

COMMITTEE OF THE WHOLE OCTOBER 1, 2001

**ONTARIO MUNICIPAL BOARD HEARING
VARIANCE APPLICATION
702675 ONTARIO INC. C/O TONY DER BEDROSIAN
FILE: A167/01**

Recommendation

The Commissioner of Planning recommends:

THAT Council provide direction respecting the City's position regarding an appeal of the Committee of Adjustment's refusal of Variance Application A167/01 (702675 Ontario Inc. c/o Tony Der Bedrosian).

Purpose

To obtain direction from Council with respect to attendance at the Ontario Municipal Board hearing scheduled for October 17, 2001.

Background - Analysis and Options

The site is located southwest of Dufferin Street and Langstaff Road, being Lot 5, Plan M-1832 (78 Bradwick Drive) in Lot 9, Concession 3, City of Vaughan. The lands are designated "Employment Area General" by OPA No.450 and zoned EM2 General Employment Area Zone by By-law 1-88.

On June 28, 2001, the Committee of Adjustment refused Variance Application A167/01 (702675 Ontario Inc. c/o Tony Der Bedrosian), to permit decreases in the minimum setbacks for the rear yard (12.0m to 0.9m) and the side yard (6m to 0.0m) for a new 273.11m² structure on the east side of the building. The applicant advised that the canopy is required for the safety of the employees as they ship out heavy machinery on a daily basis, and submitted five letters of support from surrounding properties. The applicant appealed the refusal decision on the basis that there had been no opportunity for discussion of a compromise between the City and the applicant

On a related matter, the Committee of Adjustment granted a temporary variance on August 22, 1996 to permit a 0.9m rear yard (File A238/96) for a canopy structure at the rear of the building on the subject lot. The 5 year term has now lapsed and it is necessary to submit new applications to permit the existing 0.9m rear setback and for a new building permit. A building permit was issued for a temporary canopy which has been enclosed and now constitutes ground floor area of the building, possibly causing a parking deficiency. A new variance application (File A261/01) has been submitted dealing with the lapsed 0.9m rear yard of the rear addition (File A261/01) is scheduled to be heard by Committee of Adjustment on October 4, 2001.

Conclusion

The Community Planning Department did not support the variance for a 0.0m side yard as not meeting the intent of the by-law. There are concerns of how the canopy structure can be maintained from the subject property and the effect it may have on the operations on the abutting property. This matter is scheduled for an OMB hearing on October 17, 2001, and Council's direction is requested.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Glenn White, Planner, ext. 8213

Bianca M. V. Bielski, Manager, Development Planning, ext. 8485

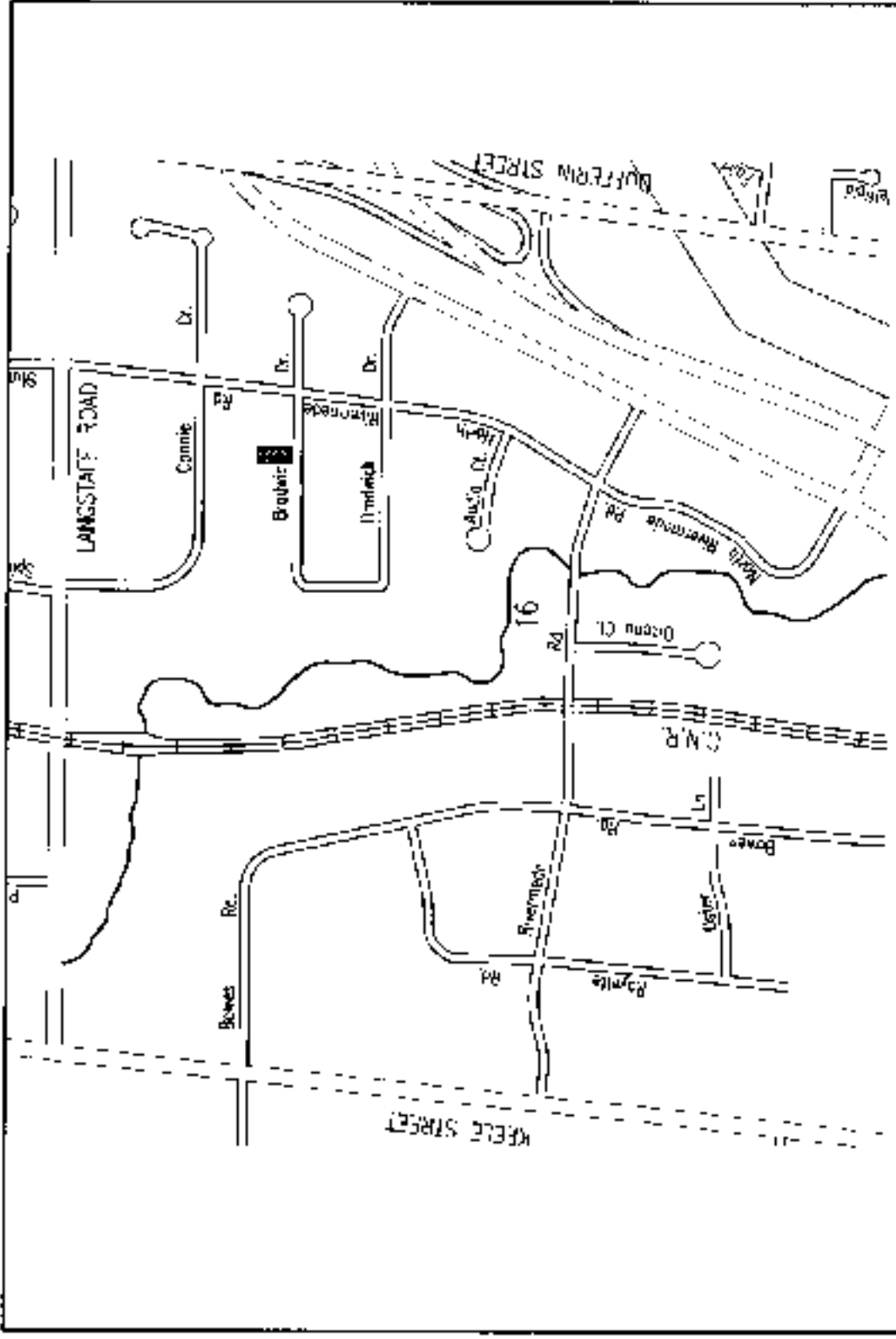
Respectfully submitted,


MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

/CM

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ATTACHMENT '1' LOCATION MAP		FILE #: A 6773	HI-POINT #: JOURNAL PART LOT 9, COND. 2	SUBJECT LANDS 	DATE: 09/13/2011 SCALE: NOT TO SCALE
		PLANNING DEPARTMENT	701675 CNT. INC. c/s by Bar Robinson	COUNTY OF VALLEJO PLANNING DEPARTMENT	SHEET: 701675 CNT. INC. c/s by Bar Robinson

