

**2. ZONING BY-LAW AMENDMENT FILE Z.04.001
 EMILY AND RICHARD WONG
 PRELIMINARY REPORT**

P.2004.37

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing for File Z.04.001 (Emily and Richard Wong) BE RECEIVED; and, that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

Purpose

On January 2, 2004, the Owner submitted an application to amend the Zoning By-law to exempt the subject lands from Section 3.20(a) of By-law 1-88, to permit more than one residential dwelling on the one registered lot (Lot 3 on Plan 3270).

The exemption would facilitate the severance of the 0.23 ha lot into two residential lots, each having 38.1m (125ft) frontage on Elmbank Road.

Background - Analysis and Options

The subject lands are located on the northwest corner of Centre Street and Elmbank Road (4 Elmbank Road), being Lot 3 on Plan 3270, in Part of Lot 31, Concession 1, City of Vaughan. The site is developed with a 1-storey residential dwelling and detached garage. The 0.23 ha corner lot has 30.48m frontage on Centre Street and 76.2m flankage along Elmbank Road.

The subject lands are designated "*Low Density Residential*" by OPA 210 (Thornhill-Vaughan Community Plan) and zoned R1V Old Village Residential Zone by By-law 1-88, subject to Exception 9(662). The surrounding land uses are:

- North - residential (R1V Zone)
- South - Centre Street; residential (R1V Zone)
- East - Elmbank Road; residential (R1V Zone)
- West - residential (R1V Zone)

On January 23, 2004, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, an area resident has submitted comments, summarized as follows:

- the application is not compatible with the current zoning for the Old Village of Thornhill; and,
- this application would drastically have a negative impact on the quality of life in the neighbourhood, and would set a precedent and lead others to making similar applications.

Any additional comments received will be addressed in the technical review and included in a comprehensive Staff report to a future Committee of the Whole meeting.

Preliminary Review

- on February 24, 2003, Council adopted OPA 589, which added the following subsection to Section 2.2.2.4 of OPA 210:

“q) All development in older established residential areas characterized by large lots or by historical, architectural or landscape value, shall be consistent with the overall character of the area.”

OPA 589 has been appealed to the Ontario Municipal Board by the Owner, and is not in effect at this time;

- the intent of OPA 589 is to maintain and protect the unique and historical large lot development pattern for residential uses in this area; the area is recognized as an important historical component of Thornhill and as a unique enclave within the broader community; the application will be reviewed in context of the goal and objectives of OPA 589;
- By-law 1-88 permits detached dwellings on lots with minimum 30m frontage in the R1V Zone; the two lots would meet the R1V Zone standard; and
- Section 3.20 (a) of By-law 1-88 restricts Registered Plan 3270 to one dwelling per original registered lot; an exemption of this provision is required to enable two dwellings on the subject lands.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

The City adopted OPA 589 to maintain and protect the unique and historical large lot development pattern for residential uses in this area, and to recognize the area as an important historical component of Thornhill and as a unique enclave within the broader community. The Owner has appealed OPA 589, which is currently not in effect, and is to be considered by the Ontario Municipal Board at a future hearing. The application will be reviewed in context of the policies and intent of OPA 589.

These issues, but not limited to, will be included in the technical review of the application, together with comments expressed at the public hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Location Map

Report prepared by:

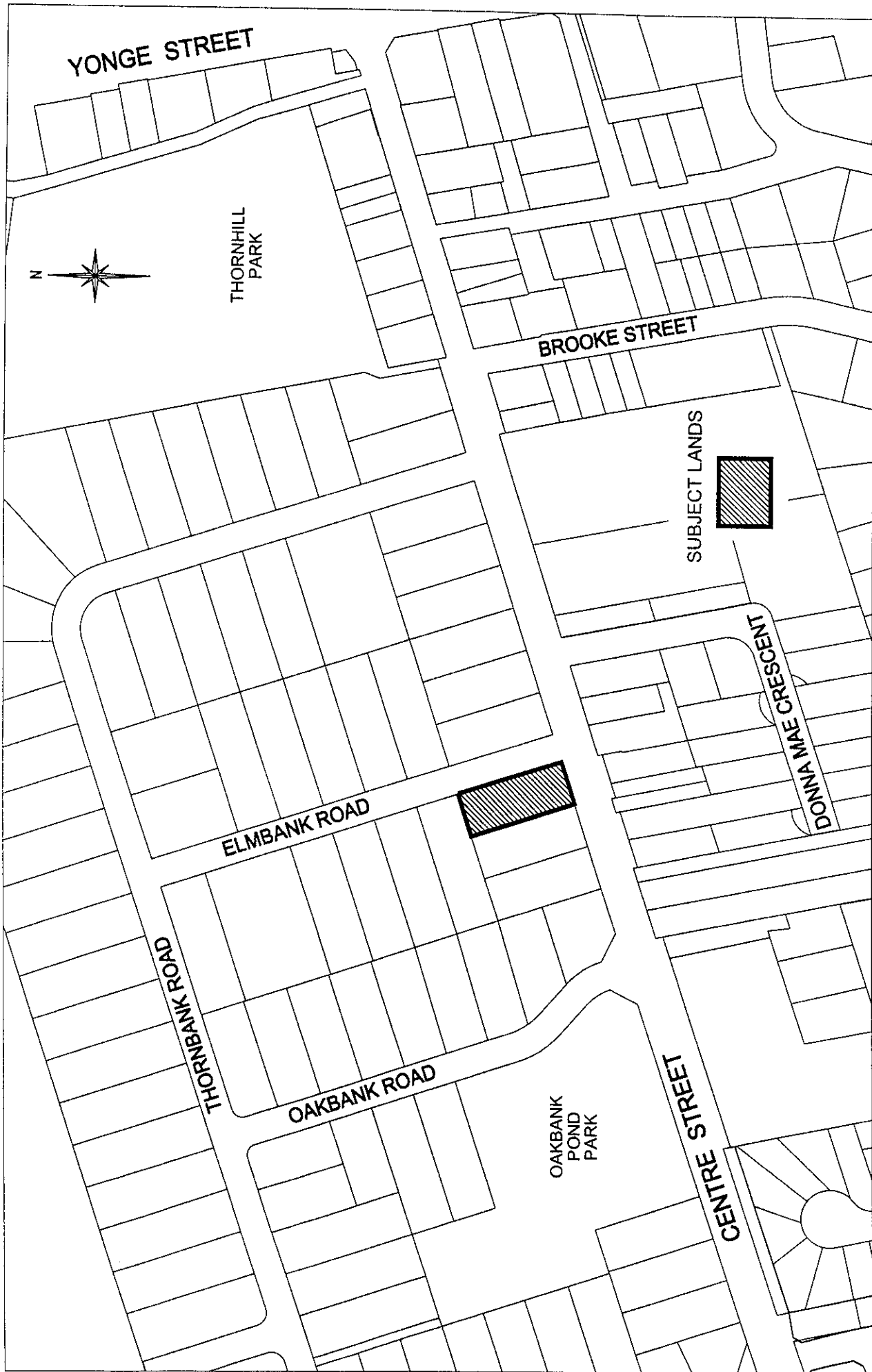
Jason Sheldon, Planner, ext. 8320
Grant A. Uyeyama, Senior Planner, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

/LG

MARCO RAMUNNO
Manager of Development Planning



Location Map

Part of Lot 31,
Concession 1

APPLICANT:
EMILY & RICHARD WONG

City of
Vaughan

Community Planning Department

Attachment

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FILE No.:
Z.04.001

Not to Scale

January 21, 2004