

COMMITTEE OF THE WHOLE AUGUST 18, 2003

ONTARIO MUNICIPAL BOARD HEARING VARIANCE APPLICATION FILE A94/03 LINA & GINO AGOSTINI

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 A94/03 (Lina & Gino Agostini).

Purpose

To seek direction from Council with respect to Staff's attendance at the Ontario Municipal Board (OMB) hearing scheduled for September 4, 2003.

Background - Analysis and Options

The site is located northwest of Pine Valley Drive and Regional Road 7 (28 Vroom Court), being Lot 26, Plan M-1526, in Lot 7, Concession 7, City of Vaughan. The lands are designated "Low Density Residential" by OPA 240 (Woodbridge Community Plan) and zoned R2 Residential by By-law 1-88, subject to Exception 9(93).

On May 15 and 29, 2003, the Committee of Adjustment considered variances to permit the maintenance of a shed in the rear yard of the subject property. The variances permitted an interior side and rear yards of 0.3m (rather than 0.6m) and a maximum shed height of 3.5m (rather than 2.5m).

At the Committee of Adjustment meeting on May 15, 2003, an abutting neighbour expressed concerns related to grading and water run-off from the shed onto his property. The agent for the applicant stated the shed had existed for two years. The Committee adjourned the application to May 29, 2003, allowing City staff to conduct an on-site visit to inspect the grading.

The By-law Division subsequently advised that staff found no evidence of the grade being altered and that there appeared to be no obstruction of water flow. At the May 29, 2003 meeting, the neighbour appeared again in opposition and submitted photos showing ponding problems. There was no one else in attendance and the Committee approved the application.

The abutting neighbour, Mr G. Cardinale of 53 Riverview Avenue, appealed Variance Application A94/03 to the Ontario Municipal Board, on the basis that his command of English was limited and his representative was unable to attend the hearing, and therefore was requesting a new hearing.

Conclusion

At the Committee of Adjustment meeting, Planning Staff was of the opinion the requested variances were appropriate for the development of the subject lands, and considered minor in nature. The matter is scheduled to proceed to the OMB on September 4, 2003, and Council's direction is requested.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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Marco Ramunno, Manager of Development Planning, ext. 8485

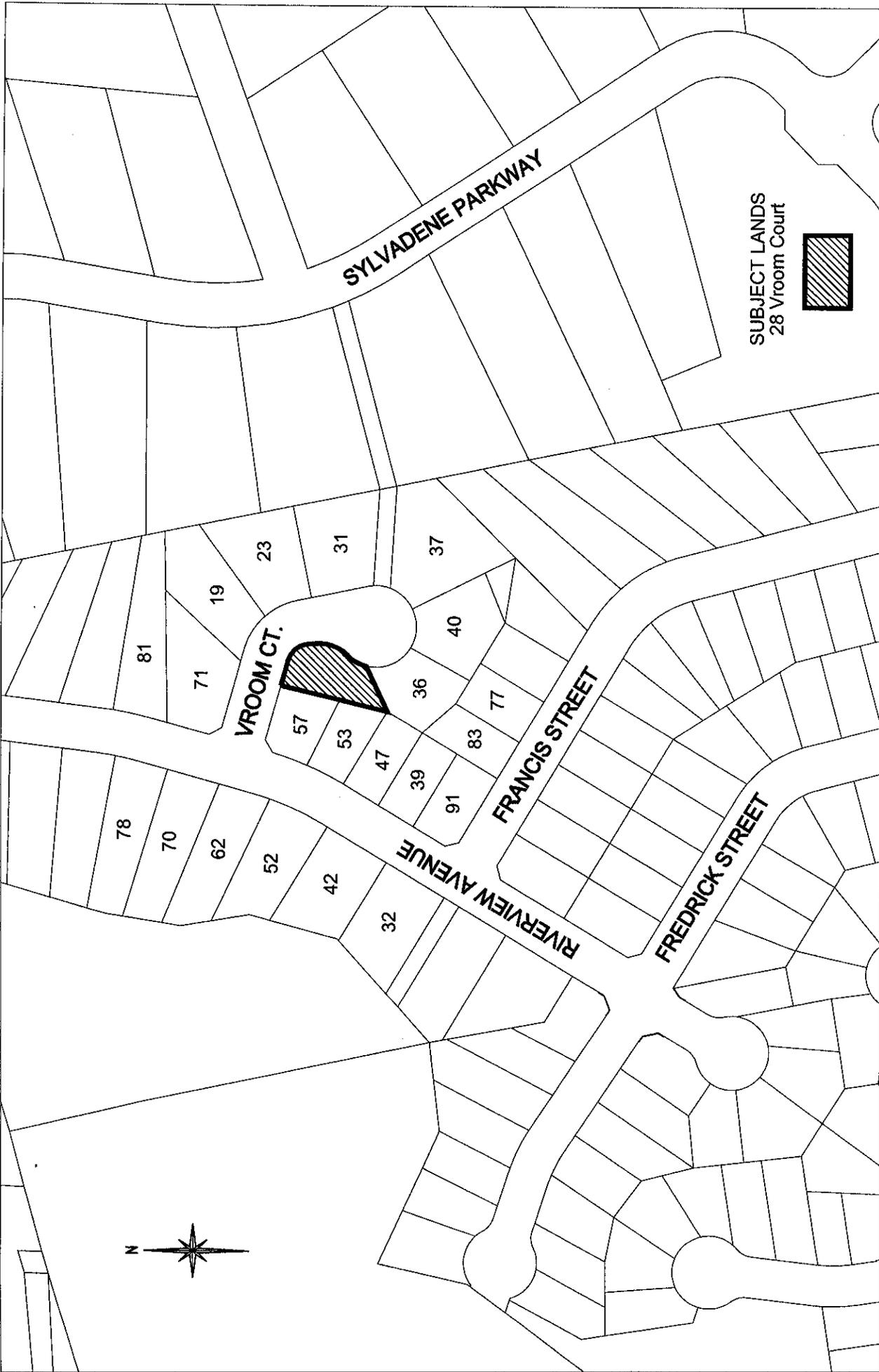
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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Location Map

Part of Lot 7,
Concession 7

APPLICANT:
LINA & GINO AGOSTINI



Community Planning Department

Attachment

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FILE No.:
A94/03

Not to Scale

August 6, 2003

