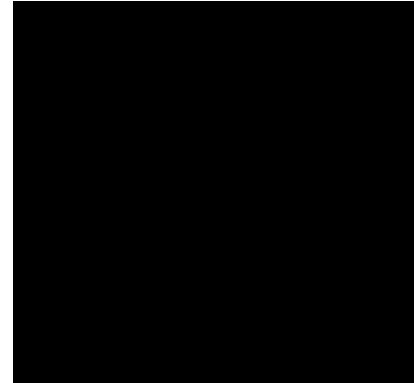


*Jonathan Weingarten Law Professional Corporation*

*Barrister & Solicitor*

*Notary Public*

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July 30, 2024

**To: Members of the Committee of Adjustments**

**Re: Objection to Application A070/24 (116 Farrell Road)**

1. **The following Neighbors wish to present their objection to the subject matter Application known as A070/24 ( 116 Farrell Road):**

1. **Jonathan Weingarten and Vered Weingarten** : 120 Farrell Road Vaughan ( Ravine Lot ) Tel: [REDACTED] . Email: [REDACTED]  
[REDACTED]
2. **Michael Monosov** – 126 Farrell Road Vaughan ( Ravine Lot ) – [REDACTED]  
Email: [REDACTED]
3. **Ilay Avnin and Eran Gurvich** - 138 Farrell Road Vaughan ( Ravine Lot ) – Tel: [REDACTED] . Email: [REDACTED] ;  
[REDACTED]
4. **David Lazslo** – 142 Farrell Road Vaughan ( Ravine Lot ) – Tel: [REDACTED]  
Email: [REDACTED]
5. **Michael Jurincic Victoria Jurincic** – 262 Farrell Road Vaughan ( Ravine Lot ) –  
Tel: [REDACTED] . Email: [REDACTED]

6. **Marjan Asmani Gowhartaj** – 48 Fanning Mills Circle, Vaughan ( Ravine Lot). Tel: [REDACTED]. Email: [REDACTED]
7. **Rami Golan** – 346 Farrell Road ( Park Lot) – Tel: [REDACTED]. Email: [REDACTED]
8. **Vadim Yegorov and Irena Yegorov** - 322 Farrell Road ( Park Lot) – Tel: [REDACTED] Email: [REDACTED]
9. **Jagdeep Rajpal** – 307 Farrell Road - Tel: [REDACTED] Email: [REDACTED]
10. **Yuri Tabulov and Zhana Tabulov** - 295 Farrell Road – Tel: [REDACTED]. Email: [REDACTED]
11. **Maor Vainshtein** – 11 Strong Avenue, Vaughan – Tel: [REDACTED]. Email: [REDACTED]
12. **Sergey Sadovnichiy Lena Sadovnichiy** – 1 Croley Street Vaughan ( Corner of Farrell Road) – Tel: [REDACTED] Email: [REDACTED]

2. All Objecting Neighbors hereby wish to present themselves or through Jonathan Weingarten their unequivocal objection to the subject matter application.

### 3. REASONS FOR OBJECTIONS

- A. **Height of the Gazebo wooden Floor exceeding Height of the Adjoining Fence** - The height of the proposed wood deck of Gazebo exceeds the height of the fence between 116 Farrell Road and 120 Farrell Road as clearly could be seen from the attached video from the neighboring back yard of 120 Farrell Road ( **Attachment marked “A”**). The proximity of the Gazebo to the back yard of 120 Farrell Road of around 2 meters only, has an overwhelming prejudicial and harmful affect considering the enormous size of the Gazebo.
- B. **Height of the Gazebo Ceiling well over the Permissible Height** - The height of the ceiling of the Gazebo of 13.10 feet, well over permitted by the City By-law, does not seem to be a minor variance at all, taking into account also the size of the ceiling which covers the whole wood deck of the Gazebo which is on its own a very big size equal to 628 SQF.

- C. **Combined Size of both Deck Structure and Gazebo Structure plus 2 set of connecting stairs** - The combined size of the second deck plus the detached Gazebo ( 2 separate structures) is about 1,100 SQF in total, let alone the 2 set of long stairs between the deck and the Gazebo, and from the floor to the extremely high wooden deck of the gazebo, all of which are disproportionate to the back yard lot size of the Applicant, taking into account the shape of the subject back yard and its proximity to the objecting neighbors of 120 Farrell Road and even 124 Farrell Road.
- D. **Dramatical and Detrimental affect on the Privacy and Enjoyment of the neighbors in Proximity to the Subject Application illegal structures** - The over size and height of the wooden floor of the Gazebo, detrimentally affects the privacy of the family living at 120 Farrell Road, not only as per enjoyment of it back yard practically from the wooden deck of the Gazebo there is a very open view affecting the very privacy and enjoyment of the residents of 120 Farrell Road and 124 Farrell Road main floor, most notably the kitchen and breakfast area. ( **Attached find photos demonstrating the final construction of the illegal structure with its red roof on the roof as planned by the Applicant marked “B”**)
- E. **Disproportionate Ratio between the Wooden Deck and Ceiling to the Size of the Hot Tub** - There seems to be a noticeable and unjustifiable proportion between the size of the wooden deck and ceiling of the gazebo ( 628 SQF) to the hot tub which is much smaller. The Applicant is attempting to achieve the purpose of enjoying the hot tub by having built a disproportionate high and overwhelmingly large wooden deck. The enjoyment of the hot tub could be fully achieved by a much smaller and lower deck without any annoyance and controversy with the neighbors.
- F. **Proposed Plan Detrimental and Counter effective to the Nature, Intended Plan and Character of the Neighborhood** - The general nature and size of both the detached wooden deck and gazebo from the main house together with the main deck and 2 sets of stairs, all of which are unprecedented by all means in the neighborhood, do not serve the desired nature and character of the neighborhood, the intention of any plan for the neighborhood and the adjoining properties in particular, as it would be expected for the intended enjoyment of similar back yards of properties which are limited in size and shape.
- G. **The Interest of the Public in General and the Citizens of the City of Vaughan in Particular in obeying to Laws, By Laws, Building Conditions and Requirements** – The Applicant, resident for some years in the City of Vaughan is an experienced and long standing ( 22 years as his web site suggests) professional contractor, specializing in building of education centers, such as schools, as well as petrol stations and other forms of building, all requiring building permits, obedience to building codes, by laws, and so forth. All rules and permits pertaining to building and construction are bread and butter and of the very essence of the Applicant’s daily work in and out.

The Applicant in this instant case, has deliberately and with full conscious decided to simply ignore any law and any permit, having utter disregard to the City of Vaughan laws, by laws, the building department, the by law department, Necessity of building permit as well as ignoring the role of the CoA.

Instead, not only the Applicant has variably and in writing misled the adjoining neighbors, Jonathan weingarten and Vered Weingarten, to believe that he already has a City of Vaughan permit in hand but has assured them that his architect has already personally visited the City of Vaughan and received its approval from its building department. Jonathan Weingarten and Vered Weingarten, who did not know at all in real time of the procedure involved in obtaining a permit, including the need to be approved by the CoA, has naively trusted the Applicant only to realize later, after their return from several weeks abroad, that the Applicant has constructed in their absence the existing overwhelming and massive detached illegal deck and ceiling. Jonathan Weingarten and Vered Weingarten became aware of the willful deceit by the Applicant, after having called the City of Vaughan to hear that an Application has never been filed by the Applicant. The Applicant, knowing well and realizing that Jonathan Weingarten and Vered Weingarten are very unfamiliar with building codes, rules and by laws associated with building permits, has manipulated them as “material in the hand of the creator” in order to avoid any inquiry by them during the process of building the illegal wooden Gazebo and ceiling, especially when the latest were away abroad for several weeks.

The undisputed fact that a professional contractor may all along deceit his neighbors, breach the very laws and rules he is fully aware and knowledgeable about, continue enjoying from the illegal structure, improving it during the interim period of being served with a kind of cease and decess order by the by law department up until present time, while being fully sure that most probably his Application would be fully approved, all the above creates a serious doubt as to the trust of the public at large and the citizens of Vaughan in the need to abide to laws and rules in a timely manner and doubting in the administration of justice by the law enforcement agencies of the City of Vaughan.

As of now, the Applicant, who deliberately chose to not abide but ignore the law and the law enforcement agencies of the City of Vaughan, has not been deterred at all, and this could be significantly noticed by his mockery of his neighbors all along up until now.

As of now, many months after completion of the illegal structure and stairs, there seems to be no deterrent to those who choose to ignore the law all together, all which seems to put into an embarrassment those citizens who abide to the laws and choose to follow the City of Vaughan proper procedure which is accompanied often by fees and deposits. ( **Attached extracts and photos from the Applicant’s business website marked “C”**)

