

SCHEDULE 'A'



STREET LINE

29.6m

SUBJECT LAND  
LOT AREA  
450.13m<sup>2</sup>

PART A

PROPOSED LOT LINE

4.3m

EXISTING SWIMMING  
POOL

6.6m

14.3m

RETAINED LAND  
LOT AREA  
900.27m<sup>2</sup>

5.0m

EXISTING BRICK  
BUNGALOW TO REMAIN

4.6m

4.6m

30.4m

9.3m

10.2m

STREET LINE

29.9m

SPRING GATE BLVD.

CAMPBELL AVENUE

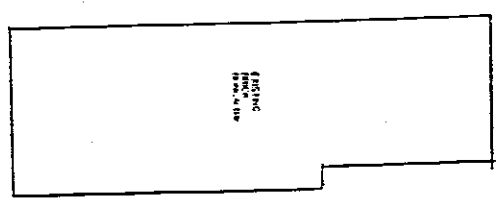
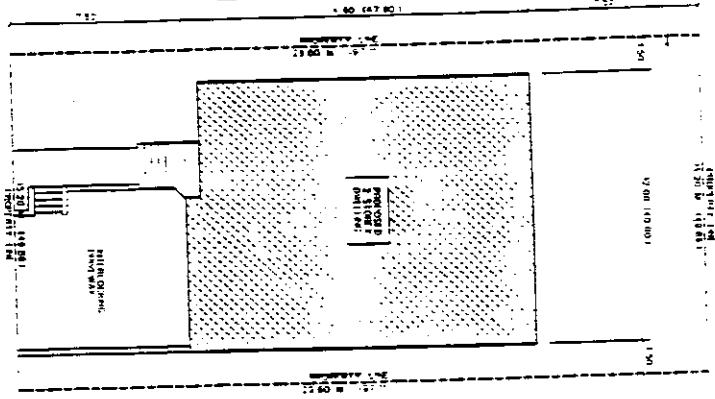
PROPOSED SEVERENCE OF LOT 51  
REGISTERED PLAN No. 3715  
CITY OF VAUGHAN

DATE: FEB. 1994

SCALE: 1:250

A98/94

# PART A



CAMPBELL AVE

1  
SITE PLAN  
SCALE 1" = 100'

BUILDING AREA CALCULATION			
LIVING AREA (FIRST FLOOR)	1911 SQ. FT.		
LIVING AREA (SECOND FLOOR)	1911 SQ. FT.		
TOTAL LIVING AREA	3822 SQ. FT.		

SITE AREA CALCULATION			
TOTAL LOT AREA	55,200 SQ. FT.		
PROPOSED BUILDING AREA	3822 SQ. FT.		
LOT ENVELOPE AREA			

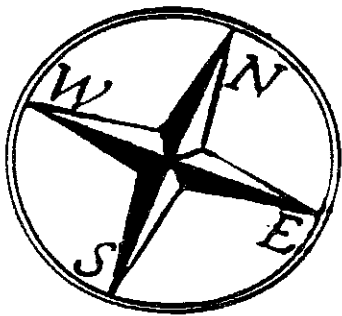
THIS PLAN WAS PREPARED BY THE ARCHITECT FOR THE CLIENT. IT IS THE CLIENT'S RESPONSIBILITY TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

ARCHITECT: [Firm Name]  
DATE: [Date]  
PROJECT: [Project Name]

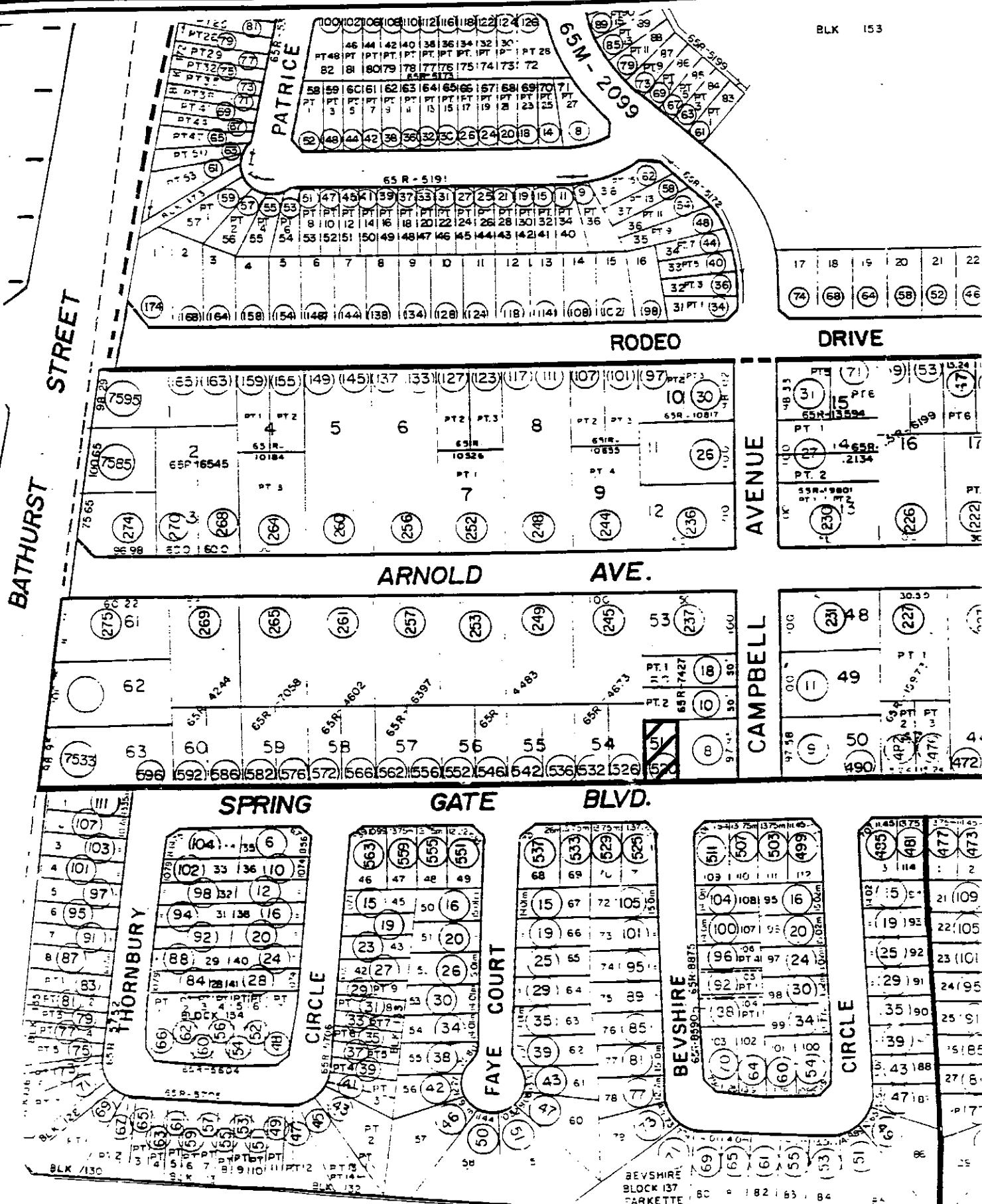


FILE NO : A98/94

APPLICANT : NAOMI SHRAM



SUBJECT AREA



PLANNING ACT

Subsection 45 - 20 inclusive  
S.O. 1983, c. 1

- (12) The applicant, the Minister or any other person who has an interest in the matter may within thirty days of the making of the decision appeal to the Municipal Board against the decision of the Committee by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Municipal Board\* under the Ontario Municipal Board Act as payable on an appeal from a Committee of Adjustment to the Board.
- (13) The Secretary-Treasurer of a Committee, upon receipt of a notice of appeal served or sent to him/her under subsection (12) shall forthwith forward the notice of appeal and the amount of the fee mentioned in Subsection (12) to the Municipal Board by registered mail, together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Board.
- (14) If within such thirty days no notice of appeal is given, the decision of the Committee is final and binding, and the Secretary-Treasurer shall notify the applicant and shall file a certified copy of the decision with the Clerk of the Municipality.
- (15) Where all appeals to the Municipal Board are withdrawn by the persons who gave notice of appeal, the decision of the Committee is final and Binding and the Secretary of the Board shall notify the Secretary-Treasurer of the Committee who in turn shall notify the applicant and file a certified copy of the decision with the Clerk of the Municipality.
- (16) On an appeal to the Municipal Board, the Board shall except as provided in Subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, and Secretary-Treasurer of the Committee and to such other persons and in such manner as the Board may determine.
- (17) The Municipal Board may, where it is of the opinion that the objection to the decision set out in the notice of appeal is insufficient, dismiss the appeal without holding a full hearing, but before so dismissing the appeal, shall notify the appellant and afford him an opportunity to make representations as to the merits of the appeal.
- (18) The Municipal Board may dismiss the appeal and may make any decision that the Committee could have made on the original application.
- (19) When the Municipal Board makes an order on an appeal, the Secretary of the Board shall send a copy thereof to the applicant, the appellant and the Secretary-Treasurer of the Committee.
- (20) The Secretary-Treasurer shall file a copy of the order of the Municipal Board with the Clerk of the Municipality.

\*\$125.00 for the primary variance appeal and \$25.00 for each related variance appeal.

COMMITTEE OF ADJUSTMENT  
(VARIANCES)

# NOTICE OF DECISION

FILE NO. A83/95

IN THE MATTER OF Subsections 45 (1), (2) and (3) of the Planning Act &

IN THE MATTER OF an application by NEOMI SHRAM, owner of Lot 51, Registered Plan 3715 (Part of Lot 29, Concession 1), municipally known as 518 Spring Gate Boulevard.

By-law 1-88 zones this parcel Residential Zone "R3".

The applicant is requesting variances to permit the maintenance of existing front and rear porch additions to an existing two-storey single family detached dwelling, notwithstanding, the yard encroachment for the front porch is 2.5m and the rear porch is 2.47m rather than the by-law requires 1.8m, further, the minimum interior side yard setback for the air conditioning unit is 0.8m rather than 1.2m and that the lot coverage is 38.4% rather than the previously approved 37.5%. It should be noted that a previous application (A98/94) was approved by Committee of Adjustment on July 21st, 1994. A sketch is attached illustrating the request.

The Committee is of the opinion that the variance sought **regarding the rear yard encroachment for the rear porch**, can not be considered minor and is 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. Therefore it is the decision of the Committee of Adjustment that File No. A83/95, NEOMI SHRAM, be **REFUSED**.

However, the Committee is also of the opinion that the variances sought **regarding the front yard encroachment for the front porch, further, the minimum interior side yard setback and the lot coverage**, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained. Therefore it is the decision of the Committee of Adjustment that File No. A83/95, NEOMI SHRAM, be **APPROVED**, subject to the following conditions:

1. That the air conditioning unit be moved to a location north of the chimney protrusion, if required, to the satisfaction of the Building Standards Department;
2. That if the condition listed above is not fulfilled within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.

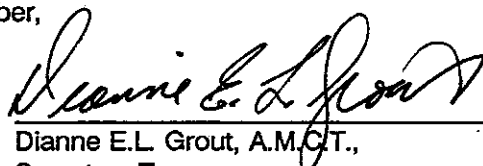
Members concurring in this decision:

\_\_\_\_\_  
A. Ianni,  
Chairman,

\_\_\_\_\_  
T. A. Decicco  
Vice Chairman,

\_\_\_\_\_  
M. Mauti  
Member,

\_\_\_\_\_  
M. S. Panicali  
Member,

  
\_\_\_\_\_  
Dianne E.L. Grout, A.M.C.T.,  
Secretary-Treasurer  
City of Vaughan  
Committee of Adjustment

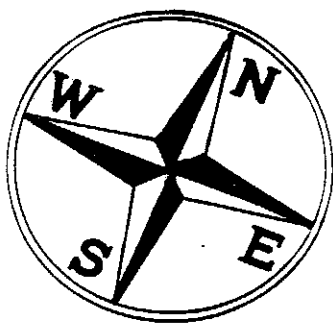
DATE OF HEARING: May 4th, 1995

LAST DATE OF APPEAL: May 23rd, 1995

**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 names of individual group members, and not in the name of the group.

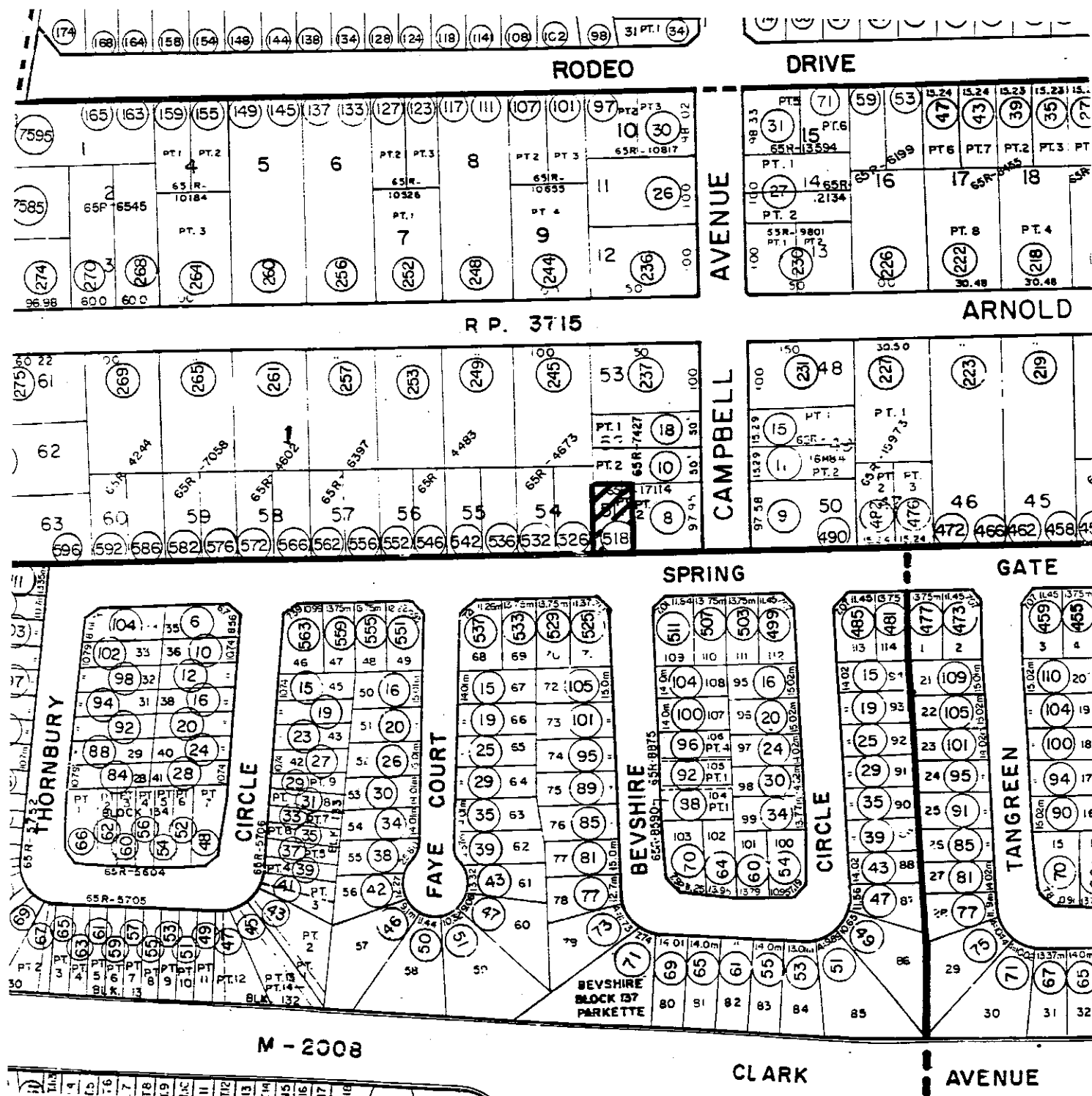


COMMITTEE OF ADJUSTMENT



FILE NO: A 83 / 95

APPLICANT: NEOMI SHRAM





## PLANNING ACT

### Subsection 45 - 20 inclusive

- (12) The applicant, the Minister or any other person who has an interest in the matter may within twenty days of the making of the decision appeal to the Municipal Board against the decision of the Committee by serving personally on or sending by registered mail to the Secretary-Treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Municipal Board\* under the Ontario Municipal Board Act as payable on an appeal from a Committee of Adjustment to the Board.
- (13) The Secretary-Treasurer of a Committee, upon receipt of a notice of appeal served or sent to him/her under subsection (12) shall forthwith forward the notice of appeal and the amount of the fee mentioned in Subsection (12) to the Municipal Board by registered mail, together with all papers and documents filed with the Committee of Adjustment relating to the matter appealed from and such other documents and papers as may be required by the Board.
- (14) If within such twenty days no notice of appeal is given, the decision of the Committee is final and binding, and the Secretary-Treasurer shall notify the applicant and shall file a certified copy of the decision with the Clerk of the Municipality.
- (15) Where all appeals to the Municipal Board are withdrawn by the persons who gave notice of appeal, the decision of the Committee is final and Binding and the Secretary of the Board shall notify the Secretary-Treasurer of the Committee who in turn shall notify the applicant and file a certified copy of the decision with the Clerk of the Municipality.
- (16) On an appeal to the Municipal Board, the Board shall except as provided in Subsections (15) and (17), hold a hearing of which notice shall be given to the applicant, the appellant, and Secretary-Treasurer of the Committee and to such other persons and in such manner as the Board may determine.
- (17) Despite the *Statutory Powers Procedure Act* and subsection (16), the Municipal Board may dismiss all or part of an appeal without holding a hearing, on its own motion or on the motion of any party if,
- (a) it is of the opinion that,
    - (i) the reasons set out in the notice of appeal do not disclose any apparent land use planning ground upon which the Board could allow all or part of the appeal,
    - (ii) the appeal is not made in good faith or is frivolous or vexatious, or
    - (iii) the appeal is made only for the purpose of delay;
  - (b) the appellant has not provided written reasons for the appeal;
  - (c) the appellant has not paid the fee prescribed under the *Ontario Municipal Board Act*; or
  - (d) the appellant has not responded to a request by the Municipal Board for further information within the time specified by the Board.
- (17.1) Before dismissing an appeal, the Municipal Board shall notify the appellant and give the appellant an opportunity to make representation in respect of the appeal and the Board may dismiss an appeal after holding a hearing or without holding a hearing on the motion, as it considers appropriate.
- (18) The Municipal Board may dismiss the appeal and may make any decision that the Committee could have made on the original application.
- (18.1) On an appeal, the Municipal Board may make a decision on an application which has been amended from the original application if, before issuing its order, written notice is given to the persons and public bodies who received notice of the original application under subsection (5) and to other persons and agencies prescribed under that subsection.
- (18.2) Any person or public body who receives notice under subsection (18.1) may, not later than thirty days after the day that written notice was given, notify the Board of an intention to appear at the hearing or the resumption of the hearing, as the case may be.
- (18.3) If, after the expiry of the time period in subsection (18.2), no notice of intent has been received, the Board may issue its order.
- (18.4) If a notice of intent under subsection (18.2) is received, the Board may hold a hearing or resume the hearing on the amended application.
- (19) When the Municipal Board makes an order on an appeal, the secretary of the Board shall send a copy thereof to the applicant, the appellant and the Secretary-Treasurer of the Committee.
- (20) The Secretary-Treasurer shall file a copy of the order of the Municipal Board with the Clerk of the Municipality.

\*\$125.00 for the primary variance appeal and \$25.00 for each related variance appeal.