

COMMITTEE OF THE WHOLE FEBRUARY 6, 2006

**ZONING BY-LAW AMENDMENT FILE Z.05.055
NORTH BATHURST DEVELOPMENT LTD.
REPORT #P.2006.3**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.05.055 (North Bathurst Development Ltd.) BE APPROVED, to rezone Lots 480, 503, 504, 529, 246, 222, 146 and 316 and provide exceptions to the development standards for Lots 161, 162 and 163 located within approved Draft Plan of Subdivision 19T-95044.

Economic Impact

There are no requirements for new funding associated with this report.

Purpose

The Owner has submitted an application to amend the Zoning By-law to:

1. Rezone Lots 480, 503, 504, 529, 246, 222 and 146 shown on Attachment #2 from RD3 Residential Detached Zone Three to RD4 Residential Detached Zone Four.
2. Rezone Lot 316 shown on Attachment #2 from RD3(H) Residential Detached Zone Three with a Holding provision to RD4(H) Residential Detached Zone Four with a Holding provision.
3. Provide zoning exceptions to the RD4 Residential Detached Zone Four, for Lots 161, 162 and 163 as shown on Attachment #2 to: reduce the required number of parking spaces from 3 to 2; permit a minimum interior side yard to be reduced to 0.6m where such yard abuts a minimum yard of 1.2m; and, permit the minimum interior garage dimensions to be a minimum of 3.0m by 6.0m for lots with frontages greater than 9.5m.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located south of Major Mackenzie Drive, west of Bathurst Street, in Planning Block 11, in Part of Lot 18, Concession 2, City of Vaughan.

The Owner has submitted an application to amend the existing site-specific zoning exception 9(1244) for specific lots within approved Draft Plan of Subdivision 19T-95044 (Attachment #2). The approved draft plan has not been registered, and therefore, this application makes reference to the entire subdivision as one parcel of land. The lots specific to this zoning application meet the development standards with respect to lot frontage, lot depth and lot area, however, exceptions to other zoning standards are required to accommodate housing designs that will be consistent with the balance of the subdivision. The proposed rezoning will not create additional lots or reconfigure the existing lotting pattern.

The subject lands are designated "Low Density Residential Area" by OPA # 600 and zoned RD3 Residential Detached Zone Three, RD3(H) Residential Detached Zone Three with a Holding provision and RD4 Residential Detached Zone Four, by By-law 1-88, subject to site-specific Exception 9(1244). The surrounding land uses are:

- North - agricultural; open space; future residential (approved Draft Plan of Subdivision 19T-04V05) (A Agricultural Zone; OS1 Open Space Conservation Zone; RD3 Residential Detached Zone Three; RD4 Residential Detached Zone Four; RT1 Residential Townhouse Zone)
- South - UJA institutional property (A Agricultural Zone)
- East - other vacant lands owned by North Bathurst Development Ltd. (A Agricultural Zone)
- West - approved Draft Plan of Subdivision 19T-03V09 (A Agricultural Zone)

On December 23, 2005, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole at the Public Hearing on January 16, 2006, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on January 23, 2006.

Official Plan

The "Low Density Residential" designation permits detached dwellings at a maximum net density of 22 units/ha, and an average overall net density for low density across the Block 11 Plan of 16-18 units/ha. Within low density residential areas, a mix of lot sizes and building types is encouraged. The proposed zoning amendment conforms to the Official Plan, as the proposed zoning amendments do not change the use of the lands, and do not increase or decrease the number of residential units approved in the plan of subdivision.

Zoning

The subject lands are presently zoned RD3 Residential Detached Zone Three, RD3(H) Residential Detached Zone Three with a Holding provision, and RD4 Residential Detached Zone Four. The zoning amendment application proposes to rezone the subject lands shown on Attachment #2 in the following manner:

- Lots 480, 503, 504, 529, 246, 222 and 146 are zoned RD3 Residential Detached Zone Three and are proposed to be rezoned to RD4 Residential Detached Zone Four;
- Lot 316 is zoned RD3(H) Residential Detached Zone Three with a Holding provision and is proposed to be rezoned to RD4(H) Residential Detached Zone Four with a Holding provision; and
- provide zoning exceptions to the RD4 Residential Detached Zone Four for Lots 161, 162 and 163 to: reduce the required number of parking spaces from 3 to 2; permit a minimum interior side yard to be reduced to 0.6m where such yard abuts a minimum yard of 1.2m; and, permit the minimum interior garage dimensions to be a minimum of 3m by 6m for lots with frontages greater than 9.5m.

Lots 146, 222, 246 and 316 are corner lots with frontages of 12.45m, 12.9m, 12.9m and 12.45m, respectively (see Attachment #2). These corner lots require sight triangles, which have been designed on the final subdivision plan to be approved by the Development Planning Department for registration. Once the area of the sight triangle has been deducted from the respective lots, the lots cannot accommodate the development standards of the RD3 Zone specifically, the decreased sideyard standard and parking space requirement, while still being sited with a dwelling compatible to those on adjacent internal lots. Taking the unusable area of the sight triangle into consideration, these lots are more appropriately in keeping with the standards of the RD4 Zone, requiring minimum lot frontages of 9m. The Development Planning can support the rezoning of these lots from RD3 to RD4 Zone.

The flankage of lots 480, 503, 504 and 529 abut a greenway as shown on Attachment #2, and are considered internal lots requiring a minimum interior side yard of 3.5m, which does not permit yard encroachments for both the current RD3 and proposed RD4 zones. The applicant is proposing to redefine these lots as corner lots in the RD4 Zone. Rezoning these lots would allow the applicant more flexibility in the design of homes, as the RD4 zone would allow for an exterior side yard of 4.5 permitting yard encroachments, a minimum of 2 parking spaces and the option of reducing the interior side yard from a minimum of 1.2m to 0.6m where it abuts a minimum yard of 1.2m in width.

Lots 161, 162 and 163 are zoned RD4 the requiring a minimum lot frontage of 9m. These lots are reversed pie-shaped lots with wider frontages and with the lots narrowing towards the rear (see Attachment #2). The increased width at the front of these lots has resulted in a requirement of three parking spaces. A dwelling with the requirement of 3 parking spaces cannot be accommodated on these lots due to the lot configuration. Also because of the pie-shaped lot a reduction in the minimum interior garage dimensions from the required 5.5m x 6m (2 spaces) to the proposed 3m x 6m (1 space) is also required to accommodate the appropriate development of these lots. In order to maintain consistency of house designs with the rectangular-shaped lots to the immediate north and south and taking into consideration the lots 9.15m width at the rear, permitting the minimum interior side yard on one side to be reduced from 1.2m to a minimum of 0.6m where it abuts a minimum yard of 1.2m is appropriate. The Development Planning Department can support the proposed exceptions to the RD4 Zone for these 3 lots.

Land Use/Compatibility

The application proposes to rezone 7 lots from RD3 Residential Detached Zone Three to RD4 Residential Detached Zone Four; rezone one lot from RD3(H) Zone to RD4(H) Zone; and provide site-specific exceptions to 3 lots zoned RD4 Zone in order to accommodate appropriate siting of the residential dwellings on the lots. The application does not propose lifting the holding provision or altering approved Draft Plan of Subdivision 19T-95044 (North Bathurst Developments Ltd), by increasing or deleting lots. Nor does it propose the reconfiguration of road patterns or lot sizes.

The application conforms to the area Official Plan (OPA #600), and is in keeping with the approved Block 11 Plan.

The minor changes requested, will accommodate appropriate development of the 11 lots with dwellings compatible to those in the rest of the subdivision.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

Conclusion

The Development Planning Department has reviewed the proposed application to amend By-law 1-88, and is of the opinion that the proposed rezoning of the subject lands conforms to the policies of OPA #600 and is appropriate for the proposed development of the subject lands. If approved, the implementing zoning by-law will rezone the subject lands and address minor exceptions to the requirements of the RD4 Zone in order to facilitate the appropriate siting of the residential dwellings on the subject lots. Accordingly, the Development Planning Department can recommend approval of the proposed zoning amendment application.

Attachments

1. Location Map
2. Approved Draft Plan of Subdivision 19T-95044

Report prepared by:

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Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

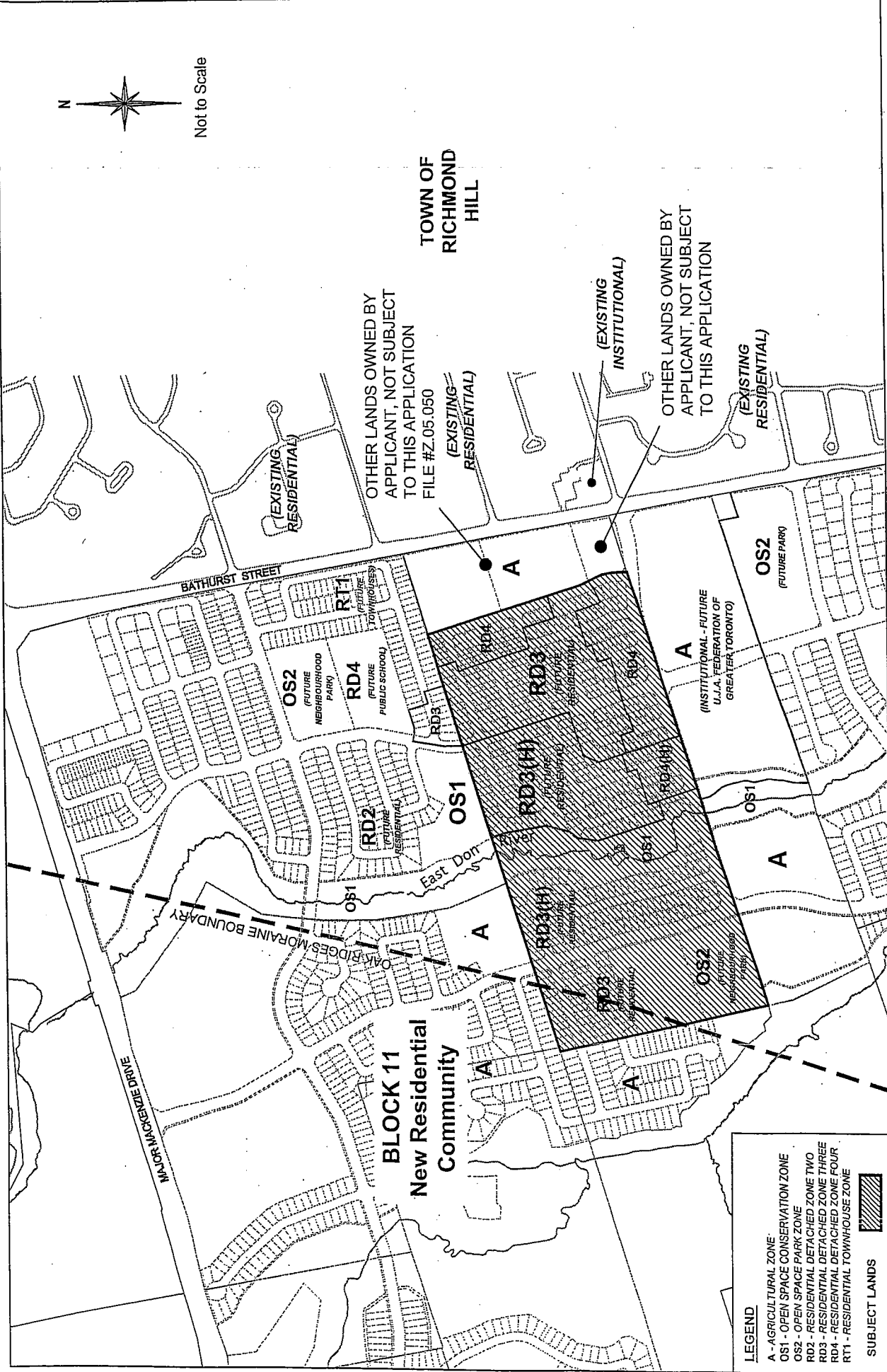
MARCO RAMUNNO
Director of Development Planning

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Not to Scale



TOWN OF RICHMOND HILL

OTHER LANDS OWNED BY APPLICANT, NOT SUBJECT TO THIS APPLICATION FILE #Z.05.050

OTHER LANDS OWNED BY APPLICANT, NOT SUBJECT TO THIS APPLICATION

- LEGEND**
- A - AGRICULTURAL ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - OS2 - OPEN SPACE PARK ZONE
 - RD2 - RESIDENTIAL DETACHED ZONE TWO
 - RD3 - RESIDENTIAL DETACHED ZONE THREE
 - RD4 - RESIDENTIAL DETACHED ZONE FOUR
 - RT1 - RESIDENTIAL TOWNHOUSE ZONE
- SUBJECT LANDS**
-

Location Map

Part of Lot 18,
Concession 2

APPLICANT:
NORTH BATHURST DEVELOPMENT LIMITED

NA\DP\1 ATTACHMENTS\Z.05.055

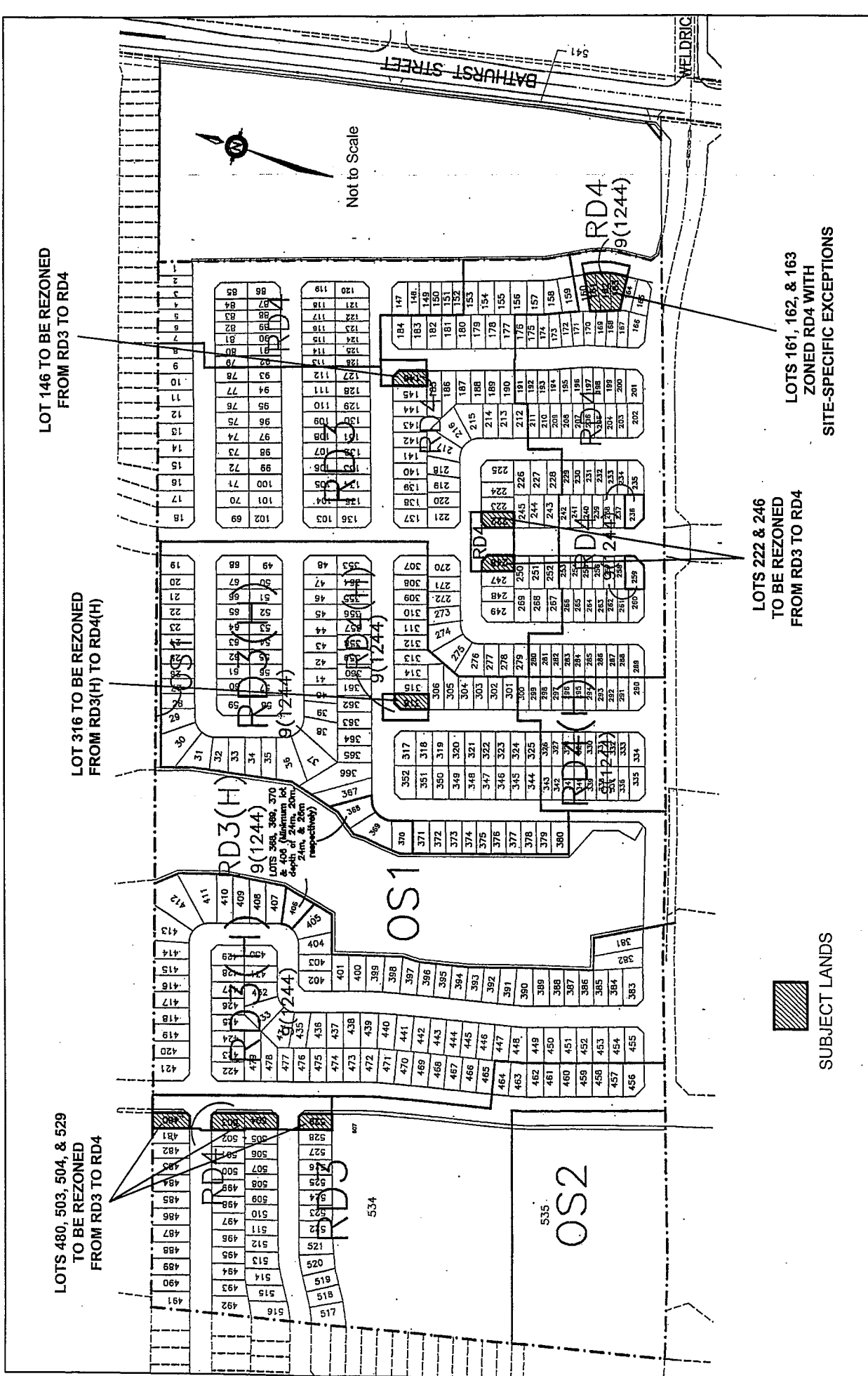


Development Planning Department

Attachment 1

FILE No.:
Z.05.055
RELATED FILE:
19T-95044

December 21, 2005



LOT 146 TO BE REZONED FROM RD3 TO RD4

LOT 316 TO BE REZONED FROM RD3(H) TO RD4(H)

LOTS 480, 503, 504, & 529 TO BE REZONED FROM RD3 TO RD4

LOTS 161, 162, & 163 ZONED RD4 WITH SITE-SPECIFIC EXCEPTIONS

LOTS 222 & 246 TO BE REZONED FROM RD3 TO RD4



SUBJECT LANDS

Attachment 2

FILE No.: Z.05.055
RELATED FILE: 19T-95044
January 23, 2006

City of **Vaughan**
Development Planning Department

Approved Draft Plan of Subdivision 19T-95044
APPLICANT: NORTH BATHURST DEVELOPMENT LIMITED
Part of Lot 18, Concession 2
IN: DP/1 ATTACHMENTS/V-05.055