

MINUTES FROM THE JUNE 12, 2014 MEETING

The Minutes of the 11TH Meeting of the
Vaughan Committee of Adjustment
for the year 2014
THURSDAY, JUNE 12, 2014

6:00 p.m.

Present at the meeting were:

A. Perrella– Chair
H. Zheng – Vice Chair
J. Cesario
L. Fluxgold
M. Mauti

Members of Staff present:

Todd Coles, Secretary-Treasurer
Lenore Providence, Assistant to the Secretary-Treasurer
Brandon Correia, Planner
Marie Kennedy, Plans Examiner

1. INTRODUCTION OF ADDENDUM REPORTS

MOVED by M. Mauti
Seconded by H. Zheng

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

CARRIED.

2. DISCLOSURE OF PECUNIARY INTEREST

None.

3. ADOPTION OR CORRECTION OF MINUTES

MOVED by J. Cesario
Seconded by H. Zheng

THAT the minutes of the Committee of Adjustment Meeting of **Thursday, May 29, 2014**, be adopted as circulated.

CARRIED.

4. ADJOURNMENTS AND/OR DEFERRALS

On June 12, 2014 the Committee acknowledged and agreed that that Item 14 , **File No. A143/14 – FELIX WINSTOK, be ADJOURNED to the June 26, 2014 meeting,** as a new Notice of Application was required, as result of an error in the by-law requirements of the previous notice.

On June 6, 2014 an e-mail was received from FIORINA BRUNI, the applicant, requesting that Item 19 , **File No. A148/14 – TOMMY and FIORINA BRUNI, be ADJOURNED to the June 26, 2014 meeting,** as amendments were made to the application requiring re-circulation and a new notice.

On June 11, 2014 an e-mail was received from CELESTINA MALFARA, the agent, requesting that Item 24 - 26 , **File No. B017/14, A039/14 & A040/14 – ROCCO AND MARIA PISANI, be ADJOURNED to the June 26, 2014 meeting,** to allow time for Engineering and Public Works to provide their comments.

5. ADMINISTRATIVE CORRECTIONS

None.

MINOR VARIANCE PUBLIC HEARING:

Item # 6

- FILE NUMBER:** A135/14
- APPLICANT:** K & K HOLDINGS LIMITED
- PROPERTY:** Part of Lot 31, Concession 4, municipally known as 11600 Keele Street, Maple
- ZONING:** The subject lands are zoned C6, Highway Commercial Zone and subject to the provisions of Exception 9(1240) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of a drive-thru, as follows
- PROPOSAL:**
1. To permit a drive-through stacking lane which accommodates a minimum of six (6) cars.
 2. To permit a one-way exit aisle width of 3.5 metres.
 3. To permit a convenience eating establishment as an accessory use to a convenience retail store with maximum area of 78.55 m² (31.27%) in association with an automobile gas bar.
- BY-LAW REQUIREMENT:**
1. The stacking lane leading to a pick-up window shall accommodate a minimum of eight (8) cars.
 2. A minimum one-way aisle width of 5.4 metres is required.
 3. A maximum area of 62.79 m² (25%) is permitted for a convenience eating establishment as an accessory use to a convenience retail store in association with an automobile gas bar.
- 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:
B033/09 - APPROVED September 17, 2009 - creation of a commercial lot
Site Development Application DA.14.013

GREGORY DELL, appeared as the agent, on behalf of the applicant gave a brief submission regarding the request.

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

On June 10, 2014, a letter of support and request for decision form was received from Joseph Kreiner, 10737 Bathurst Street, Richmond Hill, Ontario, L4C 7V3.

There were discussions between Mr. Dell, the Committee and Mr. Coles.

MOVED by L. Fluxgold
Seconded by J. Cesario

THAT Application No. **A135/14, K & K HOLDINGS LIMITED**, be **ADJOURNED, SINE DIE**.

CARRIED.

Item # 7

- FILE NUMBER:** A136/14
- APPLICANT:** SUSAN JANICE FURMAN
- PROPERTY:** Part of Lot 29, Concession 1 (Lot 44, Registered Plan 3319) municipally known as 152 Spring Gate Blvd, Thornhill.
- ZONING:** The subject lands are zoned R2, Residential, under By-law 1-88 subject to Exception 9(275) as amended.
- PURPOSE:** To permit the maintenance of an air-conditioner, and pergola, as follows:
- PROPOSAL:**
1. Minimum interior side yard setback to A/C Unit = 0.495m
 2. Minimum rear yard setback to a pergola (architectural feature) with a height of 2.515m = 0.21m
 3. Minimum interior side yard setback to a pergola (architectural feature) with a height of 2.515m = 0.37m
- BY-LAW REQUIREMENT:**
1. Minimum required interior side yard setback to A/C Unit = 1.2m
 2. Minimum rear yard setback to a pergola (architectural feature) with a height of 2.515m = 2.515m
 3. Minimum interior side yard setback to a pergola (architectural feature) with a height of 2.515m = 2.515m

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 7

Cont'd...

FILE NUMBER:	A136/14
APPLICANTS:	SUSAN JANICE FURMAN

JAIME FURMAN, the agent appeared along with his wife SUSAN JANICE FURMAN, the applicant.

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

A request for decision was received from Arnold Reich, 148 Spring Gate Boulevard, Thornhill, Ontario, L4J 3L8.

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 L. Fluxgold
Seconded by J. Cesario

THAT Application No. **A136/14, SUSAN JANICE FURMAN**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

Item # 8

FILE NUMBER:	A137/14
APPLICANT:	DONATO and VINCENZA FACCHINI
PROPERTY:	Part of Lot 19, Concession 6 (Lot 69, Registered Plan No. 65M-4137 municipally known as 16 Via Lombardi, Woodbridge)
ZONING:	The subject lands are zoned RD3, Residential Detached Zone Three and subject to the provisions of Exception 9(1283) under By-law 1-88 as amended.
PURPOSE:	To permit the maintenance of a rear yard deck.
PROPOSAL:	To permit a rear yard setback of 3.66 metres to the deck.
BY-LAW REQUIREMENT:	A minimum rear yard setback of 5.7 metres is permitted.

MARCO LEONI, 16 Via Lombardi, Woodbridge, Ontario, L4H 0X4, appeared as the agent on behalf of the applicant. Mr. Leoni, also submitted a completed request for decision form and submitted photographs of the deck.

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

On June 11, 2014, an anonymous letter of objection was received.

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 L. Fluxgold
Seconded by M. Mauti

THAT Application No. **A137/14, DONATO and VINCENZA FACCHINI**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 9

FILE NUMBER: A138/14

APPLICANT: VIMICA INVESTMENTS INC.

PROPERTY: Part of Lot 10, Concession 5 (Lot 10, Registered Plan No. 65M-2588 municipally known as 3603 Langstaff Road, Woodbridge

ZONING: The subject lands are zoned C4, Neighbourhood Commercial, subject to Exception 9(906), under By-law 1-88, as amended.

PURPOSE: To permit the continued construction of an accessory eating establishment in Unit #8.

PROPOSAL: 1. To permit 2 uses in one unit (retail store and eating establishment).

BY-LAW REQUIREMENT: 1. A unit must be used for one purpose by one user.

SAAD HABEEB, the agent appeared on behalf of the applicant.

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

MOVED by J. Cesario
Seconded by H. Zheng

THAT Application No. **A138/14, VIMICA INVESTMENTS INC.**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

Item # 10

FILE NUMBER: A139/14

APPLICANT: LEFTER PACO

PROPERTY: Part of Lot 2, Concession 2 (Lot 96 Registered Plan No. 65M-2300 municipally known as 40 Badessa Circle, Thornhill)

ZONING: The subject lands are zoned R3, Residential Zone, and subject to the provisions of Exception 9(491) under By-law 1-88 as amended.

PURPOSE: To permit the construction of a barrier free lifting device to the rear of the house.

PROPOSAL: 1. To permit a minimum rear yard setback of 6.3 metres to an enclosed two storey barrier-free lifting device.

BY-LAW REQUIREMENT: 1. A minimum rear yard setback of 7.5 metres is required.

JAMES HETTINGER, 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 M. Mauti
Seconded by H. Zheng

THAT Application No. **A139/14, LEFTER PACO**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 11

- FILE NUMBER:** A140/14
- APPLICANT:** ANNA SCAINI
- PROPERTY:** Part of Lot 26, Concession 5 (Lot 1, Registered Plan No. 65M-2238 municipally known as 30 Marlene Court, Woodbridge)
- ZONING:** The subject lands are zoned RR, Rural Residential, subject to Exception 9(330), under By-law 1-88, as amended.
- PURPOSE:** To permit the construction of a rear yard cabana.
- PROPOSAL:**
1. To permit a maximum height of 5.71 m for an accessory structure.
 2. To permit a minimum rear yard setback of 6.10 m to an accessory structure
- BY-LAW REQUIREMENT:**
1. A maximum height of 4.5 m is permitted.
 2. A minimum rear yard setback of 15.0 m is required.

DANIEL BERRY 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 M. Mauti
Seconded by H. Zheng

THAT Application No. **A140/14, ANNA SCAINI**, be **APPROVED**, in accordance with the attached sketch
CARRIED.

Item # 12

- FILE NUMBER:** A141/14
- APPLICANT:** JONATHAN MOLDAVER
- PROPERTY:** Part of Lot 20, Concession 2 (Lot 19, Registered Plan No. 65M-4053 municipally known as 146 Upper Post Road, Maple).
- ZONING:** The subject lands are zoned RD1, Residential Detached Zone Two, under By-law 1-88 subject to Exception 9(1275) as amended.

"PRIOR to the agents submission it was agreed to amend the Application, Sketch, and Notice of Application as follows:

1. Maximum curb cut = **9.00m NOT** 9.39m
2. Minimum rear yard setback to **uncovered NOT** covered deck...
3. Maximum width of the portion of the driveway between the street line and the street curb = **9.00m NOT** 9.39m
4. Maximum driveway width = **9.00m NOT** 9.39m
5. Minimum front yard landscaped area = **45.0% NOT** 43.3%
-"

PURPOSE: To permit the construction of a proposed rear yard deck, driveway widening and curb cut.

- PROPOSAL:**
1. Maximum curb cut = 9.00m
 2. Minimum rear yard setback to **uncovered** deck = 4.562m
 3. Maximum width of the portion of the driveway between the street line and the street curb = 9.00m
 4. Maximum driveway width = 9.00m
 5. Minimum front yard landscaped area = 45.0% with a minimum 60% soft landscaping.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 12

Cont'd...

FILE NUMBER:	A141/14
APPLICANTS:	JONATHAN MOLDAVER

- BY-LAW REQUIREMENT:**
1. Maximum curb cut = 6.0m
 2. Minimum rear yard setback to covered deck = 7.5m
 3. Maximum width of the portion of the driveway between the street line and the street curb = 6.0m
 4. Maximum driveway width = 6.0m
 5. Minimum front yard landscaped area = 50% with a minimum 60% soft landscaping.

JONATHAN MOLDAVER, the applicant, appeared on his own behalf.

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

A letter of objection was received from State Building Group, Forest Hill Homes, Attention of Eddie Lee, Vice President, Land Development & Construction, 2700 Dufferin Street, Unit 34, Toronto, Ontario, M6B 4J3.

A request for decision was received from Boris Piesok, 290 Upper Post Road, Maple, Ontario, L6A 4K3.

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 L. Fluxgold
Seconded by H. Zheng

THAT Application No. **A141/14, JONATHAN MOLDAVER**, be **APPROVED, as amended**, in accordance with the sketches attached and subject to the following conditions:

1. THAT the applicant submits the variance application fee of \$315.00 payable to the Toronto and Region Conservation Authority, if required, to the satisfaction of to the Toronto and Region Conservation Authority;
2. That the applicant obtains a TRCA permit pursuant to Ontario Regulation 166/06, (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation), if required, to the satisfaction of to 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 # 13

FILE NUMBER: A142/14

APPLICANT: ADAM SAUL

PROPERTY: Part of Lot 20, Concession 2 (Lot 17, Registered Plan No. 65M-4053 municipally known as 134 Upper Post Road, Maple)

"PRIOR to the agents submission it was agreed to amend the Application, Sketch, and Notice of Application as follows:

*" 2. Minimum rear yard setback to **uncovered NOT** covered deck."*

ZONING: The subject lands are zoned RD1, Residential Detached Zone Two, under By-law 1-88 subject to Exception 9(1275) as amended.

PURPOSE: To permit the construction of a rear yard deck and curb cut.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 13

Cont'd...

FILE NUMBER: A142/14

APPLICANTS: ADAM SAUL

PROPOSAL:

1. Maximum curb cut = 9.04m
2. Minimum rear yard setback to **uncovered** deck = 4.572m
3. Maximum width of the portion of the driveway between the street line and the street curb = 9.04m
4. Maximum driveway width = 9.04m
5. Minimum front yard landscaped area = 45% with a minimum 60% soft landscaping

BY-LAW REQUIREMENT:

1. Maximum curb cut = 6.0m
2. Minimum rear yard setback to covered deck = 7.5m
3. Maximum width of the portion of the driveway between the street line and the street curb = 6.0m
4. Maximum driveway width = 9.0m
5. Minimum front yard landscaped area = 50% with a minimum 60% soft landscaping

ADAM SAUL, the applicant, appeared on his own behalf.

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

A letter of objection was received from State Building Group, Forest Hill Homes, Attention of Eddie Lee, Vice President, Land Development & Construction, 2700 Dufferin Street, Unit 34, Toronto, Ontario, M6B 4J3.

A request for decision was received from Boris Piesok, 290 Upper Post Road, Maple, Ontario, L6A 4K3.

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 H. Zheng
Seconded by L. Fluxgold

THAT Application No. **A142/14, ADAM SAUL**, be **APPROVED, as amended**, in accordance with the sketches attached and subject to the following conditions:

1. THAT the applicant submits the variance application fee of **\$315.00** payable to the Toronto and Region Conservation Authority, if required, to the satisfaction of to the Toronto and Region Conservation Authority;
2. That the applicant obtains a TRCA permit pursuant to Ontario Regulation 166/06, (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation), if required, to the satisfaction of to 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 # 15

FILE NUMBER: A144/14

APPLICANT: KASHMIRI & AMRAVATI SOOD

PROPERTY: Part of Lot 29, Concession 1 (Lot 55, Registered Plan 3715, municipally known as 251 Arnold Avenue, 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 proposed front entrance glass canopy.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 15

Cont'd...

FILE NUMBER:	A144/14
APPLICANTS:	KASHMIRI & AMRAVATI SOOD

PROPOSAL: 1. Minimum Front Yard Setback to Canopy = 2.437m
2. Maximum Lot Coverage (Dwelling 27.12%, Canopy 3.39%) = 30.51%

BY-LAW REQUIREMENT: 1. Minimum Front Yard Setback to Canopy = 9.0m
2. Maximum Lot Coverage = 20%

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:
A146/88 – APPROVED Aug. 31/88 (Lot coverage 30%)

KASHMIRI SOOD, the applicant appeared on his behalf and gave a brief submission regarding the request.

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 J. Cesario
Seconded by L. Fluxgold

THAT Application No. **A144/14, KASHMIRI & AMRAVATI SOOD**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. That the Building permit must be issued for the canopies, if required, to the satisfaction of to 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 # 16

FILE NUMBER: **A145/14**

APPLICANT: **AJIT SINGH & PARVINDER MINHAS**

PROPERTY: Part of Lot 6, Concession 6, (Lot 12, Registered Plan 65M-3056) municipally known as 714 Aberdeen Avenue, Woodbridge

ZONING: The subject lands are zoned R3, Residential Zone Three, and subject to the provisions of Exception 9(476) under By-law 1-88 as amended.

PURPOSE: **To permit the maintenance of an existing deck and porch, as follows:**

PROPOSAL: 1. To permit a rear yard setback of 3.7 metres to the covered deck.
2. To permit a lot coverage of 42.78% (35.08% for the dwelling, 7.70% for the covered porches).

BY-LAW REQUIREMENT: 1. A minimum rear yard setback of 7.5 metres is permitted.
2. A maximum lot coverage of 40% is permitted.

AJIT MINHAS, the son, appeared on behalf of his parents, the applicants.

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

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 16

Cont'd...

FILE NUMBER:	A145/14
APPLICANTS:	AJIT SINGH & PARVINDER MINHAS

A request for decision was received from Ajit Minhas, and Gurjinder Minhas, 714 Aberdeen Avenue, Woodbridge, Ontario, L4L 9A3.

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 M. Mauti
Seconded by H. Zheng

THAT Application No. **A145/14, AJIT SINGH & PARVINDER MINHAS**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

Item # 17

FILE NUMBER: A146/14

APPLICANT: GIUSEPPE AND MARA SEPE

PROPERTY: Part of Lot 17, Concession 4 (Lot 88, Registered Plan 65M-2663, municipally known as 137 Pentland Crescent, Maple).

ZONING: The subject lands are zoned R4, Residential, subject to Exception 9(495), under By-law 1-88, as amended.

PURPOSE: **To permit the continued construction of an open and unenclosed roof and the maintenance of an existing shed.**

PROPOSAL:

1. To permit a minimum rear yard setback of 7.1 m to a covered porch.
2. To permit a shed with a maximum height of 3.0 m.

BY-LAW REQUIREMENT:

1. A minimum rear yard setback of 9.0 m is required.
2. A maximum height of 2.5 m is permitted.

GIUSEPPE AND MARA SEPE, the applicants appeared on behalf their 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 J. Cesario
Seconded by H. Zheng

THAT Application No. **A146/14, GIUSEPPE AND MARA SEPE**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

Item # 18

- FILE NUMBER:** A147/14
- APPLICANT:** STANA STRMOTA
- PROPERTY:** Part of Lot 22, Concession 2 (Lot 41, Registered Plan 65M-4058) municipally known as 71 William Bowes Blvd, Maple).
- ZONING:** The subject lands are zoned RD2, Residential Detached Zone Two and subject to the provisions of Exception 9(1199) under By-law 1-88 as amended.
- PURPOSE:** **To permit the construction of a proposed detached garage, as an accessory structure** to the existing two-storey single family dwelling.
- PROPOSAL:**
1. To permit an accessory structure (garage) with an easterly interior side yard setback of 0.529 metres.
 2. To permit 35.3% front yard landscaping.
 3. To permit an accessory structure (garage) with minimum interior garage dimensions of 3.2 metres (width) x 6.3 metres (length).
- BY-LAW REQUIREMENT:**
1. A minimum interior side yard setback of 3.5 metres is required.
 2. A minimum of 50% front yard landscaping is required.
 3. A minimum interior garage dimension of 5.5 metres (width) x 6.0 metres (length) is required.
- 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:**
A299/12 - APPROVED - Oct. 12/14 (min rear yard setback of 0.99m to pool and min. int. side yard setback of 0.83m to pool).

There was no one present to represent the applicant.

Ivana Liegghio and Karl Complone, 77 William Bowes Boulevard, Maple, Ontario, L6A 4K4 appeared in opposition and a completed request for decision form.

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

On June 4, 2014, a letter of objection was received with photographs from Ivana Liegghio and Karl Complone, 77 William Bowes Boulevard, Maple, Ontario, L6A 4K4.

MOVED by L. Fluxgold
Seconded by J. Cesario

THAT Application No. **A147/14, STANA STRMOTA**, be **ADJOURNED, SINE DIE**.

CARRIED.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 20

- FILE NUMBER:** A150/14
- APPLICANT:** NADIA DINARDO
- PROPERTY:** Part of Lot 23, Concession 9 (Lot 60, Registered Plan No. 65M-4336 municipally known as 156 Northern Pines Boulevard, Kleinburg)
- ZONING:** The subject lands are zoned RD1, Residential Detached Zone One and subject to the provisions of Exception 9(1316) under By-law 1-88 as amended.
- PURPOSE:** **To permit the construction of a proposed two-storey single family detached dwelling.**
- PROPOSAL:**
1. To permit a maximum garage width of 21.14 metres.
 2. To permit a maximum garage projection of 8.94 metres beyond the most distant wall of the structure.
 3. To permit a maximum building height of 13.40 metres.
 4. To permit a total floor area of 87.33m² for accessory buildings. (garage – 62.25m², drive-thru – 25.08m²)
 5. To permit a building height of 9.37 metres for the accessory building (garage) and a building height of 11.17 metres for the accessory building (drive-thru).
 6. To permit a building height of 4.88 metres to the nearest part of the roof for the accessory building (garage) and a building height of 6.22 metres to the nearest part of the roof for the accessory building (drive-thru).
- BY-LAW REQUIREMENT:**
1. A maximum garage width of 9.0 metres is permitted.
 2. A maximum garage projection of 2.0 metres is permitted where there is a covered porch.
 3. To permit a maximum building height of 11.0 metres.
 4. A maximum floor area of 67m² is permitted for accessory buildings.
 5. A maximum building height of 4.5 metres is permitted for accessory buildings.
 6. A maximum building height of 3.0 metres is permitted to the nearest part of the roof.

IAN ROBERTSON, 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 M. Mauti
Seconded by H. Zheng

THAT Application No. **A150/14, NADIA DINARDO**, be **APPROVED**, in accordance with the attached sketch
CARRIED.

Item # 21

- FILE NUMBER:** A151/14
- APPLICANT:** EKATERINA BULMAN
- PROPERTY:** Part of Lot 30, Concession 1 (Lot 43, Registered Plan 4061) municipally known as 68 Pondview Road, Thornhill
- ZONING:** The subject lands are zoned R2, Residential, under By-law 1-88 subject to Exception 9(1361) as amended.
- PURPOSE:** **To permit the construction of a single family dwelling and a deck, as follows:**
- PROPOSAL:**
1. Minimum rear yard setback to uncovered, unexcavated, and unenclosed deck = 4.5m.
- BY-LAW REQUIREMENT:**
1. Minimum rear yard setback to uncovered, unexcavated, and unenclosed deck = 7.5m.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 21

Cont'd...

FILE NUMBER:	A151/14
APPLICANTS:	EKATERINA BULMAN

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:

A076/14 - REFUSED - April 10, 2014 - rear yard setback of 4.50 metres to an uncovered, unexcavated, and unenclosed deck & building height of 10.49 metres to the mid-point of a roof for a two storey dwelling.

JOSEPH DI MARIA, the agent appeared on behalf of the applicant gave a brief submission regarding the request.

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 M. Mauti
Seconded by H. Zheng

THAT Application No. **A151/14, EKATERINA BULMAN**, be **APPROVED**, in accordance with the sketch attached and subject to the following conditions:

1. That the applicant obtains a permit revision from the Toronto and Region Conservation Authority pursuant to Ontario Regulation 166/06, if required to the satisfaction of the Toronto and Region Conservation Authority.
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 # 22

- FILE NUMBER:** A152/14
- APPLICANT:** MINTO YONGE AND ARNOLD INC.
- PROPERTY:** Part of Lot 29, Concession 1, (Part of Lots 66 and 67, Registrar's Compiled Plan 9834 and Lot 4, Registered Plan 2132, municipally known as 7608 Yonge Street, Thornhill).
- ZONING:** The subject lands are zoned RA3, Apartment Residential, under By-law 1-88 subject to Exception 9(1150) as amended.
- PURPOSE:** To permit the construction of a club in commercial units 3 and 4 at 7608 Yonge Street, Thornhill, as follows:
- PROPOSAL:** 1. To permit a parking ratio of 2.0 parking spaces per 100m2 for a club use only.
- BY-LAW REQUIREMENT:** 1. To permit a parking ratio of 6.0 parking spaces per 100m2 for a club use only.
- 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:
- B003/13 - APPROVED, March 21, 2013 - creation of a new lot
A061/13 – APPROVED, March 21, 2013 – permit one single family dwelling to be constructed in a RA3, Apartment Residential Zone
A134/11 - APPROVED, May 26, 2011: Construction of a 4 & 6 storey mixed use building and the relocation and restoration of the historic Robert Cox House.
A271/10 APPROVED, Nov. 25, 2010: Definition of "residential suite", min. parking requirements and max. encroachment for canopies.
A164/03 APPROVED, June 26, 2003: Min parking spaces 79; Max. GFA of eating establishment uses 31% of total GFA.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 22

Cont'd...

FILE NUMBER:	A152/14
APPLICANTS:	MINTO YONGE AND ARNOLD INC.

BACKGROUND INFORMATION CONT'D....:

A130/01 APPROVED, AS AMENDED - June 14, 2001, parking spaces of 76, and front landscape strip varying from 0.0m to 6.0m., for Buildings B & C only.

Site Plan Application:

DA.08.024 - APPROVED to implement the development of the lands (File PL070942)

DA.01.011 APPROVED -to permit additions to the building located at 7610 and 7616 Yonge Street

Z.05.011 APPROVED by OMB (File # PL070942) permits a 6 storey mixed use bldg. along Yonge St. that steps down to 4 storeys for that portion of the building to the west of the relocated Robert Cox House. Also permits a single detached dwelling on a portion of the lands that front Arnold Ave.

Official Plan Amendment

OP.05.004 APPROVED by OMB (File # PL070942)

SANDRA PATANO, the agent appeared on behalf of the applicant gave a brief submission regarding the request.

Mr. Les Buckler, Buckler Holdings Inc., 100-7620 Yonge Street, Thornhill, Ontario, L4J 1V9 and Mr. Aboulghasem Teymourian, SpringGate Inc. and Thornridge Gate Inc. 7626 and 7626A Yonge Street **both submitted completed request for decision forms and appeared in opposition to the request.**

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

On June 11, 2014, an e-mail was received from Howard Waldman, expressing concerns with the application and an invitation for people to attend the hearing.

On June 12, 2014, the agent submitted six letters of support of current patrons of the JRCC East Thornhill which is proposed to be relocated to units 3 and 4 at 7608 Yonge Street.

A request for decision was received from Frances Russell, 16 Elgin Street, Unit 137, Thornhill, Ontario, L3T 4T4

There were discussions between, Ms. Patano, Mr. Buckler, Mr. Teymourian and the Committee.

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 L. Fluxgold
Seconded by H. Zheng

THAT Application No. **A152/14, MINTO YONGE AND ARNOLD INC.**, be **APPROVED**, in accordance with the sketch attached and subject to the following conditions:

1. That a building permit must be issued for the interior completion of Units 3 and 4, if required, to the satisfaction of the Building Standards Department.
2. That the applicant submits the variance application fee of \$315.00 payable to the Toronto and Region Conservation Authority, if required to the satisfaction of the Toronto and Region Conservation Authority.
3. That the applicant obtains a Toronto and Region Conservation Authority permit pursuant to Ontario Regulation 166/06 (Development, Interference with Wellands and Alterations to Shorelines and Watercourses Regulations) for the continued construction of the condominium development, if required, to the satisfaction of the Toronto and Region Conservation Authority.
4. 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.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 23

- FILE NUMBER:** A154/14
- APPLICANT:** DR. SCOTT SEBASTIEN
- PROPERTY:** Part of Lot 25, Concession 4 (Lot 648, Registered Plan No. 65M-2086 municipally known as 10200 Keele Street, Maple)
- ZONING:** The subject lands are zoned C3, Local Commercial Zone and subject to the provisions of Exception 9(475) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of an outdoor patio.
- PROPOSAL:** 1. To permit a minimum of 42 parking spaces.
- BY-LAW REQUIREMENT:** 1. A minimum of 47 parking spaces are required.

TONY BARTOLOMEO, the agent appeared on behalf of the applicant gave a brief submission regarding the request.

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 J. Cesario
Seconded by H. Zheng

THAT Application No. **A154/14, DR. SCOTT SEBASTIEN**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. The Owner shall provide a reliance letter stating the on-site parking can be accommodated by the additional demand of parking generated from the outdoor patio, if required, to the satisfaction of the Engineering 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.

CONSENT PUBLIC HEARING:

Previously adjourned from the May 29, 2014 meeting

Item # 27

- FILE NUMBER:** B031/14
- APPLICANT:** JOSEPH FIORINI
- PROPERTY:** Part of Lot 25, Concession 7, (Part of Lot 13, and 1/15 interest in Blocks 14 & 15, of Registered Plan 65M-2186, municipally known as 80 High Valley Court, Kleinburg).
- ZONING:** The subject lands are zoned RR, Rural Residential, 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 residential purposes, together with all required easements and right-of-ways, if required, and retain land for residential purposes.

The subject land is currently vacant and there is one existing dwelling (to be demolished) on the retained lands.

IAN ROBERTSON, the agent appeared on behalf of the applicant gave a brief submission regarding the request.

An e-mail was received from Maria A. Morgis, 41 Green Valley Court, Kleinburg, Ontario, L0J 1C0, Josie Vivona, 10 Vivona, 10 Green Valley Court, Kleinburg, Ontario, L0J 1C0 in opposition to the request.

Petition letters in objection to the request were received on June 2, 2014, June 4, 2014 and at the hearing June 12, 2014.

CONSENT PUBLIC HEARING:

Previously adjourned from the May 29, 2014 meeting

Item # 27

Cont'd...

FILE NUMBER:	B031/14
APPLICANTS:	JOSEPH FIORINI

During the discussions that took place between Mr. Robertson and the Committee, the Committee suggested and it was agreed that the application be adjourned until the agent addressed the Engineering Department and Planning Department's comments to their satisfaction..

At this time, the Committee informed the public in attendance, who were interested in this application, that it would be best to wait until all outstanding issues from staff, be addressed before a full hearing takes place. At that hearing, the Committee will hear from anyone present wishing to speak. The Committee conferred with the neighbours and determined that they will be able to attend the next Committee of Adjustment meeting.

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

A request for decision was received from Nadia Gottardo, 50 High Valley Court, Kleinburg, Ontario, L0J 1C0. Maria A. Morgis, sent in an e-mail requesting to be kept informed.

MOVED by L. Fluxgold
Seconded by H. Zheng

THAT Application No. **B031/14, JOSEPH FIORINI**, be **ADJOURNED to the June 26, 2014 meeting.**

CARRIED.

MINOR VARIANCE PUBLIC HEARING:

Previously adjourned from the April 10, 2014 meeting

Cont'd...

Item # 28

FILE NUMBER: A043/14

APPLICANT: PASQUALE MORABITO

PROPERTY: Part of Lot 16, Concession 6 (Lot 179, Registered Plan 65M-3715, municipally known as 261 Saint Francis Avenue, Woodbridge).

ZONING: The subject lands are zoned RV2(WS), Residential Urban Village Zone Two and subject to the provisions of Exception 9(1024) under By-law 1-88 as amended.

PURPOSE: To permit the maintenance of a BBQ canopy, as follows:

PROPOSAL:

1. To permit an interior side yard setback of 0.01 metres to the accessory structure.
2. To permit a building height of 3.01 metres for the accessory structure.
3. To permit an interior side yard setback of 0.30 m to the air conditioning unit.

BY-LAW REQUIREMENT:

1. A minimum interior side yard setback of 0.60 metres is permitted.
2. A maximum building height of 2.5 metres is permitted.
3. A minimum interior side yard setback of 1.2 metres is permitted.

PASQUALE MORABITO, 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 J. Cesario
Seconded by H. Zheng

THAT Application No. **A043/14, PASQUALE MORABITO**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 29

FILE NUMBER: A071/14

APPLICANT: GIUSEPPE AND PALMA LOCONTE

PROPERTY: Part of Lot 24, Concession 8, (Lot 30 and Part of Lot 31, Registered Plan 275, municipally known as 10519 Islington Avenue, Woodbridge).

ZONING: The subject lands are zoned C11, Mainstreet Commercial Zone and subject to the provisions of Exception Number 9(271) under By-Law 1-88 as amended.

PURPOSE: To permit the maintenance of an existing patio enclosure, ductwork, mech units and accessory buildings.

PROPOSAL:

- 1) To maintain a minimum front yard setback of 0.6 metres to the patio enclosure.
- 2) To maintain a minimum landscape strip of 0.6 metres in width along the front lot line.
- 3) To maintain a minimum 1.35 metre wide landscape strip abutting a residential zone.
- 4) To maintain a minimum interior side yard setback of 0.2 metres to an A/C unit.
- 5) To maintain a minimum interior side yard setback of 0.4 metres to ductwork.
- 6) To maintain a minimum side yard setback of 0.1 metres to accessory buildings.
- 7) To maintain a minimum setback of 0.3 metres from a Residential zone (accessory buildings).
- 8) To maintain a minimum of 18 parking spaces for the site.
- 9) To maintain a minimum of 0.0 handicapped parking spaces for the site.

BY-LAW REQUIREMENT:

- 1) A minimum front yard setback of 6.0 metres is required.
- 2) A minimum front landscape strip of 2.0 metres is required.
- 3) A minimum landscape strip of 2.4 metres is required abutting a residential zone.
- 4) A minimum interior side yard setback of 1.3 metres is required to the A/C unit.
- 5) A minimum interior side yard setback of 1.8 metres is required to the ductwork.
- 6) A minimum interior side yard setback of 1.8 metres is required to accessory buildings.
- 7) A minimum setback of 2.4 metres is required from a Residential Zone (accessory buildings).
- 8) A minimum of 28 parking spaces are required for the site.
- 9) A minimum of 1 handicapped space is required for the site.

JOE DI GIUSEPPE, the agent appeared on behalf of the applicant gave a brief submission regarding the request.

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

On April 30, 2014, a letter of concern was received from Ken Schwenger, President, Kleinburg and Area Ratepayers' Association, P.O. Box 202, Kleinburg, Ontario, L0J 1C0.

During the discussions between Mr. Di Giuseppe, the Committee and the Planning Comments, Mr. Di Giuseppe requested that the *cash-in-lieu of parking agreement with the City*, be made a condition of the approval and the Committee agreed.

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 L. Fluxgold
Seconded by H. Zheng

THAT Application No. **A071/14, GIUSEPPE AND PALMA LOCONTE**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

- 1) That the applicant enter into cash-in-lieu of parking agreement with the City, if required, to the satisfaction of the Development Transportation Engineering and Development Planning Departments.
- 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.

OTHER BUSINESS

None.

MOTION TO ADJOURN

MOVED by L. Fluxgold
Seconded by J. Cesario

THAT the meeting of Committee of Adjustment be adjourned at 6:55 p.m., and the next regular meeting will be held on **June 26, 2014.**

CARRIED.

DRAFT