

COMMITTEE OF THE WHOLE NOVEMBER 1, 2004

**ONTARIO MUNICIPAL BOARD HEARING
CONSENT APPLICATION FILE B58/04
METRONTARIO INVESTMENTS LIMITED**

Recommendation

The Commissioner of Planning recommends that this report BE RECEIVED for information.

Purpose

To provide information concerning an appeal of the Committee of Adjustment's refusal of Consent Application B58/04, scheduled for an Ontario Municipal Board Hearing on November 16, 2004.

Background - Analysis and Options

The site is located at the northeast corner of Centre Street and New Westminster Drive, municipally known as 784 Centre Street, in Part of Lot 6, Concession 2, City of Vaughan. The lands are designated "High Density Residential" by OPA #210 (Thornhill Community Plan). The subject lands of the consent are zoned RA2 Apartment Residential Zone by By-law 1-88, subject to Exception 9(1192). The retained lands are zoned A Agricultural by By-law 1-88, subject to exception 9(1132-A).

On August 19, 2004, the Committee of Adjustment refused a consent to permit the creation of a new lot for a 4-storey, 100 unit retirement home. The retained land is proposed for future high-density residential use. The subject land has a lot area of 0.84ha, and the retained land has a lot area of 1.7ha.

The subject land was rezoned to RA2 Apartment Residential Zone by Exception 9(1192), or amending By-law 150-2004. The subject land meets the minimum requirements for lot area in accordance with the RA2 Zone. However, Exception 9(1192) did not provide an exception for the retained land of Consent B58/04, which is still subject to Exception 9(1132-A), and requires a minimum lot area of 2.4ha. The retained land is proposed to have a lot area of 1.7ha and therefore did not comply with the minimum lot area of Exception 9(1132-A). The Development Planning Department sent a revised recommendation to the Committee of Adjustment stating that this department had no objection to Consent Application B58/04, subject to the condition of approval that Council passes an administrative correction By-law to by-law 150-2004. This administration correction would have provided an exception to the lot area for the retained lands, and permitted the 1.7ha lot area. The applicant chose to apply to the Committee of Adjustment for a variance (A303/04) to the retained lot area. On October 14, 2004, the Committee of Adjustment refused Variance Application A303/04, to grant a variance to the lot area for the retained land of Consent Application B58/04.

At the Committee of Adjustment meeting, no one appeared in opposition to Consent Application B58/04. On August 19, 2004, a letter of concern was received from a solicitor acting for a developer (Liberty Development Corporation) to the north of the lands. The letter stated that the implication of this development had not been thoroughly studied and in the absence of sufficient disclosure and detail regarding the application, evaluation was difficult. The letter also stated that supporting documents with respect to traffic flow and movements had not been submitted to support the application. The letter further stated that the application was premature and should be deferred. On September 28, 2004, the Committee of Adjustment staff received a letter from the same solicitor stating that Liberty Development Corporation and Metrontario Investments Limited had discussions, which resulted in the concerns being addressed in a manner, which was mutually acceptable to the two neighbouring property owners. The concerns previously expressed were withdrawn.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of the Official Plan.

Conclusion

The Community Planning Department has no objection to Consent Application B58/04, as the applicant had submitted Variance Application A303/04 requesting a variance to the lot area of the retained lands. The matter is scheduled to proceed to the OMB on November 16, 2004, and it is recommended that this report be received for information purposes.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Glenn White, Planner, ext. 8213

Grant Uyeyama, Manager of Development Planning, ext. 8635

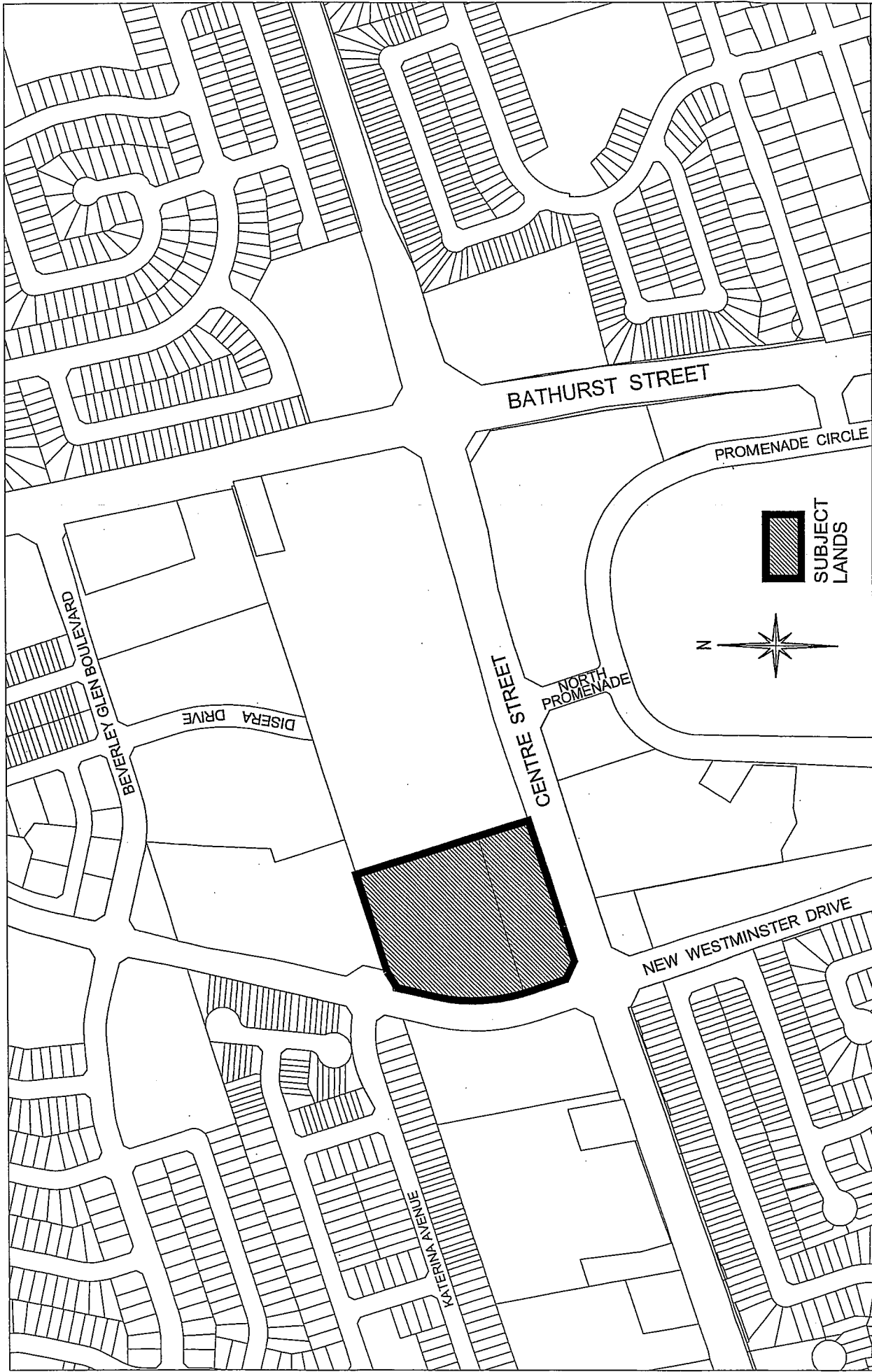
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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Location Map

Part Lot 6,
Concession 2

APPLICANT:
METRONARIO INVESTMENTS LTD.

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City of
Vaughan

Development Planning Department

Attachment

Consent Application
B58/04

Not to Scale

October 19, 2004

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