

COMMITTEE OF THE WHOLE JUNE 16, 2003

ONTARIO MUNICIPAL BOARD HEARING VARIANCE APPLICATION FILE A433/02 HILARIO & ZOILA SANTOS

Recommendation

The Commissioner of Planning recommends:

THAT Council provide direction with respect to the City's position on an appeal of the Committee of Adjustment's approval of Variance Application A433/02 (Hilario & Zoila Santos).

Purpose

To seek direction from Council with respect to Staff's attendance at the Ontario Municipal Board (OMB) hearing scheduled for August 6, 2003.

Background - Analysis and Options

The site is located on the east side of Jane Street, north of Teston Road (10841 Jane Street), in Lot 26, Concession 4, City of Vaughan. The lands are designated "Hamlet" by OPA #600, and zoned A Agricultural Zone by By-law 1-88.

On March 20, 2003, the Committee of Adjustment approved variances to permit the maintenance of two garden sheds in the rear yard of the subject property. The variances permitted a rear yard of 0.43m for the northerly shed and 0.31m for the southerly shed, rather than the required 15.0m, and an interior side yard of 0.7m for the northerly shed and 0.43m for the southerly shed, rather than the required 4.5m. Also, the variances permitted the maximum area of all accessory structures (combined) on the property to be 80.06sq.m, rather than the required 67sq.m. The 80.06sq.m represents the floor area of a garage and a shed, and the two new sheds, which are subject to the rear and side yard variances. The two new sheds are subject to the same yard setbacks that are applied to the dwelling and not the setbacks required by the City's new Shed By-law (152-2002). The shed by-law standards apply to all Residential Zones and not to the Agricultural Zone.

At the Committee of Adjustment meeting, the applicant submitted a petition of support of the application from 15 surrounding property owners.

The Committee of Adjustment also received letters of opposition to the application from 3 surrounding property owners residing at 10851, 10831 and 10823 Jane Street. These same property owners appealed Variance Application A433/02 to the Ontario Municipal Board, on the basis that the variances were not minor, and that the location of the sheds would restrict and adversely affect their own future property improvement plans.

Conclusion

At the Committee of Adjustment meeting, Planning Staff indicated no objection to the application. Staff is of the opinion the requested variances are not out of character for the area, given the considerable distance between the sheds, the adjacent dwellings, and the number of other accessory structures and trees providing screening on the subject and adjacent properties. The matter is scheduled to proceed to the OMB on August 6, 2003, and Council's direction is requested.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Glenn White, Planner, ext. 8213
Marco Ramunno, Manager of Development Planning, ext. 8485

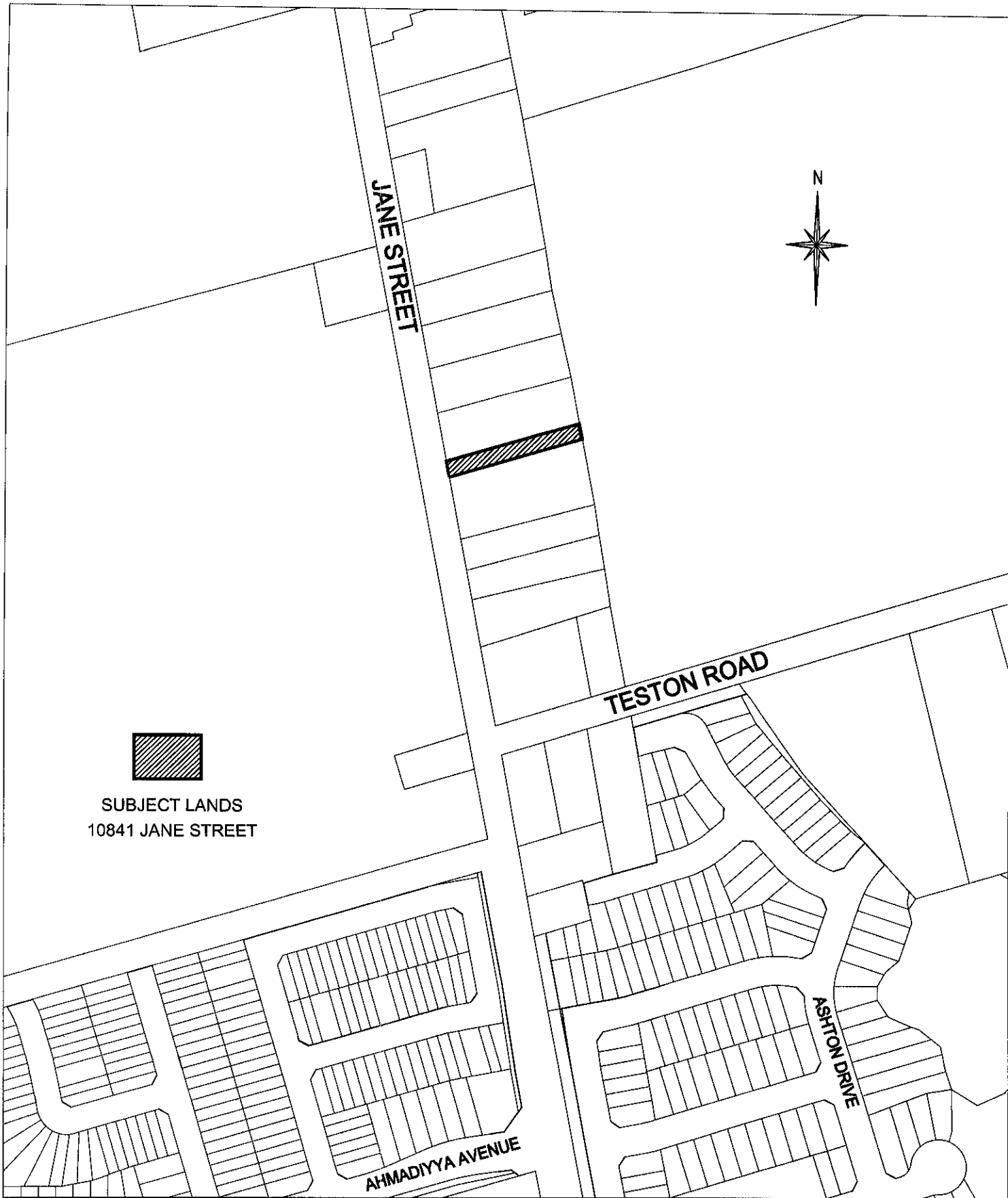
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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Location Map

Lot 26,
Concession 4

APPLICANT:
HILARIO & ZOILA SANTOS

City of
Vaughan

Community Planning Department

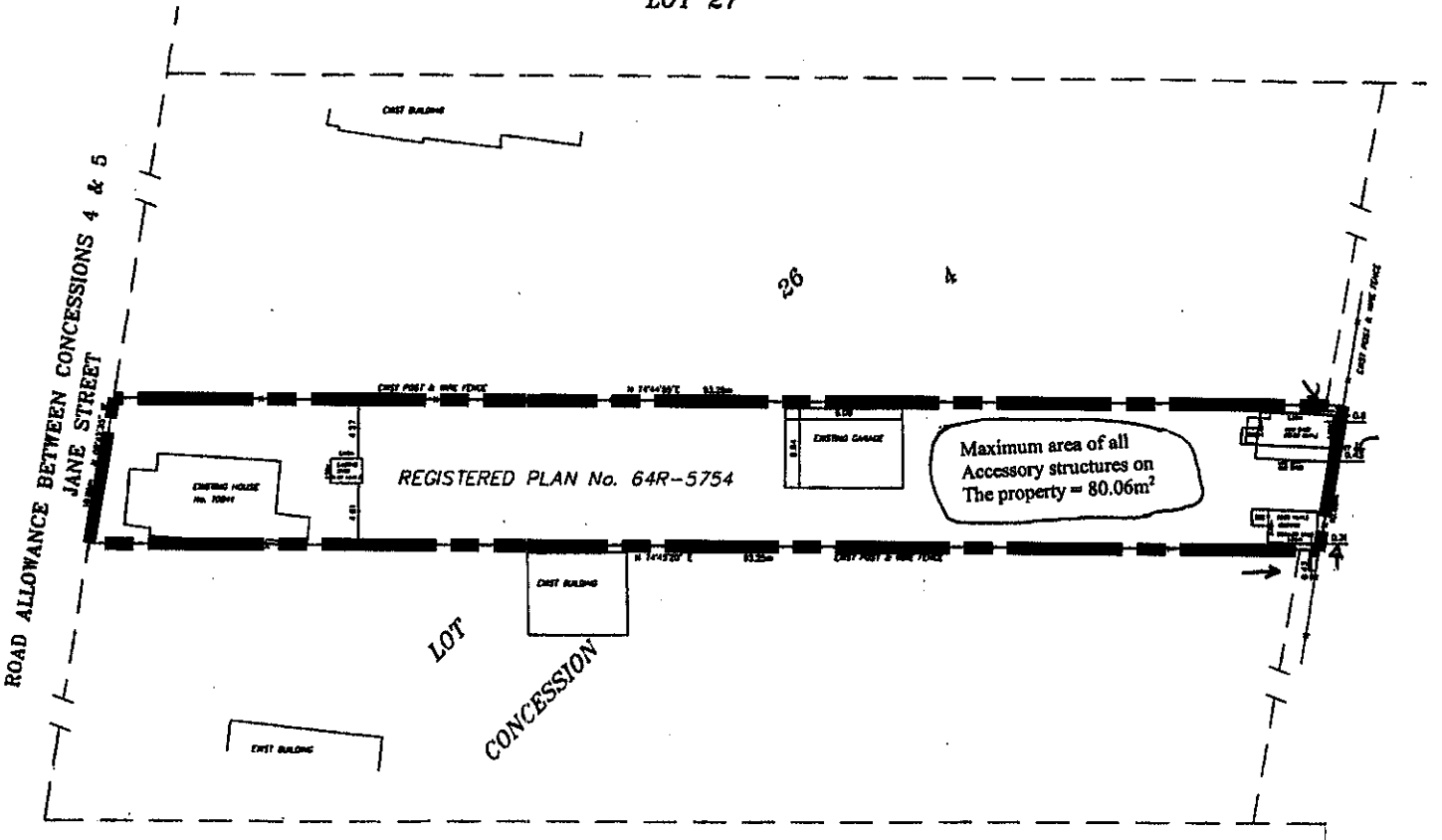
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A433/02

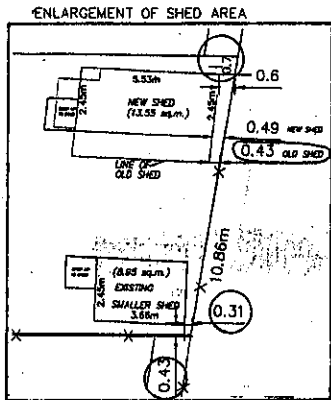
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LOT 27



ROAD ALLOWANCE BETWEEN LOTS 25 & 26 CONCESSION 4



SUBJECT LANDS
100 PORTER AVENUE



Site Plan

Lot 26,
Concession 4

APPLICANT:
HILARIO & ZOILA SANTOS



Community Planning Department

Attachment

FILE No.:
A433/02

June 11, 2003

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