

COMMITTEE OF THE WHOLE SEPTEMBER 15, 2003

ONTARIO MUNICIPAL BOARD HEARING MARY BORGIO COMMITTEE OF ADJUSTMENT CONSENT APPLICATION B90/02

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 refusal of Consent Applications B90/02 (Mary Borgo).

Purpose

To seek direction from Council with respect to Staff's attendance at the Ontario Municipal Board (OMB) hearing scheduled for October 28 and 29, 2003.

Background - Analysis and Options

The site is located on the east side of Islington Avenue, north of Pine Grove Road, being Lot 6 of Registered Plan M-1113 (8477 Islington Avenue), in Lot 10, Concession 7, City of Vaughan. The lands are designated "Low Density Residential" by OPA #240, and zoned R2 Residential Zone by By-law 1-88.

On May 15, 2003, the Committee of Adjustment refused a consent application to facilitate the severance of the subject property into two lots. The R2 Residential Zone requires a minimum lot frontage of 15.0m and a minimum lot area of 450 sq.m. The proposed lots would have frontages of 15.24m and areas of 1500sq.m and 2905sq.m, exceeding the by-law standards.

The proposed lots would have the smallest lot frontages in the immediate area. The lots in the adjacent area fronting onto Islington Avenue are 22.9m (75ft), 30.5m (100ft) and 42.7m (140ft), and recently two 22.86m (75ft) lots were created immediately to the north of the applicant's lands.

In the letter of appeal, the solicitor for the applicant states the Consent maintains the general intent and purpose of the Official Plan and Zoning By-law; the proposed development is desirable for the development of the lands and in their opinion, the proposed frontages are in character with the adjacent properties.

Conclusion

It was the opinion of Planning Staff that the frontages of the proposed lots would be out of character with the adjacent properties. This application does not conform with the requirement of OPA 94 (Section 2.1, Adjacent Uses), which states that "Regard should be had for the compatibility of the proposed size, shape and use of the lot to be created with the present and potential uses in the adjacent areas." This application could set a precedent for similar applications in the future. This matter is scheduled to proceed to the OMB on October 28 and 29, 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

Part of Lot 10,
Concession 7

APPLICANT:
MARY BORGIO

N:\DFT\1 ATTACHMENTS\A.B.90.02

City of
Vaughan

Community Planning Department

Attachment

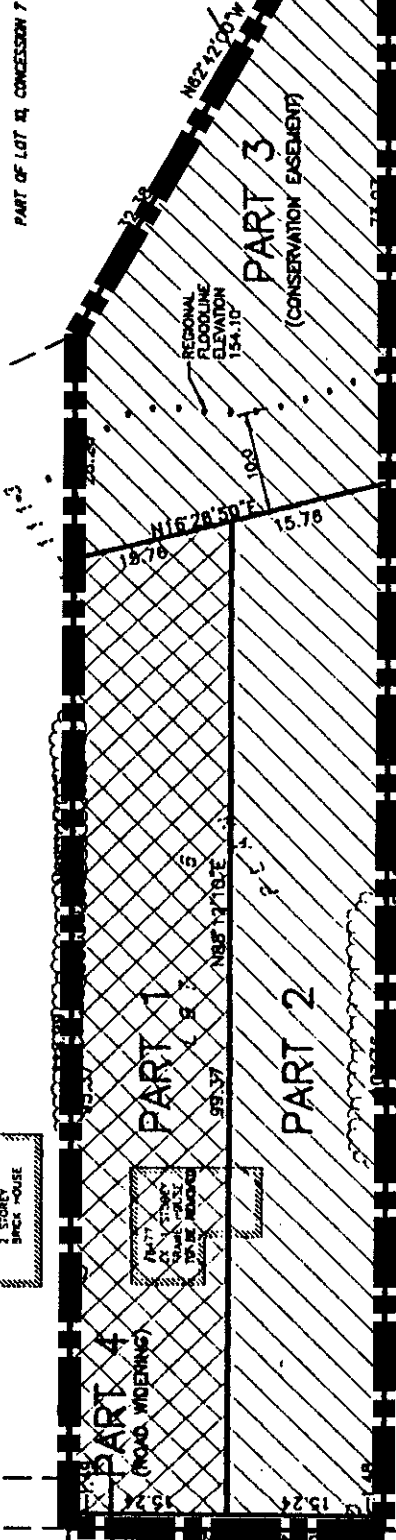
FILE No.:
B90/02

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September 8, 2003



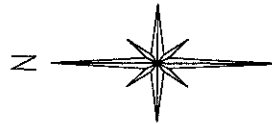
PART 1, PLAN RE-702A
PART OF LOT 21, CONCESSION 7



■ SUBJECT LANDS

▨ LANDS TO BE RETAINED

▣ LANDS TO BE CONVEYED



Not to Scale

Site Plan

Part of Lot 10,
Concession 7

APPLICANT:
MARY BORGIO

REV'D 1 / ATTACHMENTS (A)-(5002)



Community Planning Department

Attachment 2

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September 8, 2003