

COMMITTEE OF THE WHOLE OCTOBER 18, 2004

ONTARIO MUNICIPAL BOARD HEARING VARIANCE APPLICATION FILE A81/04 REGINA KAGAL

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 Variance Application A81/04, scheduled for an Ontario Municipal Board Hearing on November 4, 2004.

Background - Analysis and Options

The site is located southwest of Arnold Avenue and Yonge Street, at the northeast corner of Clarkehaven Street and Spring Gate Boulevard (1 Clarkehaven Street), being Part 2 of Lot 48 on Registered Plan 3319, in Lot 29, Concession 1, City of Vaughan. The lands are designated "Low Density Residential" by OPA #210 (Thornhill Community Plan), and zoned R2 Residential Zone by By-law 1-88, subject to Exception 9(275).

On May 13, 2004, the Committee of Adjustment refused the following variances to permit the construction of a two-storey detached dwelling with the front entrance facing Clarkehaven Street: minimum exterior side yard of 2.74m rather than 4.5m, maximum exterior side yard encroachment for the exterior stairs and porch of 2.24m rather than 1.8m, and maximum lot coverage of 36.8% rather than 35%.

On September 29, 2003, the OMB approved the severance of Lot 48 into an east and west parcel, and attached to the decision was a Minutes of Settlement, which stated: "that the application for Consent be amended to require the two proposed lots to front onto Spring Gate Boulevard rather than Clarkehaven Street". The Community Planning Department did not participate in the OMB Hearing, as the City was represented by an outside Planning consultant.

The evidence presented at the Hearing indicated the orientation of the future dwellings would be toward Spring Gate Boulevard, and not Clarkehaven Street, to be consistent with the existing dwellings in the immediate area. Variance Application A81/04 oriented the front of the westerly dwelling toward Clarkehaven Street.

At the Committee of Adjustment meeting, two residents spoke and wrote letters of opposition to the proposed variances. The agent for the applicant was the only one who spoke in support of the application. The applicant's appeal letter indicated that the dwelling design would be in-keeping with the surrounding neighbourhood, and that the proposed variances were minor in nature.

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

In light of the Ontario Municipal Board's decision and the Minutes of Settlement, the Community Planning Department did not support Variance Application A81/04, which proposed variances to support a dwelling being oriented towards Clarkehaven Street, rather than Spring Gate Boulevard. The matter is scheduled to proceed to the OMB on November 4, 2004, and it is recommended that this report be received for information purposes.

Attachments

1. Location Map
2. Site Plan
3. Proposed Front Elevation (Clarkhaven Street)
4. Proposed Side Elevation (Spring Gate Boulevard)

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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Location Map

Lot 29,
Concession 1
APPLICANT:
REGINA KAGAL

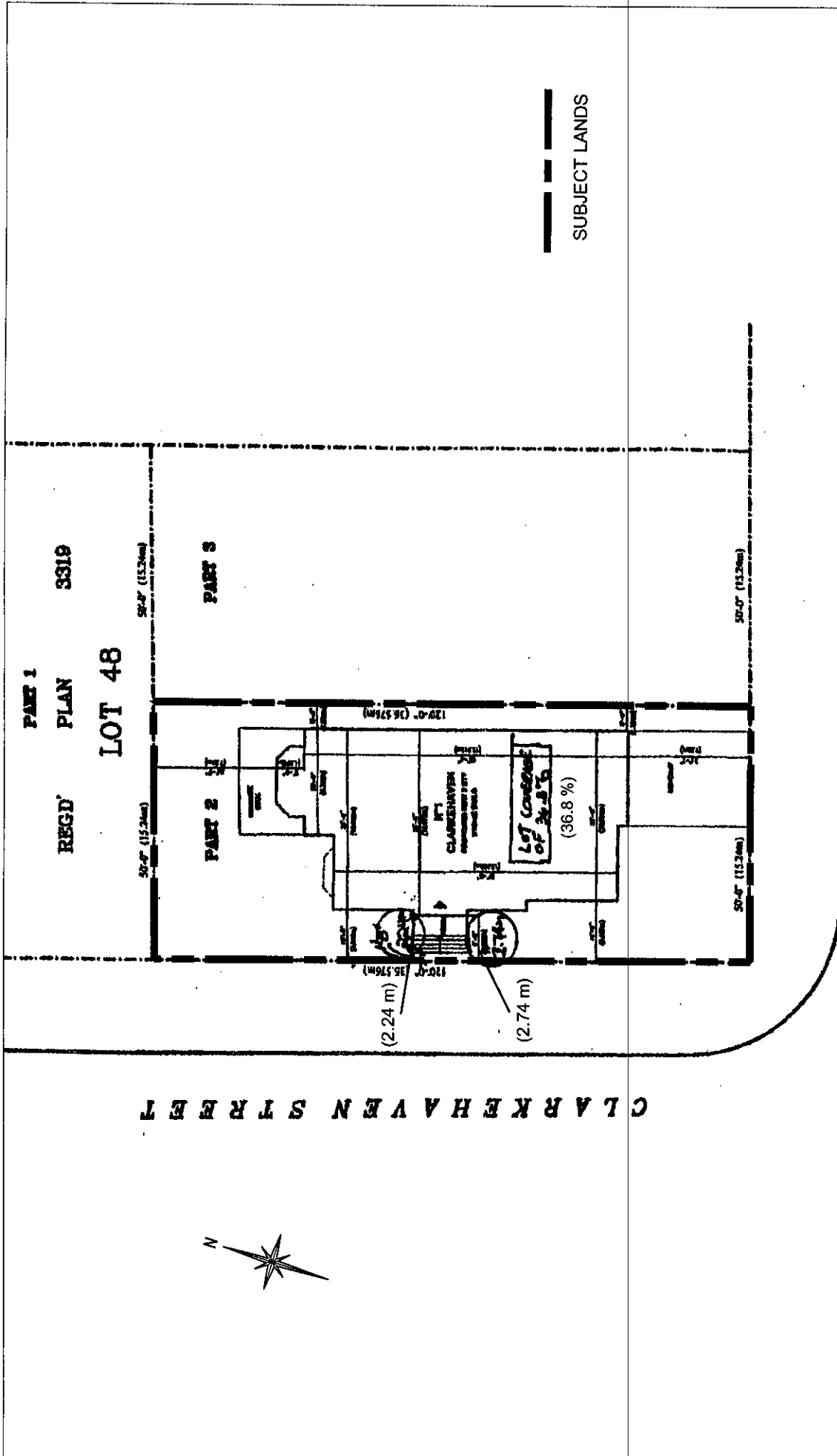


Community Planning Department

Attachment

1

FILE No.:
A81/04
Not to Scale
October 4, 2004



PART 1
REGD' PLAN 3319
LOT 48

50'-0" (15.24m)

PART 2

PART 3

50'-0" (15.24m)

120'-0" (36.57m)

50'-0" (15.24m)

50'-0" (15.24m)

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CLARKSHAVEN STREET



SUBJECT LANDS

SPRING GATE BOULEVARD

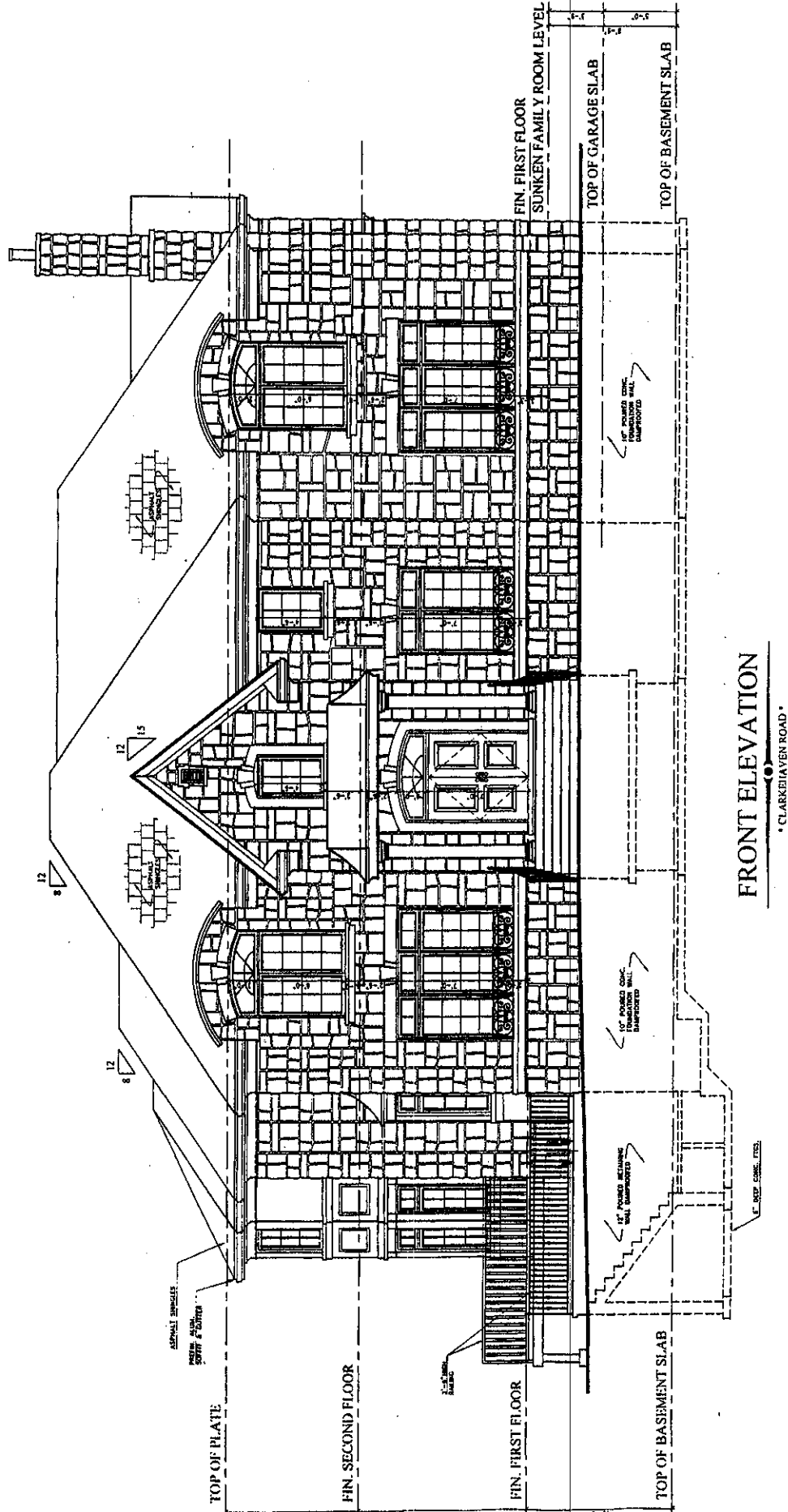
Site Plan

Lot 29,
Concession 1
APPLICANT:
REGINA KAGAL

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Attachment 2
FILE No.:
A81/04
Not to Scale
October 4, 2004

City of
Vaughan
Community Planning Department



FRONT ELEVATION
CLARK BLAVER ROAD

Elevation Plan

Lot 29,
Concession 1
APPLICANT:
REGINA KAGAL



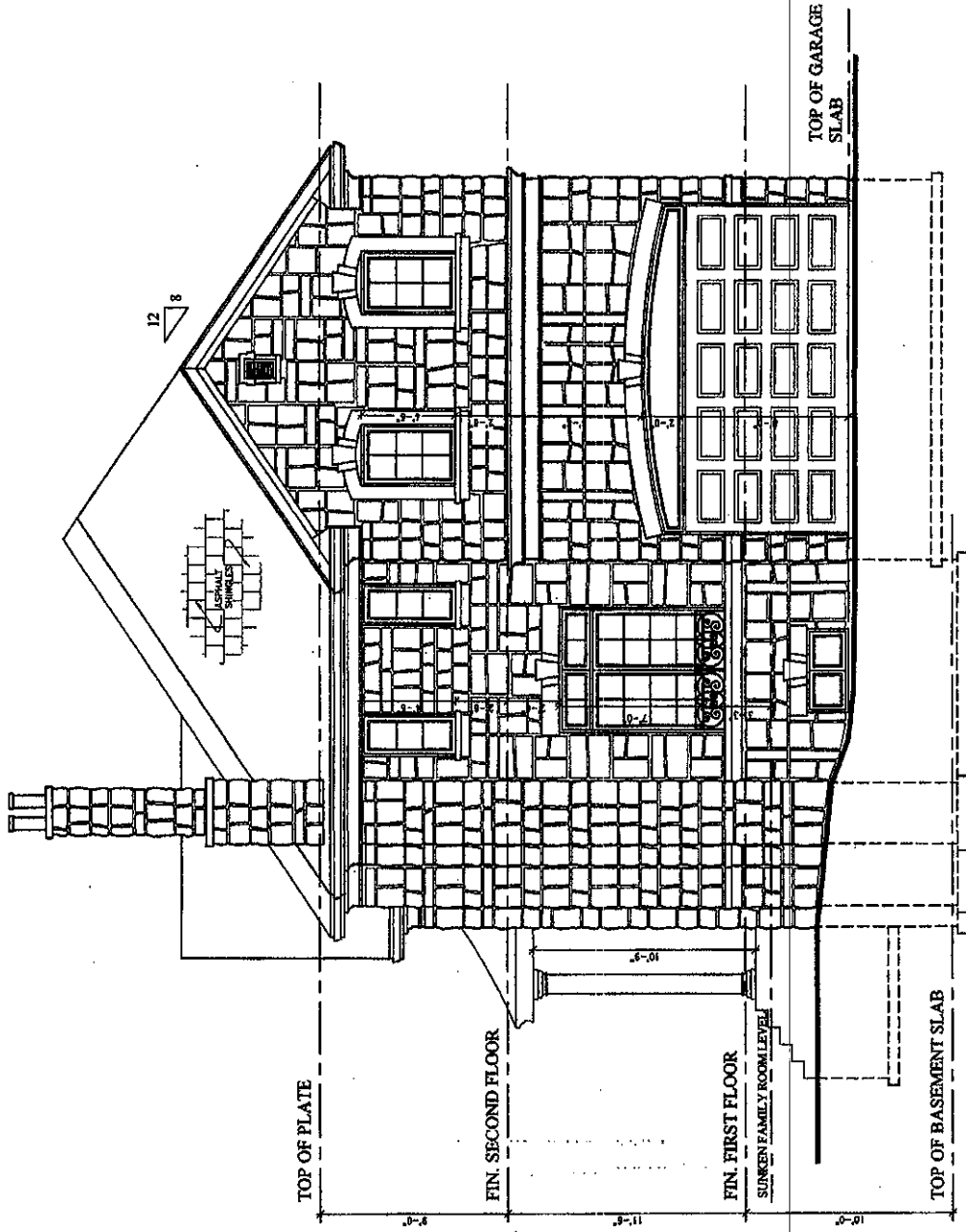
Community Planning Department

Attachment 3

FILE No.:
A81/04

Not to Scale

October 4, 2004



RIGHT SIDE ELEVATION

* SPRING GATE RC

Elevation Plan

Lot 29,
Concession 1
APPLICANT:
REGINA KAGAL



Community Planning Department

Attachment 4

FILE No.:
A81/04

Not to Scale

October 4, 2004