

COMMITTEE OF THE WHOLE DECEMBER 3, 2001

**ONTARIO MUNICIPAL BOARD HEARING
VARIANCE APPLICATION FILE A240/01
AUBREY LIPMAN**

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 A240/01 (Aubrey Lipman).

Purpose

To seek direction from Council with respect to Staff's attendance at the Ontario Municipal Board (OMB) hearing scheduled for January 7, 2002.

Background - Analysis and Options

The site is located northeast of Bathurst Street and Atkinson Avenue, being Block 39 of Registered Plan 65M-3182 and Block 146 of Registered Plan 65M-2550 (448 Highcliffe Drive) in Lot 33, Concession 1, City of Vaughan. The lands are designated "Low Density Residential" by OPA No.210 and zoned R3 Residential by By-law 1-88, subject to Exception 9(460).

On September 20, 2001, the Committee of Adjustment refused variances to permit a two-storey detached dwelling, notwithstanding the lot coverage would be 45%, rather than 40%; the building height would be 11 m, rather than 9.5 m, and the interior side yard (north) would be 0.6 m, rather than 1.2 m.

The applicant appealed the Committee's decision on the basis that the property is subject to split zoning and the lot is made up of two registered plans, and that the zone standards of Exception 9(460) should apply.

The lot is subject to both the R3 zone standards and Exception 9(460), and the proposal would meet the requirements of Exception 9(460). However, since the lot has a split zoning, the most restrictive zoning standards must be applied, which are the basic R3 zone standards contained in By-law 1-88.

Conclusion

The Community Planning Department did not support the application on the basis that the excessive variances would result in an over-development of the lot. This matter is scheduled to proceed to the OMB on January 7, 2002, and Council's direction is requested.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

Glenn White, Planner, ext. 8213

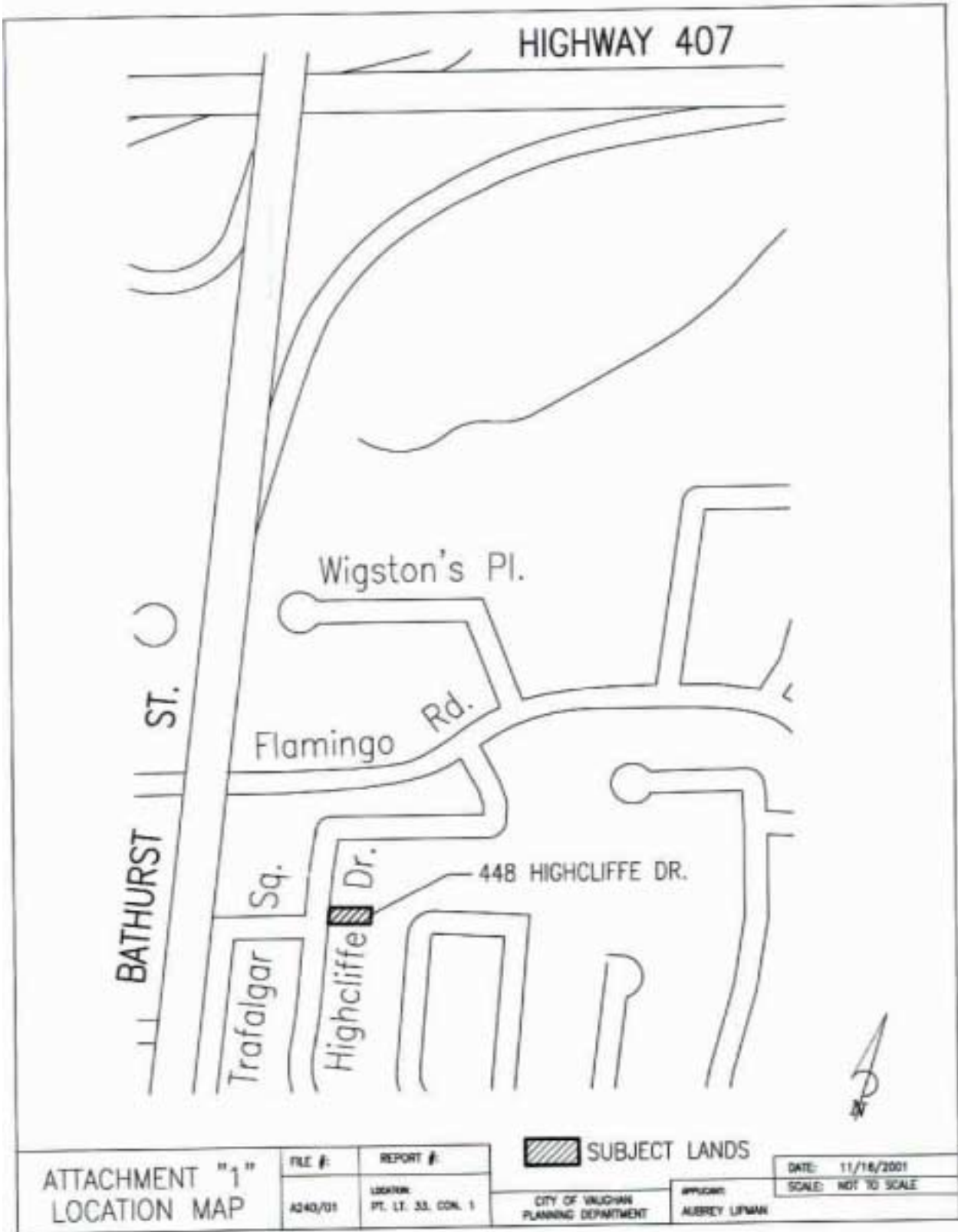
Bianca M. V. Bielski, Manager, Development Planning, ext. 8485

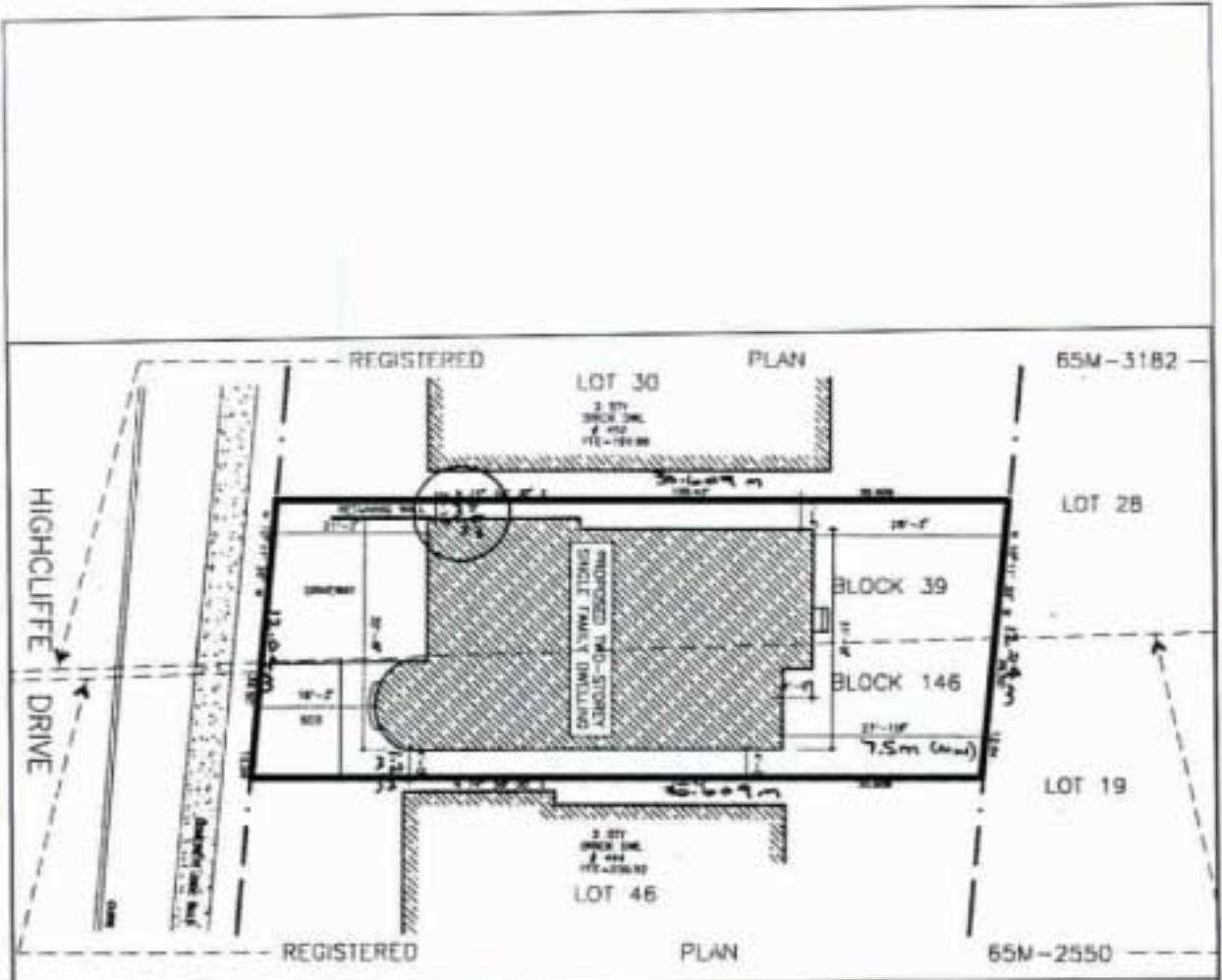
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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SUBJECT LANDS



ATTACHMENT "2"
SITE PLAN

FILE #	REPORT #
A240/01	LOCATION PT. LT. 33, CON. 1

CITY OF WUGHAN
PLANNING DEPARTMENT

APPROVED:
AUBREY LIPMAN

DATE: 11/16/2001
SCALE: NOT TO SCALE