

MINUTES OF THE SEPTEMBER 11, 2014 MEETING

The Minutes of the 17TH Meeting of the
Vaughan Committee of Adjustment
for the year 2014
THURSDAY, SEPTEMBER 11, 2014

6:03 p.m.

Present at the meeting were:

H. Zheng – Vice Chair
J. Cesario
L. Fluxgold
M. Mauti –left at 6:28 p.m.

Members of Staff present:

Todd Coles, Secretary-Treasurer
Lenore Providence, Assistant to the Secretary-Treasurer
Mark Chiovitti, Assistant to the Secretary-Treasurer
Brandon Correia, Planner
Moiria Coughlan, Plans Examiner

1. INTRODUCTION OF ADDENDUM REPORTS

MOVED by M. Mauti
Seconded by J. Cesario

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 M. Mauti
Seconded by J. Cesario

THAT the minutes of the Committee of Adjustment Meeting of **Thursday, August 28, 2014**, be adopted as circulated.

CARRIED.

4. ADJOURNMENTS AND/OR DEFERRALS

On September 11, 2014 an e-mail was received from NADIA ZUCCARO of the EMC Group Limited, the agents, requesting that Item 7 , **File No. B052/14 – ENZA REALTY LIMITED C/O DOMENIC MARZANO, be ADJOURNED to the October 2, 2014 meeting.** to allow time to address the Toronto Region and Conservation Authority's comments.

On September 10, 2014 an e-mail was received from NICHOLAS C. TIBOLLO, 920 Yonge Street, Suite 900, Toronto, ON, M4W 3C7, requesting that Item 29 , **File No. A014/14 – HEIDI FALCKH, be ADJOURNED to the December 11, 2014 meeting.**

MOVED by J. Cesario
Seconded by M. Mauti

THAT Item 7 , **File No. B052/14 – ENZA REALTY LIMITED C/O DOMENIC MARZANO, be ADJOURNED to the October 2, 2014 meeting.**

THAT Item 29 , **File No. A014/14 – HEIDI FALCKH, be ADJOURNED to the December 11, 2014 meeting.**

CARRIED.

5. ADMINISTRATIVE CORRECTIONS

None.

CONSENT PUBLIC HEARING:

Item # 6

- FILE NUMBER:** B051/14
- APPLICANT:** T-STAR CORPORATION
- PROPERTY:** Part of Lot 38, Concession 3 (being Lot 11, RP M-2043) municipally known as 1600 Langstaff Road, Concord
- ZONING:** The subject lands are zoned, C7, Service Commercial Zone, subject to Exception 9(1080), under By-law 1-88, as amended.
- PURPOSE:** The purpose of this application is to request the consent of the Committee of Adjustment to grant a LEASE in excess of twenty-one years (Wendy's/Tim Horton's combo drive-thru), with renewals, for a parcel of land for commercial purposes.
- The lands subject to the lease have an existing three storey commercial building and a Wendy's/Tim Horton's combo drive-thru.

MICHAEL LIPKUS IBI Group , 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 M. Mauti
Seconded by J. Cesario

THAT Application No. **B051/14, T-STAR CORPORATION**, be **APPROVED**, in accordance with the sketch attached 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. The owner shall pay all taxes as levied, if required. Payment is to be made **by certified cheque**, to the satisfaction of the City of Vaughan Development Finance and Investments Department (contact Terry Liuni to have this condition cleared).
2. This consent is given on the express understanding that Subsection 3 or Subsection 5 of Section 50 of the Planning Act shall apply to any subsequent conveyance in respect to the subject lands;
3. 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;
4. 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;**
5. 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 HEARING:

Cont'd...

Item # 8

- FILE NUMBER:** A183/14
- APPLICANT:** STEFANIA PIACENTE-BATTISTI
- PROPERTY:** Part of Lot 14, Concession 6 (being Lot 78, Plan 65M-2703) municipally known as 49 Bayside Court, Woodbridge
- ZONING:** The subject lands are zoned R1, Residential Zone One and subject to the provisions of Exception 9(769) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of a curb cut as follows:
- PROPOSAL:**
1. To permit a maximum width of 8.53 metres driveway width at the street curb and curb cut.
 2. To permit a maximum width of 8.53 metres on the portion of the driveway between the street line and the street curb.
- BY-LAW REQUIREMENT:**
1. A maximum of 6.0 metres is permitted for a curb cut.
 2. A maximum width of 6.0 metres is permitted.

No one appeared to represent 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 J. Cesario

THAT Application No. **A183/14, STEFANIA PIACENTE-BATTISTI**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 9

- FILE NUMBER:** A236/14
- APPLICANT:** MICHAEL COTRONEO/DIANA FRANJIC
- PROPERTY:** Parts of Lots 17 & 18; Concession 6 (being Lot 164, Plan 65M-3922) municipally known as 26 Josephine Road, Woodbridge
- ZONING:** The subject lands are zoned RV3(WS) Residential and subject to the provisions of Exception 9(1024) under By-law 1-88 as amended.
- PURPOSE:** To permit the maintenance of a swimming pool in the rear yard.
- PROPOSAL:**
1. To permit an interior side yard setback of 1.14 metres to the swimming pool.
 2. To permit a rear yard setback of 1.30 metres to the swimming pool.
 3. To permit an interior side yard setback of 0.25 metres to the pool equipment.
- BY-LAW REQUIREMENT:**
1. A minimum interior side yard setback of 1.5 metres is permitted.
 2. A minimum rear yard setback of 1.5 metres is permitted.
 3. A minimum interior side yard setback of 1.2 metres is permitted.

MICHAEL COTRONEO, the applicant, appeared on his own behalf.

Linda Aversa, 19 Foresta Drive, Woodbridge, ON L4H 0N4, **appeared in opposition and submitted a request for decision form.**

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

There were discussions between Mr. Cotroneo, Ms. Aversa and the Committee.

A request for decision form was received from Socha Frajic, 5 Royal Drive, Bolton, ON, L7E 1W8.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 9

Cont'd...

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|---------------------|---------------------------------------|
| FILE NUMBER: | A236/14 |
| APPLICANTS: | MICHAEL COTRONEO/DIANA FRANJIC |

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. **A236/14, MICHAEL COTRONEO/DIANA FRANJIC**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

Item # 10

- FILE NUMBER:** A237/14
- APPLICANT:** MOSAIK PINEWEST INC. C/O GOFFREDO VITULLO
- PROPERTY:** Part of Lot 22, Concession 6 (being Lot 75, Plan 65M-4291) municipally known as 212 Headwind Blvd., Woodbridge
- ZONING:** The subject lands are zoned RD3, Residential Detached Zone Three and subject to the provisions of Exception 9(1370) under By-law 1-88 as amended.
- PURPOSE:** To permit the continued construction of single family residence.
- PROPOSAL:** 1. To permit a minimum exterior side yard setback of 3.22m (to the single family dwelling).
- BY-LAW REQUIREMENT:** 1. Minimum exterior side yard setback 4.5m.
- 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:
A097/13: APPROVED, MAY 9, 2013 - To permit an exterior side yard setback of 3.84 metres to the dwelling.

ROSEMARIE HUMPHRIES, of Humphries Planning Group Inc. appeared as the agent and spoke on behalf of the applicant.

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

MOVED by M. Mauti
Seconded by L. Fluxgold

THAT Application No. **A237/14, MOSAIK PINEWEST INC. C/O GOFFREDO VITULLO**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. A building permit for the proposed single family dwelling must be applied for, if required, through the City of Vaughan 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.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 11

FILE NUMBER: A238/14

APPLICANT: JOHN DUCA (2225955 ONTARIO LTD.)

PROPERTY: Part of Lot 2, Concession 5 (being Lot 9, Plan 65R-29508) municipally known as Century Place (number unassigned), Woodbridge.

ZONING: The subject lands are zoned , EM1, Prestige Employment Zone, subject to Exception 9 (1362), under By-law 1-88, as amended.

PURPOSE: To permit the construction of a motor vehicle sales establishment, as follows:

- PROPOSAL:**
1. To permit the use of motor vehicle sales establishment on the subject lands.
 2. To permit a minimum of 53 parking spaces on the subject lands.
 3. To permit minimum parking space dimensions of 2.6 m X 5.7 m.
 4. To permit a minimum landscape strip of 1.53 m abutting Century Place.

- BY-LAW REQUIREMENT:**
1. A motor vehicle sales establishment is not a permitted use.
 2. A motor vehicle sales establishment requires 3.0 parking spaces per 100 m2 of Gross Floor Area. The site statistics provided by the applicant indicate a proposed GFA of 1390 m2 which would require 42 parking spaces for the proposed use.
 3. A minimum parking space dimension of 2.7 m X 6.0 m is required.
 4. A minimum landscape strip of 3.0 m is required along a lot line abutting a street line.

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:
 B047/10-APPROVED August 5, 2010 - Easement in favour of the lands to the north, east & south.
 B019/06 & B020/06-APPROVED-April 6, 2006 - creation of a new lot.
 Minor Variance A099/06 - APPROVED April 6, 2006 to facilitate B019/06 & B020/06 - 35% lot coverage.

AMELIA BISHOP, 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 J. Cesario

THAT Application No. **A238/14, JOHN DUCA (2225955 ONTARIO LTD.)**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. That Minor Variance Application A238/14 be subject to the issuance of final site plan approval with respect to related Development Application file DA.13.057 (John Duca, 2225955 Ontario Ltd.), if required, to the satisfaction of the Development/Transportation 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.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 12

- FILE NUMBER:** A239/14
- APPLICANT:** SUDHIR GANDHI/SANGITA GANDHI
- PROPERTY:** Part of Lot 19, Concession 2 (being Lot 92, Plan 65M-4053) municipally known as 69 Thornhill Ravines Crescent, Maple
- ZONING:** The subject lands are zoned RD2, Residential Detached Zone Two, and subject to the provisions of Exception 9(1275) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of a rear yard deck.
- PROPOSAL:**
 1. To permit a minimum rear yard setback of 4.4 metres to an uncovered deck.
 2. To permit a minimum interior side yard setback of 0.33 metres to an air conditioning unit.
- BY-LAW REQUIREMENT:**
 1. Minimum rear yard setback to an uncovered deck = 5.7 metres.
 2. Minimum interior side yard setback to an air conditioning unit = 1.2 metres.

SUDHIR GANDHI and SANGITA GANDHI, the applicants appeared on 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 L. Fluxgold

THAT Application No. **A239/14, SUDHIR GANDHI/SANGITA GANDHI**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

Item # 13 & 14

- FILE NUMBERS:** A240/14 & A241/14
- APPLICANT:** COUNTRYWIDE HOMES AT UPPER THORNHILL INC.
- PROPERTY:** Part of Lot 22, Concession 2 (being Lots 37 & 48, Plan 65M-4266) municipally known as 2 and 33 Heintzman Crescent, respectively, Maple.
- ZONING:** The subject lands are zoned RD3, Residential Detached Zone Three and subject to the provisions of Exception 9(1205) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of a single family dwelling, as follows:

| | <u>PROPOSAL</u> | <u>BY-LAW REQUIREMENT</u> |
|-----------------|---|--|
| A240/14 | <ol style="list-style-type: none"> 1. To permit steps/landing to be set back 1.2 metres from the front lot line. 2. To permit a front porch to be 1.6 metres in height from finished grade. 3. To permit a building height of 11.6 metres to the highest point of the roof surface (mansard roof). | <ol style="list-style-type: none"> 1. A minimum of 1.5 metres is permitted to the steps/landing. 2. The maximum finished floor elevation of an unenclosed porch (covered or uncovered) located in the front yard shall not exceed 1.2 metres above finished grade. 3. The maximum permitted building height is 11.0 metres to the highest point of the roof surface (mansard roof). |
| A241/14: | <ol style="list-style-type: none"> 1. To permit a minimum rear yard of 6.89 metres from the rear lot line to the proposed dwelling | <ol style="list-style-type: none"> 1. A minimum of 7.5 metres is required from the rear lot line to the proposed dwelling. |

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 13 & 14

Cont'd...

FILE NUMBERS: A240/14 & A241/14
APPLICANT: COUNTRYWIDE HOMES AT UPPER THORNHILL INC.

MANNY DACUNHA, 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 J. Cesario
Seconded by M. Mauti

THAT Application No. **A240/14 & A241/14, COUNTRYWIDE HOMES AT UPPER THORNHILL INC.,** be **APPROVED**, in accordance with the attached sketch

CARRIED.

It should be noted that **J. Cesario left the Committee Room at this time and did not take part nor voted on the following items.**

Item # 15

FILE NUMBER: A242/14

APPLICANT: THORNHILL GOLF & COUNTRY CLUB

PROPERTY: Part of Lots 26 - 30, Concession 1 (being Lot 270, Plan 65R-2394) municipally known as 7994 Yonge Street, Vaughan

"PRIOR to the agents submission it was agreed to amend the Application, Sketch, and Notice of Application by DELETING the following:

- 2. ~~Minimum parking space length = 5.54m~~
- 3. ~~Minimum handicap space length = 5.49m~~

ZONING: The subject lands are zoned PB1, Parkway Belt Open Space, under By-law 1-88 as amended.

PURPOSE: Parking relief & to permit the construction of 2 additions (Main Clubhouse & Proshop).

- PROPOSAL:**
- 1. Minimum number of parking spaces = 211
 - 2. ~~Minimum parking space length = 5.54m~~
 - 3. ~~Minimum handicap space length = 5.49m~~

- BY-LAW REQUIREMENT:**
- 1. Minimum number of required parking spaces = 714
 - 2. ~~Minimum parking space length = 6m~~
 - 3. ~~Minimum handicap space length = 6m~~

BILL HICKS, of Hicks Partnership Inc., 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.

During the discussion between Mr. Hicks, Planning staff, the Secretary-Treasurer to the Committee of Adjustment and the Committee, it was suggested and agreed to add the Planning Department to condition #1..

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

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 15

Cont'd...

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|---------------------|--|
| FILE NUMBER: | A242/14 |
| APPLICANT: | THORNHILL GOLF & COUNTRY CLUB |

THAT Application No. **A242/14, THORNHILL GOLF & COUNTRY CLUB**, be **APPROVED, as amended** in accordance with the sketches attached and subject to the following conditions:

1. The amendment (DA.14.052) to the existing Complex Site Plan Agreement must be completed prior to permit issuance for the additions, if required, to the satisfaction of the Building Standards Department **and the Development Planning Department.**
2. THAT the applicant submits the variance application fee of **\$525.00** payable to the Toronto and Region Conservation Authority, 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 # 16

FILE NUMBER: A244/14

APPLICANT: VOGUE INVESTMENTS LIMITED

PROPERTY: Part of Lot 6, Concession 2, municipally known as 1118 Centre Street - Unit 21, Thornhill

ZONING: The subject lands are zoned C1, Restricted Commercial, under By-law 1-88 subject to Exception 9(578) as amended.

PURPOSE: To permit the maintenance of a retail store, as follows:

PROPOSAL: 1. To permit Processing and Food Preparation as Ancillary to the primary permitted use of a retail store for the sale of fresh meats, delicatessen products and prepared foods.

BY-LAW REQUIREMENT: 1. The current zoning does not permit manufacturing or processing.

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:
 A138/11 APPROVED MAY 26, 2011- permit Day Nursery in Units 16, 17 and 18.
 A061/10 APPROVED MARCH 25, 2010- permit an eating establishment - 24% of the total gross floor area of the building.
 B007/88 - APPROVED JAN. 20/88 - easement in favour of the south east (deeds stamped Jan. 24/89)
 Z.08.066 - Inactive - to expand range of permitted uses.

MARK GREENBAUM, appeared as the agent on behalf of his father, 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 L. Fluxgold
Seconded by M. Mauti

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 16

Cont'd...

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| FILE NUMBERS: | A244/14 |
| APPLICANT: | VOGUE INVESTMENTS LIMITED |

THAT Application No. **A244/14, VOGUE INVESTMENTS LIMITED**, be **APPROVED**, in accordance with the sketches attached and subject to the following conditions:

1. That a building permit must be issued for the proposed use of processing meats and the storage of garbage and refuse, 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.

J. Cesario returned to the Hearing room at this time and took part in the remaining items.

It should be noted that M. Mauti left the Hearing Room at 6:28pm and did not return.

Item # 17

- FILE NUMBER:** A245/14
- APPLICANT:** BRUNO & MARIA DEL GROSSO
- PROPERTY:** Part of Lot 138, Concession 8 (being Lot 19, Plan 65M-3305) municipally known as 45 Silverado Trail, Woodbridge
- ZONING:** The subject lands are zoned RV4, Urban Village Residential Zone Four and subject to the provisions of Exception 9(988) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of a 1 storey sunroom & deck extension.
- PROPOSAL:**
- 1) To permit a rear yard setback of 5.10 metres to the addition to the dwelling (sunroom).
 - 2) To maintain a minimum interior side yard setback of 0.35 metres to the A/C unit.
- BY-LAW REQUIREMENT:**
- 1) A minimum rear yard setback of 7.5 metres is required.
 - 2) A minimum interior side yard setback of 1.2 metres is required to the A/C unit.

BRUNO DEL GROSSO, 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 L. Fluxgold

THAT Application No. **A245/14, BRUNO & MARIA DEL GROSSO**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Item # 18

- FILE NUMBER:** A250/14
- APPLICANT:** GIOVANNI & MARIA METALLO
- PROPERTY:** Part of Lot 21, Concession 4 (Lot 245, Registered Plan 65M-2086) municipally known as 75 Marwood Place, Maple.
- ZONING:** The subject lands are zoned R2, Residential, subject to Exception 9(475), under By-law 1-88, as amended.
- PURPOSE:** To permit the maintenance of an undersized parking spot within the existing garage.
- PROPOSAL:** 1. To permit a minimum interior garage dimension of 3.0 m X 5.26 m.
- BY-LAW REQUIREMENT:** 1. A minimum interior garage dimension of 3.0m X 6.0m is required.

DANIEL VENTURUZZO, 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 J. Cesario
Seconded by L. Fluxgold

THAT Application No. **A250/14, GIOVANNI & MARIA METALLO**, be **APPROVED**, in accordance with the attached sketch

CARRIED.

CONSENT PUBLIC HEARING:

Cont'd...

Previously adjourned from the August 14th & 28th 2014 meetings.

Item # 19

- FILE NUMBER:** B041/14
- APPLICANT:** 846669 ONTARIO INC.
- PROPERTY:** Part of Lot 3, Concession 3 (Lot 1, Registered Plan 65R-25078) municipally located at Great Gulf Drive, Concord
- ZONING:** The subject lands are zoned EM2, General Employment Zone, subject to Exception 9(1103), 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 marked "A" on the attached sketch, for industrial purposes, together with all required easements and right-of-ways, if required, and retain land marked "B" on the attached sketch for industrial purposes.

Currently there is a industrial warehouse on the subject lands and the retained lands are vacant.

JOHN PERRUZZA, 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.

MOVED by L. Fluxgold
Seconded by J. Cesario

CONSENT PUBLIC HEARING:

Cont'd...

Previously adjourned from the August 14th & 28th 2014 meetings.

Item # 19

Cont'd...

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|----------------------|----------------------------|
| FILE NUMBERS: | B041/14 |
| APPLICANT: | 846669 ONTARIO INC. |

THAT Application No. **B041/14, 846669 ONTARIO INC.**, be **APPROVED**, in accordance with the sketch attached 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 and 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 Development Finance and Investments Department. Payment shall be made **by certified cheque**; (contact Terry Liuni in the Development Finance and Investments Department to have this condition cleared).
3. That the applicant shall provide the City 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 2% 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 Senior Manager of Real Estate. Payment shall be made by certified cheque only.
4. The Owner/Applicant shall submit the land survey to verify the minimum lot frontage for the severed and retained lands, if required, to the satisfaction of the Development/Transportation Engineering Department.
5. The Owner/Applicant shall enter into an agreement for the sanitary sewer extension on Great Gulf Drive pursuant to Subsection 51(25) of the Planning Act with the City of Vaughan, if required, to satisfy all conditions, financial or otherwise, of the City of Vaughan with regard to such matters the municipality may consider necessary including payment of the development levies, the provision of roads and municipal services, all associated downstream and oversizing costs for sanitary and water service, landscaping and fencing. The said agreement shall be registered against the lands to which it applies and, if required, to the satisfaction of the Development/Transportation Engineering Department.
6. The Owner/Applicant shall provide a Grading and Servicing Plan(s) showing existing and proposed grades, drainage patterns, driveway accesses and the location of all municipal services, if required, to the satisfaction of the Development/Transportation Engineering Department and as required at the Building Permit stage.
7. That the retained lands are merged on title by means of an "Application to Consolidate Parcels" as there are currently 2 PIN's for the existing parcel registered as Block 1 on Plan 65M-3570, if required, to the satisfaction of the Building Standards Department.
8. 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;
9. 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;
10. 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**;
11. Prior to the issuance of a building permit, if required, the applicant shall fulfil and comply with all of the above noted consent conditions.

CONSENT PUBLIC HEARING:

Cont'd...

Previously adjourned from the August 14th & 28th 2014 meetings.

Item # 19

Cont'd...

| | |
|----------------------|----------------------------|
| FILE NUMBERS: | B041/14 |
| APPLICANT: | 846669 ONTARIO INC. |

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.

Previously adjourned from the August 28th 2014 meeting.

Item # 20 to 28

FILE NUMBERS: B047/14, B048/14, B049/14 and B050/14

APPLICANT: 1495068 ONTARIO INC.

PROPERTY: Part of Lot 26, Concession 1 (Lot 34 of Registered Plan 3205, municipally located on the Eastside of Payson Avenue, Thornhill).

ZONING: The subject lands are zoned R3, Residential subject to Exceptions 9(375) and 9(408) as amended.

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

The subject land is currently vacant. There is an existing single family dwelling located on part of the retained lands. A single family detached dwelling is proposed for the subject land and on part of the retained lands that will front on Payson Avenue.

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 Applications:
 B047/14 to B050/14 Creation of new lots (to be heard **Sept. 11/14** in conjunction with this application).

Minor Variance Applications:
 A230/14 to A234/14: lot area, setbacks, lot depth, lot coverage, bldg height (to facilitate the consent applications to be heard **Sept. 11/14** in conjunction this application).

ROSEMARIE HUMPHRIES of Humphries Planning Group Inc., the agent, appeared on behalf of the applicant gave a lengthy submission regarding the request.

Ella Koor, 138 Crestwood Road, Thornhill, Ontario, L4J 1A7; Stan Milanor, 136 Crestwood Road, Thornhill, Ontario, L4J 1A6; Enzo Bordone, 141 & 145 Crestwood Road, Thornhill, Ontario, L4J 0N4, Carlo DiPanfilo, 107 Crestwood Road, Thornhill, Ontario, L4J 1A7; Joseph Thomas 305 Pinewood Drive, L4J 5S1; Andrey Briskin, 148 Crestwood Road, Thornhill, Ontario, L4J 1A6; Jun Gu, 351 Pinewood Drive, Thornhill, Ontario, L4J 3S1 and Luina Long, 146 Crestwood Road, Thornhill, Ontario, L4J 1A6, **all appeared in opposition and completed request for decision forms.**

CONSENT PUBLIC HEARING:

Cont'd...

Previously adjourned from the August 28th 2014 meeting.

Item # 20 to 28

Cont'd...

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| FILE NUMBERS: | B047/14, B048/14, B049/14 and B050/14 |
| APPLICANT: | 1495068 ONTARIO INC. |

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

Letters in opposition were received from Jimmy Chu, 323 Pinewood Drive, Thornhill, Ontario L4J 5S2 and Vinoo Magna, 299 Pinewood Drive, Thornhill, Ontario, L4J 5S1.

Two petitions in opposition were received from Enzo Bordone, 141 & 145 Crestwood Avenue, Thornhill, Ontario, L4J 1A7, one prior to the hearing and one during his submission.

During the discussion that took place between, Ms. Humphries, the neighbours present and the Committee, it was suggested and agreed to adjourn the applications SINE DIE, to allow the agent time to meet with the residents, reconsider their applications and for Planning to prepare a report to the Committee on how this development is desirable and appropriate for this area.

MOVED by L. Fluxgold
Seconded by J. Cesario

THAT Application No. **B047/14 to B050/14 & A230/14 to A234/14, 1495068 ONTARIO INC.**, be **ADJOURNED SINE DIE.**

CARRIED.

MINOR VARIANCE PUBLIC HEARING:

Cont'd...

Previously adjourned from the July 24, 2014, August 14, 2014 and August 28 2014 meetings.

Item # 30

- FILE NUMBER:** A192/14
- APPLICANT:** ANTONIO and GIOVANNA OLIVA
- PROPERTY:** Part of Lot 18, Concession 3 (being Part 1 on Plan 65R-19043) municipally known as 9701 Keele Street, Maple.
- ZONING:** The subject lands are zoned R1, Residential Zone One and subject to the provisions of Exception 9(663) under By-law 1-88 as amended.
- PURPOSE:** To permit the maintenance of a driveway, as follows:
- PROPOSAL:**
 1. To permit a minimum of 23.3% front yard landscaping.
 2. To permit a maximum driveway width of 13.813 metres.
 3. To permit a maximum driveway width of 13.813 metres between the street line and the street curb
 4. To permit a curb cut width of 9.0 metres.
- BY-LAW REQUIREMENT:**
 1. A minimum front yard landscaped area of 50.0 % is required.
 2. A maximum driveway width of 7.5 metres is permitted.
 3. A maximum driveway width of 6.0 metres is permitted between the street line and the street curb.
 4. A maximum curb cut width of 6.0 metres is permitted.

RINA CONFORTI, the agent appeared on behalf of the applicant gave a brief submission regarding the request and submitted photographs of the front yard.

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

There were discussions between Ms. Conforti and the Committee.

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 HEARING:

Previously adjourned from the July 24, 2014, August 14, 2014 and August 28 2014 meetings.

Cont'd...

Item # 30

Cont'd...

| | |
|---------------------|-----------------------------------|
| FILE NUMBER: | A192/14 |
| APPLICANT: | ANTONIO and GIOVANNA OLIVA |

MOVED by L. Fluxgold
No Seconder

THAT Application No. **A192/14, ANTONIO and GIOVANNA OLIVA**, be **APPROVED**, in accordance with the attached sketch and subject to the following condition:

1. That the applicant shall install soft landscaping a minimum of 2.5m into the lot, from the edge of the existing sidewalk, to the satisfaction of the Development Planning Department;

MOTION FAILED TO CARRY.

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. **A192/14, ANTONIO and GIOVANNA OLIVA**, be **APPROVED**, in accordance with the attached sketch and subject to the following conditions:

1. That the applicant shall install soft landscaping a minimum of 5.0m into the lot, from the edge of the existing sidewalk; and that the landscape island be removed, 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.

Previously adjourned from the August 28th 2014 meeting.

Item # 31

- FILE NUMBER:** A225/14
- APPLICANT:** BLUE BOTTLE CONSTRUCTION LTD.
- PROPERTY:** Part of Lot 7, Concession 3 (being Lot 10, Plan 7925) municipally known as 575 Oster Lane, Vaughan
- ZONING:** The subject lands are zoned, EM2, General Employment Zone, under By-law 1-88, as amended.
- PURPOSE:** To permit the construction of exterior impingement/chiller unit installation, as follows:
- PROPOSAL:** 1. To permit a minimum interior side yard setback of 3.5 m to an impingement/chiller unit.
- BY-LAW REQUIREMENT:** 1. A minimum interior side yard setback of 6 m is required.

PAUL FRITZE, 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 L. Fluxgold
Seconded by J. Cesario

MINOR VARIANCE PUBLIC HEARING:
Previously adjourned from the August 28th 2014 meeting.

Cont'd...

Item # 31

Cont'd...

FILE NUMBER: A225/14

APPLICANT: BLUE BOTTLE CONSTRUCTION LTD.

THAT Application No. **A225/14, BLUE BOTTLE CONSTRUCTION LTD.**, be **APPROVED**, 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 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 7:55 p.m., and the next regular meeting will be held on **October 2, 2014.**

CARRIED.

DRAFT