



File: A138/19

Applicant: Itay, Shmuel & Ameet Balilty

Address: 418 Spring Gate Blvd Thornhill

Agent: Guitberg Group Inc.

Please note that comments received after the preparation of this Staff Report (up until 12:00 p.m. on the scheduled hearing date) will be provided as an addendum.

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

Adjournment History: N/A

Background History: B001/19, B002/19, A002/19, A003/19 & A004/19
(see next page for details)

Staff Report Prepared By: Pravina Attwala
Hearing Date: Thursday, February 6, 2020



Minor Variance
Application

Agenda Item: 8

A138/19

Ward: 5

Staff Report Prepared By: Pravina Attwala, Assistant Secretary Treasurer

Date of Hearing: Thursday, February 6, 2020

Applicant: Itay, Shmuel & Ameet Balilty

Agent: Guitberg Group Inc.

Property: 418 Spring Gate Blvd Thornhill

Zoning: The subject lands are zoned R2, Residential Zone, and subject to the provisions of Exception 9(275) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010: Low-rise Residential

Related Files: None

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

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

By-law Requirement	Proposal
1. A minimum Front yard setback of 7.13 metres is required.	1. To permit a minimum Front yard setback of 4.36 metres to a covered porch.
2. A maximum Lot Coverage of 35% is required.	2. To permit a maximum Lot coverage of 38%. (34.96% dwelling; 3.04% porches)

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
B001/19	Consent to create a new lot	Approved May 16, 2019
B002/19	Consent to create a new lot	Approved May 16, 2019
A002/19	Lot frontage 13.48m; lot area 528.3m ² ; interior side yard 1.2m; exterior side yard 3.42m; lot depth 36.48m; front yard 7.13m; front yard landscaping 46.6%	Approved May 16, 2019
A003/19	Side yard setback to chimney pilaster 1.08m; westerly interior side yard setback 1.2m to dwelling with walkout basement; lot depth 36.48m; lot coverage 38.9% (dwelling 35%, covered porches 3.9%)	Approved May 16, 2019
A004/19	Building height 11m; interior side yard setback 1.82m to dwelling; interior side yard setback to chimney pilaster 1.3m; exterior side yard setback 4.75m to dwelling; lot coverage 27.51% (dwelling 22%, covered porches 3.84%; cabana 1.67%); rear yard setback 8.5m to cabana; interior side yard setback 1.82m cabana; lot frontage 28.38m	Approved May 16, 2019

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

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

Adjournment History: N/A

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on January 22, 2020

Applicant confirmed posting of signage on January 22, 2020

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC, Land purchased 2018

Applicant has advised that they cannot comply with By-law for the following reason(s):
Lot area reduced by day lighting triangles; covered porches contribute to additional coverage.

Building Standards (Zoning Review):

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

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

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

The applicant shall be advised that the minimum setback to the proposed deck stairs shall be 5.7 metres.

The applicant shall be advised that the maximum permitted encroachment for Eaves and gutters into the required interior side and exterior side yard shall be 0.5 metres.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Application under review.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A138/19 subject to the following condition(s):

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.

Parks, Forestry and Horticulture Operations:

No comments or concerns.

By-Law and Compliance, Licensing and Permit Services:

No comments or concerns.

Financial Planning and Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

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

That the payment of applicable Special Area Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Special Area Development Charge By-laws in effect at time of payment.

Fire Department:

No comments or concerns.

Schedule A – Plans & Sketches

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

Consent Application B001/19
Consent Application B002/19
Minor Variance A002/19
Minor Variance A003/19
Minor Variance A004/19

Staff Recommendations:

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

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

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

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended:

	Department/Agency	Condition
1	Development Engineering Jason Pham 905-832-8585 x 8716 Jason.pham@vaughan.ca	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.

Please Note:

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

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

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

Conditions

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

Notice to the Applicant – Development Charges

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

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

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

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

Notice to Public

WRITTEN SUBMISSIONS: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Public written submissions on an Application shall only be received by the Secretary Treasurer until **4:00 p.m.** on the last business day **prior** to the day of the scheduled Meeting.

Written submissions can be mailed and/or emailed to:

City of Vaughan
Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
CofA@vaughan.ca

ORAL SUBMISSIONS: If you wish to attend the meeting you will be given an opportunity to make an oral submission. Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings are audio recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

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

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

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

Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

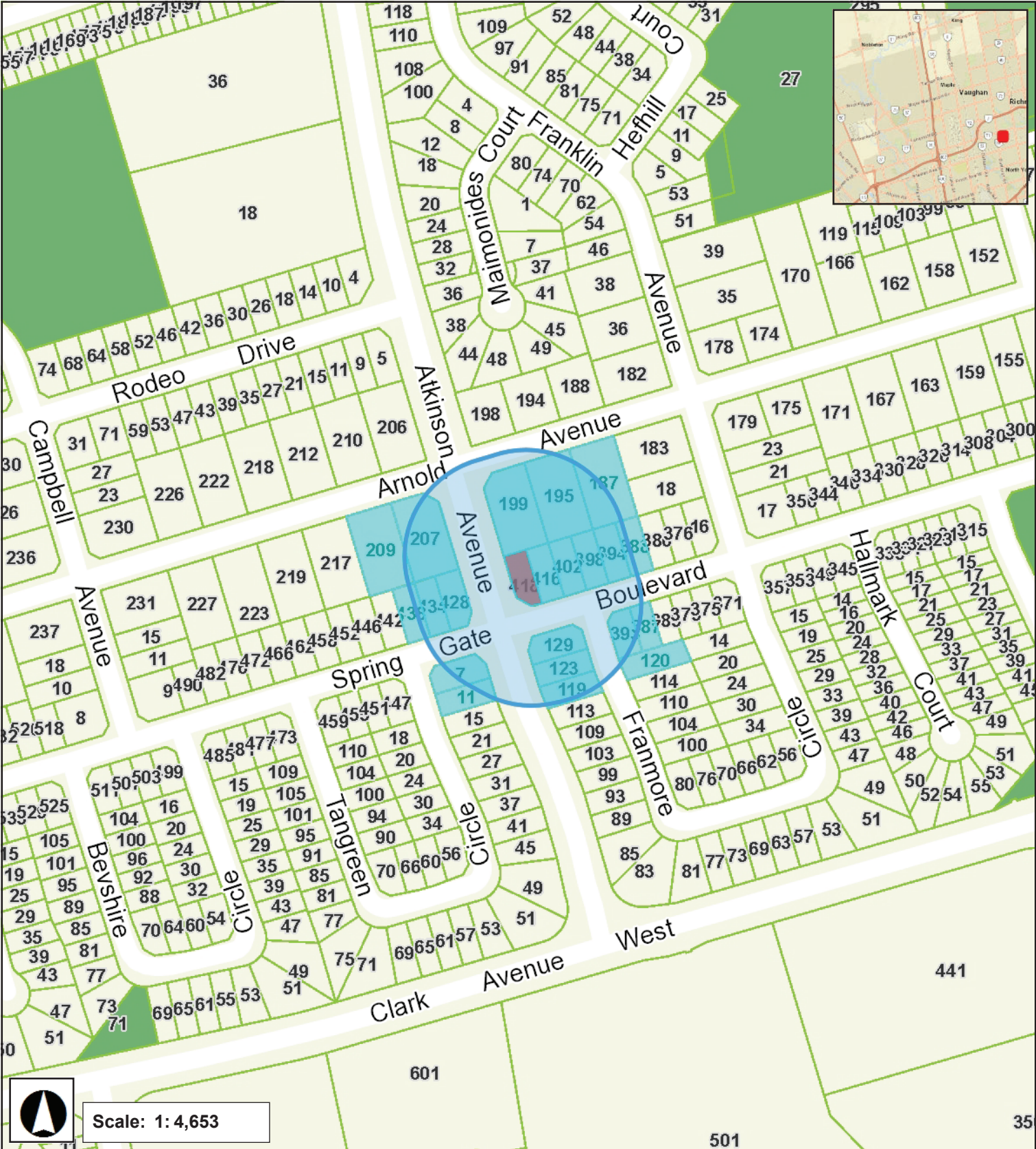
Location Map
Sketches



LOCATION MAP - A138/19

418 SPRING GATE BLVD. THORNHILL

Centre Street



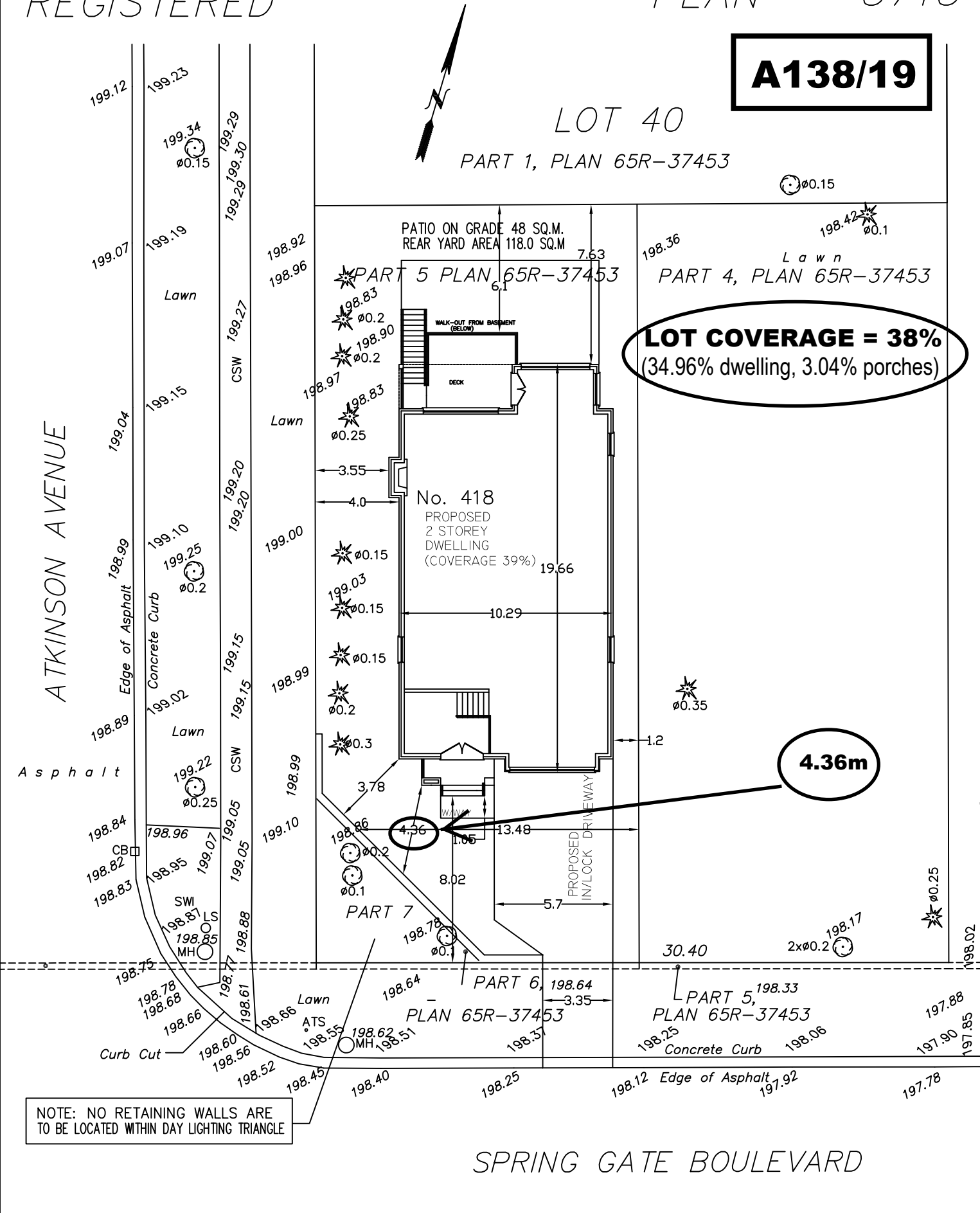
Steeles Avenue West

October 31, 2019 3:40 PM

A138/19

LOT 40

PART 1, PLAN 65R-37453



NOTE: NO RETAINING WALLS ARE TO BE LOCATED WITHIN DAY LIGHTING TRIANGLE

SPRING GATE BOULEVARD

SITE PLAN

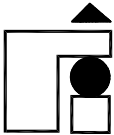
SCALE 1:250
DERIVED FROM
TOPOGRAPHIC SURVEY
LOT 40
REGISTERED PLAN 3715
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
ALEX MARTON LIMITED
ONTARIO LAND SURVEYORS
NOVEMBER 24, 2018

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

LOT COVERAGE:
MAIN BUILDING: 34.96%
FRONT AND REAR COVERD PORCHES: 3.04%
TOTAL LOT COVERAGE: 38%

FRONT YARD LANDSCAING:
TOTAL FRONT: 95.70 M²
TOTAL DRIVEWAY: 45.70 M²
TOTAL PORCH, W.WAY: 4.1 M²
TOTAL LANDSCAPE: 45.9 M² (48%)

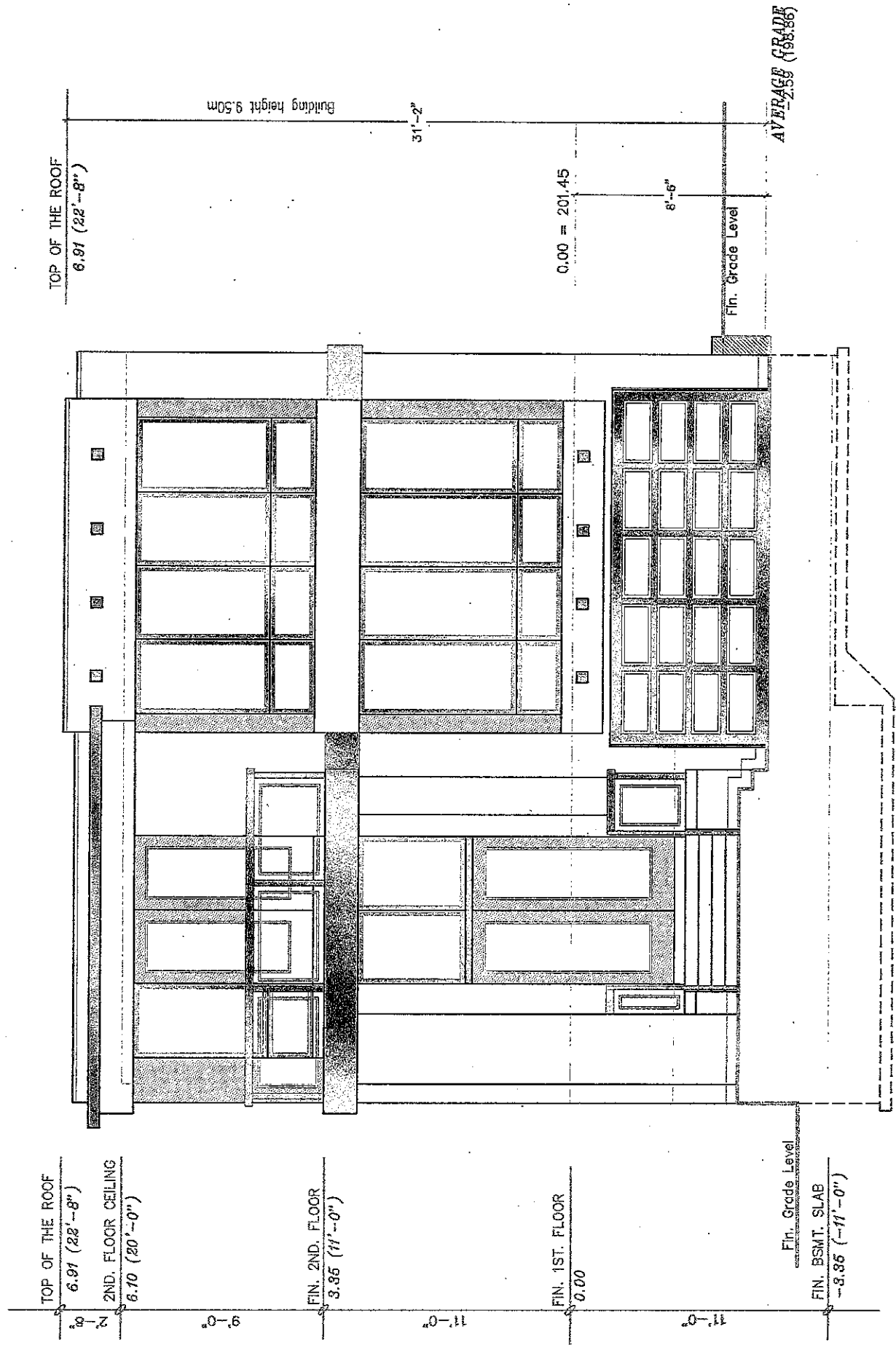
GUITBERG GROUP INC.

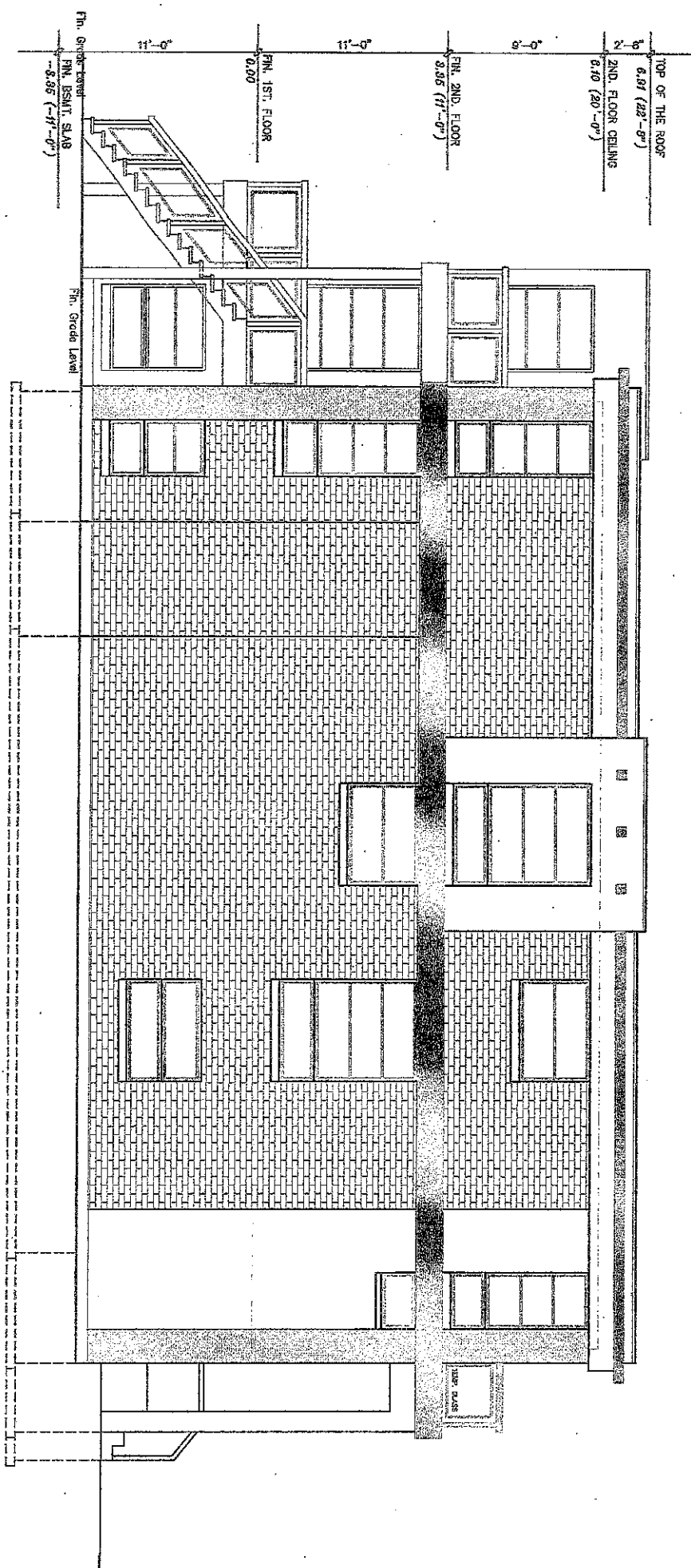


33 BELVEDERE CRES.
RICHMOND HILL
ONTARIO, L4C 8W1
TEL. (905) 508-7436
FAX. (905) 508-7453

PRIVATE RESIDENCES
AT 418 SPRING GATE BLVD.
CITY OF VAUGHAN, ON

SITE PLAN





Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum. Written submissions from the public will only be accepted / processed until 12:00 p.m. on the date of the scheduled hearing.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum. Correspondence will only be accepted until 12:00 p.m. on the date of the scheduled hearing.

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Date: October 17th , 2019

Attention: **Christine Vigneault**

RE: Request for Comments

File No.: **A138-19**

Related Files:

Applicant: Shmuel & Ameet Balilty

Location 418 Spring Gate Blvd



COMMENTS:

☐

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

☒

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

☐

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

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

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

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

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

References:

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

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

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI
Phone: 1-877-963-6900 ext. 31297
Fax: 905-532-4401
E-mail: stephen.cranley@alectrautilities.com

Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
Email: tony.donofrio@alectrautilities.com

Attwala, Pravina

Subject: FW: Response to A138/19 - REQUEST FOR COMMENTS

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

Sent: October-25-19 1:12 PM

To: Attwala, Pravina <Pravina.Attwala@vaughan.ca>; MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>; Providence, Lenore <Lenore.Providence@vaughan.ca>

Subject: RE: Response to A138/19 - REQUEST FOR COMMENTS

Good afternoon Pravina,

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

Regards,

Gabrielle

Gabrielle Hurst | MCIP, RPP, C.Tech, Planning and Economic Development, Corporate Services

1-877-464-9675 ext. 71538

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

Schedule D: Previous Approvals (Notice of Decision)

- Consent Application B001/19
- Consent Application B002/19
- Minor Variance A002/19
- Minor Variance A003/19
- Minor Variance A004/19

NOTICE OF DECISION
Consent Application B001/19
 Section 53 of the Planning Act, R.S.O. 1990, c.P.13

Date of Hearing: Thursday, May 16, 2019
Applicant: Itay, Shmuel and Ameet Balilty
Agent: Victor Guitberg - Guitberg Group Inc.
Property: **199 Arnold Avenue, Thornhill ON**
Zoning: The subject lands are zoned R1V , Residential and subject to the provisions of Exception 9(662) under By-law 1-88 as amended, and R2, Residential and subject to the provisions of Exception 9(275) under By-law 1-88 as amended.
OP Designation: VOP 2010: "Low-Rise Residential"
Related Files: B002/19, A002/19, A003/19 & A004/19
Purpose: Consent is being requested to sever a parcel of land for residential purposes, approximately 528.30 square metres (shown as Part 2 on Reference Plan 65R-37453), while retaining a parcel of land approximately 2,164.50 square metres (shown as Parts 1 and 3 on Reference Plan 65R-37453).
 The subject (severed) land is currently vacant. There is an existing dwelling on the lands to be retained which is to remain.
Sketch: A sketch illustrating the request has been attached to the decision.

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

THAT Application No. B001/19 on behalf of Itay, Shmuel and Ameet Balilty, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

Department/Agency		Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies only 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. That Minor Variance Application(s) A002/19 is approved at the same time as the Consent application and becomes final and binding. 4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule. 5. Surveyor's Certificate required to confirm lot area, frontage and lot depth on the severed land.

	Department/Agency	Condition
2	<p>Development Planning Christopher Cosentino</p> <p>905-832-8585 x 8215 christopher.cosentino@vaughan.ca</p>	<ol style="list-style-type: none"> 1. That Minor Variance Applications A002/19, A003/19 and A004/19 be approved and the decisions be Final and Binding. 2. The Owner shall provide compensation to Vaughan by way of certified cheque as cash-in-lieu for 54 replacement trees at a rate of \$550.00 per tree (\$29,700.00 total), pursuant to the City's Tree Protection By-law 052-2018 and the City's Tree Protection Protocol.
3	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 franca.mazzanti@vaughan.ca</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 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.</p>
4	<p>Development Engineering Margaret Olivier</p> <p>905-832-8585 x 8716 Margaret.Olivier@vaughan.ca</p>	<ol style="list-style-type: none"> 1. In accordance with City Standard D-1 the owner shall convey an 8.0 metre x 8.0 metre daylight triangle, along with a 0.3m reserve, at the corner of Arnold Avenue and Atkinson Avenue municipal road allowance to the City of Vaughan. This conveyance shall be at no cost and free of encumbrances to the City. 2. The owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The plan shall also show the required daylighting triangles and reserves. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit. 3. the Development Engineering Department shall be in receipt of final deposited reference plan before conditions are cleared. 4. The owner shall pay the required associated cost with dedication by-law for site triangles and reserves. The fee is \$350.00 payable to the City of Vaughan Development Engineering Department. 5. A conceptual draft Grading plan shall be submitted for review prior to the final lot grading and servicing plan approval in conjunction with all 3 lots formally known as 199 Arnold Avenue. 6. 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 second floor of City Hall to apply for lot grading and/or servicing approval.
5	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 nelson.pereira@vaughan.ca</p>	<ol style="list-style-type: none"> 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). 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

Department/Agency	Condition
	<p>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).</p> <p>3. The owner shall pay, if applicable, to the City of Vaughan their share of the costs of land and construction on Spring Gate Boulevard and services thereon, which shall be \$571.43 per foot, as provided in the Subdivision Agreement between Runnymede Dev. Corp and the City of Vaughan, if required, payable by certified cheque to the satisfaction of the Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p>

WARNING:

Conditions must be fulfilled within one year from the date of the giving of the Notice of Decision, failing which this application shall be deemed to be refused. Section 53(41), The Planning Act R.S.O., 1990


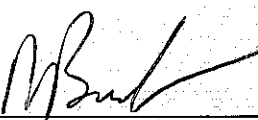



For the following reasons:

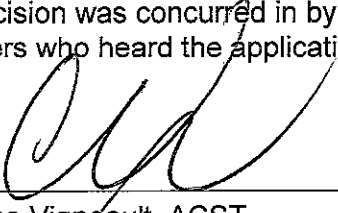
1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Written & oral submissions were received from the following:

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

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

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

DATE OF HEARING:	Thursday, May 16, 2019
DATE OF NOTICE:	May 24, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	June 13, 2019 4:30 p.m.
LAST DAY FOR FULFILLING CONDITIONS:	May 24 2020 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan Hill Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  Christine Vigneault, ACST Manager Development Services & Secretary-Treasurer Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The *Planning Act*, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any other person or public body who has an interest in the matter may within **20 days after** the giving of notice appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

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

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

Appeal Fees & Forms

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

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

*Please note that all fees are subject to change.

Important Information

Conditions of Approval: It is the applicant's responsibility to ensure that all conditions of approval have been fulfilled in accordance with the Committee's decision and the last day for fulfilling conditions (by 4:30 p.m.). Contact information has been provided for each respective department and agency to assist you with completing these conditions. Please note that some conditions may require two to three months to process.

No extension to the last day for fulfilling conditions is permissible and no further notice will be provided regarding the lapsing of your consent application.

Notice of Changes to the Provisional Consent: The Committee of Adjustment may change the conditions of a provisional consent at any time before the consent is given. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Lapsing of the Consent: If the conditions of approval are not satisfied within the prescribed time period (as provided in Section 53(41) of the Planning Act), the consent is deemed refused for failure to fulfill the conditions and has lapsed.

Final Approval: Final approval of the application will be issued in the form of a Certificate (pursuant to Section 53(42) of the Planning Act) once **all** conditions of the provisional consent have been satisfied.

Development Charges

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

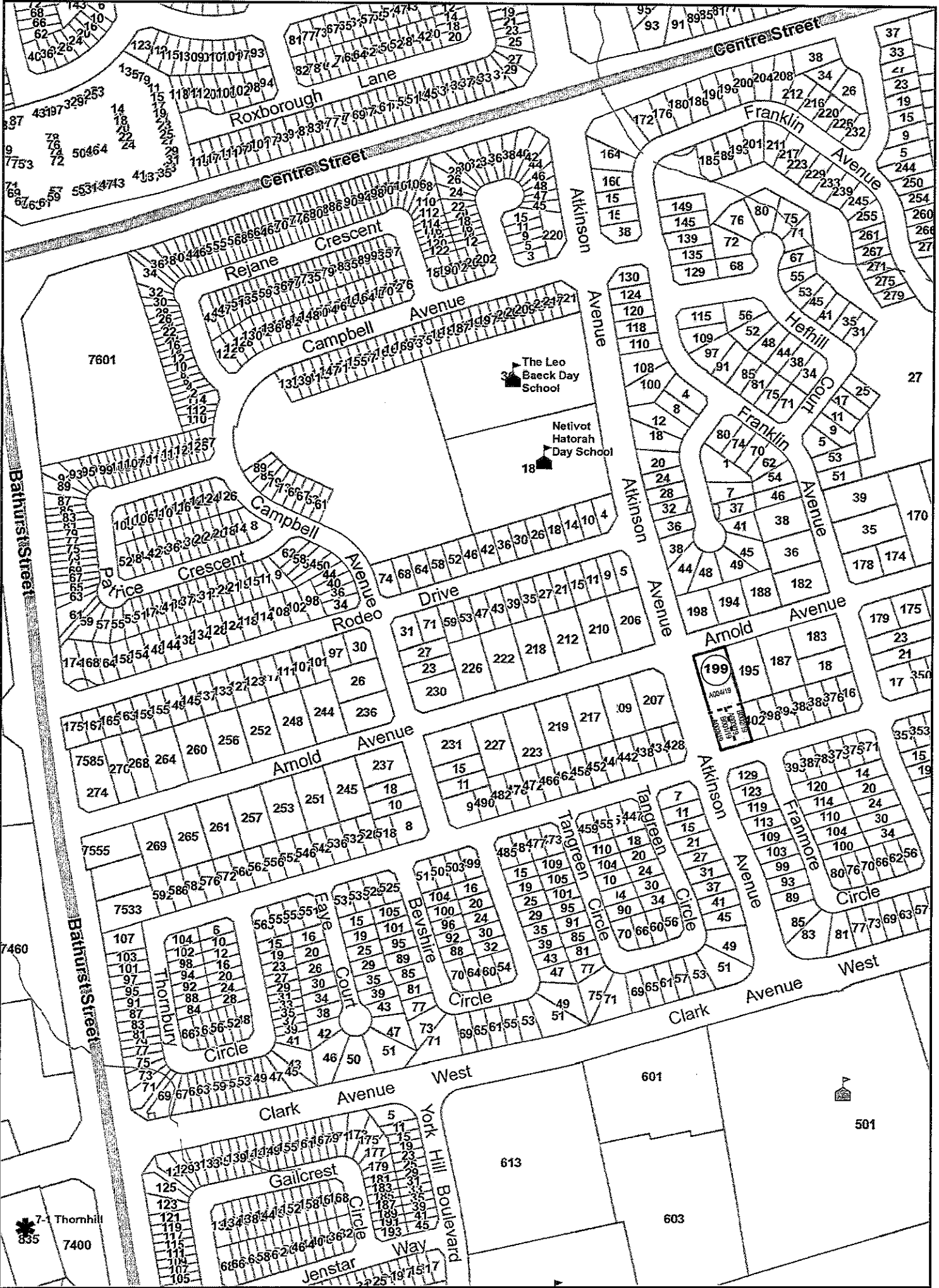
That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

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

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department;

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

T 905 832 8585 x 8394
E CofA@vaughan.ca



Map Information:

Title:

199 ARNOLD AVENUE, THORNHILL

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

Disclaimer:

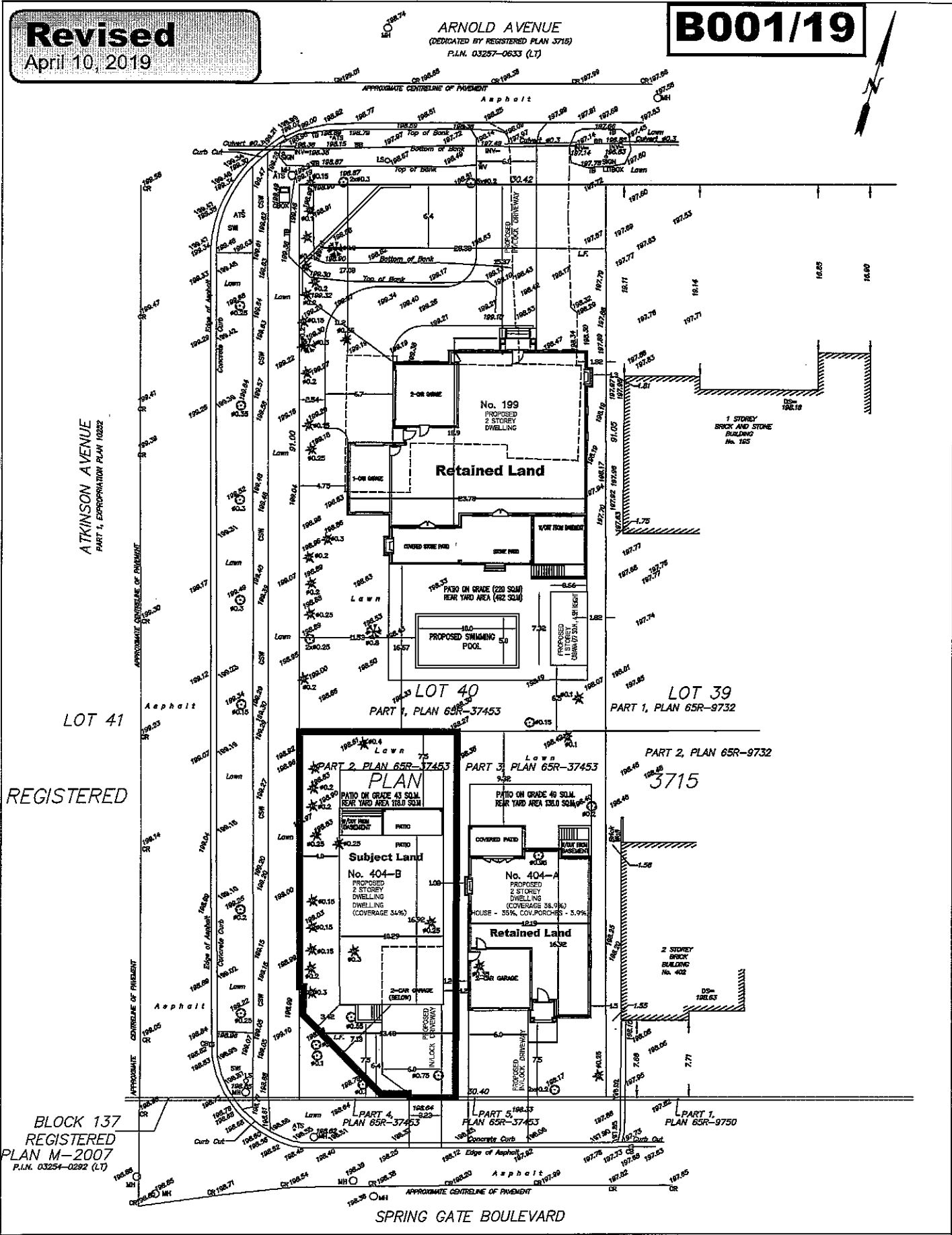
Every reasonable effort has been made to ensure that the information appearing on this map is accurate and current. We believe the information to be reliable, however the City of Vaughan assumes no responsibility or liability for errors or omissions. Please report any discrepancies to Infrastructure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

VAUGHAN

Scale: 1:4,514
0 0.07 km

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

Projection:
NAD 83
UTM Zone
17N



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

CAUTION
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NOTE
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GUITBERG GROUP INC.

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

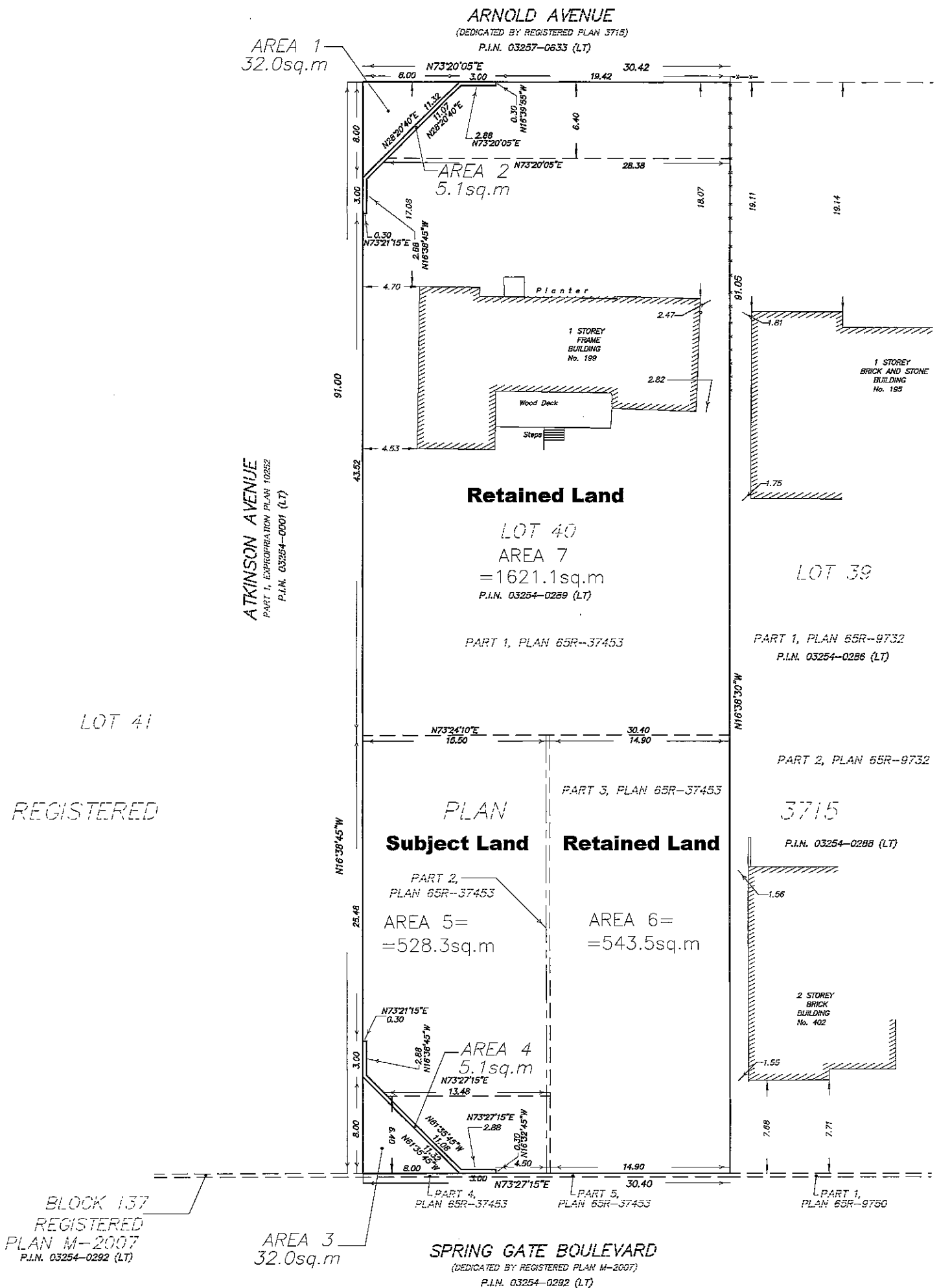
PRIVATE RESIDENCES
AT #199 ARNOLD AVENUE
AND 404A & B SPRING GATE BLVD.
CITY OF VAUGHAN, ON

SITE PLAN

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

April 10, 2019

B001/19



NOTICE OF DECISION
Consent Application B002/19
Section 53 of the Planning Act, R.S.O., 1990, c.P.13

Date of Hearing: Thursday, May 16, 2019

Applicant: Itay, Shmuel and Ameet Balilty

Agent: Victor Guitberg - Guitberg Group Inc.

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

Zoning: The subject lands are zoned R1V , Residential and subject to the provisions of Exception 9(662) under By-law 1-88 as amended, and R2, Residential and subject to the provisions of Exception 9(275) under By-law 1-88 as amended.

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

Related Files: B001/19, A002/19, A003/19 & A004/19

Purpose: Consent is being requested to sever a parcel of land for residential purposes, approximately 543.5 square metres (shown as Part 3 on Reference Plan 65R-37453), while retaining a parcel of land approximately 1621.10 square metres (shown as Part 1 on Reference Plan 65R-37453).

The subject land is currently vacant. There is an existing dwelling on the lands to be retained which is to remain.

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

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

THAT Application No. B002/19 on behalf of Itay, Shmuel and Ameet Balilty, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	<ol style="list-style-type: none">1. That the applicant's solicitor provides the secretary-treasurer with a copy of the prepared draft transfer document to confirm the legal description and PIN of the subject lands. Subject land applies only 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. That Minor Variance Application(s) A003/19 & A004/19 is approved at the same time as the Consent application and becomes final and binding.4. Payment of the Certificate Fee as provided on the City of Vaughan's Committee of Adjustment Fee Schedule.5. Surveyor's Certificate required to confirm lot depth on severed land and lot frontage on the retained land.

	Department/Agency	Condition
2	<p>Development Planning Christopher Cosentino</p> <p>905-832-8585 x 8215 christopher.cosentino@vaughan.ca</p>	<p>1. That Minor Variance Applications A002/19, A003/19 and A004/19 be approved and the decisions be Final and Binding.</p> <p>2. The Owner shall provide compensation to Vaughan by way of certified cheque as cash-in-lieu for 54 replacement trees at a rate of \$550.00 per tree (\$29,700.00 total), pursuant to the City's Tree Protection By-law 052-2018 and the City's Tree Protection Protocol.</p>
3	<p>Real Estate Franca Mazzanti</p> <p>905-832-8585 x 8474 franca.mazzanti@vaughan.ca</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 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.</p>
4	<p>Development Engineering Margaret Olivier</p> <p>905-832-8585 x 8716 Margaret.Olivier@vaughan.ca</p>	<p>1. In accordance with City Standard D-1 the owner shall convey an 8.0 metre x 8.0 metre daylight triangle, along with a 0.3m reserve, at the corner of Arnold Avenue and Atkinson Avenue municipal road allowance to the City of Vaughan. This conveyance shall be at no cost and free of encumbrances to the City.</p> <p>2. The owner/applicant shall arrange to prepare and register a reference plan at their expense for the conveyance of the subject lands and showing all existing and proposed easements to the satisfaction of DE. The plan shall also show the required daylighting triangles and reserves. The Owner/applicant shall submit a draft reference plan to the Development Engineering Department for review prior to deposit.</p> <p>3. the Development Engineering Department shall be in receipt of final deposited reference plan before conditions are cleared.</p> <p>4. The owner shall pay the required associated cost with dedication by-law for site triangles and reserves. The fee is \$350.00 payable to the City of Vaughan Development Engineering Department.</p> <p>5. A conceptual draft Grading plan shall be submitted for review prior to the final lot grading and servicing plan approval in conjunction with all 3 lots formally known as 199 Arnold Avenue.</p> <p>6. 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 second floor of City Hall to apply for lot grading and/or servicing approval.</p>
5	<p>Development Finance Nelson Pereira</p> <p>905-832-8585 x 8393 nelson.pereira@vaughan.ca</p>	<p>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).</p> <p>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</p>

	Department/Agency	Condition
		<p>Finance Department (contact Nelson Pereira to have this condition cleared).</p> <p>3. The owner shall pay, if applicable, to the City of Vaughan their share of the costs of land and construction on Spring Gate Boulevard and services thereon, which shall be \$571.43 per foot, as provided in the Subdivision Agreement between Runnymede Dev. Corp and the City of Vaughan, if required, payable by certified cheque to the satisfaction of the Financial Planning and Development Finance Department (contact Nelson Pereira to have this condition cleared).</p>

WARNING:

Conditions must be fulfilled within one year from the date of the giving of the Notice of Decision, failing which this application shall be deemed to be refused. *Section 53(41), The Planning Act R.S.O., 1990*


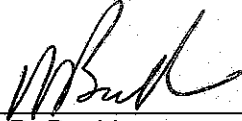

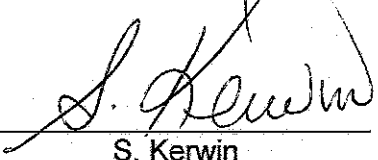

For the following reasons:

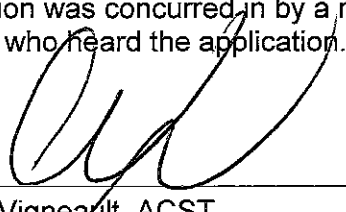
1. The proposal conforms to Section 51(24) as required by Section 53(12) of the Planning Act.
2. The proposal conforms to the City of Vaughan Official Plan.
3. The proposal conforms to the Provincial Policy Statements as required by Section 3(1) of the Planning Act.

Written & oral submissions were received from the following:

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

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

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

DATE OF HEARING:	Thursday, May 16, 2019
DATE OF NOTICE:	May 24, 2019
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal.	June 13, 2019 4:30 p.m.
LAST DAY FOR FULFILLING CONDITIONS:	May 24, 2020 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan Hill Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  Christine Vigneault, ACST Manager Development Services & Secretary-Treasurer Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
 The *Planning Act*, R.S.O. 1990, as amended, Section 53

The applicant, the Minister or any other person or public body who has an interest in the matter may within **20 days after** the giving of notice appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

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

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

Appeal Fees & Forms

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

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

*Please note that all fees are subject to change.

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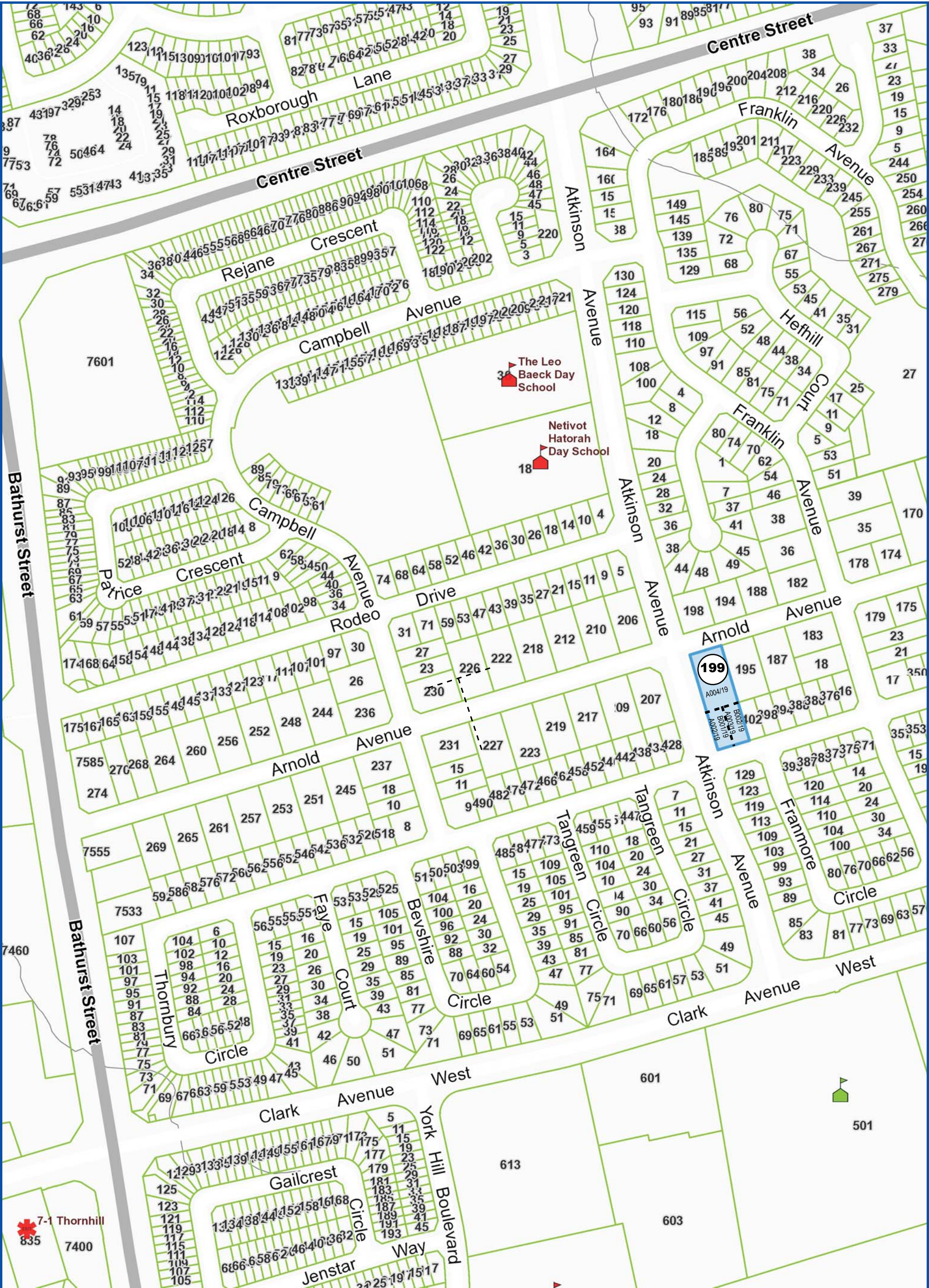
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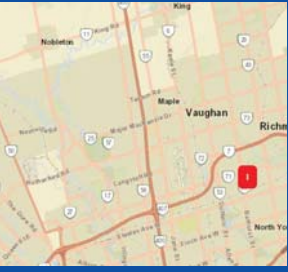
For further information please contact the City of Vaughan, Committee of Adjustment

T 905 832 8585 x 8394

E CofA@vaughan.ca



Map Information:



Title:

199 ARNOLD AVENUE, THORNHILL

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

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Scale: 1:4,514

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Infrastructure Delivery
Department

February 19, 2019 3:00 PM

Projection:

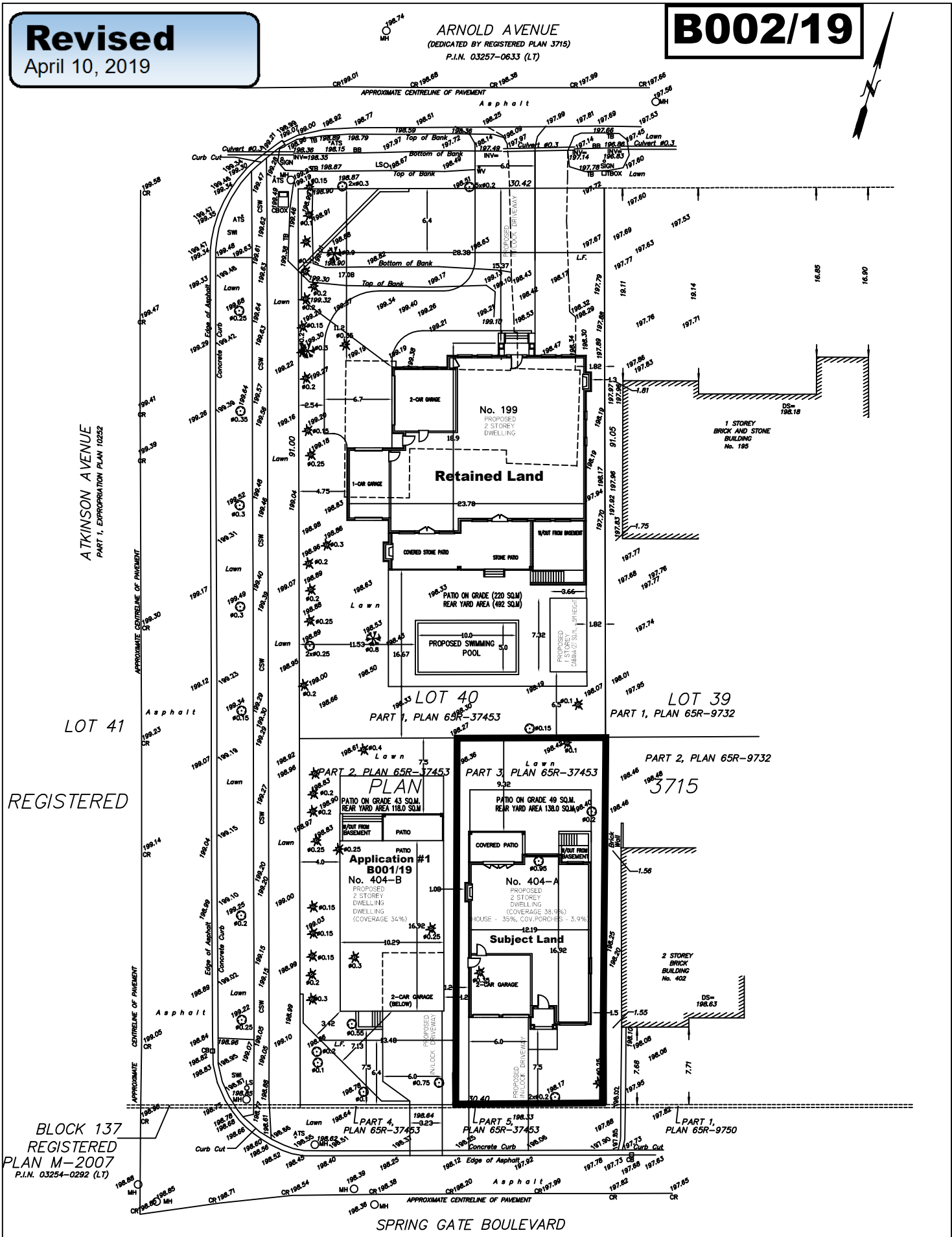
NAD 83
UTM Zone
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Revised

April 10, 2019

ARNOLD AVENUE
(DEDICATED BY REGISTERED PLAN 3715)
P.I.N. 03257-0633 (LT)

B002/19



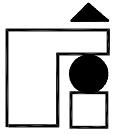
SITE PLAN

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

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

GUITBERG GROUP INC.



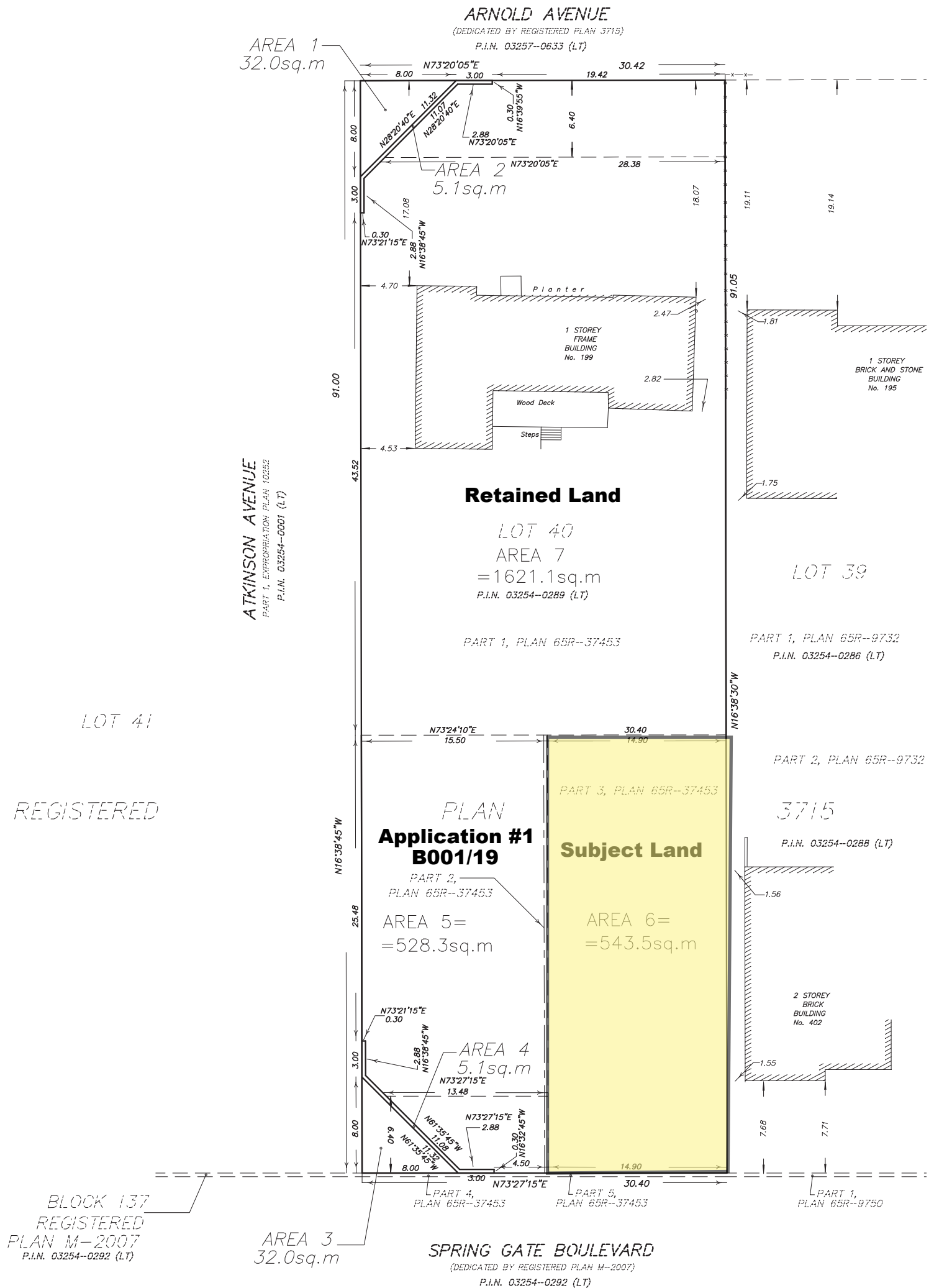
33 BELVEDERE CRES.
RICHMOND HILL
ONTARIO, L4C 8W1
TEL. (905) 508-7436
FAX. (905) 508-7453

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

SITE PLAN

April 10, 2019

B002/19



NOTICE OF DECISION
Minor Variance Application A002/19
 Section 45 of the Planning Act, R.S.O. 1990, c.P.13

Date of Hearing: Thursday, May 16, 2019
Applicant: Itay, Shmuel and Ameet Balilty
Agent Victor Guitberg - Guitberg Group Inc.
Property: **199 Arnold Avenue, Thornhill ON**
Zoning: The subject lands in their entirety are zoned R1V, Residential and R2, Residential and subject to the provisions of Exception 9(662) and 9(275) under By-law 1-88 as amended. Part 2, which is the subject lands for this application, is zoned R2, Residential and subject to Exception 9(275).
OP Designation: VOP 2010: 'Low-Rise Residential'
Related Files: B001/19, B002/19, A003/19 & A004/19
Purpose: Relief from the by-law is being requested to permit reduced lot area, lot frontage and lot depth on the severed land, being Part 2, Reference Plan 65R-37453, to facilitate Consent Application B001/19.

Relief is also being sought to permit the construction of a proposed single family dwelling on the severed land (B001/19).

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

By-law Requirement	Proposal
1. A minimum lot frontage of 16.5 metres is required.	1. To permit a minimum lot frontage of 13.48 metres.
2. A minimum lot area of 555 m2 is required.	2. To permit a minimum lot area of 528.3 m2.
3. A minimum interior side yard setback of 1.5 metres is required.	3. To permit a minimum interior side yard setback of 1.2 metres.
4. A minimum exterior side yard setback of 4.5 metres is required.	4. To permit a minimum exterior side yard setback of 3.42 metres.
5. A minimum lot depth of 37 metres ± 0.5 metres is required.	5. To permit a minimum lot depth of 36.48 metres.
6. A minimum front yard setback of 7.5 metres is required.	6. To permit a minimum front yard setback of 7.13 metres to a dwelling.
7. A minimum of 50% front yard landscaped area is required.	7. To permit a minimum of 46.6 % front yard landscaped area.

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

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

THAT Application No. A002/19 on behalf of Itay, Shmuel and Ameet Balilty, be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	That Consent Application B001/19 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.

	Department/Agency	Condition
2	Development Engineering Margaret Olivier 905-832-8585 x 8716 Margaret.Olivier@vaughan.ca	1. Consent Applications B001/19 and B002/19 to become final and binding. 2. The owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the 3 properties (Part 1, 2, and 3).

For the following reasons:

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

Please Note:

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






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

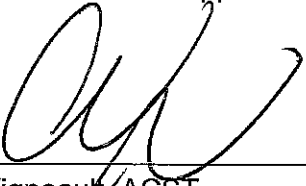
Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of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

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

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

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

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

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

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

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

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

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

Appeal Fees & Forms

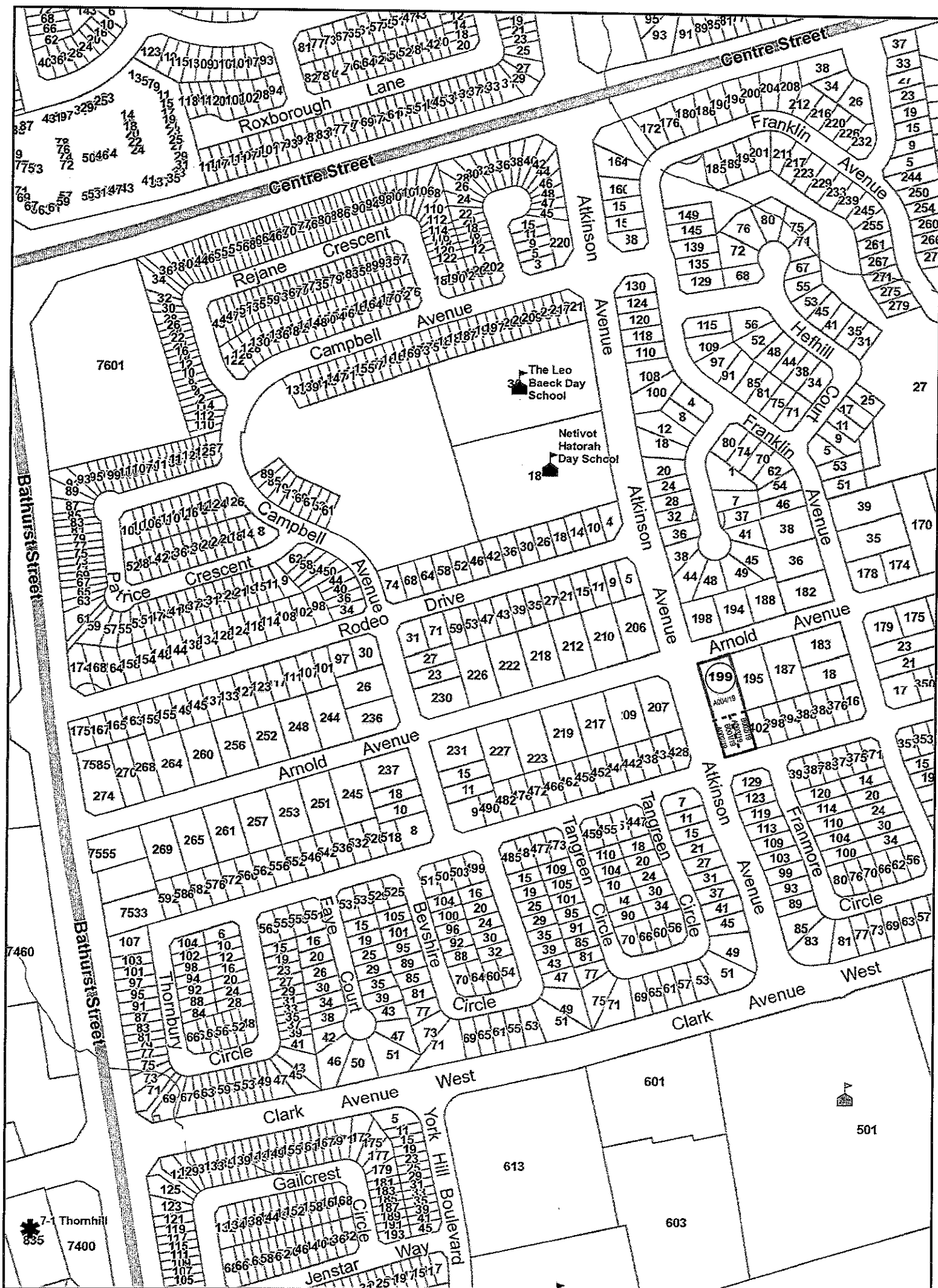
Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms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

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

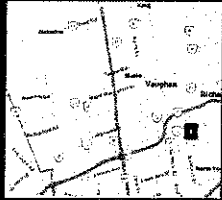
*Please note that all fees are subject to change.

Conditions

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



Map Information:



Title:

199 ARNOLD AVENUE, THORNHILL

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

Disclaimer:

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Scale: 1:4,514
0 0.07 km



Created By:

Infrastructure Delivery
Department
February 19, 2019 3:00 PM

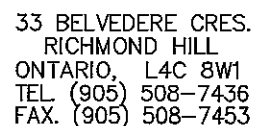
Projection:

NAD 83
UTM Zone
17N

April 11, 2019

ARNOLD AVENUE
(DEDICATED BY REGISTERED PLAN 3715)
P.I.N. 03257-0833 (L.T.)

A002/19



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

SCALE 1:500
DERIVED FROM
TOPOGRAPHIC SURVEY

LOT 40
REGISTERED PLAN 3715
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
ALEX MARTON LIMITED
ONTARIO LAND SURVEYORS
NOVEMBER 24, 2018

CAUTION

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NOTE

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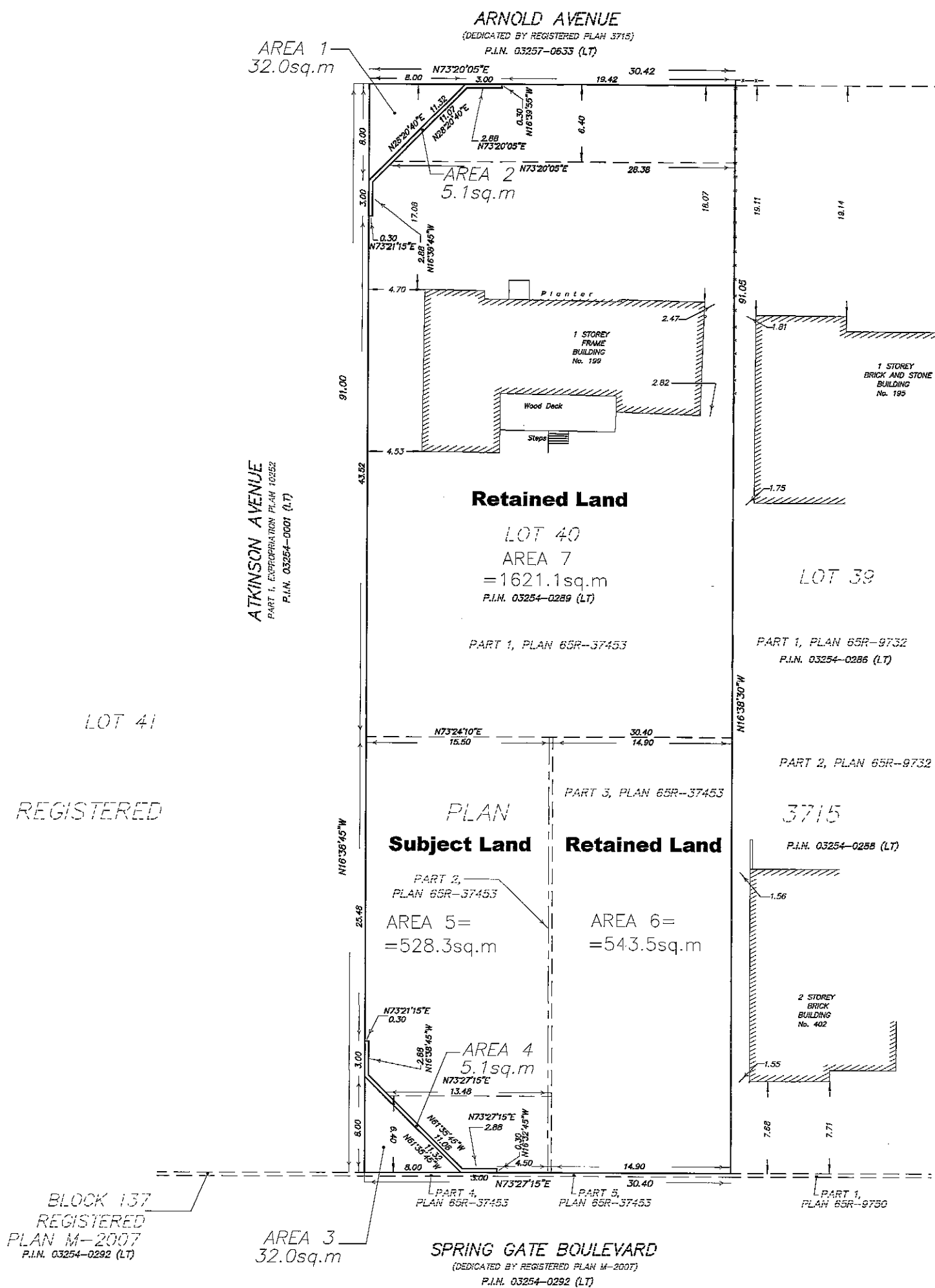
SITE COVERAGE CALCULATION FOR #199 ARNOLD AVE.

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

SITE PLAN

April 10, 2019

A002/19



NOTICE OF DECISION

Minor Variance Application A003/19

Section 45 of the Planning Act, R.S.O., 1990, c.P.13

Date of Hearing: Thursday, May 16, 2019

Applicant: Itay, Shmuel and Ameet Balilty

Agent Victor Guitberg - Guitberg Group Inc.

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

Zoning: The subject lands in their entirety are zoned R1V, Residential and R2, Residential and subject to the provisions of Exception 9(662) and 9(275) under By-law 1-88 as amended. Part 3, which is the subject lands for this application, is zoned R2, Residential and subject to Exception 9(275).

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

Related Files: B001/19, B002/19, A002/19 & A004/19

Purpose: Relief from the by-law is being requested to permit a reduced lot area, lot frontage and lot depth on the **severed land**, being Part 3, Reference Plan 65R-37453, to facilitate Consent Application B002/19.

Relief is also being sought to permit the construction of a proposed single-family dwelling on the severed parcel.

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

By-law Requirement	Proposal
1. A minimum interior side yard setback of 1.2 metres is required.	1. To permit a minimum interior side yard setback of 1.08 metres to a chimney pilaster.
2. A minimum interior side yard setback of 1.5 metres is required.	2. To permit a minimum westerly interior side yard setback of 1.2 metres to a dwelling with a basement walkout.
3. A minimum lot depth of 37 metres ±0.5 metres is required.	3. To permit a minimum lot depth of 36.48 metres.
4. A maximum lot coverage of 35% is permitted.	4. To permit a maximum lot coverage of 38.9% (dwelling 35%, covered porches 3.9%).

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

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

THAT Application No. A003/19 on behalf of Itay, Shmuel and Ameet Balilty, be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	1. That Consent Application B002/19 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.
2	Development Engineering Margaret Olivier 905-832-8585 x 8716 Margaret.Olivier@vaughan.ca	1. Consent Applications B001/19 and B002/19 to become final and binding. 2. The owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading

	Department/Agency	Condition
		division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the 3 properties (Part 1, 2, and 3).

For the following reasons:

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

Please Note:

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




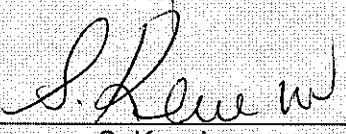

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

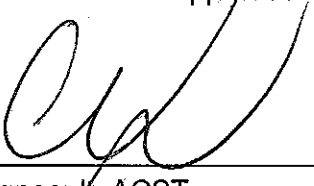
Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of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

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

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

SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

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

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

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

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

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

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

Appeal Fees & Forms

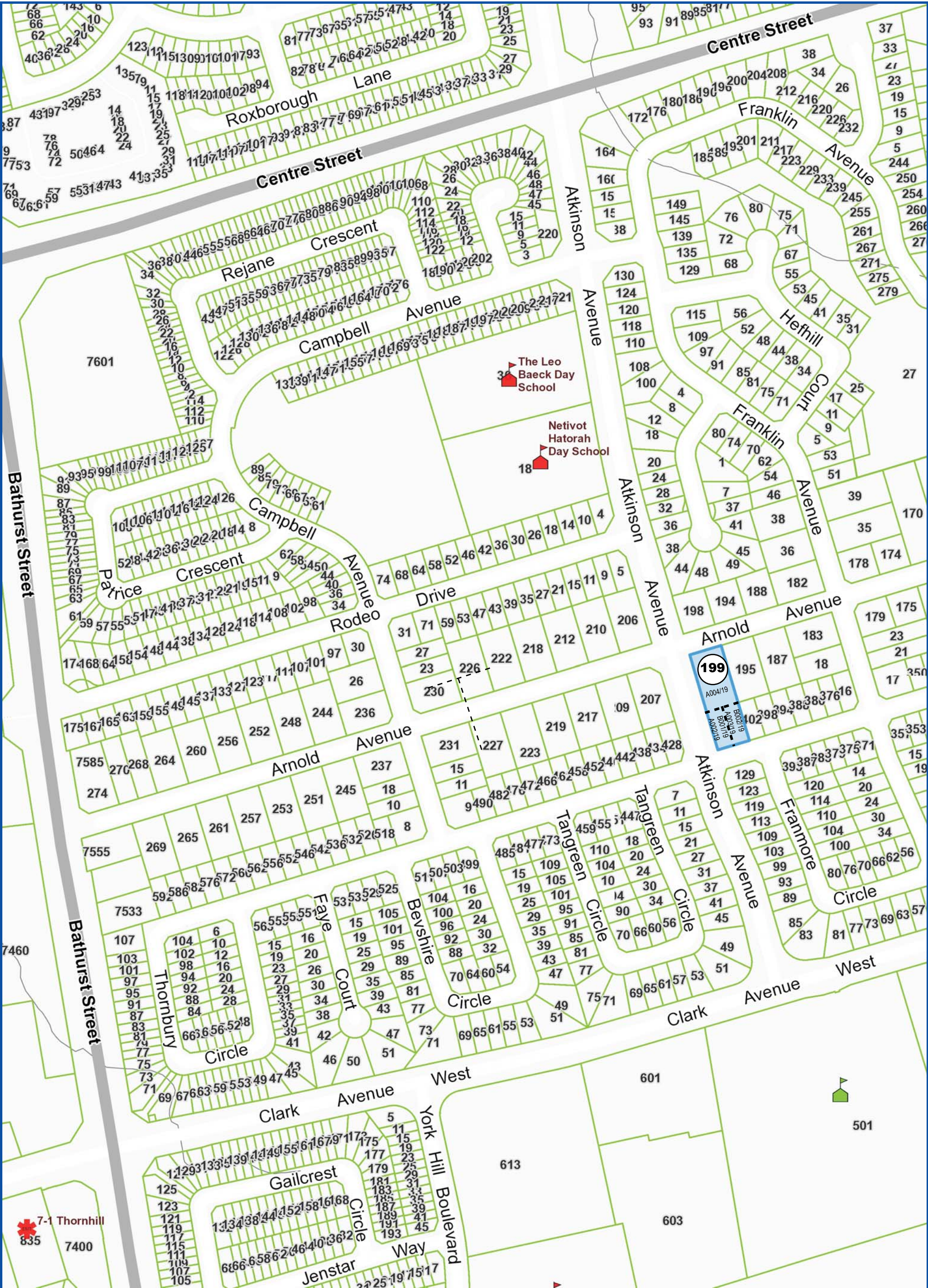
Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms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

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

*Please note that all fees are subject to change.

Conditions

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



Revised
April 11, 2019

ARNOLD AVENUE
(DEDICATED BY REGISTERED PLAN 3715)
P.I.N. 03257-0633 (LT)

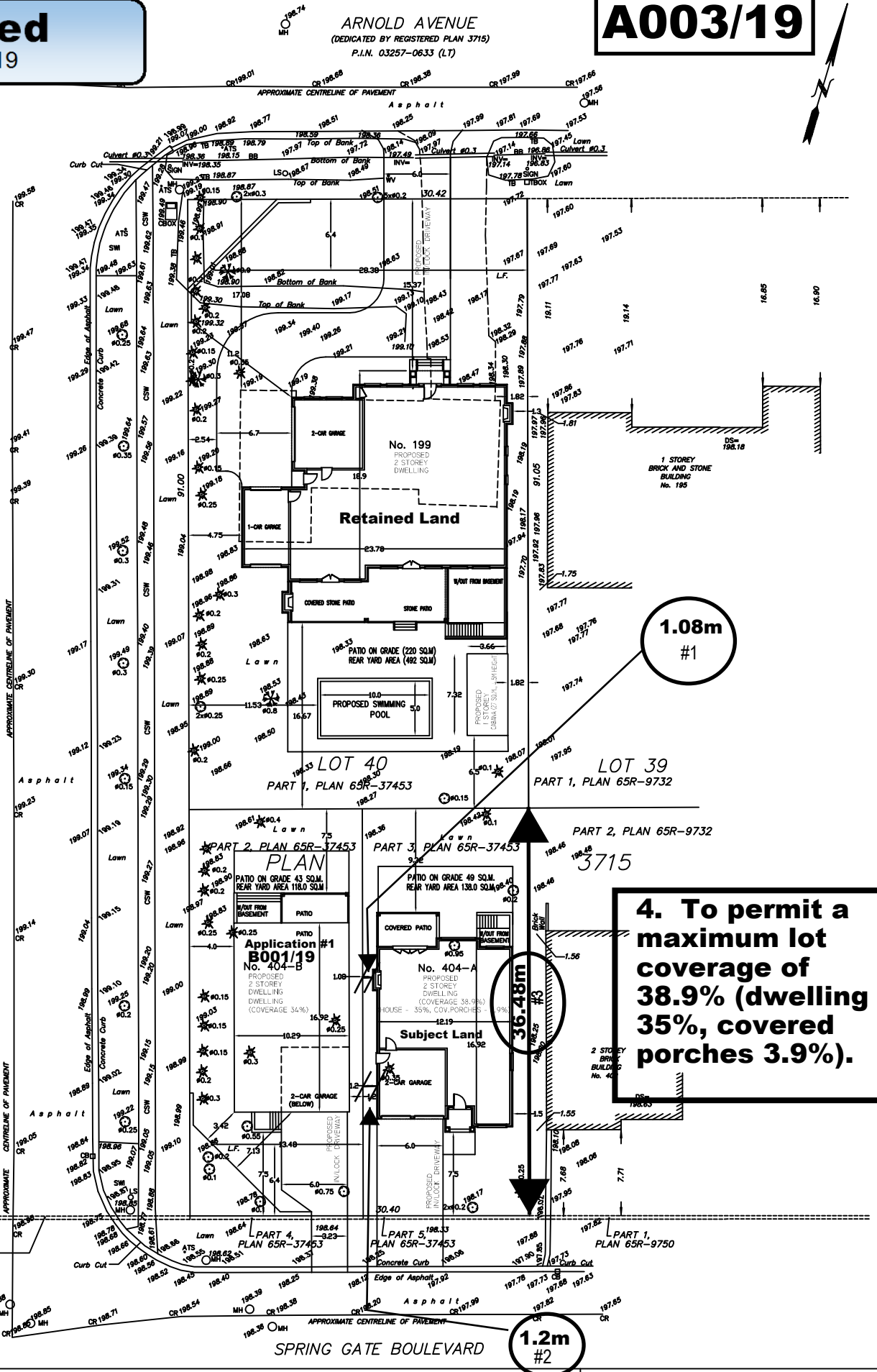
A003/19

ATKINSON AVENUE
PART 1, EXPROPRIATION PLAN 10252

LOT 41

REGISTERED

BLOCK 137
REGISTERED
PLAN M-2007
P.I.N. 03254-0292 (LT)



4. To permit a maximum lot coverage of 38.9% (dwelling 35%, covered porches 3.9%).

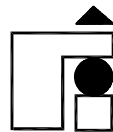
SITE PLAN

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GUITBERG GROUP INC.



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

PRIVATE RESIDENCES
AT #199 ARNOLD AVENUE
AND 40A & B SPRING GATE BLVD.
CITY OF VAUGHAN, ON

SITE PLAN

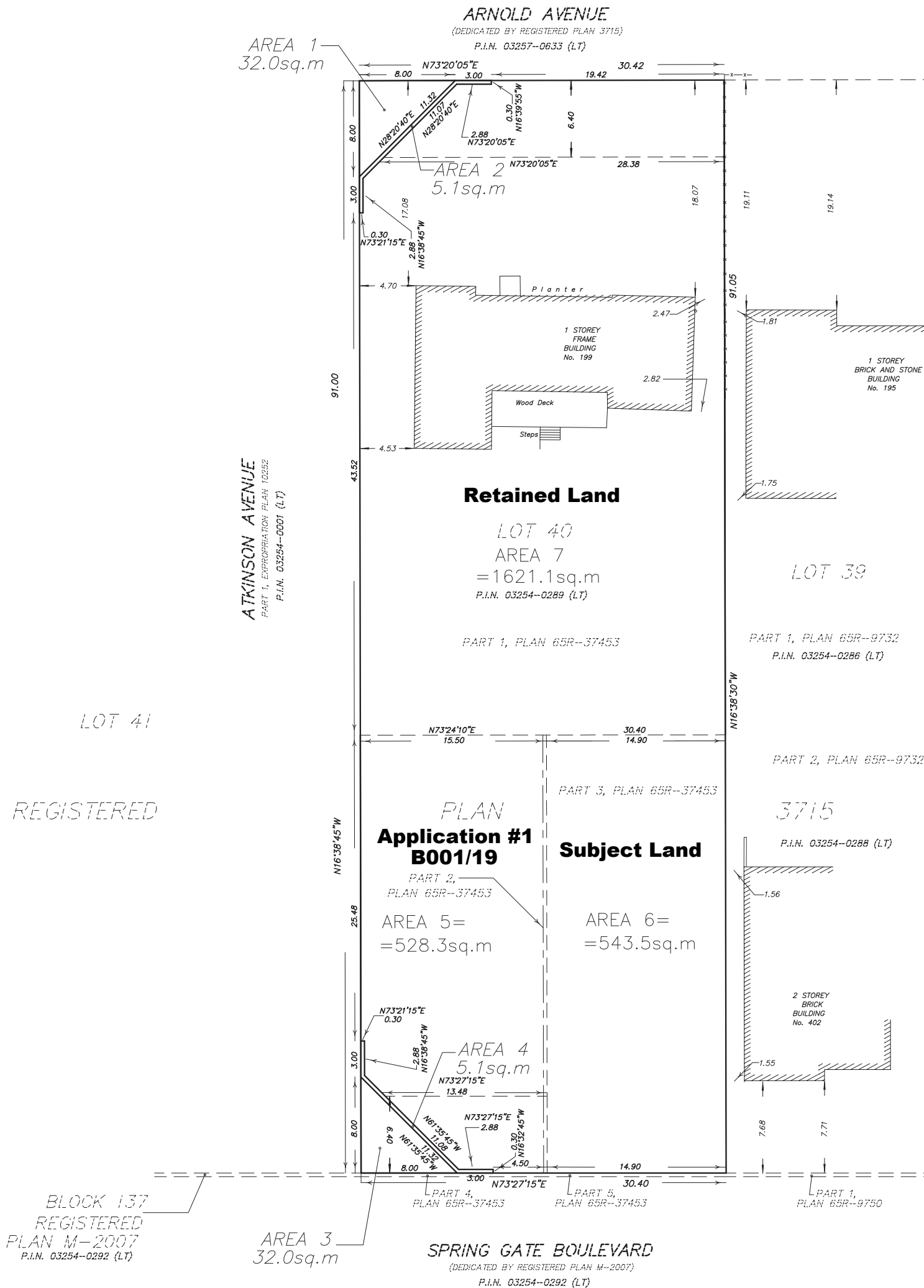
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SITE COVERAGE(REQ.20%)	62.24 M ² - 670.00 sq.ft. (3.84%)	COVERED PORCHES
SITE COVERAGE(REQ.20%)	27.00 M ² - 291.00 sq.ft. (1.67%)	ACCESSORY STRUCTURE
	27.51%	TOTAL

Revised

April 10, 2019

A003/19



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

Date of Hearing: Thursday, May 16, 2019
Applicant: Itay, Shmuel and Ameet Balilty
Agent Victor Guitberg - Guitberg Group Inc.
Property: **199 Arnold Avenue, Thornhill ON**
Zoning: The subject lands in their entirety are zoned R1V, Residential and R2, Residential and subject to the provisions of Exception 9(662) and 9(275) under By-law 1-88 as amended. Part 1, which is the subject lands for this application, is zoned R1V, Residential and subject to Exception 9(662).
OP Designation: VOP 2010: 'Low-Rise Residential'
Related Files: B001/19, B002/19, A002/19 & A003/19
Purpose: Relief from the by-law is being requested to permit reduced lot frontage on the **retained** land, being Part 1, Reference Plan 65R-37453, to facilitate Consent Application B002/19.

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

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

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

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

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

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

	Department/Agency	Condition
1	Committee of Adjustment Christine Vigneault 905-832-8585 x 8332 christine.vigneault@vaughan.ca	1. That Consent Application B00219 receive final certification from the Secretary Treasurer and be registered on title. A copy of the registered transfer confirming registration of the Certificate of Official must be provided to the Secretary Treasurer to satisfy this condition.

	Department/Agency	Condition
2	Development Engineering Margaret Olivier 905-832-8585 x 8716 Margaret.Olivier@vaughan.ca	1. Consent Applications B001/19 and B002/19 to become final and binding. 2. The owner/applicant shall submit the final Lot Grading and/or Servicing Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading and/or servicing approval prior to any work being undertaken on the 3 properties (Part 1, 2, and 3).

For the following reasons:

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

Please Note:

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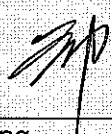
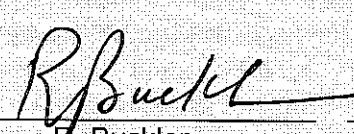
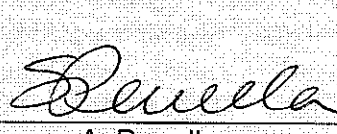


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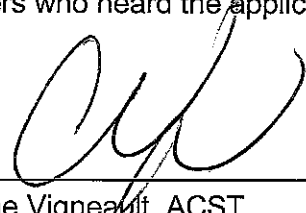
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SIGNED BY ALL MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

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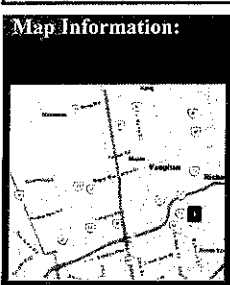
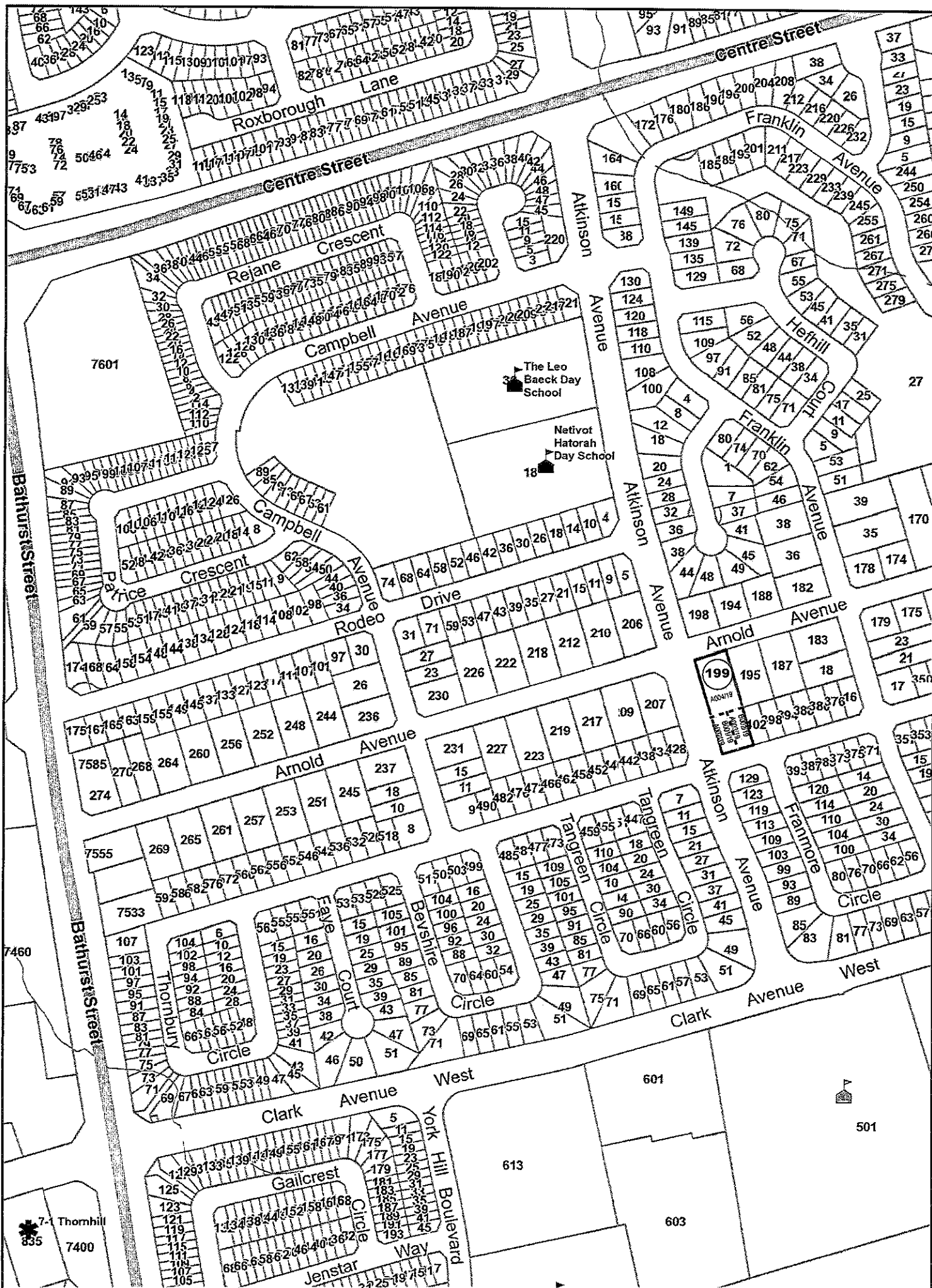
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Map Information:

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199 ARNOLD AVENUE, THORNHILL
LOCATION MAP - B001/19, B002/19, A002/19, A003/19 & A004/19

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VAUGHAN

Scale: 1:4,514
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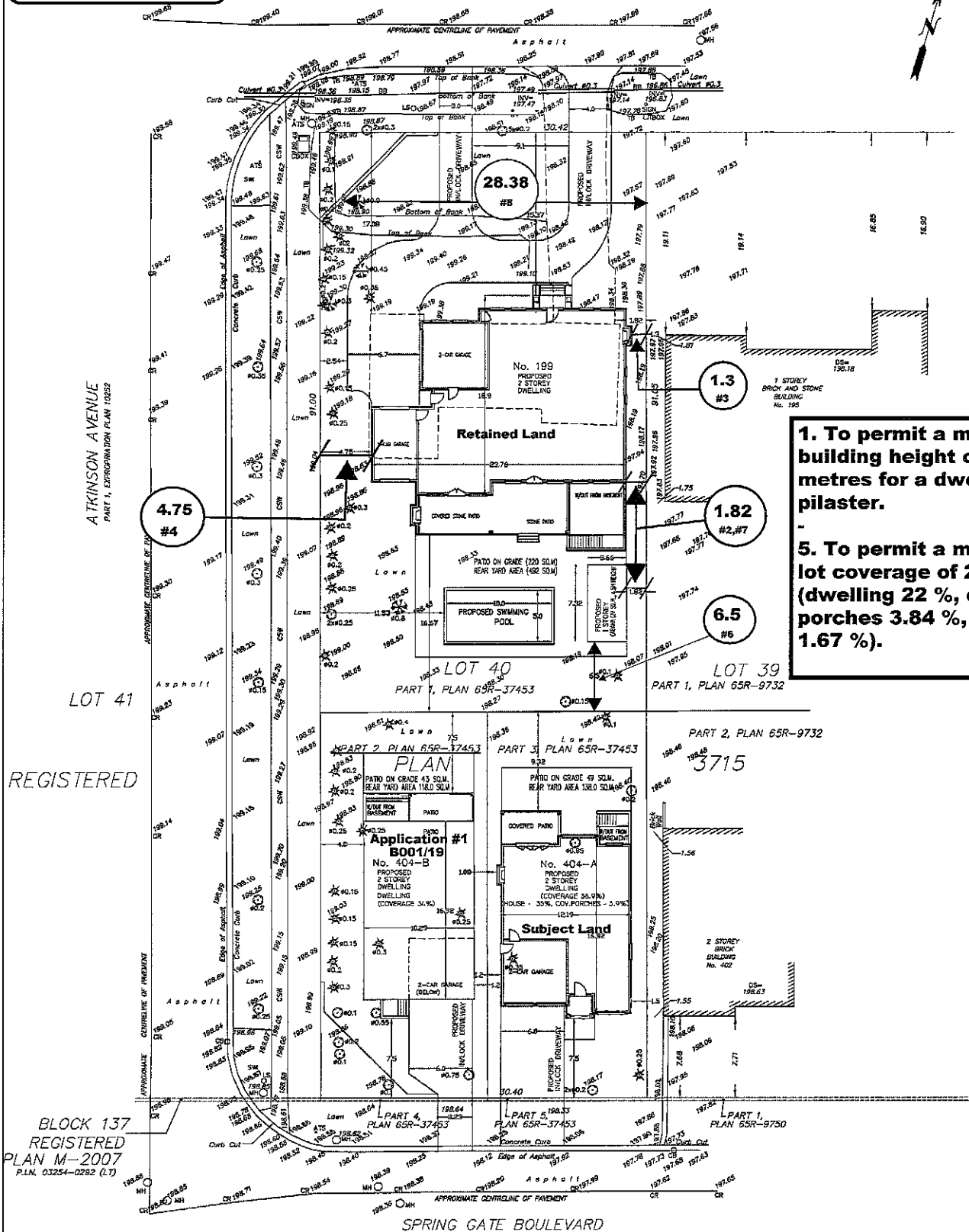
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 Infrastructure Delivery
 Department
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Projection:
 NAD 83
 UTM Zone
 17N

Revised
April 10, 2019

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

A004/19



1. To permit a maximum building height of 11 metres for a dwelling pilaster.

5. To permit a maximum lot coverage of 27.51% (dwelling 22 %, covered porches 3.84 %, cabana 1.67 %).

SITE PLAN

SCALE 1:500
DERIVED FROM
TOPOGRAPHIC SURVEY
LOT 40
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PRIVATE RESIDENCES
AT #199 ARNOLD AVENUE
AND 404A & B SPRING GATE BLVD.
CITY OF VAUGHAN, ON

SITE COVERAGE CALCULATION FOR #199 ARNOLD AVE.

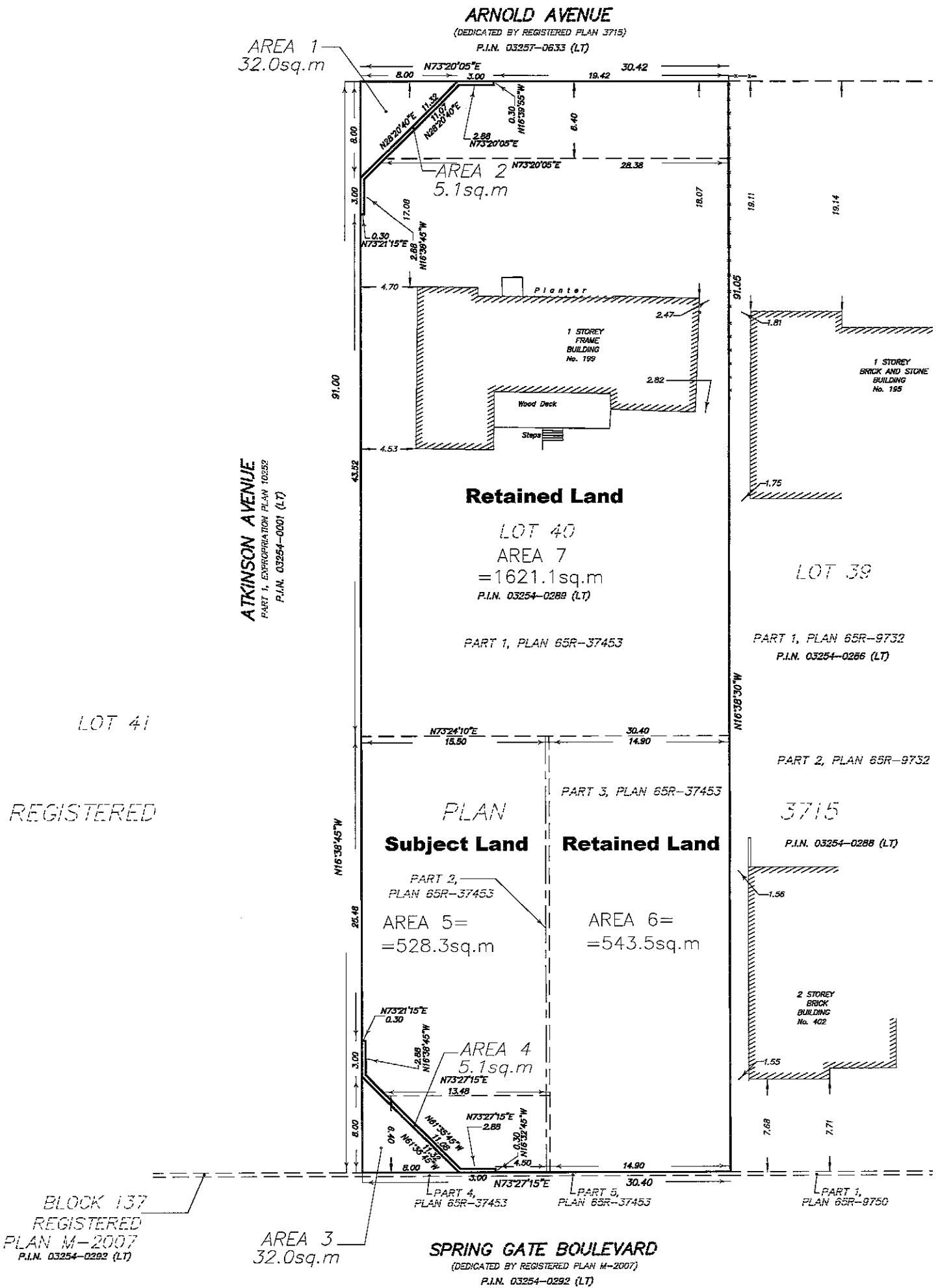
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SITE PLAN

Revised

April 10, 2019

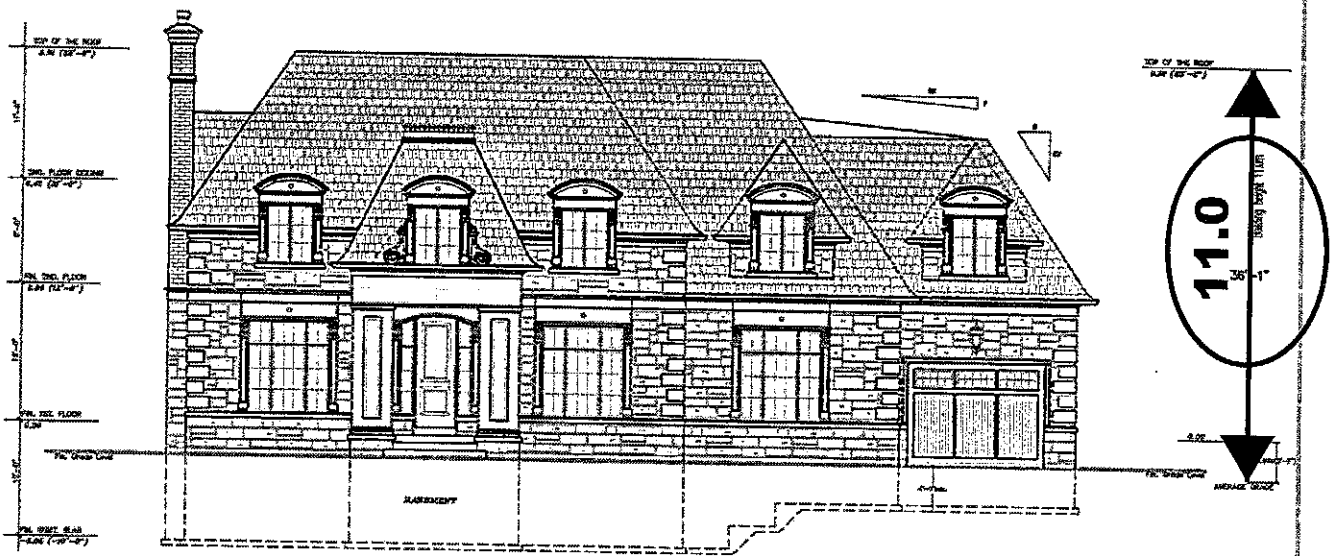
A004/19



A004/19

NORTH ELEVATION

SCALE 1 : 200



GUITBERG GROUP INC.



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PRIVATE RESIDENCE
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CITY OF VAUGHAN, ON

NORTH ELEVATION