

# 15 Mill Street

A135/24

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- Relief requested to permit replacement of the existing one-storey coach house at the rear of the lot with a new two storey coach house in the same location
- New coach house contains a secondary suite as an accessory dwelling as permitted by the Zoning By-law



# Background

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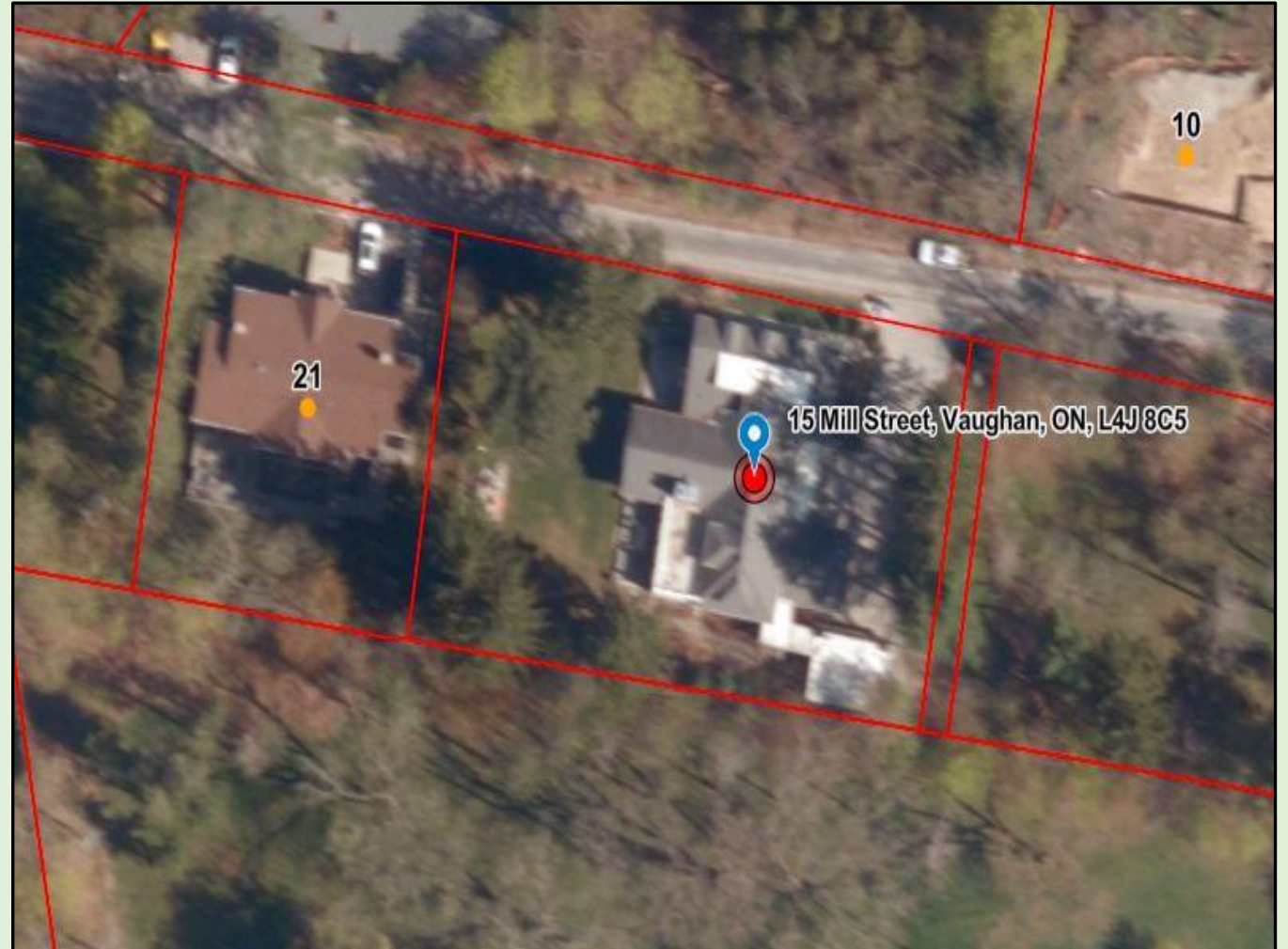
- **Owner in 2013 received award for restorations and additions to the original 1825 heritage house**
- **Owner previously saved and restored other heritage properties in Thornhill**
- **Received City of Vaughan Volunteer Recognition Award in 2016 & 2018**
- **This is not a speculative flip**
- **New coach house addition will house owner's son and his family**



# Background

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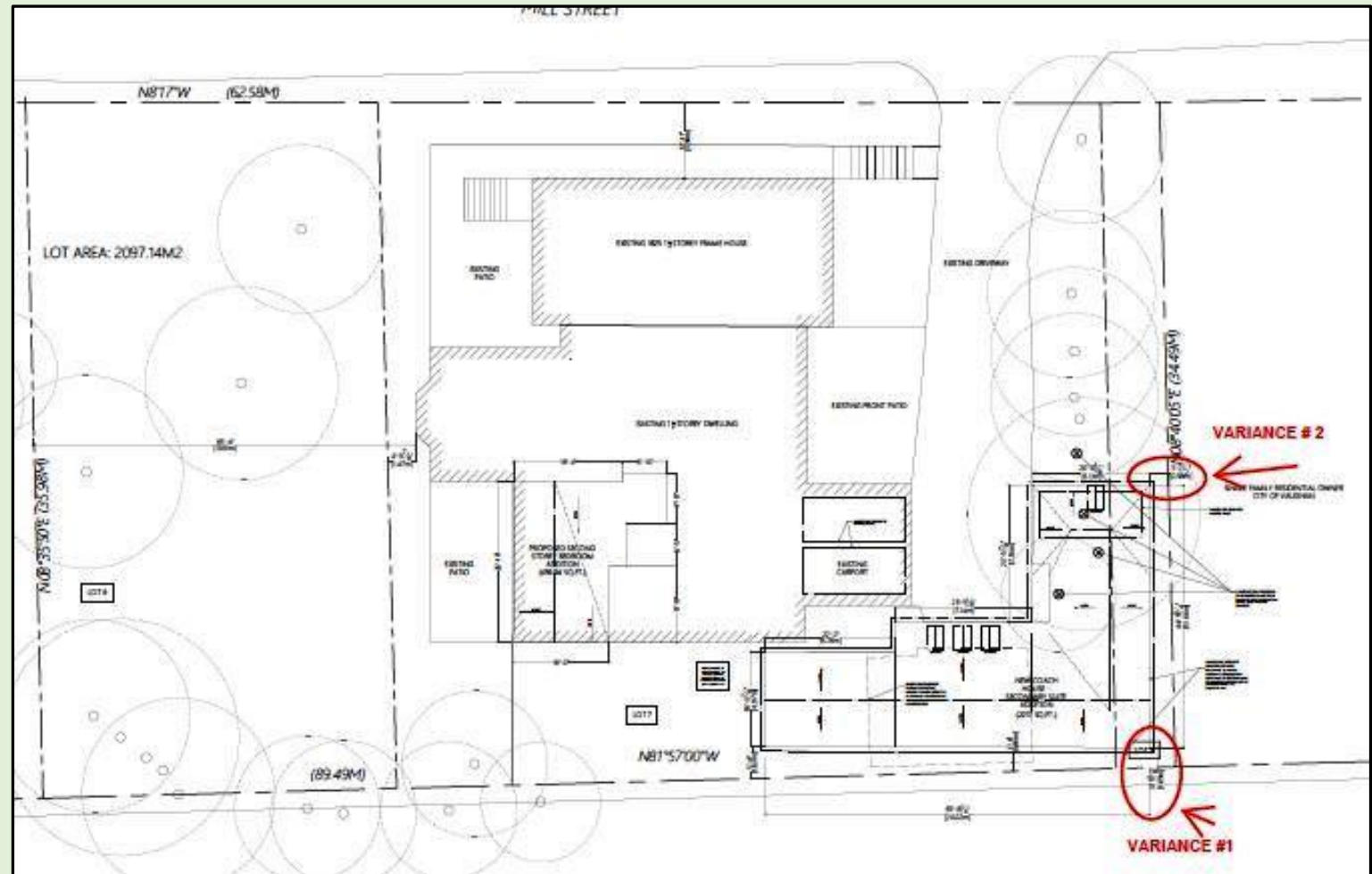
- Lot Frontage: 62.58 m
- Lot Depth: 34.49 m
- Lot Area: 2,097.14 m<sup>2</sup>
- Existing Lot Coverage: 24.11%
- Developed with existing 1<sup>1/2</sup> storey dwelling and attached 1 storey coach house
- 1825 dwelling listed as a significant heritage structure
- 2011 rear one storey coach house addition approved by the Committee of Adjustment with 24.22% lot coverage



# The Variances

## - Setbacks

1. Permit 1.05 m rear yard setback whereas 7.5 m is the required minimum
2. Permit 0.98 m east side yard setback whereas 2.5 m is the required minimum



# The Variances

## - Lot Coverage

3. Permit 30% lot coverage the maximum permitted lot coverage is 23%

LOT COVERAGE (LOT TOT. = 2097.14 m <sup>2</sup> )			
EXISTING CALCULATIONS		PROPOSED CALCULATIONS	
EXISTING MAIN RESIDENCE:	364.8 m <sup>2</sup>	EXISTING MAIN RESIDENCE:	364.8 m <sup>2</sup>
EXISTING COACH HOUSE:	48.8 m <sup>2</sup>	EXISTING PORCHES:	53.8 m <sup>2</sup>
EXISTING PORCHES:	53.8 m <sup>2</sup>	EXISTING GARAGE:	38.4 m <sup>2</sup>
EXISTING GARAGE:	38.4 m <sup>2</sup>		
TOTAL:	505.8m <sup>2</sup>	NEW SECONDARY SUITE:	134.06 m <sup>2</sup>
TOTAL LOT COVERAGE:	24.11%	NEW PORCH:	3.16 m <sup>2</sup>
		NEW GARAGE:	23.78 m <sup>2</sup>
		TOTAL:	618.00 m <sup>2</sup>
		TOTAL LOT COVERAGE:	29.46%
		LOT COVERAGE TO BE ROUNDED TO	30%

**VARIANCE # 1**

# 2024 Heritage Vaughan Committee Approval

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- Proposed development follows direction received from Heritage staff

## September 26, 2024

- The Urban Design and Cultural Heritage Division of the Development Planning Department:
  - Was satisfied with the proposed work.
  - Concluded the proposal conforms to the policies and guidelines of the Thornhill Heritage Conservation District Plan.
- Heritage Vaughan Committee adopted the staff recommendation that Council approve the proposed renovations of the existing structure and proposed rear addition at 15 Mill Street in the Thornhill Heritage Conservation subject to the standard conditions of approval.

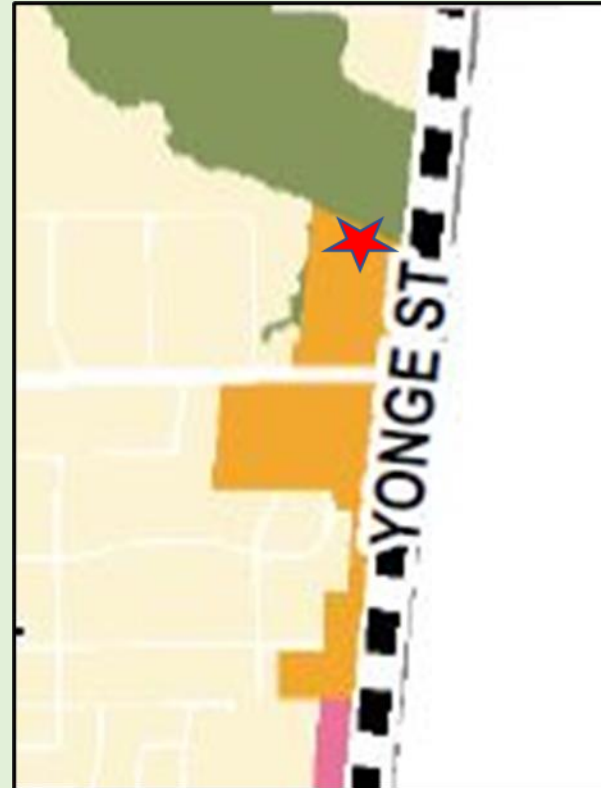
# Tests for a Minor Variance – S. 45(1)

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- **It is my professional planning opinion that the requested variances satisfy each of the Planning Act's S. 45(1) tests for the approval of a variance.**
- **The variances individually and cumulatively:**
  - **Maintain the general intent and purpose of the Official Plan**
  - **Maintain the general intent and purpose of the Zoning By-law**
  - **Are desirable for the appropriate development of the land and building**
  - **Are minor**

# 1. Maintain the General Intent and Purpose of the Official Plan

- **Vaughan Official Plan**
  - Located in Thornhill Local Centre (Schedule 1)
  - Designated partially Low-Rise Residential and partially Natural Areas (Schedule 13)



Schedule 1



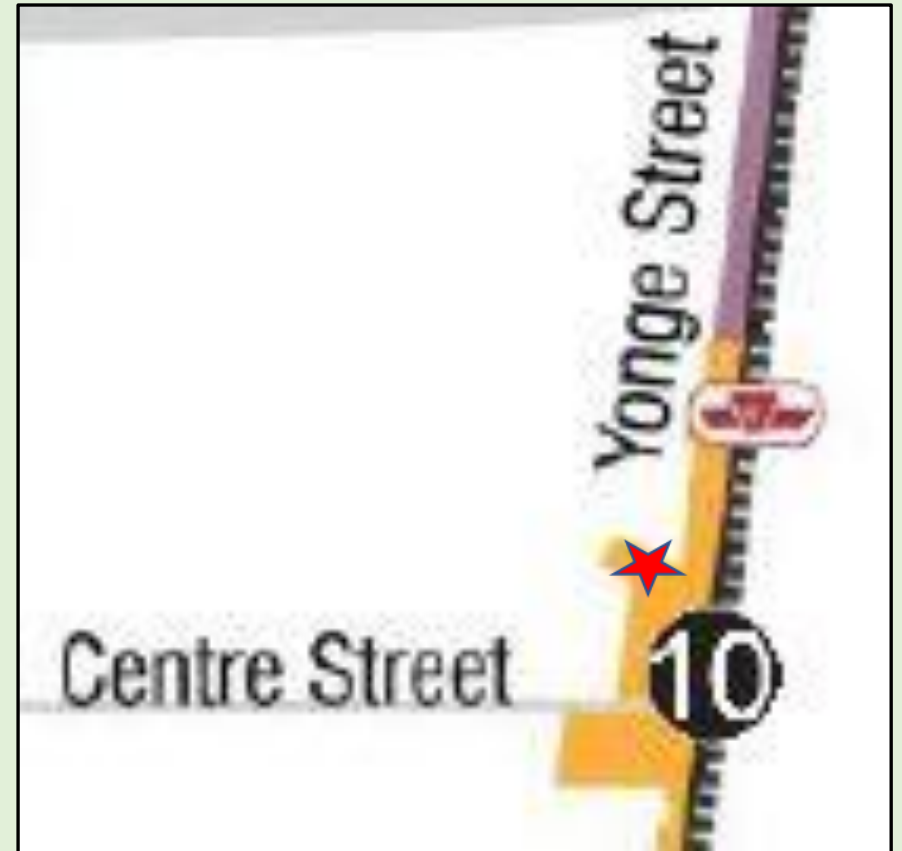
Schedule 13 8



# 1. Maintain the General Intent and Purpose of the Official Plan

- **Historic Thornhill Village Local Centre**

- Designated as a Local Centre (Figure 6 & Schedule 1)
- Local Centres are established to make efficient use of underutilized sites served with a high-level of existing or planned transit (2.2.5)
- Predominantly residential in character
- Each historic village core will experience intensification to varying degrees, as befits the local context (2.2.5.6)
- Local centres shall be planned to develop with a mix of housing types and tenures, including housing suitable for families with children (2.2.5.7)



# 1. Maintain the General Intent and Purpose of the Official Plan

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- **Urban Design & Built Form Policies (9.1.2.2)**
- **Located in an Established Community Area**
- **Represents residential intensification in a designated Local Centre**
- **Maintains the stability of the existing Low-Rise Residential Community Area**
- **Proposal respects and reinforces existing physical character and uses of surrounding area**
  - **Local pattern, size and configuration of lots**
  - **Building type of nearby residential properties**
  - **Orientation of buildings**
  - **Heights and scale of surrounding residential properties**
  - **Setbacks from the street**
  - **Pattern of side and rear yard setbacks**
  - **General landscape character of the streetscape**
  - **Conservation of heritage buildings**

## 2. Maintain the General Intent and Purpose of the Zoning By-law

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- R1E-EN Exception 401 Zone, Zoning By-law 001-2021

### **SETBACK VARIANCES**

#### **1.05 m Rear Yard Setback**

- Rear lot line next to Thornhill Park, no nearby structures
- 0.44 m rear yard setback approved in 2011
- 1.05 m setback is greater than current setback

#### **0.98 m East Side Yard Setback**

- 50 m distance to closest building at 42 Old Yonge Street
- 0.98 m setback does not affect the heritage importance or prominence of the Armstrong House located 50 m away

## 2. Maintain the General Intent and Purpose of the Zoning By-law

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### LOT COVERAGE VARIANCE

- **15 Mill Street in 2011 was approved for 24.22% lot coverage including addition of the existing coach house**
- **The current 24.11 % lot coverage is greater than the permitted 23% maximum**
- **The current site plan and proposed development follows the direction received from Heritage and Planning staff to replace the existing coach house with a larger coach house instead of creating a new lot to the west with a new detached dwelling**
- **Given the existing 24.11% lot coverage, this staff direction necessarily triggered variances including lot coverage greater than 23%**

## 2. Maintain the General Intent and Purpose of the Zoning By-law

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### LOT COVERAGE VARIANCE

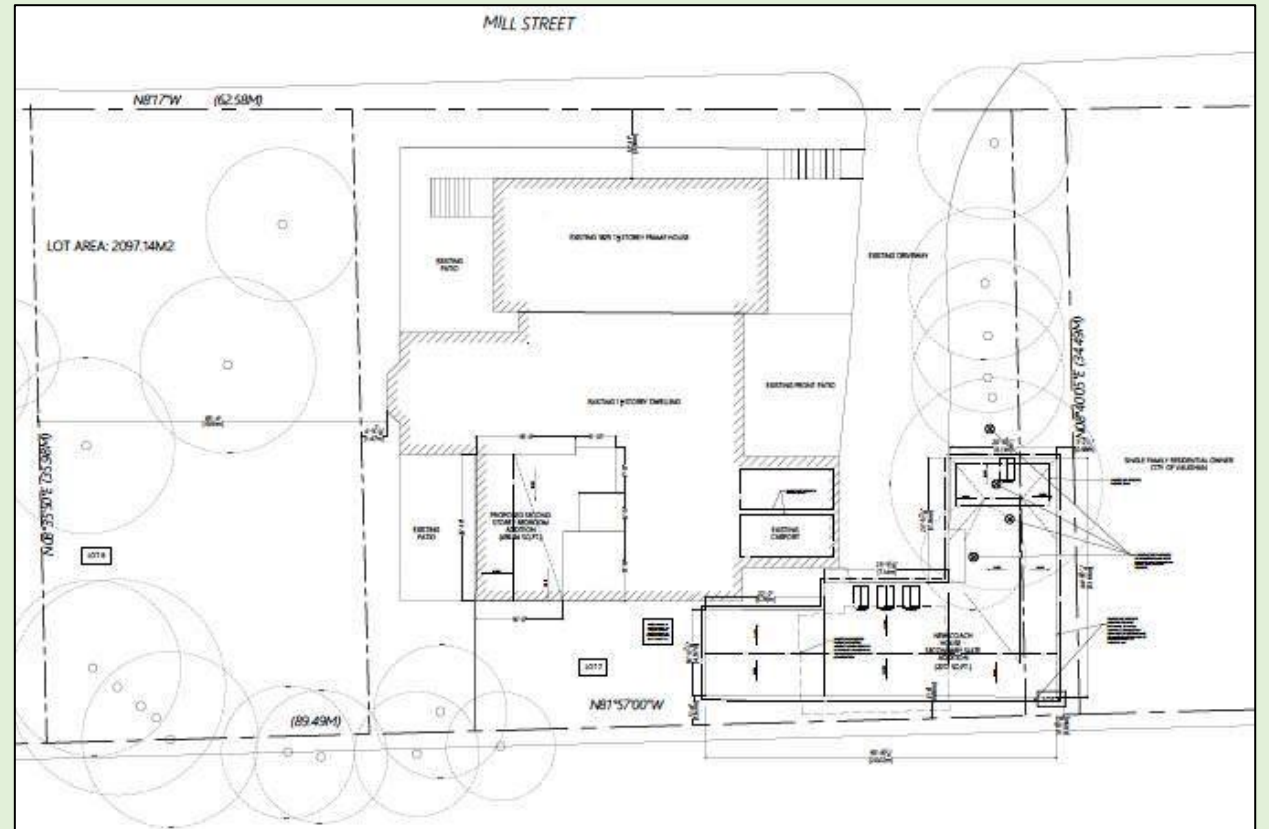
- The enclosed areas of the proposal comprise 24.92% lot coverage
- The remaining 5.08% lot coverage up to the proposed 30% consists of unenclosed but covered areas such as porches, carports and a breezeway
- These features are necessary to respect and maintain the property's existing heritage character and conform with the THCDP design guidelines, but under zoning they contribute to lot coverage
- Similarly, constructing the addition with cladding instead of brick maintains the existing heritage character but also contributes to greater lot coverage



## 2. Maintain the General Intent and Purpose of the Zoning By-law

### LOT COVERAGE VARIANCE

- 30% lot coverage maintains an appropriate amount of outdoor amenity areas and open space on the lot
- All current major open areas are retained : Mill Street front yard and 17.9 m wide west side yard
- Not an overdevelopment of the lot
- Form and scale of proposal conforms to the policies and guidelines of the Thornhill Heritage Conservation District Plan.



# 3. Desirable for the Appropriate Development of the Land and Building

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- **Variances facilitate a sympathetic and respectful addition to existing heritage building**
- **New coach house accommodates a secondary suite within a built form with a scale and height that are compatible with the existing dwelling, the large lot and its surroundings**
- **The proposed new secondary suite dwelling:**
  - **Represents modest residential intensification in an established residential area**
  - **Is consistent with heritage attributes and character of Mill Street and the Thornhill HCD**
- **The proposal is consistent with:**
  - **Provincial Policy Statement 2024**
  - **The Province's policy and law permitting up to 3 residential units on a serviced residential lot**
  - **Vaughan's current planning framework permitting secondary suites in established residential areas**

# 4. The Variances are Minor

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- The proposed new coach house creates no undue adverse impacts on properties in the vicinity or in the area.
- The variances individually and cumulatively are therefore minor.
- The variances numerically and substantively are also minor.





# Development Planning Comments

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*1. Apparent support for up to 23% lot coverage for a dwelling's enclosed areas on properties previously zoned R1V under Zoning By-law 1-88.*

## RESPONSE

- Comment appears based on a 2004 staff report recommending 26% lot coverage for one storey dwellings in the former R1V Zone
- 23% lot coverage was passed by Council, absent any planning rationale
- By comparison, Markham permits 33.33% lot coverage in its Thornhill Village HCD, an adjacent area of similar physical and heritage character
- 20 year old 2004 Vaughan study
- Since then, many changes in both Provincial and local planning policies
- Includes greater emphasis on promoting intensification in established neighbourhoods and designated local centres like Thornhill

# Development Planning Comments

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*1. Apparent support for up to 23% lot coverage for a dwelling's enclosed areas on properties previously zoned R1V under Zoning By-law 1-88.*

## **RESPONSE**

- **23% is the currently permitted maximum lot coverage**
- **Comment suggests staff do not support any variance from the Zoning By-law standard**
- **This conflicts with and ignores Section 45(1) of the Planning Act which specifically allows applicants to seek relief from a Zoning By-law standard**
- **Such applications are to be judged on their planning merits as per the 4 tests of Sec. 45(1)**

# Development Planning Comments

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*1. Apparent support for up to 23% lot coverage for a dwelling's enclosed areas on properties previously zoned R1V under Zoning By-law 1-88.*

## **RESPONSE**

- **The proposal's enclosed areas comprise 24.92% lot coverage**
- **The remaining lot coverage up to 30% consists of unenclosed but areas such as covered porches and carports**
- **These design choices while contributing to lot coverage are elements necessary to respect and maintain the heritage character of the property**

# Development Planning Comments

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*2. Recommend the application be adjourned because the Province may amend the Planning Act with respect to maximum lot coverage requirements for additional dwelling units.*

## RESPONSE

- O. Reg. 299/19 proposes allowing at least 45% lot coverage for all buildings and structures on a lot with at least one additional residential
- O. Reg. 299/19 is part of Province's program to accelerate the creation of additional residential units by removing municipal zoning barriers to the creation of additional residential units on a lot
- The proposed 30% lot coverage satisfies all currently applicable tests for the approval of a variance, independent of any future actions by the Province
- Adjournment is not warranted

# Conclusion

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- **RESIDENTIAL INTENSIFICATION**

- Consistent with Provincial policy directions to municipalities to support housing intensification in urban areas and established neighbourhoods
- Proposal makes efficient use of existing services and infrastructure
- Consistent with Vaughan OP policies for the location and type of intensification in historic Thornhill Village, a designated Local Centre

- **PROPOSED DEVELOPMENT**

- Compatible residential development
- Maintains the stability of the residential community
- Maintains the physical and heritage character of the established THCD community
- Respects and reinforces existing physical character and uses of surrounding area
  - Scale, height, massing, building type, orientation, character, built form
- Proposal will coexist with existing development in the area without creating any adverse impacts

# Application Merits Approval

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## PROPOSED DEVELOPMENT SATISFIES ALL MINOR VARIANCE TESTS OF S. 45(1)

- **VARIANCES MAINTAIN THE GENERAL INTENT AND PURPOSE OF THE OFFICIAL PLAN**
  - Residential intensification in the designated Thornhill Local Centre
  - Respects and reinforces the existing physical character and heritage resources of the THCD
  - Maintains the stability of the existing Low-Rise Residential Community Area
- **VARIANCES MAINTAIN THE GENERAL INTENT AND PURPOSE OF THE ZONING BY-LAW**
  - Maintains the height, scale and massing of the Zoning By-law
  - Maintains appropriate amount of outdoor amenity area open space on the lot
- **VARIANCES ARE DESIRABLE FOR THE APPROPRIATE DEVELOPMENT OF THE LAND AND BUILDING**
  - Small scale compatible residential intensification in an established residential area
- **VARIANCES ARE MINOR**
  - Proposal creates no undue adverse impacts