

MINUTES OF THE DECEMBER 8, 2016 MEETING

The Minutes of the 22ND Meeting of the
Vaughan Committee of Adjustment
for the year 2016
THURSDAY, DECEMBER 8, 2016

6:10 p.m.

Present at the meeting were:

H. Zheng - Chair
M. Mauti – Vice Chair
A. Perrella
R. Buckler
J. Cesario

Members of Staff present:

Todd Coles, Secretary-Treasurer
Pravina Attwala, Assistant to the Secretary-Treasurer
Natalie Wong, Planner
Daniel Rende, Planner
Carla Pierini, Plans Examiner

INTRODUCTION OF ADDENDUM REPORTS

MOVED by M. Mauti
Seconded by R. Buckler

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 R. Buckler
Seconded by M. Mauti

THAT the minutes of the Committee of Adjustment Meeting of **Thursday, November 17, 2016**, be adopted as circulated.

CARRIED.

ADJOURNMENTS AND/OR DEFERRALS

On December 8, 2016 an e-mail was received from Sam Speranza, ZZen Group of Companies, the agent, requesting that item 16, **File No. B037/16, 2431247 ONTARIO LIMITED, be ADJOURNED to the January 26, 2017 meeting,** to allow time for revisions to be made to the application.

On December 8, 2016 an e-mail was received from Ruth Silva, the applicant, requesting that item 19, **File No. A416/16– RUTE DE JESUS PEREIRA DASILVA & MARK WILLIAM GATT, be ADJOURNED SINE DIE.**

On December 8, 2016 an email was received from Gwene Mesinga, the applicant, requesting that item 24, **File No. A427/16 - VINCENT CHARLEMAGNE & GWENE MENSINGA, be ADJOURNED to the January 12, 2017 meeting,** to allow time to address Development Planning Department's comments.

On December 8, 2016 an e-mail was received from Leo Belmonte, the applicant, requesting that item 29, **File No. A433/16, SANDRA BELMONTE, be ADJOURNED to the January 26, 2017 meeting,** to allow for his attendance at the meeting.

On December 8, 2016 an e-mail was received from Evan Perlman, the agent, requesting that item 41, **File No. A020/16, CLUSTERGARDEN ESTATES INC., be ADJOURNED to the February 9, 2017 meeting,** to allow time for Council's consideration of the site development application and in order for the Development Planning Department to provide revised comments.

On December 2, 2016 an e-mail was received from Travis Nolan, SmartReit, the agent, requesting that item 42, **File No. A387/16– PENGUIN-CALLOWAY (VAUGHAN) INC., be ADJOURNED to the January 12, 2017 meeting,** to allow for the submission of Development Planning Department's comments.

MOVED by M. Mauti
Seconded by R. Buckler

THAT item 16, File No. B037/16, 2431247 ONTARIO LIMITED, be ADJOURNED to the January 26, 2017 meeting.

THAT item 19, File No. A416/16– RUTE DE JESUS PEREIRA DASILVA & MARK WILLIAM GATT, be ADJOURNED SINE DIE.

THAT item 24, File No. A427/16 - VINCENT CHARLEMAGNE & GWENE MENSINGA, be ADJOURNED to the January 12, 2017 meeting.

THAT item 29, File No. A433/16, SANDRA BELMONTE, be ADJOURNED to the January 26, 2017 meeting.

that item 41, File No. A020/16, CLUSTERGARDEN ESTATES INC., be ADJOURNED to the February 9, 2017 meeting.

THAT item 42, File No. A387/16– PENGUIN-CALLOWAY (VAUGHAN) INC., be ADJOURNED to the January 12, 2017 meeting.

CARRIED.

ADMINISTRATIVE CORRECTIONS

None.

CONSENT & MINOR VARIANCE PUBLIC HEARING:

Item # 6-8

FILE NUMBER: B011/16, A159/16 & A160/16

APPLICANT: HASIBULLAH AKBARY

PROPERTY: Part of Lot 31, Concession 1 (Lots 10 and 11, of Registered Plan 3270), municipally known as 8 and 10 Thornbank Road, Thornhill.

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

PURPOSE B011/16: The purpose of this application is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the attached sketch as a technical conveyance, for residential purposes; together with all required easements and right of ways if required. The land being conveyed and the land being retained were formerly separate holdings but have since become consolidated (taken into the same title), and retain the lands marked "B" on the attached sketch for residential purposes.

Currently there is one shed on the conveyed lands and one single family dwelling on the retained lands.

PURPOSE (A159/16) - To permit the maintenance of a single family dwelling and an accessory building, as follows:

(A160/16) - To permit the maintenance of a two storey single family dwelling and a partially covered side yard deck, as follows:

PROPOSAL A159/16:

1. To permit a single family dwelling on the subject lot as shown on Registered Plan 3270.
2. To permit an accessory building without a main dwelling.

BY-LAW REQUIREMENT A159/16:

1. No person shall erect more than one single family dwelling on any lot as shown on Registered Plan 3270.
2. No accessory building shall be permitted without a main dwelling.

PROPOSAL A160/16:

1. To permit a single family dwelling on the subject lot as shown on Registered Plan 3270.
2. To permit a southerly interior side yard setback of 1.16 metres to the dwelling.
3. To permit the total of both side yard setbacks to be a minimum of 3.82 metres.
4. To permit a southerly minimum interior side yard setback of ~~0 metres~~ **1.54m** to the open and unenclosed deck.
5. To permit a southerly minimum interior side yard setback of 1.76 metres to the covered deck.
6. To permit a northerly interior side yard setback of 2.66 metres.
7. To permit a maximum lot coverage of 28.63%.

Item # 6-8 – Cont'd

FILE NUMBER: B011/16, A159/16 & A160/16

APPLICANT: HASIBULLAH AKBARY

**BY-LAW
REQUIREMENT
A160/16:**

1. No person shall erect more than one single family dwelling on any lot as shown on Registered Plan 3270.
2. A minimum interior side yard setback of 2.5 metres.
3. The total of both side yard setbacks shall be a minimum of 6.0 metres.
4. A minimum interior side yard setback of 2.2 metres is required.
5. A minimum interior side yard setback of 2.5 metres is required.
6. A minimum northerly interior side yard setback of 3.5 metres is required.
7. A maximum lot coverage of 20% is permitted.

Mehdi Hosseini, the agent appeared on behalf of the applicant.

For Minor Variance application A160/16, variance number 4 was amended from 0m southerly minimum interior side yard setback to 1.54m as per the agent's conversation with the Development Planning Department.

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

MOVED by A. Perrella
Seconded by R. Buckler

THAT Application No. **B011/16, HASIBULLAH AKBARY**, be **APPROVED** in accordance with the sketch attached, and subject to conditions..

CARRIED.

MOVED by A. Perrella
Seconded by R. Buckler

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.

THAT Application No. **A159/16, HASIBULLAH AKBARY**, be **APPROVED** in accordance with the sketch attached, and subject to conditions.

CARRIED.

MOVED by A. Perrella
Seconded by R. Buckler

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.

THAT Application No. **A160/16, HASIBULLAH AKBARY**, be **APPROVED AS AMENDED** in accordance with the sketch attached, and subject to conditions.

CARRIED.

CONSENT PUBLIC HEARING

Item # 9

FILE NUMBER: B031/16

APPLICANT: LOBLAW PROPERTIES LIMITED

PROPERTY: Part of Lot 11, Concession 8 (Part 1 of Registered Plan 65R-27642) municipally known as 5850 Langstaff Road, Woodbridge.

ZONING: The subject lands are zoned A, Agricultural and OS1, Open Space Conservation Zone subject to the provisions of Exception 9(692) 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 a parcel of land marked "A" on the attached sketch for the creation of a new lot, together with all required easements and right of ways, for proposed parcel sale, and retain the lands marked "B" on the attached sketch for proposed Commercial use.

Item # 9 – Cont'd

FILE NUMBER: B031/16

APPLICANT: LOBLAW PROPERTIES LIMITED

Ian Rutledge, Zelinka Priamo Ltd., the agent appeared on behalf of the applicant. Mr. Rutledge requested to have the application Adjourned Sine Die as the submission of the application is premature.

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

MOVED by M. Mauti
Seconded by R. Buckler

THAT Application No. **B031/16, LOBLAW PROPERTIES LIMITED**, be **ADJOURNED SINE DIE**.

CARRIED.

Item # 10-12

FILE NUMBERS: B032/16, B033/16 AND B034/16

APPLICANT: PINE VALLEY (FGH) INC

PROPERTY: Part of Lot 5, Concession 7, (Part of Lots 4 & 5, of Registered Plan 4319 and Lot 29 of Registered Plan 9831) municipally known as 4603 and 4611 Highway #7, Woodbridge.

ZONING: The subject lands are zoned RA3 - Apartment Residential Zone and subject to the provisions of Exception 9(1431) under By-law 1-88 as amended.

PURPOSE B032/16: 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 residential purposes, together with all required easements and right-of-ways, if required, and retain land marked "B" on the attached sketch for residential purposes.

Currently both the subject and retained lands are vacant. There is an assisted living facility proposed for the subject land and a residential condominium building proposed for the retained lands.

PURPOSE B033/16: To request the consent of the Committee of Adjustment to grant a parcel of land marked "A" on the attached sketch as an **EASEMENT** in favour of the lands to the **EAST** for support, maintenance, shared utility services; vehicular and pedestrian purposes.

PURPOSE B034/16: To request the consent of the Committee of Adjustment to grant a parcel of land marked "A" on the attached sketch as an **EASEMENT** in favour of the lands to the **WEST** for support, maintenance, shared utility services; vehicular and pedestrian purposes.

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:
Official Plan Amendment: OP.13.090 - status not provided
Zoning By-law Amendment: Z.12.004 - status not provided
Site Plan Application: DA.013.090 - status not provided

Mark McConville Humphries Planning Group Inc., 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 A. Perrella
Seconded by J. Cesario

THAT Application Nos. **B032/16, B033/16 & B034/16, PINE VALLEY (FGH) INC (GILLES GISNAIRE)**, be **APPROVED**, in accordance with the sketches attached, and subject to conditions.

CARRIED.

CONSENT & MINOR VARIANCE PUBLIC HEARING

Item # 13-15

FILE NUMBER: B035/16, A434/16 AND A435/16

APPLICANT: LACRYMOUSE DEVELOPMENTS INC.

PROPERTY: Part of Lot 9, Concession 3 (Lots 13 and 14 of Registered Plan M-1832 and Block 24 of Registered Plan 65M-2223), municipally known as 196 and 200 Bradwick Drive, Concord.

ZONING: The subject lands are zoned EM2, General Employment Area under By-law 1-88 as amended.

PURPOSE B035/16: To request the consent of the Committee of Adjustment to grant a parcel of land and storage building marked "A" on the attached sketch as an **EASEMENT** in favour of the lands to the **SOUTH** for industrial purposes.

PROPOSAL A434/16 & A435/16:

1. To permit a minimum rear yard setback of **3.5 metres** (A434/16) and **2.3 metres** (A435/16) to the storage buildings.
2. To permit a minimum interior sideyard setback of **0.5 metres** (A434/16) to the storage building.

BY-LAW REQUIREMENT A434/16 & A435/16:

1. A minimum rear yard setback of 12 metres is required.
2. A minimum interior side yard setback of 6.0 metres 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:
CONSENT APPLICATION:
B023/13 - APPROVED - Oct. 24/13 - Easement in favour of the lands to the south (**FILE LAPSED**)
MINOR VARIANCE APPLICATION:
A264/13 - APPROVED, Oct. 24/13 (rear yard 3.5m & side yard 0.5m) - **FILE LAPSED**
A340/13 - APPROVED, Oct. 24/13 (rear yard 2.3m for storage Bldg "A") - **FILE LAPSED**

Gianluca Buzzanca, 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 A. Perrella

THAT Application No. **B035/16, LACRYMOUSE DEVELOPMENTS INC.**, be **APPROVED**, in accordance with the attached sketch and subject to conditions.

CARRIED.

MOVED by M. Mauti
Seconded by A. Perrella

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.

THAT Application No. **A434/16 & A435/16, LACRYMOUSE DEVELOPMENTS INC.**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 17-18

FILE NUMBER: B038/16 & B039/16

APPLICANT: SEVEN 427 DEVELOPMENTS INC

PROPERTY: Part of Lot 6, Concession 9 (Part of Blocks 30 & 32 of Registered Plan 65R-36149) municipally known as 251 New Enterprise Way, Woodbridge

ZONING: The subject lands are zoned C5 9(1392) and subject to the provisions of Exception under By-law 1-88 as amended

Item # 17-18 – Cont'd

FILE NUMBER: B038/16 & B039/16

APPLICANT: SEVEN 427 DEVELOPMENTS INC

PURPOSE B038/16: **To create an easement in favour of the lands to the East.**
The purpose of this application is to request the consent of the Committee of Adjustment to grant an EASEMENT in favour of the lands to the EAST, together with all required easements and right-of-ways, if required, for Commercial use.

PURPOSE B039/16: **To create an easement in favour of the lands to the West.**
The purpose of this application is to request the consent of the Committee of Adjustment to grant an EASEMENT in favour of the lands to the WEST, together with all required easements and right-of-ways, if required, for Commercial 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:
B053/15- APPROVED December 3/2015, Creation of a new lot.

Lauren Nobre, SmartReit, 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 A. Perrella

THAT Application Nos. **B038/16 & B039/16, SEVEN 427 DEVELOPMENTS INC.**, be **APPROVED**, in accordance with the attached sketches and subject to conditions.

CARRIED.

MOVED by M. Mauti
Seconded by A. Perrella

That item 37, **File No. A443/16, AGAU DEVELOPMENT LIMITED**, be heard next.

CARRIED.

MINOR VARIANCE PUBLIC HEARING

Item # 37

FILE NUMBER: A443/16

APPLICANT: AGAU DEVELOPMENT LIMITED

PROPERTY: Part of Lot 6, Concession 2, municipally known as 750 Centre Street, Thornhill.

ZONING: The subject lands are zoned CMU1, Commercial Mixed Use 1 - Town Centre and CMU2, Commercial Mixed Use 2 - Town Centre and subject to the provisions of Exception 9(1225) under By-law 1-88 as amended

PURPOSE: **To permit the construction of a Penguin Pick-Up (PPU) container.**

BY-LAW PROPOSAL: 1. To permit a maximum front yard setback of 12.32 metres.

BY-LAW REQUIREMENT: 1. A maximum front yard setback of 3.0 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:
SITE PLAN
DA.15.096 - Currently under review

LAUREN NOBRE, the agent appeared on behalf of the applicant.

No one else 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.

Item # 37 – Cont'd

FILE NUMBER: A443/16

APPLICANT: AGAU DEVELOPMENT LIMITED

MOVED by M. Mauti
Seconded by J. Cesario

THAT Application No. **A443/16, AGAU DEVELOPMENT LIMITED**, be **APPROVED**, in accordance with the attached sketch and subject to conditions.

CARRIED.

Item # 20

FILE NUMBER: A423/16

APPLICANT: JOE ARCURI

PROPERTY: Part of Lot 22, Concession 9, (Lot 37, PLAN 65M4336) municipally known as 95 Spicewood Crescent, Kleinburg

ZONING: The subject lands are zoned RD1 and subject to the provisions of Exception 9(1316) under By-law 1-88 as amended

PURPOSE: To permit the construction of an accessory structure as follows:

PROPOSAL:

1. To permit a minimum rear yard setback of 6.25m for Cabana "B".
2. To permit a maximum of 121.5m² of lot area to be covered by accessory buildings and structures.

BY-LAW REQUIREMENT:

1. Minimum rear yard setback 7.5m. (Cabana "B").
2. Maximum 67square meters of lot area is permitted to be covered by all accessory buildings and structures.

Tania Napolitano, 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 M. Mauti

THAT Application No. **A423/16, JOE ARCURI**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 21-22

FILE NUMBER: A424/16 & A425/16

APPLICANT: ANDRIN MAPLE STATION LIMITED

PROPERTY: Part of Lot 21, 22, Concession 3 (A424/16 - Block 11, PLAN 65M4477) and (A425/16 - Block 18, PLAN 65M4477) municipally known as 142 and 154 Salterton Circle, respectively, Maple.

ZONING: The subject lands are zoned RT1 and subject to the provisions of Exception 9(1407) under By-law 1-88 as amended.

PURPOSE: To permit the continued construction of townhouse dwellings, as follows:

PROPOSAL A424/16:

1. To permit a minimum exterior side yard of 4.24m.

BY-LAW REQUIREMENT A424/16:

1. Minimum exterior side yard 4.5m.

Item # 21-22

FILE NUMBER: A424/16 & A425/16

APPLICANT: ANDRIN MAPLE STATION LIMITED

PROPOSAL A425/16: 1. To permit a minimum no encroachment zone inside the property line of 1.16 metres from the covered front porch to the site triangle.

BY-LAW REQUIREMENT A425/16: 1. A minimum 1.5 metre no encroachment zone shall be maintained inside the property line at the site triangle.

Gino D'Ambrosio, Andrin Maple Station Limited, 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 M. Mauti
Seconded by A. Perrella

THAT Application Nos. A424/16 and A425/16, ANDRIN MAPLE STATION LIMITED (GINO D'AMBROSIO), be APPROVED, in accordance with the sketches attached.

CARRIED.

Item # 23

FILE NUMBER: A426/16

APPLICANT: TERRY FAVOT & NADIA MANZA

PROPERTY: Part of Lot 21, Concession 6 (PLAN 65M4250 Lot 32) municipally known as 151 Hailsham Court, Woodbridge

ZONING: The subject lands are zoned RD2 - Residential Detached Zone Two and subject to the provisions of Exception 9(1333) under By-law 1-88 as amended.

PURPOSE: To permit the construction of a pool and cabana, as follows:

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

*By amending variance #2 minimum interior side yard setback to an accessory structure = 0.3m
NOT 0.15m*

*By amending variance #8 permit the portion of the rear yard in excess of 135m2 to provide 15% soft landscaping.
NOT 11% soft landscaping*

PROPOSAL: 1. To permit a minimum interior side yard setback of 0.4 metres to an A/C unit.
2. To permit a minimum interior side yard setback of ~~0.15~~ 0.3 metres to the pool equipment.
3. To permit a minimum interior side yard setback of 0.61 metres to an accessory structure.
4. To permit a minimum interior side yard setback of 0.61 metres to an accessory structure (cabana).
5. To permit a minimum rear yard setback of 0.61 metres to an accessory structure (cabana).
6. To permit a minimum rear yard setback of 1.07 metres to a swimming pool.
7. To permit a minimum interior side yard setback of 1.07 metres to a swimming pool.
8. To permit the portion of the rear yard in excess of 135m2 to provide ~~11%~~ 15% soft landscaping.

Item # 23 – Cont'd

FILE NUMBER: A426/16

APPLICANT: TERRY FAVOT & NADIA MANZA

BY-LAW REQUIREMENT:

1. A minimum interior side yard setback of 1.2 metres is required to an A/C unit.
2. A minimum interior side yard setback of 1.2 metres is required for pool equipment.
3. A minimum interior side yard setback of 1.2 metres is required to an accessory structure.
4. A minimum interior side yard setback of 1.2 metres is required to an accessory structure (cabana).
5. A minimum rear yard setback of 7.5 metres is required to an accessory structure (cabana).
6. A minimum rear yard setback of 1.5 metres is required to the pool.
7. A minimum interior side yard setback of 1.5 metres is required to the pool.
8. A minimum of 60% soft landscaping is required for the portion of the rear yard in excess of 135m².

Terry Favot, 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 R. Buckler

THAT Application No. **A426/16, TERRY FAVOT & NADIA MANZA**, be **APPROVED AS AMENDED**, in accordance with the attached sketch

CARRIED.

Item # 25

FILE NUMBER: A428/16

APPLICANT: 1689169 ONTARIO LTD C/O SAL SCALUZZO

PROPERTY: Part of Lot 7, Concession 5 (Blocks 32 & 33 of Registered Plan 65M-2545) municipally known as 207 Edgeley Blvd, Unit 11, Concord.

ZONING: The subject lands are zoned EM1 and subject to the provisions of exception under By-law 1-88 as amended.

PURPOSE: To permit the maintenance and construction of second floor office space.

PROPOSAL: To permit a total of 115 parking spaces.

BY-LAW REQUIREMENT: A minimum of 120 parking spaces are required.

Rino Bancheri, Office Solutions Properties, the applicant appeared on his own behalf. Mr. Bancheri addressed the concerns in letters of objection received regarding parking and advised the Committee there will be no increase in staff and therefore no additional parking spaces will be used.

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

A request for decision was received from Vivona Holdings, 260 Edgeley Blvd, Unit 19, Concord, Ontario L4K 3Y4.

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 M. Mauti

THAT Application No. **A428/16, OFFICE SOLUTIONS PROPERTIES INC. (RINO BANCHERI)**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 26

- FILE NUMBER:** A430/16
- APPLICANT:** ARIE & AVIVA SHINDERMAN
- PROPERTY:** Part of Lot 17, Concession 2 (Lot 24 of Registered Plan 65M-4130), municipally known as 98 Woodvalley Crescent, Maple.
- ZONING:** The subject lands are zoned RD3, Residential Detached Zone Three and subject to the provisions of Exception No. 9(1217) under By-law 1-88 as amended.
- PURPOSE:** To permit the construction of swimming pool equipment and air conditioning unit.
- BY-LAW PROPOSAL:**
1. To permit pool equipment, on a pad, no enclosure, to be setback 0.6 metres from the interior side lot line.
 2. To permit an air conditioning unit to be setback 0.4 metres from the interior side lot line.
 3. To permit a maximum building height of 3.0 metres from finished grade to the highest point for an accessory structure (3.0 square metre cabana).
- BY-LAW REQUIREMENT:**
1. Pool equipment, on a pad, no enclosure, shall be setback a minimum of 1.2 metres from the interior side lot line.
 2. An air conditioning unit shall be setback a minimum of 1.2 metres from the interior side lot line.
 3. A maximum building height of 2.5 metres is permitted for an accessory structure (cabana) not exceeding 8 square metres in area.

Joe Barbarino, 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 A. Perrella

THAT Application No. **A430/16, ARIE & AVIVA SHINDERMAN**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 27

- FILE NUMBER:** A431/16
- APPLICANT:** ALTON ENTERPRISES INCORPORATED
- PROPERTY:** Part of Lot 1, Concession 5(Lots16 & 17 of Registered Plan 65M-2172) municipally known as 80 Sante Drive, Concord.
- ZONING:** The subject lands are zoned EM2 under By-law 1-88 as amended
- PURPOSE:** To permit the construction of an expansion to an existing building.
- PROPOSAL:**
1. To permit a rear yard setback of 8.0 metres.
 2. To permit a total of 56 parking spaces.
 3. To permit a minimum landscape strip width of 1.7 metres along Adesso Drive.
 4. To permit loading and unloading between a building and Adesso Drive.
- BY-LAW REQUIREMENT:**
1. A minimum rear yard setback of 12.0 metres is required.
 2. A minimum of 128 parking spaces are required.
 3. A minimum landscape strip width of 3.0 metres is required.
 4. Loading and unloading is not permitted between a building and a street.
- 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/Site Plan Approval DA.15.069 -Site Plan ongoing

Brad Rogers, Groundswell Urban Planners, the agent appeared on behalf of the applicant.

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

Item # 27 – Cont'd

FILE NUMBER: A431/16

APPLICANT: ALTON ENTERPRISES INCORPORATED

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 R. Buckler

THAT Application No. **A431/16**, **ALTON ENTERPRISES INCORPORATED (DANIEL TOTO)**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 28

FILE NUMBER: A432/16

APPLICANT: ALI RABIE

PROPERTY: Part of Lot 33, Concession 1 (Lot 53 of Registered Plan M-681) municipally known as 73 Riverside Blvd, Thornhill.

ZONING: The subject lands are zoned R1V - Old Village Residential Zone and subject to the provisions of By-law 1-88 as amended.

PURPOSE: To permit the construction of a single family dwelling.

PROPOSAL: 1. To permit a minimum exterior side yard setback of 6.8 metres to a covered porch.
2. To permit a minimum exterior side yard setback of 7.6 metres to the dwelling.

BY-LAW REQUIREMENT: 1. A minimum exterior side yard setback of 9.0 metres is required to the covered porch.
2. A minimum exterior side yard setback of 9.0 metres is required to the dwelling.

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:
A056/16 - APPROVED on March 17/16 for Lot Coverage(22.95), Height (11.0 m), rear yard setback (3.47/6.52m) and side yard setback (3.39m)

Shahram Rashvand, the agent appeared on behalf of the applicant.

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

A request for decision was received from Esther and Gary Lieberman, 12 Idleswift Drive, Thornhill, Ontario L4J 1R7

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 R. Buckler

THAT Application No. **A432/16**, **ALI RABIE**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 30

FILE NUMBER: A436/16

APPLICANT: 2780 HIGHWAY 7 INVESTMENTS INC.

PROPERTY: Part of Lot 31, Concession 4 (Part 6 of Registered Plan 65R8935) municipally known as 2780 Highway 7, Unit 101.

ZONING: The subject lands are zoned C7 - Service Commercial Zone and subject to the provisions of Exception 9(429) under By-law 1-88 as amended

Item # 30 – Cont'd

FILE NUMBER: A436/16

APPLICANT: 2780 HIGHWAY 7 INVESTMENTS INC.

PURPOSE: To permit a new use.

PROPOSAL: 1. To permit a Day Nursery.

BY-LAW REQUIREMENT: 1. A Day Nursery is 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:
Zoning By-Law/Site Plan Approval: 2.01.017, 2.96.85 and 2.95.92

Joe Tersigni, JDF Realty Ltd., 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 A. Perrella

THAT Application No. **A436/16, 2780 HIGHWAY 7 INVESTMENTS INC.**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 31

FILE NUMBER: A437/16

APPLICANT: ROBERT DI TORO

PROPERTY: Part of Lot 24, Concession 8 (Lot 41 of Registered Plan 275) municipally known as 72 Napier Street, Kleinburg.

ZONING: The subject lands are zoned R1 under By-law 1-88 as amended

PURPOSE: To permit the construction of a two car garage and cabana, as follows:

PROPOSAL:

1. To permit a minimum 1.8m rear yard setback for the garage.
2. To permit a minimum 1.2m interior side yard setback for the garage.
3. To permit a maximum 5.121m height for the garage.
4. To permit nearest part of the garage roof to be no more than 3.091m above finished grade.
5. To permit a maximum total lot coverage of 35.28%
6. To permit a maximum 71.9 square meters of lot area to be covered by accessory building or structures.

BY-LAW REQUIREMENT:

1. Minimum 7.5m rear yard setback (garage).
2. Minimum 1.5m interior side yard setback (garage).
3. Maximum building height 4.5m (garage).
4. Nearest part of the roof above finished grade shall not exceed 3.0m (garage).
5. Maximum lot coverage of 30%
6. Maximum 67 square meters of lot area shall be covered by accessory building or structures.

Fausto Cortese, Fausto Cortese Architect, the agent appeared on behalf of the applicant gave a brief submission regarding the request.

Discussions ensued between Mr. Cortese and the Committee regarding the objection letter received from Amy Reeves, 99 Napier Street, Kleinburg. Mr. Cortese also advised that a 1.5m rear yard setback to the cabana had not been included in the application.

The application was stood down to be heard later in the meeting to allow the agent to speak with the applicant regarding recirculation of a new notice.

MOVED by M. Mauti
Seconded by R Buckler

Item # 31

FILE NUMBER: A437/16
APPLICANT: ROBERT DI TORO

THAT Application No. **A437/16, ROBERT DI TORO** , be **STOOD DOWN** to be heard later in the meeting.
CARRIED

Item # 32

FILE NUMBER: A438/16
APPLICANT: CACHET SUMMERHILL DEVELOPMENTS INC
PROPERTY: Part of Lot 15, Concession 2 (Lot 1 of Draft Plan 19T-15V003) municipally known as Hesperus Road, Thornhill.
ZONING: The subject lands are zoned RV4, Residential Urban Village Zone Four and subject to the provisions of Exception 9(1437) under By-law 1-88 as amended
PURPOSE: To permit the construction of a single family detached dwelling.
PROPOSAL: 1. To permit a maximum building height of 11.1m.
BY-LAW REQUIREMENT: 1. Maximum building height 9.5m.
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:
Z.15.016- Approved and enacted in June 2016, rezoning of subject lands from "A" zone to "RV4" zone.

Evan Perlman, Glen Schnarr & Associates, 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 R. Buckler

THAT Application No. **A438/16, CACHET SUMMERHILL DEVELOPMENTS INC (RAMSEY SHAHEEN)**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 33

FILE NUMBER: A439/16
APPLICANT: MIKE PATRIZI
PROPERTY: Part of Lot 6, Concession7 (Lot 89, of Registered Plan M-1526), municipally known as 43 Sylvadene Parkway, Woodbridge.
ZONING: The subject lands are zoned R1, Residential Zone and subject to the provisions of Exception 9(93) under By-law 1-88 as amended.
PURPOSE: To permit the construction of a proposed covered porch and exterior stairs and the maintenance of the existing driveway and dwelling.
BY-LAW PROPOSAL: 1. To permit a minimum rear yard setback of 6.72 metres to a dwelling.
2. To permit a maximum driveway width of 11.55 metres.
3. To permit a maximum driveway width of 9.58 metres for the portion of the driveway between the street line and the street curb.
4. To permit a maximum width of a driveway at the street curb and a curb cut of 9.58 metres.
5. To permit a minimum of 44.59% landscaped front yard area.

Item # 33 – Cont'd

FILE NUMBER: A439/16

APPLICANT: MIKE PATRIZI

BY-LAW REQUIREMENT:

1. A minimum rear yard setback of 7.5 metres is required.
2. A maximum driveway width of 9.0 metres is permitted.
3. The portion of the driveway between the street line and the street curb shall not exceed 6.0 metres.
4. The maximum width of a driveway at the street curb and a curb cut shall not exceed 6.0 metres.
5. The Lot Frontage for Lots 12.0 metres and greater shall be composed of a minimum of 50% landscaped front yard area.

Ian Robertson, Ian Robertson Design, 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 R. Buckler

THAT Application No. **A439/16, MIKE PATRIZI**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 34

FILE NUMBER: A440/16

APPLICANT: GIOVANNINA REDA

PROPERTY: Part of Lot 38, Concession 6 (Lot 36, Registered Plan 65M-3411) municipally known as 102 Village Green Drive, Woodbridge.

ZONING: The subject lands are zoned R1 under By-law 1-88 as amended

PURPOSE: To permit the construction of a cabana, as follows:

PROPOSAL:

1. To permit a building height of 3.66 metres for the accessory building (cabana).

BY-LAW REQUIREMENT:

1. A maximum building height of 2.5 metres is permitted.

Jamie Orth, Solda Pools, 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 R. Buckler

THAT Application No. **A440/16, GIOVANNINA REDA**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 35

FILE NUMBER: A441/16

APPLICANT: 2431247 ONTARIO LIMITED

PROPERTY: Part of Lot 5, Concession 4 (Part 1 of Reference Plan 65R-10227) municipally known as 7725 Jane Street, Concord

Item # 35 – Cont'd

FILE NUMBER: A441/16

APPLICANT: 2431247 ONTARIO LIMITED

ZONING: The subject lands are zoned C8, Office Commercial Zone and OS1, Open Space Conservation Zone and subject to the provisions of Exception 9(875) under By-law 1-88 as amended.

PURPOSE: To permit the construction of a car brokerage office, as follows:

PROPOSAL: 1. To permit the use of an Office of a Car Brokerage (with no outdoor storage or display of vehicles on site) within an Office Building on the ground and second floor, having a total gross floor area that exceeds 16% (up to 100%) of the gross floor area of the said office building.

BY-LAW REQUIREMENT: 1. The Office of a Car Brokerage (having a total gross floor area that exceeds 16% and is located on the second floor of the Office Building) is not a permitted use.

Sam Speranza, ZZEN Group, 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 A. Perrella

THAT Application No. **A441/16, 2431247 ONTARIO LIMITED**, be **APPROVED**, in accordance with the attached sketch, and subject to conditions.

CARRIED.

Item # 36

FILE NUMBER: A442/16

APPLICANT: GIOVANNI LOSIGGIO

PROPERTY: Part of Lot 15, Concession 6 (Lot 7 of Registered Plan 65M-2948) municipally known as 45 Velmar Drive, Woodbridge.

ZONING: The subject lands are zoned R1 under By-law 1-88 as amended

PURPOSE: To permit the construction of a proposed Cabana.

PROPOSAL: 1. To permit a minimum 0.76m interior side yard setback for the cabana.
2. To permit a minimum 0.91m rear yard setback for the cabana.

BY-LAW REQUIREMENT: 1. Minimum interior side yard setback 1.5m (cabana).
2. Minimum rear yard setback 7.5m (cabana).

Giovanni Losiggio, 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 R. Buckler

THAT Application No. **A442/16, GIOVANNI LOSIGGIO**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 38

- FILE NUMBER:** A444/16
- APPLICANT:** SALAR GHASSEM
- PROPERTY:** Part of Lot 31, Concession 1 (Part of Lot 35, of Registered Plan 3977), municipally known as 3 Erica Road.
- ZONING:** The subject lands are zoned R1V 9(179) and subject to the provisions of Exception under By-law 1-88 as amended
- PURPOSE:** To permit the construction of a proposed two-storey dwelling.
- BY-LAW PROPOSAL:**
1. To permit a maximum ground floor area of 287.22m².
 2. To permit a minimum rear yard setback of 1.5 metres to the dwelling and 1.0 metres to the eaves and gutters, as per attached Site Plan.
 3. To permit a minimum interior side yard setback of 1.5 metres to the deck, patio and stairs as per attached Site Plan.
 4. To permit a minimum exterior side yard setback of 14.8 metres to the dwelling, 13.9 metres to the cantilevered window, 13.5 metres to the eaves and gutters and 15.2 metres to the covered porch, as per attached Site Plan.
 5. To permit a maximum building height of 10.2 metres as per attached Site Plan.
 6. To permit a maximum driveway width of 14.4 metres.
- BY-LAW REQUIREMENT:**
1. A maximum ground floor area of 255m² is permitted.
 2. A minimum rear yard setback of 1.5 metres is required as per Exception 9(179) and Schedule E-185, Building Envelope.
 3. A minimum interior side yard setback of 7.01 metres is required as per Exception 9(179) and Schedule E-185, Building Envelope.
 4. A minimum exterior side yard setback of 12.8 metres and 16.76 metres is required as shown on Schedule E-185, Building Envelope, as per Exception 9(179).
 5. A maximum building height of 9.5 metres is permitted.
 6. A maximum driveway width of 9.0 metres is permitted.

Frank Taher, 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 A. Perrella

THAT Application No. **A444/16, SALAR GHASSEM**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

CONSENT PUBLIC HEARING

Previously adjourned from October 22, 2015 meeting & Adjourned Sine Die at the November 5, 2015 meeting

Item # 39-40

- FILE NUMBER:** B042/15 & B036/16
- APPLICANT:** JAMES GODSON
- PROPERTY:** Part of Lot 26, Concession 1 (Lot 51, Registered Plan 3205) municipally known as 157 Crestwood Road, Thornhill
- ZONING:** The subject lands are zoned R2, Residential Zone, and R3, Residential Zone and subject to the provisions of Exception 9(735) under By-law 1-88 as amended.

Item # 39-40 – Cont'd

FILE NUMBER: B042/15 & B036/16

APPLICANT: JAMES GODSON

PURPOSE: The purpose of these applications is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the attached sketch for the creation of a new lot, together with all required easements and right of ways, for residential purposes, and retain the lands marked "B" on the attached sketch for residential purposes.

Currently existing on the conveyed lands is a shed, with a proposal for a residential dwelling. On the retained lands exists 4 buildings, 1 one and a half storey dwelling, one shed, two A Frames, (sheds to be demolished).

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 B036/16 to be heard with this application.

B049/97 & B050/97 - APPROVED June 28, 2007 - creation of new lots.

Alva Roy, 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 A. Perrella
Seconded by R. Buckler

THAT Application No. **B042/15 and B036/16, JAMES GODSON**, be **APPROVED**, in accordance with the sketches attached, and subject to conditions.

CARRIED.

MINOR VARIANCE PUBLIC HEARING

Previously adjourned from the November 17, 2016 meeting.

Item # 43

FILE NUMBER: A406/16

APPLICANT: PAUL & TINA SINFAROSA

PROPERTY: Part of Lot 30, Concession 3, (Lot 88, of Registered Plan 65M-3201), municipally known as 12 Glacier Court, Maple.

ZONING: The subject lands are zoned R1 & OS5 and subject to the provisions of Exception 9(949) under By-law 1-88 as amended

PURPOSE: To permit the construction of the proposed in-ground swimming pool and Cabana.

PROPOSAL:

1. To permit a minimum rear yard setback of 0.0 metres to the OS5 zone line for the inground pool.
2. To permit a minimum rear yard setback of 0.0 metres to the OS5 zone line for the accessory structure (cabana).
3. To permit a maximum lot coverage of 29.51% (dwelling 23.07%, covered porches 3.9% and accessory building (cabana) 2.54%).
4. To permit the retaining wall, inground pool and accessory building to be partially located in the OS5 Open Space Environmental Protection Zone.

BY-LAW REQUIREMENT:

1. A minimum rear yard setback of 9.5 metres is required to the OS5 zone line.
2. A minimum rear yard setback of 9.5 metres is required to the OS5 zone line.
3. A maximum lot coverage of 28% is required.
4. No construction of any kind is permitted in the OS5 Open Space Environmental Zone.

John Kenyon, Gibsan Pools, 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.

Item # 43

FILE NUMBER: A406/16
APPLICANT: PAUL & TINA SINFAROSA

MOVED by R. Buckler
Seconded by A. Perrella

THAT Application No. **A406/16, PAUL & TINA SINFAROSA**, be **APPROVED**, in accordance with the attached sketch, and subject to conditions.

CARRIED.

Previously adjourned from the November 17, 2016 meeting.

Item # 44

FILE NUMBER: A408/16
APPLICANT: ABU BAKER SHAD
PROPERTY: Part of Lot 2, Block A, Concession 9 (Lot 2, Block A, Registered Plan M-1775) municipally known as 118 Hedgerow Lane, Kleinburg
ZONING: The subject lands are zoned RR 9(191) and subject to the provisions of Exception under By-law 1-88 as amended
PURPOSE: To permit the construction of a single family dwelling, as follows:
PROPOSAL: To permit a maximum lot coverage of 15.5%.
BY-LAW REQUIREMENT: A maximum lot coverage of 10% is permitted.

Saba Al Mathno, QBS Architects Inc., the agent appeared on behalf of the applicant.

Sharon Burge, 96 Hedgerow Lane, Kleinburg, Ontario L0J 1C0, submitted a request for decision and appeared in objection to the request and raised concerns regarding grading and water/sewer drainage. Mr. Mathno addressed Ms. Burge's concern and also advised the committee that he had met with the neighbours' and discussed the nature of the project and addressed their concerns regarding the water/sewer drainage.

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

A request for decision was received from John Sagat, 145 Hedgerow Lane, Kleinburg, Ontario L0J 1C0.

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 M. Mauti

THAT Application No. **A408/16, ABU BAKER SHAD (ABU BAKER SHAD)**, be **APPROVED**, in accordance with the attached sketch.

CARRIED.

Item # 31

FILE NUMBER: A437/16
APPLICANT: ROBERT DI TORO

Fausto Cortese, Fausto Cortese Architect, the agent appeared on behalf of the applicant and requested the Committee to adjourn the application so that a new notice can be recirculated.

MOVED by M. Mauti
Seconded by A. Perrella

THAT Application No. **A437/16, ROBERT DI TORO**, be **ADJOURNED** to January 26, 2016 to allow for the recirculation of a new notice.

CARRIED.

OTHER BUSINESS

None.

MOTION TO ADJOURN

MOVED by M. Mauti
Seconded by A. Perrella

THAT the meeting of Committee of Adjustment be adjourned at 6:50 p.m., and the next regular meeting will be held on **JANUARY 12, 2017.**

CARRIED.

DRAFT