

COMMITTEE OF THE WHOLE FEBRUARY 3, 2003

**ZONING BY-LAW AMENDMENT FILE Z.02.072
WATERTOWER INVESTMENTS LIMITED AND
MAJORSOUTH DEVELOPMENT CORPORATION
REPORT #P.2002.70**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment Application Z.02.072 (Watertower Investments Limited and Majorsouth Development Corporation) BE APPROVED.

Purpose

On September 27, 2002, the Owners submitted an application to amend the Zoning By-law to permit the sideyard on one side of a lot to be reduced from 1.2m to .6m, notwithstanding it abuts a .6m sideyard on the adjacent lot, in the RVM1 (WS-B) Residential Urban Village Multiple Dwelling Zone One.

Background - Analysis and Options

Location

The site is located on the east side of Weston Road, south of Major Mackenzie Drive, being Blocks 238-279 on Plan 65M-3498; Lots 1-11, 21-42, 47-51, 55, 59 and Blocks 71-78 on Plan 65M-3517; and Lots 1-13, 33-60 and Blocks 67-77 on Plan 65M-3542, in Lots 18 and 19, Concession 5, City of Vaughan. The surrounding land uses are:

- North - vacant (A Agricultural Zone)
- South - detached residential (RV4 Residential Urban Village Zone Four)
- East - detached residential (RV4 (WS) Residential Urban Village Zone Four (Wide Shallow))
- West - Weston Road; commercial plaza, (C3 Local Commercial Zone)

The lands are designated "Medium Density Residential/Commercial" by OPA 600, and are within Vellore Urban Village 1. The lands are zoned RVM1 (WS-B) Residential Urban Village Multiple Dwelling Zone One by By-law 1-88, subject to Exception 9(1019).

On September 30, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands and the Vellore Woods Ratepayers Association. On October 28, 2002, Council received the public hearing and resolved, in part;

- That prior to the report coming back to the Committee of the Whole, the applicant be requested to meet with the Ratepayers Association to address the outstanding issues regarding this application
- That the applicant be requested to notify all purchasers of the reduction of the sideyard setback from 1.2m to .6m

On December 4, 2002, the applicant met with the ratepayers and local councillor to discuss the application. Staff was not in attendance at this meeting. Any outstanding issues, between the applicant and the ratepayers association may continue to occur.

Land Use Status

The lands are designated "Medium Density Residential/Commercial" by OPA 600, and are within Vellore Urban Village 1. This designation permits detached dwellings.

The lands are zoned RVM1 (WS-B) Residential Urban Village Multiple Dwelling Zone One by By-law 1-88, subject to Exception 9(1019), which permits detached dwellings. The minimum sideyard in this Zone is 1.2m; this setback can be reduced to .6m on one side, provided that it abuts another sideyard with a minimum 1.2m setback on the adjacent lot.

Planning Considerations

The subject lands are within Block 32 West, which is subject to a zoning Exception 9(1019). Exception 9(1019) permits in other zone categories, a reduction of one sideyard from 1.2m to .6m, even where it abuts another .6m sideyard. This provision applies only to lots where a garage does not project in front of the dwelling's main wall. The subject lots are surrounded by lots that permit the reduced sideyards. This has led to a situation where lots on the same street, even abutting lots, are subject to different standards. To enable consistency in this area, the subject lots zoned RVM1 (WS-B) Residential Urban Village Multiple Dwelling Zone One, should receive the same zoning provisions as the surrounding lots.

While the proposal would enable one of the two sideyards to be reduced to .6m, where it abuts a .6m sideyard on the adjacent lot, the remaining sideyard would be 1.2m and would abut a 1.2m sideyard. This exception has the effect of allowing the option for houses to be "paired", with greater separations at every other sideyard. The other option is a consistent (.6m + 1.2m =) 1.8m between each house along the street. It is noted that this exception would only occur together with another requirement that the garage does not project in front of the main wall of the house.

Conclusion

By permitting a reduced sideyard in the RVM1 (WS-B) Residential Urban Village Multiple Dwelling Zone One, it will allow the subject lots to be developed in a similar manner to other lots in this area. This exception also provides an option to create a varied streetscape through a different spacing of the houses. Planning Staff consider it appropriate to permit this exception for the RVM1 (WS-B) Residential Urban Village Multiple Dwelling Zone One for consistency. Should Committee concur, the Recommendation can be adopted.

Attachments

1. Location Map
2. Proposed Sideyards
3. Presently Permitted Sideyards

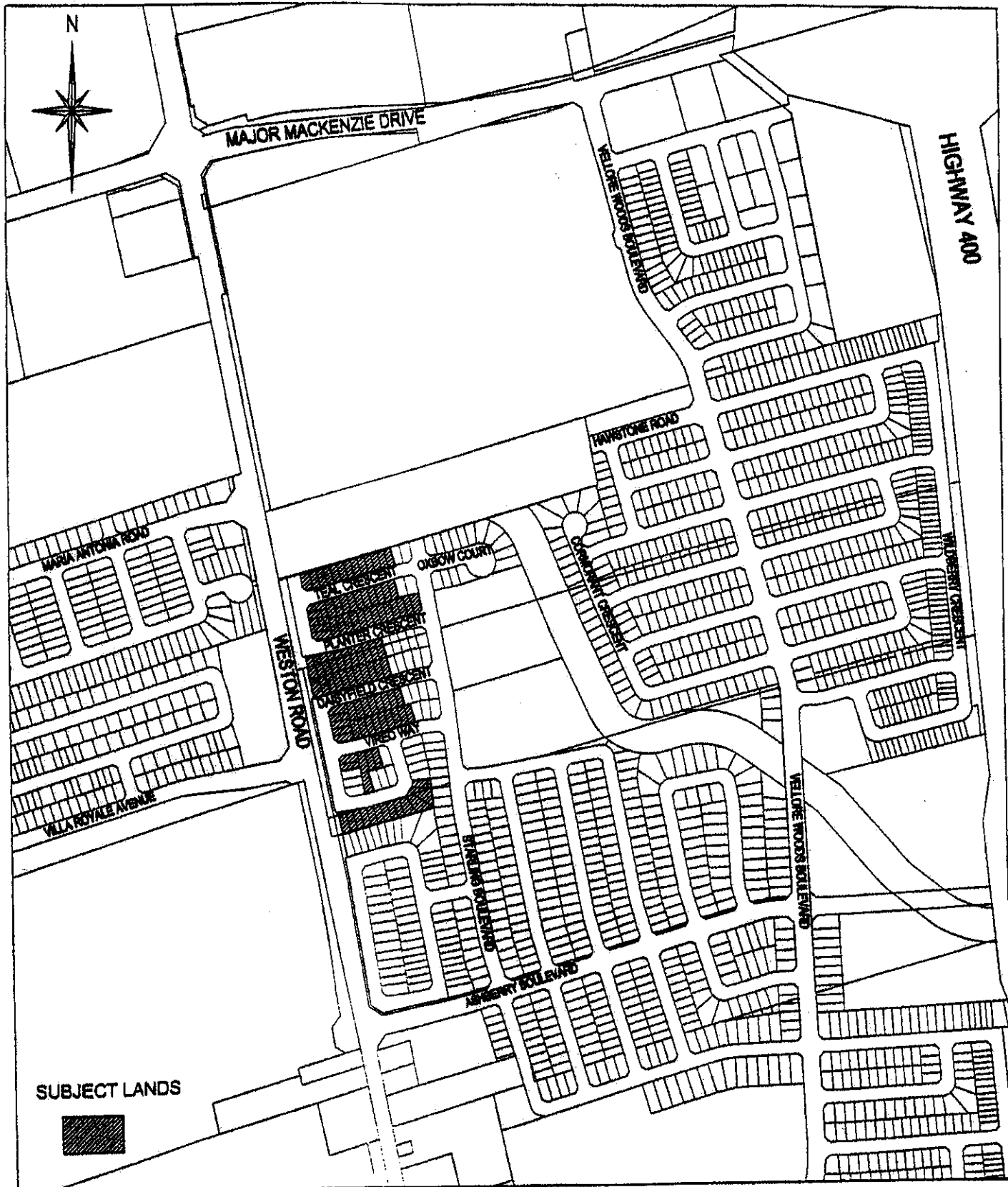
Report prepared by:

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Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning



Location Map

Part of Lots 18,19,
Concession 5

APPLICANT:
WATERTOWER INVESTMENTS LIMITED
MAJORSOUTH DEVELOPMENT CORP.

City of Vaughan

Community Planning Department

Attachment

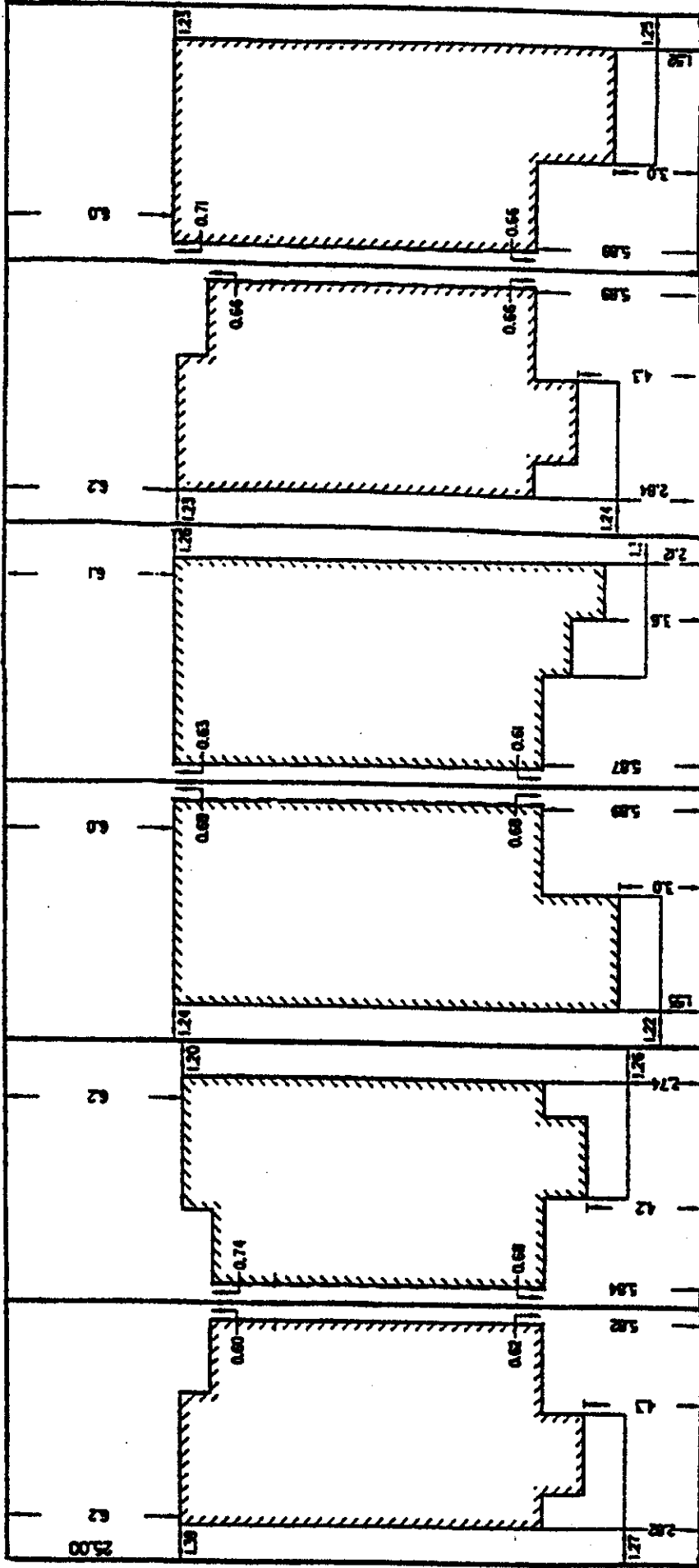
FILE No.:
Z.02.072

September 30, 2002

Not to Scale

1

Proposed Sideyards



ROADWAY

Proposed Sideyards



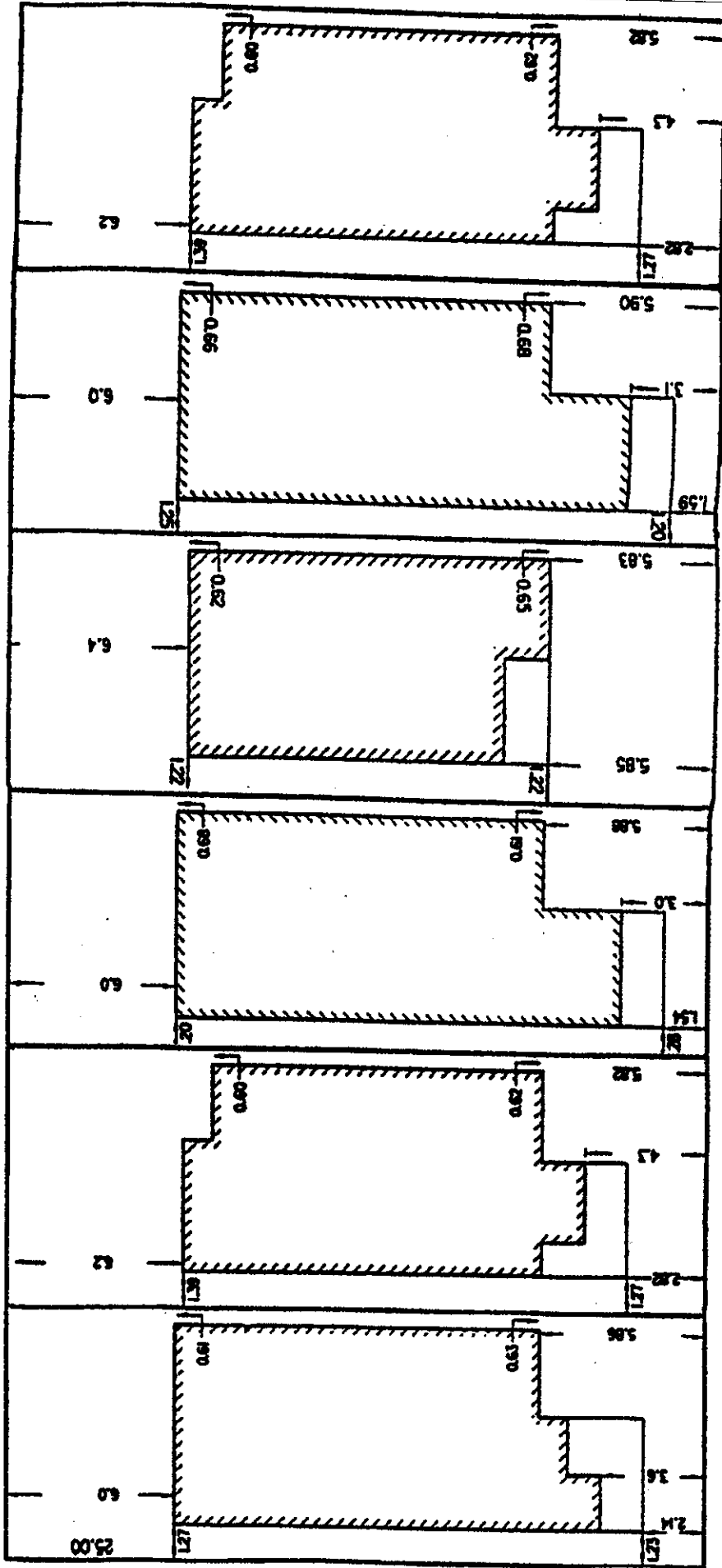
Community Planning Department

Attachment 2
 FILE No.: Z.02.072
 Not to Scale
 January 23, 2003

APPLICANT:
 WATERTOWER INVESTMENTS LIMITED
 MAJORSOUTH DEVELOPMENT CORPORATION

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Presently Permitted Sideyards



ROADWAY

Presently Permitted Sideyards



Community Planning Department

Attachment 3
 FILE No.: Z.02.072
 Not to Scale
 January 23, 2003

APPLICANT:
 WATERTOWER INVESTMENTS LIMITED
 MAJORSOUTH DEVELOPMENT CORPORATION

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