

COMMITTEE OF THE WHOLE FEBRUARY 7, 2005

ONTARIO MUNICIPAL BOARD HEARING VARIANCE APPLICATION FILE A273/04 ANN & JAMES MACHAN

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 A273/04, scheduled for an Ontario Municipal Board Hearing on February 28, 2005.

Background - Analysis and Options

The subject lands shown on Attachment #1 is located southwest of Yonge Street and Highway 407, at the northeast corner of Shasta Drive and Bunker Road (19 Shasta Drive) being Lot 141 on Registered Plan M-681, in Part of Lot 34, Concession 1, City of Vaughan. The lands are designated "Low Density Residential" by OPA #210 (Thornhill Community Plan) and zoned R1V Old Village Residential Zone by By-law 1-88.

On September 9, 2004, the Committee of Adjustment refused a variance to permit an increase maximum lot coverage requirement from 23% to 26.9%. However, the Committee did approve variances to permit a minimum front yard of 7.5m and a minimum exterior side yard of 8.18m, whereas 9.0m is required for both.

At the Committee of Adjustment meeting, Committee informed the applicant of Council's passing of a By-law with respect to the R1V Zone, which restricts lot coverage to a maximum of 23% for one-storey (bungalow type dwellings). The applicant was not willing to reduce the lot coverage to comply.

In the applicant's letter of appeal to the Ontario Municipal Board, they indicated that the Committee of Adjustment did not consider the following special merits of the application:

1. Variance Application V-74-31 for 15 Shasta Drive allowed 30% lot coverage.
2. Variance Application A64/99 for 11 Shasta Drive allowed 25.2%.
3. The letters of support from three immediate neighbours agreeing that the proposed dwelling would not have any negative impact on the neighbourhood.
4. The R2 Zone adjacent to the east property line permits 40% lot coverage.

The letter also noted that the Committee of Adjustment approved a 25% lot coverage for 15 Bunker Road (File A220/04) on August 26, 2004. The applicant concluded that his property was surrounded with sites that had been granted lot coverage between 25% to 40%, which still met the general intent and purpose of the By-law while conforming to the Official Plan. In his opinion, the requested 26.9% lot coverage met the same requirements.

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.

The Development Planning Department advised the Committee of Adjustment that in April 2004, Council passed a by-law amending the R1V Old Village Residential Zone standards of By-law 1-88 with respect to maximum lot coverage and building height for one-storey (bungalow type) dwellings affecting all R1V zoned lots, City-wide. The By-law was amended to provide an increase in the maximum lot coverage from 20% to 23% for one-storey dwellings only, with a corresponding decrease in maximum building height from 9.5 metres to 7.0 metres. In regards to the requested front yard and exterior side yard variances, this Department had no objections.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

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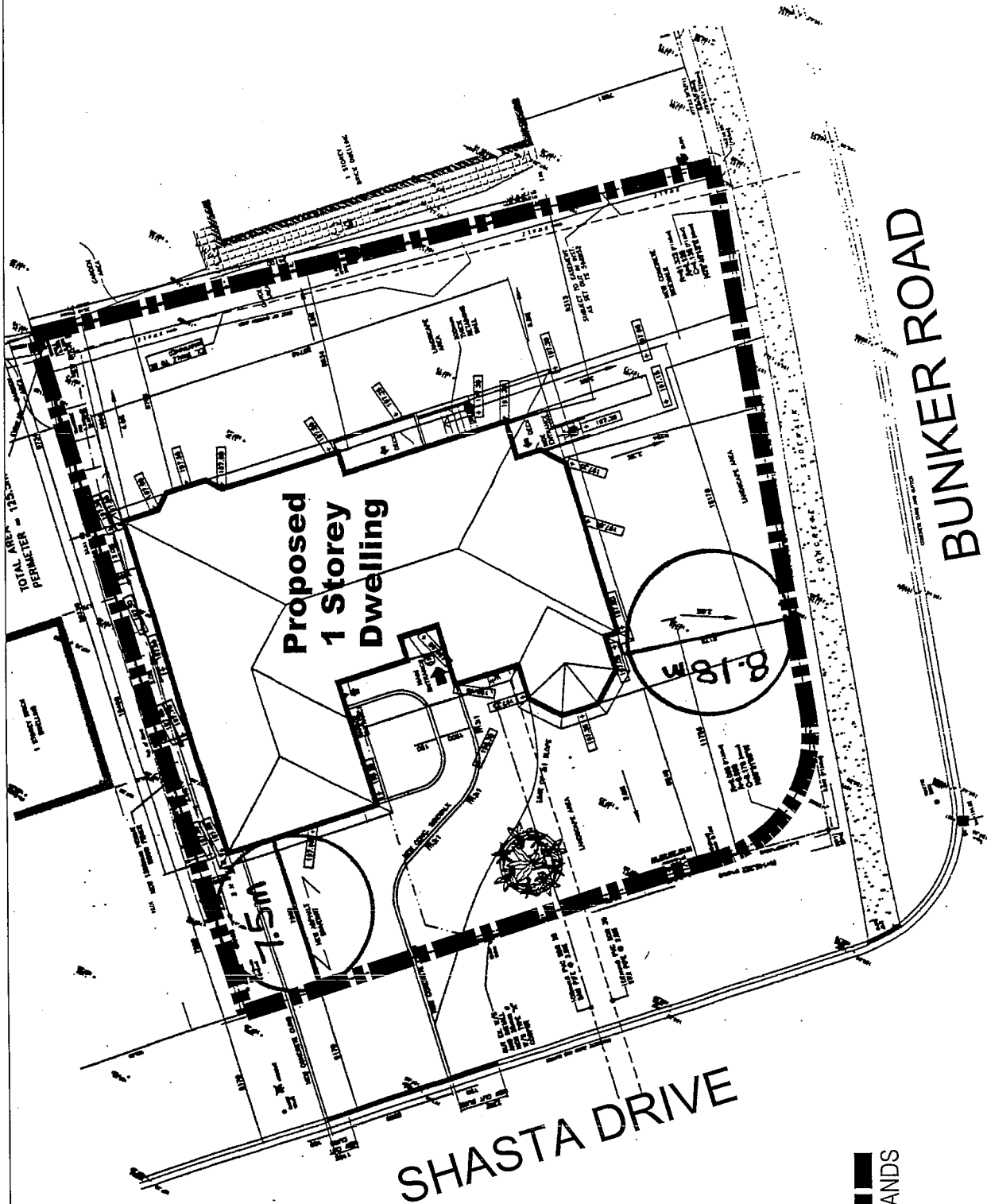
Development Planning Department

Location Map

Part Lot 34,
 Concession 1
 Lot 141, Plan M-681
 19 Shasta Drive, Thornhill

APPLICANT:
 ANN & JAMES MACHAN

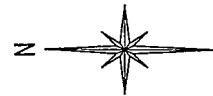
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**Proposed
1 Storey
Dwelling**

SHASTA DRIVE

BUNKER ROAD



SUBJECT LANDS

Attachment 2
File No.: A273/04
Not to Scale
January 12, 2005

City of Vaughan
Development Planning Department

Site Plan
Part Lot 34,
Concession 1
Lot 141, Plan M-681
19 Shasta Drive, Thornhill
APPLICANT:
ANN & JAMES MACHAN
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