

COMMITTEE OF THE WHOLE JUNE 3, 2008

INTERIM CONTROL BY-LAW - EXTENSION GROUP HOMES LAND USE STUDY FILE 15.34.4

Recommendation

The Commissioner of Planning recommends:

1. That a by-law to extend Interim Control By-law 193-2007, as amended, for a period of one year be forwarded to Council for enactment.

Economic Impact

There is no significant economic impact associated with this report.

Communications Plan

A notice will be placed in the local newspaper to inform the public of the enactment of the by-law to extend the Interim Control By-law, as required under Section 38 of the Planning Act, as amended.

Purpose

To seek Council's authorization for the extension of Interim Control By-law 193-2007, as amended, for a period of one year to provide additional time to enable City staff to complete the Group Homes Land Use Study.

Background - Analysis and Options

On June 11, 2007, Council approved the following recommendation contained in a report on Group Homes (Minute No. 110):

1. THAT Staff initiate a limited land use study respecting properties zoned R1V Old Village Residential, and the City policies governing Group Homes, and report back to a future Committee of the Whole meeting, outlining the results of the study, including recommendations pursuant to the Planning Act, to ensure the character of affected residential neighbourhoods is maintained.
2. THAT an Interim Control By-law applicable to properties zoned R1V Old Village Residential be forwarded to Council for enactment, to provide six months in which to complete the land use study.

The Interim Control By-law (193-2007) was enacted on June 11, 2007. Under the Interim Control By-law, no building permits were allowed to be issued. As a result, a number of residents expressed concern that the Interim Control By-law was too restrictive and did not allow for construction projects within the municipal application process to proceed.

In response to these concerns, Policy Planning staff, with the assistance of the City's Legal Services Department and the Building Standards Department, prepared an amending by-law that had the effect of allowing for a reasonable amount of construction to proceed without jeopardizing the objectives of the land use study. On July 19, 2007, Council passed the amending by-law (264-2007), which exempts single family detached dwellings/additions up to a maximum total of 500 sq.m GFA.

Since the enactment of the Interim Control By-law, the Development Planning Department has received a total of five applications to amend the Interim Control By-law to permit single-family detached dwellings in excess of the maximum total of 500 sq.m GFA. Within this time period, there have been no applications/proposals for group homes.

The Policy Planning Department continues to conduct research and consultation on the topic of group homes and the assessment of policies and provisions of the R1V Old Village Residential Zone. A preliminary discussion paper on this matter was initially prepared containing background information including: the City's previous study on group homes; the myriad of complex related regulatory framework and policies on both the R1V Zone and group homes, Provincial statutes; Regional and local policies and regulations; and, practices and recent experiences of other municipalities. Staff has also developed preliminary options and analysis and identified a number of options which should be considered further and provide the basis for consultation. A second updated version of the draft discussion paper has now been prepared but requires further review and comment from relevant City Departments prior to finalization.

Staff intends to present a preliminary discussion paper at a Council Working Session in the Fall 2008 for the purposes of informing Council of the study's findings and preferred options and to obtain direction for proceeding with finalizing the recommendations.

Relationship to Vaughan Vision 2020

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Regional Implications

There are no Regional implications in extending the Interim Control By-law.

Conclusion

In the process of conducting research and consultation for this study, the Policy Planning Department has found that the issues related to the regulation of Group Homes is very complex. A preliminary discussion paper on this matter was prepared. Based on on-going discussion and consultation, a second edition of the discussion paper was prepared, which requires further review and comment prior to finalization. Staff intends to present a discussion paper to a Working Session in the Fall 2008 and to seek direction for finalizing the recommendations.

The Interim Control By-law is scheduled to expire on June 11, 2008. As additional staff time is required to finalize the study, it is recommended that the Interim Control By-law be extended. Section 38 (2) of the Planning Act allows an Interim Control By-law to be extended for a period of one year. A draft by-law to extend the Interim Control By-law has been prepared (Attachment #1) for Council's enactment. Council may consider rescinding the Interim Control By-law at any time.

Attachments

1. Draft By-law to extend Interim Control By-law 193-2007

Report prepared by:

Duncan MacAskill, Senior Planner, Policy Planning Department, ext. 8017
Wayne McEachern, Manager, Policy Planning Department, ext. 8026

Respectfully submitted,

JOHN ZIPAY
COMMISSIONER OF PLANNING

DIANA BIRCHALL
DIRECTOR OF POLICY PLANNING

Draft Zoning By-law Amendment
(*City of Vaughan
File: 15.34.4 (*Duncan MacAskill) – (*Clerk's Initial)
Scheduled for Council Meeting Date on: June 11, 2008

BY-LAW NUMBER - 2008

A By-law to amend City of Vaughan By-law Number 264-2007 to extend the By-law for a further period of one year.

WHEREAS Council has directed that a land use study be undertaken in respect of land use planning policies governing Group Homes for lands currently zoned R1V Old Village Residential in the City of Vaughan By-law 1-88;

AND WHEREAS on June 11th, 2007 the Council for the City of Vaughan enacted Interim Control By-law 193-2007 to restrict the use of lands zoned R1V Old Village Residential for no other purpose than for those uses existing as of the date of enactment for a period of one year, to permit completion of the Land Use Study;

AND WHEREAS on July 19th, 2007, the Council for the City of Vaughan enacted By-law 264-2007, which amended By-law 193-2007, to exempt single family dwellings/additions of a maximum size and accessory structures from the operation of the interim control by-law;

AND WHEREAS Council deems it desirable, pursuant to subsection 38(2) of the *Planning Act* to extend By-law Number 193-2007 for a further period of one year;

NOW THEREFORE the Council for the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. By-law Number 193-2007, as amended, shall be and is hereby amended to extend the period of time the By-law shall be in effect for a period of one (1) year, commencing on the 11th day of June, 2008.

SUMMARY TO BY-LAW - 2008

The subject lands to this By-law are zoned R1V Old Village Residential in the City of Vaughan By-law 1-88.

The purpose of this by-law is to amend the Interim Control By-law 264-2007 to extend the period of time the by-law shall be in effect for a further period of one year, commencing June 11, 2008, to permit the completion of the Land Use Study on Group Homes.