

	<p align="center">Committee of Adjustment Minutes</p> <p>Hearing Date: January 14, 2021</p>
<p align="center">DRAFT</p>	<p>As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.</p> <p>A live stream of the meeting was provided at Vaughan.ca/LiveCouncil</p> <p>Time: 6:00 p.m.</p>
<p align="center">Committee Member & Staff Attendance</p>	
<p>Committee Members:</p>	<p>Assunta (Sue) Perrella (Chair) Stephen Kerwin (Vice-Chair) Adolfo Antinucci Robert Buckler Hao (Charlie) Zheng</p>
<p>Secretary Treasurer: Administrative Coordinator – CofA Administrative Coordinator – CofA Zoning Staff: Planning Staff:</p>	<p>Christine Vigneault Pravina Attwala Lenore Providence Catherine Saluri Roberto Simbana</p>
<p>Members / Staff Absent:</p>	<p>None</p>

Electronic Election Results of Chair & Vice Chair (2021)
The Secretary Treasurer presented the results of the election for the position of Chair and Vice Chair of the Committee of Adjustment.

Nominations for Chair: Assunta (Sue) Perrella, Robert Buckler

Nominations for Vice Chair: Assunta (Sue) Perrella, Robert Buckler, Charlie Zheng, Steve Kerwin

All candidates accepted their nomination.

The election for the position of Chair and Vice Chair was conducted electronically prior to the January 14, 2021 hearing, the results were as follows:

2021 Chair: Assunta (Sue) Perrella
2021 Vice Chair: Steve Kerwin

Disclosure of Pecuniary Interest
In response to the Chair, the following members declared interest:

Item / File	Member	Nature of Interest
N/A	None	None

Adoption of December 3, 2020 Minutes
In response to the Chair, the following amendments were proposed to the meeting minutes of December 3, 2020:

Required Amendment	Page Number
None	None

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

THAT the minutes of the Committee of Adjustment Meeting of Thursday, December 3, 2021, be adopted as circulated.

Motion Carried.

Adjournments
None

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.

1.

File:

A093/20

Ward 3

Applicant:

Deep Rana

Agent:

Frasca Design & Planning (Giorgio Frasca)

Address:

81 Sunset Ter. Woodbridge

Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the existing deck 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: Anonymous
Nature of Correspondence: Letter of objection
Address: 73, 88, 92, 100, 108, 112 and 117 Sunset Terrace.
Nature of Correspondence: Letters of Support

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

Representation
Giorgio Frasca

Comments
In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval. She also advised that the site plan contained in the Staff Report contained an error with respect to the drawing. A revised drawing was provided as an addendum indicating the correct setback.

Mr. Frasca requested that the application be adjourned.

In response to Chair Perrella, Ms. Vigneault advised that adjournment fees will be applicable.

The application was stood down at 6:08 p.m. in order to permit time for Mr. Frasca to confirm adjournment with the applicant.

Application recalled at 7:05 p.m.

Mr. Frasca returned to inform the Committee that the applicant wished to proceed.

Chair Perrella 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. A093/20 on behalf of Deep Rana 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.

Motion Carried.

Members Opposed to Motion: None

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.

2.

File:

A111/20

Ward 4

Applicant:

Fayaaz Jaffer Feiona Jaffer

Agent:

Acadia Design Consultants Inc. (Elham Gharagozloo)

Address:

36 Cedarpoint Ct. Maple

Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the construction a proposed second floor deck and storage shed (shed to be located under second floor deck.

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: Residences Addresses: 32, 38, 62 and 68 Cedarpoint Court Nature of Correspondence: Letters of Support

Additional Addendum Reports received and provided to the Committee from:
Development Engineering – Recommended condition of approval cleared.

Representation
Maxim Merchasin, Acadia Design Consultants Inc.

Comments
In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Maxim Merchasin, explained the nature of the application.

Chair Perrella 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. A111/20 on behalf of Fayaaz Jaffer Feiona Jaffer 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.

Motion Carried.

Members Opposed to Motion: None

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.

3.

File:

A118/20

Ward 5

Applicant:

Craig and Tara Rosenblatt

Agent:

None.

Address:

28 Redford Place, Thornhill

Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the installation of a proposed pool.

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)
None.

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

Representation
Craig Rosenblatt

Comments
In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Craig Rosenblatt, explained the nature of the application.

Chair Perrella asked if anyone present wished to comment on this application. There was no response.

Moved By: S. Kerwin
Seconded By: R. Buckler

THAT Application No. A118/20 on behalf of Craig and Tara Rosenblatt 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.

Motion Carried.

Members Opposed to Motion: None

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.

4.

File:

A123/20

Ward 2
- Applicant:

Jonathan Vecchiarelli and Sabrina Nicoletti
- Agent:

None
- Address:

161 Charmaine Road,. Woodbridge
- Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed pool and cabana.

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)
None.

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

Representation
Jonathan Vecchiarelli

Comments
In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Jonathan Vecchiarelli explained the nature of the application.

Chair Perrella asked if anyone present wished to comment on this application. There was no response.

Moved By: H. Zheng
Seconded By: R. Buckler

THAT Application No. A123/20 on behalf of Jonathan Vecchiarelli and Sabrina Nicoletti 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.

Motion Carried.

Members Opposed to Motion: None

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:

A126/20

Applicant:

Shirvani Houman

Agent:

Elmira Zarrabi

Address:

7 Weller Cr. Maple

Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed single-family dwelling.

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: Jesse Menna Address:6 Weller Cr Maple, Ontario L6A 1E4 Nature of Correspondence:
Name: Dale & Sylvia McClease Address: 4 Lancer Drive Nature of Correspondence: Letter of Support
Name: Chantelle Siverigho Address: 4 Weller Crescent Nature of Correspondence: Letter of Support
Name: Sergei Sobko Address: 5 Weller Crescent Nature of Correspondence: Letter of Support
Name: Resident Address: 7 Weller Crescent Nature of Correspondence: Letter of Support
Name: Patty Guerra Address: 8 Weller Crescent Nature of Correspondence: Letter of Support
Name: Maria Donato Address: 9 Weller Crescent Nature of Correspondence: Letter of Objection

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

Representation
Elmira Zarrabi

Comments
In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Elmira Zarrabi, explained the nature of the application and requested that variance #3 (location of shed in the side yard) be removed to address neighbour concerns.

In response to Member Antinucci, Ms. Zarrabi confirmed that the shed would be constructed in accordance with the Zoning By-law.

Chair Perrella asked if anyone present wished to comment on this application. There was no response.

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

THAT Application No. A126/20 on behalf of Shirvani Housman be **APPROVED, AS AMENDED**, 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 Farzana Khan 905-832-8585 x 3608 Farzana.khan@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 the Development Engineering Department through email at DEPermits@vaughan.ca or visit https://www.vaughan.ca/services/residential/dev_enq/permits/Pages/default.aspx to learn how to apply for lot grading and/or servicing approval.
2	Parks, Forestry and Horticulture Operations Patrick Courchesne 905-832-8585 x 3617 Patrick.Courchesne@vaughan.ca	Owner must acquire tree removal & protection permit and install hoarding to the satisfaction of Forestry.

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: None

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.

6.

File:

A128/20

Ward 4
- Applicant:

G.I.T. Investments Ltd.
- Agent:

None.
- Address:

#203, #204 - 2100 Steeles Avenue West, Concord
- Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the current Regulated Health Professional (Dental Office) located in Unit 203 to be expanded into Unit 204 for a period of three (3) years.

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)
None.

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

Representation
Peter Tsihlias

Comments
In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Peter Tsihlias, explained the nature of the application and advised that the current health professional office in Unit 203 has been operating for two years.

In response to Member Antinucci, Mr. Tsihlias stated he rather the variance be permanent and not temporary.

In response to Chair Perrella, Roberto Simbana, Planner, provided a brief history of the file and advised that given the current site specific exception Planning staff are recommending that the use be permitted for three years. The temporary use will continue to be reviewed as part of the Comprehensive Zoning By-law review, which may allow the use to be permanent in future.

In response to Chair Perrella, Mr. Tsihlias advised that he wished to proceed with the approval of the application subject to the three year limitation, as recommended by staff.

Chair Perrella asked if anyone present wished to comment on this application. There was no response.

Member Antinucci moved to adjourn the application. The motion was not seconded and failed.

Moved By: H. Zheng
Seconded By: R. Buckler

THAT Application No. A128/20 on behalf of G.I.T. Investments Ltd. 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 Roberto Simbana 905-832-8585 x 8810 roberto.simbana@vaughan.ca	That Minor Variance Application A128/20 to permit the expansion of the regulated health professional into Unit 204 (98.3 m2) as shown on the attached sketch, be restricted to a temporary approval of 3 years from the date of the Committees decision.

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: None

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.

7.

File:

A131/20

Ward 4

Applicant:

Andrea Harold Franks

Agent:

None.

Address:

27 Basie Gt. Thornhill

Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the installation of a proposed pool, (pool) equipment pad and air conditioning unit. The (pool) equipment pad and air conditioning unit are to be located in the easterly side 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: Michael Lekhtman Address: 33 Basie Gate Nature of Correspondence: Letter of Support

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

Representation
Andrea Harold Franks

Comments
In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Andrea Harold Franks explained the nature of the application.

Chair Perrella asked if anyone present wished to comment on this application. There was no response.

In response to Member Buckler, Ms. Harold Franks advised that they are looking to maximize the space in the back yard, which is why they have located the pool equipment in the side yard. There is no fence between the two houses and the immediate neighbour supports the proposal.

In response to Chair Perrella, Ms. Franks confirmed there are no plans to erect a fence.

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

THAT Application No. A131/20 on behalf of Andrea Harold Franks 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.

Motion Carried.

Members Opposed to Motion: None

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.

8.

File:

A133/20

Ward 2

Applicant:

Salvatore and Maria Strazzeri

Agent:

Dutra Architect Inc. (Dino Dutra)

Address:

11 Marywood Ct. Woodbridge

Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed single family 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: Residents
Address: 1, 14, 18 and 23 Marywood Crescent
Nature of Correspondence: Letters of Support

Additional Addendum Reports received and provided to the Committee from:

Forestry Comments – Recommended condition of approval cleared.
Development Planning Comments – Recommend approval, no conditions.

Representation

Dino Dutra

Comments

In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Dino Dutra, explained the nature of the application. He noted that the request for increased lot coverage is required to accommodate the covered porches and canopies. He provided a presentation to the Committee and noted that all existing trees in the front yard to remain.

Chair Perrella asked if anyone present wished to comment on this application. There was no response.

In response to Member Zheng, Mr. Dutra, confirmed areas of the dwelling that would incorporate glass.

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

THAT Application No. A133/20 on behalf of Salvatore and Maria Strazzeri be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following condition:

	Department/Agency	Condition
1	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.khan@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 the Development Engineering Department through email at DEPermits@vaughan.ca or visit https://www.vaughan.ca/services/residential/dev_eng/permits/Pages/default.aspx to learn how 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: None

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.

9.

File:

A135/20

Ward 1

Applicant:

Margarita Rudnitsky & Irina Krapunsky

Agent:

Albert Yerushalmi

Address:

19 Quail Run Blvd. Maple

Purpose:

Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed mudroom in the northerly side yard and to permit the enclosure of two (2) existing second floor balconies.

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)
None.

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

Representation
Albert Yerushalmi

Comments
In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Albert Yerushalmi, explained the nature of the application.

Chair Perrella asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Antinucci
Seconded By: R. Buckler

THAT Application No. A135/20 on behalf of Margarita Rudnitsky & Irina Krapunsky 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.

Motion Carried.

Members Opposed to Motion: None.

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.

10.	File:	A182/19	Ward 4
	Applicant:	Mimi Khuu	
	Agent:	None.	
	Address:	1 Edison Place, Maple	
	Purpose:	Relief from By-law 1-11, as amended, is being requested to permit the existing deck and circular staircase 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: Mohammad Noushinfar	
Address: 320 Carrier Crescent	
Nature of Correspondence: Letter of Support	
Name: Sally YinxiuTan & Weijun Zhuang	
Address: 58 Oberfrick Avenue	
Nature of Correspondence: Letter of Objection	
Name: Dorothy Z. Pan & Y. Zhang	
Address: 72 Oberfrick Avenue	
Nature of Correspondence: Letter of Objection	
Name: James Li	
Address: 86 Oberfrick Avenue	
Nature of Correspondence: Letter of Objection	
Name: Kevin X. Zhang	
Address: 67 Oberfrick Avenue	
Nature of Correspondence: Letter of Objection	
Name: Lucy L. Liu	
Address: 12 Edison Place	
Nature of Correspondence: Letter of Objection	
Name: Qinggang Zhang & Yongming Liu	
Address: 306 Carrier Crescent	
Nature of Correspondence: Letter of Objection	
Name: Rae Shahangian	
Address: N/A	
Nature of Correspondence: Letter of Objection	
Name: Song Wang	
Address: 26 Edison Place	
Nature of Correspondence: Letter of Objection	
Name: Amin Farbod	
Address: 308 Carrier Crescent	
Nature of Correspondence: Letter of Support	
Name: David Green	
Address: 332 Carrier Crescent	
Nature of Correspondence: Letter of Support	
Name: Emilio Campo	
Address: 339 Carrier Crescent	
Nature of Correspondence: Letter of Support	
Name: Revathy Skanthan	
Address: 316 Carrier Crescent	
Nature of Correspondence: Letter of Support	
Name: Kim Kieu Huynh & Hung Pham	
Address: 11 Edison Place	
Nature of Correspondence: Letter of Support	
Name: Thanh Giang Nguyen & Tin Long Tran	
Address: N/A	
Nature of Correspondence: Letter of Support	
Name: Girish & Reema Malik	
Address: 300 Carrier Crescent	
Nature of Correspondence: Letter of Support	

Name: Mimi Khuu Address: 1 Edison Place Nature of Correspondence: Applicant Response
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Additional Addendum Reports received and provided to the Committee from: None.

Representation

Joseph Virgilio

Deputations

Sally Tan, 58 Oberfrick Avenue
Weijun Zhuang, 58 Oberfrick Avenue

Comments

In response to Chair Perrella, Christine Vigneault, Secretary Treasurer, reviewed the proposal, confirmed public written submissions/deputations and recommended conditions of approval.

Joseph Virgilio explained the nature of the application and advised that the applicant replaced the existing 10' x 7' builder deck in 2018. At the time, the contractors did not advise that a building permit was required. He confirmed that the owner has since applied for the building permit, which is subject to approval of the minor variance application. The applicant has observed that there are a number of similar, larger decks in the area. He addressed the neighbour concerns at 58 Oberfrick Avenue and opined that the concerns were more related to the elevation of the dwelling than with the deck. He reviewed photos provided to the Committee that depicted the elevation between the two properties and advised that the applicant concurs with the recommendations contained in the Staff Report. He opined that the proposal met the four tests under the Planning Act, and while he understands the concerns expressed, he noted that his client has agreed to install frosted glass and planters (as recommended in the Staff Report) to mitigate these concerns.

Chair Perrella introduced the public deputations.

Sally Tan, 58 Oberfrick Avenue, expressed concerns regarding the impact of the existing deck on her family's privacy, enjoyment of backyard and property values. She noted that mathematically the variance is not minor given that it represents an approximate 50% increase than what the By-law permits (with respect to the rear yard setback) and requested that the deck be constructed in compliance with the Zoning By-law. She opined that the variance was not minor given the rear yard setback and the overlook on her property.

Weijun Zhuang, 58 Oberfrick Avenue, expressed concerns regarding privacy and noise (pool parties) given the proximity of the deck and swimming pool to their property. He requested that the deck be constructed in compliance with the Zoning By-law.

In response to Ms. Tan & Mr. Zhuang, Mr. Virgilio commented that the concerns expressed are largely due to the topography of the properties and the difference in elevation. He opined that in the absence of the deck the same privacy concerns would exist and that the test of minor is not a mathematical one. He reiterated that the applicant is willing to condition the variance on installing frosted glass and planters to provide privacy.

In response to Member Antinucci, Christine Vigneault, Secretary Treasurer, advised that Planning staff recommended using frosted glass and planters to mitigate impact, however this was not recommended as a condition of approval because it would be difficult for the City to enforce this on future landowners. She advised that the applicants agreement to staff recommendations will be noted in the minutes.

In response to Member Zheng, Mr. Virgilio advised that the owner did not speak to the neighbours at 58 Oberfrick Avenue at the time the deck was constructed as she did not think there would be any concerns. He advised that juniper were planted along the fence line of 58 Oberfrick Avenue to enhance privacy.

Member Zheng questioned whether or not the size of the deck could be reduced to address neighbour concerns.

In response to Member Zheng, Mr. Virgilio advised that the deck is already constructed and in addition to the frosted glass and planters, his client would be agreeable to contributing more trees at 58 Oberfrick Avenue.

In response to Member Perrella, Mr. Virgilio advised that given the considerable difference in grading between the two properties even the existing windows overlook 58 Oberfrick Avenue.

Member Zheng commented that sitting on the edge of the deck would further impact privacy.

In response to Member Antinucci, Mr. Virgilio advised that the juniper trees at 58 Oberfrick Avenue were planted at the same time the pool was installed at 1 Edison Place. He noted that his client contributed to the planting of these trees.

In response to Chair Perrella, Mr. Virgilio clarified that his client is willing to install frosted glass and planters and is willing to contribute to the planting of more trees at 58 Oberfrick Avenue.

In response to Member Zheng, Mr. Virgilio advised that his client does not want to reduce the size of the deck, however agrees with the recommendations made by staff, which include the installation of frosted glass and planters.

In response to Ms. Vigneault, Roberto Simbana, Planner, advised that it would be difficult to enforce a condition requiring the frosted glass and planters on subsequent land owners.

Moved By: H. Zheng

Seconded By: R. Buckler

THAT Application No. A182/19 on behalf of Mimi Khuu be **REFUSED** for the following reasons:

For the Following Reasons:

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

Motion Carried.

Members Opposed to Motion: None.

Other Business

None

Motion to Adjourn

Moved By: A. Antinucci

Seconded By: H. Zheng

THAT the meeting of Committee of Adjustment be adjourned at 7:07 p.m., and the next regular meeting will be held on February 4, 2021.

Motion Carried.

Meeting Minutes are to be approved at the February 4, 2021 meeting:

Chair

Secretary-Treasurer