

 DRAFT	Committee of Adjustment Minutes Hearing Date: August 30, 2018 Location: 2141 Major Mackenzie Drive Committee Room 242/243 Time: 6:00 p.m.
	Committee Member & Staff Attendance
Committee Members:	Joe Cesario (Chair) Robert Buckler (Vice-Chair) Mary Mauti Assunta (Sue) Perrella Hao (Charlie) Zheng
Secretary Treasurer: Assistant Secretary Treasurer: Zoning Staff: Planning Staff:	Christine Vigneault Pravina Atwala Sarah Scauzillo Christopher Cosentino
Members / Staff Absent:	N/A

Introduction of Addendum Reports

Item#	File #	Address/Applicant	Commentator	Summary
6	A129/18	8865 Hwy 50, Vaughan (Condor (Boca East) Properties Inc.	Planning	Planning Comments - Recommend approval w/ condition requiring revised landscape plan and elevation drawings.
9	A132/18	2 Pine Ridge Avenue, Woodbridge (Novikov)	TRCA	TRCA Clearance of Condition #1 (fee)
17	A081/18	10483 Islington Avenue, Vaughan (Kleinburg North Holdings Ltd.)	Agent	Request to adjourn to September 13, 2018 to accommodate review/comment on application
17	A081/18	10483 Islington Avenue, Vaughan (Kleinburg North Holdings Ltd.)	Engineering	Comments – Recommend approval

Moved By: R. Buckler
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.

Motion Carried.

Disclosure of Pecuniary Interest

Member	Nature of Interest
R. Buckler	Item 16 – A254/17 – 52 Theodore Place (Relative)

Adoption of August 16, 2018 Minutes

Required Amendment	Page Number
N/A	N/A

Moved By: R. Buckler
Seconded By: M. Mauti

THAT the minutes of the Committee of Adjustment Meeting of Thursday, August 16, 2018, be adopted as circulated.

Motion Carried.

Adjournments

Moved By: R. Buckler

Seconded By: H. Zheng

That the following adjournments be approved as requested:

Item Number	Application Number/Address	Adjournment Date	Reason for Adjournment
17	A081/18 (10483 Islington Avenue, Vaughan)	September 13, 2018	Accommodate review/comments on application

Motion Carried.

Applications Addressed by the Committee of Adjustment

Please Note: For complete application details please reference the Notice of Decision issued for each respective application. A copy can be obtained by submitting a written request to the Secretary Treasurer.

- 5. File:** A122/18 **Ward 2**
- Applicant:** C. Gino La Corte
- Agent:** Marcello Taglia Ferri
- Address:** 8248 Kipling Ave. Woodbridge
- Purpose:** Relief from the by-law is being requested to permit the construction of a proposed detached garage.

Additional Addendum Reports received and provided to the Committee from: None.

Representation

Marcello Taglia Ferri

Comments

Marcello Taglia Ferri explained the nature of the application.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: M. Mauti

Seconded By: R. Buckler

THAT Application No. A122/18 on behalf of C. Gino La Corte be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval for the proposed accessory garage prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

6. File: A129/18 **Ward 2**
Applicant: Condor (Boca East) Properties Inc.
Agent: Condor Properties (Davide Pellegrini)
Address: 8865 Hwy 50 Vaughan
Purpose: Relief from the By-Law is being requested to permit an outdoor storage area to support a warehouse facility as proposed by Site Plan Application DA.18.024.

Note: The outdoor storage area will store product (packaged mechanical rooftop equipment).

Additional Addendum Reports received and provided to the Committee from:
 Planning Comments – Received August 30, 2018

Representation
 Davide Pellegrini, Condor Properties

Comments
 Davide Pellegrini explained the nature of the application.

In response to Chairman Cesario, Mr. Pellegrini explained that the outdoor storage space is to accommodate mechanical rooftop equipment (i.e. A/C units, ventilation equipment etc.).

In response to Member Zheng, Mr. Pellegrini advised that the equipment storage will be stacked approximately 3 metres high.

In response to Member Mauti, Mr. Pellegrini explained how the site will be screened and noted that screening is being addressed through the related Site Plan process.

In response to Member Mauti, Christopher Cosentino, Planner, reviewed the recommended condition of approval (Development Planning).

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella
 Seconded By: H. Zheng

THAT Application No. A129/18 on behalf of Condor (Boca East) Properties Inc. be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	The Owner/applicant shall obtain approval for the related Site Development Application (DA.18.024) from the Development Engineering (DE) Department.
2.	Development Planning Christopher Cosentino 905-832-8585 x 8215 Christopher.cosentino@vaughan.ca	That the owner submits a revised landscape plan and elevation drawings to reflect the additional plantings and the increased height of the accessory outside storage area to the satisfaction of the Development Planning Department.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

9. File: A132/18 **Ward 2**
Applicant: Irina Novikov Anton Novikov
Agent:
Address: 2 Pine Ridge Ave. Woodbridge
Purpose: Relief from the By-Law is being requested to permit an existing deck located in the rear yard.

Additional Addendum Reports received and provided to the Committee from:
 TRCA – Received August 24, 2018

Representation
 Irina Novikov

Comments

Irina Novikov explained the nature of the application.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: M. Mauti
 Seconded By: H. Zheng

THAT Application No. A132/18 on behalf of Irina Novikov Anton Novikov be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	TRCA Polina Bam 416-661-6600 x 5256 polina.bam@trca.on.ca	1) That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority. 2) The applicant successfully obtains a permit from the Toronto and Region Conservation Authority pursuant to Ontario Regulation 166/06 to recognize the works previously undertaken on the property.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

10. File: A133/18 **Ward 2**
Applicant: Ernesto and Giselle Campoli
Agent: Anthony Martelli
Address: 368 Firglen Rdge. Woodbridge
Purpose: Relief from the By-Law is being requested to permit the existing retaining wall located in the rear yard.

Additional Addendum Reports received and provided to the Committee from: None.

Representation

Anthony Martelli

Comments

Anthony Martelli explained the nature of the application.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: M. Mauti

Seconded By: H. Zheng

THAT Application No. A133/18 on behalf of Ernesto and Giselle Campoli be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Carried.

Members Opposed to Motion: N/A

11. File: A134/18 **Ward 3**
Applicant: Nick and Angelina Martino
Agent: Calogero Bancheri
Address: 107 Malden St. Woodbridge
Purpose: Relief from the by-law is being requested to permit the construction of a proposed gazebo located at the rear of the dwelling.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: S. Bottos Address: 115 Malden Street Nature of Correspondence: Petition in Support
Name: R. Terenzi Address: 101 Malden Street Nature of Correspondence: Petition in Support
Name: O. Logozzo Address: 104 Cartwright Boulevard Nature of Correspondence: Petition in Support

Additional Addendum Reports received and provided to the Committee from: None.

Representation

Nick Martino

Comments

Nick Martino explained the nature of the application.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: M. Mauti

Seconded By: R. Buckler

THAT Application No. A134/18 on behalf of Nick and Angelina Martino be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	1. The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval for the proposed gazebo prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval. 2. The Owner/applicant shall apply for a pool permit and receive grading approval for the proposed in ground pool with the Development Engineering (DE) Department.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

12. File: A140/18 **Ward 3**
Applicant: Anthony Palozzi Sandra Galea Palozzi
Agent: None
Address: 201 Beatrice Way. Woodbridge
Purpose: Relief from the by-law is requested to permit the proposed construction of a pool located in the rear yard.

Additional Addendum Reports received and provided to the Committee from: None.

Representation
 Anthony Palozzi

Comments

Anthony Palozzi explained the nature of the application.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella
 Seconded By: R. Buckler

THAT Application No. A140/18 on behalf of Anthony Palozzi Sandra Galea Palozzi be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	The Owner/applicant shall apply for a pool permit and receive grading approval for the proposed in ground pool with the Development Engineering (DE) Department.
2	TRCA Polina Bam 416-661-6600 x 5256 pbam@trca.on.ca	1. That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority. 2. That the applicant successfully obtains a Permit pursuant to Ontario Regulation 166/06 in support of the subject works.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

- 13. File:** A141/18 **Ward 1**
- Applicant:** Ajit and Jasmeet Chaudhry
- Agent:** Byron Escobar
- Address:** 2 Spicewood Cr. Kleinburg
- Purpose:** Relief from the by-law is being requested to permit the construction of a proposed inground pool, a cabana and two pergolas to be located in the rear/side yard.

Additional Addendum Reports received and provided to the Committee from: None.

Representation
Byron Escobar

Comments

Byron Escobar explained the nature of the application.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: H. Zheng
Seconded By: A. Perrella

THAT Application No. A141/18 on behalf of Ajit and Jasmeet Chaudhry be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	1. The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval. 2. The Owner/applicant shall apply for a pool permit and receive grading approval for the proposed in ground pool with the Development Engineering (DE) Department.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

14. File: A144/18 **Ward 2**
Applicant: Mattia & Robertino Anania
Agent: Frank Bellini
Address: 9 Carstad Cr. Woodbridge
Purpose: Relief from the by-law is requested to permit the construction of a proposed cabana and canopy located in the rear yard.

Additional Addendum Reports received and provided to the Committee from: None.

Representation

Frank Bellini

Comments

Frank Bellini explained the nature of the application.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: H. Zheng

Seconded By: A. Perrella

THAT Application No. A144/18 on behalf of Mattia & Robertino Anania be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	1) The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval including the proposed cabana prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval. 2) The Owner/applicant shall apply for a pool permit and receive grading approval for the proposed in ground pool with the Development Engineering (DE) Department.
2	TRCA Polina Bam 416-661-6600 x 5256 pbam@trca.on.ca	That the applicant provides the required fee amount of \$580.00 payable to the Toronto and Region Conservation Authority.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

15. File: A145/18 **Ward 1**
Applicant: Jimmy Glamcevski & Jennifer Michelle Maccarone
Agent: Zaneta Dimitrovska
Address: 173 Cranbrook Cr. Kleinburg
Purpose: Relief from the by-law is requested to permit the construction of a proposed sunroom addition located at the rear of the dwelling.

Additional Addendum Reports received and provided to the Committee from: None.

Representation
 Zaneta Dimitrovska

Comments

Zaneta Dimitrovska explained the nature of the application.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella
 Seconded By: H. Zheng

THAT Application No. A145/18 on behalf of Jimmy Glamcevski & Jennifer Michelle Maccarone be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	1) The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City's Development Engineering Department for final lot grading approval for the proposed addition prior to any work being undertaken on the property. Please visit or contact Development Engineering's front desk on the 2nd floor of City Hall to apply for lot grading approval. 2) Staff have confirmed that the property is located within an unassumed subdivision. The Owner/applicant shall provide satisfactory notification to the developer/builder (Letter or email) of the minor variance and proposed work to the property in question and provide a copy of the notification to the City.

For the Following Reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

Member Buckler left the committee room due to previously declared interest.

16. File: A254/17 **Ward 5**
Applicant: Kitty Halioua
Agent: Isaac Oziel
Address: 52 Theodore Pl. Thornhill
Purpose: Relief from the by-law is being requested to permit the existing deck.

Public Written Submissions
* Public Correspondence received and considered by the Committee in making this decision (received prior to 12:00 p.m. of hearing date)
Name: Resident Address: 432 York Hill Blvd Nature of Correspondence: Letter of Objection
Name: Resident Address: 432 York Hill Blvd Nature of Correspondence: Email confirming objections

Additional Addendum Reports received and provided to the Committee from: None.

Representation

Jim Halioua
 Rachel Lichtman

Comments

In response to Chairman Cesario, Mr. Halioua consented to having Ms. Lichtman represent the applicant.

Ms. Lichtman provided a brief history of the application and reviewed the 2001 OMB Decision. She advised that the previous reasons for refusal were related to neighbour concerns regarding noise and the intrusiveness of the deck. She reviewed page 3 and 4 of the OMB Decision. With respect to the current application, she advised that there is only one letter of objection which does address noise or concerns with social entertaining. She noted that the current s owner has not created any noise or social entertaining issues. She reviewed the four (4) tests under the Planning Act. She noted that the land is zoned and being used for residential use.

In response to the Committee Ms. Lichtman confirmed that while the application is similar, the deck has been reconstructed. The applicant was unaware that the deck did not conform to the By-law.

In response to Member Perrella, Ms. Lichtman confirmed that the property was purchased in 2012 and the deck was constructed in 2015.

In response to Chairman Cesario, Ms. Lichtman advised that the original dimensions were used to reconstruct the deck with the exception of the stairs.

The Committee discussed Planning comments related to the application.

Member Perrella commented that while the circumstances may be different the OMB has rendered a decision on the application.

In response to Member Mauti, Christopher Cosentino, Planner advised that staff reviewed planning concerns with the applicant. Staff did not support the application in 2000 and the OMB established an appropriate setback through their 2001 decision. Development Planning is of the opinion that the OMB decision should be upheld. If the stairs were relocated to the side of the home the deck would be in keeping with the OMB decision.

In response to Member Mauti, Ms. Lichtman advised that it would be a high expense to move the stairs.

The Committee and Ms. Lichtman discussed the history of the deck and the previous OMB decision.

In response to the Committee, Mr. Cosentino clarified that the original deck was reconstructed to conform to the OMB decision. The current owner reconstructed the deck with modifications which has triggered the requested variances.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: A. Perrella

Seconded By: M. Mauti

THAT Application No. A254/17 on behalf of Kitty Halioua be **REFUSED** for the following reasons:

For the Following Reasons:

1. The general intent and purpose of the by-law will not be maintained.
2. The general intent and purpose of the official plan will not be maintained.
3. The requested variance(s) is/are not acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are not minor in nature.
5. The Committee supports that OMB Decision PL000884 be upheld.

Motion Carried.

Members Opposed to Motion: N/A

18. File: A125/18 **Ward 5**
Applicant: Bryna Kaplan and Daniel Sapir
Agent: None
Address: 126 Renaissance Court, Thornhill
Purpose: Relief from the by-law is being requested to permit the construction of the proposed in-ground pool (wellness spa), cabana and kitchen area with a canopy, to be located in the rear yard.

Additional Addendum Reports received and provided to the Committee from: None.

Representation

Bryna Kaplan

Comments

Bryna Kaplan explained the nature of the application. Ms. Kaplan clarified that the wellness spa is an above ground hot tub, not an inground pool. She noted that there may be changes to the proposed cabana.

In response Ms. Kaplan, Christine Vigneault, Secretary Treasurer, advised that if alterations to the proposal are required the application would require adjournment and recirculation to confirm variances, which would require an additional fee. In addition, if the proposal triggered additional and/or increased variances public notice under the Planning Act would be required.

Ms. Kaplan requested that the proposal be approved as is.

Chairman Cesario asked if anyone present wished to comment on this application. There was no response.

Moved By: M. Mauti

Seconded By: A. Perrella

THAT Application No. A125/18 on behalf of Bryna Kaplan and Daniel Sapir be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following conditions:

	Department/Agency	Condition
1	Development Engineering Brad Steeves 905-832-8585 x 8977 brad.steeves@vaughan.ca	The Owner/applicant shall submit the final Lot Grading Plan to the Development Inspection and Lot Grading division of the City’s Development Engineering Department for final lot grading approval prior to any work being undertaken on the property. Please visit or contact Development Engineering’s front desk on the 2nd floor of City Hall to apply for lot grading approval.

For the Following Reasons (Minor Variance):

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Motion Carried.

Members Opposed to Motion: N/A

Other Business: None

Motion to Adjourn

Moved By: A. Perrella

Seconded By: H. Zheng

THAT the meeting of Committee of Adjustment be adjourned at 6:40 p.m., and the next regular meeting will be held on September 13, 2018.

Motion Carried.

August 30, 2018 Meeting Minutes are to be approved at the September 13, 2018 meeting:

Chair

Secretary-Treasurer