

COMMITTEE OF THE WHOLE FEBRUARY 10, 2009

INTERIM CONTROL BY-LAW AMENDMENT FILE Z.08.052 JULIE CARERI WARD #5

Recommendation

The Commissioner of Planning recommends:

1. THAT Interim Control By-law Amendment File Z.08.052 (Julie Careri) BE APPROVED, to provide an exception to the provisions of Interim Control By-law 193-2007 as amended by By-laws 264-2007 and 138-2008, to permit the construction of a single detached residential dwelling having a maximum gross floor area of 671.03 m² on 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 (File Z.08.052) to amend Interim Control By-law 193-2007 as amended by By-laws 264-2007 and 138-2008 to request an exception to the provisions of the Interim Control By-law, affecting the lands shown on Attachment #1, in order to facilitate the construction of a single detached dwelling having a gross floor area (GFA) of 671.03 m², as shown on Attachments #2 and #3. The Interim Control By-law, as amended, permits single family dwellings and/or additions thereto resulting in a building not exceeding 500 m². The proposed use of the dwelling is for residential purposes.

Background - Analysis and Options

The subject lands are located on the south side of Helen Avenue, east of Riverside Boulevard, municipally known as 31 Helen Avenue, Ward 5, City of Vaughan. The 1,857.45 m² lot has frontage of 30.5 m on Helen Avenue and a depth of 60.9 m. The surrounding land uses are shown on Attachment #1.

Official Plan

The subject lands are designated "Low Density Residential Area" by OPA #210 (Thornhill-Vaughan Community Plan), which permits single detached dwellings. 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), which permits single detached dwellings. The Owner filed a Minor Variance Application with the Committee of Adjustment (File A101/08) to permit an increase in the permitted lot coverage under By-law 1-88 from 20% to 23%, which was approved by the Committee of Adjustment on May 22, 2008.

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 500 m². On June 11, 2008 Council enacted By-law 138-2008 to extend the effective period of the interim control by-law by one year to June 11, 2009.

The Group Homes Land Use Study is currently being conducted by the Vaughan 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 671.03m² for use as a residence and not a group home. The proposed 671.03m² 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 provide an exception to the subject lands from the provisions of the interim control by-law, and thereby allow the Owner to obtain a building permit for construction of the proposed 671.03m² 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, which has been granted exceptions to the following properties:

- 14 Elmbank Road (File 15.34.4, Lidia Maio) with GFA of 821 m²;
- 108 Brooke Street (File Z.07.044, David Sherifi) with a GFA of 569 m²;
- 17 Oakbank Road (File Z.07.045, Omid Sharifi) with a GFA of 733 m²;
- 36 Riverside Boulevard (File Z.07.051, Marsha Jacobson) with a GFA of 754.5 m²;
- 24 Donna Mae Crescent (File Z.07.048, Giovanni and Tina Raimundo) with a GFA of 518.95 m²;
- 95 Thornridge Drive (File Z.07.060, Stephen and Helene Sender) with a GFA of 548.13m²; and,
- 4 Welton Street (Z.08.030, Josie D'Angelo) with a GFA of 600 m².

The Vaughan Policy Planning Department has reviewed the application and has no objection 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 671.03m². 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 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

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-laws 264-2007 and 138-2008. 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 671.03 m² will not impact the ongoing Group Homes Land Use Study.

Attachments

1. Location Map
2. Site Plan
3. Elevation

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT A. UYEVAMA
Director of Development Planning

/CM



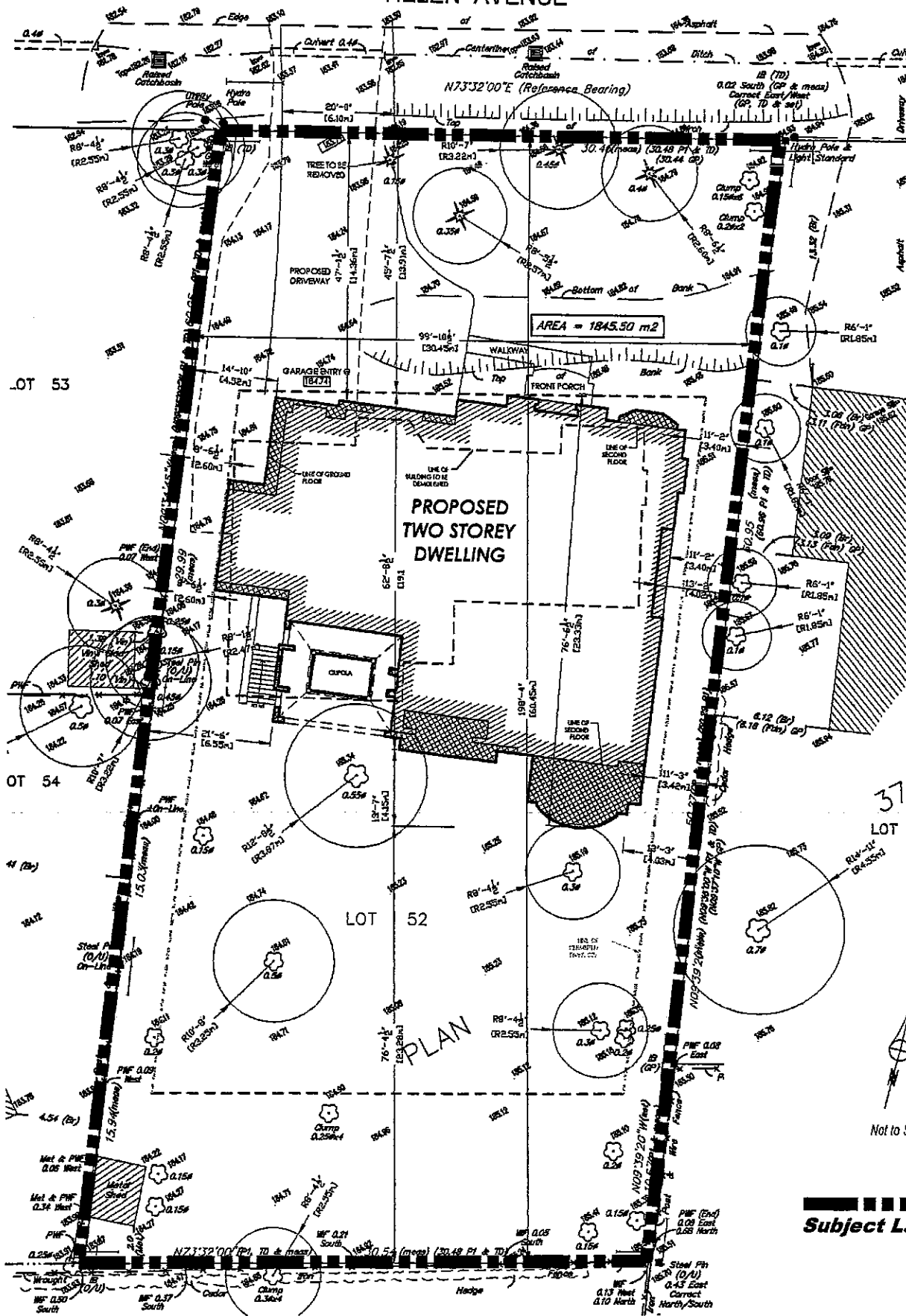
Legend

- OS1 - OPEN SPACE CONSERVATION ZONE
- PB1 - PARKWAY BELT OPEN SPACE ZONE
- R1V - OLD VILLAGE RESIDENTIAL ZONE

Subject Lands
(31 HELEN AVENUE)

Not to Scale

HELEN AVENUE



Not to Scale

Subject Lands

Site Plan

Part of Lot 33,
Concession 1

APPLICANT:
JULIE CARERI

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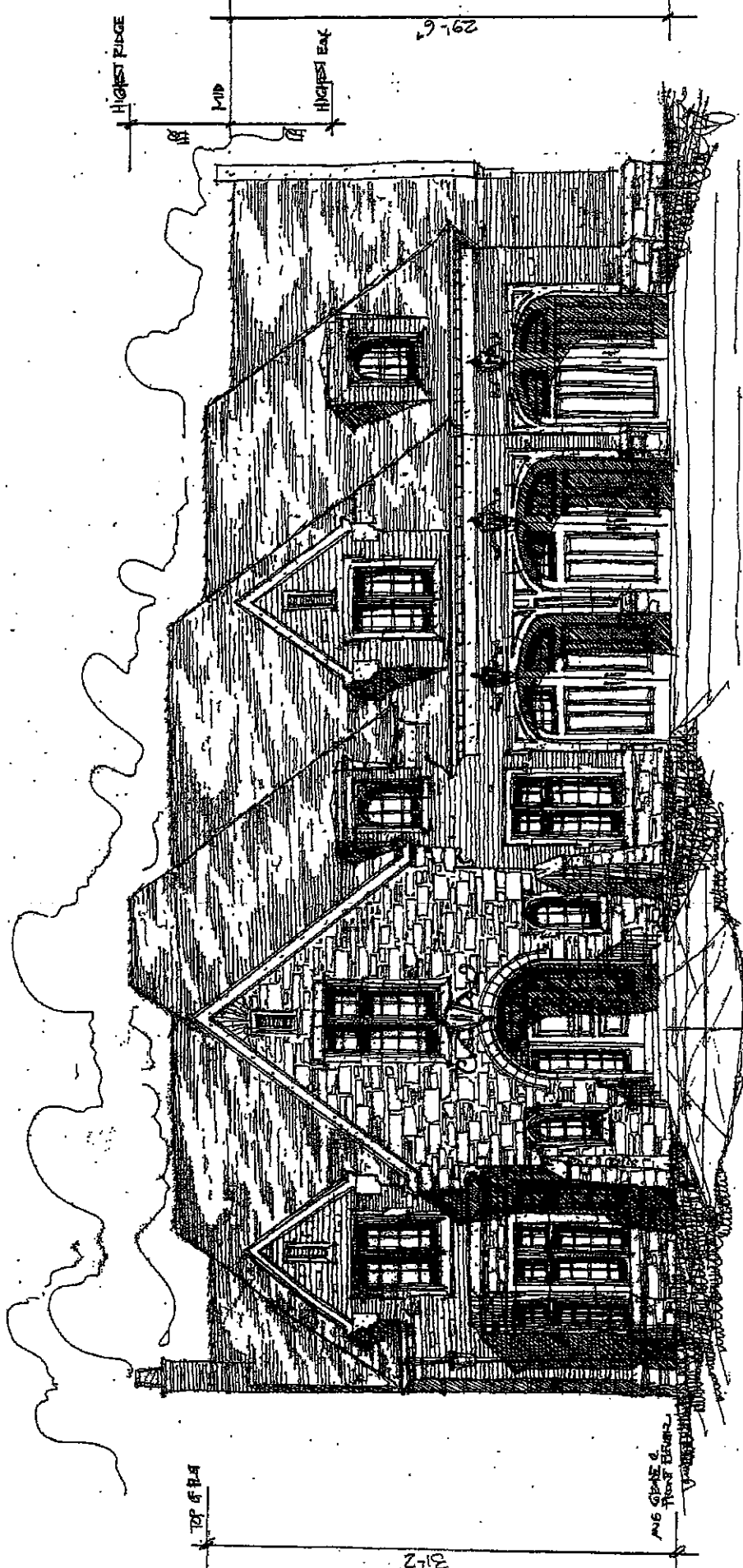
Development Planning Department

Attachment

FILE No.: Z.08.052

January 16, 2009

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Front (North) Elevation - HELEN AVENUE

Not to Scale

Attachment 3

FILE No.: Z.08.052
January 16, 2009

City of Vaughan
The City Above Toronto
Development Planning Department

Elevation
Part of Lot 33,
Concession 1
APPLICANT:
JULIE CARERI
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