

File: A189/21

Applicant: Itay, Shmuel, Ameet Balilty

Address: 199 Arnold Ave Thornhill

Agent: Guitberg Group Inc.

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection		
Development Planning	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations	<input checked="" type="checkbox"/>	
By-law & Compliance	<input checked="" type="checkbox"/>	
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department	<input checked="" type="checkbox"/>	
TRCA	<input checked="" type="checkbox"/>	
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)	<input checked="" type="checkbox"/>	

Adjournment History: N/A

Background History: A004/19 (see next page for details)

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday , October 28, 2021

***Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).**



Minor Variance Application

Agenda Item: 7

A189/21

Ward: 5

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, October 28, 2021 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.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: Itay, Shmuel, Ameet Balilty

Agent: Guitberg Group Inc.

Property: 199 Arnold Ave Thornhill

Zoning: The subject lands are zoned R1V Old Village Residential, and subject to the provisions of Exception No. 9(662) under By-law 1-88 as amended.

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

Related Files: None

Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed cabana located in the exterior side yard.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum setback of 9.0 metres is required from the exterior side lot line to the accessory building (cabana).	1. To permit a minimum setback of 2.14 3.41 metres from the exterior side lot line to the accessory building (cabana). *Applicant increased exterior side yard setback from 2.41m to 3.41 m to address Planning comments *Variance confirmed using Zoning Review Waiver
2. A minimum setback of 9.0 metres is required from the rear lot line to the accessory building (cabana).	2. To permit a minimum setback of 3.27 metres from the rear lot line to the accessory building (cabana).

Background (previous applications approved by the Committee on the subject land):

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A004/19	Various variances for construction of proposed single family dwelling	Approved May 16, 2019

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on October 6, 2021

Applicant confirmed posting of signage on October 5, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	Purchased 2018 (2019 under construction)

Applicant has advised that they cannot comply with By-law for the following reason(s): Location of the cabana in exterior side yard to facilitate privacy on sound attenuation.

Committee of Adjustment recommended conditions of approval: None

Adjournment Request / File Review History:

The applicant was provided an opportunity to adjourn the application prior to the issuance of public notice to permit time to address Development Planning Department concerns below:

The Development Planning ('DP') Department has reviewed the submitted material for the above noted Committee of Adjustment application and provide you with the following comments:

- *DP recommends the proposed cabana and sports court be relocated to refrain from removing some of mature trees on-site (i.e., Tree #618) which contribute to the public realm. Please review and address all of urban design's comments.*

If you decide to proceed with the proposal as it stands note the DP Department may not be able to support the application if urban design staff do not provide sign-off.

The applicant was advised that should the application require adjournment after the issuance of public notice, additional adjournment fees will apply.

On October 13, 2021, the applicant advised that given the constraints of the property, including the retaining wall, moving the cabana would create a very tight space between pool and cabana, unsafe and uncomfortable for family with children to move around pool deck. As per Arborist report, trees proposed for removal is not in the best shape. The Owners are preparing to substitute removed trees with 11 healthy Green Beach trees as per Arborist suggestion paying cash in leu for the required balance. The consent letter from the neighbour regarding tree #615 will be provided shortly. To summarize, we are not making any changes to the requested variances at this point.

On October 18, 2021 Urban Design advised that based on their assessment it appears the same distance between the cabana and pool (water's edge) can be maintained by simply shifting it slightly towards the east. It was recommended that the applicant consider doing so to preserve an existing mature tree and at the same time improve the exterior side yard setback given the site-specific exception for this area requires 9m as oppose to 4.5m. It should also be noted that the submitted arborist report tree #618 is in 'fair' and should be preserved to minimize the impact on the existing streetscape.

On October 18, 2021, Committee of Adjustment staff reminded applicant that a revised application package would be required to address any changes to the proposal.

October 19, 2021, the applicant advised that they were waiting for the Arborist to provide information and were working with Forestry staff regarding tree removal.

October 20, 2021, applicant increased exterior side yard setback from 2.41m to 3.41 m to address Planning comments and provided revised plan and Zoning Review Waiver.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file.

A Building Permit has not been issued. The Ontario Building Code requires a building permit for structures that exceed 10m2.

The breakdown of lot coverage for the dwelling, all covered areas and the cabana is as follows: Committee of Adjustment Decision No. A004/19 approved a maximum lot coverage of 27.51% (dwelling 22 %, covered porches 3.84 %, cabana 1.67 %).

A minimum of 50% of landscaping has been provided for the front yard, close to 100% of which is soft landscaping.

An A/C unit and/or open pool equipment on a pad shall be setback a minimum of 1.2 metres from the interior side lot line; and may encroach a maximum of 1.5 metres into the required rear yard or exterior side yard.

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit.

Building Inspections (Septic):

No comments received to date.

Development Planning:

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

The Owner is requesting permission to construct an accessory building (cabana) with the above noted variances.

At the request of the Development Planning Department, the Owners have revised their proposal to increase the minimum exterior side yard setback from 2.14 m to 3.41 m, to ensure the cabana is no longer within the Tree Protection Zone ('TPZ') for the purposes of preserving a mature tree, identified as #618 in the revised Tree Inventory, Preservation, and Removals Plan ('TIPRP'), prepared by Strybos Barron King Landscape Architecture, dated October 19, 2021. The Urban Design division of the Development Planning Department has reviewed the TIPRP and is satisfied with increased exterior side yard setback. Additionally, the Urban Design division has indicated the originally submitted Arborist Report, prepared by Strybos Barron King Landscape Architecture, dated August 19, 2021, should be updated to match the changes noted in the revised TIPRP and be submitted with the tree permit application to the Parks, Forestry and Horticulture Operations Department.

The Development Planning Department has no objection to the variances, as the reductions do not negatively impact the streetscape nor disrupt the existing character of the neighbourhood. With respect to the minimum rear yard setback of 3.27 m, the Development Planning Department recognizes any visual impact is mitigated by the landscaped buffer area along the rear lot line. Additionally, past approvals for similar sized cabanas in the area have contemplated greater reductions to the exterior side yard and rear yard setback requirements. The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

The Development Planning Department recommends approval of the application.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A189/21.

Parks Development - Forestry:

Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property.

Applicant/owner shall amend the arborist report to the satisfaction of the forestry division.

Prior to permit issuance, Forestry staff shall inspect and approve the tree protection (Hoarding). Tree protection shall be installed to the satisfaction of the Forestry division. (if applicable).

Tree protection & preservation methods must be followed according to City of Vaughan By-law 052-2018.

Arborist recommendations are to be followed as outlined in the Arborist Report.

By-Law and Compliance, Licensing and Permit Services:

No comment no concerns

Development Finance:

No comment no concerns

Fire Department:

No comment no concerns

Schedule A – Plans & Sketches**Schedule B – Public Correspondence**

Applicant Correspondence – Justification Letter

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

TRCA – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

Minor Variance Application A004/19

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application considers 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.

Should the Committee **adjourn** this application the following condition(s) is required: None

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.

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. 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.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – 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 to Public

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

PUBLIC CONSULTATION DURING OFFICE CLOSURE: 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 shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business day prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information 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.

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.

For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 Extension 8002
E CofA@vaughan.ca

Schedule A: Plans & Sketches

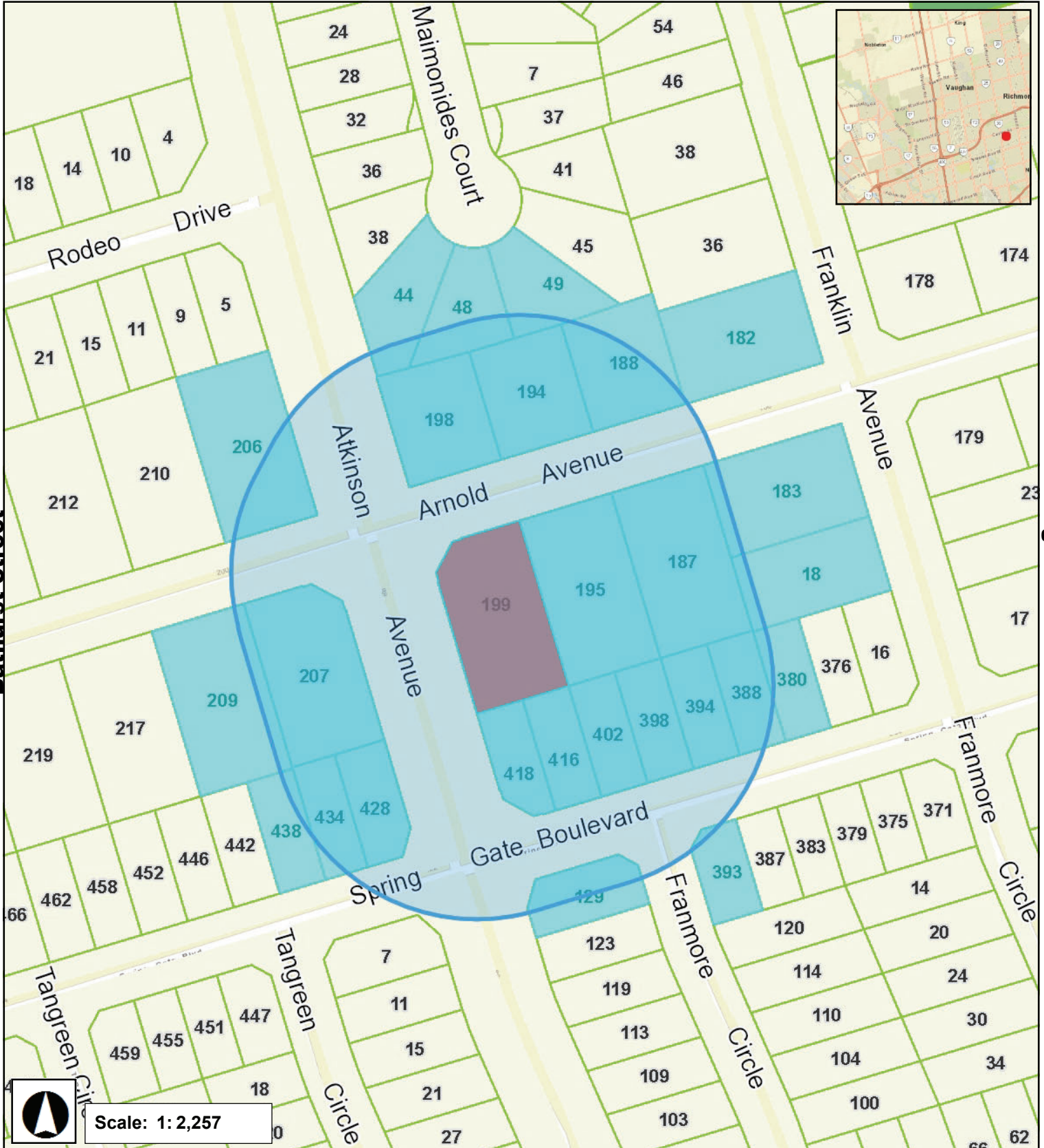
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

**Location Map
Plans & Sketches**



LOCATION MAP - A189/21

199 ARNOLD AVENUE, THORNHILL



Scale: 1: 2,257

Steeles Avenue West

October 8, 2021 1:49 PM

99.62m*

99.23m*

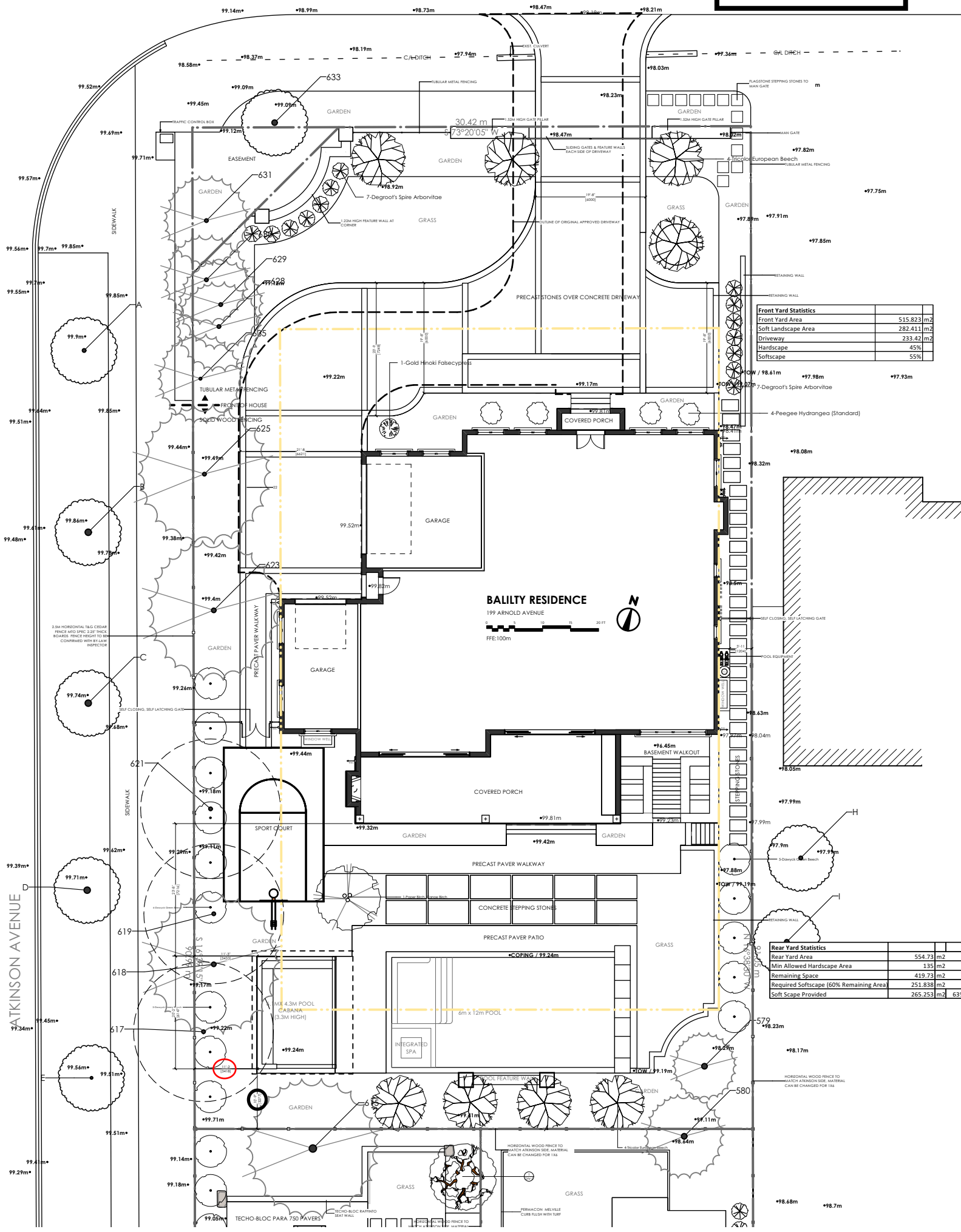
98.46m

98.21m

97.88m

ARNOLD AVENUE

A189/21



Front Yard Statistics	
Front Yard Area	515.823 m ²
Soft Landscape Area	282.411 m ²
Driveway	233.42 m ²
Hardscape	45%
Softscape	55%

Rear Yard Statistics	
Rear Yard Area	554.73 m ²
Min Allowed Hardscape Area	135 m ²
Remaining Space	419.73 m ²
Required Softscape (60% Remaining Area)	251.838 m ²
Softscape Provided	265.253 m ² 63%

RECEIVED
By RECEIVED at 1:17 pm, Oct 20, 2021

Bailyly Residence

Project Address:
199 Arnold Ave
Thornhill

Owners:
199: Enbar & Itay

Site Plan Info:

Disclaimer
DO NOT SCALE THIS DRAWING. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION UNLESS APPROVED BY CANOPY DESIGN. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF CANOPY DESIGN AND SHALL NOT BE USED WITHOUT CONSENT. COPYRIGHT RESERVED.

MEASUREMENTS, LOT LINES, EXISTING FEATURES, INDICATIONS OF GRADE ARE APPROXIMATE ONLY, BUT WITH REASONABLE ACCURACY FOR THE CONCEPTUAL PURPOSES INTENDED.

GRAPHICAL SYMBOLS IN THIS DRAWING DO NOT NECESSARILY REPRESENT THE ACTUAL PRODUCT.

CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON SITE AND REPORT ALL ERRORS AND/OR OMISSIONS TO CANOPY DESIGN. CONTRACTOR SHALL VERIFY ALL PROPERTY LINES, HOUSE, STRUCTURES, SET BACKS, EASEMENTS, AND BY-LAWS & PERMIT REQUIREMENTS PRIOR TO ANY CONSTRUCTION.

Site Plan

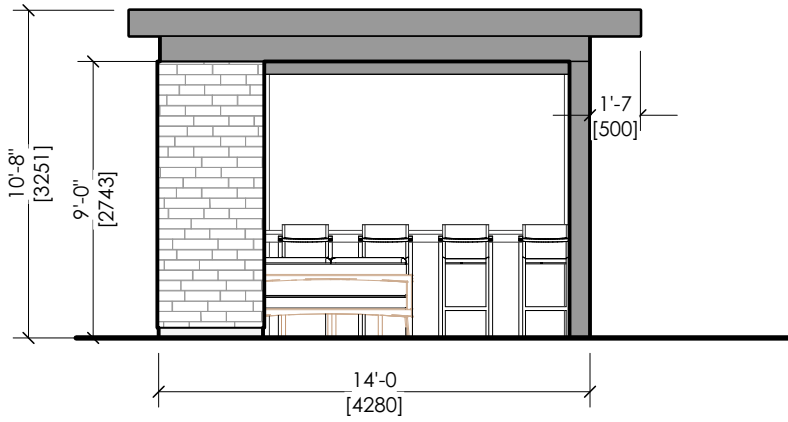
Date: 2021 10 19

Drawn By: MP

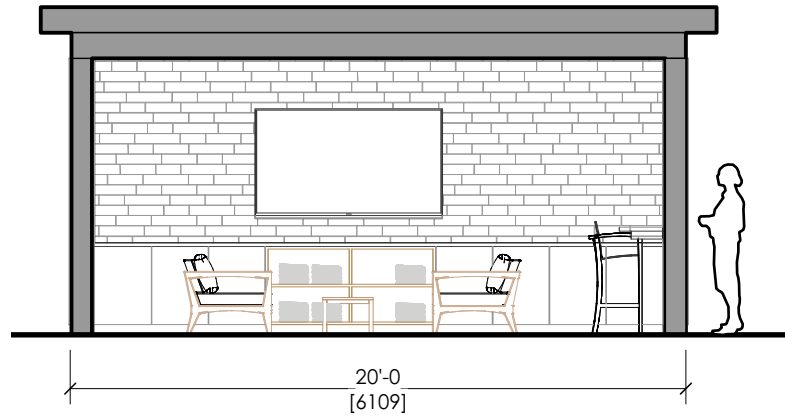
Scale: 1:250

Revision #: _____

Sheet #: SP1.1



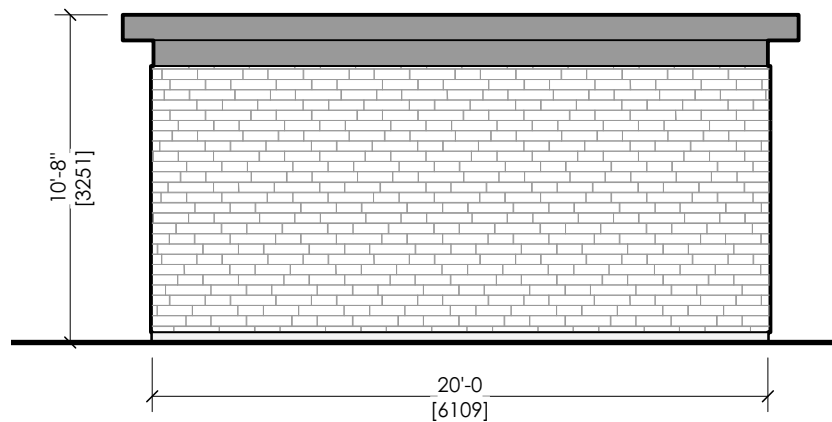
CABANA LEFT ELEVATION



CABANA FRONT ELEVATION



CABANA RIGHT ELEVATION



CABANA REAR ELEVATION

Project Name:
Baility Residence

Project Address:
199 Arnold Ave
Thornhill

Owners:
199: Enbar & Itay

Site Plan Info:

Disclaimer

DO NOT SCALE THIS DRAWING. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION UNLESS APPROVED BY CANOPY DESIGN. THIS DRAWING IS THE EXCLUSIVE PROPERTY OF CANOPY DESIGN AND SHALL NOT BE USED WITHOUT CONSENT. COPYRIGHT RESERVED.

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Cabana Elevations

Date:
2021 09 03

Drawn By:
MP

Scale:
1:75



Revision #:

Sheet #
SP1.2

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

Applicant Correspondence – Justification Letter

October 15, 2021

City of Vaughan

Re: File No: A189/21

To whom it may concern.

We fully support the proposed plans for 199 Arnold Ave. while being aware of the potential risk of injury as per tree #615.

Sincerely yours,



Ameet Balilty
418 Spring Gate Blvd
Thornhill, On
L4J 4K6

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

Alectra (Formerly PowerStream) – No concerns or objections

Region of York – No concerns or objections

TRCA – No concerns or objections

Date: September 10th , 2021

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A189-21**

Related Files:

Applicant Itay Balilty, Shmuel Balilty and Ameet Balilty

Location 199 Arnold Avenue



Discover the possibilities

COMMENTS:

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

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

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

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

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

References:

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

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

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

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Pravina Attwala

Subject: FW: REQUEST FOR COMMENTS - A189/21 (199 ARNOLD AVENUE)

From: York Plan <yorkplan@trca.ca>

Sent: September-10-21 9:26 AM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

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

Subject: [External] RE: REQUEST FOR COMMENTS - A189/21 (199 ARNOLD AVENUE)

TRCA has no concerns with regard to the above noted application.

Should further clarification be required, please contact the undersigned at your earliest 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

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



Pravina Attwala

Subject: FW: REQUEST FOR COMMENTS - A189/21 (199 ARNOLD AVENUE)

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

Sent: September-14-21 1:58 PM

To: Pravina Attwala <Pravina.Attwala@vaughan.ca>

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

Subject: [External] RE: REQUEST FOR COMMENTS - A189/21 (199 ARNOLD AVENUE)

Good afternoon Pravina,

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 | gabrielle.hurst@york.ca | www.york.ca

Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A004/19

NOTICE OF DECISION
Minor Variance Application A004/19
 Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing: Thursday, May 16, 2019

Applicant: Itay, Shmuel and Ameet Balilty

Agent Victor Guitberg - Guitberg Group Inc.

Property: **199 Arnold Avenue, Thornhill ON**

Zoning: The subject lands in their entirety are zoned R1V, Residential and R2, Residential and subject to the provisions of Exception 9(662) and 9(275) under By-law 1-88 as amended. Part 1, which is the subject lands for this application, is zoned R1V, Residential and subject to Exception 9(662).

OP Designation: VOP 2010: 'Low-Rise Residential'

Related Files: B001/19, B002/19, A002/19 & A003/19

Purpose: Relief from the by-law is being requested to permit reduced lot frontage on the **retained** land, being Part 1, Reference Plan 65R-37453, to facilitate Consent Application B002/19.

Relief is also being sought to permit the construction of a proposed single family dwelling on the retained land (B002/19).

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A maximum building height of 9.5 metres is permitted.	1. To permit a maximum building height of 11 metres for a dwelling.
2. A minimum interior side yard setback of 2.5 metres is required.	2. To permit a minimum interior side yard setback of 1.82 metres to a dwelling.
3. A minimum interior side yard setback of 2.0 metres is required.	3. To permit a minimum interior side yard setback of 1.3 metres to a chimney pilaster.
4. A minimum exterior side yard setback of 9.0 metres is required.	4. To permit a minimum exterior side yard setback of 4.75 metres to a dwelling.
5. A maximum lot coverage of 20% is permitted.	5. To permit a maximum lot coverage of 27.51% (dwelling 22 %, covered porches 3.84 %, cabana 1.67 %).
6. A minimum rear yard setback of 9.0 metres is required.	6. To permit a minimum rear yard setback of 6.5 metres to an accessory structure (cabana).
7. A minimum interior side yard setback of 2.5 metres is required.	7. To permit a minimum interior side yard setback of 1.82 metres to an accessory structure (cabana).
8. A minimum lot frontage of 30 metres is required.	8. To permit a minimum lot frontage of 28.38 m.

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A004/19 on behalf of Itay, Shmuel and Ameet Balilty, be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

Department/Agency	Condition
1 Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	1. That Consent Application B00219 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.

	Department/Agency	Condition
2	Development Engineering Margaret Olivier 905-832-8585 x 8716 Margaret.Olivier@vaughan.ca	1. Consent Applications B001/19 and B002/19 to become final and binding. 2. 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 3 properties (Part 1, 2, and 3).

For the following reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

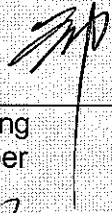
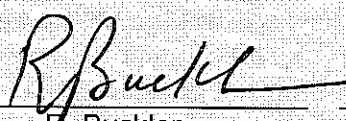
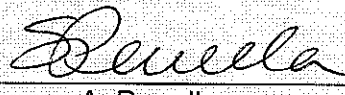


Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.


Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions * Public Correspondence received and considered by the Committee in making this decision	Public Oral Submissions *Please refer to the approved Minutes of the Thursday , May 16, 2019 meeting for submission details.
Name: J. and I. Kivity Address:194 Arnold Avenue Nature of Correspondence: Letter in Support	Name: Address:
Name: Z. Hofstedter Address:207 Arnold Avenue Nature of Correspondence: Letter in Support	Name: Address:
Name: A. Oliynyk and A. Dolgonos Address:167 Arnold Avenue Nature of Correspondence: Letter in Support	Name: Address:
Name: S. Freidmann *Received Post DL Address:198 Arnold Avenue Nature of Correspondence: Letter in Support	Name: Address:

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

		
H. Zheng Member	R. Buckler Chair	A. Perrella Vice Chair
		
S. Kerwin Member		A. Antinucci Member

DATE OF HEARING:	Thursday, May 16, 2019
DATE OF NOTICE:	May 24, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	June 5, 2019 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.	
	
Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
 The *Planning Act*, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days of the making of the decision appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) 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 Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

Appeal Fees & Forms

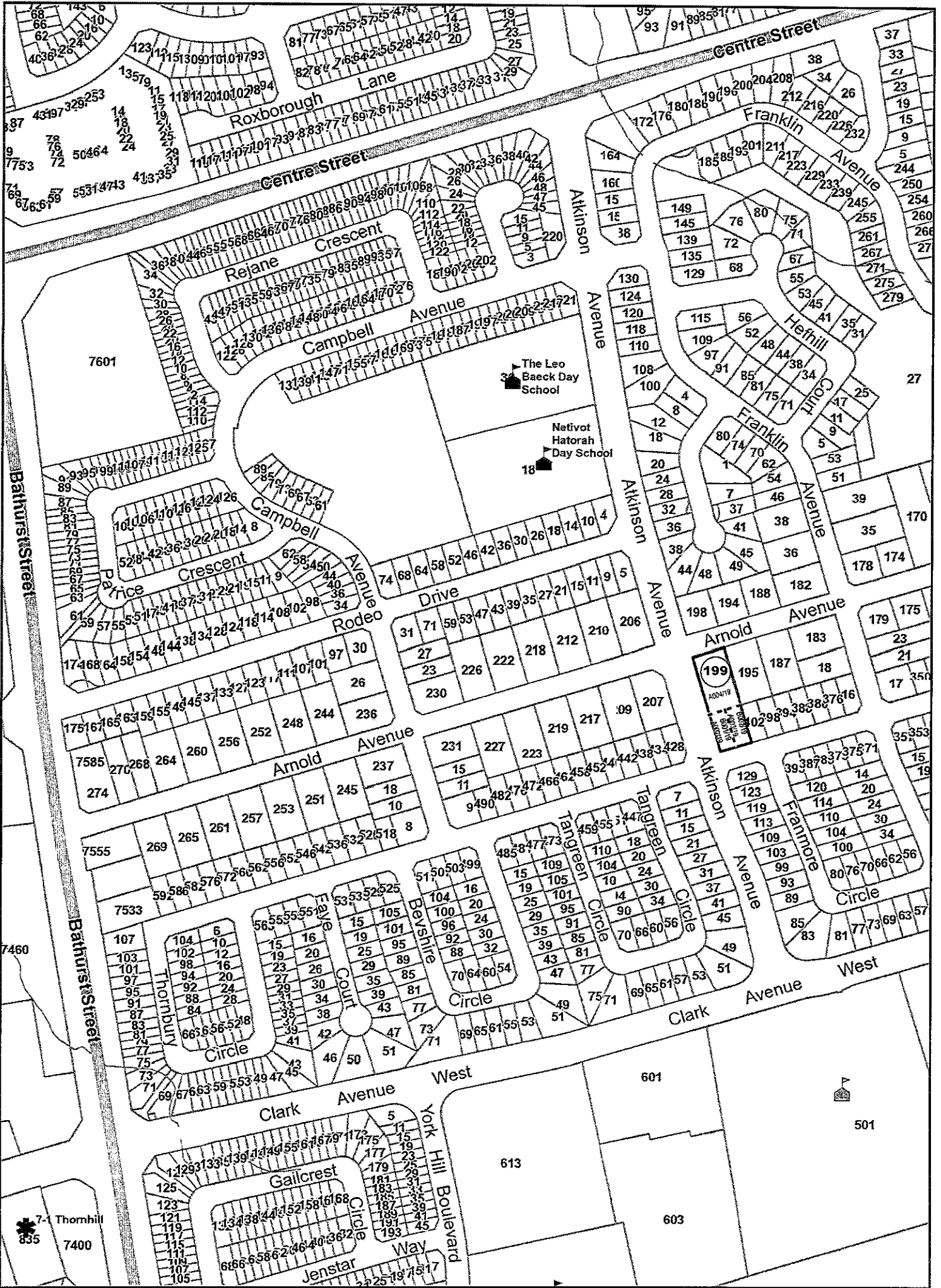
Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: \$817.00 per application

*Please note that all fees are subject to change.

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from each respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All applicable conditions must be cleared prior to the issuance of a Building Permit.



Title:
199 ARNOLD AVENUE, THORNHILL

LOCATION MAP - B001/19, B002/19, A002/19, A003/19 & A004/19

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.



Scale: 1:4,514
 0 0.07 km

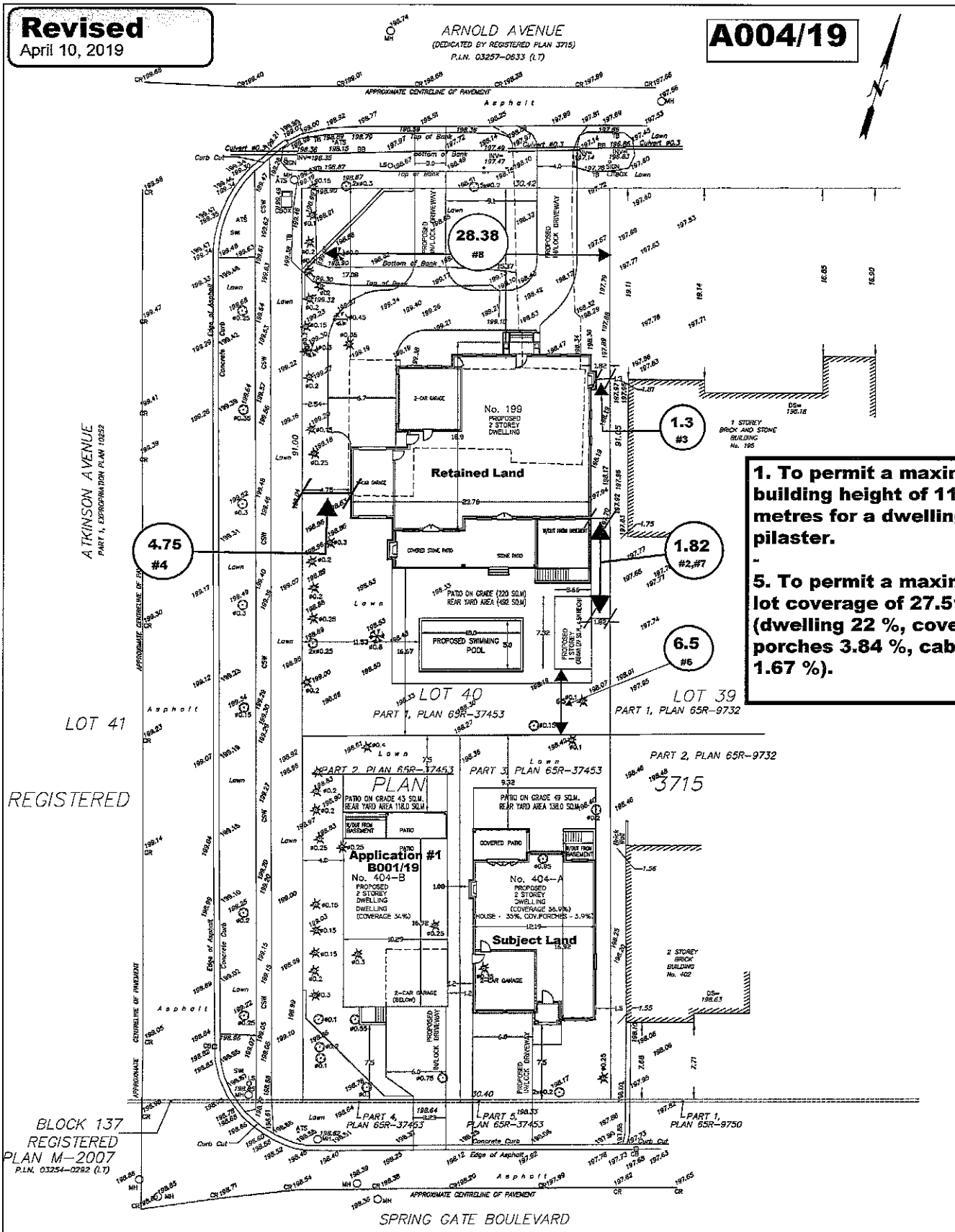
Created By:
 Infrastructure Delivery
 Department
 February 19, 2019 3:00 PM

Projection:
 NAD 83
 UTM Zone
 17N

Revised
April 10, 2019

ARNOLD AVENUE
(DEDICATED BY REGISTERED PLAN 3715)
P.L.N. 03257-0633 (1.7)

A004/19



1. To permit a maximum building height of 11 metres for a dwelling pilaster.
5. To permit a maximum lot coverage of 27.51% (dwelling 22 %, covered porches 3.84 %, cabana 1.67 %).

REGISTERED

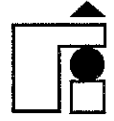
BLOCK 137
REGISTERED
PLAN M-2007
P.L.N. 03254-0292 (1.7)

SITE PLAN

SCALE 1:500
DERIVED FROM
TOPOGRAPHIC SURVEY
LOT 40
REGISTERED PLAN 3715
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
ALEX MARTON LIMITED
ONTARIO LAND SURVEYORS
NOVEMBER 24, 2018

CAUTION
THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE
USED FOR ANY REAL ESTATE TRANSACTIONS.
NOTE
THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR
ANY REAL ESTATE TRANSACTIONS.

GUITBERG GROUP INC.



33 BELVEDERE CRES.
RICHMOND HILL
ONTARIO, L4C 8W1
TEL. (905) 508-7436
FAX. (905) 508-7453

PRIVATE RESIDENCES
AT #199 ARNOLD AVENUE
AND 404A & B SPRING GATE BLVD.
CITY OF VAUGHAN, ON

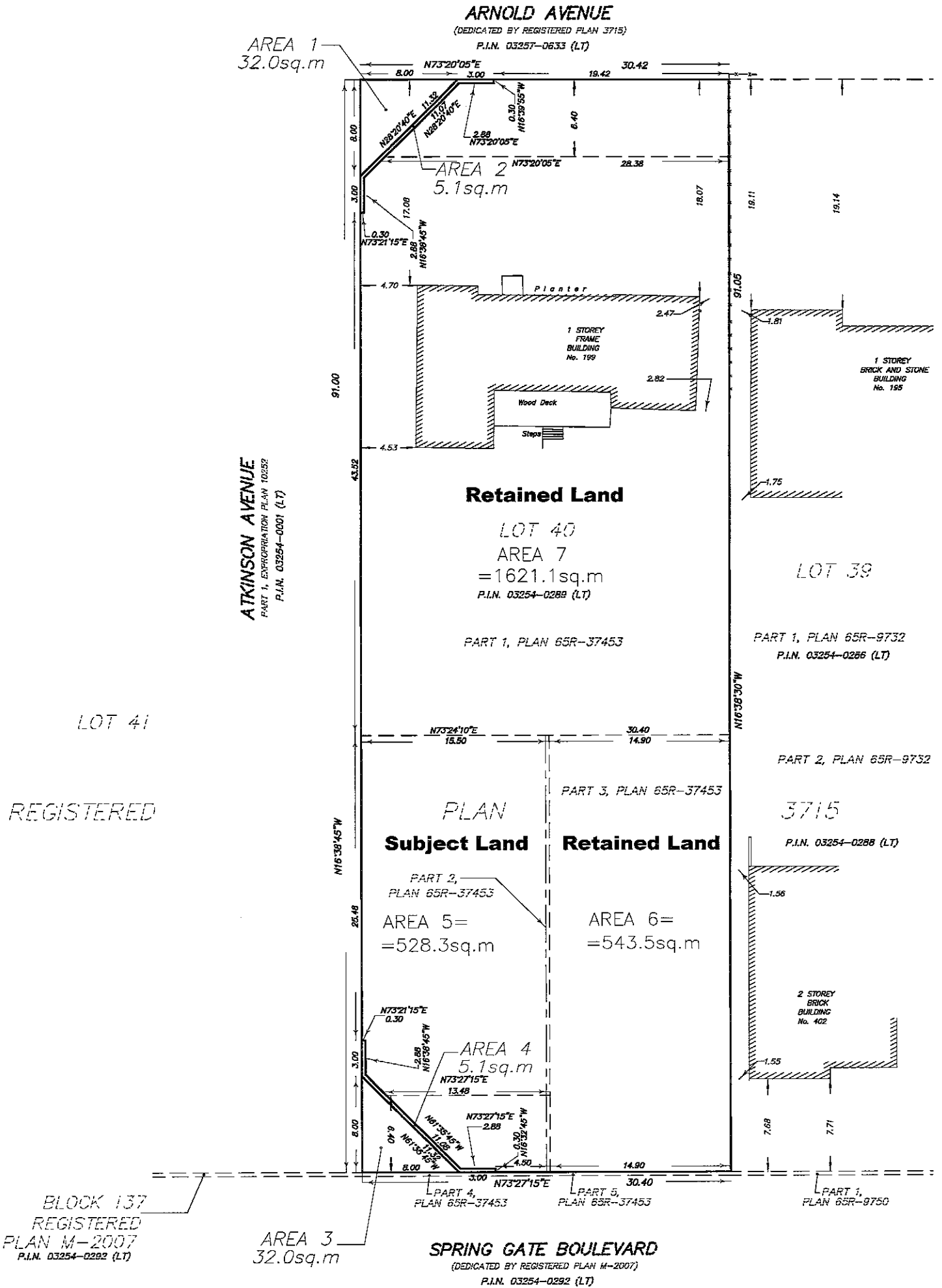
SITE COVERAGE CALCULATION FOR #199 ARNOLD AVE.			
SITE COVERAGE(REQ.20%)	356.74 M ² - 3840.00 sq.ft. (22.00%)	HOUSE ONLY	
SITE COVERAGE(REQ.20%)	62.24 M ² - 670.00 sq.ft. (3.84%)	COVERED PORCHES	
SITE COVERAGE(REQ.20%)	27.00 M ² - 291.00 sq.ft. (1.67%)	ACCESSORY STRUCTURE	
	27.51%	TOTAL	

SITE PLAN

Revised

April 10, 2019

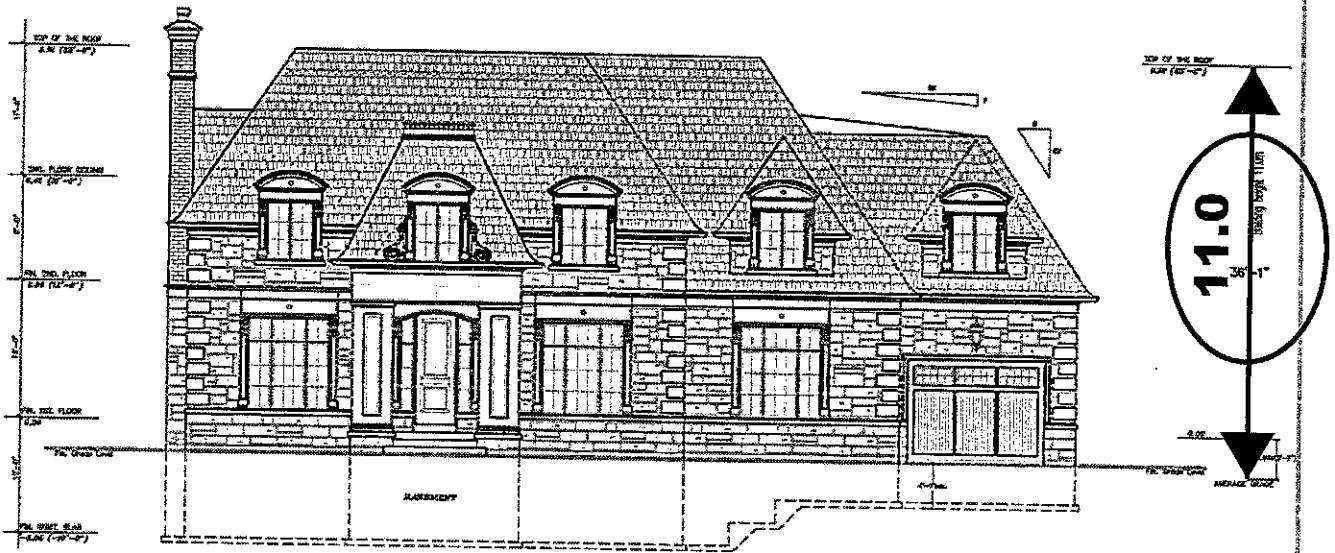
A004/19



A004/19

NORTH ELEVATION

SCALE 1 : 200



GUITBERG GROUP INC.



33 BELVEDERE CRES.
RICHMOND HILL
ONTARIO, L4C 8W1
TEL. (905) 508-7438
FAX. (905) 508-7453

PRIVATE RESIDENCE
AT #199 ARNOLD AVENUE
CITY OF VAUGHAN, ON

NORTH ELEVATION