

COMMITTEE OF THE WHOLE JANUARY 21, 2008

INTERIM CONTROL BY-LAW AMENDMENT FILE Z.07.051 **MARSHA JACOBSON**

Recommendation

The Commissioner of Planning recommends:

1. THAT Interim Control By-law Amendment File Z.07.051 (Marsha Jacobson) 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 754.5m² for the subject lands, as 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, affecting the lands shown on Attachment #1 in order to construct a single detached dwelling having a GFA of 754.5m² as shown on Attachments #2 and #3. The proposed use of the dwelling is for residential purposes.

Background - Analysis and Options

The subject lands are located on the west side of Riverside Boulevard, south of Helen Avenue, known as 36 Riverside Boulevard, City of Vaughan. The 3,500m² vacant lot has 31m frontage on Riverside Boulevard and a depth of 102.99m. The surrounding land uses are:

- North - residential (R1V Old Village Residential Zone)
- South - residential (R1V Old Village Residential Zone)
- East - Riverside Boulevard; residential (R1V Old Village Residential Zone)
- West - open space, East Don River (OS1 Open Space Conservation Zone)

Official Plan

The subject lands are designated "Low Density Residential Area" by OPA #210 (Thornhill-Vaughan Community Plan), which permits single detached units. The proposal conforms to the Official Plan.

Zoning

The subject lands are zoned R1V Old Village Residential Zone by By-law 1-88, subject to site-specific Exception 9(662). The proposed development of a single detached dwelling is permitted within the R1V Zone. The Owner has previously made application to the Committee of Adjustment for Minor Variances respecting building height, and front and interior side yard setbacks (Minor Variance Application A399/07). On November 22, 2007, the Committee of Adjustment approved Minor Variance Application 399/07, subject to the Toronto and Region

Conservation Authority (TRCA) being satisfied with the final building layout as the property backs onto the East Don River. The approved building height is 11.5m, whereas the R1V Zone permits a maximum building height of 9.5m. The approved front yard and interior side yard setbacks are 18.5m and 2m, respectively, whereas the by-law requires 37.17m and 2.5m, respectively.

The Owner is presently working with the TRCA to address the outstanding condition of approval associated with the Minor Variance application. Should the residential dwelling layout require modification, this will be addressed to the satisfaction and approval of the Building Standards Department and the TRCA, through the Building Permit review.

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 Homes Land Use Study. The report recommended that 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.

On June 11, 2007, Interim Control By-law 193-2007 was enacted, thereby 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 enacted by Council on July 19, 2007, and exempted single detached dwellings, additions and accessory structures not exceeding a maximum GFA of 500m².

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 745.5m² for use as a residence and not a group home. The proposed 1,124.5m² GFA does not comply with the maximum 500m² 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 745.5m² residence.

Planning Considerations

The proposed development, as shown on Attachments #2 and #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 193-2007 was amended by By-law 264-2007 that granted an exception to 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 821m². Subsequently, on December 10, 2007, Council approved further exceptions to the Interim Control By-law for an additional 2 properties being 108 Brooke Street (File Z.07.044, David Sherifi) and 17 Oakbank Road (File Z.07.045, Omid Sharifi).

The Policy Planning Department has no objections to the subject lands being granted an exception to the provisions of the Interim Control By-law in order to permit the construction of a single detached dwelling having a maximum GFA of 745.5m². 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 is 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 745.5m² will not impact the ongoing land use study.

Attachments

1. Location Map
2. Site Plan
3. Proposed Front Elevation

Report prepared by:

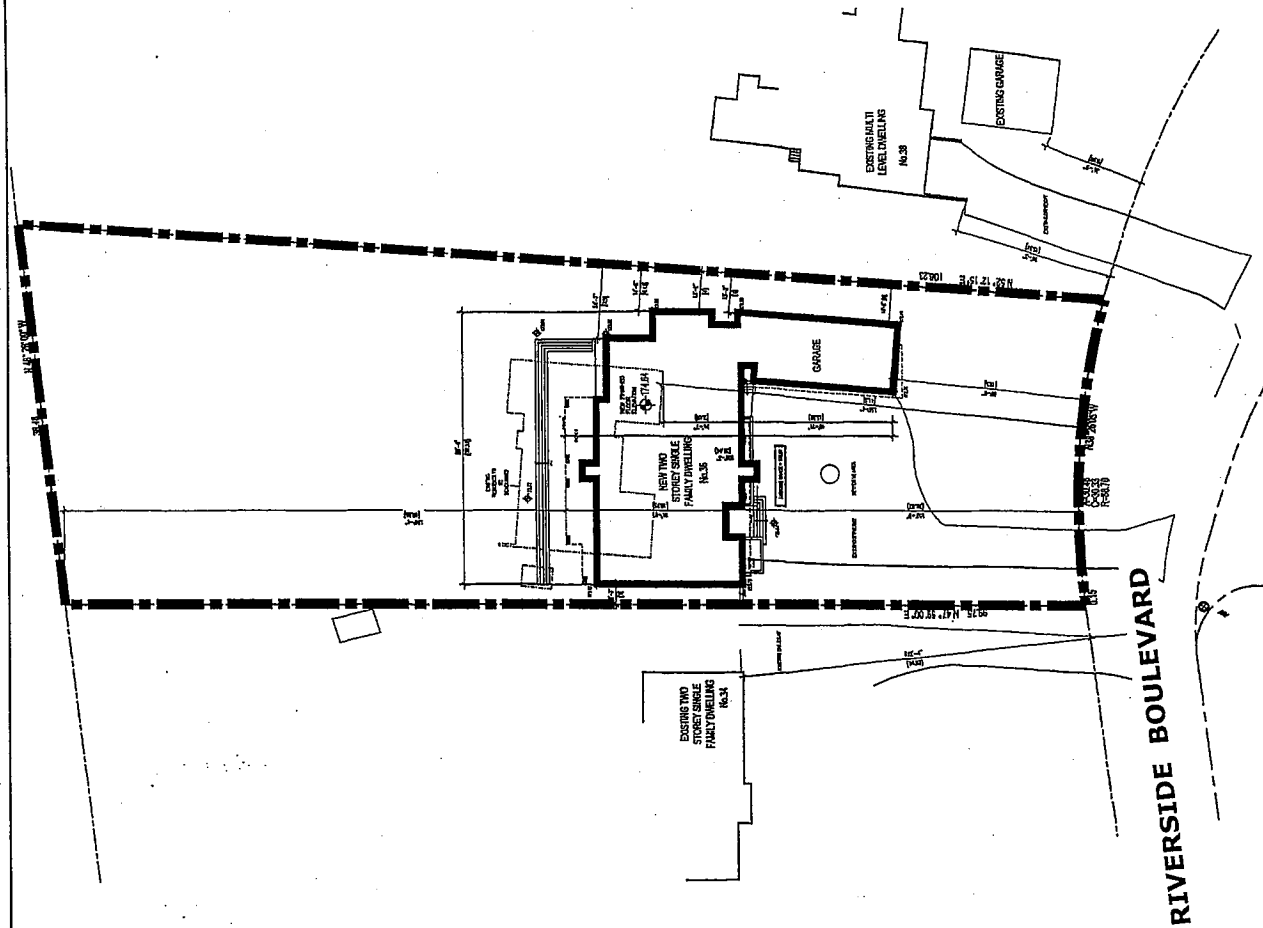
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG



SUBJECT LANDS



RIVERSIDE BOULEVARD

Site Plan

Part of Lot 33,
Concession 1

APPLICANT:
MARSHA JACOBSON

VA-07-1 ATTACHMENTS 2 v.07.051

City of
Vaughan

The City Above Toronto

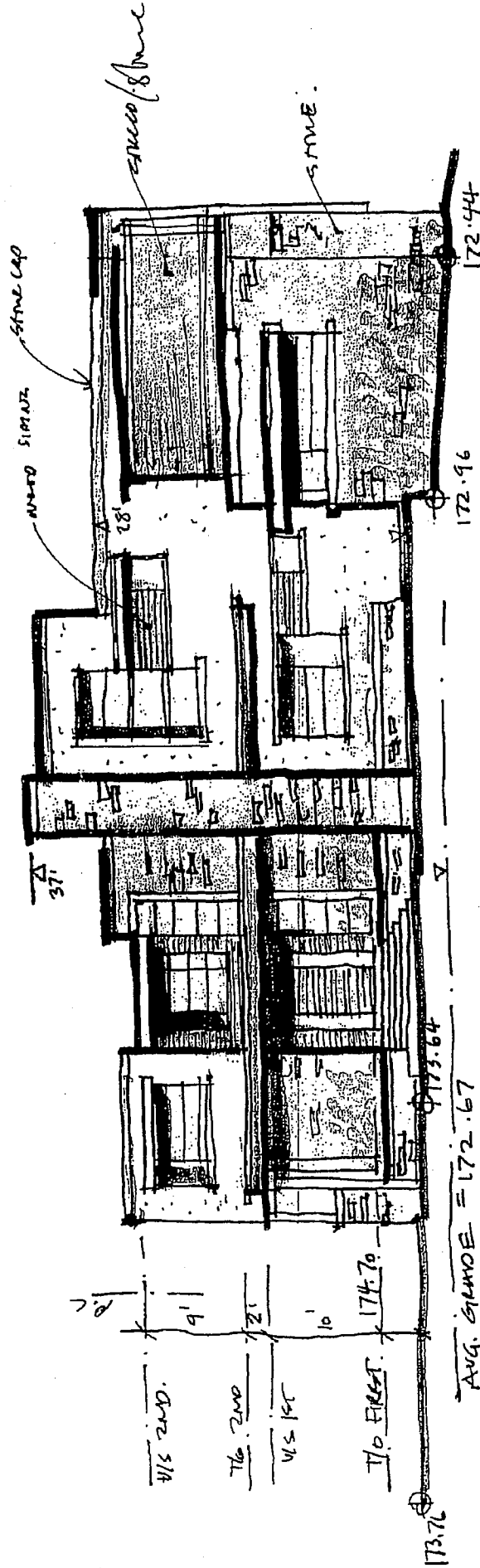
Development Planning Department

Attachment
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FILE No.:
Z.07.051

Not to Scale

November 26, 2007



Proposed Front Elevation

Part of Lot 33,
Concession 1

APPLICANT:
MARSHA JACOBSON

NO. 001 ATTACHMENT 1 23.07.051

City of
Vaughan

The City Above Toronto

Development Planning Department

Attachment

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FILE No.:
Z.07.051

Not to Scale

November 26, 2007