ITEM #6.3:	COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A152/22 47 Railway St Maple

COA REPORT SUMMARY

THIS REPORT CONTAINS COMMENTS FROM THE FOLLOWING DEPARTMENTS & AGENCIES:

*Please see **Schedule B** of this report for a copy of Staff 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	X	X		General Comments w/conditions
Building Standards -Zoning Review ***Schedule B**	X	X		General Comments
Building Inspection (Septic)	X			No Comments Recieved to Date
Development Planning ***Schedule B**	X	X	X	Recommend Approval w/Conditions
Development Engineering	X	X	X	Recommend Approval w/Conditions
Parks, Forestry and Horticulture Operations	X	X	X	Recommend Approval w/Conditions
By-law & Compliance, Licensing & Permits	X			No Comments Recieved to Date
Development Finance	X	X		No Comments or Concerns
Real Estate				
Fire Department	X	X		No Comments or Concerns
AGENCIES	**Circulated**	**Comments Received**	**Conditions**	**Nature of Comments**
TRCA ***Schedule B**	X			No Comments Recieved to Date
Ministry of Transportation (MTO) ***Schedule B**	X			
Region of York ***Schedule B**	X	X	X	Recommend Approval w/Conditions
Alectra ***Schedule B**	X	X		General Comments
Bell Canada ***Schedule B**	X	X		General Comments
YRDSB ***Schedule B**				
YCDSB ***Schedule B**				
CN Rail ***Schedule B**				
CP Rail ***Schedule B**				
TransCanada Pipeline ***Schedule B**	X			No Comments Recieved to Date
Metrolinx ***Schedule B**	X	X		General Comments
Propane Operator ***Schedule B**				

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 Type	**Name**	**Address**	**Date Received** (mm/dd/yyyy)	**Summary**
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** MM/DD/YYYY	**Decision Outcome**
B024/19, A089/19, A090/19	04/08/2020	(LPAT) Approved (Conditions Lapsed)
B024/19, A089/19, A090/19	10/17/2019	(COA) Refused

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

VAUGHAN	**COMMITTEE OF ADJUSTMENT REPORT MINOR VARIANCE APPLICATION A152/22 47 Railway St Maple**

FILE MANAGER: Pravina Attwala, Administrative Coordinator - Committee of Adjustment

ITEM NUMBER: 6.3	**CITY WARD #: 1**
APPLICANT:	John & Natercia Carvalhais
AGENT:	Sol-Arch
PROPERTY:	47 Railway St Maple
ZONING DESIGNATION:	See below.
VAUGHAN OFFICIAL PLAN (2010) DESIGNATION:	Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
RELATED DEVELOPMENT APPLICATIONS:	Consent Application B009/22 & Minor Variance A151/22
PURPOSE OF APPLICATION:	Relief from the Zoning By-law is being requested to permit reduced lot frontage and lot area on the severed land to facilitate Consent Application B009/22. Relief is also required to permit a proposed single family dwelling on the severed land.

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

The subject lands are zoned R1A(EN) – First Density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021.

#	Zoning By-law 001-2021	Variance Requested
1	A minimum lot frontage of 18 m is required. Table 7-3]	To permit a minimum lot frontage of 9.08m.
2	A minimum lot area of 540 m2 is required. [Table 7-3]	To permit a minimum lot area of 528.61m2.
3	A minimum interior side yard setback of 1.5 m is required to a dwelling and a balcony. [Table 7-3, 4.13]	To permit a minimum **westerly** interior side yard setback of 1.03 m to a dwelling and 0.99 m to a balcony.
4	A minimum interior side yard setback of 1.2 m is required to access stairs, open, unenclosed. [4.13]	To permit a minimum **westerly** interior side yard setback of 0.99 m to access stairs, open, unenclosed.
5	A minimum interior side yard setback of 1.5 m is required to a dwelling and balcony. [Table 7-3, 4.13]	To permit a minimum **easterly** interior side yard setback of 1.20 m to a dwelling and balcony.
6	A maximum building height of 9.09 m is permitted for a dwelling (existing 6.09 m + 3.0 m) [4.5, 1b]	To permit a maximum building height of 9.42 m for a dwelling.

The subject lands are zoned R1, Residential and subject to the provisions of Exception 9(45) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance Requested
7	A minimum lot frontage of 18 m is required. Table 7-3]	To permit a minimum lot frontage of 9.08m.
8	A minimum lot area of 700 m2 is required. [Schedule A]	To permit a minimum lot area of 528.61m2.
9	A minimum interior side yard setback of 1.5 m is required to a dwelling and basement walkup. [Schedule A, 3.14]	To permit a minimum **westerly** interior side yard setback of 1.03 m to a dwelling and 0.99 m to a dwelling and basement walkup.
10	A minimum interior side yard setback of 1.5 m is required to a dwelling. [Schedule A]	To permit a minimum e**asterly** interior side yard setback of 1.20 m to a dwelling.
11	A minimum interior side yard setback of 1.2 m is required to a deck. [3.14]	To permit a minimum **westerly** interior side yard setback of 0.99 m to a deck.

	Zoning By-law 1-88	Variance Requested
12	A minimum interior side yard setback of 1.2 m is required to a canopy. [3.14 i]	To permit a minimum **westerly** interior side yard setback of 1.0 m and a minimum **easterly** interior side yard setback of 0.9 m to a canopy.

HEARING INFORMATION

DATE OF MEETING: Thursday, July 28, 2022
TIME: 6:00 p.m.
MEETING LOCATION: Vaughan City Hall, Council Chamber, 2141 Major Mackenzie Drive, Vaughan
LIVE STREAM LINK: Vaughan.ca/LiveCouncil

PUBLIC PARTICIPATION

If you would like to speak to the Committee of Adjustment at the meeting, either remotely or in person, please complete the **Request to Speak Form** and submit to **cofa@vaughan.ca**
If you would like to submit written comments, please quote file number above and submit by mail or email to:
Email: **cofa@vaughan.ca**

Mail: City of Vaughan, Office of the City Clerk, Committee of Adjustment, 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1

THE DEADLINE TO REGISTER TO SPEAK OR SUBMIT WRITTEN COMMENTS ON THE ABOVE NOTED FILE(S) IS NOON ON THE LAST BUSINESS DAY BEFORE THE MEETING.

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:	July 13, 2022
Date Applicant Confirmed Posting of Sign:	July 11, 2022
Applicant Justification for Variances: *As provided by Applicant in Application Form	The minium lot frontage and lot area do not comply with the Zoning By-law requirements.
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 **after** the issuance of public notice.

Committee of Adjustment Comments:	General Comments
Committee of Adjustment Recommended Conditions of Approval:	1. That Consent Application B009/22 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

COMMITTEE OF ADJUSTMENT COMMENTS	
	must be provided to the Secretary Treasurer to satisfy this condition. 2. That a Surveyors Certificate confirming lot area and frontage is submitted.

BUILDING STANDARDS (ZONING) COMMENTS	
**See Schedule B for Building Standards (Zoning) Comments	
Building Standards Recommended Conditions of Approval:	None

DEVELOPMENT PLANNING COMMENTS	
**See Schedule B for Development Planning Comments.	
Development Planning Recommended Conditions of Approval:	That the Owners meet all conditions of approval as outlined in the Tribunal's final decision and order for case PL190561

DEVELOPMENT ENGINEERING COMMENTS	
Link to Grading Permit Link to Pool Permit Link to Curb Curt Permit Link Culvert Installation	
1 The owner/applicant shall apply and obtain the necessary curb cut/ reinstating permit through the Transportation and Fleet Management Services. Please visit the curb cut permit link provided above to learn how to apply for the curb cut/ reinstating permit. 2 As the proposed dwelling in the subject property 122.63m2, 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. (Condition attached) 3 The Development Engineering Department does not object to the Minor Variance application A152/22, Subject to the following Condition(s):	
Development Engineering Recommended Conditions of Approval:	1 The Minor Variance application A152/22 shall be approved in conjunction with consent application B009/22 2 The Owner/applicant shall submit a revised 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 the grading permit link provided above to learn how to apply for lot grading and/or servicing approval.

PARKS, FORESTRY & HORTICULTURE (PFH) COMMENTS	
Forestry: General Comments	
PFH Recommended Conditions of Approval:	Applicant/owner shall obtain a "Private Property Tree Removal & Protection" permit through the forestry division prior to any construction works on the subject property.

DEVELOPMENT FINANCE COMMENTS
That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment. That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment. That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment.

DEVELOPMENT FINANCE COMMENTS	
That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.	
Development Finance Recommended Conditions of Approval:	None

BY-LAW AND COMPLIANCE, LICENSING AND PERMIT SERVICES COMMENTS	
No comments received to date	
BCLPS Recommended Conditions of Approval:	None

BUILDING INSPECTION (SEPTIC) COMMENTS	
No comments received to date	
Building Inspection Recommended Conditions of Approval:	None

FIRE DEPARTMENT COMMENTS	
No comments no concerns	
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	Staff & 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 christine.vigneault@vaughan.ca	1. That Consent Application B009/22 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. That a Surveyors Certificate confirming lot area and frontage is submitted.
2	Development Planning michelle.perrone@vaughan.ca	That the Owners meet all conditions of approval as outlined in the Tribunal's final decision and order for case PL190561
3	Development Engineering ian.reynolds@vaughan.ca	1 The Minor Variance application A152/22 shall be approved in conjunction with consent application B009/22 2 The Owner/applicant shall submit a revised 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 the grading

SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL		
		permit link provided above to learn how to apply for lot grading and/or servicing approval.
4	Parks, Forestry and Horticulture Operations zachary.guizzetti@vaughan.ca	Applicant/owner shall obtain a “Private Property Tree Removal & Protection” permit through the forestry division prior to any construction works on the subject property.
5	Region of York Niranjan.Rajevan@york.ca	Prior to final approval, the City of Vaughan shall confirm that wastewater servicing capacity allocation has been set aside for the new lot from existing YDSS capacity assigned by the Region.

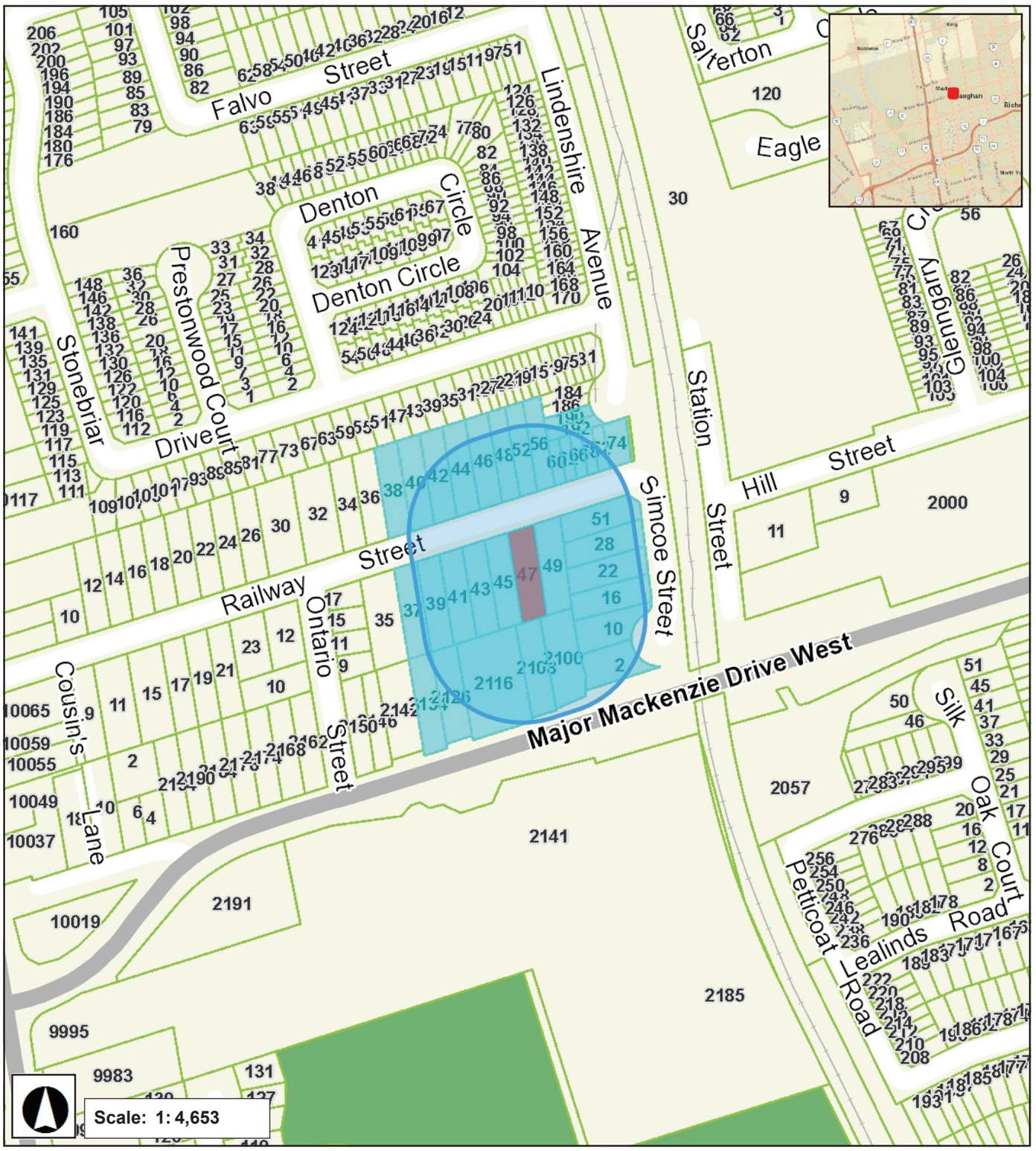
IMPORTANT INFORMATION – PLEASE READ
CONDITIONS: It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency **(see condition chart above for contact).** This letter must be provided to the Secretary-Treasurer 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. 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

LOCATION MAP | B009/22, A151/22, A152/22

47 RAILWAY STREET , MAPLE

Teston Road



September 26, 2019 12:23 PM

RECEIVED JUNE 21, 2022 **PLANS PREPARED BY APPLICANT**

A152/22

SURVEYOR'S REAL PROPERTY REPORT – PART 1
PLAN OF SURVEY OF

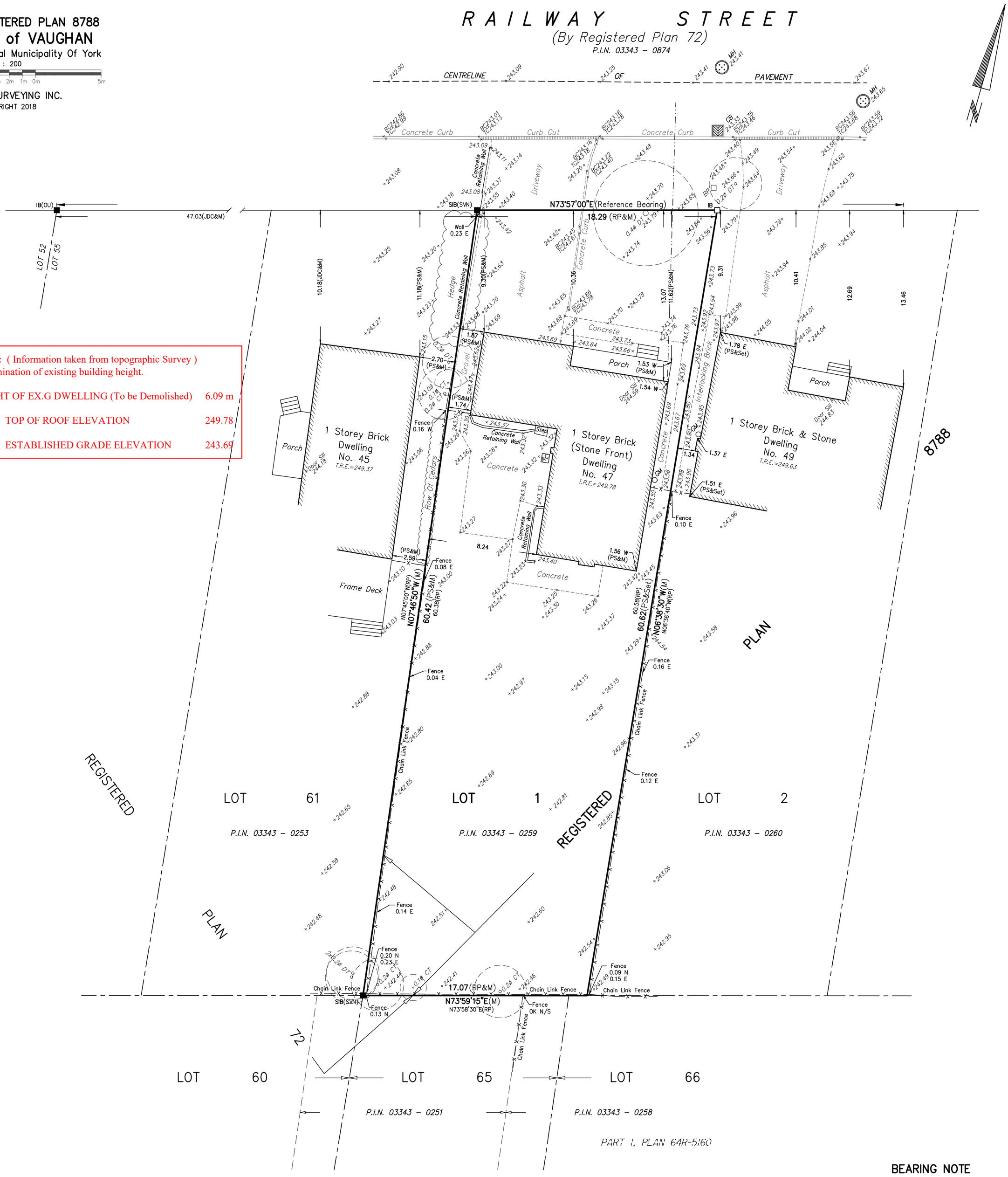
LOT 1
REGISTERED PLAN 8788
CITY of VAUGHAN

Regional Municipality Of York

SCALE 1 : 200

5m 4m 3m 2m 1m 0m 5m

GTA SURVEYING INC.



NOTE: (Information taken from topographic Survey)
Determination of existing building height.

HEIGHT OF EX.G DWELLING (To be Demolished)		6.09 m
EL.	TOP OF ROOF ELEVATION	249.78
EL.	ESTABLISHED GRADE ELEVATION	243.69

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE SOUTH LIMIT OF RAILWAY STREET, HAVING A BEARING OF N73°57'00"E ACCORDING TO REGISTERED PLAN 8788

METRIC

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 24TH DAY OF JULY, 2018.

JULY 31, 2018
DATE

JACEK WALCZAK
ONTARIO LAND SURVEYOR

THIS PLAN WAS PREPARED FOR JOHN CARVALHAIS

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
2062927

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR In accordance with Regulation 1026, Section 29(3).

LEGEND

□	DENOTES	SURVEY MONUMENT SET
■	⊣ ⊢	SURVEY MONUMENT FOUND
N,S,E,W	⊣ ⊢	NORTH,SOUTH,EAST,WEST
M	⊣ ⊢	MEASURED
IB	⊣ ⊢	IRON BAR
SIB	⊣ ⊢	STANDARD IRON BAR
OU	⊣ ⊢	ORIGIN UNKNOWN
P.I.N.	⊣ ⊢	PROPERTY IDENTIFIER NUMBER
RP	⊣ ⊢	REGISTERED PLAN 8788
JDC	⊣ ⊢	PLAN BY JOHN DOUGLAS CARTER LTD., O.L.S., DATED MAY 5, 1989
PS	⊣ ⊢	PLAN BY P. SALNA COMPANY LTD. O.L.S., DATED DECEMBER 20, 1990
SVN	⊣ ⊢	SPEIGHT, VAN NOSTRAND, ANDERSON & CURRIE, O.L.S.
BC	⊣ ⊢	BOTTOM OF CURB
TC	⊣ ⊢	TOP OF CURB

LEGEND CONTINUED

AC	DENOTES	AIR CONDITIONING UNIT
BP	⊣ ⊢	BELL PEDESTAL
CB	⊣ ⊢	CATCH BASIN
CT	⊣ ⊢	CONIFEROUS TREE
DT	⊣ ⊢	DECIDUOUS TREE
GM	⊣ ⊢	GAS METER
MH	⊣ ⊢	MANHOLE
– · – · –	⊣ ⊢	OVERHEAD WIRES
T.R.E.	⊣ ⊢	TOP OF ROOF ELEVATION

ELEVATION NOTE

ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE NAD83–CSRS COORDINATE SYSTEM DERIVED FROM THE GLOBAL POSITIONING SYSTEM OBSERVATIONS.

PART 2 – SURVEY REPORT

1) PLEASE NOTE LOCATION OF FENCES AND OVERHEAD WIRES
2) REGISTERED EASEMENTS AND/OR RIGHTS–OF–WAY: NONE
3) THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY–LAWS

GTA
Greater Toronto Acres SURVEYING Inc.
7003 Steeles Ave. West, Unit 12, Toronto ON M9W 0A2
Tel: (416) 679–0572
E–MAIL: jw@gtasurveying.ca

DRAWN: R.C. | CHECKED: P.W. | PROJECT 18297

PLAN OF SURVEY OF
LOT 1
REGISTERED PLAN 8788
CITY of VAUGHAN
Regional Municipality Of York
SCALE 1 : 200

5m 4m 3m 2m 1m 0m 5m

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

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

DATE : _____

_____
JACEK WALCZAK
ONTARIO LAND SURVEYOR

PLAN 65R-

RECEIVED AND DEPOSITED

DATE : _____

_____
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK. (No.65)

SCHEDULE

PART	ALL OF LOT	PLAN	ALL OF P.I.N.	AREA
1	1	8788	03343-0259	528.56sq.m.
2				528.61sq.m.

See lot areas

RAILWAY STREET
(BY REGISTERED PLAN 72)
P.I.N. 03343 - 0874

N: 4,837,294.71
E: 322,684.37

N73°57'00"E
18.29 (RP&M)

IB(OU)
47.03(JDC&M)
SIB(SVN)
9.145
9.145
IB(1902)

LOT 52
LOT 55

10.18(JDC&M)
11.18(PS&M)
9.30(PS&M)
10.36
13.07
11.62(PS&M)
9.31
10.41
12.69
13.46

1.87 (PS&M)
2.70 (PS&M)
Porch
1.53 W (PS&M)
1.54 W
1.78 E (PS&M)
Porch
(PS&M) 1.74
Step
1.37
1.34
1.51 E (PS&Set)

1 Storey Brick Dwelling No. 45
1 Storey Brick (Stone Front) Dwelling No. 47
1 Storey Brick & Stone Dwelling No. 49

8.24
(PS&M) 2.59
1.56 W (PS&M)

N07°46'50"W
60.42 (PS&M)
60.38(RP)
N07°12'35"W
60.52
60.58(RP)
60.62(PS&Set)
N06°38'30"W

PART 1
(Severed)
528.56 sq.m.
PART 2

PLAN 8788

LOT 61
P.I.N. 03343 - 0253
LOT 1
P.I.N. 03343 - 0259
LOT 2
P.I.N. 03343 - 0260

REGISTERED PLAN 72

N: 4,837,294.71
E: 322,684.37
SIB(SVN)
8.535
8.535
N: 4,837,294.71
E: 322,684.37
N73°59'15"E
17.07(RP&M)

REGISTERED PLAN 72

LOT 60
LOT 65
LOT 66
P.I.N. 03343 - 0251
P.I.N. 03343 - 0258
PART 1, PLAN 64R-5160

SURVEYOR'S CERTIFICATE

I CERTIFY THAT :
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE DAY OF , 2018.

JULY 31, 2018
DATE

_____
JACEK WALCZAK
ONTARIO LAND SURVEYOR

LEGEND

☐	DENOTES	SURVEY MONUMENT SET
■	⊣ ⊢	SURVEY MONUMENT FOUND
N,S,E,W	⊣ ⊢	NORTH,SOUTH,EAST,WEST
M	⊣ ⊢	MEASURED
IB	⊣ ⊢	IRON BAR
SIB	⊣ ⊢	STANDARD IRON BAR
OU	⊣ ⊢	ORIGIN UNKNOWN
P.I.N.	⊣ ⊢	PROPERTY IDENTIFIER NUMBER
RP	⊣ ⊢	REGISTERED PLAN 8788
JDC	⊣ ⊢	PLAN BY JOHN DOUGLAS CARTER LTD., O.L.S., DATED MAY 5, 1989
PS	⊣ ⊢	PLAN BY P. SALNA COMPANY LTD. O.L.S., DATED DECEMBER 20, 1990
SVN	⊣ ⊢	SPEIGHT, VAN NOSTRAND, ANDERSON & CURRIE, O.L.S.
GTA(1902)	⊣ ⊢	PLAN BY GREATER TORONTO ACRES SURVEYING INC., O.L.S. DATED JULY 31, 2018

DISTANCE NOTE

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999875.

COORDINATE SYSTEM and BEARING NOTE

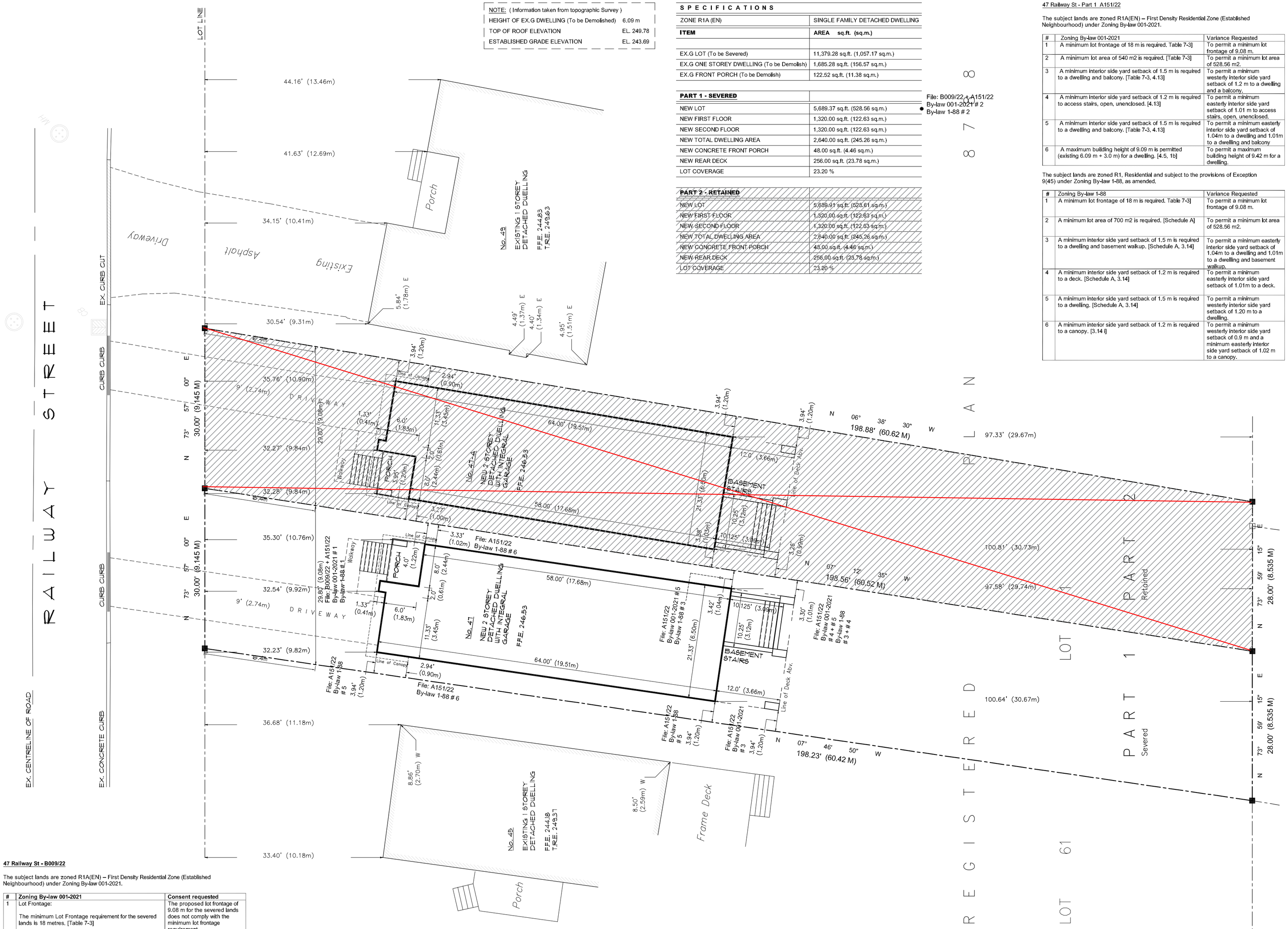
COORDINATE SYSTEM IS NORTH AMERICAN DATUM 1983 (CANADIAN SPATIAL REFERENCE SYSTEM)(2010.0). COORDINATES AND BEARINGS SHOWN HEREON ARE GRID, EXPRESSED IN MODIFIED TRANSVERSE MERCATOR MAP PROJECTION ZONE 10 CENTRAL MERIDIAN 79°30' WEST LONGITUDE AND ARE DERIVED FROM GLOBAL POSITIONING SYSTEM (LEICA REFERENCE STATIONS NETWORK)

NOTE:

COORDINATES COMPLY WITH SUBSECTION 14(2) O. REG 216/10
COORDINATES CANNOT IN THEMSELVES BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

GTA
Greater Toronto Acres SURVEYING Inc.
7003 Steeles Ave. West, Unit 12, Toronto ON M9W 0A2
Tel: (416) 679-0572
E-MAIL: jw@gtasurveying.ca

DRAWN: R.C. | CHECKED: P.W. | PROJECT 18297



NOTE: (Information taken from topographic Survey)

HEIGHT OF EX.G DWELLING (To be Demolished)	6.09 m
TOP OF ROOF ELEVATION	EL. 249.78
ESTABLISHED GRADE ELEVATION	EL. 243.69

S P E C I F I C A T I O N S

ZONE R1A (EN)	SINGLE FAMILY DETACHED DWELLING
ITEM	**AREA sq.ft. (sq.m.)**
EX.G LOT (To be Severed)	11,379.28 sq.ft. (1,057.17 sq.m.)
EX.G ONE STOREY DWELLING (To be Demolish)	1,685.28 sq.ft. (156.57 sq.m.)
EX.G FRONT PORCH (To be Demolish)	122.52 sq.ft. (11.38 sq.m.)
PART 1 - SEVERED	
NEW LOT	5,689.37 sq.ft. (528.56 sq.m.)
NEW FIRST FLOOR	1,320.00 sq.ft. (122.63 sq.m.)
NEW SECOND FLOOR	1,320.00 sq.ft. (122.63 sq.m.)
NEW TOTAL DWELLING AREA	2,640.00 sq.ft. (245.26 sq.m.)
NEW CONCRETE FRONT PORCH	48.00 sq.ft. (4.46 sq.m.)
NEW REAR DECK	256.00 sq.ft. (23.78 sq.m.)
LOT COVERAGE	23.20 %
PART 2 - RETAINED	
NEW LOT	5,689.91 sq.ft. (528.61 sq.m.)
NEW FIRST FLOOR	1,320.00 sq.ft. (122.63 sq.m.)
NEW SECOND FLOOR	1,320.00 sq.ft. (122.63 sq.m.)
NEW TOTAL DWELLING AREA	2,640.00 sq.ft. (245.26 sq.m.)
NEW CONCRETE FRONT PORCH	48.00 sq.ft. (4.46 sq.m.)
NEW REAR DECK	256.00 sq.ft. (23.78 sq.m.)
LOT COVERAGE	23.20 %

File: B009/22 + A151/22
By-law 001-2021 # 2
By-law 1-88 # 2

47 Railway St - B009/22

The subject lands are zoned R1A(EN) – First Density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021.

#	Zoning By-law 001-2021	Consent requested
1	Lot Frontage: The minimum Lot Frontage requirement for the severed lands is 18 metres. [Table 7-3]	The proposed lot frontage of 9.08 m for the severed lands does not comply with the minimum lot frontage requirement.
2	Lot Area: The minimum Lot Area requirement for the severed lands 540 m2. [Table 7-3]	The proposed lot area of 528.56 m2 for the severed lands does not comply with the minimum lot area requirement.
3	Lot Depth: There is no requirement for minimum Lot Depth requirement for the severed lands and retained lands.	Not applicable.

The subject lands are zoned R1, Residential and subject to the provisions of Exception 9(45) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Consent Requested
1	Lot Frontage: The minimum Lot Frontage requirement for the severed lands is 18 metres. [Schedule A]	The proposed lot frontage of 9.08 m for the severed lands does not comply with the minimum lot frontage requirement.
2	Lot Area: The minimum Lot Area requirement for the severed lands is 700 m2. [Schedule A]	The proposed lot area of 528.56 m2 for the severed lands does not comply with the minimum lot area requirement.

L A N D S C A P E S P E C I F I C A T I O N S

ZONE R1A (EN)	SINGLE FAMILY DETACHED DWELLING
PART 1 - SEVERED	**AREA sq.ft. (sq.m.)**
FRONT YARD AREA	1,077.21 sq.ft. (100.08 sq.m.)
FRONT - LANDSCAPE OPEN SPACE	728.42 sq.ft. (67.67 sq.m.) - 67.62 %
FRONT - SOFT LANDSCAPE OPEN SPACE	647.76 sq.ft. (60.18 sq.m.) - 88.93 %
REAR YARD AREA	2,826.29 sq.ft. (262.57 sq.m.)
REAR - SOFT LANDSCAPE OPEN SPACE	2,570.29 sq.ft. (238.79 sq.m.) - 90.94 %

L A N D S C A P E S P E C I F I C A T I O N S

ZONE R1A (EN)	SINGLE FAMILY DETACHED DWELLING
PART 2 - RETAINED	**AREA sq.ft. (sq.m.)**
FRONT YARD AREA	1,084.00 sq.ft. (100.71 sq.m.)
FRONT - LANDSCAPE OPEN SPACE	718.42 sq.ft. (66.74 sq.m.) - 66.27 %
FRONT - SOFT LANDSCAPE OPEN SPACE	637.76 sq.ft. (59.25 sq.m.) - 88.77 %
REAR YARD AREA	2,822.74 sq.ft. (262.24 sq.m.)
REAR - SOFT LANDSCAPE OPEN SPACE	2,566.74 sq.ft. (238.46 sq.m.) - 90.93 %

47 Railway St - Part 1 A151/22

The subject lands are zoned R1A(EN) – First Density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021.

#	Zoning By-law 001-2021	Variance Requested
1	A minimum lot frontage of 18 m is required. Table 7-3]	To permit a minimum lot frontage of 9.08 m.
2	A minimum lot area of 540 m2 is required. [Table 7-3]	To permit a minimum lot area of 528.56 m2.
3	A minimum interior side yard setback of 1.5 m is required to a dwelling and balcony. [Table 7-3, 4.13]	To permit a minimum westerly interior side yard setback of 1.2 m to a dwelling and a balcony.
4	A minimum interior side yard setback of 1.2 m is required to access stairs, open, unenclosed. [4.13]	To permit a minimum easterly interior side yard setback of 1.01 m to access stairs, open, unenclosed.
5	A minimum interior side yard setback of 1.5 m is required to a dwelling and balcony. [Table 7-3, 4.13]	To permit a minimum easterly interior side yard setback of 1.04m to a dwelling and 1.01m to a dwelling and balcony
6	A maximum building height of 9.09 m is permitted (existing 6.09 m + 3.0 m) for a dwelling. [4.5, 1b]	To permit a maximum building height of 9.42 m for a dwelling.

The subject lands are zoned R1, Residential and subject to the provisions of Exception 9(45) under Zoning By-law 1-88, as amended.

#	Zoning By-law 1-88	Variance Requested
1	A minimum lot frontage of 18 m is required. Table 7-3]	To permit a minimum lot frontage of 9.08 m.
2	A minimum lot area of 700 m2 is required. [Schedule A]	To permit a minimum lot area of 528.56 m2.
3	A minimum interior side yard setback of 1.5 m is required to a dwelling and basement walkup. [Schedule A, 3.14]	To permit a minimum easterly interior side yard setback of 1.04m to a dwelling and 1.01m to a dwelling and basement walkup.
4	A minimum interior side yard setback of 1.2 m is required to a deck. [Schedule A, 3.14]	To permit a minimum easterly interior side yard setback of 1.01m to a deck.
5	A minimum interior side yard setback of 1.5 m is required to a dwelling. [Schedule A, 3.14]	To permit a minimum westerly interior side yard setback of 1.20 m to a dwelling.
6	A minimum interior side yard setback of 1.2 m is required to a canopy. [3.14 i]	To permit a minimum westerly interior side yard setback of 0.9 m and a minimum easterly interior side yard setback of 1.02 m to a canopy.

NORTH POINT:

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LEGEND

A/C	→	AIR CONDITION UNIT
N.S.E.W.	→	NORTH, SOUTH, EAST, WEST
C.L.F.	→	CHAIN LINK FENCE
B.F.	→	BOARD FENCE
T.R.W.	→	TIMBER RETAINING WALL
C.R.W.	→	CONCRETE RETAINING WALL
I.L.B.	→	INTERLOCKING BRICK
S.P.	→	STEEL POLE
S.V.	→	SERVICE VALVE
— · · —	→	OVERHEAD WIRES
U.P.	→	UTILITY POLE
W.V.	→	WATER VALVE
F.F.E.	→	FINISHED FLOOR ELEVATION
C.B.	→	CATCH BASIN
M.H.	→	MANHOLE
H.W.	→	HAND WELL
L.S.	→	LIGHT STANDARD
D.T.	→	DECIDUOUS TREE
C.T.	→	CONIFEROUS TREE
ø	→	DIAMETER SYMBOL
G.V.	→	GAS VALVE
T.C.	→	TOP OF CURB
B.C.	→	BOTTOM OF CURB
R.O.W.	→	RIGHT-OF-WAY
0000	→	EXIST'G ELEVATION
0000	→	PROPOSED AVG. ELEVATION
	→	R.W.L. RAIN WATER LEADER
	→	EXIST'G TREE
	→	EXIST'G TREE (TO REMOVE)
	→	CEDAR BUSHES

Site Plan of Survey of
LOT 1
REGISTERED PLAN 8788
CITY OF VAUGHAN
(Regional Municipality of York)
Information taken from survey by: GTA Surveying Inc., O.L.S. dated July 31, 2018., documents as provided by property owner(s).

(DIMENSIONS ARE IN FEET WITH METERS IN BRACKETS)

SCALE 1" = 12'-0"

SCALE 1 : 200

No.	Comments	Date:
6.		
5.		
4.		
3.	REVISED AS PER ZONING COMMENTS	JUN. 16/22.
2.	REVISED AS PER ZONING COMMENTS	JUN. 8/22.
1.	REVISED AS PER PLANNER	APR. 22/19.

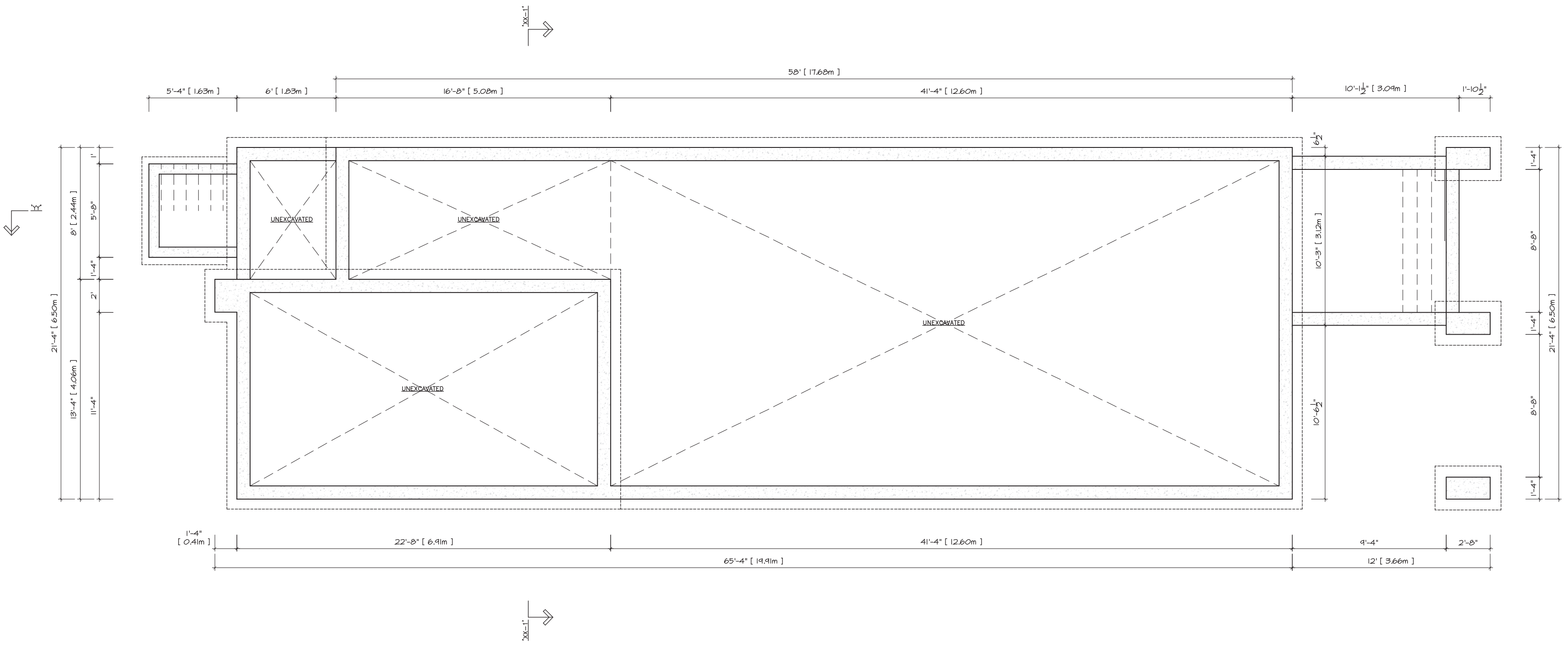
THE A.D.A.C.A.D GROUP
Building . Design . Consultants
6 Redfern Avenue, Toronto, Ontario M3M 1L3
Tel: 416.254.8917 Email: theadacadgroup@rogers.com

DRAWING:
SITE PLAN - PART 1 (Severed)

PROJECT:
DIVIDE LOT INTO 2 AND CONSTRUCT A 2 STOREY DETACHED DWELLING WITH INTEGRAL GARAGE ON EACH LOT.

47 RAILWAY ST. CITY OF VAUGHAN

DRAWN BY: DA TORRE	CHECKED:
SCALE: 1" = 12'-0"	DATE: MARCH 15, 2019.
JOB No.: 18-0647 RS-1	PAGE No.: **A0.0**



FOUNDATION PLAN

THE A.D.A.C.A.D GROUP
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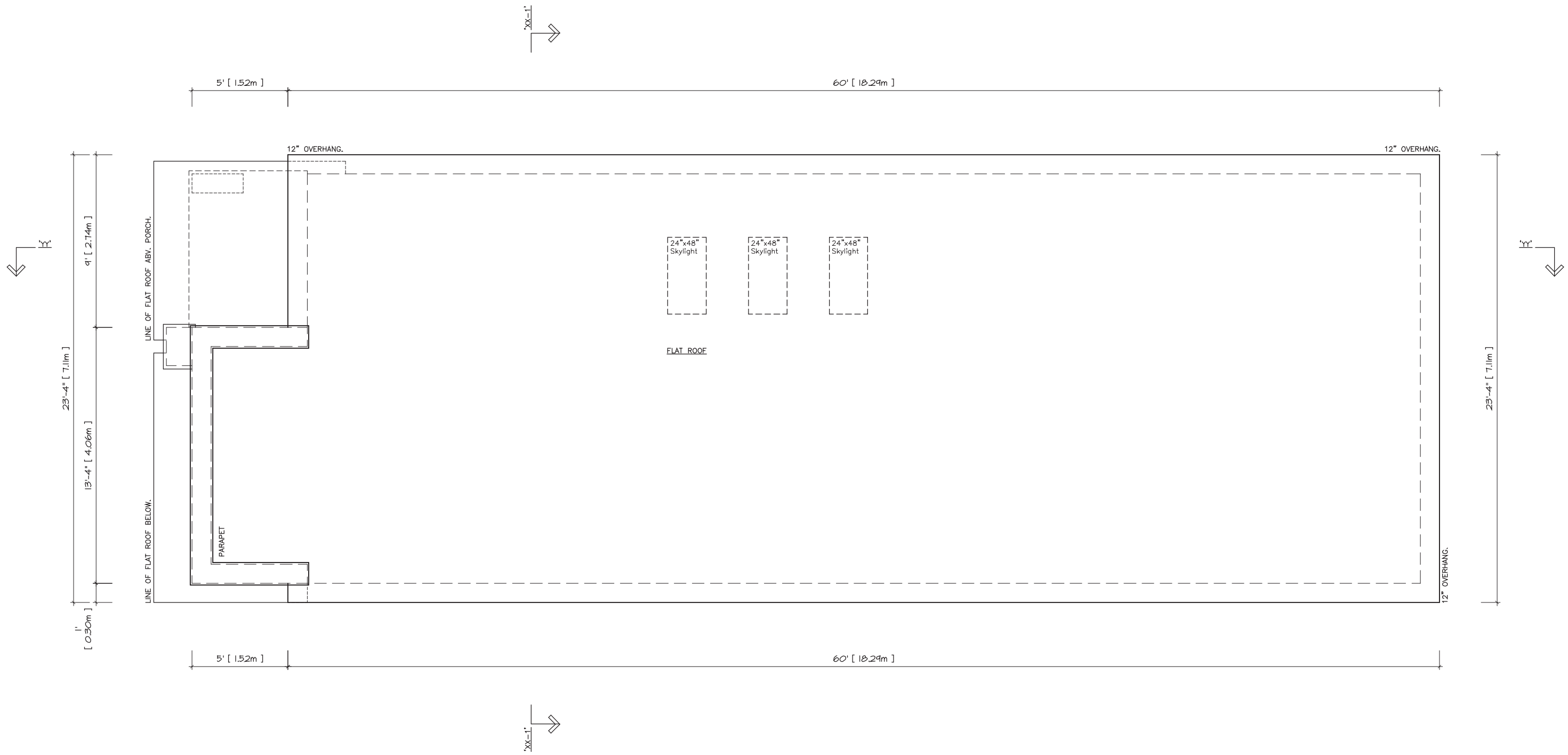
NORTH:

DRAWING: PRELIMINARY PLANS

PROJECT: PROPOSED 2 STOREY DETACHED DWELLING WITH INTEGRAL GARAGE.
47 RAILWAY ST., CITY OF VAUGHAN - PART 1

DRAWN BY:	REVISED:
DA TORRE	APR 22, 2019.
SCALE: 3/16" = 1'-0"	DATE: MAR 15, 2019.
JOB No.: 18-0647 RS-1	PAGE No.: **A1.0**



ROOF PLAN

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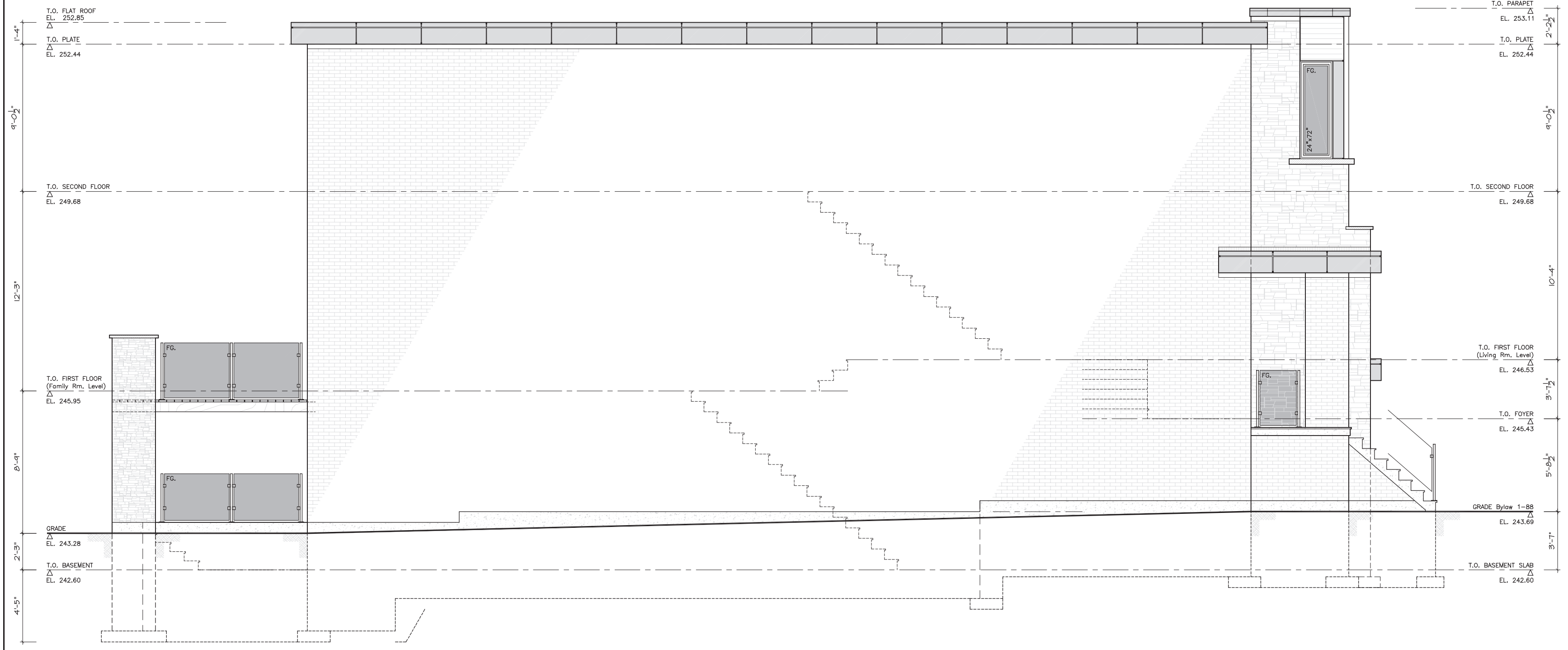
NORTH:

DRAWING: PRELIMINARY PLANS

PROJECT: PROPOSED 2 STOREY DETACHED DWELLING WITH INTEGRAL GARAGE.

47 RAILWAY ST., CITY OF VAUGHAN - PART 1

DRAWN BY: DA TORRE	REVISED:
	REVISED: JUN. 8, 2022.
SCALE: 3/16" = 1'-0"	REVISED: APR. 22, 2019.
	DATE: MAR. 15, 2019.
JOB No.: 18-0647 RS-1	PAGE No.: A5.0



EAST ELEVATION

Side View

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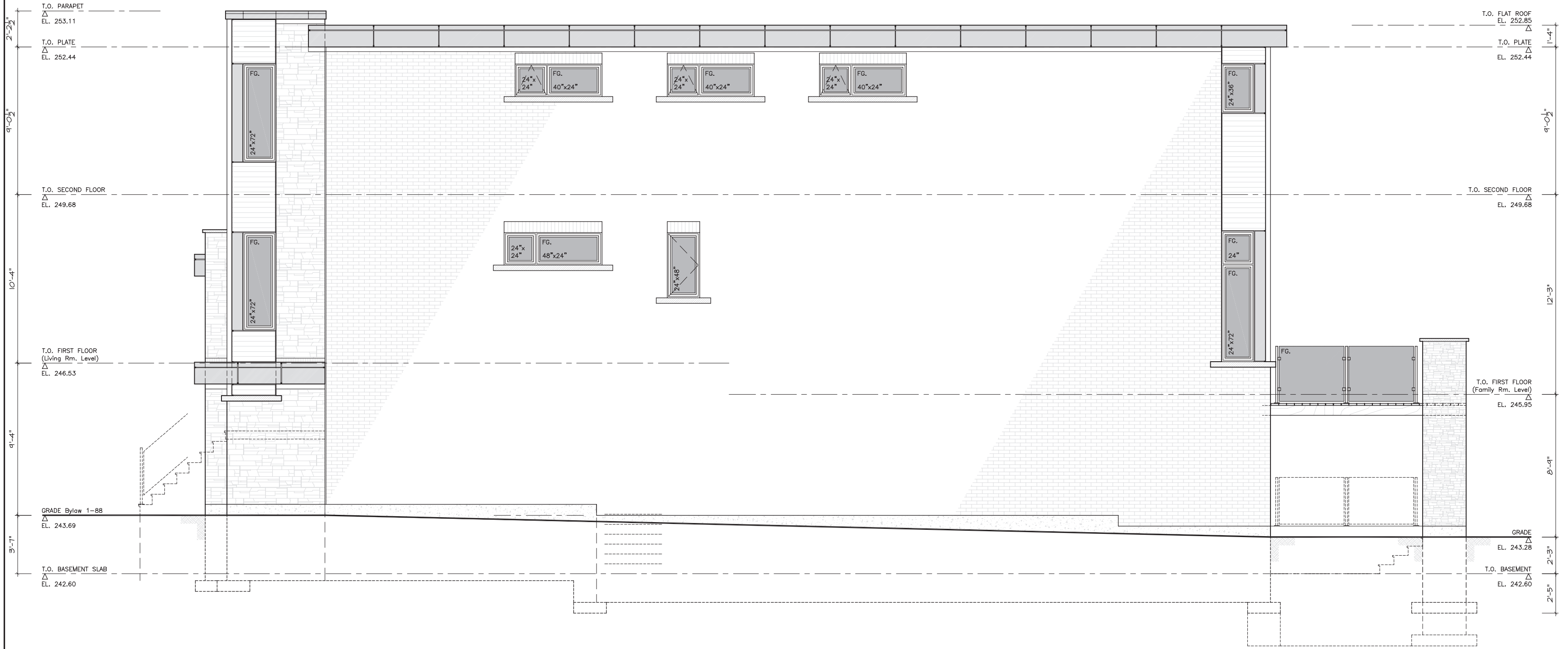
NORTH:

DRAWING: PRELIMINARY ELEVATIONS

PROJECT: PROPOSED 2 STOREY DETACHED DWELLING WITH INTEGRAL GARAGE.

47 RAILWAY ST., CITY OF VAUGHAN - PART 1

DRAWN BY: DA TORRE	REVISED:
	REVISED: JUN. 8, 2022.
SCALE: 3/16" = 1'-0"	REVISED: APR 22, 2019.
	DATE: MAR 15, 2019.
JOB No.: 18-0647 RS-1	PAGE No.: **A7.0**



WEST ELEVATION
Side View

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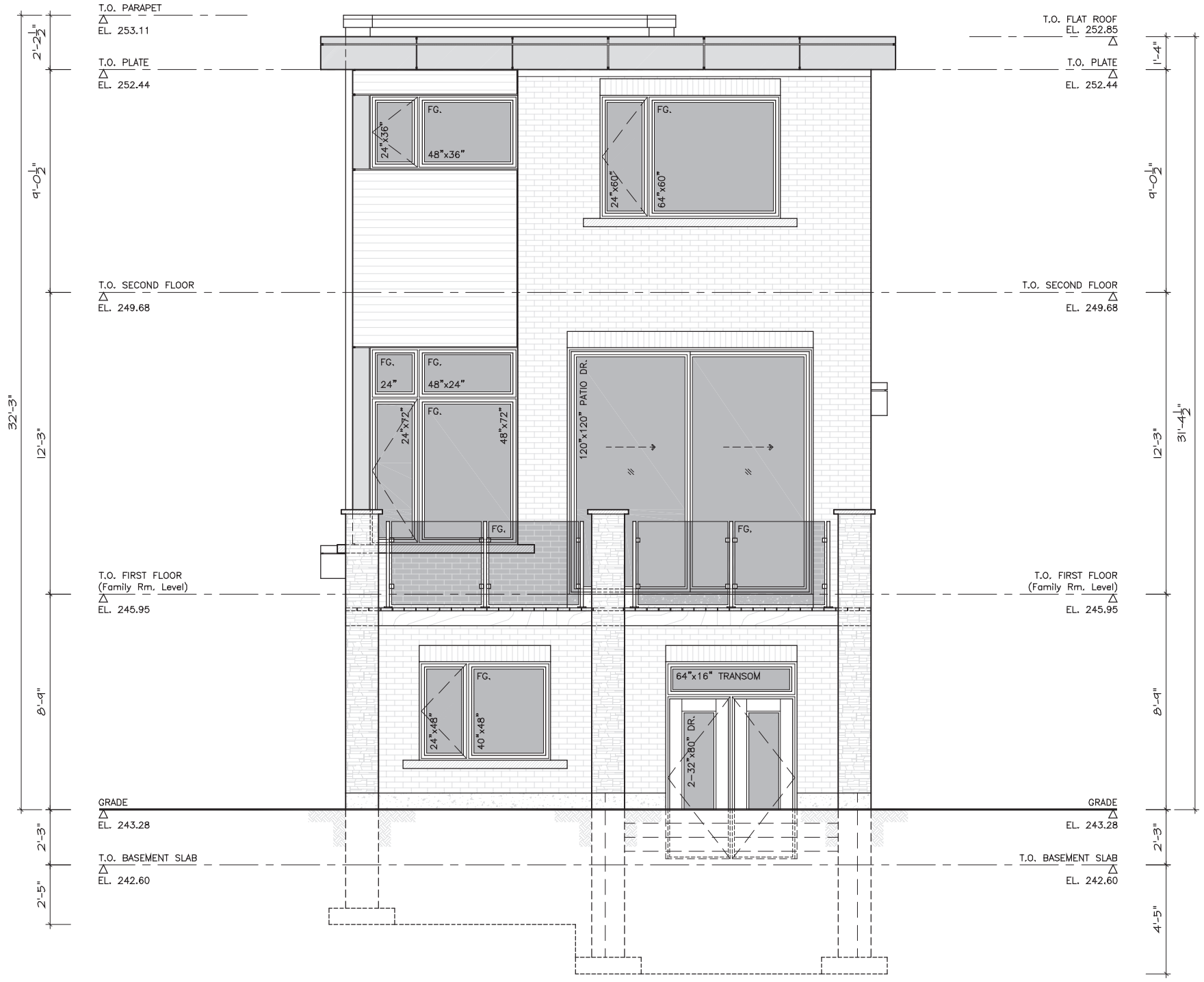
NORTH:

DRAWING: PRELIMINARY ELEVATIONS

PROJECT: PROPOSED 2 STOREY DETACHED DWELLING WITH INTEGRAL GARAGE.
47 RAILWAY ST., CITY OF VAUGHAN - PART 1

DRAWN BY: DA TORRE	REVISED:
	REVISED: JUN. 8, 2022.
SCALE: 3/16" = 1'-0"	REVISED: APR 22, 2019.
	DATE: MAR 15, 2019.
JOB No.: 18-0647 RS-1	PAGE No.: **A8.0**



SOUTH ELEVATION

Rear View

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NORTH:

DRAWING: PRELIMINARY ELEVATIONS

PROJECT: PROPOSED 2 STOREY DETACHED DWELLING WITH INTEGRAL GARAGE.

47 RAILWAY ST., CITY OF VAUGHAN - PART 1

DRAWN BY: DA TORRE	REVISED:
	REVISED: JUN. 8, 2022.
SCALE: 3/16" = 1'-0"	REVISED: APR. 22, 2019.
	DATE: MAR. 15, 2019.
JOB No.: 18-0647 RS-1	PAGE No.: **A9.0**

SCHEDULE B: STAFF & AGENCY COMMENTS				
DEPT/AGENCY	**Circulated**	**Comments Received**	**Conditions**	**Nature of Comments**
TRCA ***Schedule B**	X			No Comments Recieved to Date
Ministry of Transportation (MTO) ***Schedule B**	X			
Region of York ***Schedule B**	X	X	X	Recommend Approval w/Conditions
Alectra ***Schedule B**	X	X		General Comments
Bell Canada ***Schedule B**	X	X		General Comments
YRDSB ***Schedule B**				
YCDSB ***Schedule B**				
CN Rail ***Schedule B**				
CP Rail ***Schedule B**				
TransCanada Pipeline ***Schedule B**	X			No Comments Recieved to Date
Metrolinx ***Schedule B**	X	X		General Comments
Propane Operator ***Schedule B**				
Development Planning	X	X	X	Recommend Approval w/Conditions
Building Standards (Zoning)	X			General Comments

VAUGHAN

memorandum

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer

From: Nancy Tuckett, Director of Development Planning

Date: July 14, 2022

Name of Owner: John and Natercia Carvalhais

Location: 47 Railway Street

File No.(s): B009/22, A151/22 & A152/22

B009/22

The Owner has submitted Consent Application File B009/22 to sever a 528.61 m^2 portion of the subject lands identified as "Part 1" on the proposed site plan, and to retain a 528.61 m^2 portion of the subject lands identified as "Part 2", for the purpose of dividing the subject lands into two (2) residential lots fronting onto Railway Street.

A151/22 – 47 Railway Street – Part 1

Proposed Variance(s) (By-law 001-2021):

1. To permit a minimum lot frontage of 9.08 m.
2. To permit a minimum lot area of 528.61 m^2.
3. To permit a minimum westerly interior side yard setback of 1.2 m to a dwelling and a balcony.
4. To permit a minimum easterly interior side yard setback of 1.01 m to access stairs, open, unenclosed.
5. To permit a minimum easterly interior side yard setback of 1.01 m to a dwelling and balcony.
6. To permit a maximum building height of 9.42 m for a dwelling.

By-Law Requirement(s) (By-law 001-2021):

1. A minimum lot frontage of 18 m is required.
2. A minimum lot area of 540 m^2 is required.
3. A minimum interior side yard setback of 1.5 m is required to a dwelling and balcony.
4. A minimum interior side yard setback of 1.2 m is required to access stairs, open, unenclosed.
5. A minimum interior side yard setback of 1.5 m is required to a dwelling and balcony.
6. A maximum building height of 9.09 m is permitted (existing 6.09 m + 3.0 m) for a dwelling.

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

7. To permit a minimum lot frontage of 9.08 m.
8. To permit a minimum lot area of 528.61 m^2.
9. To permit a minimum easterly interior side yard setback of 1.01 m to a dwelling and basement walkup.
10. To permit a minimum easterly interior side yard setback of 1.01 m to a deck.
11. To permit a minimum westerly interior side yard setback of 1.20 m to a dwelling.
12. To permit a minimum westerly interior side yard setback of 0.9 m and a minimum easterly interior side yard setback of 1.02 m to a canopy.

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

7. A minimum lot frontage of 18 m is required.
8. A minimum lot area of 700 m^2 is required.
9. A minimum interior side yard setback of 1.5 m is required to a dwelling and basement walkup.
10. A minimum interior side yard setback of 1.2 m is required to a deck.
11. A minimum interior side yard setback of 1.5 m is required to a dwelling.
12. A minimum interior side yard setback of 1.2 m is required to a canopy.

A152/22 – 47 Railway Street – Part 2

Proposed Variance(s) (By-law 001-2021):

1. To permit a minimum lot frontage of 9.08 m.
2. To permit a minimum lot area of 528.61 m^2.
3. To permit a minimum westerly interior side yard setback of 1.03 m to a dwelling and 0.99 m to a balcony.
4. To permit a minimum westerly interior side yard setback of 0.99 m to access stairs, open, unenclosed.
5. To permit a minimum easterly interior side yard setback of 1.20 m to a dwelling and balcony.
6. To permit a maximum building height of 9.42 m for a dwelling.

By-Law Requirement(s) (By-law 001-2021):

1. A minimum lot frontage of 18 m is required.
2. A minimum lot area of 540 m^2 is required.
3. A minimum interior side yard setback of 1.5 m is required to a dwelling and a balcony.
4. A minimum interior side yard setback of 1.2 m is required to access stairs, open, unenclosed.
5. A minimum interior side yard setback of 1.5 m is required to a dwelling and balcony.
6. A maximum building height of 9.09 m is permitted for a dwelling (existing 6.09 m + 3.0 m).

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

7. To permit a minimum lot frontage of 9.08 m.
8. To permit a minimum lot area of 528.61 m^2.
9. To permit a minimum westerly interior side yard setback of 1.03 m to a dwelling and 0.99 m to a dwelling and basement walkup.
10. To permit a minimum easterly interior side yard setback of 1.20 m to a dwelling.
11. To permit a minimum westerly interior side yard setback of 0.99 m to a deck.
12. To permit a minimum westerly interior side yard setback of 1.0 m and a minimum easterly interior side yard setback of 0.9 m to a canopy.

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

7. A minimum lot frontage of 18 m is required.
8. A minimum lot area of 700 m^2 is required.
9. A minimum interior side yard setback of 1.5 m is required to a dwelling and basement walkup.
10. A minimum interior side yard setback of 1.5 m is required to a dwelling.
11. A minimum interior side yard setback of 1.2 m is required to a deck.
12. A minimum interior side yard setback of 1.2 m is required to a canopy.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Oak Ridges Moraine Settlement Area" by Schedule 4 – Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas and "Low-Rise Residential" by Schedule 13.

Comments:

In 2019, the Owners submitted Consent Application File B024/19 and Minor Variance Application Files A089/19 and A090/19 requesting permission to divide 47 Railway Street into two lots for the purpose of constructing a single detached dwelling on each lot. The subject lands currently contain a single detached dwelling. The Committee of Adjustment refused the proposals at its October 17, 2019 meeting. In November 2019 an appeal was filed to the Local Planning Appeal Tribunal ('LPAT' or 'Tribunal') and on March 11, 2020, the case (PL190561) was heard.

In its April 8, 2020 written decision, the Tribunal found the application for consent to create two lots: maintained the criteria of s. 51(24) of the Planning Act, was consistent with the Provincial Policy Statement, conformed to the Growth Plan, and was appropriate to provide one new single detached dwelling on each of the proposed lots. The Tribunal found that the proposed development of two single detached dwellings would be an investment in the neighbourhood, provide additional housing in a transit supportive area, and would have no significant negative impacts on the neighbours or

the neighbourhood. The Tribunal found that the proposed minor variances for the two new lots met the four tests, individually and collectively, in s. 45 of the Act and that the applications and associated proposed development represented good planning in the public interest. It noted that there are properties with narrower frontages across the road and to the east. For these reasons, the Tribunal granted approval of the appeals. The requested consent and the minor variances were granted, subject to conditions.

The Owners were unable to fulfill the provisional consent conditions imposed by the Tribunal within the allotted timeframe, and the consents and variance decisions lapsed. The Owners have re-applied with the same proposal previously approved by the Tribunal. Additionally, the Owners submitted a Planning Justification Brief prepared by Sol-Arch, dated April 12, 2022. The Development Planning Department has reviewed the brief and has no comments.

Accordingly, the Development Planning Department recognizes LPAT's, now Ontario Land Tribunal (OLT's) rationale and approval of the previous variance and consent applications. Therefore, the Development Planning Department is of the opinion that the consent 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. Further, the Development Planning Department is also of the opinion that the previously 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. As such, Development Planning has no objection to Consent Application B009/22 and Minor Variance Applications A151/22 and A152/22 as they mirror the approved LPAT Order.

Recommendation:

The Development Planning Department recommends approval of the application.

Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That the Owners meet all conditions of approval as outlined in the Tribunal's final decision and order for case PL190561.

Comments Prepared by:

Michelle Perrone, Planner 1
David Harding, Senior Planner

2141 Major Mackenzie Drive
Vaughan, Ontario
Canada L6A 1T1
(905) 832-2281

To: Committee of Adjustment

From: Catherine Saluri, Building Standards Department

Date: June 15, 2022

Applicant: John and Natercia Carvalhais

Location: 47 Railway St – Part 2
PLAN RP8788 Lot 1

File No.(s): A152/22

Zoning Classification:

The subject lands are zoned R1A(EN) – First Density Residential Zone (Established Neighbourhood) under Zoning By-law 001-2021.

#	Zoning By-law 001-2021	Variance Requested
1	A minimum lot frontage of 18 m is required. Table 7-3]	To permit a minimum lot frontage of 9.08 m.
2	A minimum lot area of 540 m2 is required. [Table 7-3]	To permit a minimum lot area of 528.61 m2.
3	A minimum interior side yard setback of 1.5 m is required to a dwelling and a balcony. [Table 7-3, 4.13]	To permit a minimum **westerly** interior side yard setback of 1.03 m to a dwelling and 0.99 m to a balcony.
4	A minimum interior side yard setback of 1.2 m is required to access stairs, open, unenclosed. [4.13]	To permit a minimum **westerly** interior side yard setback of 0.99 m to access stairs, open, unenclosed.
5	A minimum interior side yard setback of 1.5 m is required to a dwelling and balcony. [Table 7-3, 4.13]	To permit a minimum **easterly** interior side yard setback of 1.20 m to a dwelling and balcony.
6	A maximum building height of 9.09 m is permitted for a dwelling (existing 6.09 m + 3.0 m) [4.5, 1b]	To permit a maximum building height of 9.42 m for a dwelling.

The subject lands are zoned R1, Residential and subject to the provisions of Exception 9(45) under Zoning By-law 1-88, as amended.

	Zoning By-law 1-88	Variance Requested
1	A minimum lot frontage of 18 m is required. Table 7-3]	To permit a minimum lot frontage of 9.08 m.
2	A minimum lot area of 700 m2 is required. [Schedule A]	To permit a minimum lot area of 528.61 m2.
3	A minimum interior side yard setback of 1.5 m is required to a dwelling and basement walkup. [Schedule A, 3.14]	To permit a minimum **westerly** interior side yard setback of 1.03 m to a dwelling and 0.99 m to a dwelling and basement walkup.
4	A minimum interior side yard setback of 1.5 m is required to a dwelling. [Schedule A]	To permit a minimum e**asterly** interior side yard setback of 1.20 m to a dwelling.
5	A minimum interior side yard setback of 1.2 m is required to a deck. [3.14]	To permit a minimum **westerly** interior side yard setback of 0.99 m to a deck.
6	A minimum interior side yard setback of 1.2 m is required to a canopy. [3.14 i]	To permit a minimum **westerly** interior side yard setback of 1.0 m and a minimum **easterly** interior side yard setback of 0.9 m to a canopy.

2141 Major Mackenzie Drive
Vaughan, Ontario
Canada L6A 1T1
(905) 832-2281

Other Comments:

General Comments	
1	A Surveyor's Certificate of Lot Areas and Lot Frontages, accompanied by a reference plan, as per the definitions in Section 2.0 of Bylaw 1-88 and Section 3.0 of Zoning Bylaw 001-2021, as amended, is required in order to confirm compliance with the By-law requirements prior to issuance of any building permit for construction on the proposed severed parcels.
2	Minor Variance Application No. A151/22 and Consent Application No. B009/22 shall be considered with this application.
3	The subject lands may be subject to the Oak Ridges Moraine Conservation Act, RSO 2001.
4	Existing building height of 6.09 m of the dwelling to be demolished is provided by the Applicant. No drawings are available for review. A Surveyor's Certificate that confirms building height of the existing dwelling is required prior to issuance of a demolition permit for the existing dwelling.
5	The Applicant shall be advised that a separate/alternate entrance shall not be used to facilitate a second dwelling unit/Secondary Suite. This application has been reviewed for the proposed construction of a single unit dwelling.
5	The Applicant shall be advised that all driveways shall have a positive slope away from all parts of the building or structure to the street for all single family detached dwellings. [4.1.4 gi]

Conditions of Approval:

If the committee finds merit in the application, the following conditions of approval are recommended.

* Comments are based on the review of documentation supplied with this application.

Date:	June 30th , 2022
Attention:	**Christine Vigneault**
RE:	Request for Comments
File No.:	**A151-22 & 152-22**
Related Files:	
Applicant	John & Natercia Carvalhais
Location	47 Railway Street - Part 2

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

E-mail: stephen.cranley@alectrautilities.com

Mitchell Penner

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

Email: Mitchell.Penner@alectrautilities.com

Pravina Attwala

Subject: FW: [External] RE: B009/22, A151/22, A152/22 (47 RAILWAY STREET) - REQUEST FOR COMMENTS - 905-22-321

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: July-06-22 7:58 AM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>
Subject: [External] RE: B009/22, A151/22, A152/22 (47 RAILWAY STREET) - REQUEST FOR COMMENTS - 905-22-321

Hello Pravina,

Re: B009/22, A151/22, A152/22

Subsequent to review of the abovementioned application at 47 RAILWAY STREET, Bell Canada's engineering department have determined that there are no concerns or comments at this time.

Kind regards,

Carrie Gordon

Bell

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

Pravina Attwala

Subject: FW: [External] RE: B009/22, A151/22, A152/22 (47 RAILWAY STREET) - REQUEST FOR COMMENTS
Attachments: Metrolinx Environmental Easement January 2022.pdf

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From: Harrison Rong <Harrison.Rong@metrolinx.com>
Sent: July-13-22 11:19 AM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Subject: [External] RE: B009/22, A151/22, A152/22 (47 RAILWAY STREET) - REQUEST FOR COMMENTS

Good morning Pravina,

Metrolinx is in receipt of the consent application and minor variance applications for 47 Railway Street to facilitate the severance of the land to create a new lot and to further facilitate the construction of 2-storey dwellings on each severed lot. Metrolinx's comments on the subject application are noted below:

- The subject property is located within 300 meters of Metrolinx's Newmarket Subdivision which carries Metrolinx's Barrie GO Train service.
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor
    - **Warning:** Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.
- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Harrison.Rong@Metrolinx.com with questions and to initiate the registration process.

Best regards,
Harrison Rong
Project Coordinator, Third Party Projects Review
Metrolinx
20 Bay Street | Suite 600 | Toronto | Ontario | M5J 2W3
T: 416.202.7517 C: 647.328.4891

Form of Easement

WHEREAS the Transferor is the owner of those lands legally described in the Properties section of the Transfer Easement to which this Schedule is attached (the "**Easement Lands**");

IN CONSIDERATION OF the sum of TWO DOLLARS ($2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual non-exclusive easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, gaseous and particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations (herein collectively called the "**Operational Emissions**").

THIS Easement and all rights and obligations arising from same shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, servants, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of each party hereto, if more than one person, shall be joint and several.

Easement in gross.

Pravina Attwala

Subject: FW: [External] RE: B009/22, A151/22, A152/22 (47 RAILWAY STREET) - REQUEST FOR COMMENTS

From: Rajevan, Niranjan <Niranjan.Rajevan@york.ca>
Sent: July-11-22 1:31 PM
To: Pravina Attwala <Pravina.Attwala@vaughan.ca>
Cc: Committee of Adjustment <CofA@vaughan.ca>; Kanji, Teema <Teema.Kanji@york.ca>
Subject: [External] RE: B009/22, A151/22, A152/22 (47 RAILWAY STREET) - REQUEST FOR COMMENTS

Hello Pravina,

Please see amended response:

The Regional Municipality of York has completed its review of the above minor variances and consent file and has no further comments. The previous conditions provided on **July 10, 2019** still apply.

Thank you,
Niranjan

Niranjan Rajevan, M.Pl. | Associate Planner, Programs and Process Improvement, Planning and Economic Development, Corporate Services
---
The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | niranjan.rajevan@york.ca | www.york.ca
*Our Values: **I**ntegrity, **C**ommitment, **A**ccountability, **R**espect, **E**xcellence*

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Attwala, Pravina

Subject: FW: B024/19, A089/19 & A090/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

From: Wong, Tiffany <Tiffany.Wong@york.ca>
Sent: Wednesday, July 10, 2019 11:25 AM
To: Vigneault, Christine <Christine.Vigneault@vaughan.ca>
Subject: FW: B024/19, A089/19 & A090/19 - REQUEST FOR COMMENTS (Vaughan - Committee of Adjustment)

Hello Christine,

The Regional Municipality of York has completed its review of the above Consent Application-B024/19 (47 Railway Street) and has the following condition:

1. Prior to final approval, the City of Vaughan shall confirm that wastewater servicing capacity allocation has been set aside for the new lot from existing YDSS capacity assigned by the Region.

The Regional Muncipality of York has also completed its review of the Minor Variance Applications – A089/19 & A090/19 (47 Railway Street) and has no comments.

Please feel free to e-mail me in regards to any questions or concerns.

Thank you,

Tiffany Wong, B.E.S. | Associate Planner, Programs and Process Improvement,
Planning and Economic Development, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
1-877-464-9675 ext. 71521 | tiffany.wong@york.ca | www.york.ca
*Our Values: **I**ntegrity, **C**ommitment, **A**ccountability, **R**espect, **E**xcellence*

SCHEDULE C: PUBLIC & APPLICANT CORRESPONDENCE

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

SCHEDULE D: PREVIOUS COA DECISIONS ON THE SUBJECT LAND

PREVIOUS COA DECISIONS ON THE SUBJECT LAND *Please see **Schedule D** for a copy of the Decisions listed below		
File Number	**Date of Decision** MM/DD/YYYY	**Decision Outcome**
B024/19, A089/19, A090/19	04/08/2020	(LPAT) Approved (Conditions Lapsed)
B024/19, A089/19, A090/19	10/17/2019	(COA) Refused

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ISSUE DATE: April 08, 2020 **CASE NO(S).:** PL190561

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	John & Natercia Carvalhais
Subject:	Consent
Property Address/Description:	47 Railway Street
Municipality:	City of Vaughan
Municipal File No.:	B024/19
LPAT Case No.:	PL190561
LPAT File No.:	PL190561
LPAT Case Name:	Carvalhais v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	John & Natercia Carvalhais
Subject:	Minor Variance
Variance from By-law No.:	1-88
Property Address/Description:	47 Railway Street
Municipality:	City of Vaughan
Municipal File No.:	A089/19
LPAT Case No.:	PL190561
LPAT File No.:	PL190562

PROCEEDING COMMENCED UNDER subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	John & Natercia Carvalhais
Subject:	Minor Variance
Variance from By-law No.:	1-88
Property Address/Description:	47 Railway Street
Municipality:	City of Vaughan
Municipal File No.:	A090/19

LPAT Case No.: PL190561
LPAT File No.: PL190563

Heard: March 11, 2020 in Vaughan, Ontario

APPEARANCES:

Parties	**Counsel**
John Carvalhais and Natercia Carvalhais	J. Nunziata
City of Vaughan	G. Perhar

DECISION DELIVERED BY MARGOT BALLAGH AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] John and Natercia Carvalhais (the "Appellants") appealed to the Local Planning Appeal Tribunal (the "Tribunal") pursuant to ss. 53(19) & 45(12) of the *Planning Act* (the "Act") from the decisions of the City of Vaughan's Committee of Adjustment (the "Committee") to refuse their application for a consent to sever and their two applications for minor variances in relation to their property known municipally as 47 Railway Street (the "subject property").

[2] More specifically, they wish to have a consent to sever the subject property into two lots of approximately 529 square metres ("m^2") each, both with frontage onto Railway Street, to demolish the existing dwelling, and to construct two, two-storey, single, detached houses.

[3] Four minor variances for each of the two resulting lots are requested for relief from By-law No. 1-88 to permit the construction of the two, two-storey, single, detached dwellings as follows:

Requirement:	**Proposed Lot 1**	**Proposed Lot 2**	**Zoning By-law 1-88 Requirement:**	**Variance Required**
Lot Frontage	9.145m	9.145m	18m	Yes
Lot Area	528.58m2	528.61m2	700.00m2	Yes
Front Yard Setback	9.92m	9.84m	7.5m	No
Rear Yard Setback	30.67m	29.74m	7.5m	No
Side Yard Setback	1.2m/1.01m	1.2m/0.99m	1.5m	Yes
Lot Coverage	23.20%	23.20%	35%	No
Building Height	9.4234m	9.4234m	9.5m	No

[4] Michael Manett, a full member of the Canadian Institute of Planners, the Ontario Professional Planners Institute and a Registered Professional Planner in the Province of Ontario, with over 40 years of professional planning experience, was qualified without objection to provide expert opinion evidence on land use and planning matters, and testified in support of the Appellants. Mr. Manett's Curriculum Vitae and Acknowledgment of Expert's Duty were filed as Exhibit 1.

[5] Michael Di Febo, a Planner 1 with the City of Vaughan (the "City"), a Registered Professional Planner in the Province of Ontario since September 2018 and a full member of the Canadian Institute of Planners, was qualified without objection to provide expert opinion evidence in land use planning, and testified in support of the City. Mr. Di Febo's Curriculum Vitae and Acknowledgment of Expert's Duty were filed as Exhibit 11.

The Subject Land

[6] The subject property is located on the south side of Railway Street, between Ontario Street and Simcoe Street. Railway Street is a local residential street located one block north of Major Mackenzie Drive West, running east to west between the CN/GO Railway Line and Keele Street. The site has a frontage of 18.29 metres ("m"), a depth of 60.62m and a lot area of 1,057.12 m^2, and is currently occupied by a one- storey single detached dwelling.

PRELIMINARY MATTER

[7] At the start of the hearing, three Neighbours of the subject property, Gino DiGiulio, Antonio Spina and Bruno Fedrigoni (the "Neighbours"), appeared before the Tribunal. Mr. DiGiulio told the Tribunal that they had just learned about the appeal and the hearing date from another neighbour, Frank Mascucci who, unlike them, had received notice of the hearing. Mr. Mascucci did not attend the hearing.

[8] Mr. DiGiulio said that the Neighbours had provided public submissions to the Committee in opposition to the applications; however, they did not receive notice of the appeal. He told the Tribunal that the Neighbours wanted to participate in the hearing.

[9] Counsel for the Appellants, John Nunziata, opposed participation by the Neighbours at the eleventh hour. He submitted that participants are restricted to written submissions pursuant to the new rules and s. 33.2 of the *Local Planning Appeal Tribunal Act*. He argued that an adjournment to allow the Neighbours to file written submissions would be prejudicial to the Appellants. He argued that the Appellants would also need an opportunity to meaningfully reply to any participant submissions.

[10] Counsel for the City, Gurnick Perhar, did not oppose the participation of the Neighbours.

[11] The Tribunal drew attention to an affidavit on file confirming that oral submissions at the public meeting were made by Mr. Masucci, Mr. DiGiulio and Mr. Spina. There is also a summary on file of their submissions to the Committee in the Minutes of that meeting. The Tribunal asked the Neighbours if they wanted the Tribunal to treat their submissions reproduced in the Minutes of the Committee as their written participant submissions in the hearing. Mr. DiGiulio said that not all the issues were addressed in the Minutes. He said there was concern regarding traffic implications. The Tribunal asked Mr. Perhar if he was prepared to address the Neighbours' concerns through the City's case. The Tribunal provided a recess to allow the Neighbours to consult with the City as to whether the Neighbours' concerns could be addressed through the City's

case at the hearing.

[12] Following the recess, Mr. Perhar told the Tribunal that the City would address the Neighbours' issues, save and except their issue regarding traffic implications. Mr. Perhar noted that there was no expert traffic evidence to present. The Neighbours told the Tribunal that they would retain an expert for the traffic issues, if needed.

[13] Mr. Nunziata argued that it was hard to accept that there could be a legitimate concern that the addition of one household would create traffic issues.

[14] After careful consideration of the submissions by the parties and the Neighbours, the Tribunal decided that the Neighbours' position could be reasonably addressed through the City's case to avoid the need for an adjournment and possible prejudice to the Appellant. The positions of the City and the Neighbours were aligned, the Neighbours agreed that their issues could shelter under the City's case and the City agreed it could address their issues, save and except the concern regarding traffic implications. The Tribunal was not persuaded that there was a legitimate traffic issue. If the applications had raised a safety concern regarding traffic, the City would have investigated the issue previously and been ready to champion the position with expert witness testimony at the hearing. If traffic congestion was a concern, I agree with Mr. Nunziata that it is highly unlikely that a single additional household would create a problem worthy of expert evidence and an adjournment. The Tribunal concluded that the most reasonable, fair and efficient approach was to proceed with the hearing, with the understanding that the City would address the Neighbours' concerns, other than traffic.

ISSUES AND ANALYSIS

[15] An appeal to the Tribunal of a decision on a consent application for authorization to sever a property, is a *de novo* hearing and the onus remains on the Appellants in this case to satisfy the Tribunal that the consent is consistent with the *Provincial Policy Statement* ("PPS") and conforms with the *Growth Plan for the Greater Golden*

Horseshoe (the “Growth Plan”) under s. 3(5) of the Act. The Tribunal must also be satisfied that a plan of subdivision is not necessary for the orderly development of the municipality pursuant to s. 53(1) of the Act and the Tribunal must have regard to the criteria set out in s. 51(24) of the Act in making its decision.

[16] Similarly, an appeal to the Tribunal pursuant to s. 45 of the Act is also a hearing *de novo* and the onus remains on the Appellants in this case for authorization of variances to satisfy the Tribunal that the requested variances meet the four tests set out under s. 45(1) of the Act, namely, that the variances would:

1) maintain the general intent and purpose of the by-law;

2) maintain the general intent and purpose of the Official Plan;

3) be desirable for the appropriate development or use of the land, building or structure; and

4) be minor in nature.

[17] After considering all the evidence and submissions, in the context of the legislative tests and relevant policies, the Tribunal found that the Appellants’ appeals should be allowed and the application for consent to sever and the applications for minor variances should be granted for the reasons that follow.

THE APPLICATION FOR CONSENT TO SEVER

[18] The PPS and the Growth Plan are applicable provincial policies.

[19] Policy 4.7 of the PPS states: “the Official Plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.” Mr. Di Febo provided his opinion that the PPS encourages the efficient use of land through intensification and

directs Municipalities to identify appropriate locations and opportunities for intensification. He opined that the subject property is not suitably zoned for the proposed intensification. Mr. Manett took a different view. He opined that the subject property is an appropriate location for intensification and that the zoning could be addressed through the applications for minor variances. The Tribunal preferred the opinion evidence of Mr. Manett for reasons which will follow.

[20] The Growth Plan identifies any lands within delineated built-up areas, such as the subject property, remain subject to the relevant municipal land use planning policies. Section 2.2.2 states that a significant portion of new growth shall be within the delineated built up area, and directs development to settlement areas. Section 2.2.2.3 states that intensification will be implemented through Official Plan policies and designations, updated zoning and other supporting documents. Mr. Di Febo opined that, although the subject property is located within an existing built-up area, the application does not conform with section 2.2.2.3 of the Growth Plan. Mr. Manett opined that the proposed redevelopment conforms with the Growth Plan. The Tribunal preferred the opinion evidence of Mr. Manett for reasons which will follow.

[21] The Tribunal also accepted Mr. Manett's uncontroverted opinion evidence that a plan of subdivision is not necessary for this consent application involving the addition of one lot.

[22] The applicable criteria in s. 51(24) of the Act for which the City submits the application fails to have regard is found in paragraphs (c) and (f). Mr. Di Febo opined that the proposal does not conform to the Official Plan as required in s. 51(24)(c) and does not have appropriate regard to the dimensions and shapes of the proposed lots as required in s. 51(24)(f). Mr. Manett gave his opinion that the proposal does have appropriate regard to the applicable criteria of s. 51(24). In his view, the proposed consent conforms to the Official Plan and provides for development that fits within the physical character of the neighbourhood based upon the proposed dimensions and shapes of the lots which are within the range of lot frontages and lot sizes found in the

area. He said that the proposed single detached dwellings are consistent with the built form dwelling types in the neighbourhood. The Tribunal preferred the opinion evidence of Mr. Manett and found that the proposed consent application meets the requirements of s. 51(24) of the Act.

[23] While the parties briefly addressed the requirements of the Act, the PPS and the Growth Plan, the greatest focus was given to the applicable policies of the Official Plan.

Official Plan and Designation

[24] The Vaughan Official Plan (the "VOP") designates the Subject Lands as "*Low-Rise Residential"* in Schedule 13: Land Use.

[25] The VOP also identifies the subject property as "Community Area" in Schedule 1: Urban Structure. Section 2.2.3 of the VOP recognizes that "Community Areas" are characterized by predominantly *"Low-Rise Residential"* housing stock, with local amenities including local retail, community facilities, schools and parks as well as access to the City's natural heritage and open spaces.

[26] Section *9.1.2.1* acknowledges that *"Established Community Areas"* exist within the "*Community Area"* identified in Schedule 1: Urban Structure. The Official Plan States that "Established Community Areas" are generally bounded by Major or Minor Arterial streets which are entirely or almost entirely developed and occupied, such that its physical character is well defined. The subject property is within an *Established Community Area.* Section 9.1.2.1 further states that *new development will be designed to respect and reinforce the physical character of the established neighbourhood in which it is located.*(emphasis added)

[27] Further section 9.1.2.2 ensures that older established residential neighbourhoods will be designed to respect and reinforce the existing physical character and uses of the surrounding area, specifically respecting and reinforcing the following elements:

a. The local pattern of lots, streets and blocks;

b. The size and configuration of lots;

c. The building type of nearby residential properties;

d. The orientation of buildings;

e. The heights and scale of adjacent and immediately surrounding residential properties;

f. The setback of buildings from the street;

g. The pattern of rear and side-yard setbacks;

h. The presence of mature trees and general landscape character of the streetscape;

[28] The parties disputed the applicability of section 9.1.2.3 which states that the implemented policy text is meant to respect and reinforce established community areas by way of appropriately planning for large lots. These areas are within the established community area and include neighborhoods near the core of founding communities, inclusive of Maple. The following subsections apply when reviewing severances and minor variances:

…

i. *Lot frontage*: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjoining lots or the average of the frontage of the adjoining lots where they differ;

j. *Lot area*: The area of new lots should be consistent with the size of adjacent lots;

k. *Lot configuration*: New lots should respect the existing lotting fabric in the immediately surrounding area;

l. *Front yards and exterior side yards*: Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape;

m. *Rear yards*: Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion on the adjacent residential lots;

n. *Dwelling types:* A new dwelling replacing an existing one shall be of the same type, as defined in Section 9.2.3 of this Plan, except on a lot fronting an Arterial Street, as identified in Schedule 9 (Future Transportation Network), where a Semidetached House or Townhouse replacing a detached dwelling may be permitted, subject to Policy 9.1.2.4 and the other urban design policies of this plan;

o. Building heights and massing: Should respect the scale of adjacent residential buildings and any city urban design guidelines prepared for Community Areas;

p. *Lot coverage*: In order to maintain the low-density character of these areas and ensure opportunities for generous amenity and landscaping areas, lot coverage consistent with development in the area and as provided for in the zoning by-law is required to regulate the area of the building footprint within the building envelope, as defined by the minimum yard requirements of the zoning by-law.

[29] Mr. Manett told the Tribunal that there is a significant difference of professional opinion about the applicability of this policy to the subject property. It is his opinion that the policies in section 9.1.2.3 do not apply to the subject property for the following reasons.

a. The subject property is not located within an identified Large Lot Neighbourhood as identified on Schedule 1B of the City of VOP 2010.
b. Large Lot Neighbourhoods are generally Zoned R1V, as referred to in the Official Plan. The subject site is zoned R1 and there are a variety of zoning categories found in the immediate neighbourhood including R2, R3, and R5, but there is no R1V zone in the neighbourhood.
c. Large Lot Neighbourhoods are generally considered to be areas where the majority of the lots have frontage greater than 20m. The majority of the lots in this neighbourhood have lot frontages less than 20m and the only lots with frontages greater than 20m are located west of Ontario Street.
d. The subject property has a lot frontage of 18.29m, and cannot be considered as a large lot based upon the specific requirement of a 20m frontage indicated in the Official Plan.

[30] The Tribunal preferred the expert opinion of Mr. Manett that the large lot policies of section 9.1.2.3 do not apply to the subject property.

[31] Sections 10.1.2.41 through to 10.1.2.47: Provide infill policies and Committee consent application policies that utilize a set of compatibility criteria that are similar to those in section 9.1.2.2 of VOP 2010.

i. The local pattern of lots, streets and blocks;

ii. The size and configuration of existing lots;

iii. The building type of nearby properties;

iv. The heights and scale of nearby properties;

v. The setback of buildings from the street; and,

vi. The pattern of rear and side yard setbacks.

[32] In order to determine whether the proposed redevelopment conforms to the applicable VOP policies (9.1.2.1, 9.1.2.2 and 10.1.2), the neighbourhood context had to first be determined.

Neighbourhood

[33] It is Mr. Di Febo's opinion that the proposed redevelopment fails to respect and reinforce the existing physical character of the neighbourhood. In contrast, Mr. Manett's opinion is that the proposed redevelopment resulting in two smaller 245m^2 houses would fit in with the neighbourhood better than a single 557m^2 house on the existing lot. Mr. Manett also opined that two smaller properties could provide housing for two families and they would be more affordable.

[34] Each planning expert proposed different boundaries to establish the appropriate neighbourhood and resulting physical character which the redevelopment of the subject property is required to respect and reinforce.

[35] Both parties considered that the subject property is located immediately west of the Maple GO Station and is also in close proximity to the Vaughan Reference Library and the City's municipal offices, which are located on the south side of Major Mackenzie Drive West.

[36] Mr. Di Febo told the Tribunal that the immediate neighbourhood that was defined for his lot study has the following boundaries: the Metrolinx Rail line to the east, Major Mackenzie Drive and Richmond Street to the south, Keele Street to the west and the dwellings along Railway Street to the north (see Exhibit 11, Tab G). He based the defined neighbourhood on the historic area identified as Rupert's Town dating back to 1853, and now referred to as Maple. His neighbourhood included the Village of Maple Heritage Conservation District, which is immediately south of the subject property. He said the historic lot fabric and lotting pattern distinguish the neighbourhood from those to the north which were built in the 1990s. In cross-examination, however, Mr. Di Febo conceded that the lot fabric and existing housing in Maple has changed significantly since 1853.

[37] Mr. Manett told the Tribunal that the immediate neighbourhood that was defined for his lot study includes all the lots within a 150m radius of the property which include properties that front on Railway Street, Ontario Street, Simcoe Street, Lindenshire Avenue, and Stonebriar Drive as shown on the accompanying Lot Area and Lot Frontage Map (marked Exhibit 7). Mr. Manett's neighbourhood boundary extended further north to include an adjacent subdivision comprised of higher density housing. He explained that at the eastern end of Railway Street is a path which provides pedestrian access to the newer residential neighbourhood to the north which is primarily comprised of semi-detached homes and townhomes. Mr. Manett said that this pathway is used by many people in the neighbourhood and provides the most direct pedestrian route to visit the closest park (Mario Plastina Park) to the subject property. Mr. Manett told the Tribunal that the subject property backs onto the Village of Maple Heritage Conservation District, but the property does not have any heritage characteristics that need to be preserved or addressed. He told the Tribunal that there would be no impact

on cultural heritage properties or concern regarding VOP Policy 6.2.2.9. The property is adjacent to an R2 Zone and across the street from an R3 and R5 Zone (semi-detached dwellings). Mr. Manett testified that there are very few homes on Railway Street that have any heritage characteristics and the only properties that do are located close to Keele Street, near the core of the Maple Heritage Conservation District. The properties east of Ontario Street, including the subject site, do not have any heritage characteristics according to Mr. Manett. In his view, the Maple Heritage Conservation District should not be included as part of the neighbourhood for the subject property because it has its own heritage designation. He opined that the area to the north of the subject property is more in keeping with the character applicable and should be included as part of the neighbourhood context. He also felt that the commercial properties on Keele Street and Major Mackenzie Drive should not be included in the neighbourhood, a position contrary to Mr. Di Febo's.

[38] The evidence confirmed that the subject property is in a residential neighbourhood with a mix of lot sizes, building types, building styles, and building ages. On Railway Street and close by, there are detached dwellings, semi-detached dwellings, bungalows, two storey buildings, modern developments and older developments from different decades. The area is in transition. Even the properties in the heritage district have been redeveloped. Part of the overall character is the range of lot types and built forms with little consistency. Mr. Manett conceded that there were no other lots with nine metre frontage on Railway Street but maintained that the overall character of the neighbourhood is a range of lot types with very little consistency.

[39] Although Mr. Di Febo suggested that the proposed severance of the subject property and construction of two single detached dwellings with smaller lot frontages would alter the physical nature of the neighbourhood and create a precedent for the severance of other lots, he acknowledged that there are six semi-detached homes with smaller frontages across the street from the subject property. He also acknowledged that there are lots not far away off Ontario Street with similar built forms to the ones proposed on the subject property. While the Ontario Street lots have wider lot frontages,

they are not as deep as the subject property. As a result, lot coverage for the two proposed severed lots would be low at 23.20%. The neighbourhood was characterized as one of predominantly residential detached homes, which is in keeping with the redevelopment proposal for the subject property. Mr. Manett also testified that no trees would be taken, although some may be inadvertently injured, as a result of the proposed redevelopment.

[40] According to Mr. Manett, the subject property is within an already established settlement area and more efficient use of available services and infrastructure will economize the use of the site without adverse impacts on the Neighbours or the neighbourhood. He opined that the proposed consent and the modest increase in density is appropriate given the proximity to GO Transit train service and to the City's Reference Library and City Hall. He gave his opinion that the proposed severance conforms to the VOP policy requirements.

[41] Mr. Manett opined that regardless of which expert's neighbourhood the Tribunal preferred, the proposed redevelopment of the subject property is designed to respect and reinforce the physical character of either neighbourhood. With this the Tribunal agrees. The Tribunal finds that the proposed redevelopment conforms with Sections 9.1.2.1, 9.1.2.2 and 10.1.2 of the VOP.

[42] Accordingly the Tribunal was satisfied by the evidence and submissions, that the application for consent to sever meets the legislative tests and applicable provincial and municipal policies.

THE APPLICATIONS FOR MINOR VARIANCES

Applicable Zoning

[43] The subject property is zoned R1 Residential and is subject to the provisions of Exception 9 (45) under By-law No. 1-88, as amended. The R1 Residential Zone permits a single building type, single-family detached dwelling.

[44] The proposed new dwellings will require zoning variances to permit construction, in particular to provide relief from the zoning regulations for minimum lot frontage, minimum lot area and side yard setback, as indicated in the chart above.

[45] Mr. Manett provided the following justification for the minor variances in the context of the four tests set out in s. 45 of the Act.

Lot Frontage

[46] The Zoning By-law minimum lot frontage is 18m. In this case both Part 1 and Part 2 will have lot frontages of 9.145m. The lot frontages, as proposed, will permit the construction of a modern family home that fits on each of the proposed lots. The proposed developments are an investment in this neighbourhood and provide for minor intensification in immediate proximity to a major transit station. It is important to note, that as mentioned previously, there are a number of different Zones in this neighbourhood and on this street that have different lot frontage requirements. The proposed lot frontages are similar to other lot frontages found on the street and will not have any negative impact on the immediate Neighbours or on the neighbourhood.

Lot Area

[47] The Zoning By-law minimum lot area is 700m^2 for the subject property. The 700 m^2 minimum lot area in a R1 Zone only applies to subdivisions built before December 1, 1990; otherwise the minimum lot area in an R1 zone is 540 m^2. The proposed Part 1 will have a lot area of 528.58m^2 and the proposed Part 2 will have a lot area of 528.61m^2. The proposed lots will be relatively large residential detached lots with areas that are slightly less than the minimum lot area required in most R1 Zones (540 m^2) and are within the range of lot areas found in the neighbourhood. The City supported a consent application on Ontario Street, a few lots to the west, which created lot areas of approximately 350m^2. The proposed development provides for modest intensification within short walking distance of a GO Transit Station and other community services. The proposed lot areas will allow for two modern single detached

dwellings that fit comfortably on the proposed lots and will have no negative impact on the Neighbours or neighbourhood.

Side Yard Setback

[48] The Zoning By-law minimum side yard setback is 1.5m. In this case, the proposed side yard setbacks are as follows: Part 1 has a side yard setback to the east of 1.01m and a side yard setback to the west of 1.2m. Part 2 has a side yard setback to the west of 0.99m (the 0.99m setback is only from a part of the rear stairs and the west side yard setback is 1.03m to 1.2m) and a side yard setback to the east of 1.2m. The existing east side yard setback is 1.53m and the existing west side yard setback is 1.74m. The neighbouring property to the east has a side yard setback of 1.34m to the subject property. The neighbourhood contains side yard setbacks of varying sizes, including no side yard setbacks for semi-detached homes. The side yard setbacks, as proposed, will allow for access to the rear yards as well as provision of space for building maintenance between dwellings.

THE FOUR TESTS AND FINDINGS OF THE TRIBUNAL

The Official Plan

[49] The proposed development conforms to the applicable policies of the Official Plan of the City and maintains its general intent and purpose. The proposed development contributes to the mainly single detached built form of the neighbourhood with modern dwellings providing an opportunity for families who wish to locate in this area. The proposed development will provide for a slight increase in density in the neighbourhood, which is appropriate given the location in close proximity to a GO Transit Station.

The Zoning By-law

[50] The variances from the City's Zoning By-law No. 1-88 maintain the general intent and purpose of the Zoning By-law with regard to lot frontage, lot area and side yard setbacks. The variances as proposed provide lots with adequate frontage and lot areas that will support the development of modern single detached dwellings that maintain and contribute to the built form of the neighbourhood and provide for spacious rear yard amenity areas.

Appropriate Development of the Property

[51] The proposed development will be an investment in this neighbourhood providing for new modern single detached dwellings. With its location in close proximity to a GO Transit Station, the slight increase in density through the addition of an extra lot for development in the neighbourhood is appropriate given the Provincial direction from the Growth Plan and PPS. The proposed detached dwellings "fit" on the proposed lots and within the neighbourhood. Therefore, the proposed development is appropriate for the proposed lots and the lots are appropriate for the neighbourhood and this location within the City.

Are the Variances Minor

[52] The proposed development will provide for modern residential dwellings maintaining the neighbourhood built form of low rise and low-density detached dwellings. The variances requested from the Zoning By-law with regard to lot frontage, lot area and side yard setbacks are appropriate and will not produce any adverse impacts on the immediate Neighbours or the neighbourhood and as a result the variances are minor.

[53] Mr. Di Febo gave his opinion that the minor variances did not meet any of the four tests of s. 45 of the Act. He provided the basis for his opinion in his witness statement (Exhibit 11 pages 13-22). In summary, he felt that the variances did not maintain the general intent and purpose of the Official Plan to direct and limit

intensification and to ensure compatibility with the existing neighbourhood character. He also felt that the variances did not maintain the general intent and purpose of the Zoning By-law to regulate the use of the land and to ensure that development both fits on a given site and within its surrounding context and reduces the impact on adjacent properties. He felt that the variances were not minor but did not provide compelling evidence to support any adverse impact. He further opined that the variances were not desirable nor appropriate and raised concern that a precedent would be created.

[54] After considering all the evidence and submissions, the Tribunal prefers the expert opinion evidence of Mr. Manett that the proposed variances, individually and collectively, meet the four tests under the Act.

CONCLUSION

[55] Upon the findings made, based on the whole of the evidence inclusive of the oral testimony of the experts and the documentary record and the submissions of the parties, the Tribunal finds that the application for consent to create two lots has regard for the criteria of s. 51(24) of the *Planning Act,* is consistent with the *Provincial Policy Statement* and conforms with the *Growth Plan* and is appropriate to provide for two new single detached dwellings that fit on the proposed lots. The proposed development of two modern single detached dwellings will be an investment in this neighbourhood providing additional family housing in a transit supportive area. There will be no significant negative impacts on the Neighbours or the neighbourhood. The proposed minor variances for the two new lots meet the four tests, individually and collectively, in s. 45 of the Act. The proposed applications and associated proposed development represents good planning in the public interest. For these reasons, the Tribunal will allow the appeals. The requested consent and the minor variances are granted.

ORDER

[56] THE TRIBUNAL ORDERS that the appeal for Consent to Sever is allowed and the provisional consent is to be given.

[57] THE TRIBUNAL FURTHER ORDERS that the appeals for the variances are allowed and the variances to By-law No. I-88 are authorized.

"Margot Ballagh"

MARGOT BALLAGH
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ISSUE DATE: June 01, 2020 **CASE NO(S).:** PL190561

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	John & Natercia Carvalhais
Subject:	Consent
Property Address/Description:	47 Railway Street
Municipality:	City of Vaughan
Municipal File No.:	B024/19
LPAT Case No.:	PL190561
LPAT File No.:	PL190561
LPAT Case Name:	Carvalhais v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	John & Natercia Carvalhais
Subject:	Minor Variance
Variance from By-law No.:	1-88
Property Address/Description:	47 Railway Street
Municipality:	City of Vaughan
Municipal File No.:	A089/19
LPAT Case No.:	PL190561
LPAT File No.:	PL190562

PROCEEDING COMMENCED UNDER subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	John & Natercia Carvalhais
Subject:	Minor Variance
Variance from By-law No.:	1-88
Property Address/Description:	47 Railway Street
Municipality:	City of Vaughan
Municipal File No.:	A090/19
LPAT Case No.:	PL190561
LPAT File No.:	PL190563

APPEARANCES:

Parties	**Counsel**
John Carvalhais and Natercia Carvalhais	J. Nunziata
City of Vaughan	G. Perhar

AMENDING DECISION OF THE TRIBUNAL DELIVERED BY MARGOT BALLAGH

[1] In accordance with Rule 24.4 of the Tribunal's *Rules of Practice and Procedure*, the Tribunal may at any time and without prior notice to the parties correct a technical or typographical error, error in calculation or similar minor error made in a decision or order. Rule 1.3 requires the Tribunal to liberally interpret the rules to secure a fair, just and expeditious determination of every proceeding on its merits.

[2] The Tribunal has received a request by the Parties to amend the Decision and Order issued on April 8, 2020 ("Decision") to subject the provisional consent given and the minor variances authorized to proposed conditions as stipulated in Attachment 1: Conditions of Approval for Applications A089/19 and A090/19 and Conditions of Approval for Application B024/19, attached to this Order.

[3] Although neither party raised the issue of conditions, nor addressed the requirements in the *Planning Act* under s. 51(25) for consents or s. 45(9) for minor variances at the hearing, the Tribunal, in order to facilitate implementation of the approvals at the subsequent request of the Parties, has reviewed the proposed conditions in Attachment 1 in the context of the earlier evidence and is satisfied that the provisional consent to be given and the minor variances authorized subject to the respective proposed conditions continue to meet all the tests required, and hereby amends the Decision as follows:

[4] By deleting Paragraph [56] of the Decision and replacing it with the following: The TRIBUNAL ORDERS that the appeal for Consent to Sever is allowed in part and the

provisional consent is to be given, subject to the Conditions of Approval for Application B024/19 as set out in Attachment 1; and

[5] By deleting Paragraph [57] of the Decision and replacing it with the following: The TRIBUNAL FURTHER ORDERS that the appeals for the variances are allowed in part and the variances to By-law No. 1-88 are authorized subject to the Conditions of Approval for Applications A089/19 and A090/19 as set out in Attachment 1.

[6] In all other respects the Tribunal's Decision remains the same.

"Margot Ballagh"

MARGOT BALLAGH
MEMBER

ATTACHMENT 1

CONDITIONS OF APPROVAL FOR APPLICATION A089/19 AND A090/19:

That Consent Application B024/19 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.

1. The Owner/applicant shall submit the final Lot Grading/Servicing Plan to Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading/servicing approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading/servicing approval.

2. The Owner/applicant shall visit the City of Vaughan Transportation Services Division of the Transportation Services, Parks and Forestry Operations Department and arrange a site visit with City Staff to ensure that the exiting 3m curb cut does not conflict with existing street furniture, neighboring access, road alignment and/or anything else deemed relevant by City Staff upon inspection. In conjunction with this condition, the owner/applicant shall apply and obtain the necessary curb cut permit through the Transportation Services Division.

LANDSCAPE

3. Any works within the TPZ area is to be performed or supervised by a Certified Arborist.

4. All private trees, outside the subject land that are subject to possible injury, require a letter of consent from the owner as well as a permit for injury regardless of their DBH.

FORESTRY

5. Tree #395 - 0.6 meters form the base of the trunk must be maintained during driveway construction. Excavation within 0.6 m zone may cause this tree to become unstable. If minimum distance cannot be maintained, removal and compensation of this tree shall be required.

6. Trees #397-#400 -Appear to be shared/boundary trees. Written consent from neighbor at #45 Railway would be required to injure these trees.

CONDITIONS OF APPROVAL B024/19

7. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description of the subject lands. Subject land applies **only** to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.

8. That the applicant provides two (2) full size copies of the deposited plan of reference of the entire land which conforms substantially with the application as submitted.

9. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.

10. A demolition permit be obtained, and the existing dwelling be demolished.

11. 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. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be (5%) of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Senior Manager of Real Estate. Payment shall be made by certified cheque only.

LANDSCAPE

12. Any works within the Tree Protection Zone (“TPZ”) area is to be performed or supervised by a Certified Arborist.

13. All private trees, outside the subject land that are subject to possible injury, require a letter of consent from the owner as well as a permit for injury regardless of their Diameter at Breast Height (“DBH”).

FORESTRY

14. Tree #395 - 0.6 meters form the base of the trunk must be maintained during driveway construction. Excavation within 0.6m zone may cause this tree to become unstable. If minimum distance cannot be maintained, removal and compensation of this tree shall be required.

15. Trees #397-#400 -Appear to be shared/boundary trees. Written consent from neighbor at #45 Railway would be required to injure these trees.

16. The Owner/applicant shall arrange to prepare and register a reference plan at their expense for the severance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.

17. The Owner shall provide conceptual site grading and servicing plan(s) for both the severed and retained parcels to the satisfaction of the Development Engineering (DE) Department. The plan(s) should identify all existing and proposed services, existing and proposed elevations, and acceptable access.

18. The Owner/applicant shall approach Development Inspection and Lot Grading division of Development Engineering to apply for the required service connections

for the severed lands & service connection upgrades (if applicable) within the retained lands as per city standards, complete with a servicing and lot grading plan.

19. The Owner/applicant shall pay the required connection fee(s) following confirmation of service connection estimates.

    Please contact Stanislav Tsysar ext. 8774 for further details pertaining to service connections.

20. The owner shall pay of a Tree Fee, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

21. The owner shall pay all property taxes as levied. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).

VAUGHAN

Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
T 905 832 8585
E CofA@vaughan.ca

NOTICE OF DECISION
Consent Application B024/19
Section 53 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing:	Thursday, October 17, 2019
Applicant:	John & Natercia Carvalhais
Agent:	MPlan Inc
Property:	**47 Railway St Maple**
Zoning:	The subject lands are zoned R1, Residential and subject to the provisions of Exception 9 (45) under By-law 1-88 as amended.
OP Designation:	Vaughan Official Plan 2010: "Low-Rise Residential"
Related Files:	A089/19 & A090/19
Purpose:	Consent is being requested to sever a parcel of land for residential purposes, approximately 529.00 square metres and retain a parcel of land approximately 529.00 square metres. Both the severed and retained land will have frontage onto Railway Street. The existing single family dwelling on the subject land is to be demolished.
Sketch:	A sketch illustrating the request has been attached to the decision.

Having regard to the written and oral submissions related to this application as required by Section 53(18), the requirements of Section 51(24) as required by Section 53(12) and matters of Provincial Interest (Provincial Policy Statement) as required by Section 3(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, it is the decision of the Committee that provisional consent of the application:

THAT Application No. B024/19 on behalf of John & Natercia Carvalhaisbe **REFUSED** for the following reasons:

1. The proposal does not conform to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal does not conform with the City of Vaughan Official Plan
3. The proposal does not conform to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.
4. The general intent and purpose of the by-law will not be maintained.
5. The proposed severance is not desirable for the appropriate development of the land.

Written & oral submissions 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 , October 17, 2019 meeting for submission details.
None	Name: Gino DiGiulio Address: 48 Railway Street, Maple
	Name: Antoniette Taverniti Address: 49 Railway Street, Maple
	Name: Frank Mascucci Address: 27 Prestonwood Court, Maple
	Name: Antonio Spina Address: 52 Railway Street, Maple

Late Written Public Submissions:

In accordance with the Committee of Adjustment Procedural By-law (069-2019) public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

List late public submissions or include N/A

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 , October 17, 2019**
DATE OF NOTICE:	**October 25, 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.	**November 14, 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 Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal

The *Planning Act*, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any other person or public body who has an interest in the matter may within **20 days after** the giving of notice 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 after the giving of notice 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.

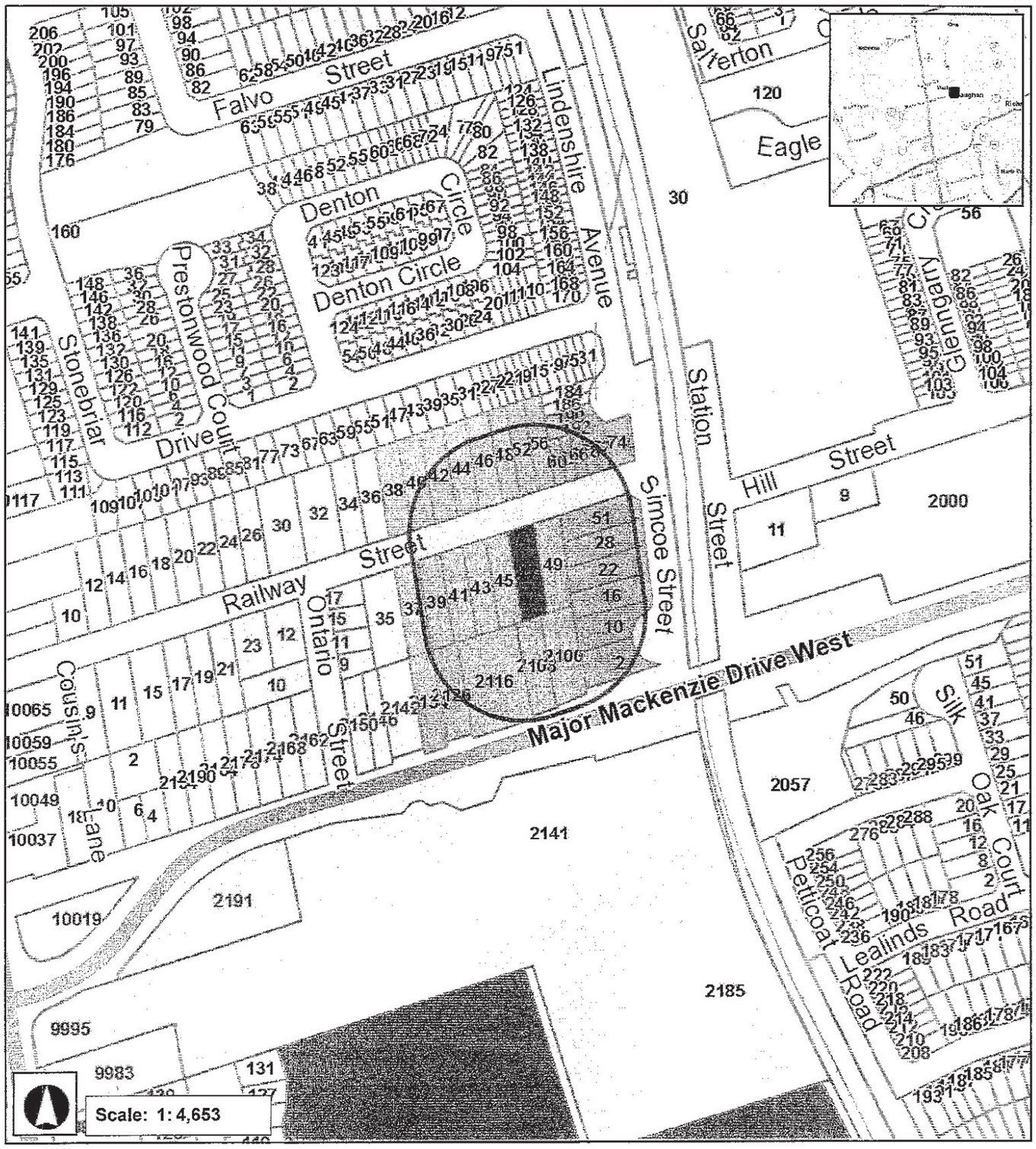
City of Vaughan LPAT Processing Fee: $817.00 per application

*Please note that all fees are subject to change.

LOCATION MAP B024/19, A089/19 & A090/19

47 RAILWAY STREET , MAPLE

Teston Road



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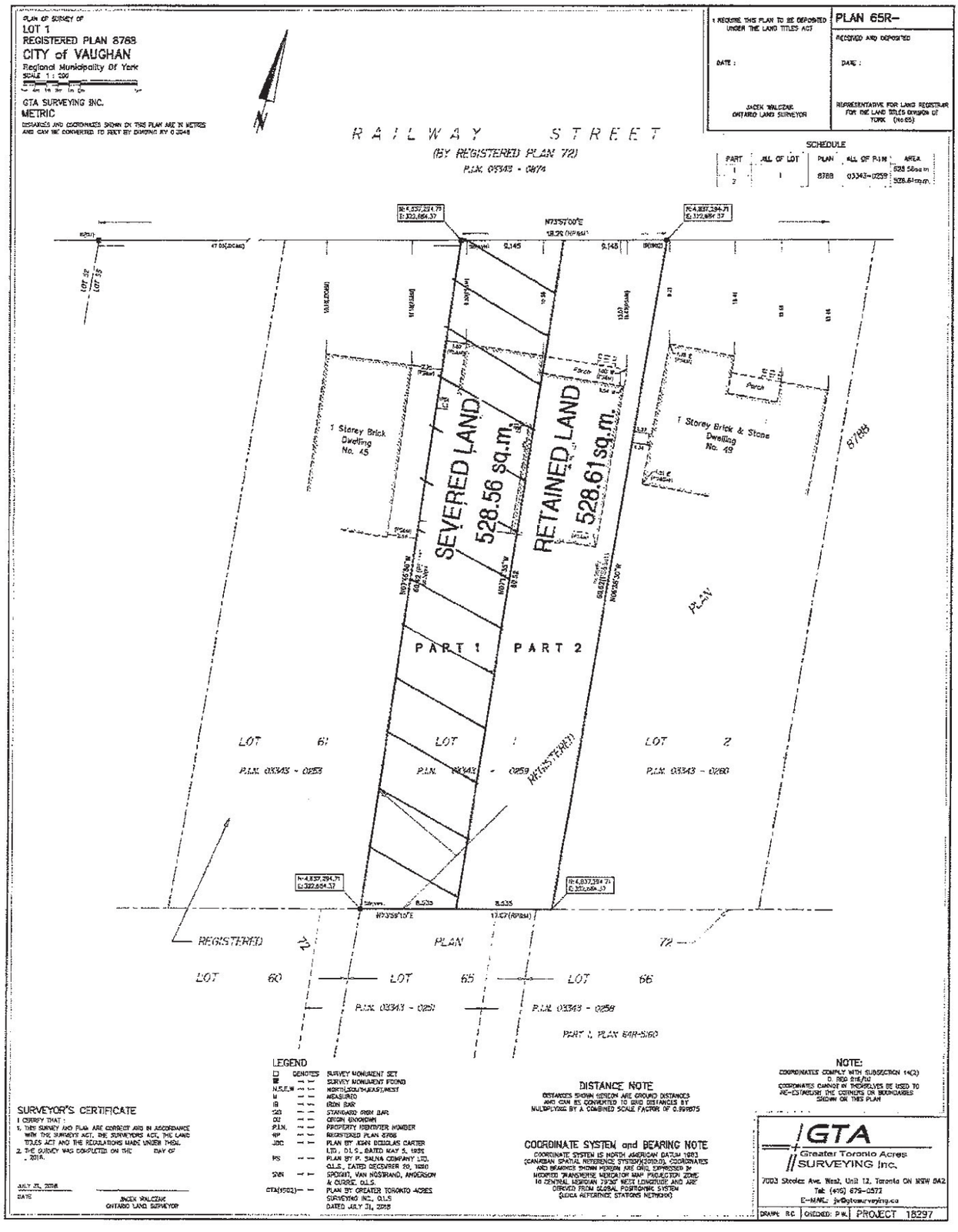
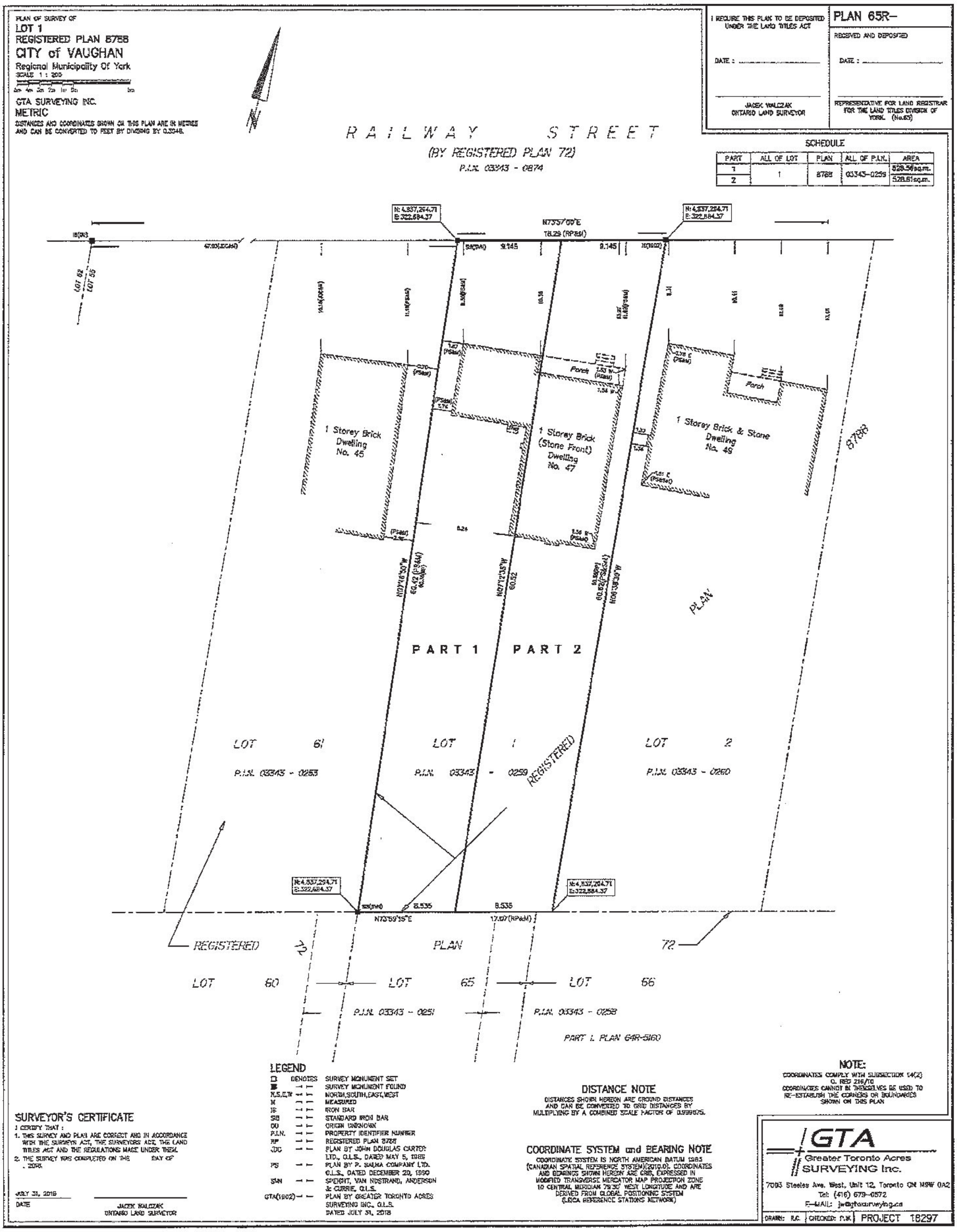
B024/19

47 RAILWAY STREET




PLAN OF SURVEY OF
LOT 1
REGISTERED PLAN 8788
CITY of VAUGHAN
Regional Municipality Of York
SCALE 1 : 200
GTA SURVEYING INC.
METRIC
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
N
I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT
DATE :
JACEK WALCZAK
ONTARIO LAND SURVEYOR
PLAN 65R–
RECEIVED AND DEPOSITED
DATE :
REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF YORK. (No.65)
RAILWAY STREET
(BY REGISTERED PLAN 72)
P.I.N. 03343 - 0874
SCHEDULE
PART | ALL OF LOT | PLAN | ALL OF P.I.N. | AREA
1 | 1 | 8788 | 03343–0259 | 529.56sq.m.
2 | | | | 528.61sq.m.
N:4,837,294.71 E:322,684.37
N73°57'00"E
18.29 (RP&M)
9.145
9.145
N:4,837,294.71 E:322,884.37
LOT 62
LOT 55
47.03(JDC&M)
Porch
Porch
1 Storey Brick Dwelling No. 45
1 Storey Brick (Stone Front) Dwelling No. 47
1 Storey Brick & Stone Dwelling No. 49
N07°16'50"W 60.42 (PS&M)
N07°12'35"W 60.52
N08°38'30"W 60.52(PS&Set)
PART 1
PART 2
PLAN
8788
LOT 61
P.I.N. 03343 - 0253
LOT 1
P.I.N. 03343 - 0259
REGISTERED
LOT 2
P.I.N. 03343 - 0260
N:4,837,294.71 E:322,684.37
N:4,837,294.71 E:322,884.37
8.535
8.535
N73°59'15"E
17.07(RP&M)
REGISTERED 72 PLAN 72
LOT 60
LOT 65
LOT 66
P.I.N. 03343 - 0251
P.I.N. 03343 - 0258
PART 1, PLAN 64R-5160
LEGEND
□ DENOTES SURVEY MONUMENT SET
■ — SURVEY MONUMENT FOUND
N,S,E,W — NORTH,SOUTH,EAST,WEST
M — MEASURED
IB — IRON BAR
SIB — STANDARD IRON BAR
OU — ORIGIN UNKNOWN
P.I.N. — PROPERTY IDENTIFIER NUMBER
RP — REGISTERED PLAN 8788
JDC — PLAN BY JOHN DOUGLAS CARTER LTD., O.L.S., DATED MAY 5, 1985
PS — PLAN BY P. SALNA COMPANY LTD. O.L.S., DATED DECEMBER 20, 1990
SVN — SPEIGHT, VAN NOSTRAND, ANDERSON & CURRIE, O.L.S.
GTA(1902) — PLAN BY GREATER TORONTO ACRES SURVEYING INC., O.L.S. DATED JULY 31, 2018
SURVEYOR'S CERTIFICATE
I CERTIFY THAT :
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE DAY OF , 2018.
JULY 31, 2018
DATE
JACEK WALCZAK
ONTARIO LAND SURVEYOR
DISTANCE NOTE
DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999675.
COORDINATE SYSTEM and BEARING NOTE
COORDINATE SYSTEM IS NORTH AMERICAN DATUM 1983 (CANADIAN SPATIAL REFERENCE SYSTEM)(2010.0). COORDINATES AND BEARINGS SHOWN HEREON ARE GRID, EXPRESSED IN MODIFIED TRANSVERSE MERCATOR MAP PROJECTION ZONE 10 CENTRAL MERIDIAN 79°30' WEST LONGITUDE AND ARE DERIVED FROM GLOBAL POSITIONING SYSTEM (LEICA REFERENCE STATIONS NETWORK)
NOTE:
COORDINATES COMPLY WITH SUBSECTION 14(2) O. REG 216/10
COORDINATES CANNOT IN THEMSELVES BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN
GTA
Greater Toronto Acres SURVEYING Inc.
7093 Steeles Ave. West, Unit 12, Toronto ON M9W 0A2
Tel: (416) 679-0572
E-MAIL: jw@gtasurveying.ca
DRAWN: R.C. CHECKED: J.W. PROJECT 18297

VAUGHAN

Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
T 905 832 8585
E CofA@vaughan.ca

NOTICE OF DECISION
Minor Variance Application A089/19
Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing: Thursday , October 17, 2019

Applicant: John & Natercia Carvalhais

Agent: MPlan Inc

Property: **47 Railway St Maple**

Zoning: The subject lands are zoned R1, Residential and subject to the provisions of Exception 9(45) under By-law 1-88 as amended.

OP Designation: The subject lands are designated "Low-Rise Residential" by the Vaughan Official Plan (VOP) 2010, Volume 1.

Related Files: B024/19, A089/19 & A090/19

Purpose: Relief from the by-law is being requested to permit reduced lot frontage and lot area on the **severed land** to facilitate Consent Application B024/19.

Relief is also being sought to accommodate the construction of a single family dwelling on the **severed land.**

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 lot frontage of 18 metres is required.	1. To permit a minimum lot frontage of 9.14 metres.
2. A minimum lot area of 700 square metres is required.	2. To permit a minimum lot area of 528.56 square metres.
3. A minimum interior side yard setback of 1.5 metres is required.	3. To permit a minimum (westerly) interior side yard setback of 1.2 metres.
4. A minimum interior side yard setback of 1.5 metres is required.	4. To permit a minimum (easterly) interior side yard setback of 1.01 metres.

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. A089/19, on behalf of John & Natercia Carvalhais, be **REFUSED.**

For the following reasons:

1. The general intent and purpose of the by-law will not be maintained.
2. The general intent and purpose of the official plan will not be maintained.
3. The requested variance(s) is/are not acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are not minor in nature.

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 , October 17, 2019 meeting for submission details.
None	Name: Gino DiGiulio Address: 48 Railway Street, Maple
	Name: Antoniette Taverniti Address: 49 Railway Street, Maple
	Name: Frank Mascucci Address: 27 Prestonwood Court, Maple
	Name: Antonio Spina Address: 52 Railway Street, Maple

Late Written Public Submissions:

In accordance with the Committee of Adjustment Procedural By-law (069-2019) public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

List late public submissions or include N/A

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, October 17, 2019**
DATE OF NOTICE:	**October 25, 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.	**November 6, 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.

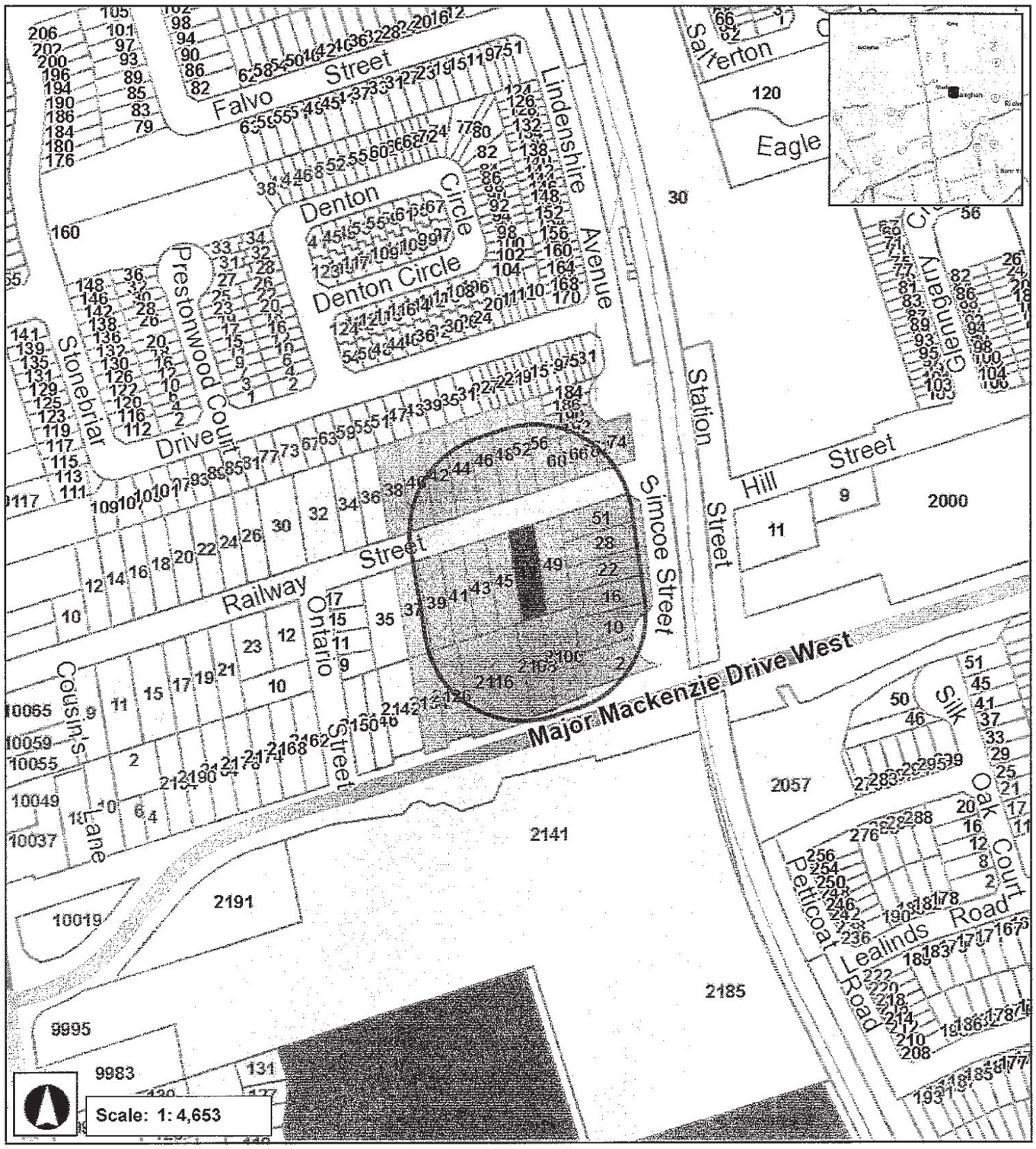
Conditions

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.

VAUGHAN LOCATION MAP B024/19, A089/19 & A090/19

47 RAILWAY STREET , MAPLE

Teston Road



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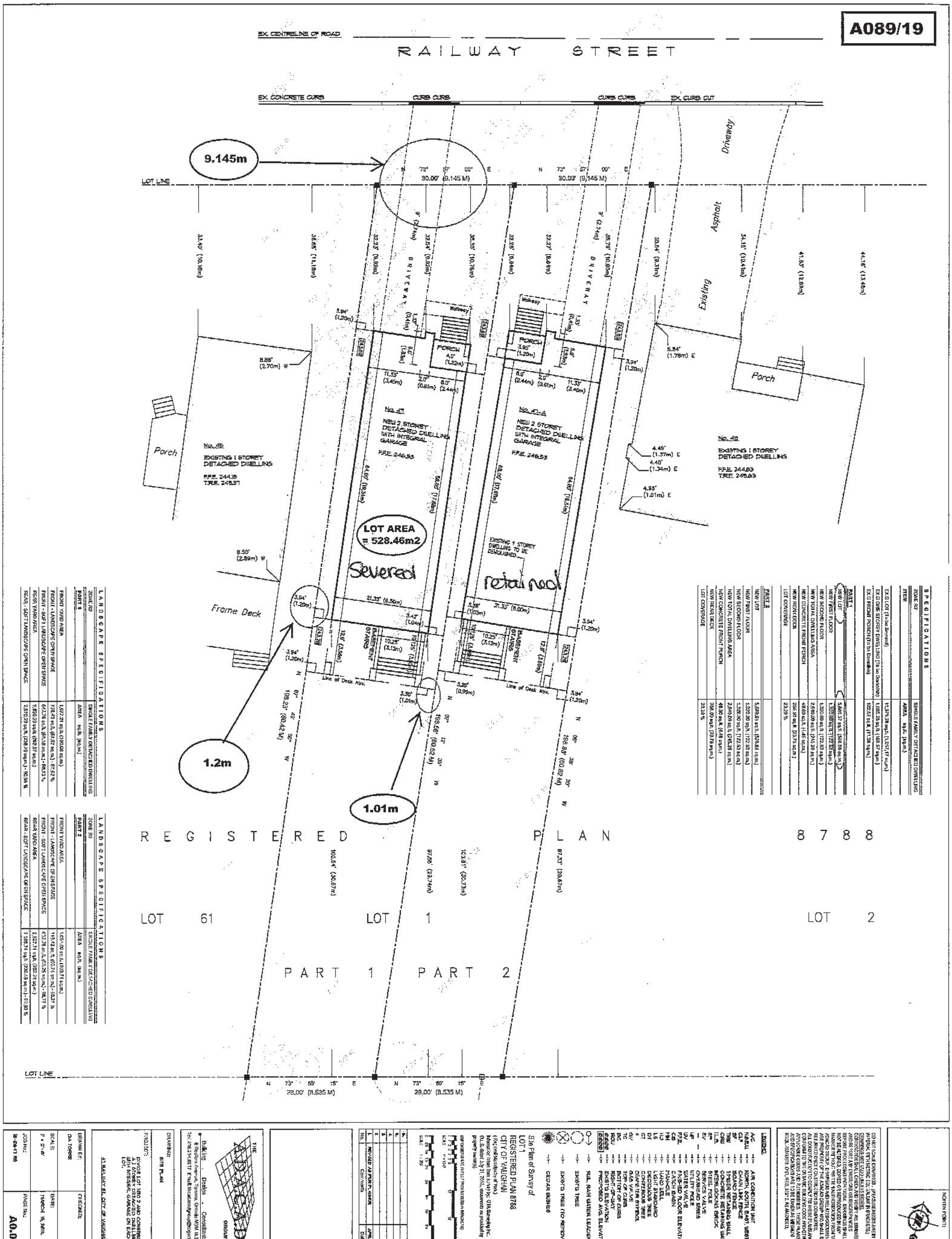

SPECIFICATIONS

ZONE R2	SINGLE FAMILY DETACHED DWELLING
ITEM	AREA sq.ft. (sq.m.)
EX.G LOT (To be Severed)	11,379.28 sq.ft. (1,057.17 sq.m.)
EX.G ONE STOREY DWELLING (To be Demolished)	1,685.28 sq.ft. (156.57 sq.m.)
EX.G FRONT PORCH (To be Demolished)	122.58 sq.ft. (11.38 sq.m.)
PART 1	
NEW LOT	5,688.37 sq.ft. (528.58 sq.m.)
NEW FIRST FLOOR	1,320.00 sq.ft. (122.63 sq.m.)
NEW SECOND FLOOR	1,320.00 sq.ft. (122.63 sq.m.)
NEW TOTAL DWELLING AREA	2,640.00 sq.ft. (245.26 sq.m.)
NEW CONCRETE FRONT PORCH	48.00 sq.ft. (4.46 sq.m.)
NEW REAR DECK	256.00 sq.ft. (23.78 sq.m.)
LOT COVERAGE	23.20 %
PART 2	
NEW LOT	5,689.91 sq.ft. (528.61 sq.m.)
NEW FIRST FLOOR	1,320.00 sq.ft. (122.63 sq.m.)
NEW SECOND FLOOR	1,320.00 sq.ft. (122.63 sq.m.)
NEW TOTAL DWELLING AREA	2,640.00 sq.ft. (245.26 sq.m.)
NEW CONCRETE FRONT PORCH	48.00 sq.ft. (4.46 sq.m.)
NEW REAR DECK	256.00 sq.ft. (23.78 sq.m.)
LOT COVERAGE	23.20 %

LANDSCAPE SPECIFICATIONS

ZONE R2	SINGLE FAMILY DETACHED DWELLING
PART 1	AREA sq.ft. (sq.m.)
FRONT YARD AREA	1,077.21 sq.ft. (100.08 sq.m.)
FRONT - LANDSCAPE OPEN SPACE	728.42 sq.ft. (67.67 sq.m.) - 67.62 %
FRONT - SOFT LANDSCAPE OPEN SPACE	647.76 sq.ft. (60.18 sq.m.) - 60.13 %
REAR YARD AREA	2,826.29 sq.ft. (262.57 sq.m.)
REAR - SOFT LANDSCAPE OPEN SPACE	2,570.29 sq.ft. (238.79 sq.m.) - 90.94 %

LANDSCAPE SPECIFICATIONS

ZONE R2	SINGLE FAMILY DETACHED DWELLING
PART 2	AREA sq.ft. (sq.m.)
FRONT YARD AREA	1,084.00 sq.ft. (100.71 sq.m.)
FRONT - LANDSCAPE OPEN SPACE	718.42 sq.ft. (66.74 sq.m.) - 66.27 %
FRONT - SOFT LANDSCAPE OPEN SPACE	637.76 sq.ft. (59.25 sq.m.) - 58.77 %
REAR YARD AREA	2,822.74 sq.ft. (262.24 sq.m.)
REAR - SOFT LANDSCAPE OPEN SPACE	2,586.74 sq.ft. (240.48 sq.m.) - 60.90 %

VAUGHAN

Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
T 905 832 8585
E CofA@vaughan.ca

NOTICE OF DECISION
Minor Variance Application A090/19
Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing: Thursday , October 17, 2019

Applicant: John & Natercia Carvalhais

Agent: MPlan Inc

Property: **47 Railway St Maple**

Zoning: The subject lands are zoned R1, Residential, and subject to the provisions of Exception 9(45) under By-law 1-88 as amended.

OP Designation: The subject lands are designated "Low-Rise Residential" by the Vaughan Official Plan (VOP) 2010, Volume 1.

Related Files: B024/19, A089/19 & A090/19

Purpose: Relief from the by-law is being requested to permit reduced lot frontage and lot area on the **retained land** to facilitate Consent Application B024/19.

Relief is also being sought to accommodate the construction of a single family dwelling on the **retained land.**

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 lot frontage of 18 metres is required.	1. To permit a minimum lot frontage of 9.14 metres.
2. A minimum lot area of 700 square metres is required.	2. To permit a minimum lot area of 528.61 square metres.
3. A minimum interior side yard setback of 1.5 metres is required.	3. To permit a minimum (westerly) interior side yard setback of 0.99 metres.
4. A minimum interior side yard setback of 1.5 metres is required.	4. To permit a minimum (easterly) interior side yard setback of 1.2 metres.

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. A090/19, on behalf of John & Natercia Carvalhais, be **REFUSED.**

For the following reasons:
1. The general intent and purpose of the by-law will not be maintained.
2. The general intent and purpose of the official plan will not be maintained.
3. The requested variance(s) is/are not acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are not minor in nature.

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 , October 17, 2019 meeting for submission details.
None	Name: Gino DiGiulio Address: 48 Railway Street, Maple
	Name: Antoniette Taverniti Address: 49 Railway Street, Maple
	Name: Frank Mascucci Address: 27 Prestonwood Court, Maple
	Name: Antonio Spina Address: 52 Railway Street, Maple

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List late public submissions or include N/A

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, October 17, 2019**
DATE OF NOTICE:	**October 25, 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.	**November 6, 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.

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City of Vaughan LPAT Processing Fee: $817.00 per application

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Conditions

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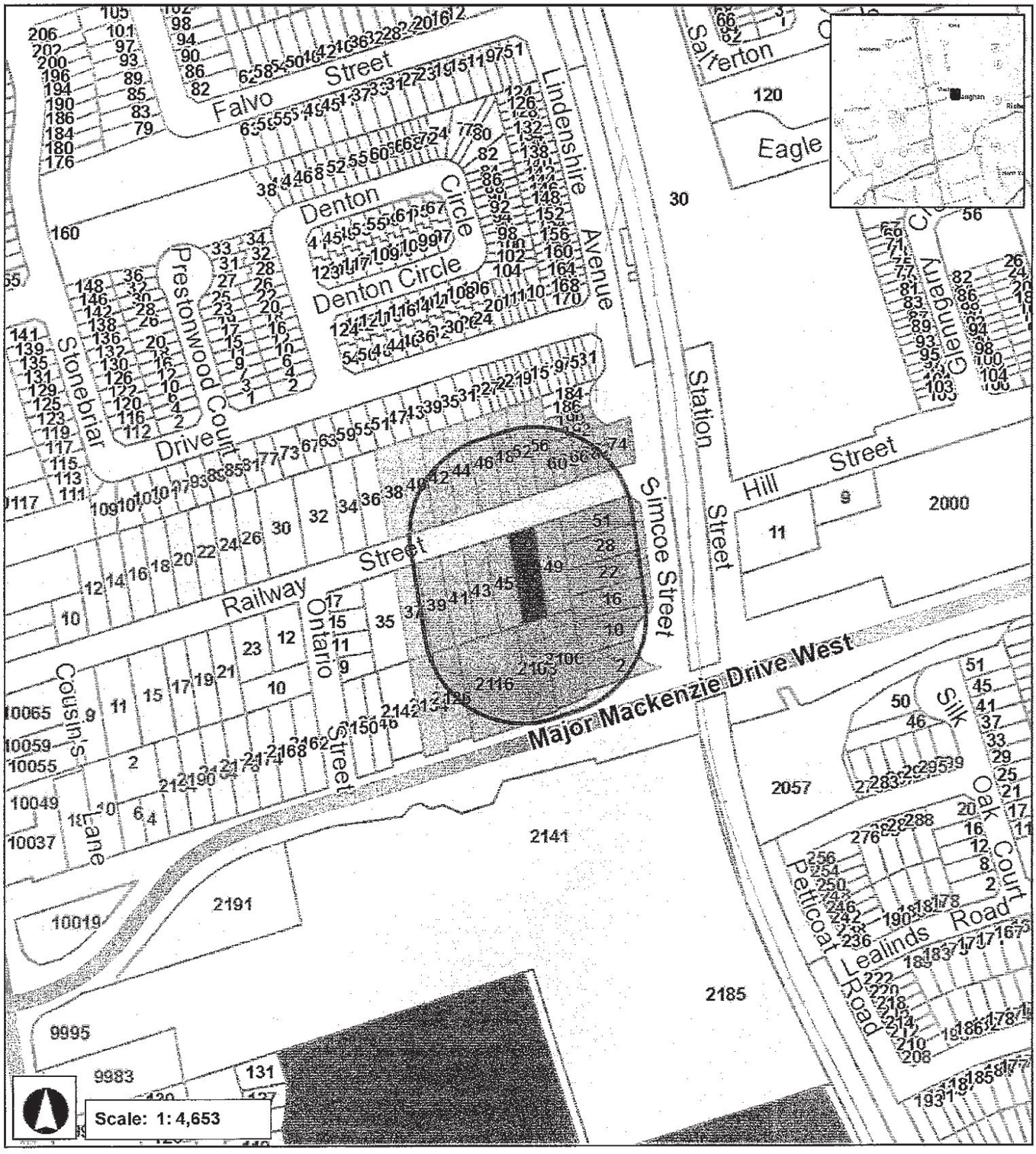
VAUGHAN LOCATION MAP B024/19, A089/19 & A090/19

47 RAILWAY STREET , MAPLE

Teston Road



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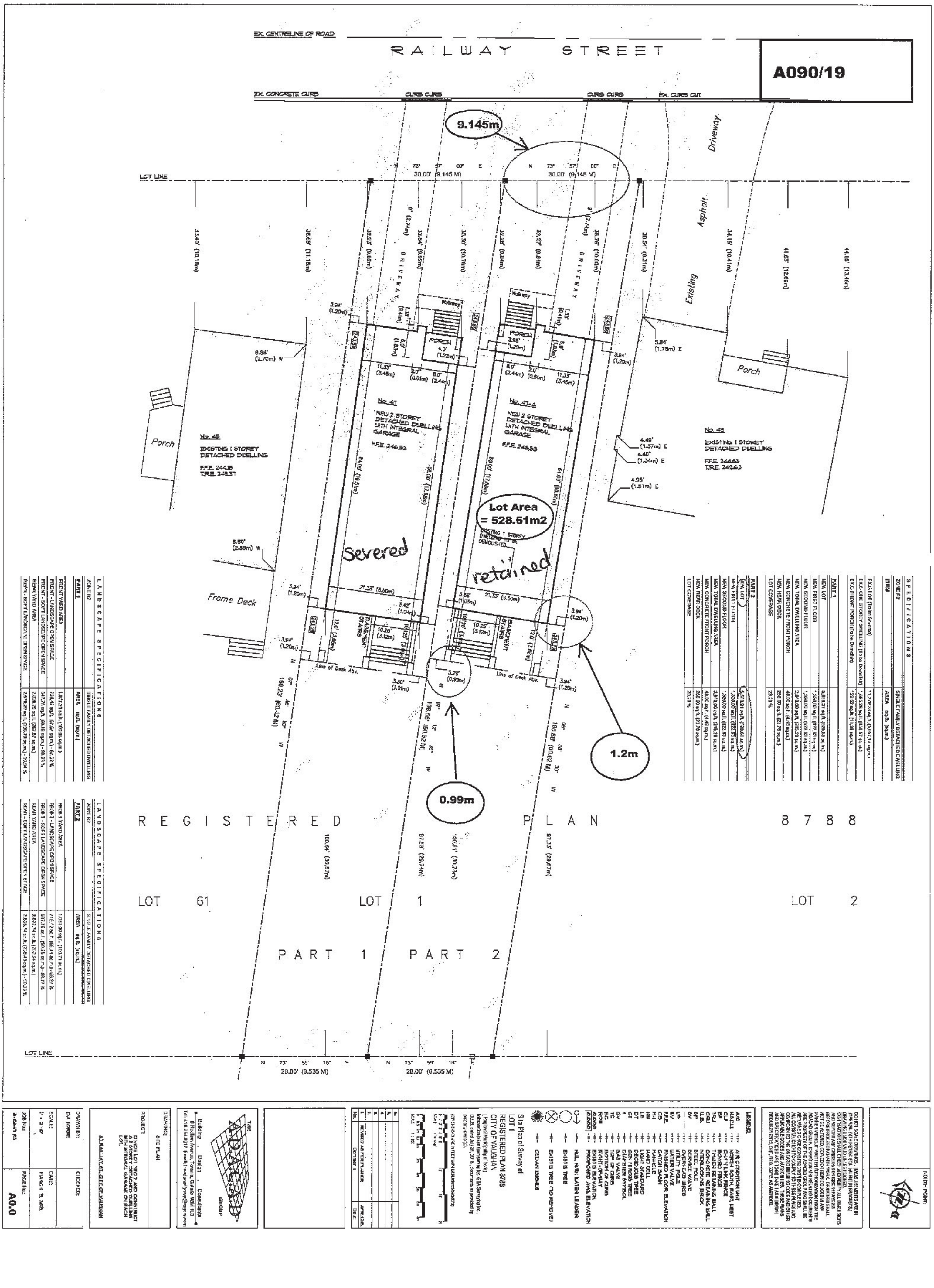

A090/19
EX. CENTRELINE OF ROAD
RAILWAY STREET
EX. CONCRETE CURB
CURB CURB
EX. CURB CUT
9.145m
LOT LINE
30.00' (9.145 M)
Driveway
Existing Asphalt
Porch
No. 45
EXISTING 1 STOREY DETACHED DWELLING
No. 47
NEW 2 STOREY DETACHED DWELLING WITH INTEGRAL GARAGE
No. 47-A
NEW 2 STOREY DETACHED DWELLING WITH INTEGRAL GARAGE
No. 49
EXISTING 1 STOREY DETACHED DWELLING
Lot Area = 528.61m2
EXISTING 1 STOREY DWELLING TO BE DEMOLISHED
Severed
retained
Frame Deck
Line of Deck Abv.
1.2m
0.99m
LANDSCAPE SPECIFICATIONS
SPECIFICATIONS
REGISTERED PLAN 8788
LOT 61
LOT 1
LOT 2
PART 1
PART 2
28.00' (8.535 M)
LEGEND
NORTH POINT
SITE PLAN
A0.0

47 RAILWAY STREET