

NOTICE OF DECISION

FILE NO: A443/06

IN THE MATTER OF Subsection 45 of the Planning Act.

IN THE MATTER OF an application by **WYCLIFFE HUMBERPLEX LIMITED**, with respect to Part of Lot 27, Concession 8, (Lot 129, Registered Plan No. 65M-3895, municipally known as 22 Rainbow's End, Kleinburg.)

The subject lands are zoned R1, Residential under By-Law 1-88 as amended and further subject to exception 9(1162)

The applicant is requesting a variance to permit the continued construction of a two storey single family detached dwelling, with attached garage, as follows:

Proposal

- 1) A minimum interior side yard setback of 0.98m.

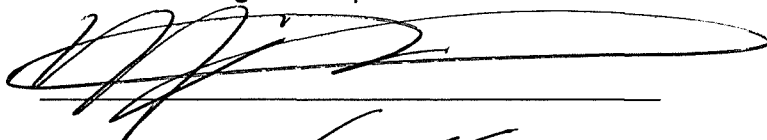
By-Law Requirements:

- 1) A minimum interior side yard setback of 1.5m.

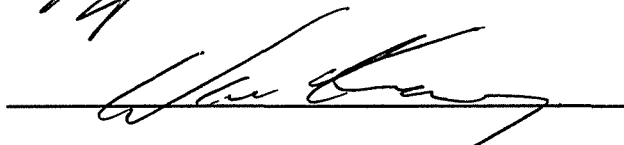
This application was adjourned from the November 23, & December 7, 2006 meetings, to be heard in conjunction with B002/07, for a maintenance easement to the South (Lot 129).

Sketches are attached illustrating the request.

Moved by:



Seconded by:



THAT 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.

AND THAT Application No. **A443/06 – WYCLIFFE HUMBERPLEX LIMITED**, be **APPROVED**, in accordance with the sketches attached, and subject to the following conditions:

1. A maintenance easement shall be provided over lot 130 to accommodate the setback of less than 1.2m as per section 20.1(f) of the subdivision agreement, if required, to the satisfaction of the Building Standards Department;
2. That the corresponding Consent Application File No. **B002/07** be approved;
3. That if the conditions listed above 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this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.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.)**

VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: Mary Mauti

Signed by all members present who concur in this decision:

Mary Mauti

M. Mauti,
Chair,

T. DeC...
Vice Chair,

ABSENT

L. Fluxgold
Member,

D. H. Kang
Member,

M. S. Panicali
Member,

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Dianne E. L. Groux

Dianne E. L. Groux A.M.C.T.,
Manager of Development Services and
Secretary-Treasurer to Committee of
Adjustment
City of Vaughan

DATE OF HEARING:

JANUARY 11, 2007

LAST DATE OF APPEAL:

JANUARY 31, 2007

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30P.M. ON JANUARY 31, 2007.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

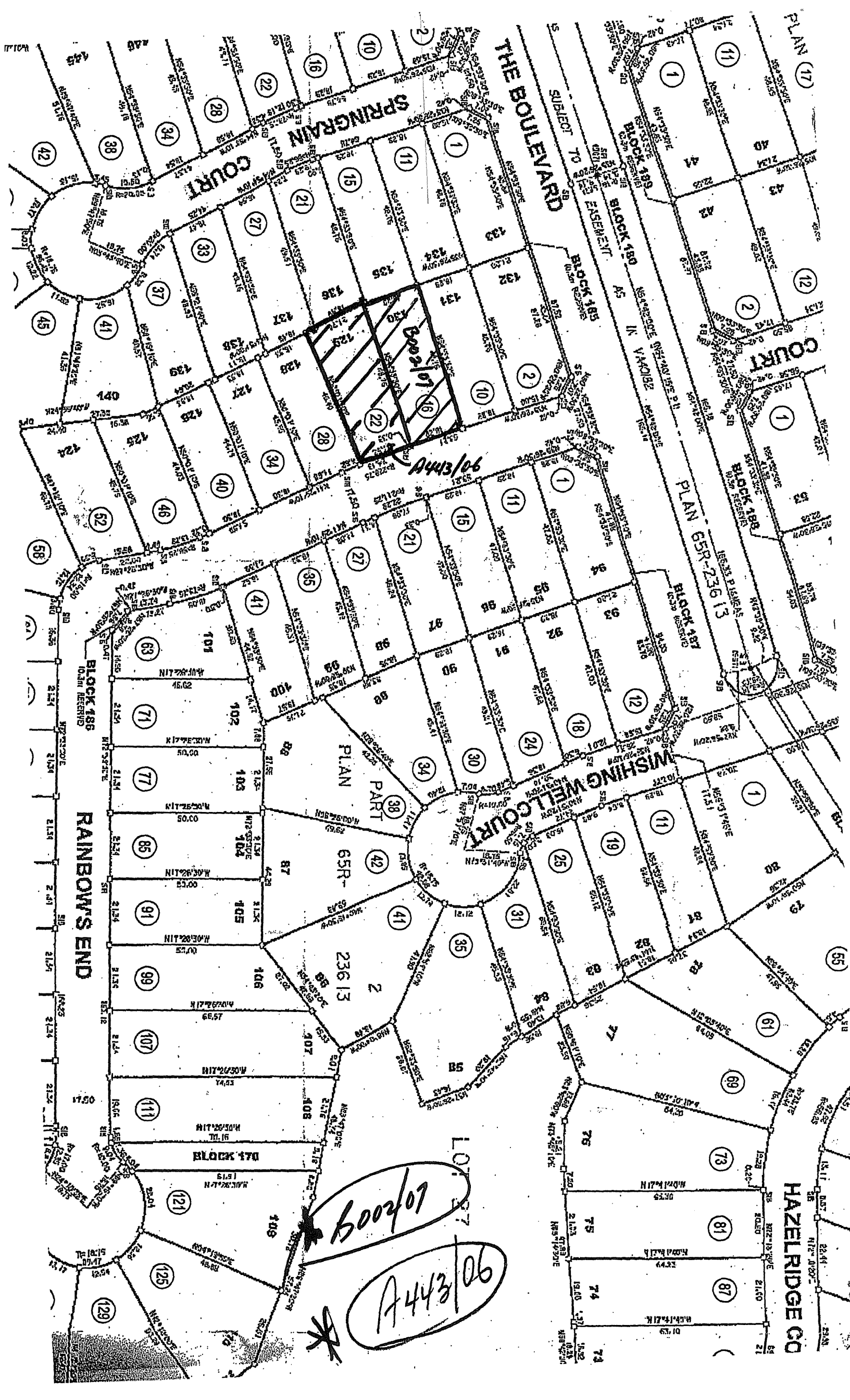
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above.

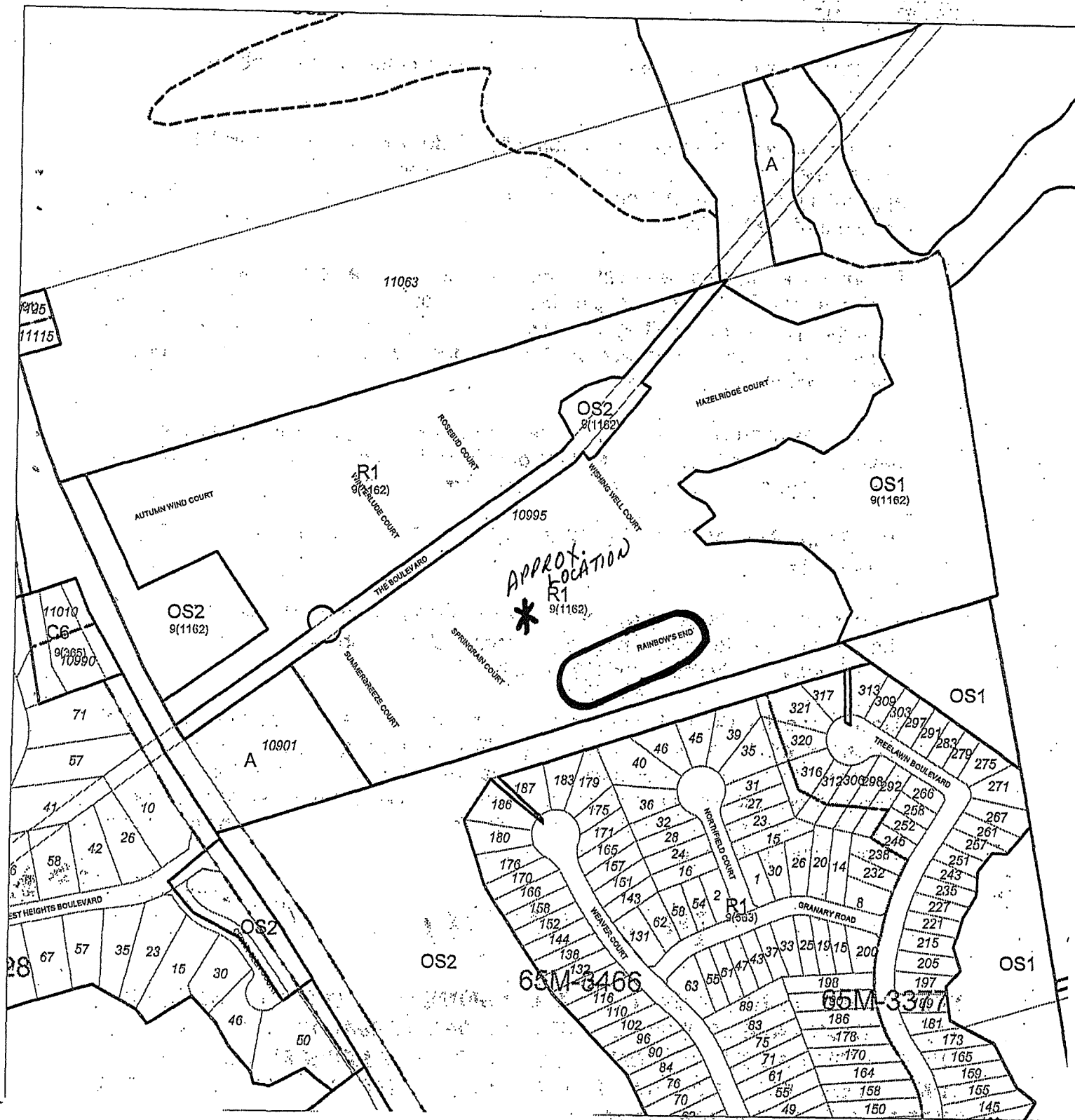
NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as

residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

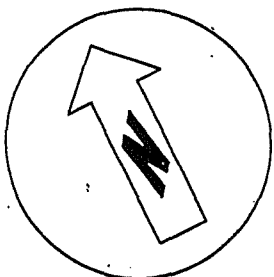
NOTE: IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:

***** JANUARY 31, 2008 *****





City of Vaughan
The City Above Toronto



COMMITTEE OF ADJUSTMENT

File No.:

A443/06 & B002/07

Applicant

WYCLIFFE HUMBERPLEX LIMITED



Subject Area

MUNICIPALLY KNOWN AS:
22 RAINBOW'S END, LOT 129, KLEINBURG

& 16 RAINBOW'S END LOT 130, KLEINBURG