

MINUTES OF THE MAY 9, 2013 MEETING

The Minutes of the 8th Meeting of the
Vaughan Committee of Adjustment
for the year 2013
THURSDAY, MAY 9, 2013

6:00 p.m.

Present at the meeting were:

J. Cesario – Chair
A. Perrella – Vice Chair
H. Zheng

Members of Staff present:

Todd Coles, Secretary-Treasurer
Pravina Attwala, Assistant to the Secretary-Treasurer
Mark Antoine, Planner
Greg Seganfreddo, Plans Examiner

INTRODUCTION OF ADDENDUM REPORTS

MOVED by H. Zheng
Seconded by A. Perrella

That the addendum reports be incorporated into the minutes and be on view at the back of the room in the Report Book.

CARRIED.

DISCLOSURE OF PECUNIARY INTEREST

None.

ADOPTION OR CORRECTION OF MINUTES

MOVED by H. Zheng
Seconded by A. Perrella

THAT the minutes of the Committee of Adjustment Meeting of **Thursday, April 25, 2013**, be adopted as circulated.

CARRIED.

ADJOURNMENTS AND/OR DEFERRALS

On May 6, 2013 an email was received from Alan Young, Weston Consulting, the agent, requesting that items 6 and 7 **File Nos. B006/13, and A121/13 MONICA MURAD be ADJOURNED to the May 23, 2013 meeting** to allow time to obtain a Heritage Vaughan permit as recommended by the Development Planning Department.

That item 11 **File No. A089/13 FAUZIA KHAN be ADJOURNED SINE DIE.**

On May 8, 2013 an email was received from Iwona Villano, the applicant, requesting that item 29, **File No. A014/13, IWONA VILLANO be adjourned to the June 20, 2013 meeting** to allow them time to address Development Planning and Engineering Department comments.

That item 33, **File No. A104/13, ANTHONY ALONZI be ADJOURNED to the May 23, 2013 meeting** to allow for recirculation of a new notice.

MOVED by A. Perrella
Seconded by H. Zheng

That items 6 and 7 **File Nos. B006/13, and A121/13 MONICA MURAD be ADJOURNED to the May 23, 2013 meeting.**

That item 11 **File No. A089/13 FAUZIA KHAN be ADJOURNED SINE DIE.**

That item 29, **File No. A014/13, IWONA VILLANO be adjourned to the June 20, 2013 meeting.**

That item 33, **File No. A104/13, ANTHONY ALONZI be ADJOURNED to the May 23, 2013 meeting**

CARRIED.

MOVED by A. Perrella
Seconded by H. Zheng

That items 14 and 31, **File Nos. A098/13 and A097/13, MOSAIK PINEWEST INC. C/O GOFFREDO VITULLO** be heard consecutively.

CARRIED.

ADMINISTRATIVE CORRECTIONS

None.

Consent and Minor Variance Public Hearings:

Items # 1 - 3

FILE NUMBER: B010/13, A115/13 & A116/13

APPLICANT: DI POCE LANDCORP (#27) INC.

PROPERTY: Part of Lot 34, Concession 9 (Municipally known as 11960 Highway 27, Kleinburg)

ZONING: The subject lands are zoned A, Agricultural and OS1, Open Space Conservation subject under By-law 1-88 as amended.

PURPOSE: The purpose of this application is to request the consent of the Committee of Adjustment to convey the parcel of land for the CREATION of a NEW LOT, for institutional purposes, together with all required easements and right-of-ways, if required, and retain land for institutional purposes.

PURPOSE: (A115/13) To facilitate the severance of the total lands. This variance pertains to the subject lands.
(A116/13) To facilitate the severance of the total lands. This variance pertains to the retained lands.

PROPOSAL:	<u>A115/13</u> To permit a minimum lot area of 4.09 ha.	<u>A116/13</u> To permit a minimum lot frontage of 35.14 metres.
BY-LAW REQUIREMENT:	A minimum lot area of 10 ha is required.	A minimum lot frontage of 100 metres is required.

Leo Mastrandrea, the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

Committee suggested and it was agreed to adjourn the application to allow the applicant time to address TRCA concerns.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application Nos. **B010/13, A115/13 & A116/13 DI POCE LANDCORP (#27) INC.**, be **ADJOURNED** to the June 20, 2013 meeting to allow the applicant time to address TRCA concerns.

CARRIED.

Minor Variance Public Hearings:

Item # 4

FILE NUMBER: A091/13

APPLICANT: ROSA DASILVA

PROPERTY: Part of Lot 15, Concession 8 (Lot 19, of Registered Plan 65M-3067, municipally know 155 Gidleigh Park Crescent, Woodbridge).

ZONING: The subject lands are zoned R2, Residential Zone under By-law 1-88 as amended.

PURPOSE: To permit the construction of a proposed accessory structure (Cabana).

Minor Variance Public Hearings Cont'd

Item # 4 Cont'd

FILE NUMBER: A091/13

APPLICANT: ROSA DASILVA

- PROPOSAL:**
1. To maintain a cabana partially located in an interior side yard.
 2. To maintain a minimum interior side yard setback of 0.9m to cabana.
 3. To maintain 3.0m maximum cabana height.
 4. To maintain 19m² maximum cabana floor area.
 5. To maintain a minimum 1.1m setback to air conditioner.
 6. To maintain a maximum curb cut of 9.35m.
 7. To maintain a maximum 9.35m width for the portion of the driveway between the street line and street curb.
 8. To maintain a maximum driveway width of 9.35m.
 9. To maintain a minimum landscaped front yard of 79.18m² (45%).

- BY-LAW REQUIREMENT:**
1. An accessory building shall be located in the rear yard.
 2. Minimum 1.2m interior yard setback to cabana.
 3. Maximum 2.5m cabana height.
 4. Maximum cabana floor area of 10m²
 5. Minimum 1.2m setback to air conditioner.
 6. Maximum curb cut of 6m.
 7. Maximum width of 6m for the portion of the driveway between the street line and street curb.
 8. Maximum driveway width of 9m.
 9. Minimum 87.98 m² (50%) landscaped front yard.

Steve Dasilva, the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A091/13, ROSA DASILVA**, be **APPROVED**, in accordance with the attached sketches.

CARRIED.

Item # 5

FILE NUMBER: A093/13

APPLICANT: MARIE HALPERN

PROPERTY: Part of Lot 27, Concession 1 (Lot 48, of Registered Plan 65M-2941, municipally known as 160 Theodore Place, Thornhill).

ZONING: The subject lands are zoned R3, Residential, under By-law 1-88 subject to Exception 9(468) as amended.

PURPOSE: To permit the maintenance of an existing deck at the rear of the existing two-storey single family detached dwelling with the garage attached.

- PROPOSAL:**
1. Minimum rear yard setback to deck = 5.0m
 2. Minimum rear yard setback to deck stairs = 4.4m

- BY-LAW REQUIREMENT:**
1. Minimum rear yard setback to deck = 5.7m.
 2. Minimum rear yard setback to deck stairs = 5.7m

Marie Halpern, the applicant appeared on her own behalf.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

Minor Variance Public Hearings Cont'd

Item # 5 Cont'd

FILE NUMBER: A093/13

APPLICANT: MARIE HALPERN

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A093/13, MARIE HALPERN**, be **APPROVED**, in accordance with the attached sketches.

CARRIED.

Item # 6

FILE NUMBER: A098/13

APPLICANT: MOSAIK PINEWEST INC.

PROPERTY: Part of Lot 23, Concession 6 (Lot 50, Registered Plan No. 65M-4355 municipally known as 211 Cannes Ave, Woodbridge)

ZONING: The subject lands are zoned RD3, Residential Detached Zone Three under By-law 1-88 as amended.

PURPOSE: To permit the construction of a two-storey detached family dwelling, as follows:

PROPOSAL: To permit a rear yard setback of 7.04 metres to the dwelling.

BY-LAW REQUIREMENT: A minimum rear yard setback of 7.50 is permitted.

Robert Vitullo, the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by H. Zheng
Seconded by A. Perrella

THAT Application No. **A098/13, MOSAIK PINEWEST INC. C/O GOFFREDO VITULLO**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Previously adjourned from the April 25, 2013 meeting

Item # 7

FILE NUMBER: A097/13

APPLICANT: MOSAIK PINEWEST INC. C/O GOFFREDO VITULLO

PROPERTY: Lot 22, Concession 6 (Lot 75, Registered Plan No. 65M-4355 municipally known as 212 Headwind Blvd, Woodbridge)

ZONING: The subject lands are zoned RD3, Residential Detached Zone Three under By-law 1-88 as amended.

PURPOSE: To permit the construction of a two-storey detached family dwelling.

PROPOSAL: To permit an exterior side yard setback of 3.84 metres to the dwelling.

BY-LAW REQUIREMENT: A minimum exterior side yard setback of 4.5 metres is permitted.

Minor Variance Public Hearings Cont'd

Item # 7 Cont'd

FILE NUMBER: A097/13

APPLICANT: MOSAIK PINEWEST INC. C/O GOFFREDO VITULLO

Robert Vitullo, the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by H. Zheng
Seconded by A. Perrella

THAT Application No. **A097/13, MOSAIK PINEWEST INC. C/O GOFFREDO VITULLO**, be **APPROVED**, in accordance with the attached sketches.

CARRIED.

Item # 8

FILE NUMBER: A109/13

APPLICANT: ATEF and HALA DEMIAN

PROPERTY: Part of Lot 34, Concession 1 (Lot 117, Registered Plan No. M681 municipally known as 19 Vistaview Blvd, Thornhill)

ZONING: The subject lands are zoned R1V, Old Village Residential, under By-law 1-88 as amended.

PRIOR to the hearing the applicant amended the Sketch as follows:

By amending variance #1 maximum lot coverage = 26.0%
NOT 29%

PURPOSE: To permit the construction of a single family dwelling (Bungalow) with a loft, as follows:

PROPOSAL: 1. Maximum Lot Coverage = 26.0%

BY-LAW REQUIREMENT: 1. Maximum Lot Coverage = 23%

Robert Santo, the agent appeared on behalf of the applicant and gave a brief submission regarding the request. Mr. Santo advised the house will be redesigned to reduce lot coverage to 27.9% and still maintain adequate living space for the elderly owners of the house.

Gabor Sos, 17 Vistaview Blvd., Thornhill Ontario L4J 2A5 appeared in opposition advising that the garage is too close to his property.

No one else appeared before the Committee in support of or in opposition to the request.

A request for decision was received from Gabor Sos, 17 Vistaview Blvd., Thornhill Ontario L4J 2A5

During discussions between the Committee, Mr. Santo and the Development Planning Department staff, it was suggested and agreed to reduce the lot coverage to 26% as per the Development Planning Department comments.

The Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A109/13, ATEF and HALA DEMIAN**, be **APPROVED AS AMENDED**, in accordance with the attached sketch.

CARRIED.

Item # 9

- FILE NUMBER:** A110/13
- APPLICANT:** ANTONIO and ROSA CASTELLUZZO
- PROPERTY:** Part of Lot 18, Concession 8 (being Part of Lot 46, Plan 65M3475, Part 9 on Plan 65R-24436) municipally known as 34 Fonteselva Avenue, Woodbridge.
- ZONING:** The subject lands are zoned RV4 , Residential Village Zone Four and subject to the provisions of Exception 9(988) under By-law 1-88 as amended.
- PURPOSE:** To permit the maintenance of an existing rear yard deck and A/C unit.
- PROPOSAL:**
1. To permit a rear yard setback of 4.21 metres to the deck.
 2. To permit an interior side yard setback of 0.0 metres to the deck.
 3. To permit an interior side yard setback of 1.1 metres to the air conditioning unit.
- BY-LAW REQUIREMENT:**
1. A minimum rear yard setback of 5.7 metres is permitted to the deck.
 2. A minimum interior side yard setback of 1.2 metres is permitted to the deck.
 3. A minimum interior side yard setback of 1.2 metres is permitted to the air conditioning unit.

Antonino Castelluzzo, the applicant appeared on his own behalf and gave a brief submission regarding the request and presented photographs of the property and the location of the deck, at the request of the Committee.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A110/13, ANTONINO and ROSA CASTELLUZZO**, be **APPROVED**, in accordance with the attached sketches.

CARRIED.

Item # 10

- FILE NUMBER:** A111/13
- APPLICANT:** CONCETTINA MAIORANO
- PROPERTY:** Part of Lot 25, Concession 4, (Lot 21, Registered Plan 65M-3174, municipally known as 136 Colombo Crescent, Maple).
- ZONING:** The subject lands are zoned R4, Residential Zone Four and subject to the provisions of Exception 9(971) under By-law 1-88 as amended.
- PURPOSE:** **To permit the maintenance of an existing sun roof (covered porch)**, at the rear of an existing two-storey single family detached dwelling.
- PROPOSAL:**
1. To permit a lot coverage of 49.8% (40.4% for the dwelling, 9.40% for covered porch).
 2. To permit a rear yard setback of 3.64 metres to the covered porch.
- BY-LAW REQUIREMENT:**
1. A maximum lot coverage of 40% is permitted.
 2. A minimum rear yard setback of 8.5 metres is permitted.
- BACKGROUND INFORMATION:** Other Planning Act Applications
The land which is the subject in this application was also the subject of another application under the Planning Act:
- MINOR VARIANCE APPLICATION:**
A076/12 **REFUSED as amended** - May 31, 2012 (lot coverage= 49.79% (40.4% dwelling, 9.39% addition) and rear yard setback of 3.64m to addition).

Concettina Maiorano, the applicant appeared on her own behalf and gave a brief submission regarding the request.

Minor Variance Public Hearings Cont'd

Item # 10 Cont'd

FILE NUMBER: A111/13

APPLICANT: CONCETTINA MAIORANO

Lou Stea, 38 Vespucci Drive, Maple, Ontario L6A 2T9 appeared in opposition to the request and raised concerns respecting the height of the structure and the devaluation of his property.

No one else appeared before the Committee in support of or in opposition to the request.

A request for decision was received from Lou Stea, 38 Vespucci Drive, Maple, Ontario L6A 2T9..

Lengthy discussions ensued between Ms. Maiorano and the Committee due to the minor reduction made respecting lot coverage. Ms. Maiorano was requested to provide a greater percentage reduction in lot coverage in order to meet Development Planning Department's requirements.

Ms. Maiorano left the Committee Room prior to a motion being rendered.

The Committee is of the opinion that the variances sought cannot be considered minor and are not desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will not be maintained.

MOVED by H. Zheng
Seconded by A. Perrella

THAT Application No. **A111/13, CONCETTINA MAIORANO** be **REFUSED**.

CARRIED.

Item # 11

FILE NUMBER: A112/13

APPLICANT: BRUNA DI IORIO

PROPERTY: Part of Lot,30 Concession 1 (Lot 10, Registered Plan No. 4061 municipally known as 122 Brooke Street, Thornhill)

ZONING: The subject lands are zoned R1V, Old Village Residential, under By-law 1-88 subject to Exception 9(662) as amended.

PURPOSE: **To permit the construction of a two-storey detached family dwelling, as follows:**

PROPOSAL:

1. Maximum Lot Coverage = 24%
2. Interior Side Yards = Minimum Southerly Side Yard of 2.0m having a total of both side yards of 5.33m.

BY-LAW REQUIREMENT:

1. Maximum Lot Coverage of a 2-Storey structure = 20%
2. Minimum interior side yard shall be 2.5m, provided the total of both side yards shall be not less than 6.0m.

BACKGROUND INFORMATION: Other Planning Act Applications

The land which is the subject in this application was also the subject of another application under the Planning Act:

Minor Variance Applications:

A154/08 - Approved July 3, 2008 - Lot coverage 23.92%, height 11.0m, interior side yard 2.0m for a two storey single family dwelling.

A264/07 – Approved as Amended Sept. 6/07 – Lot coverage 24% for a one storey dwelling.

A302/03 – Approved as Amended Dec. 11/03 – Lot coverage 24% for a two storey dwelling, Min. side yard for both yard 2.0m, Min. Total for both side yard 4.0m.

Alex Di Iorio, the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

Minor Variance Public Hearings Cont'd

Item # 11 Cont'd

FILE NUMBER: A112/13

APPLICANT: BRUNA DI IORIO

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A112/13, BRUNA DI IORIO**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 12

FILE NUMBER: A113/13

APPLICANT: RANA ROSEN

PROPERTY: Part of Lot 17, Concession 2 (Lot 5, Registered Plan No. 65M-4089 municipally known as 30 Woodchuck Court, Maple)

ZONING: The subject lands are zoned RD3, Residential Detached Zone 3 and subject to the provisions of Exception 9(1264) under By-law 1-88 as amended.

PURPOSE: To permit the maintenance of a two-storey detached family dwelling.

PROPOSAL: 1. To permit 0.6m minimum interior side yard setback to pool equipment.
2. To permit 0.6m minimum interior side yard setback to central air conditioning unit.

BY-LAW REQUIREMENT: 1. Minimum 1.2m interior side yard setback to pool equipment.
2. Minimum 1.2m interior side yard setback to central air conditioning unit.

Rana Rosen's spouse appeared before the Committee on her behalf.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A113/13, RANA ROSEN**, be **APPROVED**, in accordance with the attached sketches.

CARRIED.

Item # 13

FILE NUMBER: A114/13

APPLICANT: ADINA RICA WARD & RICHARD WARD

PROPERTY: Part of Lot 29, Concession 1, (Lot 96, Registered Plan M-2008, municipally known as 20 Bevshire Circle Thornhill).

ZONING: The subject lands are zoned R3, Residential Zone and subject to the provisions of Exception 9(471) under By-law 1-88 as amended.

PURPOSE: **To permit the construction of a proposed deck and pergola** at the rear of an existing two-storey single family detached dwelling with the garage attached.

PROPOSAL: 1. To permit 4.3m minimum rear yard setback to deck.

Minor Variance Public Hearings Cont'd

Item # 13 Cont'd

FILE NUMBER: A114/13

APPLICANT: ADINA RICA WARD & RICHARD WARD

BY-LAW REQUIREMENT: 1. Minimum 5.7m rear yard setback to deck.

Richard Ward, the applicant appeared on his own behalf.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A114/13, ADINA RICA WARD & RICHARD WARD**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 14

FILE NUMBER: A117/13

APPLICANT: DINO and PIA MOLELLA

PROPERTY: Part of Lot 27, Concession 3 (Lot 37, Registered Plan No. 65M-4160 municipally known as 11 Germana Place, Maple)

ZONING: The subject lands are zoned R1, Residential, subject to Exception 9(1306), under By-law 1-88, as amended.

PURPOSE: To permit the construction of a cabana at the rear of an existing single family dwelling, as follows:

PROPOSAL:

1. To permit a cabana with a maximum area of 44.6 m².
2. To permit a cabana with a minimum rear yard setback of 3.9 m
3. To permit a cabana with a maximum height of 4.27 m.
4. To permit a maximum lot coverage of 39.03% (dwelling =34.07% cabana = 4.96%).

BY-LAW REQUIREMENT:

1. A maximum area of 10 m² is permitted for a cabana at this location.
2. A minimum rear yard setback of 7.5 m is required.
3. A maximum height of 2.5 m is permitted.
4. A maximum lot coverage of 35% is permitted.

Dino Molella, the applicant appeared on his own behalf.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A117/13, DINO and PIA MOLELLA**, be **APPROVED**, in accordance with the attached sketch and subject to the following conditions:

1. That the Owner installs landscape screening along the rear lot line to the satisfaction of the Development Planning Department.
2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.**(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

CARRIED.

Item # 15

- FILE NUMBER:** A118/13
- APPLICANT:** ROSE TSANG
- PROPERTY:** Part of Lot 27, Concession 3 (Lot 12 on Registered Plan 65M-3821, municipally known as 26 Mapledown Way, Maple).
- ZONING:** The subject lands are zoned R1, Residential, subject to Exception 9(1107), under By-law 1-88, as amended.
- PURPOSE:** To permit the construction of a rear yard covered terrace.
- PROPOSAL:** 1. To permit a maximum lot coverage of 29.72% (dwelling = 24.9% covered terrace = 4.73%).
- BY-LAW REQUIREMENT:** 1. A maximum lot coverage of 28% is permitted

Marco Alberga, the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A118/13, ROSE TSANG**, be **APPROVED**, in accordance with the attached sketches.

CARRIED.

Item # 16

- FILE NUMBER:** A119/13
- APPLICANT:** TORONTO AND REGION CONSERVATION AUTHORITY
- PROPERTY:** Part of lots 16-20, Concession 7, municipally known as 9550 Pine Valley Drive, Woodbridge.
- ZONING:** The subject lands are zoned A, Agricultural, OS1, Open Space Conservation and OS2, Open Space Park zones under By-Law 1-88 as amended.
- PURPOSE:** To permit a Banquet Hall use, within the existing two-storey Kortright Centre.
- PROPOSAL:** 1) Banquet Hall use.
- BY-LAW REQUIREMENT:** 1) Not a permitted use.
- BACKGROUND INFORMATION:** Other Planning Act Applications
The land which is the subject in this application was also the subject of another application under the Planning Act:
- Consent Application:**
B024/02 - APPROVED - May 9/02 (To grant a lease to The Earth Rangers Foundation)

June Little, Toronto & Region Conservation Authority, the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A119/13, TORONTO AND REGION CONSERVATION AUTHORITY**, be **APPROVED**, in accordance with the attached sketches.

CARRIED.

Item # 17

- FILE NUMBER:** A120/13
- APPLICANT:** FRANCO and ANGELA CONFORTI
- PROPERTY:** Part of Lot 22, Concession 6 (Lot 33, Registered Plan No. 65M-2943 municipally known as 62 Inverness Close, Maple)
- ZONING:** The subject lands are zoned R3, Residential, subject to Exception 9(840), under By-law 1-88, as amended.
- PURPOSE:** To permit the construction of an addition to the main floor to an existing two-storey detached family dwelling, as follows:
- PROPOSAL:** 1. To permit a minimum rear yard setback of 7.5 m.
- BY-LAW REQUIREMENT:** 1. A minimum rear yard setback of 9.0 m is required.

Franco Conforti, the applicant appeared on his own behalf.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variance sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A120/13, FRANCO and ANGELA CONFORTI**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 18

- FILE NUMBER:** A122/13
- APPLICANT:** MICHAEL & LINDA YEAMANS
- PROPERTY:** Part of Lot 29, Concession 3, (Lot 75, Registered Plan No. 65M-3878, municipally known as 119 Canyon Gate Crescent, Maple).
- ZONING:** The subject lands are zoned RD4, Residential, subject to Exception 9(947), under By-law 1-88, as amended.
- PURPOSE:** To permit the construction of a swimming pool related to a single family dwelling, as follows:
- PROPOSAL:**
1. To permit a minimum interior side yard setback of 5.77 m to an inground swimming pool.
 2. To permit the maintenance of a shed in the interior side yard.
 3. To permit the maintenance of a shed with a minimum interior sideyard setback of 0.81m and 0.71 m to the eave.
- BY-LAW REQUIREMENT:**
1. A minimum interior side yard setback of 10 m is required from the Trans Canada Pipeline easement for all structures above or below grade.
 2. A shed must be located in the rear yard.
 3. A minimum interior side yard setback of 10 m is required from the Trans Canada Pipeline easement for all structures above or below grade.

Michael and Linda Yeamans the applicants appeared on their own behalf. Mr. Yeamans submitted a letter he received from Trans Canada Pipelines stating no objection to the location of shed. After reviewing the letter Development Planning Department staff verbally changed their comments to support variance numbers 2 and 3.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

Minor Variance Public Hearings Cont'd

Item # 18 Cont'd

FILE NUMBER: A122/13

APPLICANT: MICHAEL & LINDA YEAMANS

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A122/13, MICHAEL & LINDA YEAMANS**, be **APPROVED**, in accordance with the attached sketches and subject to the following conditions:

1. That permission from TransCanada Pipelines must be obtained prior to permit issuance, if required, to the satisfaction of the Building Standards Department.
2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

CARRIED.

Item # 19

FILE NUMBER: A123/13

APPLICANT: 1668872 ONTARIO INC. c/o ROYAL PINE HOMES

PROPERTY: Part of Lots 19 and 20, Concession 6 (municipally known as 9909 and 9939 Pine Valley Drive, Woodbridge)

ZONING: The subject lands are zoned RA2 (H), Apartment Residential Zone with a "Holding" provision and OS1, Open Space Conservation Zone all subject to the provisions of Exception Number 9(1374) under By-Law 1-88 as amended.

PURPOSE: To permit the construction of a 6-storey apartment dwelling with 98 units and 172 parking spaces.

- PROPOSAL:
- 1) To permit loading and unloading between a building and a street.
 - 2) To permit a minimum landscape strip not in accordance with Schedule E-1502 (location of driveways).
 - 3) To permit an exterior stairway not exceeding 5.5 metres in height to encroach into the required side yard setback; further, exterior stairways not exceeding 5.5 metres in height to be permitted to encroach into the rear yard setback/landscape strip (east side) abutting the OS1 zone.
 - 4) To permit 1 bocce court not located as shown on Schedule E-1502; To permit 2 pergolas located within the 5m landscape strip in the rear yard with a 0.0m setback adjacent to the OS1 Zone; To permit 1 pergola to be located in the 5m landscape strip in the interior side yard with a 1m setback adjacent to the OS1 zone (south).
 - 5) To permit Parking Areas and the Parking Ramp not to be located as shown on Schedule E-1502.
 - 6) To permit a minimum front yard setback of 14.5 metres
 - 7) To permit a maximum building height of 20.0 metres and 6 storeys determined at the front elevation. Accessory roof construction, which includes mechanical room/penthouse and a sloped architectural roof feature, shall not be included in the calculation of maximum building height.
 - 8) To permit a minimum landscape strip and screening of outdoor parking areas, and location of underground parking access stairs not in accordance with schedule E-1502.

- BY-LAW REQUIREMENT:
- 1) Loading and Unloading between a building and a street is not permitted.
 - 2) The landscaped strip shall be in accordance with Schedule E-1502 (location of driveways).
 - 3) A maximum height of 4.0 metres is permitted for exterior stairways encroaching into the required side yard setback; further, exterior stairways shall not encroach into the rear yard setback/landscape strip abutting the OS1 zone (east side).
 - 4) 1 bocce court is permitted as shown on Schedule E-1502; The 2 pergolas in the 5 metres landscaped strip in the rear yard with a 0.0 metre setback adjacent to the OS1 Zone and the 1 Pergola to be located in the 5m landscaped strip in the interior side yard with a 1m setback adjacent to the OS1 zone are not permitted in accordance with schedule E-1502.
 - 5) Parking areas and the Parking ramp to be located as shown on Schedule E-1502.
 - 6) A minimum front yard setback of 16.0 is required.
 - 7) A maximum building height of 19 metres is permitted.
 - 8) The minimum landscape strip and screening of outdoor parking areas and location of the underground parking access stairs shall be in accordance with Schedule E-1502.

Minor Variance Public Hearings Cont'd

Item # 19 Cont'd

FILE NUMBER: A123/13

APPLICANT: 1668872 ONTARIO INC. c/o ROYAL PINE HOMES

BACKGROUND INFORMATION: Other Planning Act Applications
The land which is the subject in this application was also the subject of another application under the Planning Act:

Zoning By-law Amendment Application Z.06.055
Site Plan Application DA.12.098

Ryan Mino-Leahan, KLM Planning Partnes Inc., the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A123/13, 1668872 ONTARIO INC. c/o ROYAL PINE HOMES**, be **APPROVED**, in accordance with the attached sketch and subject to the following conditions:

1. That prior to the final approval of Minor Variance Application A123/13, Development Application DA.12.098 shall be approved by the Development/Transportation Engineering Department, if required, to the satisfaction of the Development/Transportation Engineering Department;
2. The applicant submit the variance application fee of \$500 payable to the Toronto and Region Conservation Authority, if required, to the satisfaction of the Toronto and Region Conservation Authority.
3. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

CARRIED.

Item # 20

FILE NUMBER: A125/13

APPLICANT: ALBERT and LARISA SHTEMBERG

PROPERTY: Part of Lot 25 Concession 2 (Lot 61, Registered Plan No. 65M-3923 municipally known as 209 Isreal Zilber Drive, Maple)

ZONING: The subject lands are zoned RD3, Residential Detached Zone Three, under By-law 1-88 subject to Exception 9(1200) as amended.

PURPOSE: To permit the construction of an accessory structure (Cabana).

PROPOSAL:

1. Minimum rear yard setback to accessory structure = .61m
2. Minimum interior side yard setback = .61m
3. Maximum building height from finished grade to highest point of the structure = 2.74m
4. Maximum floor area of cabana = 11.89m²

BY-LAW REQUIREMENT:

1. Minimum rear yard setback = 7.5m
2. Minimum interior side yard setback = 1.2m
3. Maximum building height from finished grade to highest point of the structure = 2.5m
4. Maximum floor area of accessory structure = 8m²

Albert Shtemberg, the applicant appeared on his own behalf.

No one appeared before the Committee in support of or in opposition to the request.

Minor Variance Public Hearings Cont'd

Item # 20 Cont'd

FILE NUMBER: A125/13

APPLICANT: ALBERT and LARISA SHTEMBERG

The Committee is of the opinion that the variances sought can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A125/13, ALBERT and LARISA SHTEMBERG**, be **APPROVED**, in accordance with the attached sketches.

CARRIED.

Consent Public Hearing

Previously adjourned from the April 11, 2013 and April 25, 2013 meetings

Item # 21

FILE NUMBER: B009/13

APPLICANT: JEWISH CENTRE FOR LEARNING & LIVING

PROPERTY: Part of Lot 11, Concession 2, (Block 158, Registered Plan No. 65M-3523, municipally known as Thornhill Woods Drive, Thornhill).

ZONING: The subject lands are zoned RV3 (WS), Residential Urban Village Zone Three (On a Wide and Shallow Lot) under By-law 1-88 subject to Exception 9(1063) as amended.

PURPOSE: The purpose of this application is to request the consent of the Committee of Adjustment to convey the parcel of land marked "A" on the sketch attached for the CREATION of a NEW LOT for future residential purposes, together with all required easements and right-of-ways, if required, and retain the land marked "B" on the attached sketch for a place of worship.

Currently both the subject and retained lands are vacant.

BACKGROUND INFORMATION:

Other Planning Act Applications

The land which is the subject in this application was also the subject of another application under the Planning Act:

Site Plan Application DA.13.006 - in process

Keith Mackinnon, KLM Planning Partners Inc., the agent appeared on behalf of the applicant and gave a brief submission regarding the request.

Angela Papapetrou, 52 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Steven Rumback, 68 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Melanie Wengle on behalf of Elsa Rodrigues, 46 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Jack Pacione, 65 Canelli Heights Court, Thornhill, Ontario L4J 8V5; David Rudnick, 22 Canelli Heights Court, Thornhill, Ontario L4J 8V5; John Mastroianni, 71 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Lorella Albanese, 26 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Frank Creole, 72 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Michael Papapetrou, 52 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Bo Liu, 56 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Yan Chen, 348 Thornhill Woods Drive, Thornhill, Ontario L4J 8Y4; appeared in opposition raising concerns regarding, traffic congestion, access for emergency vehicles may be restricted if vehicles are parked on both sides of the road, safety issues for young children, and environmental issues.

No one else appeared before the Committee in support of or in opposition to the request.

During the lengthy discussions, the agent advised that the application before Committee is for the severance of land which is zoned for residential uses. At a future time when the draft plan of subdivision is presented before Council there will be an opportunity for the public to provide input.

A request for decision was received from Steven Rumback, 68 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Melanie Wengle on behalf of Elsa Rodrigues, 46 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Jack Pacione, 65 Canelli Heights Court, Thornhill, Ontario L4J 8V5; John Mastroianni, 71 Canelli Heights Court, Thornhill, Ontario L4J 8V5; Lorella Albanese, 26 Canelli Heights Court, Thornhill, Ontario L4J 8V5; and Bo Liu, 56 Canelli Heights Court, Thornhill, Ontario L4J 8V5.

Consent Public Hearing Cont'd

Item # 21 Cont'd

FILE NUMBER: B009/13

APPLICANT: JEWISH CENTRE FOR LEARNING & LIVING

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **B009/13, JEWISH CENTRE FOR LEARNING & LIVING**, be **APPROVED**, in accordance with the attached sketch and subject to the following conditions:

NOTE: All conditions below must be fulfilled and clearance letters must be received by the Secretary-Treasurer before any cheques can be accepted and Certificate of Official can be issued.

1. Payment to the City of Vaughan of a Tree Fee if required, approved by Council as of the date of granting the consent. Payment is to be made by certified cheque, to the satisfaction of the City of Vaughan (Development Finance & Investments Department; contact Terry Liuni to have this condition cleared.)
2. That the owner shall pay all taxes as levied, if required, to the satisfaction of the Reserves & Investments Department. Payment shall be made **by certified cheque**; (contact Terry Liuni in the Development Finance & Investments Department to have this condition cleared).
3. The applicant shall provide the City of Vaughan with an appraisal report and valuation of the subject land, (land only) to be prepared by an accredited appraiser, if required. Payment of a Parkland levy to the City in lieu of the deeding of land for park purposes shall be made if a new lot is being created. Said levy is to be 5% of the appraised market value of the subject land as of the date of the Committee of Adjustment giving notice to the Applicant of the herein decision. Said levy shall be approved by the Manager of Real Estate. Payment shall be made by certified cheque only.
4. Submission to the Secretary-Treasurer of **FOUR (4)** white prints of a registered deposited reference plan of survey, showing the subject land which conforms with the application submitted and which shows the dimensions and areas of each part shown on the plan;
5. Upon fulfilling and complying with all of the above-noted conditions, the Secretary-Treasurer of the Committee of Adjustment must be provided with a letter **and three (3) copies of a legal size (8.5" by 14") "Schedule Page", in a format satisfactory to the Secretary-Treasurer**, from the Applicant's solicitor confirming the legal description of the subject lands, sufficient for registration purposes **the "Schedule Page" will be an attachment to the Certificate**. Upon being satisfied with said legal description and upon all other conditions for the consent having been satisfied, the Secretary-Treasurer shall provide a Certificate of Official to the applicant in accordance with Section 53(42) of the Planning Act, R.S.O. 1990, as amended;
6. A fee of **\$190.00** made payable to the Treasurer City of Vaughan shall, be submitted to the Secretary Treasurer for the issuance of the Certificate/stamping of the deeds. It will be necessary to allow up to **three (3) working days** after all conditions have been fulfilled and documentation filed. Same day service is also available for an additional cost of **\$145.00, provided all conditions of approval have been fulfilled and all required documents are submitted by 11:30 am that day;**
7. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions.

PLEASE NOTE:

1. That the payment of the Regional Development Charge 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.
2. That the payment of the City Development Charge 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.
3. That the payment of the Education Development Charge 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
4. That the payment of Special Area Development charge 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, if required, to the satisfaction of the Reserves/Capital Department;

CARRIED.

Minor Variance Public Hearings:

Previously adjourned from the April 25, 2013 meeting

Item # 22

- FILE NUMBER:** A095/13
- APPLICANT:** ONORINA LOMBARDI
- PROPERTY:** Part of Lot 7 Concession 7 (Lot 33, Registered Plan No. M-1526 municipally known as 77 Francis Street, Woodbridge).
- ZONING:** The subject lands are zoned R2, Residential Zone Two and subject to the provisions of Exception 9(93) under By-law 1-88 as amended.
- PURPOSE:** **To permit the maintenance of an existing two-storey detached family dwelling with the garage attached.**
- PROPOSAL:**
1. To permit a lot coverage of 42.51% (31.56% house, 10.95% covered porches, covered patio and overhang).
 2. To permit a rear yard of 4.98 metres.
- BY-LAW REQUIREMENT:**
1. A total maximum lot coverage of 40% is permitted.
 2. A minimum rear yard setback of 7.5 metres is permitted.

Pietro Lombardi, the agent appeared on behalf of the applicant.

No one appeared before the Committee in support of or in opposition to the request.

During a brief discussion between Mr. Lombardi and the Committee it was suggested and agreed that the application be adjourned to allow the agent time to speak with a Professional Engineer to clarify the easement issue and to address Engineering Department concerns.

MOVED by H. Zheng
Seconded by A. Perrella

THAT Application No. **A095/13, ONORINA LOMBARDI**, be **ADJOURNED** to the May 23, 2013 meeting to allow time to speak with a Professional Engineer to clarify the easement issue and to address Engineering Department concerns.

CARRIED.

Previously adjourned from the April 25, 2013 meeting

Item # 23

- FILE NUMBER:** A102/13
- APPLICANT:** ISRAIL RASSULI
- PROPERTY:** Part of Lot 6, Concession 7, (Part of Block 57, Registered Plan 65M-2390, municipally known as 4 Royal Garden Boulevard, Woodbridge).
- ZONING:** The subject lands are zoned R3, Residential under By-Law 1-88 as amended and further subject to exception 9(441).
- PURPOSE:** **To permit the continued construction of a wooden, uncovered and unenclosed deck at the rear of the property.**
- PROPOSAL:**
- 1) 0.3m minimum rear yard setback to uncovered deck.
 - 2) 0.6m minimum interior side yard setback to uncovered deck (East).
 - 3) 1m minimum interior side yard setback to uncovered deck (West).
- BY-LAW REQUIREMENT:**
- 1) 5.7m minimum rear yard setback to uncovered deck.
 - 2) 1.2m minimum interior side yard setback to uncovered deck.
 - 3) 1.2m minimum interior side yard setback to uncovered deck.

Israil Rassuli, the applicant appeared on his own behalf and gave a brief submission regarding the request.

No one appeared before the Committee in support of or in opposition to the request.

During the lengthy discussions between the applicant and the Committee, it was suggested that TRCA concerns be addressed. The applicant advised that he had spoken to Anthony Sun at TRCA but was unable to obtain their approval with respect to the existing deck.

Minor Variance Public Hearings Cont'd

Item # 23

The Committee is of the opinion that the variances sought can not be considered minor and are not desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will not be maintained.

MOVED by A. Perrella
Seconded by H. Zheng

THAT Application No. **A102/13, ISRAIL RASSULI**, be **REFUSED**.

CARRIED.

OTHER BUSINESS

None.

MOTION TO ADJOURN

MOVED by H. Zheng
Seconded by A. Perrella

THAT the meeting of Committee of Adjustment be adjourned at 7:50 p.m., and the next regular meeting will be held on **May 23, 2013.**

CARRIED.

DRAFT