

**RE: Notice of Hearing
Minor Variance Application A110/21
Section 45 of the Planning Act, RSO 1990 c.P.13**

The purpose of this letter is to oppose the application submitted by Jorge Quinonez as it relates to Application A110/21 and be presented at the Hearing scheduled for Wednesday June 30, 2021 at 6:00pm.

The following are the facts and reasons for the opposition of this application:

1. As outlined in the application, the purpose of the application is “to permit the construction of a proposed pergola”. The “purpose” of the application warrants some concerns as detailed below.
 - a. The Purpose of the hearing is to request a permit of construction of a proposed pergola to be located in the back yard. However, the structure has already been built in November 2019, prior to this hearing. The applicant has indicated the construction of a “proposed pergola”.
 - b. Secondly, the structure, constructed in November 2019, is not a pergola but a gazebo with a full roof with shingles.
 - c. The size of the gazebo and the height of the gazebo is unknown. There is no mention of this in the “purpose” of the application. As the structure is significantly larger than a typical shed or gazebo, we are asking for confirmation that the size and height of the structure meets the City of Vaughan bylaws.
 - d. Additionally, the gazebo has been constructed on a raised concrete pad.
2. Minor Variance Application
 - a. Based on the Application, there is a significant difference between the By-law requirement and the proposal.

As outlined by the By-law, the minimum rear setback is 7.5 metres. We oppose the application as a “minor” variance as the structure (gazebo) has been constructed at 0.99 metres. The difference of 6.51 metres is no longer minor, but a significant variance.

We ask that the Committee determine the maximum allowable floor area, height and set back requirements based on the size of the property and rear yard.

We hereby request that the gazebo structure be removed and rebuilt based on the size, height and set back requirements as outlined by the City of Vaughan By-laws.

Once it has been determined that the structure (gazebo) was constructed according to By-law, it is requested that the Committee provide a detailed assessment of the exact measurements of the structure in relation to the By-laws.

I trust this is satisfactory to be presented to the Committee of Adjustment at the Hearing scheduled for June 30, 2021 at 6:00 pm.

Sincerely,

Ben Testani

23 Jordan Hofer Way