

UNIQUE SENECA HEIGHTS

160 MONSHEEN DRIVE, IF APPROVED, WOULD BE THE FIRST SEVERANCE EVER IN THE MATURE, ESTABLISHED COMMUNITY OF SENECA HEIGHTS



By: Mary Mauti, President of Vaughanwood Ratepayers Association

SEVERANCE APPLICATION DENIED IN 1998

In an established,
mature, unique area
like Seneca Heights,
severances are neither
minor nor desirable

Vaughan
The City Above Trends
COMMITTEE OF ADJUSTMENT
PLANNING ACT PROVISIONAL (CONSENTS)
NOTICE OF DECISION

Application No.: B97/98
C.98.97

An application has been made by **PARAMJIT SINGH BRAR**, 225 Wigwoss Drive, Woodbridge, Ontario L4L 2R3.

Property: Lot 42, Registered Plan 5081, (Part of Lot 6, Concession 7) municipally known as 225 Wigwoss Drive.

The purpose of the application is to request the consent of the Committee of Adjustment to convey a parcel of land marked "A" on the attached sketch for the creation of a new lot for residential purposes, and retain the land marked "B" on the attached sketch for residential purposes.

The subject land is vacant and there is a single family dwelling located on the retained land. By-law 11-88 zones the subject land "R1" Residential.

The above noted application was heard by the Committee of Adjustment on: OCTOBER 1, 1998.

THAT Application No. B97/98, PARAMJIT SINGH BRAR, be **REFUSED**.

Members concurring in this decision:

M. Mauli
M. Mauli,
Chairman.

L. Fluxgold
L. Fluxgold,
Member.

K. Hakoda
K. Hakoda,
Member.

S. Perrella
S. Perrella,
Member.

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Dianne E.L. Groat, A.M.C.T.
Dianne E.L. Groat, A.M.C.T.,
Secretary-Treasurer
Committee of Adjustment
City of Vaughan

Additional information regarding the application for consent will be available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the City of Vaughan Clerk's Department, 2141 Major Mackenzie Drive, Vaughan, Ont. (Telephone (905) 832-2281, Ext. 8305, 8306 or 8332; Fax (905) 832-8535.

You will be notified to receive notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of the decision to give or refuse to give provisional consent or make a written request to be notified of changes to the conditions of the provisional consent.

Only individuals, corporations and public bodies may appeal decisions or any condition in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group.

Any notice of appeal shall set out the reasons for the appeal. The notice of appeal accompanied by the fee prescribed under the Ontario Municipal Board Act shall be filed with the Secretary-Treasurer of the Committee of Adjustment.

BE ADVISED THAT: A Certificate pursuant to Subsection 53 (21) of The Planning Act cannot be given until all conditions of consent have been fulfilled.

Date of this notice was sent: OCTOBER 9, 1998
The last date for appealing the decision is: OCTOBER 29, 1998
APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON OCTOBER 29, 1998

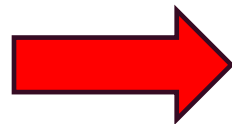
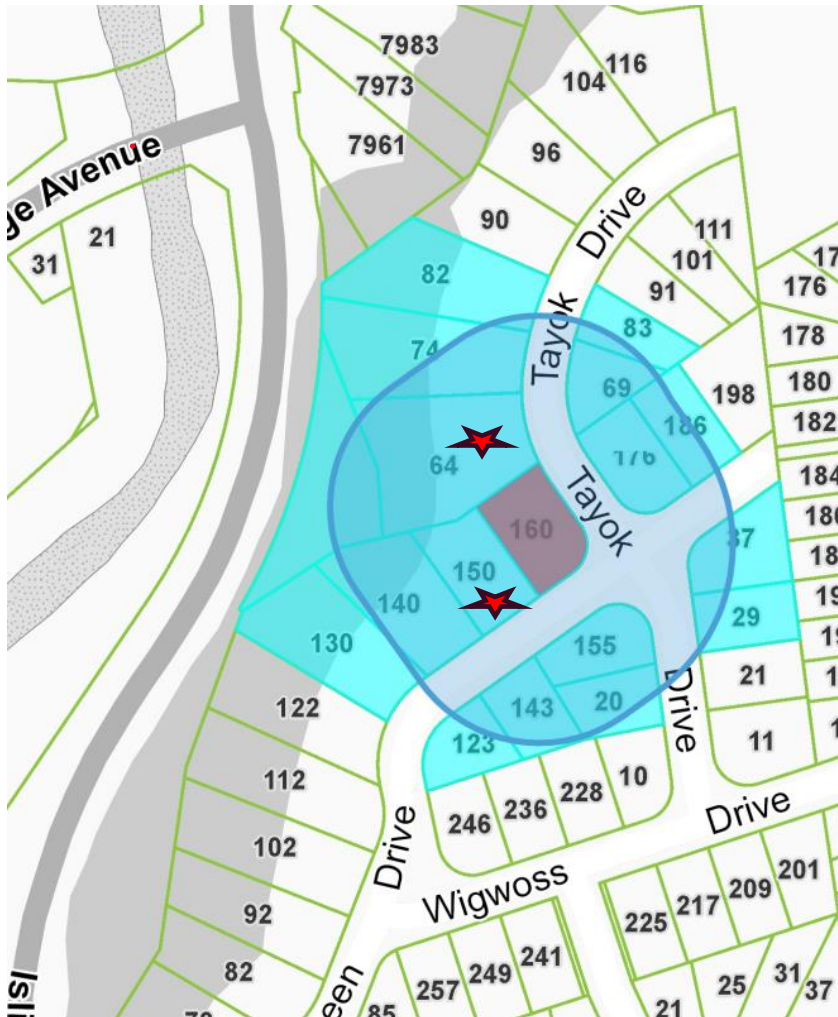
225. WIGWOSS DRIVE

Plan showing
Lot 42
Reg'd Plan 5081
Village of Woodbridge - County of York
Scale 1" = 30'

59 - 99

F. SCHAEFFER & ASSOCIATES
Ontario Land Surveyors/Municipal Engineers
465 Wilson Ave., Downsview, Ont.
JT 8-5423 June 5, 1989

LOT COMPARISONS – PROPOSED LOTS FALL SIGNIFICANTLY SHORT ~ SHOULD BE COMPARED ONLY TO **ADJOINING LOTS (POLICY 9.1.2.3)**



Compiled by D. Rembacz

Address	Lot Frontage (m)	Lot Area (m)
20 Tayok Drive	27.4	1132.4
29 Tayok Drive	25.9	1180.5
37 Tayok Drive	19.9	1557.9
★ 64 Tayok Drive	32.1	2986.1
69 Tayok Drive	44.0	923.7
74 Tayok Drive	25.6	3314.8
82 Tayok Drive	26.0	3501.5
83 Tayok Drive	26.0	1078.0
123 Monsheen Drive	54.0	1111.5
130 Monsheen Drive	27.3	2681.9
140 Monsheen Drive	30.5	2336.0
143 Monsheen Drive	29.9	1149.0
★ 150 Monsheen Drive	30.5	1611.9
155 Monsheen Drive	28.8	1094.7
176 Monsheen Drive	26.9	1412.1
186 Monsheen Drive	26.5	1293.2
Average (16 Homes)	30.1	1772.8
Proposal House 1	23.7	794
Proposal House 2	22.4	794.0

★ Should only be comparing to adjoining lots according to updated amendment policy

- 64 and 150 are **ADJOINING**
- Even the smallest lot at 923.7 sq.m. is still larger than proposed lots
- **Doesn't comply with Policy 9.1.2.3 (a and b)** ✗
- Nancy Tuckett in revised staff memo stated, herself, it falls short in frontage and lot area

OCTOBER 28 -- REVISED STAFF MEMO, DIRECTOR NANCY TUCKETT

- “Although the proposed severed and retained lands **are smaller** in lot frontage and lot area than adjacent lots, the proposal is generally consistent with Policy 9.1.2.3. (a , b)” ???

There are 2 adjoining lots and the proposed lots fall **significantly** short on both frontage and lot size; therefore **SEVERANCE should be REFUSED if the city is to comply with its own VOP Policy 9.1.2.3ab**

- Used the outdated language for Policy 9.1.2.3
- Policy department has confirmed with a resident that “adjacent” has been updated and amended to **ADJOINING** for Policy 9.1.2.3 b and that they have updated it on the website **after David, a resident, pointed out the discrepancy.**

VAUGHANWOOD RATEPAYERS ASSOCIATION

- This is **not good planning** in a settled, mature community that dates back to 1954.
- We are asking the committee members to **review the facts** and **refuse the application**.
- **City staff** and **Humphries** are using **outdated language** pertaining to **Policy 9.1.2.3**.
- They should have been using the **most current, amended version**
(David will go into this in more detail since he discovered the amendment)
- The **residents were the ones who uncovered the inconsistencies** with regards to both the archaeological assessment & Policy 9.1.2.3 (amendment) and brought it to the attention of city staff; this is **problematic**

THE FOUR TESTS

Although this does not apply, it can still be used to guide

- 1. Does the proposal maintain the general intent and purpose of the Official Plan?
 - the city/Humphries didn't use the **amended version of Policy 9.1.2.3b**
 - 2. Does the proposal maintain the general intent and purpose of the Zoning By-law?
 - 3. Is the proposal desirable for the appropriate development or use of the land?
 - 4. Is the proposal minor?
-
- **Doesn't comply with Policy 9.1.2.3 a and b (should only be referring to ADJOINING LOTS) as per amended VOP**
 - The extent of the impact of the proposed severance on the unique neighbourhood of Seneca Heights is **NOT minor or desirable** (quoting Chair, minutes Oct. 28)
 - The proposed severance is absolutely **NOT** compatible with the established character of the neighbourhood