

## **SPECIAL COUNCIL MEETING JULY 19, 2007**

### **AMENDMENT TO INTERIM CONTROL BY-LAW 193-2007 – GROUP HOMES LAND USE STUDY**

#### **Recommendation**

The Commissioner of Planning and the Commissioner of Legal & Administrative Services and City Solicitor recommend:

1. THAT the proposed By-law (Attachment #1) to amend Interim Control By-law 193-2007 be enacted.

#### **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 amending Interim Control By-law, as required under Section 38 of the Planning Act, as amended.

#### **Purpose**

The purpose of this report is to recommend an amendment to the Interim Control By-law (193-2007), which applies to properties within the R1V Old Village Residential Zone, that provides for the following:

1. permit a single family detached dwelling and/or additions which result in a building having a total gross floor area not to exceed 500 sq.m. (5,382 sq.ft) subject to all other provisions of By-law 1-88;
2. permit accessory buildings and/or structures subject to all other provisions of By-law 1-88; and
3. permit a single family detached dwelling on Lot 27, Registered Plan 3270 having a maximum gross floor area of 821 sq.m and accessory buildings and/or structures subject to all other provisions of By-law 1-88.

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

On June 11, 2007, Council approved the following recommendations 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’s 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; and
- 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. The by-law has the affect of restricting the use of properties in R1V Zones 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. Therefore, no building permits can be issued while the Interim Control By-law is in effect. This restriction also applies to building permit applications that were submitted prior to the enactment of the by-law.

A number of building permit applications that were submitted prior to and after the by-law's enactment remain outstanding and include projects such as additions, alterations, accessory structures (gazebos and decks) and new dwellings. Property owners have expressed concern that the by-law is too restrictive and that they should be allowed to proceed with their proposals. In some instances, grading permits have been processed. Further, the owner of Lot 27, Registered Plan 3270, has requested an exemption from the Interim Control By-law and has made application for a building permit to allow the construction of a new single family detached dwelling (Permit # 07 4238) with a gross floor area over the proposed exemption amount (821 sq.m). For this property, a permit for the demolition of a dwelling was issued on June 6, 2007, followed by grading permit that was submitted on June 28, 2007.

In light of these concerns, it is recommended that the Interim Control By-law be amended by including provisions that allow for a reasonable amount of construction to proceed without jeopardizing the objectives of the land use study. The provisions would permit a new single family residential dwelling and/or additions resulting in a building having a total maximum gross floor area of 500 sq.m (5,382 sq.ft) and accessory buildings and structures. Single family detached dwellings and accessory buildings and structures will continue to be subject to the provisions and zone requirements contained in By-law 1-88.

#### **Relationship to Vaughan Vision 2007**

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 amending the Interim Control By-law.

#### **Conclusion**

Interim Control By-law 193-2007 was enacted on June 11, 2007 to provide time for staff to complete a limited land use study respecting properties zoned R1V- Old Village Residential Zone and the City's policies governing Group Homes to ensure the character of affected residential neighbourhoods is maintained. Under the current Interim Control By-law, no building permits can be issued. As a result, a number of residents have expressed concern that the Interim Control By-law is too restrictive and does not allow for construction projects within the municipal application process to proceed.

It is recommended that the that the Interim Control By-law be amended by including provisions identified in this report that allow for a reasonable amount of construction to proceed without jeopardizing the objectives of the land use study. Further the amended by-law will allow for the exemption requested by the owner of Lot 27, Registered Plan 3270.

Should Council concur, it is recommended that the proposed By-law (Attachment #1) to amend Interim Control By-law 193-2007 be enacted.

**Attachments**

1. Amended Interim Control By-law

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Respectfully submitted,

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Commissioner of Planning

JANICE ATWOOD-PETKOVSKI  
Commissioner of Legal & Administrative Services  
and City Solicitor

/CM

# **ATTACHMENT # 1**

**BY-LAW NUMBER** \_\_\_\_\_ **- 2007**

**A By-law to amend City of Vaughan By-law 193-2007.**

**WHEREAS** Council has directed that a land use study be undertaken in respect of land use planning policies governing Group Homes;

**AND WHEREAS** lands currently zoned R1V Old Village Residential are being proposed as potential locations for the establishment of Group Homes;

**AND WHEREAS** the City's policies governing Group Homes are out-dated and in need of review;

**AND WHEREAS** Council deems it desirable to amend Interim Control By-law 193-2007;

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

1. That Section 1 of By-law 193-2007 is hereby amended by adding the following after the words "By-law":

"and for the following:

- (a) permit a single family detached dwelling and/or additions thereto resulting in a building having a total gross floor area not to exceed 500 sq.m (5,382 sq.ft) subject to all other provisions of By-law 1-88;
  - (b) permit accessory buildings and/or structures subject to all other provisions of By-law 1-88; and
  - (c) permit a single family detached dwelling on Lot 27, Registered Plan 3270 having a maximum total gross floor area not to exceed 821 sq.m and accessory buildings and/or structures subject to all other provisions of By-law 1-88."
2. This By-law shall be in effect for a period of 1 year from the date of its enactment.



**SUMMARY TO BY-LAW - 2007**

The subject lands are those lands which are zoned R1V Old Village Residential in City of Vaughan By-law 1-88.

The purpose of this by-law is to amend 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.