

**Subject:** FW: Notice of Hearing

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**From:** Dean Davis  
**Sent:** June-07-21 3:25 PM  
**To:** Committee of Adjustment <CofA@vaughan.ca>  
**Subject:** [External] Notice of Hearing

This email is in reference to:

**NOTICE OF HEARING**  
**MINOR VARIANCE APPLICATION AO69/21**  
**Section 45 of the planning Act, RSO,1990,c.P.13**

Anthony and Monika Davis

30 Ventana Way

The City Engineers have put in the property variances for a reason. They have included them, in the city by-laws, to protect neighbours of those people who want to change their properties, despite the wellbeing, cost or damage it may cause to the property owners, surrounding said property and the citizens of Vaughan/Woodbridge..

These are our biggest concerns about allowing ANY by-law changes requested by the petitioners.

Our property sits directly NORTH of the property in question, and we have a neighbourhood catch basin that sits directly on the property line of our neighbours directly EAST of us. That means that all the properties, in our area, are sloped towards the southwest corner of our property. This also means that all properties, including the property in question, are higher elevation than our property and all slope toward ours and it is therefore higher than ours. This leads to several of our concerns.

- We have built a retaining wall (in 2002), which holds a well-established garden, between it and their northern property fence, with gravel elsewhere (this prevents soil from sliding under the fence). If the earth moves (which it will) , because the pool is closer. It will cause the retaining wall to shift and lean northward, because of the is closer to our property, who will pay for repairing any damage to the retaining wall?
  
- If the by-law is changed, moving the pool closer to our property, any pool run-off, caused by typical splashing and general pool fun, which runs onto the concrete pad or ground surrounding it (which will obviously have a higher chlorine level), that runs into our garden will kill any perennial flowers and trees, that we have already planted. Who will pay for their replacement?
  
- The wooden fence we share (along their north property line), was damaged in the large windstorm, we all had a few years ago. Mr. D'Ambrosio and I REPAIRED the 1 **broken** , (but did not REPLACE) post along that fence line (which is perfectly stable now). The fence divides and establishes our properties and supplies security. When the earth moves, (which again it will) whether through construction of the pool, or the pool moving the earth over time, because of the variance allowance. We wonder, who will pay for the replacement of the post?

*Both parties living in the dwelling at the time the fence was built, at 30 Mondavi Rd. and ourselves each paid ½ the cost of the erecting the fence when it was constructed, in 1999.*

It is now perfectly stable, and we see no reason to pay the cost of replacing it, unless the by-law change causes damage to it?

- As already mentioned, the neighbourhood catch basin is situated in the Southeast corner of our property (along our adjoining properties to the east). If the pool causes undo overflow of this catch basin, the concrete pad and wooden shed, we have erected, (to hide the grate) will be flooded and/or undermine the concrete pad, causing the shed to lean. This will cause ANYTHING stored in the shed to be destroyed or the damage may leave the shed useless. Who will pay for such damage and/or repair?
- We have installed artificial grass in our backyard (in 2008) and have seen no signs of wear or discolouration. We have no idea, nor does the installer, what damage highly chlorinated water (such as from a pool) will cause, in so far as, discolouration or damage to it. Who will pay for any sections, that are damaged, because the pool water will run straight onto it, if the by-law is changed and the variance granted?

In short, the city engineers provided the by-laws for a reason. Our belief is that people smarter than us, developed the by-laws for a reason and we should listen to their educated opinion. We do not wish to pay for ANY DAMAGE, a change to the city by-laws, concerning pools, may cause in the future. We would hope that City Council takes note of our concerns pertaining to future problems that may occur, because of their modifications to the by-laws.