

## **COMMITTEE OF THE WHOLE DECEMBER 3, 2007**

### **INTERIM CONTROL BY-LAW AMENDMENT FILE Z.07.044 DAVID SHERIFI**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Interim Control By-law Amendment File Z.07.044 (David Sherifi) BE APPROVED, to provide an exception to the provisions of Interim Control By-law 193-2007 as amended by By-law 264-2007, to permit the construction of a single detached residential dwelling having a maximum gross floor area of 569m<sup>2</sup> for the subject lands, shown on Attachment #1.

#### **Economic Impact**

There are no requirements for new funding associated with this report.

#### **Communications Plan**

N/A

#### **Purpose**

The Owner has submitted an application to amend Interim Control By-law 264-2007 to request an exception to the provisions of the Interim Control By-law, in order to construct a single detached dwelling having a GFA of 569m<sup>2</sup> as shown on Attachment #3. The proposed use of the dwelling is for residential purposes.

#### **Background - Analysis and Options**

The subject lands shown on Attachment #1 are located on the west side of Brooke Street, south of Thornridge Drive and north of Arnold Avenue, known municipally as 108 Brooke Street, City of Vaughan. The 1,442.49m<sup>2</sup> lot has 31.55m frontage on Brooke Street and is presently developed with a single-storey brick dwelling that is proposed to be demolished, as shown on Attachment #2. The subject lands are designated "Low Density Residential Area" by OPA #210 (Thornhill-Vaughan Community Plan) and zoned R1V Old Village Residential Zone by By-law 1-88 subject to site-specific Exception 9(662). The surrounding land uses are:

North - residential; Thornridge Drive (R1V Old Village Residential Zone)  
South - residential (R1V Old Village Residential Zone)  
East - Brooke Street; residential (R1V Old Village Residential Zone)  
West - residential (R1V Old Village Residential Zone)

#### **Official Plan**

The subject lands are designated "Low Density Residential Area" by OPA # 210 (Thornhill-Vaughan Community Plan). In "Low Density Residential Areas" the permitted uses shall be single detached units. The net density permitted for the "Low Density Residential Area" designation shall not exceed 22 units per ha.

## Zoning

The subject lands as shown on Attachment #1 are zoned R1V Old Village Residential Zone, subject to site-specific Exception 9(662). The proposed development of a single detached dwelling is permitted within the R1V Old Village Residential Zone. The Owner requires and has made application to the Committee of Adjustment for Minor Variances respecting building height and lot coverage (Minor Variance Application A344/07). The proposed building height and lot coverage are 9.93m and 23.1% respectively, whereas the R1V Zone permits a maximum building height of 9.5m and a lot coverage of 20%. The Development Planning Department can support the proposed variances provided the maximum lot coverage does not exceed 23%, as opposed to 23.1% in order not to set a precedent. The Committee of Adjustment has not supported an increase in lot coverage greater than 23%.

In 2003, City Council directed the Development Planning Department to review the lot coverage standards in the R1V Zones within Vaughan. The Development Planning Department prepared a report which compared the lot coverage standards in Vaughan with other surrounding municipalities. The recommendation of the report was to allow additional flexibility in the maximum lot coverage provisions for bungalows which are less than 7m in height to make it reasonable to construct a bungalow, a desirable housing form that maintains the character of the Old Village Residential neighbourhoods.

In light of this, the Development Planning Department has supported other variances for a maximum lot coverage of 23% in this area as well as other R1V zoned areas in the City for two-storey dwellings.

Minor Variance Application A344/07 will be heard by the Committee of Adjustment at the November 22, 2007 Committee of Adjustment Meeting.

## Interim Control By-law and Group Homes Land Use Study

On June 11, 2007 Council approved a recommendation contained in a report brought forward by the Ward 5 Councillor respecting a Group Home Land Use Study. The report recommended an Interim Control By-law applicable to properties zoned R1V Old Village Residential Zone be forwarded to Council for enactment and that the Group Homes Land Use Study be completed within six months.

Interim Control By-law 193-2007 was enacted on June 11, 2007, prohibiting the issuance of building permits within the R1V Old Village Residential Zone for a period of 1 year. As a result, a number of residents expressed concerns respecting the restrictions of By-law 193-2007 which did not allow for the construction of projects generally permitted within the municipal application process. In response to the concerns raised, an amending Interim Control By-law, By-law 264-2007 was prepared, and brought forward to Council on July 19, 2007. By-law 264-2007 exempted single detached dwellings, additions and accessory structures not exceeding a maximum GFA of 500m<sup>2</sup>.

The Group Homes Land Use Study is currently being conducted by the Policy Planning Department. The intent of the study is to update the City of Vaughan's policies respecting Group Homes within the R1V Old Village Residential Zone.

The subject lands are proposed to be developed with a single detached dwelling having a maximum GFA of 569m<sup>2</sup> for use as a residence and not a group home. The proposed 569m<sup>2</sup> in GFA area does not comply with the maximum 500m<sup>2</sup> GFA permitted by By-law 264-2007. Therefore, an amendment to by-law 264-2007 is required, to exempt the subject lands from the provisions of the interim control by-law, allowing the Owner to obtain a building permit for construction of the proposed 569m<sup>2</sup> residence.

### Planning Considerations

The proposed development, as shown on Attachment #3, and described in the Interim Control By-law Amendment Application is for a single-detached residential dwelling and not intended for use as a group home. Interim Control By-law 264-2007 was previously amended by By-law 193-2007 that allowed for the exemption of Lot 27 on Registered Plan 3270 to permit the construction of a single-detached dwelling and accessory buildings and/or structures, with a total GFA of 821m<sup>2</sup>.

The Policy Planning Department has no objections to the subject lands being exempted from the provisions of the Interim Control By-law in order to permit the construction of a single detached dwelling having a maximum GFA of 569m<sup>2</sup>. The intent of the study focuses on group homes as a land use whereas the Owner of the subject lands is proposing a single detached dwelling to be used as a residence.

### Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

### Regional Implications

N/A

### Conclusion

The Development Planning Department has reviewed the proposed application to amend the Interim Control By-law to provide an exception to the provisions of the Interim Control By-law 193-2007 as amended by By-law 264-2007. Based on the comments received from the Policy Planning Department the Development Planning Department are satisfied that the application to provide an exception to the provisions of the Interim Control By-law to permit the construction of a residential dwelling with a GFA of 569m<sup>2</sup> will not impact the ongoing land use study.

### Attachments

1. Location Map
2. Existing Site Plan
3. Elevations

### Report prepared by:

Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/CM



## Location Map

Part of Lot 30,  
Concession 1

APPLICANT:  
DAVID SHERIFI

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**City of Vaughan**  
*The City Above Toronto*

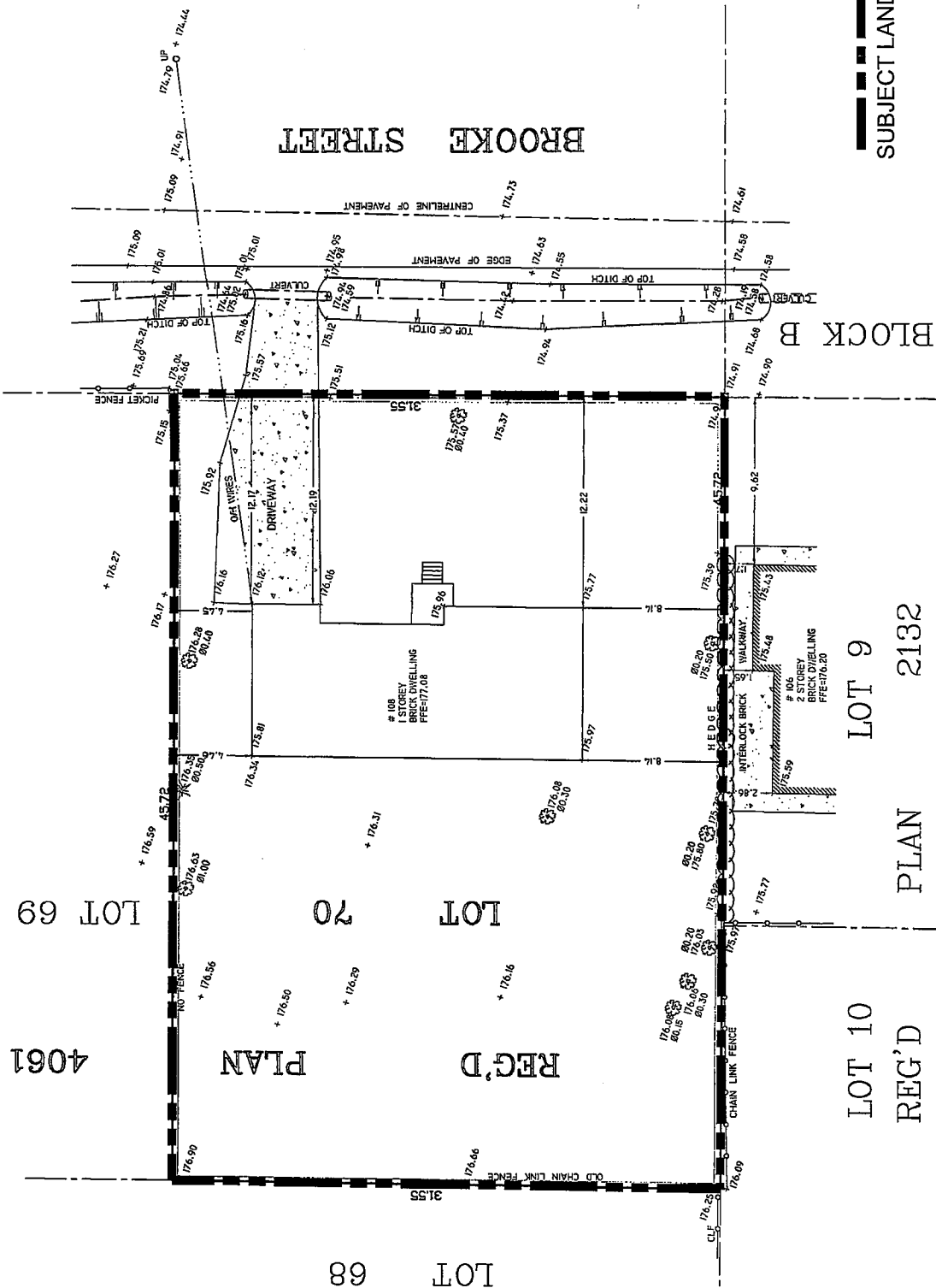
Development Planning Department

## Attachment

FILE No.: Z.07.044

November 6, 2007

**1**



# Existing Site Plan

Part of Lot 30,  
Concession 1

APPLICANT:  
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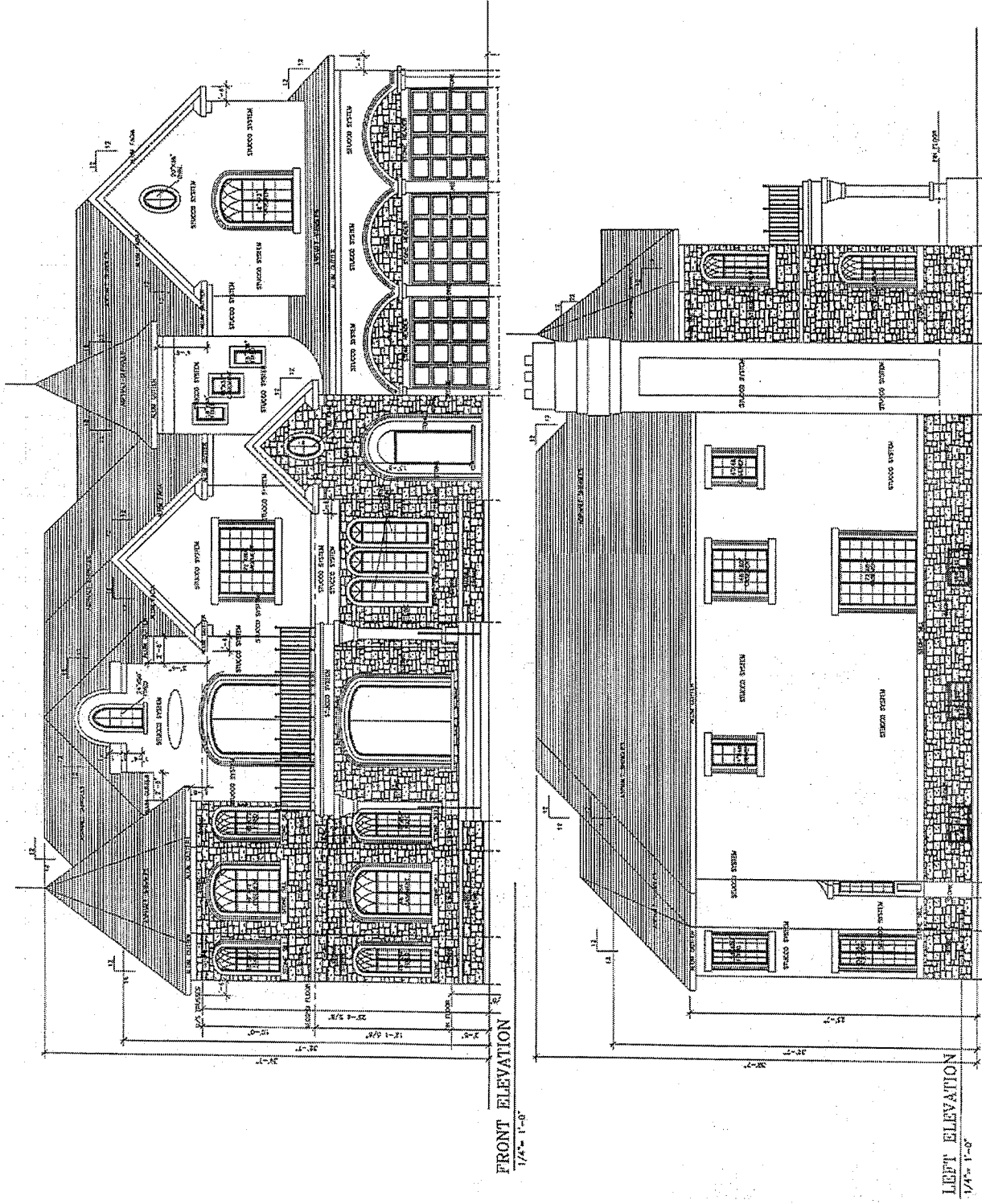
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# Attachment

FILE No.: Z.07.044

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# 2



Not to Scale

# Elevation Plan

Part of Lot 30,  
Concession 1

APPLICANT:  
DAVID SHERIFI

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Development Planning Department