

	<b>Committee of Adjustment Minutes</b> Hearing Date: October 17, 2019 Location: 2141 Major Mackenzie Drive Committee Room 242/243 Time: 6:00 p.m.
<b>DRAFT</b>	
<b>Committee Member &amp; Staff Attendance</b>	
Committee Members:	Robert Buckler (Chair) Assunta (Sue) Perrella (Vice-Chair) Adolfo Antinucci Stephen Kerwin Hao (Charlie) Zheng
Secretary Treasurer: Assistant Secretary Treasurer: Zoning Staff: Planning Staff:	Christine Vigneault Pravina Attwala Lindsay Haviland Brandon Bell
Members / Staff Absent:	None

**Introduction of Addendum Reports**

Item #	File #	Address / Applicant	Commentator	Summary
6-10	B017/19 - B020/19 & B030/16	5, 9, 13, 17 & 21 Roybridge	Planning	Planning Comments
11-13	B024/19, A089/16 & A090/19	47 Railway Street, Maple	Planning	Planning Comments
17	A068/19	46 Cedar Glen Court, Kleinburg	Planning	Planning Comments
18	A071/19	59 Kingsnorth Blvd, Woodbridge	Planning	Planning Comments
21	A124/19	721 Wesburne Drive, Concord	Agent	Justification Letter - 0 Metre Setback
23	A126/19	74 Pepperberry Road, Thornhill	Agent	Justification Letter - 0 Metre Setback
27	A235/10	170 Orleans Circle, Woodbridge	COA	Adjournment History
28	A067/19	102 Bellini Avenue, Woodbridge	Neighbour	Letter of Objection

Moved By: A. Perrella  
Seconded By: A. Antinucci

That the addendum reports be incorporated into the minutes and be on view at the back of the room in the Report Book.

**Motion Carried.**

**Disclosure of Pecuniary Interest**

Member	Nature of Interest
N/A	N/A

**Adoption of September 19, 2019 Minutes**

Required Amendment	Page Number
N/A	N/A

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT the minutes of the Committee of Adjustment Meeting of Thursday, September 19, 2019, be adopted as circulated.

**Motion Carried.**

**Adjournments**

Moved By: A. Perrella  
Seconded By: H. Zheng

That the following adjournments be approved as requested:

Item Number	Application Number/Address	Adjournment Date	Reason for Adjournment
26	A130/19 (54 Bannockburn Drive, Woodbridge)	October 31, 2019	Application currently under review.

**Motion Carried.**

Applications Addressed by the Committee of Adjustment

Please Note: For complete application details please reference the Notice of Decision issued for each respective application. A copy can be obtained by submitting a written request to the Secretary Treasurer.

5.

File:

B016/19

Ward 1
- Applicant:

Haastown Holdings (Vaughan) Inc.
- Agent:

Rob Gazzola
- Address:

9770 Keele St. Vaughan
- Purpose:

Consent is being requested to sever a parcel of land for residential purposes, approximately 346.10 square metres while retaining a parcel of land approximately 331.70 square metres. The severed and retained land will have frontage onto Merino Road and the existing dwelling is to be demolished.

Note: As part of the Site Development Application (DA.14.055) the applicant is required to convey 182.00 square metres of land abutting Keele Street to the Region of York and 380.00 square metres of land abutting the retained parcel to the Toronto and Region Conservation Authority.

Please request sketch submitted with application for details.

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Rob Gazzola, Haastown Holdings (Vaughan) Inc.

Comments

Rob Gazzola explained the nature of the application.

In response to Member Antinucci, Mr. Gazzola confirmed that a previous approval (B011/18) had lapsed due to the condition requiring a demolition permit not met. The resubmission of the current application is to facilitate the demolition of the existing dwelling.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT Application No. B016/19 on behalf of Haastown Holdings (Vaughan) Inc. (Rob Gazzola) be **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	1. 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 <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment. 2. 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. 3. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.

	Department/Agency	Condition
2	Building Standards Catherine Saluri  905-832-8585 x 8310 <a href="mailto:catherine.saluri@vaughan.ca">catherine.saluri@vaughan.ca</a>	A demolition permit must be obtained for the demolition of the existing dwelling.
3	Real Estate Franca Mazzanti  905-832-8585 x 8474 <a href="mailto:franca.mazzanti@vaughan.ca">franca.mazzanti@vaughan.ca</a>	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.
4	Development Finance Nelson Pereira  905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a>	<ol style="list-style-type: none"> <li>1. 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).</li> <li>2. 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).</li> </ol>
5	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:hrazavi@trca.on.ca">hrazavi@trca.on.ca</a>	The applicant provides the required \$105 fee for TRCA's review of B016/19

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Motion Carried.**

**Members Opposed to Motion: N/A**

6.

File:

B017/19

Applicant:

2056239 Ontario Inc.

Agent:

Humphries Planning Group Inc (Rosemarie Humphries)

Address:

21 Roybridge Gt. Woodbridge

Purpose:

To sever a parcel of land for employment purposes (office) approximately 621.00 square metres together with an easement for access (vehicular & pedestrian), maintenance, parking & servicing over the retained parcel (in favour of the severed land) and reserving an easement for utilities and servicing over the severed parcel (in favour of the retained land).

The retained parcel of land is approximately 23,762.00 square metres (subject to the reserved easements above).

The severed land is current vacant and has frontage onto Roybridge Gate.

The retained parcel is vacant and will maintain frontage onto Roybridge Gate.

Easement Descriptions

The easement for access, maintenance, parking and servicing over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Part 17 on the draft plan submitted with the application.

The easement for access (vehicular & pedestrian) over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Parts 1, 2 & 3 on the draft plan submitted with the application.

The easement for servicing (utilities) to be reserved over the severed parcel (servient land) in favour of the retained parcel (dominant land) is shown as Part 16 on the draft plan submitted with the application.

Ward 2

<b>Public Written Submissions</b>
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Agent’s cover letter

**Additional Addendum Reports received and provided to the Committee from:**  
Planning Comments - Received October 17, 2019  
Revised Engineering Comments – Received October 17, 2019

**Representation**  
Hesham Mohamed, Humphries Planning Group Inc

**Comments**  
  
Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: H. Zheng  
Seconded By: A. Antinucci

THAT Application No. B017/19 on behalf of 2056239 Ontario Inc. be **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

	Department/Agency	Condition
1	<p>Committee of Adjustment Christine Vigneault</p> <p>905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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 <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.</li> <li>2. 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.</li> <li>3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li> </ol>
2	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 <a href="mailto:franca.mazzanti@vaughan.ca">franca.mazzanti@vaughan.ca</a></p>	<p>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 (2 %) 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.</p>
3	<p>Development Engineering Brad Steeves</p> <p>905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. The Owner shall arrange to register/deposit the associated reference plan at their expense showing all existing and proposed easements and provide a copy to Development Engineering.</li> <li>2. The Owner shall provide proof of mutual access &amp; servicing agreement(s) associated with the severed and retained parcels in the form of a DRAFT Reciprocal Easement and Operating Agreement (REOA) to be provided to the satisfaction of Development Engineering.</li> </ol>
4	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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).</li> <li>2. 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).</li> </ol>

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Motion Carried.**

**Members Opposed to Motion: N/A**

7.

File:

B018/19

Ward 2

Applicant:

2056239 Ontario Inc.

Agent:

Humphries Planning Group Inc (Rosemarie Humphries)

Address:

17 Roybridge Gt. Woodbridge

Purpose:

To sever a parcel of land for employment purposes (office) approximately 727.00 square metres together with an easement for access (vehicular & pedestrian), maintenance, parking & servicing over the retained parcel (in favour of the severed land) and reserving an easement for utilities and servicing over the severed parcel (in favour of the retained land).

The retained parcel of land is approximately 23,035.00 square metres (subject to the reserved easements above).

The severed land is current vacant and has frontage onto Roybridge Gate.

The retained parcel is vacant and will maintain frontage onto Roybridge Gate.

Easement Descriptions

The easement for access, maintenance, parking and servicing over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Part 17 on the draft plan submitted with the application.

The easement for access (vehicular & pedestrian) over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Parts 1, 2 & 3 on the draft plan submitted with the application.

The easement for servicing (utilities) to be reserved over the severed parcel (servient land) in favour of the retained parcel (dominant land) is shown as Part 14 on the draft plan submitted with the application.

<b>Public Written Submissions</b>
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Agent's Cover Letter

**Additional Addendum Reports received and provided to the Committee from:**

Planning Comments - Received October 17, 2019  
Revised Engineering Comments – Received October 17, 2019

**Representation**

Hesham Mohamed, Humphries Planning Group Inc

**Comments**

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: H. Zheng  
Seconded By: A. Antinucci

THAT Application No. B018/19 on behalf of 2056239 Ontario Inc. (2056239 Ontario Inc. ) be **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

	Department/Agency	Condition
1	<p>Committee of Adjustment Christine Vigneault</p> <p>905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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 <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.</li> <li>2. 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.</li> <li>3. That Consent Application B017/19 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.</li> <li>4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li> </ol>
2	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 <a href="mailto:franca.mazzanti@vaughan.ca">franca.mazzanti@vaughan.ca</a></p>	<p>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 (2 %) 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.</p>
3	<p>Development Engineering Brad Steeves</p> <p>905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. The Owner shall arrange to register/deposit the associated reference plan at their expense showing all existing and proposed easements and provide a copy to Development Engineering.</li> <li>2. The Owner shall provide proof of mutual access &amp; servicing agreement(s) associated with the severed and retained parcels in the form of a DRAFT Reciprocal Easement and Operating Agreement (REOA) to be provided to the satisfaction of Development Engineering.</li> </ol>
4	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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).</li> <li>2. 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).</li> </ol>

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Motion Carried.**

**Members Opposed to Motion: N/A**



8.

File:

B019/19

Ward 2

Applicant:

2056239 Ontario Inc.

Agent:

Humphries Planning Group Inc. (Rosemarie Humphries)

Address:

13 Roybridge Gt. Woodbridge

Purpose:

To sever a parcel of land for employment purposes (office) approximately 765.00 square metres together with an easement for access (vehicular & pedestrian), maintenance, parking & servicing over the retained parcel (in favour of the severed land) and reserving an easement for utilities and servicing over the severed parcel (in favour of the retained land).

The retained parcel of land is approximately 22, 269.90 square metres (subject to the reserved easements above).

The severed land is current vacant and has frontage onto Roybridge Gate.

The retained parcel is vacant and will maintain frontage onto Roybridge Gate.

Easement Descriptions

The easement for access, maintenance, parking and servicing over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Part 17 on the draft plan submitted with the application.

The easement for access (vehicular & pedestrian) over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Parts 1, 2 & 3 on the draft plan submitted with the application.

The easement for servicing (utilities) to be reserved over the severed parcel (servient land) in favour of the retained parcel (dominant land) is shown as Part 12 on the draft plan submitted with the application.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Agent’s Cover Letter

**Additional Addendum Reports received and provided to the Committee from:**

Planning Comments - Received October 17, 2019  
Revised Engineering Comments – Received October 17, 2019

**Representation**

Hesham Mohamed, Humphries Planning Group Inc

**Comments**

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: H. Zheng  
Seconded By: A. Antinucci

THAT Application No. B019/19 on behalf of 2056239 Ontario Inc. (2056239 Ontario Inc. ) be **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

	Department/Agency	Condition
1	<p>Committee of Adjustment Christine Vigneault</p> <p>905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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 <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.</li> <li>2. 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.</li> <li>3. That Consent Application B018/19 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.</li> <li>4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li> </ol>
2	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 <a href="mailto:franca.mazzanti@vaughan.ca">franca.mazzanti@vaughan.ca</a></p>	<p>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 (2 %) 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.</p>
3	<p>Development Engineering Brad Steeves</p> <p>905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. The Owner shall arrange to register/deposit the associated reference plan at their expense showing all existing and proposed easements and provide a copy to Development Engineering.</li> <li>2. The Owner shall provide proof of mutual access &amp; servicing agreement(s) associated with the severed and retained parcels in the form of a DRAFT Reciprocal Easement and Operating Agreement (REOA) to be provided to the satisfaction of Development Engineering.</li> </ol>
4	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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).</li> <li>2. 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).</li> </ol>

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Motion Carried.**

**Members Opposed to Motion:** N/A

9.

File:

B020/19

Applicant:

2056239 Ontario Inc.

Agent:

Humphries Planning Group Inc (Rosemarie Humphries)

Address:

9 Roybridge Gt. Woodbridge

Purpose:

To sever a parcel of land for employment purposes (office) approximately 816.60.00 square metres together with an easement for access (vehicular & pedestrian), maintenance, parking & servicing over the retained parcel (in favour of the severed land) and reserving an easement for utilities and servicing over the severed parcel (in favour of the retained land).

The retained parcel of land is approximately 21,453.30 square metres (subject to the reserved easements above).

The severed land is current vacant and has frontage onto Roybridge Gate.

The retained parcel is vacant and will maintain frontage onto Roybridge Gate.

Easement Descriptions

The easement for access, maintenance, parking and servicing over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Part 17 on the draft plan submitted with the application.

The easement for access (vehicular & pedestrian) over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Parts 1, 2 & 3 on the draft plan submitted with the application.

The easement for servicing (utilities) to be reserved over the severed parcel (servient land) in favour of the retained parcel (dominant land) is shown as Part 9 on the draft plan submitted with the application.

Ward 2

<b>Public Written Submissions</b>
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Agent's Cover Letter

**Additional Addendum Reports received and provided to the Committee from:**

Planning Comments - Received October 17, 2019  
Revised Engineering Comments – Received October 17, 2019

**Representation**

Hesham Mohamed, Humphries Planning Group Inc

**Comments**

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: H. Zheng  
Seconded By: A. Antinucci

THAT Application No. B020/19 on behalf of 2056239 Ontario Inc. (2056239 Ontario Inc. ) be **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

	Department/Agency	Condition
1	<p>Committee of Adjustment Christine Vigneault</p> <p>905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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 <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.</li> <li>2. 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.</li> <li>3. That Consent Application B019/19 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.</li> <li>4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li> </ol>
2	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 <a href="mailto:franca.mazzanti@vaughan.ca">franca.mazzanti@vaughan.ca</a></p>	<p>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 (2 %) 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.</p>
3	<p>Development Engineering Brad Steeves</p> <p>905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. The Owner shall arrange to register/deposit the associated reference plan at their expense showing all existing and proposed easements and provide a copy to Development Engineering.</li> <li>2. The Owner shall provide proof of mutual access &amp; servicing agreement(s) associated with the severed and retained parcels in the form of a DRAFT Reciprocal Easement and Operating Agreement (REOA) to be provided to the satisfaction of Development Engineering.</li> </ol>
4	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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).</li> <li>2. 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).</li> </ol>

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Motion Carried.**

**Members Opposed to Motion: N/A**

10.

File:

B030/19

Applicant:

2056239 Ontario Inc.

Agent:

Humphries Planning Group Inc (Rosemarie Humphries)

Address:

5 Roybridge Gt. Woodbridge

Purpose:

To sever a parcel of land for employment purposes (office) approximately 753.90.00 square metres together with an easement for access (vehicular & pedestrian), maintenance, parking & servicing over the retained parcel (in favour of the severed land) and reserving an easement for utilities and servicing over the severed parcel (in favour of the retained land).

The retained parcel of land is approximately 20,699.40 square metres (subject to the reserved easements above).

The severed land is current vacant and has frontage onto Roybridge Gate.

The retained parcel is vacant and will maintain frontage onto Roybridge Gate.

Easement Descriptions

The easement for access, maintenance, parking and servicing over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Part 17 on the draft plan submitted with the application.

The easement for access (vehicular & pedestrian) over the retained parcel (servient land) in favour of the severed land (dominant land) is shown as Parts 1, 2 & 3 on the draft plan submitted with the application.

The easement for servicing (utilities) to be reserved over the severed parcel (servient land) in favour of the retained parcel (dominant land) is shown as Part 6 on the draft plan submitted with the application.

Ward 2

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Agent's Cover Letter

**Additional Addendum Reports received and provided to the Committee from:**

Planning Comments - Received October 17, 2019  
Revised Engineering Comments – Received October 17, 2019

**Representation**

Hesham Mohamed, Humphries Planning Group Inc

**Comments**

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: H. Zheng  
Seconded By: A. Antinucci

THAT Application No. B030/19 on behalf of 2056239 Ontario Inc. (2056239 Ontario Inc. ) be **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

	Department/Agency	Condition
1	<p>Committee of Adjustment Christine Vigneault</p> <p>905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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 <b>only</b> to the severed parcel, leased land, easement etc. as conditionally approved by the Committee of Adjustment.</li> <li>2. 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.</li> <li>3. That Consent Application B020/19 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.</li> <li>4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.</li> </ol>
2	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 <a href="mailto:franca.mazzanti@vaughan.ca">franca.mazzanti@vaughan.ca</a></p>	<p>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 (2 %) 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.</p>
3	<p>Development Engineering Brad Steeves</p> <p>905-832-8585 x 8977 <a href="mailto:brad.steeves@vaughan.ca">brad.steeves@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. The Owner shall arrange to register/deposit the associated reference plan at their expense showing all existing and proposed easements and provide a copy to Development Engineering.</li> <li>2. The Owner shall provide proof of mutual access &amp; servicing agreement(s) associated with the severed and retained parcels in the form of a DRAFT Reciprocal Easement and Operating Agreement (REOA) to be provided to the satisfaction of Development Engineering.</li> </ol>
4	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a></p>	<ol style="list-style-type: none"> <li>1. 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).</li> <li>2. 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).</li> </ol>

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Motion Carried.**

**Members Opposed to Motion: N/A**

11.

File:

B024/19

Applicant:

John & Natercia Carvalhais

Agent:

MPlan Inc (Michael Manett)

Address:

47 Railway St. Maple

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.

Ward 1
- The existing single family dwelling on the subject land is to be demolished.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Planning Justification Report submitted by agent

**Additional Addendum Reports received and provided to the Committee from:**  
Planning Comments – Received October 17, 2019

**Representation**  
Michael Manett, MPlan Inc.

**Comments**

Michael Manett opined that eligibility criteria for the Established Community Area set out by S.9.1.2.3 of the Vaughan Official Plan (“VOP 2010”) is not applicable to the subject lands. He provided a rendering of the policy area to establish that the subject lands were located outside of the established boundaries. He reviewed Planning comments pertaining to VOP 2010 Low Rise Residential policies with the Committee and provided an alternate opinion that the property is not located in a ‘large lot’ area. He noted that the area contains a number of residential zones (R2, R3 & R5) which result in a variety of housing types. He reviewed the Justification Report, provided by the applicant in support of the proposal and opined that given the location of the subject lands, there is no impact to a heritage district. He noted an error in the Planning Report referencing By-law requirements pertaining to the interior side yard setback, which should be 1.5 metres, not 6 metres. He requested that the Committee render a decision and remove condition #1 (update Justification Report) as part of an approval given that there is a difference of interpretation on applicable VOP 2010 policies.

In response to Member Kerwin, Mr. Manett advised that tree replacement will be done in accordance with Forestry requirements.

In response to Chairman Buckler, Brandon Bell, Planner, reviewed S.9.1.2.3 of VOP 2010 and advised that the policy prevails over mapping. He advised that in the opinion of Planning, OPA 15 is applicable and it has been requested that the Justification Report be updated to address the policy.

In response to Chairman Buckler, Mr. Bell advised that the required side yard setback is 1.5 metres.

In response to Member Perrella, Mr. Manett advised that the area is characterized by what is on the ground and development history. He noted that recent approvals on Ontario Street have led to a wide variety of housing sizes in the area. He opined that the proposal is a minor transition given that many older bungalows in the area are being redeveloped with modest intensification that is in close proximity to Go Train station. Typically, the concerns with respect to lot size and character apply to R1V zones. He opined that the proposal was in character with the area and requested that the Committee deal with the requested variances.

Member Perrella commented that she supports the position of Planning staff.

In response to Member Perrella, Mr. Manett advised that he has responded to staff concerns and wants the Committee to render a decision.

Chairman Buckler asked if anyone present wished to comment on this application.

Gino DiGiulio, 48 Railway Street, advised that the minimum lot size in the area is 40 – 50 feet. He noted that there are semi detached dwellings on the street and the Go Train is close. He expressed concerns with respect to traffic congestion due to the removal of on street curb parking, the removal of front yard landscaping to accommodate more parking and driveway cleaning.

Antoniette Taverniti, 49 Railway Street, expressed concerns with respect to the proposed lot sizes and the loss of greenspace and trees.

Frank Masucci, 27 Prestonwood Court, noted that he resides at 46 Railway Street. He requested an artist rendering of what the smaller homes would look like (on the proposed lots) in order to provide a position on the applications. He advised that he was open to change in the area.

Antonio Spina, 52 Railway Street, advised that more information on the development is required and expressed concerns regarding the loss of trees. He is not in a position to support the application.

In response to Chairman Buckler, Mr. Manett advised that the site plan and elevation drawings have been provided as part of the application submission and public notice signs were erected. An artist conception would be completed once approval for the applications has been received. The applicant is proposing to maintain 1.2 metre side yard setbacks and trees will be replaced as per Forestry requirements.

Member Antinucci conducted a site visit and opined the proposed development was not appropriate for the area.

Moved By: A. Perrella  
Seconded By: A. Antinucci

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

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

**Motion Carried.**

**Members Opposed to Motion: N/A**



12.

File:

A089/19

Applicant:

John & Natercia Carvalhais

Agent:

MPlan Inc (Michael Manett)

Address:

47 Railway St. Maple

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.

Ward 1

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Planning Justification Report submitted by agent

**Additional Addendum Reports received and provided to the Committee from: None.**  
Planning Comments – Received October 17, 2019

**Representation**  
Michael Manett, MPlan Inc.

**Comments**

Michael Manett opined that eligibility criteria for the Established Community Area set out by S.9.1.2.3 of the Vaughan Official Plan (“VOP 2010”) is not applicable to the subject lands. He provided a rendering of the policy area to establish that the subject lands were located outside of the established boundaries. He reviewed Planning comments pertaining to VOP 2010 Low Rise Residential policies with the Committee and provided an alternate opinion that the property is not located in a ‘large lot’ area. He noted that the area contains a number of residential zones (R2, R3 & R5) which result in a variety of housing types. He reviewed the Justification Report, provided by the applicant in support of the proposal and opined that given the location of the subject lands, there is no impact to a heritage district. He noted an error in the Planning Report referencing By-law requirements pertaining to the interior side yard setback, which should be 1.5 metres, not 6 metres. He requested that the Committee render a decision and remove condition #1 (update Justification Report) as part of an approval given that there is a difference of interpretation on applicable VOP 2010 policies.

In response to Member Kerwin, Mr. Manett advised that tree replacement will be done in accordance with Forestry requirements.

In response to Chairman Buckler, Brandon Bell, Planner, reviewed S.9.1.2.3 of VOP 2010 and advised that the policy prevails over mapping. He advised that in the opinion of Planning, OPA 15 is applicable and it has been requested that the Justification Report be updated to address the policy.

In response to Chairman Buckler, Mr. Bell advised that the required side yard setback is 1.5 metres.

In response to Member Perrella, Mr. Manett advised that the area is characterized by what is on the ground and development history. He noted that recent approvals on Ontario Street have led to a wide variety of housing sizes in the area. He opined that the proposal is a minor transition given that many older bungalows in the area are being redeveloped with modest intensification that is in close proximity to Go Train station. Typically, the concerns with respect to lot size and character apply to R1V zones. He opined that the proposal was in character with the area and requested that the Committee deal with the requested variances.

Member Perrella commented that she supports the position of Planning staff.

In response to Member Perrella, Mr. Manett advised that he has responded to staff concerns and wants the Committee to render a decision.

Chairman Buckler asked if anyone present wished to comment on this application.

Gino DiGiulio, 48 Railway Street, advised that the minimum lot size in the area is 40 – 50 feet. He noted that there are semi detached dwellings on the street and the Go Train is close. He expressed concerns with respect to traffic congestion due to the removal of on street curb

parking, the removal of front yard landscaping to accommodate more parking and driveway cleaning.

Antoniette Taverniti, 49 Railway Street, expressed concerns with respect to the proposed lot sizes and the loss of greenspace and trees.

Frank Masucci, 27 Prestonwood Court, noted that he resides at 46 Railway Street. He requested an artist rendering of what the smaller homes would look like (on the proposed lots) in order to provide a position on the applications. He advised that he was open to change in the area.

Antonio Spina, 52 Railway Street, advised that more information on the development is required and expressed concerns regarding the loss of trees. He is not in a position to support the application.

In response to Chairman Buckler, Mr. Manett advised that the site plan and elevation drawings have been provided as part of the application submission and public notice signs were erected. An artist conception would be completed once approval for the applications has been received. The applicant is proposing to maintain 1.2 metre side yard setbacks and trees will be replaced as per Forestry requirements.

Member Antinucci conducted a site visit and opined the proposed development was not appropriate for the area.

Moved By: A. Perrella  
Seconded By: A. Antinucci

THAT Application No. A089/19 on behalf of John & Natercia Carvalhais be **REFUSED** for the following reasons:

For the Following Reasons (Minor Variance):

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.

**Motion Carried.**

**Members Opposed to Motion: N/A**

13.

File:

A090/19

Ward 1
- Applicant:

John & Natercia Carvalhais
- Agent:

MPlan Inc (Michael Manett)
- Address:

47 Railway St. Maple
- 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.

<b>Public Written Submissions</b>
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Planning Justification Report submitted by agent

**Additional Addendum Reports received and provided to the Committee from:**  
Planning Comments – Received October 17, 2019

**Representation**  
Michael Manett, MPlan Inc.

**Comments**

Michael Manett opined that eligibility criteria for the Established Community Area set out by S.9.1.2.3 of the Vaughan Official Plan (“VOP 2010”) is not applicable to the subject lands. He provided a rendering of the policy area to establish that the subject lands were located outside of the established boundaries. He reviewed Planning comments pertaining to VOP 2010 Low Rise Residential policies with the Committee and provided an alternate opinion that the property is not located in a ‘large lot’ area. He noted that the area contains a number of residential zones (R2, R3 & R5) which result in a variety of housing types. He reviewed the Justification Report, provided by the applicant in support of the proposal and opined that given the location of the subject lands, there is no impact to a heritage district. He noted an error in the Planning Report referencing By-law requirements pertaining to the interior side yard setback, which should be 1.5 metres, not 6 metres. He requested that the Committee render a decision and remove condition #1 (update Justification Report) as part of an approval given that there is a difference of interpretation on applicable VOP 2010 policies.

In response to Member Kerwin, Mr. Manett advised that tree replacement will be done in accordance with Forestry requirements.

In response to Chairman Buckler, Brandon Bell, Planner, reviewed S.9.1.2.3 of VOP 2010 and advised that the policy prevails over mapping. He advised that in the opinion of Planning, OPA 15 is applicable and it has been requested that the Justification Report be updated to address the policy.

In response to Chairman Buckler, Mr. Bell advised that the required side yard setback is 1.5 metres.

In response to Member Perrella, Mr. Manett advised that the area is characterized by what is on the ground and development history. He noted that recent approvals on Ontario Street have led to a wide variety of housing sizes in the area. He opined that the proposal is a minor transition given that many older bungalows in the area are being redeveloped with modest intensification that is in close proximity to Go Train station. Typically, the concerns with respect to lot size and character apply to R1V zones. He opined that the proposal was in character with the area and requested that the Committee deal with the requested variances.

Member Perrella commented that she supports the position of Planning staff.

In response to Member Perrella, Mr. Manett advised that he has responded to staff concerns and wants the Committee to render a decision.

Chairman Buckler asked if anyone present wished to comment on this application.

Gino DiGiulio, 48 Railway Street, advised that the minimum lot size in the area is 40 – 50 feet. He noted that there are semi detached dwellings on the street and the Go Train is close. He expressed concerns with respect to traffic congestion due to the removal of on street curb

parking, the removal of front yard landscaping to accommodate more parking and driveway cleaning.

Antoniette Taverniti, 49 Railway Street, expressed concerns with respect to the proposed lot sizes and the loss of greenspace and trees.

Frank Masucci, 27 Prestonwood Court, noted that he resides at 46 Railway Street. He requested an artist rendering of what the smaller homes would look like (on the proposed lots) in order to provide a position on the applications. He advised that he was open to change in the area.

Antonio Spina, 52 Railway Street, advised that more information on the development is required and expressed concerns regarding the loss of trees. He is not in a position to support the application.

In response to Chairman Buckler, Mr. Manett advised that the site plan and elevation drawings have been provided as part of the application submission and public notice signs were erected. An artist conception would be completed once approval for the applications has been received. The applicant is proposing to maintain 1.2 metre side yard setbacks and trees will be replaced as per Forestry requirements.

Member Antinucci conducted a site visit and opined the proposed development was not appropriate for the area.

Moved By: A. Perrella  
Seconded By: A. Antinucci

THAT Application No. A090/19 on behalf of John & Natercia Carvalhais be **REFUSED** for the following reasons:

For the Following Reasons (Minor Variance):

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.

**Motion Carried.**

**Members Opposed to Motion: N/A**

14.

File:

B031/19

Ward 1
- Applicant:

Ministry of Transportation (Sandra Bailey Head Municipal and Highway Services)
- Agent:

HKSC Developoments L.P, (David Meyers)
- Address:

12001 Hwy 400 Vaughan
- Purpose:

Consent is being requested to permit a lease in excess of 21 years for a parcel of land situated along Highway 400, north of Kirby Road and shown as Part A on the plan submitted with the application.

The parcel is to be leased to HK Travel Centres L.P. and will be used to facilitate a food and beverage service establishment on the subject land.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Agent’s Cover Letter

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Michael Greco, Kilmer Infrastructure Developments Inc.

Comments

Michael Greco explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT Application No. B031/19 on behalf of Ministry of Transportation (Sandra Bailey Head Municipal and Highway Services) be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	<div>Committee of Adjustment Christine Vigneault</div> <div>905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a></div>	<div>1. That the applicant’s solicitor provides the secretary-treasurer with the legal description of the leased lands. Subject land applies <b>only</b> to the leased land, severed parcel, easement etc. as conditionally approved by the Committee of Adjustment.</div> <div>2. 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.</div> <div>3. Payment of the Certificate Fee as provided on the City of Vaughan’s Committee of Adjustment Fee Schedule.</div>
2	<div>Development Finance Nelson Pereira</div> <div>905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a></div>	<div>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).</div>

	Department/Agency	Condition
3	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:Hamedeh.Razavi@trca.ca">Hamedeh.Razavi@trca.ca</a>	The applicant provides the required \$1400 fee for TRCA's review of B031/19 and B032/19

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Motion Carried.**

**Members Opposed to Motion:** N/A

15.

File:

B032/19

Ward 1
- Applicant:

Ministry of Transportation (Sandra Bailey Head Municipal and Highway Services)
- Agent:

HKSC Developoments L.P, (David Meyers)
- Address:

12001 Hwy 400 Vaughan
- Purpose:

Consent is being requested to permit a lease in excess of 21 years for a parcel of land situated along Highway 400, north of Kirby Road, shown as Part B on the plan submitted with the application.

The parcel is to be leased to CTC KDL Fuelco L.P. and will be used to facilitate the delivery of fuel, alternative fuel and auto services on the subject land.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Agent's Cover Letter

**Additional Addendum Reports received and provided to the Committee from:** None.  
Planning Comments – Received January 25, 2018

**Representation**  
Michael Greco, Kilmer Infrastructure Developments Inc.

**Comments**

Michael Greco explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT Application No. B032/19 on behalf of Ministry of Transportation (Sandra Bailey Head Municipal and Highway Services) be **APPROVED**, in accordance with the sketch submitted with the application and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault  905-832-8585 x 8332 <a href="mailto:christine.vigneault@vaughan.ca">christine.vigneault@vaughan.ca</a>	1. That the applicant's solicitor provides the secretary-treasurer with the legal description of the leased lands. Subject land applies <b>only</b> to the leased land, severed parcel, easement etc. as conditionally approved by the Committee of Adjustment. 2. 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. 3. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.
2	Development Finance Nelson Pereira  905-832-8585 x 8393 <a href="mailto:nelson.pereira@vaughan.ca">nelson.pereira@vaughan.ca</a>	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).
3	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:Hamedeh.Razavi@trca.ca">Hamedeh.Razavi@trca.ca</a>	The applicant provides the required \$1400 fee for TRCA's review of B031/19 and B032/19

For the Following Reasons:

1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

**Motion Carried.**

**Members Opposed to Motion: N/A**



16.

File:

A225/18

Ward 1
- Applicant:

Cengiz Elmaagacli
- Agent:

Andrew Dean or Sandra Wojtecki
- Address:

46 Paula Ct. Kleinburg
- Purpose:

Relief from the by-law is being requested to permit the construction of a proposed single family dwelling.

**Additional Addendum Reports received and provided to the Committee from:** None.

**Representation**  
Sandra Wojtecki

**Comments**

Sandra Wojtecki explained the nature of the application and advised that she concurs with Planning recommendations.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT Application No. A225/18 on behalf of Cengiz Elmaagacli be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	1. The owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading and/or servicing approval.  2. The owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of Development Engineering to address the increased lot coverage allowed from 10% to 18.45% in order to mitigate potential impacts on the municipal stormwater system. A Stormwater Management Brief will be required.  3. The owner/applicant shall apply for a pool permit with the Development Engineering Department on the second floor of City Hall.

For the Following Reasons:

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

**Motion Carried.**

**Members Opposed to Motion:** N/A

17.

File:

A068/19

Ward 1
- Applicant:

Marianna & Joseph Pinto
- Agent:

Anthony Cesario
- Address:

46 Cedar Glen Ct. Kleinburg
- Purpose:

Relief from the by-law is being requested to permit the construction of a proposed addition to the existing single-family dwelling. The addition includes expansion of the existing dwelling into the east/west side yard and rear yard which is further described as:

•

Addition to **west** side of the existing dwelling includes:  
1 storey garage, 1 storey storage area and 2 storey addition;

•

Addition to **east** side of the existing dwelling includes:  
2 storey addition;

•

Addition to **rear** of the existing dwelling includes:  
Second floor addition, open wood deck.
- Additional Addendum Reports received and provided to the Committee from:**  
Planning Comments – Received October 17, 2019
- Representation**  
Anthony Cesario
- Comments**
- Anthony Cesario explained the nature of the application.
- Chairman Buckler asked if anyone present wished to comment on this application. There was no response.
- Moved By: H. Zheng  
Seconded By: A. Antinucci
- THAT Application No. A068/19 on behalf of Marianna & Joseph Pinto be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:
- |   | Department/Agency   | Condition   |
|---|---|---|
| 1 | <div>Development Engineering<br/>Jason Pham</div> <div>905-832-8585 x 8716<br/><a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a></div> | <div>1. The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property.</div> <div>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 proposed driveway/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.</div> |
| 2 | <div>TRCA<br/>Anthony Syhlonyk</div> <div>416-661-6600 x 5272<br/><a href="mailto:asyhlonyk@trca.on.ca">asyhlonyk@trca.on.ca</a></div>                | <div>1. That the applicant pays the outstanding review fee of \$580.00 for Minor Variance A068/19.</div> <div>2. That the applicant revises their permit with TRCA with the updated drawings.</div>   |

For the Following Reasons:

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

**Motion Carried.**

**Members Opposed to Motion: N/A**

18.

File:

A071/19

Applicant:

Efthimia Vlitas

Agent:

None

Address:

59 Kingsnorth Blvd. Woodbridge

Purpose:

Relief from the by-law is being requested to permit the construction of a proposed accessory building (cabana/pool house) located in the rear yard.

Ward 3

**Additional Addendum Reports received and provided to the Committee from:**  
Planning Comments – Received October 10, 2019

**Representation**  
Efthimia Vlitas

**Comments**

Efthimia Vlitas explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: S, Kerwin  
Seconded By: A. Antinucci

THAT Application No. A071/19 on behalf of Efthimia Vlitas be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	The Owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading and/or servicing approval.

For the Following Reasons:

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

**Motion Carried.**

**Members Opposed to Motion:** N/A

19.

File:

A105/19

Applicant:

Abdul Bashir Khaliqyar

Agent:

Fatima Khaliqyar

Address:

34 Church St. Maple

Purpose:

Relief from the by-law is being requested to permit the construction of a proposed single family with covered porch, cabana/shed and swimming pool.

Note:

The proposed single family dwelling is to contain a secondary suite.
- Ward 1

**Additional Addendum Reports received and provided to the Committee from:** None.

**Representation**  
Reza Haratikia

**Comments**

Reza Haratikia, 376 Highway 7 East, Richmond Hill, explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Antinucci  
Seconded By: A. Perrella

THAT Application No. A105/19 on behalf of Abdul Bashir Khaliqyar be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1.	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	1. The owner/applicant shall submit the final lot grading plan to the Development Inspection and Lot Grading Division of the City's Development Engineering Department for final lot grading 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 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 proposed driveway locations do 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 for a culvert installation through the Transportation Services Division.

For the Following Reasons:

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

**Motion Carried.**

**Members Opposed to Motion:** N/A

20.

File:

A123/19

Ward 2

Applicant:

Mohammad Ahmadnejad-Abkenar

Agent:

Lorne Rose (Lorne Rose)

Address:

84 Deerpark Crcl. Woodbridge

Purpose:

Relief from the by-law is being requested to permit the construction of a proposed circular driveway.

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Lorne Rose

Comments

Lorne Rose explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: H. Zheng

THAT Application No. A123/19 on behalf of Mohammad Ahmadnejad-Abkenar be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	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 proposed driveway and required 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.
2	Parks and Forestry Operations Patrick Courchesne  647-523-9513 <a href="mailto:patrick.courchesne@vaughan.ca">patrick.courchesne@vaughan.ca</a>	1. The Owner shall obtain a Private Property Tree Removal & Protection Permit (Construction/Infill) from Transportation Services, Parks and Forestry Operations. 2. The Owner shall provide payment for the 2018 planted boulevard tree (Swamp White Oak), tree replacement cost is \$550. 3. The Owner shall agree to plant a replacement tree on the boulevard once driveway has been constructed, the tree must be planted according to City of Vaughan tree planting requirements. The selected species must be a noninvasive preferably native tree approved by the Forestry department.

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

Motion Carried.

Members Opposed to Motion: N/A

21.

File:

A124/19

Applicant:

Metrolinx

Agent:

Ellisdon (Asley Mustafa)

Address:

721 Westburne Dr. Concord

Purpose:

Relief from the by-law is being requested to permit the construction of a proposed overhead pedestrian bridge to support the east GO train platform subject to related Site Plan Application DA.19.035.
- Ward 4

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Ashley Mustafa (Agent)
Nature of Correspondence: Justification Letter for 0m setback

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Ashley Mustafa

Comments

Ashley Mustafa explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: A. Antinucci

THAT Application No. A124/19 on behalf of Metrolinx be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Planning Michael Di Febo  905-832-8585 x 8990 <a href="mailto:Michael.difebo@vaughan.ca">Michael.difebo@vaughan.ca</a>	That related Site Development File DA.19.035 be approved to the satisfaction of the Development Planning Department.
2	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	The Owner/applicant shall obtain approval for the related Site Development Application (DA.19.035) from Development Engineering Department.

For the Following Reason:

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

Motion Carried.

Members Opposed to Motion: N/A

22.

File:

A125/19

Ward 4
- Applicant:

James Thiam Tjing Loe & Djwee Tjen Liong
- Agent:

Lifestyle Sunrooms Inc. (Litian Wei or Syed Ahmed)
- Address:

277 Lady Valentina Ave. Maple
- Purpose:

Relief from the by-law is being requested to permit the construction of a proposed (unheated) sunroom located at the rear of the existing dwelling.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Xin Zhang & Ying Zou Address: 266 Lady Valentina Avenue, Maple Nature of Correspondence: Letter of Objection

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Ivars Kulitis, Lifestyle Sunrooms Inc.

Comments

Ivars Kulitis explained the nature of the application.

In response to Member Perrella, Mr. Kulitis advised that he did not have a visual rendering of the sunroom.

In response to Chairman Buckler, Mr. Kulitis addressed the letter of concern and advised that no trees will be impacted.

In response to Member Perrella, Christine Vigneault, Secretary Treasurer, advised that the proposed height of the sunroom is 4.45 metres (as per the application).

In response to Member Antinucci, Mr. Kulitis advised that the property is not located within a conservation area.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Antinucci  
Seconded By: S. Kerwin

THAT Application No. A125/19 on behalf of James Thiam Tjing Loe & Djwee Tjen Liong be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	The Owner/applicant shall submit the final Lot grading plan to the Development Inspection and Lot grading division of the City's Development Engineering Department for final lot grading 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 approval.

For the Following Reasons:

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

Motion Carried.

Members Opposed to Motion: Member Perrella (opposed).



23.

File:

A126/19

Ward 4
- Applicant:

Shawna Grafstein-Rich
- Agent:

Fausto Cortese
- Address:

74 Pepperberry Rd. Thornhill
- Purpose:

Relief from the By-law is being requested to permit an existing pergola and architectural feature walls (privacy fence) located in the rear yard.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Fausto Corteste (Agent)
Nature of Correspondence: Justification Letter – 0m setback

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Fausto Cortese

Comments

Fausto Cortese explained the nature of the application.

In response to Member Zheng, Mr. Cortese advised the neighbour impacted by the pergola has provided a letter of support. If required, the applicant is willing to remove pergola feature.

Member Perrella noted that the she is supporting the application because the pergola is not fully enclosed, neighbour support has been obtained and there are no negative impacts to drainage.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: A. Antinucci

THAT Application No. A126/19 on behalf of Shawna Grafstein-Rich be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.
5. Pergola is not enclosed.
6. Neighbour support obtained (78 Pepperberry Road)
7. Development does not impact drainage.

Motion Carried.

Members Opposed to Motion: N/A

24.

File:

A127/19

Ward 5
- Applicant:

Daniels Baif Thornhill Inc.
- Agent:

Goldberg Group (Michael Goldberg)
- Address:

2 Beverley Glen Blvd. Thornhill
- Purpose:

Relief from the By-law is being requested to permit the construction of a proposed residential development comprised of four (4) residential buildings(indicated as Buildings A, B, C & D on the sketch submitted) to facilitate Site Plan Application DA.19.011.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Agent’s Cover Letter

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Michael Goldberg, Goldberg Group

Comments

Michael Goldberg advised that the related Site Plan Application was approved and the Holding Zone was lifted by Council on October 7, 2019. He advised that the report provided to Council for the related development approvals referenced the requirement for the minor variance submission and community meetings were held by the applicant to address resident concerns/enquiries.

Member Antinucci opined that the variances were minor in nature.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: S. Kerwin

THAT Application No. A127/19 on behalf of Daniels Baif Thornhill Inc. be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Planning Michael DiFebo  905-832-8585 x 8215 <a href="mailto:michael.difebo@vaughan.ca">michael.difebo@vaughan.ca</a>	That related Site Development File DA.19.011 be approved to the satisfaction of the Development Planning Department.
2	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	The Owner/applicant shall obtain approval for related Site Development Application (DA.19.011) from the Development Engineering (DE) Department.

For the Following Reasons:

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

Motion Carried.

Members Opposed to Motion: N/A

25.

File:

A129/19

Ward 4
- Applicant:

Daniel Yen-Tzo Pei
- Agent:

Michael Dall'Acqua & Justin Nasello
- Address:

176 Heintzman Cr. Maple
- Purpose:

Relief from the Zoning By-law is being requested to permit the construction of a proposed cabana located in the north-west corner of the rear/side yard.

**Additional Addendum Reports received and provided to the Committee from:** None.

**Representation**  
Michael Dall'Acqua

**Comments**

Michael Dall'Acqua explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: H. Zheng

THAT Application No. A129/19 on behalf of Daniel Yen-Tzo Pei be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading 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 approval.
2	TRCA Hamedeh Razavi  416-661-6600 x 5256 <a href="mailto:Hamedeh.Razavi@trca.ca">Hamedeh.Razavi@trca.ca</a>	1. That the applicant provides the required \$580.00 review fee for Minor Variance Application A129/19. 2. The applicant is to note that a permit from TRCA for the proposed cabana and deck may be required before a building permit is issued by the City of Vaughan.

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

**Members Opposed to Motion:** N/A

27.

File:

A235/10

Ward

Applicant:

Giuseppe and Maria Teresa Genua

Agent:

N/A

Address:

170 Orleans Crcl. Woodbridge

Purpose:

Relief from the by-law is being requested to permit a curb cut.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Adjournment History (Minutes – October 7, 2010)

Additional Addendum Reports received and provided to the Committee from: None.

Representation  
Giuseppe Genua

Comments

Giuseppe Genua explained the nature of the application.

Chairman Buckler asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella  
Seconded By: H. Zheng

THAT Application No. A235/10 on behalf of Giuseppe and Maria Teresa Genua be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Jason Pham  905-832-8585 x 8716 <a href="mailto:Jason.pham@vaughan.ca">Jason.pham@vaughan.ca</a>	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 proposed 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.

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

Motion Carried.

Members Opposed to Motion: N/A

28.	File:	A067/19	Ward 3
	Applicant:	Sujeether Kumareswaran and Maria Valentina D. Bernard	
	Agent:	Four Seasons Sunrooms (Alexandra Aodesh)	
	Address:	102 Bellini Ave. Woodbridge	
	Purpose:	Relief from the by-law is being requested to permit the construction of a proposed <b>single storey</b> sunroom addition located at the rear of the existing dwelling.	
		<b>Note:</b> Original request heard by the Committee on June 13, 2019 requested a two storey sunroom addition.	

<b>Public Written Submissions</b>	
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)	
Name: Saverino & Dino Di Gennaro Address: 98 Bellini Avenue, Woodbridge Nature of Correspondence: Letter of Objection	
Name: Anonymous Nature of Correspondence: Letter of Objection	
Name: Anonymous Nature of Correspondence: Letter of Objection	
Name: Antonietta Di Mauro Address: 112 Bellini Avenue, Woodbridge Nature of Correspondence: Letter of Objection	
Name: Sandro Martire Address: 100 Bellini Avenue, Woodbridge Nature of Correspondence: Letter of Objection	
Name: S & D Gennaro Address: 98 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Antonietta Di Mauro, A Rotundo & M Rotundo Address: 112 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: S. Pucciarelli Address: 105 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Sandro & Erica Martire Address: 100 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Mike & Teresa Scandinaro Address: 106 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Veronika Loukas Address: 101 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Peter Onorato Address: 119 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Amit Kotecha Address: 129 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Monique Majdan Address: 124 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Jacqueline Ferreira DeSousa Address: 92 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Kristi & Sydney Barnes Address: 94 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	
Name: Mitchell De Sousa Address: 92 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition	

Name: Aileen Trescher Address: 107 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition
Name: Chris Szmyd Address: 111 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition
Name: Matilda Mura Address: 113 Bellini Avenue, Woodbridge Nature of Correspondence: Signed Petition in opposition
Name: Saverina & Dino Di Gennaro Address: 98 Bellini Avenue, Woodbridge Nature of Correspondence: Letter of Objection
Name: Sujeether Kumareswaran (Applicant) Address: 102 Bellini Avenue, Woodbridge Nature of Correspondence: Address neighbour objections

**Additional Addendum Reports received and provided to the Committee from:** None.

### Representation

Matt Jacewicz, Four Seasons Sunrooms

### Comments

Matt Jacewicz, Four Seasons advised that attempts and concessions were made to address impact and neighbour concerns, however an agreement could not be reached. He noted that a similar variance was made by the Committee this evening (A125/19, 277 Lady Valentina Avenue) and staff support the proposal. He advised that the applicants are willing to plant a cedar hedge along the property line to reduce impact and provided a rendering of what it would look like. He also advised that the height of the structure has been reduced to from 14 feet to 11 feet (at grade).

In response to Member Antinucci, Mr. Jacewicz advised that the sunroom would be supported by posts.

Member Antinucci commended the applicant for working with the neighbours and the proposal to reduce impact. He opined that the requested rear yard setback is minor.

In response to Member Perrella, Christine Vigneault, Secretary Treasurer, advised that a condition of approval regarding the cedar hedge would be difficult to enforce, however the applicant has advised that they are willing to plant the hedge and this will be included in the minutes (public record).

Sandro Martire, 100 Bellini Avenue, advised that he objects to the variance and opined that the lot is too small for the permanent structure. He expressed concerns regarding the home values (property investment), visual impact, sightlines, protected greenspace and maintenance of the proposed hedge.

Erica Martire, 100 Bellini Avenue, advised that her home was purchased due to the proximity to the conservation area. She opined that the proposal does not maintain the character of the neighbourhood (massing) and expressed concerns regarding view, shadowing, drainage (due to pitched roof).

Teresa Scandinaro, 106 Bellini Avenue, expressed concerns regarding size of structure and privacy.

Chairman Buckler reviewed the four tests for a minor variance under the Planning Act and noted that compromise has been made.

In response to Chairman Buckler, Mr. Jacewicz responded to concerns raised and advised that while there are existing drainage issues in the area, the proposed sunroom will not contribute to these issues. He opined that the proposal will not impact sunlight and noted that there are residents in area that are in support of the application. He opined that the variance was minor.

Member Perrella noted that the approval granted at A125/19 was on a larger lot and that each variance application is based on individual merits.

Moved By: A. Perrella

Seconded By: H. Zheng

THAT Application No. A067/19 on behalf of Sujeether Kumareswaran and Maria Valentina D. Bernard be **REFUSED**.

The motion was not supported and failed in accordance with By-law 069-2019.

Moved By: A. Antinucci

Seconded By: S. Kerwin

THAT Application No. A067/19 on behalf of Sujeether Kumareswaran and Maria Valentina D. Bernard be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

The motion was not supported and failed in accordance with By-law 069-2019.

In response to Christine Vigneault, Secretary Treasurer, Chairman Buckler advised that he does not support approval of the application.

A tie vote was declared, which is considered a refusal as per Committee of Adjustment Procedural By-law 069-2019.

### **Decision Review**

*A discussion ensued regarding the declaration of a tie vote, which resulted in a review of By-law 069-2019 to determine validity of the decision.*

*As a result of this review, the Committee will ratify their decision at the October 31, 2019 Committee of Adjustment meeting, whereby the Chair is required to vote on the motion to refuse the application as required by Section 7.7 of By-law 069-2019.*

*Notice of the hearing to ratify the Committees decision on October 31, 2019 will be provided in accordance with the Planning Act.*

**Other Business**

None

**Motion to Adjourn**

Moved By: A. Perrella

Seconded By: H. Zheng

THAT the meeting of Committee of Adjustment be adjourned at 7:25 p.m., and the next regular meeting will be held on October 31, 2019.

**Motion Carried.**

October 17, 2019 Meeting Minutes are to be approved at the October 31, 2019 meeting:

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary-Treasurer