

	<p align="center">Committee of Adjustment Minutes</p> <p>Hearing Date: March 18, 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 Hao (Charlie) Zheng</p>
<p>Secretary Treasurer: Administrative Coordinator – CofA Administrative Coordinator – CofA Zoning Staff: Planning Staff:</p>	<p>Christine Vigneault Pravina Atwala Lenore Providence Catherine Saluri Roberto Simbana</p>
<p>Members / Staff Absent:</p>	<p>Robert Buckler (Committee Member)</p>

Disclosure of Pecuniary Interest

Member	Nature of Interest
N/A	N/A

Adoption of February 25, 2021 Minutes

Required Amendment	Page Number
N/A	N/A

Moved By: A. Antinucci

Seconded By: H Zheng

THAT the minutes of the Committee of Adjustment Meeting of Thursday, February 25, 2021, be adopted as circulated.

Motion Carried.

Adjournments

Item Number	Application Number/Address	Adjournment Date	Reason for Adjournment
03	A122/20	April 8, 2021	Accommodate Public Notice (Signage)

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:** A214/18 **Ward 2**
Applicant: John & Anna Massara
Agent: Lucas Cocomello
Address: 146 Waymar Heights Blvd. Woodbridge
Purpose: Relief from the by-law is being requested to permit the construction of a proposed detached garage addition located in the front yard. Relief is also being sought to permit the existing cabana 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: Marco Kanngula Address: 132 Waymar Heights Nature of Correspondence: Letter of Support
Name: Angelo Federico Address: 160 Waymar Heights Nature of Correspondence: Letter of Support
Name: Frank Miceli Address: 161 Waymar Heights Nature of Correspondence: Letter of Support
Name: Luciano Volpe Address: 156 Waymar Heights Nature of Correspondence: Letter of Support

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

Representation
Lucas Cocomello

Comments

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

Lucas Cocomello explained the nature of the application and opined that the proposed three car garage is in keeping with the character of the area.

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

Moved By: H. Zheng
Seconded By: Antinucci

THAT Application No. A214/18 on behalf of John & Anna Massara be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering 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 (Member Buckler Absent)

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 (Member Buckler Absent)

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:** A004/21 **Ward 4**
- Applicant:** Adam Firestone and Michele Zysman
- Agent:** Bancheri Bros (Andrew Solari)
- Address:** 46 Asner Ave. Maple
- 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
Christopher Marchese

Comments

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

Christopher Marchese explained the nature of the application. Mr. Marchese mentioned that during discussions with Planning Staff, both the rear and side yards were increased to satisfy City Staff.

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

Moved By: H. Zheng
Seconded By: S. Kerwin

THAT Application No. A004/21 on behalf of Adam Firestone and Michele Zysman 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 (Member Buckler Absent)

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:** A010/21 **Ward 4**
- Applicant:** Dzmitry Nikitsenka and Inna Shpirnova
- Agent:** ArchEye Architects Inc. (Nasser Amer)
- Address:** 138 Sir Stevens Dr. Maple
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the installation of a proposed pool in the rear yard and an air conditioning unit in the northerly 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: Jihm Hong, Myoung Lae Hong, Ku Pyo Hong
Address: 136 Sir Stevens Drive
Nature of Correspondence: Letter of Opposition

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

Representation
Dzmitry Nikitsenka

Public Deputations
Myoung Lae Hong, 138 Sir Stevens Drive
Jihm Hong, 138 Sir Stevens Drive

Comments

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

Dzmitry Nikitsenka explained the nature of the application.

Chair Perrella introduced the public deputations.

Myoung Lae Hong, 136 Sir Stevens Drive, expressed concerns regarding noise, loss of privacy, future leakage (flooding), and social distancing requirements. She opined that the variance was not minor given how close the homes are to each other.

Jihm Hong, 136 Sir Stevens Drive, advised that he was most concerned with variance #1 and expressed concerns regarding loss of privacy, future leakage (flooding), and social distancing requirements.

In response to Chair Perrella, Mr. Nikitsenka, opined that the impact of noise would not be increased because of the requested variances (variance of 30 cm). He noted that the City of Toronto permits 4 foot setbacks for pools and advised that the applicant is willing to plant shrubs and trees to mitigate impact. He advised that social distancing requirements are not impacted by the proposal and that the installation of the pool will require permits and sign off from City staff.

In response to Member Antinucci, Mr. Nikitsenka advised that the applicant is seeking relief due to the size of the backyard and the need to maximize space for lawn furniture.

In response to Member Zheng, Mr. Nikitsenka, advised that the applicant is seeking relief to preserve amenity space in the rear yard.

In response to Chair Perrella, Mr. Nikitsenka advised that the applicant had communicated with the neighbour by text message.

Mr. Nikitsenka opined that the requested variance does not impact the concerns expressed by his neighbours.

Member Antinucci commented that he did not see the hardship with complying with the by-law requirement for variance #2.

Chair Perrella provided Mr. Nikitsenka with an opportunity to adjourn the application to accommodate discussion with the neighbours.

In response to Chair Perrella, Mr. Hong confirmed that they are objecting to variances 1 and 2.

At 6:38 p.m. the Secretary Treasurer and the Committee took a brief recess to review the Procedural By-law provisions pertaining to tie votes. It was determined that given the even number of Committee members that the Chair would refrain from voting as per Section 7.7 of By-law 069-2019 to preclude a tie vote.

The meeting reconvened at 6:40 p.m.

Moved By: A. Antinucci

Seconded By: H. Zheng

THAT Variance # 3 related to Application No. A010/21 on behalf of Dzmitry Nikitsenka and Inna Shpirnova, 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	TRCA Hamedeh Razavi 416-661-6600 x 5256 hamedeh.razavi@trca.ca	1. That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority. 2. The applicant successfully obtains a permit pursuant to Ontario Regulation 166/06 from TRCA for the proposed works.

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.

That Variance #1 and Variance #2 (as noted in above chart) related to Application No. A010/21 on behalf of Dzmitry Nikitsenka and Inna Shpirnova, be **REFUSED**.

For the Following Reasons:

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

Motion Carried.

Members Opposed to Motion: S. Kerwin (Member Buckler Absent)

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:** A015/21 **Ward 4**
- Applicant:** Brad & Stacey Diamond
- Agent:** Terra Nova Pools (Robert Taddei)
- Address:** 26 Basie Gt. Thornhill
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the installation of a proposed pool in the rear yard and pool equipment in the westerly side yard. Relief is also being sought to permit the existing air conditioning unit in the westerly side yard.

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

Representation

Robert Taddei , Terra Nova Pools

Comments

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

Robert Taddei, 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: H. Zheng

THAT Application No. A015/21 on behalf of Brad & Stacey Diamond, be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	The Owner/applicant shall apply for a pool permit with the Development Engineering (DE) Department. 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 the pool permit.

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 (Member Buckler Absent)

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.

- 11. File:** A018/21 **Ward 3**
- Applicant:** Anna Castelli
- Agent:** Salvatore Castelli
- Address:** 22 Dianawood Rdge. Woodbridge
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed cabana, swimming pool and pool equipment pad 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: Residents Address: 32 Bell Harbour Pl Woodbridge Nature of Correspondence: Letter of Support
Name: Residents Address: 16 Dianawood Ridge Nature of Correspondence: Letter of Support
Name: Residents Address: 32 Dianawood Ridge Nature of Correspondence: Letter of Support
Name: Residents Address: 55 Ferrari Court Nature of Correspondence: Letter of Support

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

Representation

Salvatore Castelli

Comments

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

Salvatore Castelli, explained the nature of the application. He opined that his request is in keeping with the character of the neighbourhood and does not impact his neighbours. He provided the Committee with a presentation that included reference to similar proposals at 39 Bell Harbour Place, 48 Ferrari Court and 58 Bloomingdale Lane.

In response to Chair Perrella, Roberto Simbana, Planner, advised that Planning would be supportive of 50% soft landscaping in the rear yard.

In response to Member Antinucci, Mr. Castelli, confirmed that he would be agreeable to amend variance #3 to a 50% soft landscaping.

In response to Christine Vigneault, Secretary-Treasurer, Mr. Simbana advised that the increase in landscaping should not impact the variances being requested.

The Committee ask if anyone present wished to comment on this application. There was no response.

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

THAT Application No. A018/21 on behalf of Anna Castelli, 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	<p>Development Engineering Farzana Khan</p> <p>905-832-8585 x 3608 Farzana.Khan@Vaughan.ca</p>	<p>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.</p> <p>The owner/applicant shall demonstrate appropriate LID (Low-impact Development) measures to the satisfaction of DE to address the reduced soft landscaping coverage from 60% to 41.57% in order to mitigate potential impacts on the municipal storm water system.</p>
2	<p>Parks, Forestry and Horticulture Operations Zachary Guizzetti</p> <p>905-832-8585 x 3614 Zachary.Guizzetti@vaughan.ca</p>	<p>Applicant shall apply for a Construction Private Tree Removal and Protection Permit.</p>

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 (Member Buckler Absent)

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.

- 12. File:** A024/21 **Ward 4**
- Applicant:** Tesmar Holdings Inc.
- Agent:** KLM Planning Partners Inc. (Ryan Mino-Leahan)
- Address:** 9075 Jane St. Vaughan
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the construction of two proposed residential apartment buildings on the subject land (shown as Tower A and Tower B on the plans submitted with the application) and to facilitate the related Site Plan Application (DA.14.037) and Draft Plan of Condominium applications (19CDM-20V005 & 19CDM-20V006).

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

Representation

Aiden Pereira, KLM Planning Partners Inc.

Comments

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

Aiden Pereira explained the nature of the application and advised that the applicant concurs with staff recommendations.

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

Moved By: S. Kerwin
 Seconded By: H. Zheng

THAT Application No. A024/21 on behalf of Tesmar Holdings Inc., be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Farzana Khan 905-832-8585 x 3608 Farzana.Khan@Vaughan.ca	1. The Owner/applicant shall submit updated engineering drawings and reports to the City's Development Engineering Department that reflects the changes made on the approved site plan application DA.14.037 for review and approval by the Development Engineering Department. 2. The Owner/applicant shall submit updated transportation reports that reflects the changes in parking requirement to the satisfaction of Development Engineering.
2	Development Planning Roberto Simbana 905-832-8585 x 8810 Roberto.simbana@vaughan.ca	That Site Development Application File DA.21.077 be approved to the satisfaction of the Development Planning Department.

For the following reasons:

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

Motion Carried.

Members Opposed to Motion: None (Member Buckler Absent)

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.

- 13. File:** A029/21 **Ward 3**
- Applicant:** Ricardo Rosella
- Agent:** N/A
- Address:** 189 Via Teodoro Woodbridge
- Purpose:** Relief from By-law 1-88, as amended, is being requested to permit the installation of a proposed pool (and related equipment) and accessory structure (pergola) in the rear yard and a proposed storage shed in the westerly side yard.

Additional Addendum Reports received and provided to the Committee from:
Planning Comments

Representation
Ricardo Rosella

Comments

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

Ricardo Rosella explained the nature of the application.

In response to Member Antinucci, Mr. Rosella, confirmed that the property backs onto greenspace.

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. A029/21 on behalf of Ricardo Rosella be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96).

Motion Carried.

Members Opposed to Motion: None (Member Buckler Absent)

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.

- 15. File:** A145/20 **Ward 1**
Applicant: OH (New Kleinburg) Inc.
Agent: TACC Developments Inc. (Aaron Hershoff)
Address: 13 Stilton Ave. Kleinburg
Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed single family dwelling.

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

Representation

Aaron Hershoff, TACC Developments Inc.

Comments

Item 15 was addressed after Item 9 on the agenda.

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

Aaron Hershoff, 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: H. Zheng

THAT Application No. A145/20 on behalf of OH (New Kleinburg) Inc. (c/o Opus Homes - Vince Ditri) 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 Planning Roberto Simbana 905-832-8585 x 8810 roberto.simbana@vaughan.ca	The Owner of the land shall make an Application to Annex Restrictive Covenants S118 of the Land Titles Act for the registration of a restriction that no Transfer or Charge of the lands described as Block 119, Plan 65M-4556 and Block 227, Plan 65M-4672 (collectively, the "Restricted Lands") shall be registered unless such Transfer or Charge includes all of the Restricted Lands, and if such Transfer or Charge is registered against title to part of the Restricted Lands then the written consent from the Corporation of the City of Vaughan is required, which consent may be arbitrarily withheld.

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 (Member Buckler Absent)

Other Business

None

Motion to Adjourn

Moved By: S. Kerwin

Seconded By: H Zheng

THAT the meeting of Committee of Adjustment be adjourned at 7:06 p.m., and the next regular will be held on April 8, 2021.

Motion Carried.

March 18, 2021 Meeting Minutes are to be approved at the April 8, 2021 meeting:

Chair

Secretary-Treasurer