

COMMITTEE OF ADJUSTMENT REPORT SUMMARY MINOR VARIANCE APPLICATION FILE NUMBER A032/22

AGENDA ITEM NUMBER: 12	CITY WARD #: 2
APPLICANT:	Michelina Bartolomeo and Leonardo Desiderato
AGENT:	None.
PROPERTY:	19 Sequoia Rd Woodbridge ON
	· · · · · · · · · · · · · · · · · · ·
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS: *May include related applications for minor variance, consent, site plan, zoning amendments etc.	None.
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the existing canopy located in the rear yard.

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	\boxtimes	\boxtimes		General Comments
Building Standards (Zoning Review)	\boxtimes	\boxtimes		General Comments
Building Inspection (Septic)	\boxtimes			
Development Planning	×	X		Recommend Approval/No Conditions
Development Engineering				Recommend Approval/No Conditions
Parks, Forestry and Horticulture Operations	\boxtimes	\boxtimes		No Comments no concerns
By-law & Compliance, Licensing & Permits				
Development Finance		\boxtimes		Recommend Approval/No Conditions
Real Estate				
Fire Department	\boxtimes			
AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TDOA				No Comments no concerns
TRCA	X			
Ministry of Transportation (MTO)				No comments no concerns
				Recommend Approval/No Conditions
Ministry of Transportation (MTO) Region of York Alectra				Recommend Approval/No
Ministry of Transportation (MTO) Region of York				Recommend Approval/No Conditions Recommend Approval/No
Ministry of Transportation (MTO) Region of York Alectra				Recommend Approval/No Conditions Recommend Approval/No Conditions
Ministry of Transportation (MTO) Region of York Alectra Bell Canada				Recommend Approval/No Conditions Recommend Approval/No Conditions
Ministry of Transportation (MTO) Region of York Alectra Bell Canada YRDSB				Recommend Approval/No Conditions Recommend Approval/No Conditions
Ministry of Transportation (MTO) Region of York Alectra Bell Canada YRDSB YCDSB				Recommend Approval/No Conditions Recommend Approval/No Conditions
Ministry of Transportation (MTO) Region of York Alectra Bell Canada YRDSB YCDSB CN Rail				Recommend Approval/No Conditions Recommend Approval/No Conditions
Ministry of Transportation (MTO) Region of York Alectra Bell Canada YRDSB YCDSB CN Rail CP Rail				Recommend Approval/No Conditions Recommend Approval/No Conditions

PUBLIC & APPLICANT CORRESPONDENCE

*Please see **Schedule C** of this report for a copy of the public & applicant correspondence listed below.

The deadline to submit public comments is noon on the last business day prior to the scheduled hearing date.

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	Name	Address	Date	Summary
Туре			Received	
			(mm/dd/yyyy)	
None.				

PREVIOUS COA DECISIONS ON THE SUBJECT LAND *Please see Schedule D for a copy of the Decisions listed below			
File Number Date of Decision Decision Outcome MM/DD/YYYY MM/DD/YYYY MM/DD/YYYY			
None			

	ADJOURNMENT HISTORY			
	* Previous hearing dates where this application	was adjourned by the Committee and public notice issued.		
None	lone			



COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A032/22

FILE MANAGER: Lenore Providence, Administrative Coordinator - Committee of Adjustment

AGENDA ITEM NUMBER: 12	CITY WARD #: 2
APPLICANT:	Michelina Bartolomeo and Leonardo Desiderato
AGENT:	None.
PROPERTY:	19 Sequoia Rd Woodbridge ON
ZONING DESIGNATION:	See below.
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RELATED DEVELOPMENT APPLICATIONS: *May include related applications for minor variance, consent, site plan, zoning amendments etc.	None.
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit the existing canopy located in the rear yard.

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

The subject lands are zoned R4A- Fourth Density Residential (Established Neighbourhood) under Zoning By-law 01-2021.

#	Zoning By-law 01-2021	Variance requested
1	NA	NA

The subject lands are zoned RV4 – Residential Urban Village under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance requested
2	The minimum required rear yard setback is 7.5m.	To permit the rear yard setback of
	(Schedule 'A1')	5.86m.

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 <u>Vaughan.ca/LiveCouncil</u>

If you wish to speak to the Committee of Adjustment on an application please complete and submit a **Request to Speak Form** to <u>cofa@vaughan.ca</u> 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 <u>cofa@vaughan.ca</u>

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.

INTRODUCTION

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 30, 2022 and April 1, 2022	
Date Applicant Confirmed Posting of Sign:	March 30, 2022	
Applicant Justification for Variances: *As provided by Applicant in Application Form	Cannot comply with the provisions of the City's Zoning by-law because previously had removal shelter, and looking for something more permanent due to the constant and strong sun exposure in the back. .Therefore to enjoy our backyard, this canopy was required.	
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: No *ZRW Form may be used by applicant in instances where a revised submission is made, and zoning staff do not have an opportunity to review and confirm variances prior to the issuance of public notice. No *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.		
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 after the issuance of public notice.		
Committee of Adjustment Comments:	None	
Committee of Adjustment Recommended Conditions of Approval:	None	

BUILDING STANDARDS (ZONING) COMMENTS

Stop work orders and orders to comply: Order No. 22-101587, Order to Comply for , Issue Date: Jan 20, 2022

Building Permit(s) Issued: Building Permit No. 21-104635 for Shed/Gazebo - New, Issue Date: (Not Yet Issued)

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
None

Building Standards Recommended Conditions of Approval:

**See Schedule C for Development Planning Comments.

Development Planning Recommended Conditions of Approval:

DEVELOPMENT ENGINEERING COMMENTS

The Development Engineering (DE) Department does not object to variance application A032/22.

None

DEVELOPMENT ENGINEERING COMMENTS			
Development Engineering Recommended Condition Approval:		None	
	ODESTOV 9		
	URESIRIA	HORTICULTURE (PFH) COMMENTS	
Parks: Forestry: Forestry has no co Horticulture:	omment at this ti	me	
PFH Recommended Cond Approval:	itions of	None	
	DEVELOPME	NT FINANCE COMMENTS	
No comment no concerns			
		None	
Development Finance Rec Conditions of Approval:	commended	None	
BY-LAW AND COMP	LIANCE, LIC	ENSING AND PERMIT SERVICES COMMENTS	
No comments received to da	ite.		
BCLPS Recommended Co Approval:	onditions of	None	
DU			
		CTION (SEPTIC) COMMENTS	
No comments received to d	ate.		
Building Inspection Record Conditions of Approval:	nmended	None	
		ARTMENT COMMENTS	
No comments received to da	ite.		
Fire Department Recomm Conditions of Approval:	ended	None	
	SCHEDIII	ES TO STAFF REPORT	
		dule for list of correspondence	
Schedule A			
	V 11		
Schedule C (if required)			
		ecisions on the Subject Land	
	plication, as req	pprove this application in accordance with request and the uired by Ontario Regulation 200/96, the following conditions	

IMPORTANT INFORMATION – PLEASE READ

CONDITIONS: 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 above 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.

APPROVALS: 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.

IMPORTANT INFORMATION – PLEASE READ

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.

DEVELOPMENT CHARGES: 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.

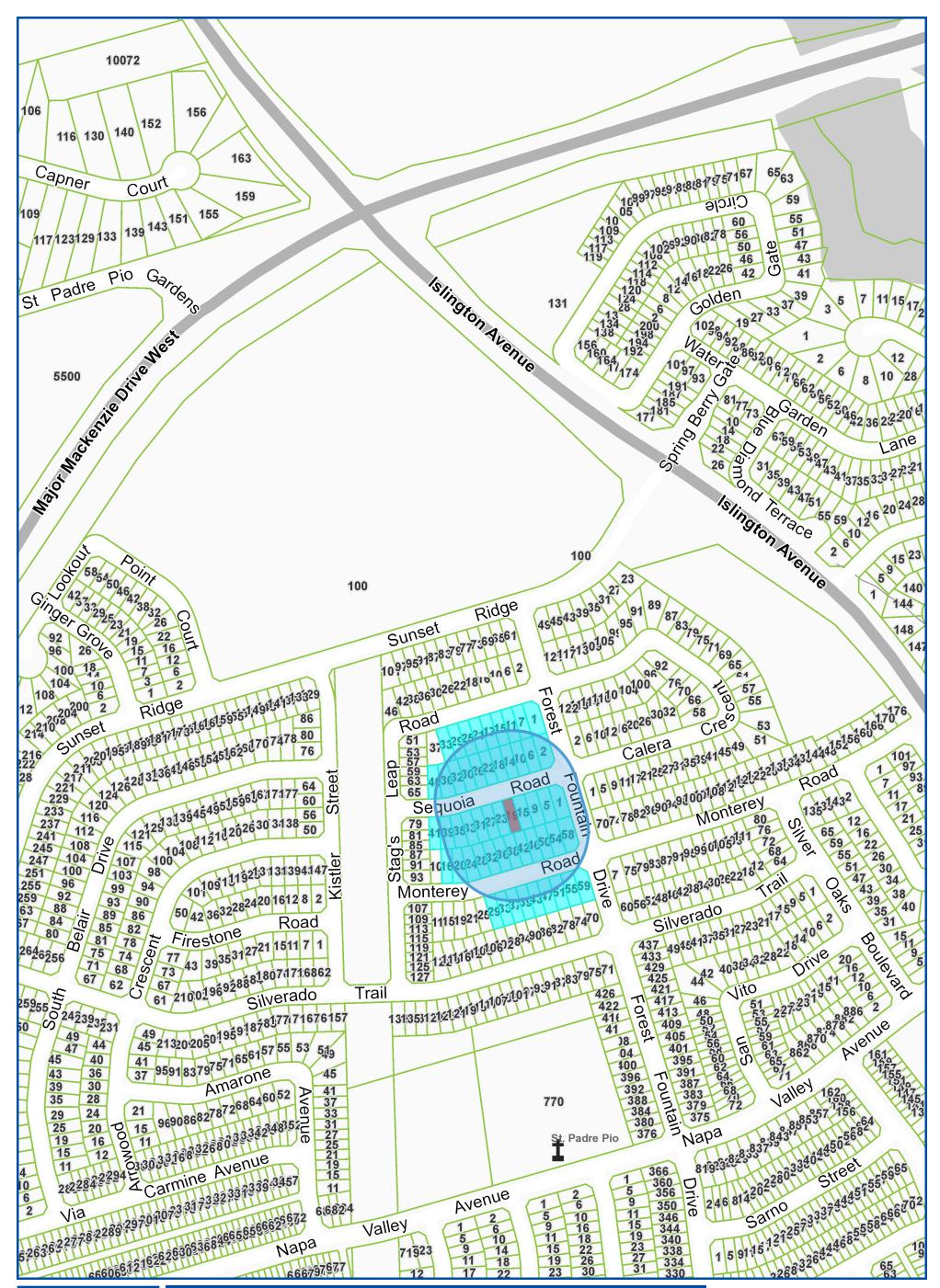
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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.

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

SCHEDULE A: DRAWINGS & PLANS



Map Information:





NOTIFICATION MAP - A032/22





Created By:

Department

Infrastructure Delivery

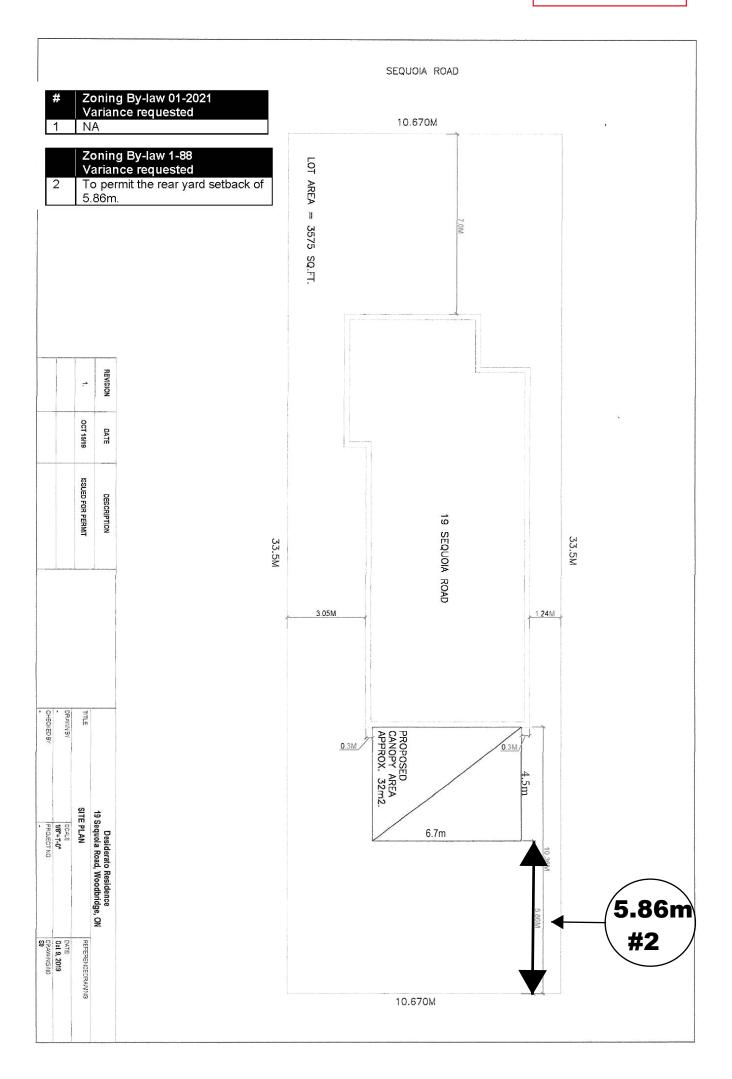
March 24, 2022 12:11 AM

Disclaimer:

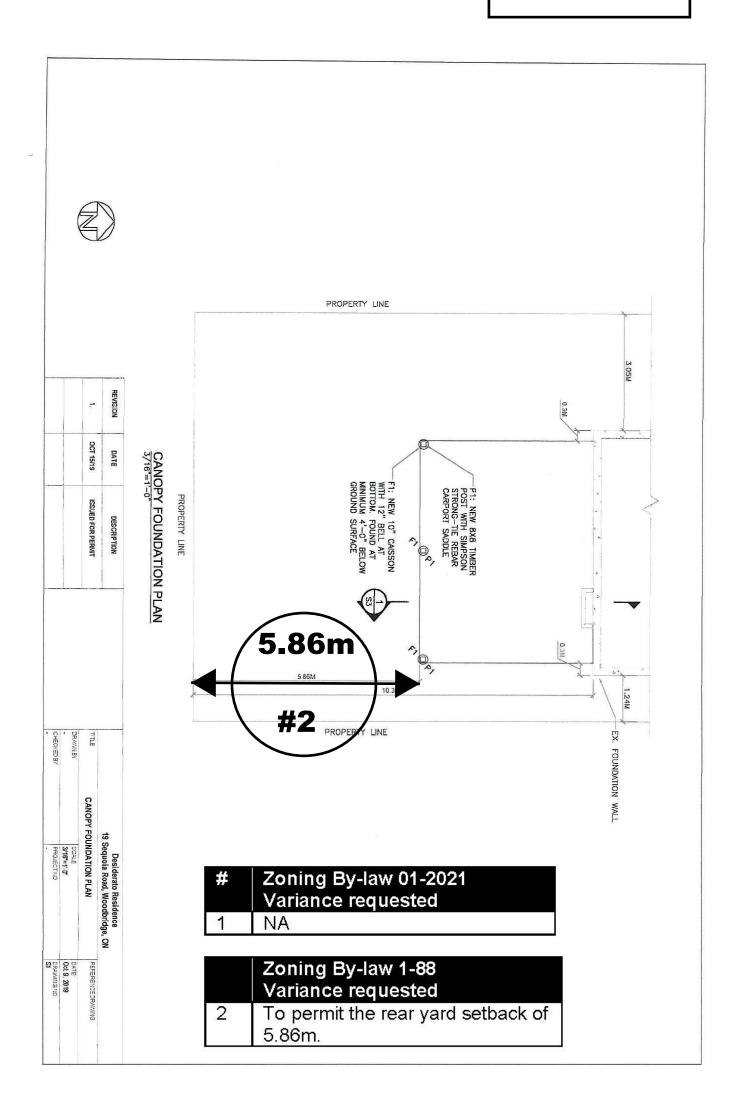
Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability due to errors or omissions. Please report any discrepancies to Infrastructure Programming.

Projection: NAD 83 UTM Zone 17N





A032/22



SCHEDULE B: DEVELOPMENT PLANNING & AGENCY COMMENTS

AGENCIES	Circulated	Comments Received	Conditions	Nature of Comments
TRCA	\boxtimes			No Comments no concerns
Ministry of Transportation (MTO)				
Region of York	\boxtimes	X		Recommend Approval/No Conditions
Alectra				Recommend Approval/No Conditions
Bell Canada	\boxtimes	\boxtimes		No Comments no concerns
YRDSB				
YCDSB				
CN Rail				
CP Rail				
TransCanada Pipeline				
Metrolinx				
Propane Operator				
Development Planning		\boxtimes		Recommend Approval/No Conditions

VAUGHAN

Christine Vigneault, Committee of Adjustment Secretary Treasurer			
Nancy Tuckett, Director of Development Planning			
April 14, 2022			
Leonardo Desiderato and Michelina Bartolomeo			
19 Sequoia Road			
A032.22			

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

1. To permit the rear yard setback of 5.86m.

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

1. The minimum required rear yard setback is 7.5m.

Official Plan:

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

Comments:

The Owner is requesting to permit the existing rear yard canopy with the above noted variances.

The Development Planning Department has no objection to the proposed variance, as the reduction in setback to the canopy will not impact the abutting properties. The requested canopy also complies with Zoning By-law 001-2021, which was enacted by Vaughan Council on October 20, 2021, but has been appealed to the Ontario Land Tribunal and is not in-effect.

Accordingly, the Development Planning Department can support the required variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

If the Committee finds merit in the application, the following conditions of approval are recommended: None

Comments Prepared by:

Joshua Cipolletta, Planner I Chris Cosentino, Senior Planner



Date:	March 10 th , 2022		
Attention:	Christine Vigneault		
RE:	Request for Comments		
File No.:	A032-22		
Related Files:			
Applicant	Leonardo Desiderato, Michelina Bartolomeo		
Location	19 Sequoia Road		



COMMENTS:

х

We have reviewed the proposed Variance Application and have no comments or objections to its approval.

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

We have reviewed the proposed Variance Application and have the following concerns (attached below).

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

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

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

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

References:

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

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

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

E-mail: <u>stephen.cranley@alectrautilities.com</u>

Mitchell Penner

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

Email: Mitchell.Penner@alectrautilities.com

From:	Gordon, Carrie
То:	Committee of Adjustment
Cc:	Christine Vigneault
Subject:	[External] RE: City of Vaughan Request for Comments: A032/22 (19 Sequoia Road)
Date:	Thursday, March 10, 2022 9:35:16 AM
Attachments:	image003.png

Hello,

Bell Canada has no comments for this minor variance.

Kind regards,

Carrie Gordon

Carríe Gordon



Associate, External Liaison Right of Way Control Centre 140 Bayfield St, Fl 2 Barrie ON, L4M 3B1 T: 705-722-2244/844-857-7942 F :705-726-4600

From: Christine Vigneault <Christine.Vigneault@vaughan.ca>
Sent: Wednesday, March 9, 2022 4:31 PM
To: ROWCC <rowcentre@bell.ca>; Gordon, Carrie <carrie.gordon@bell.ca>;
developmentservices@york.ca; yorkplan@trca.ca; Hamedeh.Razavi@trca.ca;
engineeringadmin@powerstream.ca; cameron.blaney@ontario.ca; colin.mulrenin@ontario.ca;
Enbridge: <randy.wilton@enbridge.com>
Subject: [EXT]City of Vaughan Request for Comments: A032/22 (19 Sequoia Road)
Importance: High

ATTACHMENTS: CIRCULATION

Hello,

Please email comments and recommendations on the above noted application to <u>cofa@vaughan.ca</u>. If you wish to be notified of the decision, please confirm in writing.

The deadline to submit comments on this application is April 4, 2022.

Should you have any questions or require additional information please contact the undersigned.

Lenore Providence Administrative Coordinator - Committee of Adjustment 905-832-8585, ext. 8394 <u>Lenore.providence@vaughan.ca</u>

City of Vaughan I Office of the City Clerk 2141 Major Mackenzie Dr., Vaughan ON L6A 1T1 vaughan.ca



RESPECT | ACCOUNTABILITY | DEDICATION

IMPORTANT NOTICE: The City continues to implement precautionary measures to ensure the safety of staff and citizens as the COVID-19 situation continually evolves. As a result, Vaughan City Hall and all other remaining City facilities are closed to the public at this time. For updates, please visit <u>www.vaughan.ca</u>

This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

External Email: Please use caution when opening links and attachments / **Courriel externe:** Soyez prudent avec les liens et documents joints

From:	<u>York Plan</u>
To:	Christine Vigneault
Cc:	Hamedeh Razavi
Subject:	[External] RE: City of Vaughan Request for Comments: A032/22 (19 Sequoia Road)
Date:	Thursday, March 10, 2022 8:18:26 AM
Attachments:	image002.png
	image003.png
	image002.png

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: (<u>416) 661-6600</u> ext 5269 E: <u>mark.howard@trca.ca</u> A: <u>101 Exchange Avenue, Vaughan, ON, L4K 5R6 | trca.ca</u>



From: Christine Vigneault <Christine.Vigneault@vaughan.ca>
Sent: March 9, 2022 4:31 PM
To: rowcentre@bell.ca; carrie.gordon@bell.ca; developmentservices@york.ca; York Plan
<yorkplan@trca.ca>; Hamedeh Razavi <Hamedeh.Razavi@trca.ca>;
engineeringadmin@powerstream.ca; cameron.blaney@ontario.ca; colin.mulrenin@ontario.ca;
Enbridge: <randy.wilton@enbridge.com>
Subject: City of Vaughan Request for Comments: A032/22 (19 Sequoia Road)
Importance: High

ATTACHMENTS: CIRCULATION

Hello,

Please email comments and recommendations on the above noted application to <u>cofa@vaughan.ca</u>. If you wish to be notified of the decision, please confirm in writing.

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City of Vaughan I Office of the City Clerk 2141 Major Mackenzie Dr., Vaughan ON L6A 1T1 vaughan.ca



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From:	Hurst, Gabrielle
То:	Christine Vigneault
Cc:	Committee of Adjustment
Subject:	[External] RE: City of Vaughan Request for Comments: A032/22 (19 Sequoia Road)
Date:	Wednesday, March 16, 2022 10:27:16 AM
Attachments:	image001.png

Good morning Christine,

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

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877 464 9675 ext 71538 | <u>gabrielle.hurst@york.ca</u> |<u>www.york.ca</u>

From: Christine Vigneault <Christine.Vigneault@vaughan.ca>

Sent: Wednesday, March 9, 2022 4:31 PM

To: rowcentre@bell.ca; carrie.gordon@bell.ca; Development Services

<developmentservices@york.ca>; yorkplan@trca.ca; Hamedeh.Razavi@trca.ca;

engineeringadmin@powerstream.ca; cameron.blaney@ontario.ca; colin.mulrenin@ontario.ca;

Enbridge: <randy.wilton@enbridge.com>

Subject: City of Vaughan Request for Comments: A032/22 (19 Sequoia Road)

Importance: High

CAUTION! This is an external email. Verify the sender's email address and carefully examine any links or attachments before clicking. If you believe this may be a phishing email, forward it to <u>isitsafe@york.ca</u> then delete it from your inbox. If you think you may have clicked on a phishing link, report it to the IT Service Desk, ext. 71111, and notify your supervisor immediately.

ATTACHMENTS: CIRCULATION

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Lenore Providence Administrative Coordinator - Committee of Adjustment 905-832-8585, ext. 8394 <u>Lenore.providence@vaughan.ca</u> City of Vaughan I Office of the City Clerk 2141 Major Mackenzie Dr., Vaughan ON L6A 1T1 vaughan.ca



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SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

Correspondence Type	Name	Address	Date Received (mm/dd/yyyy)	Summary
None.				