

COMMITTEE OF THE WHOLE DECEMBER 1, 2009

**ZONING BY-LAW AMENDMENT FILE Z.09.023
1668135 ONTARIO INC.
WARD 2**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.09.023 (1668135 Ontario Inc.) BE APPROVED, to amend By-law 1-88, specifically Exception 9(1304), to permit the following site-specific zoning exceptions to the R5 Residential Zone for the subject lands (approved Draft Plan of Subdivision 19T-06V15) shown on Attachment #3:

Lots	By-law Standard	By-law 1-88 Requirements: R5 Zone	Proposed Exceptions: R5 Zone
24-31 and 36-43	Min. Setback to Garage	6.4m	6.0m
24-31 and 36-42	Min. Rear Yard Setback	7.5m	6.0m
43	Min. Rear Yard Setback	7.5m	5.6m
20	Min. Exterior Side Yard	4.5	2.3m
24	Min. Exterior Side Yard	4.5	4.2m
43	Min. Exterior Side Yard	4.5	3.3m
24-31 and 36-43	Maximum Lot Coverage	50%	53%

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

On September 4, 2009, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, and to the West Woodbridge Homeowners' Association. The recommendation of the Committee of the Whole to receive the Public Hearing report of September 29, 2009, and to forward a comprehensive report to a future Committee of the Whole Meeting was ratified by Council on October 13, 2009.

Purpose

To amend the City's Zoning By-law 1-88, specifically Exception 9(1304), to permit the following site-specific zoning exceptions to the R5 Residential Zone for certain lots within approved plan of subdivision 19T-06V15, as shown on Attachment #3:

Lot(s)	By-law Standard	By-law 1-88 Requirements: R5 Zone	Proposed Exceptions: R5 Zone
24-31 and 36-43	Min. Setback to Garage	6.4m	6.0m
24-31 and 36-42	Min. Rear Yard Setback	7.5m	6.0m
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20	Min. Exterior Side Yard	4.5	2.3m
24	Min. Exterior Side Yard	4.5	4.2m
43	Min. Exterior Side Yard	4.5	3.3m
24-31 and 36-43	Maximum Lot Coverage	50%	53%

Background - Analysis and Options

Location

The subject lands are shown on Attachments #1 and #2 and are located on the north side of Langstaff Road, west of the Canadian Pacific Rail line, in Part of Lot 11, Concession 8, City of Vaughan. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated "Low Density Residential" by OPA #240 (Woodbridge Community Plan), which permits single detached and semi-detached dwellings. The proposal to permit zoning exceptions to facilitate the semi-detached dwelling units conforms to the Official Plan.

Zoning

The subject lands are zoned R5 Residential Zone by By-law 1-88 subject to Exception 9(1304), which permits both single detached and semi-detached dwellings. The proposed exceptions to the R5 Zone require an amendment to the Zoning By-law.

History

The subject lands are comprised of 17 lots within approved Draft Plan of Subdivision 19T-06V15, which contains a total of 43 lots. On May 12, 2008, Vaughan Council approved Draft Plan of Subdivision File 19T-06V15 and Zoning By-law Amendment File Z.06.074 to rezone the subdivision lands from A Agricultural Zone and OS1 Open Space Conservation Zone to R5 Residential Zone (tableland) and OS1 Open Space Conservation Zone (valley lands, buffer, and stormwater block), together with the following zoning exceptions to implement the plan of subdivision consisting of 43 lots (86 semi-detached units):

- a) permit a rear yard setback of 4.0 m for Lots 6 and 7, whereas 7.5 m is required;
- b) permit a rear yard setback of 5.0 m for Lots 8, 33, 34 and 35, whereas 7.5 m is required;
- c) permit a rear yard setback of 6.0 m for Lots 9 and 32, whereas 7.5 m is required;
- d) permit a rear yard setback of 6.5 m for Lot 10, whereas 7.5 m is required;

- e) permit a minimum lot area of 212 m² (per unit) for Lot 8, whereas 225 m² is required;
- f) permit a minimum lot area of 215 m² (per unit) for Lot 9, whereas 225 m² is required;
- g) permit a minimum interior side yard setback of 1.2 m, whereas 1.5 m is required; and,
- h) require dwellings to be setback a minimum distance of 30 m from the railway right-of-way.

These zoning exceptions have already been incorporated into By-law 1-88 as Exception 9(1304).

The approved plan of subdivision 19T-06V15 is not yet registered.

Planning Considerations

The proposed site-specific exceptions to the R5 Residential Zone standards for the subject lands are considered to be consistent and compatible with the existing zoning for the other lands within the subdivision. The requested exceptions pertain to 3 corner lots (Lots 20, 24 and 43) and 14 other lots (Lots 25-31 and 36-42) within the draft plan of subdivision, as follows:

- i) The requested increase in the maximum permitted lot coverage from 50% to 53% is considered to be minimal and can be supported;
- ii) The proposed reduced setback to a garage from 6.4 m to 6 m is considered to be minimal and of sufficient depth to park a vehicle;
- iii) The proposed reduced rear yards of 5.6 m and 6 m for Lot 43 and Lots 24-31 and 36-42, respectively, are consistent with the reductions granted to other lots within the subdivision as noted earlier.
- iv) The proposed reduced exterior side yards of 2.3 m and 3.3 m for Lots 20 and 43, respectively, occurs at the narrowest point between the dwelling and the lot line, which begins to flare outwards, and cannot meet the required 4.5 m setback in these locations. The proposed exterior side yard setback of 4.2 m for Lot 24 is considered to be minimal and supportable.

The subject lands are located in an isolated area bounded by Langstaff Road, the C.P.R. line and Rainbow Creek, and will not impact upon the other surrounding lands. For the above-noted reasons, the Development Planning Department has no objections to the proposed exceptions to By-law 1-88, which will facilitate an appropriate subdivision design.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Vitality".

Regional Implications

N/A

Conclusion

The Development Planning Department has reviewed the proposed application to permit exceptions to certain lots within an approved Draft Plan of Subdivision as shown on Attachment #3, in accordance with the policies of OPA #240 (Woodbridge Community Plan), the requirements of By-law 1-88, the comments received from City Departments, and the surrounding area context.

The Development Planning Department is satisfied that the proposed zoning exceptions to the R5 Residential Zone standards will result in an appropriate development of the subdivision. In addition, the zoning exceptions would not have an impact on other surrounding land uses. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment Application.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Exceptions

Report prepared by:

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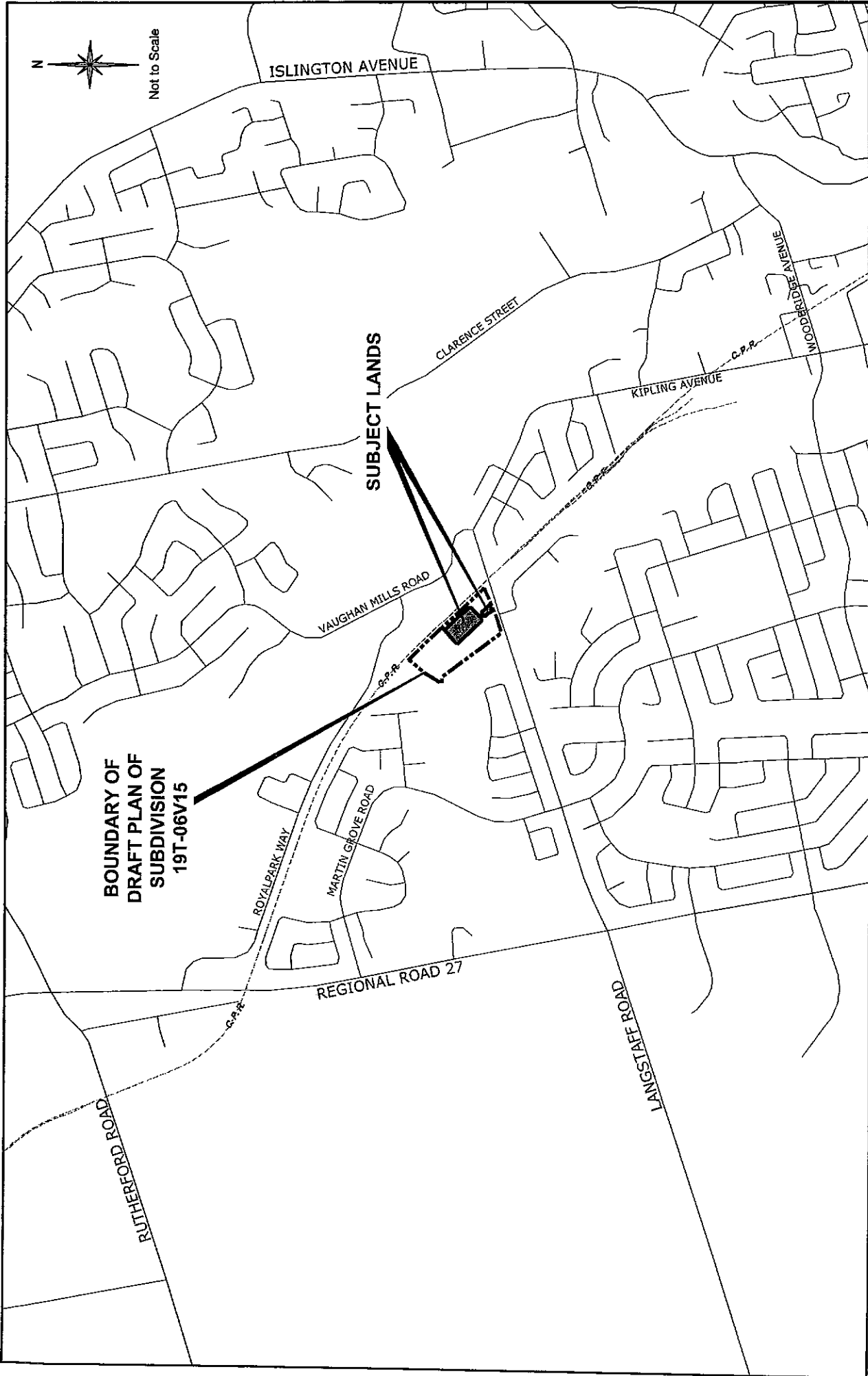
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

GRANT UYEVAMA
Director of Development Planning

/LG



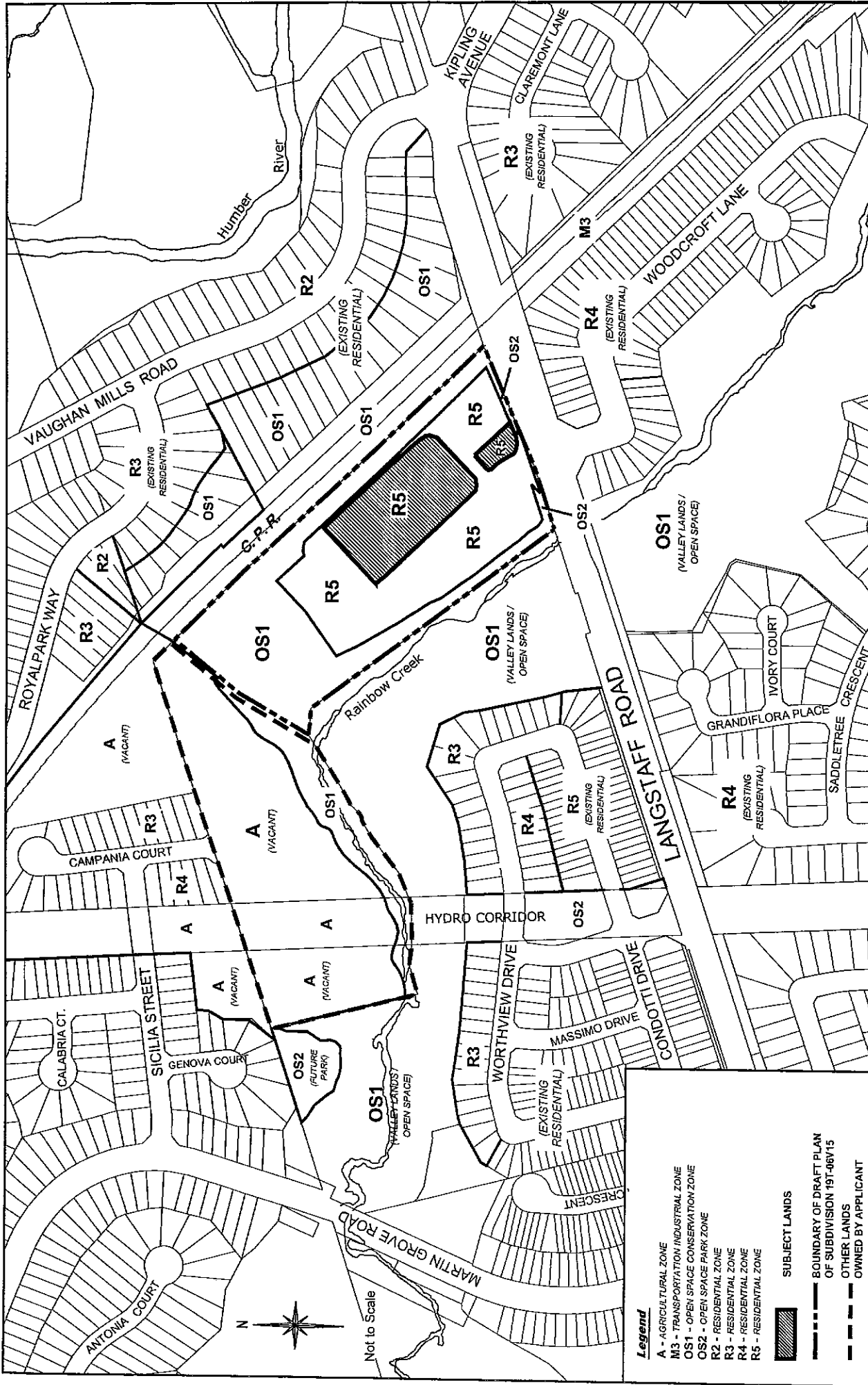
Context Location Map

Location: Part of Lot 11,
Concession 8
Applicant:
1668135 Ontario Inc.
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CITY OF Vaughan
The City Above Toronto
Development Planning Department

Attachment

File: Z.09.023
Related Files: 19T-06V15 &
Z.06.074
Date: October 28, 2009



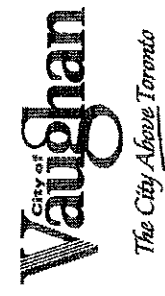
- Legend**
- A - AGRICULTURAL ZONE
 - M3 - TRANSPORTATION INDUSTRIAL ZONE
 - OS1 - OPEN SPACE CONSERVATION ZONE
 - OS2 - OPEN SPACE PARK ZONE
 - R2 - RESIDENTIAL ZONE
 - R3 - RESIDENTIAL ZONE
 - R4 - RESIDENTIAL ZONE
 - R5 - RESIDENTIAL ZONE
- SUBJECT LANDS**
- BOUNDARY OF DRAFT PLAN OF SUBDIVISION 19T-06V15
 - OTHER LANDS OWNED BY APPLICANT

Location Map

Location: Part of Lot 11,
Concession 8

Applicant:
1668135 Ontario Inc.

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Development Planning Department

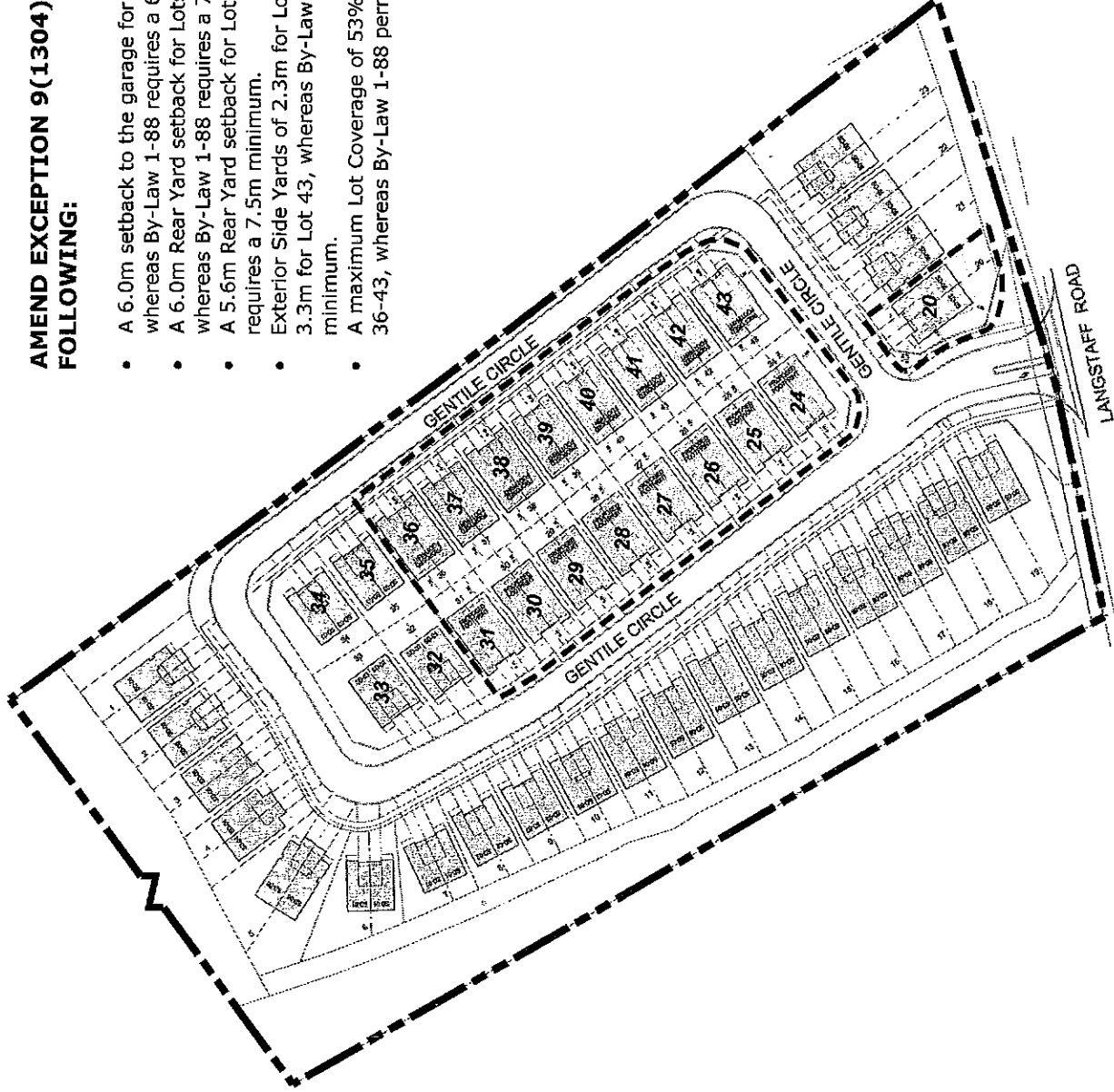
Attachment

File: Z.09.023
Related Files: 19T-06V15 &
Z.06.074

Date: October 28, 2009

AMEND EXCEPTION 9(1304) TO PERMIT THE FOLLOWING:

- A 6.0m setback to the garage for Lots 24-31, and 36-43, whereas By-Law 1-88 requires a 6.4m minimum.
- A 6.0m Rear Yard setback for Lots 24-31 and 36-42, whereas By-Law 1-88 requires a 7.5m minimum.
- A 5.6m Rear Yard setback for Lot 43, whereas By-Law 1-88 requires a 7.5m minimum.
- Exterior Side Yards of 2.3m for Lot 20, 4.2m for Lot 24 and 3.3m for Lot 43, whereas By-Law 1-88 requires a 4.5m minimum.
- A maximum Lot Coverage of 53% for Lots 24-31, and 36-43, whereas By-Law 1-88 permits 50%.



Not to Scale

--- SUBJECT LANDS

--- BOUNDARY OF DRAFT PLAN OF SUBDIVISION 19T-06V15

Proposed Exceptions

Location: Part of Lot 11, Concession 8

Applicant: 1668135 Ontario Inc.

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The City Above Toronto

Development Planning Department

Attachment

File: Z.09.023
 Related Files: 19T-06V15 & Z.06.074
 Date: October 28, 2009

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