



File: A223/21

Applicant: Mira & Shay Yehoshua Glinauer

Address: 150 Gesher Crescent, Maple

Agent: Daniel Karpinski

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment <input checked="" type="checkbox"/> Negative Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection		
Development Planning	<input checked="" type="checkbox"/>	
Development Engineering	<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)	<input checked="" type="checkbox"/>	

Adjournment History: None.

Background History: A152/20 (see next page for details)

Staff Report Prepared By: Lenore Providence
Hearing Date: November 18, 2021

**Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).*



Minor Variance Application

Agenda Item: 22

A223/21

Ward: 4

Staff Report Prepared By: Lenore Providence Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, November 18, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: Mira & Shay Yehoshua Glinauer

Agent: Daniel Karpinski

Property: **150 Gesher Crescent, Maple**

Zoning: The subject lands are zoned RD3, Residential and subject to the provisions of Exception 9(1244) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"

Related Files: None.

Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed second floor deck to be located in the rear yard.

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

By-law Requirement	Proposal
A minimum rear yard setback of 5.7 metres is required. [Subsection 3.14 c)]	To permit a minimum rear yard setback of 4.4 metres to an uncovered deck.

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

Application No.:	Description:	Status of Approval: Approved/Refused/Withdrawn/ OMB/Concurrent
A152/20	To permit the construction of a proposed deck and pergola at the rear of the existing dwelling. 1. Minimum rear yard setback of 4.80m to an accessory structure (deck with stairs). 2. Minimum rear yard setback of 4.57m to an accessory structure (pergola on deck).	APPROVED – April 8, 2021

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).

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 **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on November 3, 2021

Applicant confirmed posting of signage on October 27, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	2010
Deck	TBD

Applicant has advised that they cannot comply with By-law for the following reason(s): The design and the width of the deck requires a variance. We have now the survey of the property. The configuration is different than at first CofA, No stairs. More functional layout.

Committee of Adjustment recommended conditions of approval: None.

Adjournment Request / File Review History: None.

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply:

Order No. 20-000051, Order to Comply for Deck without a permit, Issue Date: Jul 03, 2020

Building Permit No. 20-110685 for Single Detached Dwelling - deck - Alteration, Issue Date: (Not Yet Issued)

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

The Applicant shall be advised that drawings submitted for building permit and minor variance shall match.

Building Inspections (Septic):

No comments received to date.

Development Planning:

Please see Schedule C for Development Planning comments.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A223/21.

Parks Development – Forestry/ Horticulture:

Forestry has no comments at this time

Please note that Forestry comments do not supersede the requirements of other commenting departments/agencies, including Development Planning with respect to the requirement of an Arborist Report and other tree protection requirements. Arborist Reports and other tree protection requirements may be required by other commenting departments to facilitate the review process of your application for the purpose of finalizing recommendations to the Committee of Adjustment.

By-Law and Compliance, Licensing and Permit Services:

No comment no concerns

Development Finance:

No comment no concerns

Fire Department:

No comment no concerns

Schedule A – Plans & Sketches

Schedule B – Public Correspondence None.

Public Correspondence (148 Geshar Crescent) – Letter of Support

Public Correspondence (153 Geshar Crescent) – Letter of Support

Public Correspondence (154 Geshar Crescent) – Letter of Support

Public Correspondence 161 Geshar Crescent) – Letter of Support

Public Correspondence (186 Geshar Crescent) – Letter of Support

Schedule C - Development Planning & Agency Comments

Development Planning Comments – Recommend approval
 Alectra (Formerly PowerStream) – No concerns or objections
 Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

Minor Variance Application A152/20

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 **adjourn** this application the following condition(s) is required: N/A

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: None.

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.

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.

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

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: 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. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video 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 Ontario Land Tribunal (OLT) 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.

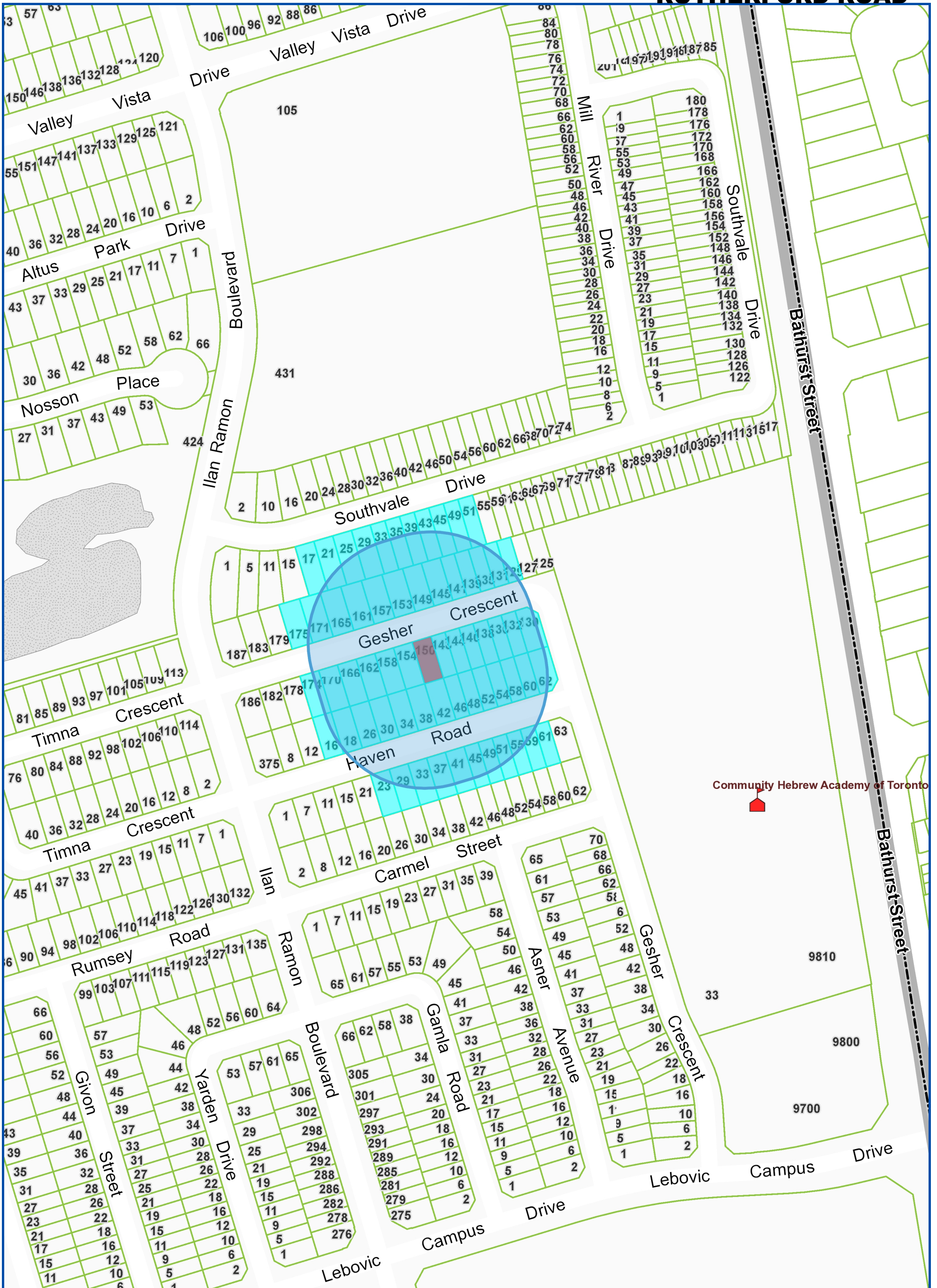
For further information please contact the City of Vaughan, Committee of Adjustment

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

Schedule A: Plans & Sketches

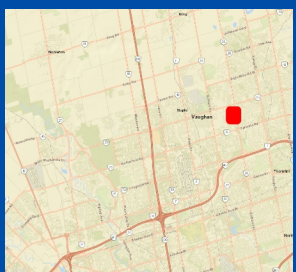
Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Site Plan & Sketches



Community Hebrew Academy of Toronto

Map Information:



Title: **150 GESHER CRESCENT, THORNHILL**

NOTIFICATION MAP - A223/21

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 due to errors or omissions. Please report any discrepancies to Infrastructure Programming.



Scale: 1: 3,051
0 0.05 km



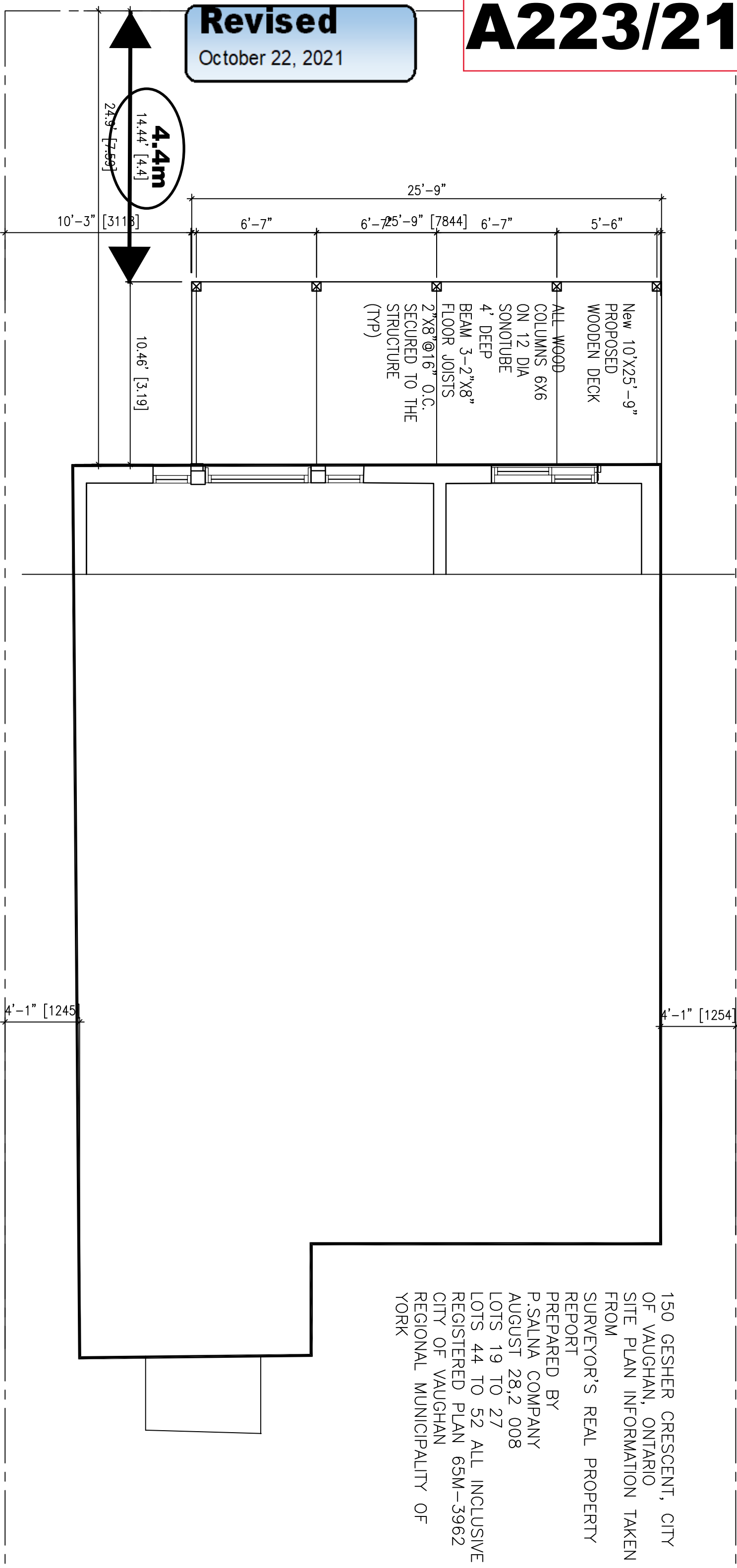
Created By:
Infrastructure Delivery
Department
October 25, 2021 11:29 AM

Projection:
NAD 83
UTM Zone
17N

A223/21

Revised

October 22, 2021



150 GESHER CRESCENT, CITY OF VAUGHAN, ONTARIO
 SITE PLAN INFORMATION TAKEN FROM
 SURVEYOR'S REAL PROPERTY REPORT
 PREPARED BY
 P.SALNA COMPANY
 AUGUST 28,2 008
 LOTS 19 TO 27
 LOTS 44 TO 52 ALL INCLUSIVE
 REGISTERED PLAN 65M-3962
 CITY OF VAUGHAN
 REGIONAL MUNICIPALITY OF YORK

1 DECK AT GROUND FLOOR PLAN

A2 SCALE 3/16" = 1'-0"

NOTES:

1. ALL MEASUREMENTS TO BE VERIFIED AT SITE. IN CASE OF DISCREPANCY, CONTRACTOR TO INFORM THE ARCHITECT IMMEDIATELY.
2. ALL WORK TO BE IN COMPLIANCE WITH THE ONTARIO BUILDING CODE AND AUTHORITIES HAVING JURISDICTION.

NO. DATE

1 1/10/18

REVISIONS

REVISION 1

Daniel Karpinski
 ARCHITECT

157 Ashburnham Park Road Toronto, ON M4C 2A2
 Mobile: (416) 965-5900 Fax: (416) 965-5901
 E-mail: Daniel.Karpinski@synpro.ca

ALL MEASUREMENTS MUST BE CHECKED ON THE JOB BY THE CONTRACTOR. DRAWINGS MUST NOT BE SCALED. ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF SYNPRO AND MUST BE RETURNED AT THE COMPLETION OF THE JOB.

ADDRESS:
 150 GESHER CRESCENT
 VAUGHAN, ONTARIO

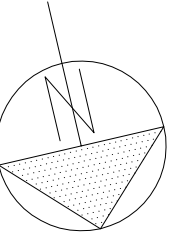
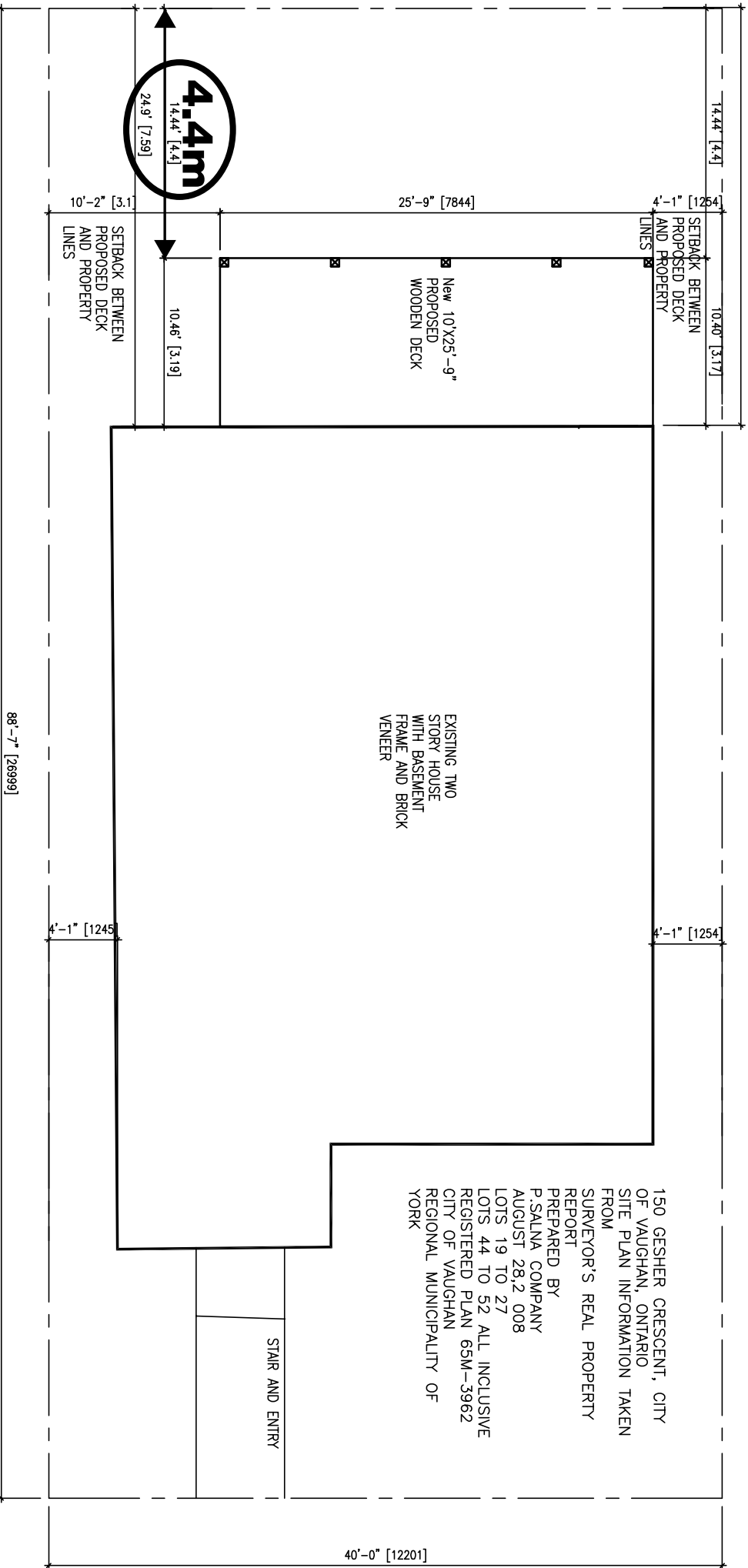
SCALE:
 AS NOTED

DATE:
 JULY 10 2021

A2

Revised

October 22, 2021



1
A01

PROPOSED SITE PLAN

SCALE 1/8" = 1'-0"

NOTES:

1. ALL MEASUREMENTS TO BE VERIFIED AT SITE, IN CASE OF DISCREPANCY, CONTRACTOR TO WORK THE ARCHITECT IMMEDIATELY.
2. ALL WORK TO BE IN COMPLIANCE WITH THE ONTARIO BUILDING CODE AND ALL OTHER APPLICABLE JURISDICTION.

NO.	DATE	REVISIONS

Daniel Karpinski
ARCHITECT

40 COLONIAL PARK ROAD, TORONTO, ON M4E 2M3
PHONE: (416) 966-8006
FAX: (416) 966-8933
www.danielkarpinski.com

ALL REQUIREMENTS MUST BE CHECKED ON THE LOBBY BY ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AT THE COMPLETION OF THE JOB.

ADDRESS:
150 GESHER CRESCENT
VAUGHAN, ONTARIO

SCALE:
AS NOTED

DATE:
AUGUST 21 2018

A01

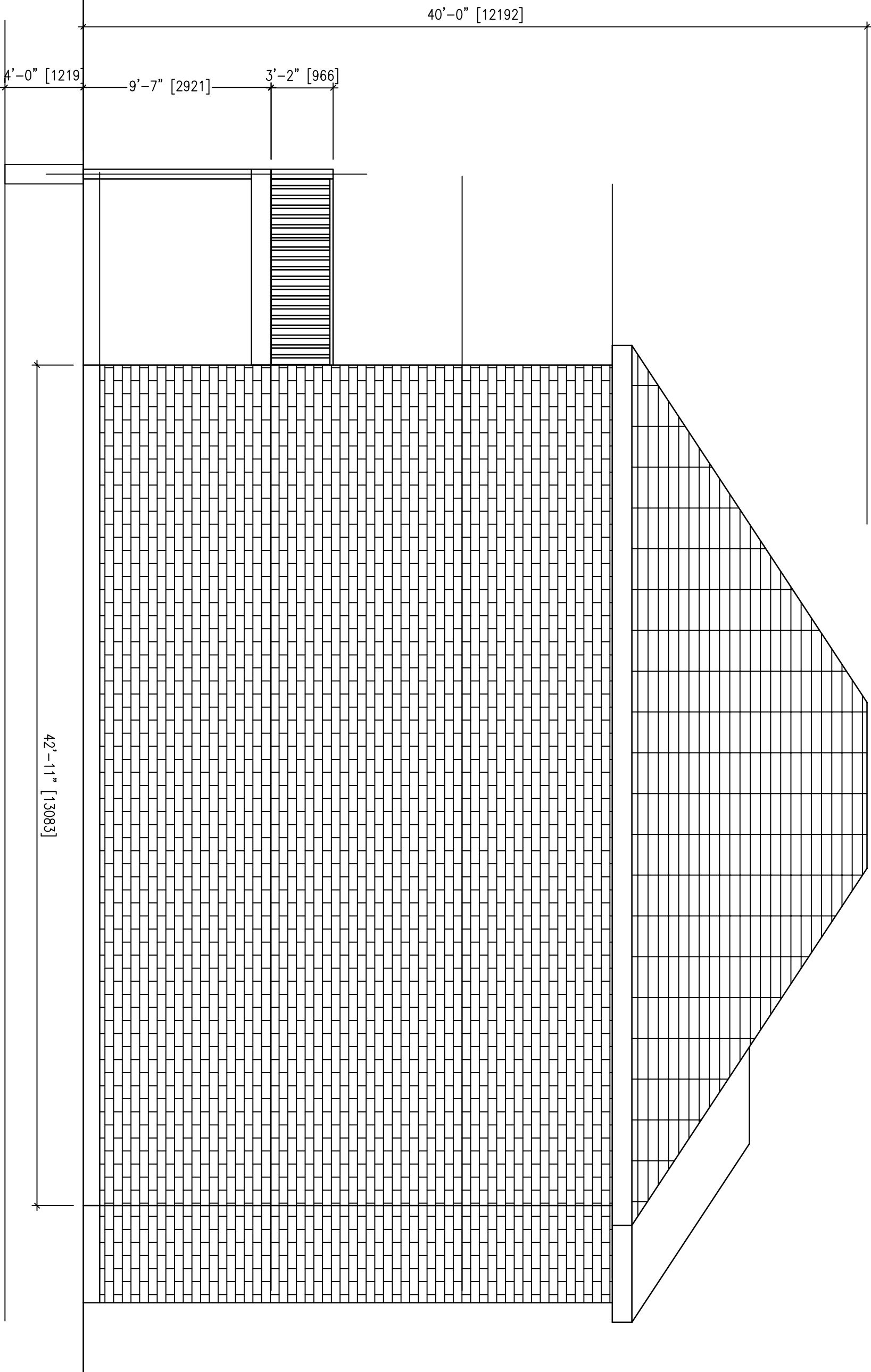
GESHER CRESCENT

SCALE: 1/8" = 1'-0"

A223/21

Revised

October 22, 2021



1
A4

PROPOSED SIDE ELEVATION 2

SCALE 3/16" = 1'-0"

NOTES:
1. ALL MEASUREMENTS TO BE VERIFIED AT SITE. IN CASE OF DISCREPANCY, CONTRACTOR TO INFORM THE ARCHITECT IMMEDIATELY.
2. ALL WORK TO BE IN COMPLIANCE WITH THE ONTARIO BUILDING CODE AND AUTHORITIES HAVING JURISDICTION.

NO.	DATE	REVISIONS

Daniel Karpinski
ARCHITECT
117 Ashburn Park Road Toronto, ON M4C 2A2
Mobile: (416) 965-9900 Fax: (416) 965-7300
E-Mail: Daniel.Karpinski@sympatico.ca

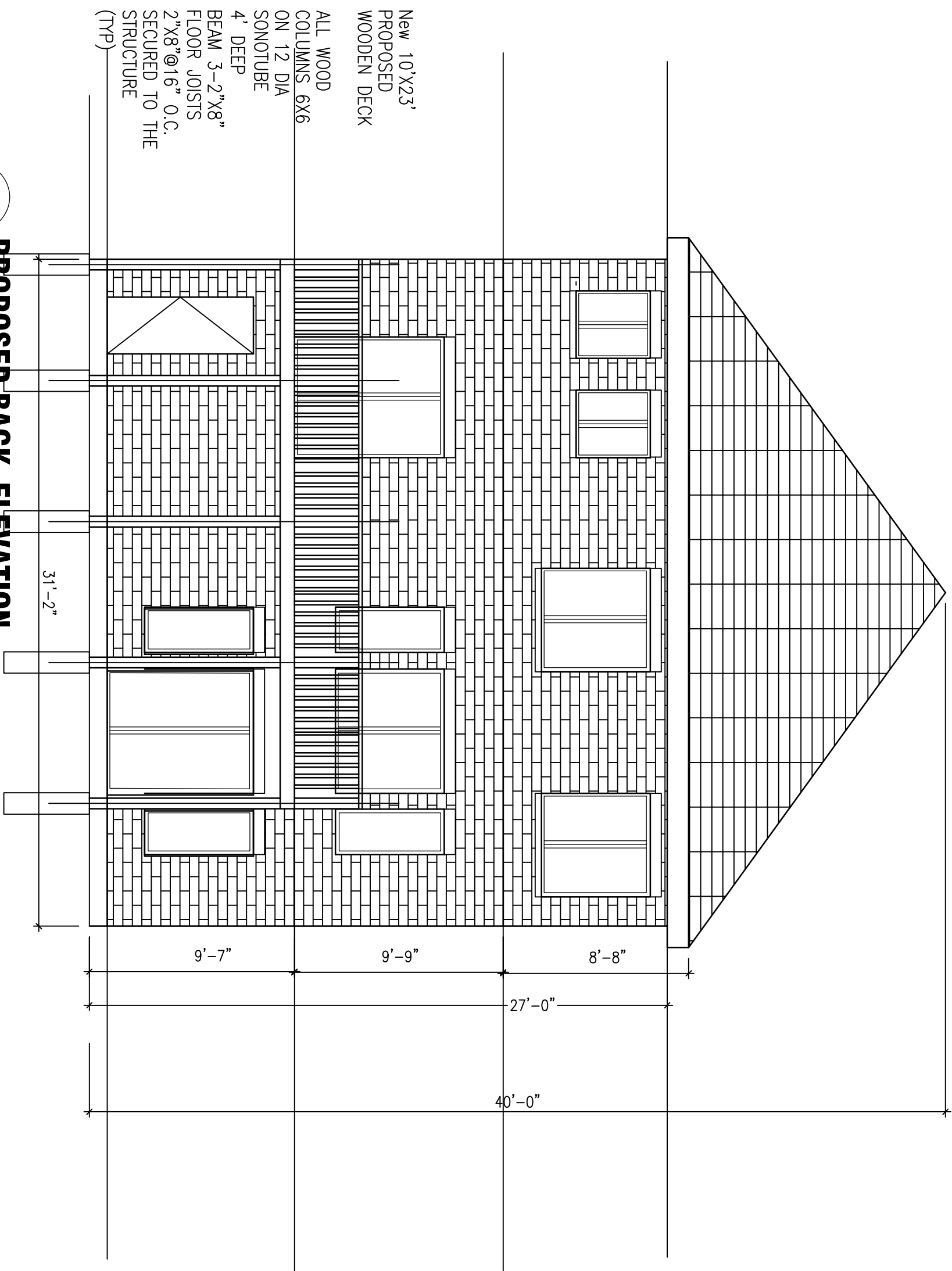
ADDRESS:
150 GERSHER CRESCENT
VAUGHAN, ONTARIO

SCALE:
AS NOTED
DATE:
AUGUST 20 2018

A4

Revised

October 22, 2021



PROPOSED BACK ELEVATION

1
A5

SCALE 3/16" = 1'-0"

NO.	DATE	REVISIONS

NOTES:
 1. ALL MEASUREMENTS TO BE VERIFIED AT SITE. IN CASE OF DISCREPANCY, CONTRACTOR TO INFORM THE ARCHITECT IMMEDIATELY.
 2. ALL WORK TO BE IN COMPLIANCE WITH THE ONTARIO BUILDING CODE AND AUTHORITIES HAVING JURISDICTION.

ALL MEASUREMENTS MUST BE CHECKED ON THE JOB BY THE CONTRACTOR. DRAWINGS MUST NOT BE SCALED. ALL DIMENSIONS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND MUST BE RETURNED AT THE COMPLETION OF THE PROJECT.

Daniel Karpinski
 ARCHITECT

157 Ashburnton Park Road Toronto, ON M4C 2M5
 Phone: (416) 965-5900 Fax: (416) 965-5901
 E-mail: Daniel.Karpinski@sympro.com

ADDRESS: 150 GESHER CRESCENT VAUGHAN, ONTARIO

SCALE: AS NOTED

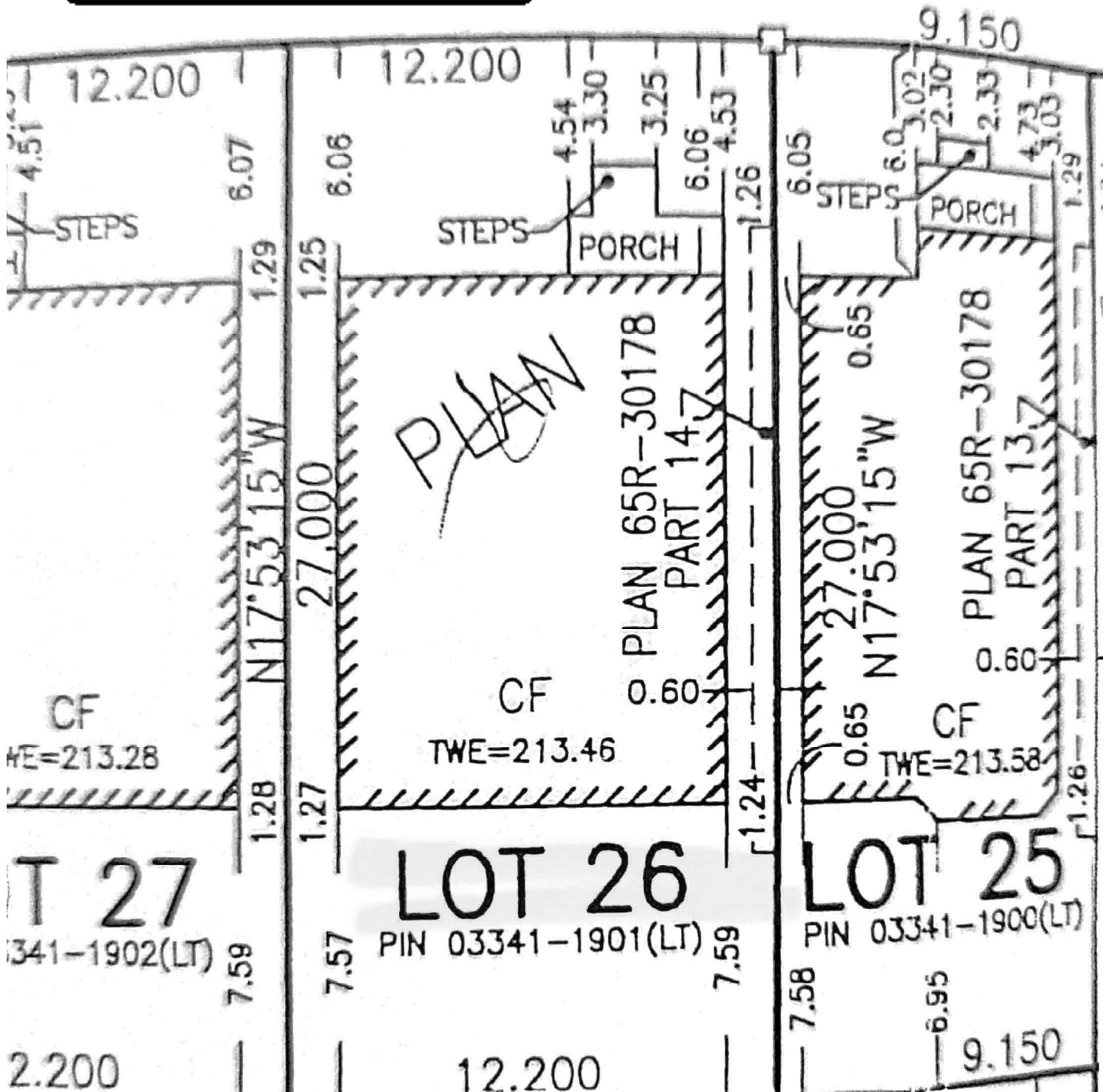
DATE: AUGUST 20 2018

A5

Revised

October 22, 2021

A223/21



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.

Public Correspondence (148 Geshar Crescent) – Letter of Support

Public Correspondence (153 Geshar Crescent) – Letter of Support

Public Correspondence (154 Geshar Crescent) – Letter of Support

Public Correspondence 161 Geshar Crescent) – Letter of Support

Public Correspondence (186 Geshar Crescent) – Letter of Support

November 2, 2021

Letter of Support for Minor variance application city file #A223/21

My name is Olga Olschewki (P.O.A. for Natalia Filicheva, owner of 148 Gesher Cres., Maple, ON, L6A0W9)

I strongly support our neighbors at 150 Gesher Cres., Shay & Mira Glinauer, to perform the construction of the deck in the back yard of their house.

We believe it will look great and we support them 100%.

Thank you!

Olga Olschewski(P.O.A. for Natalia Filicheva)

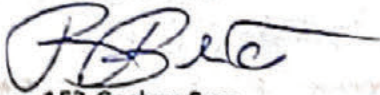
A handwritten signature in black ink, appearing to read 'Olga', with a long horizontal stroke extending to the right.

November 8, 2021

To whom it may concern:

We Rob and Mindy Benchetrit support our neighbours Shay and Mira Glinauer from 150 Gesher Cres. To build the construction of a proposed second floor deck that will be in their backyard. Minor Variance application number A223/21.

Rob Benchetrit



153 Gesher Cres
Maple, ON
L6A 0X2



Subject : letter of support for committee of adjustment application number A223/21

I am the owner of 154 Geshher Cres Maple L6A0X1.

I am happy to support our neighbors Shay and Mira Glinauer on doing the proposed deck located on the rear of their property.

Thank you



ShuiJin Zheng

NOTICE OF SUPPORT FOR

MINOR VARIANCE APPLICATION – A223/21
SECTION 45 OF PLANNING ACT R.S.O 1990,CP13

Monday, November 8, 2021

To: **Mira & Shay Glinauer**
In Support: **150 Gesher Cres | Maple, Ont | L6A0W9**

Please be advised that the undersigned, as a neighbor of residence 150 Gesher Cres, fully support the construction of proposed second floor deck to be located in the rear yard.

This variance result is desirable for the appropriate development and use of the applicants' land or building. In my purview the variance is minor in nature, desirable for the appropriate development.

Signed under seal this Day of Month, Year.

Yours very truly,


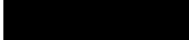


Jeff Cohen
161 Gesher Cres

November 8, 2021

To the attention of :
Vaughan municipality, building permit department

We , Alina And Gil Hellmann the owners of 186 Gesher crescent in Vaughan support our neighbours Shay & Mira Glinauer who are the owners at 150 Gesher Crescent in Vaughan, in their application to build the construction of a proposed second floor deck that will be located in their rear yard, minor Variance Application number A223/21.

Kind regards,
Alina and Gil Hellmann 
186 Gesher cres, Vaughan


Schedule C: Development Planning & 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.-

Development Planning Comments – Recommend approval
Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: November 18, 2021
Name of Owner: Mira and Shay Yehoshua Glinauer
Location: 150 Gesher Crescent
File No.(s): A223/21

Proposed Variance(s):

1. To permit a minimum rear yard setback of 4.4 m to an uncovered deck,

By-Law Requirement(s):

1. A minimum rear yard setback of 5.7 m is required. [Subsection 3.14 c)]

Official Plan:

City of Vaughan Official Plan ("VOP 2010"): "Low-Rise Residential"

Comments:

The Owner is requesting permission to construct a 2nd floor rear yard deck with above noted variance.

The Owners received Committee's approval for minor variance file A152/20 (April 8, 2021) which permitted a rear yard setback of 4.80 m and 4.57 m to an accessory structure (deck with stairs) and pergola respectfully. However, it was later identified that the deck's depth was not accurately represented, causing a discrepancy of 40 cm. The Owner has now redesigned the deck to remove the stairs requiring the above noted variance.

The Development Planning Department does not object to the variance, as the deck's increase in depth is minimal, will not pose any further visual impacts onto the abutting properties, and continues to provide interior side yard setbacks that comply with Zoning By-law 1-88.

The Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Conditions of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

None

Comments Prepared by:

Roberto Simbana, Planner I
Christopher Cosentino, Senior Planner



Discover the possibilities

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 & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

Lenore Providence

Subject: FW: Request for Comments: A223/21- (150 Gesher Crescent, Thornhill)

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

Sent: November-02-21 3:01 PM

To: Lenore Providence <Lenore.Providence@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: Request for Comments: A223/21- (150 Gesher Crescent, Thornhill)

Good afternoon Lenore,

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

Gabrielle

Gabrielle Hurst mcip rpp | Community Planning and Development Services | The Regional Municipality of York | 1-877
464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca

Schedule D: Previous Approvals (Notice of Decision)

Minor Variance Application A152/20

NOTICE OF DECISION
Minor Variance Application A152/20
 Section 45 of the Planning Act, R.S.O, 1990, c.P.13

Date of Hearing: Thursday, April 8, 2021
Applicant: Mira & Shay Yehoshua Glinauer
Agent: Albert Yerushalmi
Property: **150 Gesher Cr Maple**
Zoning: The subject lands are zoned RD3, Residential and subject to the provisions of Exception 9(1244) under By-law 1-88 as amended.
OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential"
Related Files: None
Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed deck and pergola at the rear of the existing 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 rear yard setback of 5.7 metres is required to an accessory structure (deck with stairs).	1. To permit a minimum rear yard setback of 4.80 metres to an accessory structure (deck with stairs).
2. A minimum rear yard setback of 7.5 metres is required to an accessory structure (pergola on deck).	2. To permit a minimum rear yard setback of 4.57 metres to an accessory structure (pergola on deck).

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. A152/20 on behalf of Mira & Shay Yehoshua Glinauer 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.

Please Note:

It is the responsibility of the owner/applicant and/or authorized agent to address any condition(s) of approval noted in this decision to the satisfaction of the commenting department or agency. Once conditions have been satisfied, the Secretary Treasurer will be in a position to issue a clearance letter which is required prior to the issuance of a Building Permit.

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 , April 08, 2021 meeting for submission details.
None	Name: Sooyoun Kim Address: 42 Haven Road

Late Written Public Submissions: N/A

Public written submissions on an Application shall only be received by the Secretary Treasurer until **noon** on the last business day prior to the day of the scheduled Meeting.

MEMBERS PRESENT WHO CONCUR IN THIS DECISION:

<i>Hao Zheng</i>	<i>Assunta Perrella</i>	<i>Robert Buckler</i>
H. Zheng Member	A. Perrella Chair	R. Buckler Member
<i>Steve Kerwin</i>		<i>Adolfo Antinucci</i>
S. Kerwin Vice Chair		A. Antinucci Member

DATE OF HEARING:	April 8, 2021
DATE OF NOTICE:	April 16, 2021
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.	April 28, 2021 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. <div align="center"><i>Christine Vigneault</i></div> <hr/> Christine Vigneault, AMP, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

*Electronic signatures have been used to process this decision as approved by the Committee of Adjustment at the May 28, 2020 hearing.

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*.

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.

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time. Please mail or courier appeals and prescribed fees to:

Office of the City Clerk - Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan Ontario, L6A 1T1

If you have questions regarding the appeal process, please email cofa@vaughan.ca

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$400 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”. Appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by contacting our office at 905-832-8585 Ext. 8332 or cofa@vaughan.ca

City of Vaughan LPAT Processing Fee: \$866.00 per application

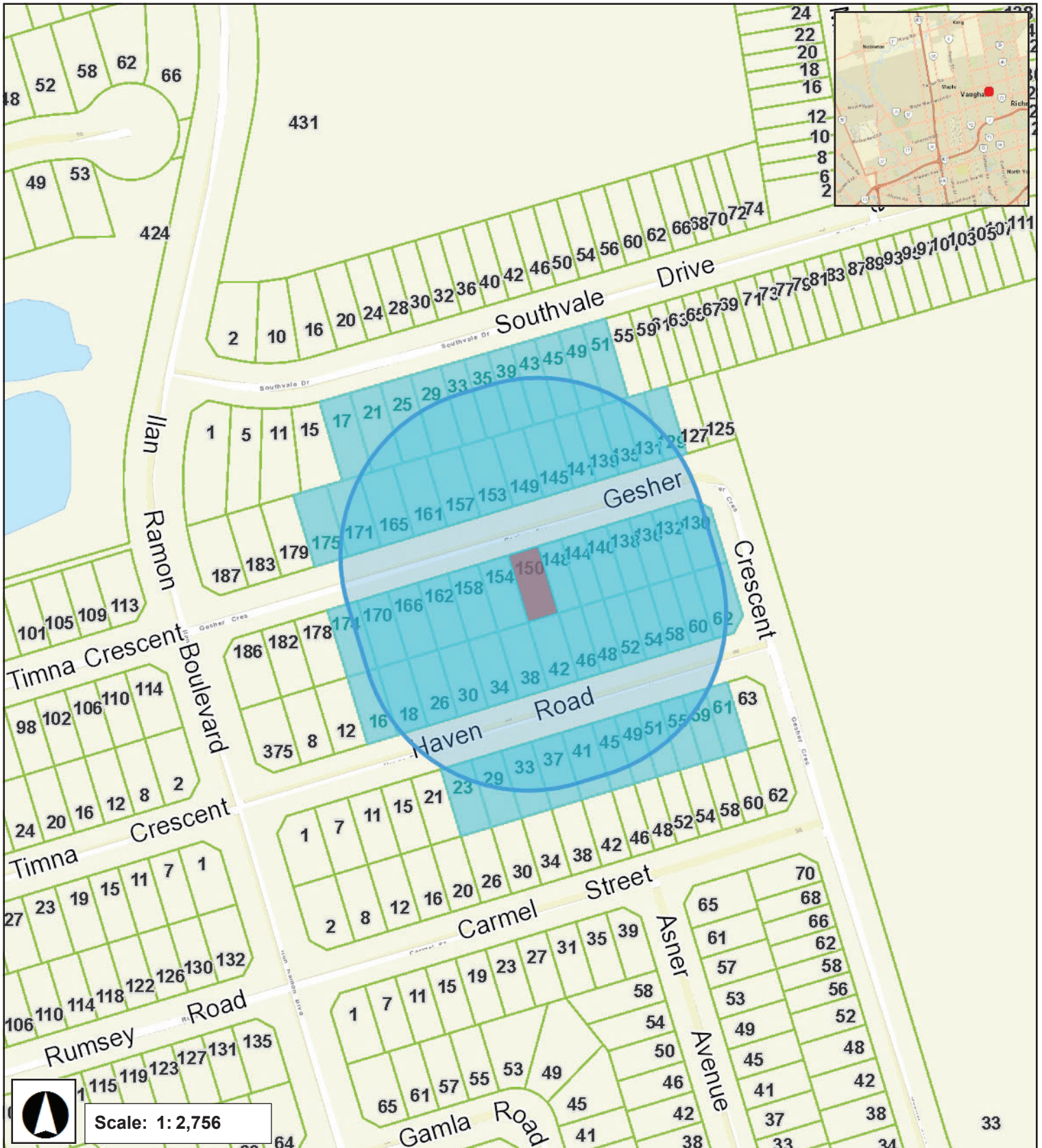
*Please note that all fees are subject to change.



LOCATION MAP - A152/20

150 GESHER CRESCENT, MAPLE

Major Mackenzie Drive



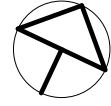
Rutherford Road

March 23, 2021 2:30 PM

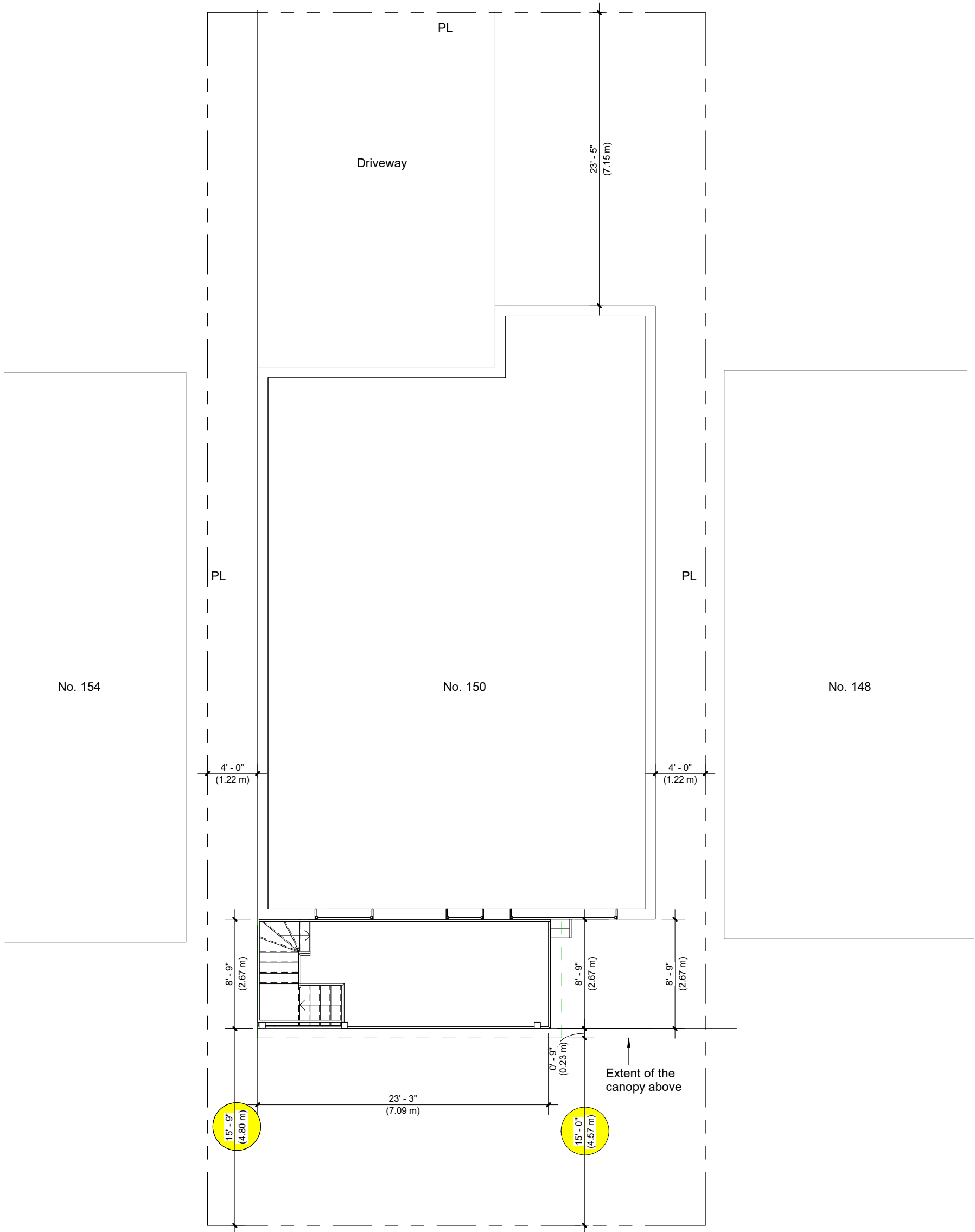
REVISED MARCH 29, 2021

Width of deck revised from original proposal to address staff comments.

A152/20



Gesher Cres.



① Site/Grade
1 : 100

Drawn By		Date	Revisio
		18.2.2021	Deck width reduced. Stairs moved back.
Checked By	AY		
Project issue Date	5.12.2020		

Contractor to check and verify all dimensions and conditions on the job and report discrepancies to the designer before proceeding with the works. This drawing is the property of "Eden Engineering & Design" and any use of it should have the designer consent. Drawings are not to be scaled



Eden Engineering & Design Inc.
Consulting Engineers

34 Pheasant Valley Ct.
Markham, ON L3T2H1
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Fax : 905-248-3595
E-mail : info@edenengineering.ca

150 Gesher Cres.
Maple, ON.

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