

COMMITTEE OF THE WHOLE SEPTEMBER 17, 2002

**ZONING BY-LAW AMENDMENT FILE Z.02.014
LANGSTAFF WOODS DEVELOPMENT CORP.
REPORT #P.2002.36**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.02.014 (Langstaff Woods Development Corp.), to rezone Areas 'A', 'D', 'E', and 'F' within Draft Approved Plan of Subdivision 19T-89037 Revised (West), shown on Attachment '1', BE APPROVED.
2. THAT Zoning By-law Amendment Application Z.02.014 (Langstaff Woods Development Corp.) to rezone the Woodlot Block 708 (Areas 'B' and 'C' within Plan 19T-89037) shown on Attachment '1', BE APPROVED only on the basis of establishing individual reduced setbacks from the woodlot on the adjacent residential lots, as outlined in this report.
3. THAT the Ontario Municipal Board be advised that the City supports the proposed revisions to the lotting pattern for Areas 'A', 'D', 'E', and 'F' for Draft Approved Plan of Subdivision 19T-89037 Revised (West), shown on Attachment '1'.
4. THAT the implementing by-law not be enacted until the revised draft plan of subdivision has been approved by the Ontario Municipal Board.

Purpose

On February 19, 2002, the Owner submitted an application to amend the Zoning By-law to rezone Areas 'A' to 'J', shown on Attachment '1', as follows:

- 1) Area 'A' from RV3(WS) Zone to RV4(WS) Zone;
- 2) Area 'B' from OS4 Zone to RV3(WS) Zone;
- 3) Area 'C' from OS4 Zone to RV4(WS) Zone;
- 4) Area 'D' from RVM1(A) Zone to RV4(WS) Zone;
- 5) Area 'E' from RV4 Zone to RV4(WS) Zone;
- 6) Area 'F' from RV4 Zone to RVM1(WS-A) Zone;

- 7) Area 'G' from RV4 (WS) Zone to C4 Zone;
- 8) Area 'H' from RVM1(A) Zone to C4 Zone;
- 9) Area 'I' from RVM1(A) Zone to RV4(WS) Zone; and,
- 10) Area 'J' to increase the maximum permitted lot area in the C4 Zone from 34,000m² to 42,030m².

In a letter, dated May 9, 2002, the Applicant revised the application by deleting Items 7 through 10, noted above. Accordingly, the public hearing and the technical review addressed Items 1 through 6 only.

The proposed rezoning would facilitate the relotting of the draft-approved plan of subdivision, with an overall increase in the number of single, semi-detached and townhouse units from 928 to 933. The proposed revisions to the draft plan are subject to approval by the Ontario Municipal Board.

Background - Analysis and Options

The subject lands are located northeast of Dufferin Street and Langstaff Road, within Draft Plan of Subdivision 19T-89037 Revised (West), in Lots 12 and 13, Concession 2, City of Vaughan (Planning Block 10). The surrounding land uses are:

- North - future residential (RV4(WS) Zone)
- South - future residential (RV3(WS) and RV4(WS) Zones), OS4 Open Space Woodlot
- East - future residential (RV4(WS) Zone), OS4 Open Space Woodlot
- West - future residential (RV3(WS) and RV4(WS) Zones)

On April 26, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands. To date, no responses have been received. The recommendation of the Committee of the Whole on May 21, 2002, to receive the Public Hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on May 27, 2002.

Official Plan

Areas 'A', 'D', 'E', and 'F' shown on Attachment '1' are designated "*Low Density Residential*" by OPA #600, which provides opportunities for residential uses with a mix of lot sizes and building types. The proposed zoning amendments would conform to the Official Plan.

Areas 'B' and 'C' shown on Attachment '1' are designated "Tableland Woodlot" by OPA #600, which provides for the protection of woodland areas by prohibiting development within the woodland and associated buffer areas, and limiting the permitted uses to passive recreational and other similar uses. The proposed rezoning of the edge of the woodlot area from OS4 Open Space Woodlot Zone to a Residential Zone is not considered to conform to the Official Plan

Zoning

Areas 'A', 'D', 'E', and 'F', shown on Attachment '1', are zoned RV4/RV4(WS) Residential Urban Village Zone Four; RVM1(A)/RVM1(WS-A) Residential Urban Village Multiple Zone One; and RV3/RV3(WS) Residential Urban Village Zone Three by By-law 1-88, subject to Exception 9(1063). The proposed rezoning would facilitate the replotting of the draft approved single and semi-detached residential lots.

Areas 'B' and 'C', shown on Attachment '1', are zoned OS4 Open Space Woodlot Zone by By-law 1-88, subject to Exception 9(1063). The proposed rezoning of these lands to a Residential Zone would have the effect of eliminating the required 10 metre setback for all buildings and structures abutting the OS4 Zone. This would result in minimum side yards of 2.4 metres for residential dwellings and 0.6 metres for garden sheds/cabanas/gazebos on the 5 lots adjacent to the woodlot.

Re-lotting

The rezoning of Areas 'A', 'D', 'E', 'F', shown on Attachment '1', would address the co-ordination of part lots within the subject and adjacent plans of subdivision, as well as address minor details to ensure proper subdivision design. Staff has reviewed the revised lotting patterns, particularly with the adjacent subdivision (19T-89037 West) to the east and north, and is satisfied that the proposed changes would facilitate proper lotting. The revised draft plan will require approval from the Ontario Municipal Board.

The proposed rezoning would add 5 units to the total unit count for the draft plan, while maintaining mostly single and on-street townhouse dwelling units. Staff is satisfied there is no impact on the approved housing mix or density calculations.

OS4 Open Space Woodlot

The current OS4 Zoning of Block 708 on Draft Approved Plan 19T-89037(R) (shown as Areas 'B' and 'C' on Attachment '1'), provides protection and maintenance of the woodlot by prohibiting development. Furthermore protection is achieved with the by-law requirement of a 10 metre setback of any structure from the limit of the OS4 Zone. For this reason, the lots which flank onto the woodlot were designed significantly wider so that the lot can accommodate the woodlot setback with a widened sideyard.

The intent of the proposal to rezone Block 708 from OS4 Zone to the RV3 and RV4 Zones is to delete the 10 metre structural setback requirement. Consequently, structures on the adjacent residential lots would be permitted within a minimum distance of 2.4 metres for dwelling units and 0.6 metres for accessory buildings.

Rezoning the OS4 lands to a residential zone would not conform to the Official Plan. Furthermore, it would appear that the affected lots are wide enough to accommodate the woodlot setback as intended. For these reasons, Staff cannot support the proposed rezoning of the open space block. Similarly, the Toronto and Region Conservation Authority, in a letter dated August 21, 2002, stated that the rezoning would have the effect of eliminating the 10 metre setback from the woodlot and accordingly, does not support the approval of this application.

In lieu of the proposed rezoning of the OS4 Block, Staff, in consultation with the Toronto and Region Conservation Authority, will consider the review of the 10 metre setback requirement on a lot-by-lot basis. This can be done upon submission of the proposed building envelopes for Lots 183, 223, 248, 249, and 267 adjacent to the woodlot block and a detailed assessment of the future impact on the woodlot by each building.

At 20m to 22m frontages, the lots are generally wider than the average 13.7 metre frontages in the area. As such, a house size consistent with other dwellings on the street, could be likely achieved with minimal encroachment of up to approximately 2 metres into the structural setback area. The submission would be reviewed to the satisfaction of the City Planning and Urban Design Departments, and the Toronto and Region Conservation Authority, and where possible, an acceptable setback reduction for each lot would be included in a further report to Council and the implementing by-law.

Conclusion

Staff has reviewed the application in light of the policies of the Official Plan and Zoning By-law and can support the proposed zoning amendment to permit the relotting of the draft-approved plan of subdivision 19T-89037 for Areas 'A', 'D', 'E', and 'F', as shown on Attachment '1'. The revisions to the draft plan will result in an overall increase in the number of single and on-street townhouse units from 928 to 933. The proposed changes are necessary to ensure proper subdivision design and to address lotting compatibility with the adjoining plans of subdivision.

The proposed lotting pattern for Areas 'A', 'D', 'E', and 'F' shown on Attachment '1' within Draft Approved Plan of Subdivision 19T-89037 Revised (West) will require approval of the revised draft plan by the Ontario Municipal Board.

Staff has also reviewed the application to rezone Woodlot Block 708 on Plan 19T-89037 (Areas 'B' and 'C', shown on Attachment '1') from OS4 Woodlot Zone to RV3(WS) and RV4(WS) Zones. The rezoning would have the effect of eliminating the required 10 metre structural setback from the woodlot. As the proposed rezoning would be contrary to the Official Plan, and the lots adjacent to the woodlot are significantly wider than the lots in the area to accommodate the woodlot setback, Staff cannot support this portion of the application.

In lieu of rezoning the woodlot block, Staff is willing to consider minimal reduction to the 10 metre setback on a site-by-site basis. To proceed in this manner, the Owner should submit a plan showing the building envelopes for the affected Lots 183, 223, 248, 249, and 267 on Plan of Subdivision 19T-89037 and a detailed assessment of the impact on the woodlot by each building. The submission would be reviewed by the City and the Toronto and Region Conservation Authority, with the appropriate setback deficiencies identified in a further report to Council and the implementing by-law.

Therefore, Staff recommends approval of Zoning Amendment Application Z.02.014, in part. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Proposed Zoning

Report prepared by:

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Respectfully submitted,

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DATE: 09/04/2002
 SCALE: NOT TO SCALE

APPLICANT:
 LANGSTAFF WOODS DEVELOPMENT CORP.

CITY OF VAUGHAN
 PLANNING DEPARTMENT

REPORT #:
 LOCATION:
 PART OF LOTS 12 & 13,
 CONCESSION 2

FILE #:
 Z.02.014

ATTACHMENT '1' LOCATION MAP

