

COMMITTEE OF THE WHOLE FEBRUARY 4, 2002

ZONING BY-LAW AMENDMENT FILE Z.01.075 MAPLEWOOD VILLAGES LTD. REPORT #P.2002.2

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment Application Z.01.075 (Maplewood Villages Ltd.) BE APPROVED, subject to the following:

- a) THAT the proposed amendments conform to the Oak Ridges Moraine Conservation Plan.
- b) THAT the by-law not be enacted until after the release of the Oak Ridges Moraine Conservation Plan and the review for conformity with the plan.
- c) THAT the implementing zoning by-law:
 - i) permit a minimum parking requirement of 2 spaces/unit on 137 lots in zones RV4, RVM1(B) and RVM1(WS-B);
 - ii) permit setbacks of 6m from the garage to the lot line; and
 - iii) repeal and replace By-law 409-2001.

Purpose

On December 5, 2001, the Owner submitted an application for exceptions to the residential zone standards of By-law 1-88 to facilitate the March 20, 2000, Draft Approved Plan of Subdivision 19T-99V05 including:

- a reduction of parking for all lots from 3 to 2 spaces per detached unit; and,
- a reduction of the setback of 7.25 to 6m from the garage to the lot line, 5.8m where a garage faces the lot line, and 5m where the driveway does not cross a sidewalk.

Background - Analysis and Options

The 36.8 ha site is located at the southeast corner of Keele Street and Kirby Road, in Part of Lot 30, Concession 3, City of Vaughan. The surrounding land uses are:

North - unopened road allowance for Kirby Road, vacant (A Agricultural Zone)
South - vacant residential (RM2-H Multiple Residential Zone)
East - estate residential (R1 Residential Zone)
West - vacant (A Agricultural Zone)

On December 14, 2001, a notice of public hearing was circulated to all property owners within 120m of the subject lands. No comments have been received to date. The January 7, 2002, recommendation of the Committee of the Whole to receive the public hearing and forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on January 14, 2002.

Design Standards Review and By-law

On November 26, 2001, Council adopted the City of Vaughan Design Standards Review, which recommends general modifications to the zoning standards for new and infill residential development. In particular, the parking space requirement for detached units is to be reduced from 3 to 2 spaces for lots with less than 11m frontage, and the garage setback requirement is to be increased from 5.8m (where a garage faces the lot line) and 5m (where the driveway does not cross a sidewalk), to 6m from the garage to the lot line.

Official Plan

The lands are designated "Special Residential" by OPA #332, as amended by OPA #535, which permits a self-contained adult lifestyle community. This designation permits a range of housing types and unit sizes, as well as recreational, social and personal service facilities to serve the residents in this community. The proposal conforms to the Official Plan.

ORM Conservation Plan

Part of the subject lands are subject to the "Settlement Area" designation of Bill 122, "An Act to Conserve the Oak Ridges Moraine", which received Royal Assent in the Provincial Legislature on December 14, 2001, and the Draft Oak Ridges Moraine (ORM) Conservation Plan. The "Settlement Area" designation permits a range of residential, commercial and institutional uses permitted in urban development areas of official plans. The approved residential use is consistent with the uses permitted for the "Settlement Area" designation.

Section 3.5 Protecting Ecological and Hydrological Integrity in Settlement Areas and Table 1 Significant Natural Heritage Features and Hydrologically Sensitive Features, Areas of Influence and Vegetation Protection Zones of the draft Oak Ridges Moraine Plan provide the criteria for minimizing the impact of development on Significant Natural Heritage and Hydrologically Sensitive Features. The proposal was reviewed the context of Section 3.5 and Table 1 and it would appear to not contravene the Plan.

Bill 55, "An Act to Protect the Oak Ridges Moraine", prohibited the making of any decision or approval concerning official plans and official plan amendments, zoning and land use control by-laws, and draft plans of subdivision, including the enactment of zoning by-laws between May 16, 2001 to November 16, 2001. The plan of subdivision 19T-99V05 was exempted from the Act as it had previously received draft approval and decisions concerning the protection of the valley lands had been completed prior to the enactment of Bill 55.

As the lands are designated "Settlement Area" by the ORM Plan, and the proposal must conform to the policies of that Plan, it will be necessary to review this application under the Plan, which is expected to be finalized in mid February.

Zoning

The lands are zoned RV2, RV3, RV4, RV4(WS), RVM1(B) and RVM1(WS-B) Residential Urban Village Zones by By-law 1-88, as amended by By-laws 336-2000, 342-2001 and 409-2001. By-law 1-88 had required a minimum of 3 parking spaces detached unit, and garage setbacks of 5.8m (where a garage faces the lot line) and 5m (where the driveway does not cross a sidewalk). Subsequently with the enactment of By-law 509-2001, the parking requirement is 3 spaces for lots having frontages of 11m or greater, and 2 spaces for lots frontage of less than 11m, and the garage setback is 6m.

a) Parking Space Reductions

The application proposes reducing the parking requirement of 3 spaces/unit for all 338 lots within Plan 19T-99V05. The request is based on irregular lot configurations and street angle beds, which result in some lots not being able to accommodate tandem parking to achieve 3 parking spaces.

The Owner undertook a parking analysis to determine the specific lots that were not able to provide 3 parking spaces. The results of this analysis revealed that 137 of the 338 lots required the exception. As over half the detached lots in the Plan can provide 3 parking spaces, there is no justification for providing an exception for these lots.

Plan 19T-99V05 was approved based on the current zoning standard that requires 3 spaces/detached units. As implementing By-law 509-2001 for the Design Standards Review has now been enacted, the zoning for the plan should meet these latest standards. This would result in 2 spaces/detached unit on the 137 lots with less than 11m frontage in zones RV4 (9 lots), RVM1(B) (101 lots), and RVM1(WS-B) (27 lots). The remaining lots would meet the required 3 spaces/unit.

By-law 409-2001 included the same 137 lots that were the subject of the parking analysis, as well as 4 additional lots. The 4 lots, due to modifications to the engineering plans, are now able to accommodate a double car driveway, and therefore, By-law 409-2001 can be repealed.

b) Garage Setbacks

The application also proposes an exception to reduce the garage setback requirements of 6m and 7.25m from the garage to the lot line, to 5.8m (where a garage faces the lot line) and 5m (where the driveway does not cross a sidewalk). This would affect 338 lots for detached units. Through the technical review of the engineering plans for the Plan 19T-99V05, it had been determined that the required setback of 5.8m (where a garage faces the lot line) and 5m (where the driveway does not cross a sidewalk) would not allow tandem parking for 2 vehicles on a driveway to be contained completely on the lot due to the lot, and street angle bend configurations. As such, the minimum 3 parking spaces (1 in the garage and 2 in tandem on the driveway) could not be met.

As such, By-law 409-2001 was enacted to address this issue by increasing the required garage setback to 6m and 7.25m to accommodate tandem parking for 141 detached units, enabling 3 spaces/units. As this zoning application is also proposing a reduction to the required parking spaces for detached units from 3 to 2, the application contends that the previously increased garage setback is no longer necessary.

The Design Standards Review and implementing by-law, requires the garage setback to be a minimum of 6m where a garage faces the lot line. As this is a recently approved standard, Staff can support the decrease in parking spaces from 3 to 2, only in conjunction with a garage setback of 6m from the garage to the lot line, in accordance with By-law 509-2001 and the Design Standards Review.

Circulation Comments

The Urban Design Department has no objections, provided that special attention is paid to garage projections with regard to architectural articulation, to enhance the streetscape character of the community, given that the reduction in parking on the lot may promote on-street parking.

The Engineering Department has advised that there are no objections, and that the City should periodically monitor the on-street parking situation as part of the overall Design Standards Review.

Conclusion

The proposed amendment to the Zoning By-law has been reviewed in accordance with the policies of the Official Plan and the recommendations of the Design Standards Review. Staff have no objections to the application, with adjustment to bring the standards in line with the recently adopted Design Standards Review By-law. These adjustments include permitting 2 parking spaces/unit only on the 137 lots under 11m frontage, rather than all 338 lots. Also, rather than the proposed varied 5.0, 5.8 and 6.0m setbacks to the garage, the new standard of 6m to the garage is recommended.

The Draft ORM Plan has not been finalized and therefore, the application can only be approved subject to conforming with the ORM Plan when it is released. It is necessary to ensure that there are no further policy changes that may affect the subject lands. Similarly, the implementing by-law can not be enacted until the ORM Plan is finalized.

Staff can support the proposed exceptions to the zoning standards, with some adjustment to match the new Design Guidelines Review By-law. The exceptions should allow the opportunity to reduce the amount of pavement in the front yard and to enhance the streetscape. Should Committee concur, Zoning By-law Amendment Application Z.01.075 (Maplewood Villages Ltd.) can be approved, with the adoption of the "Recommendation" of this report.

Attachments

1. Location Map
2. Draft Plan

Report prepared by:

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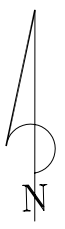
Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning

JOANNE R. ARBOUR
Director of Community Planning

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ATTACHMENT '1'
LOCATION MAP

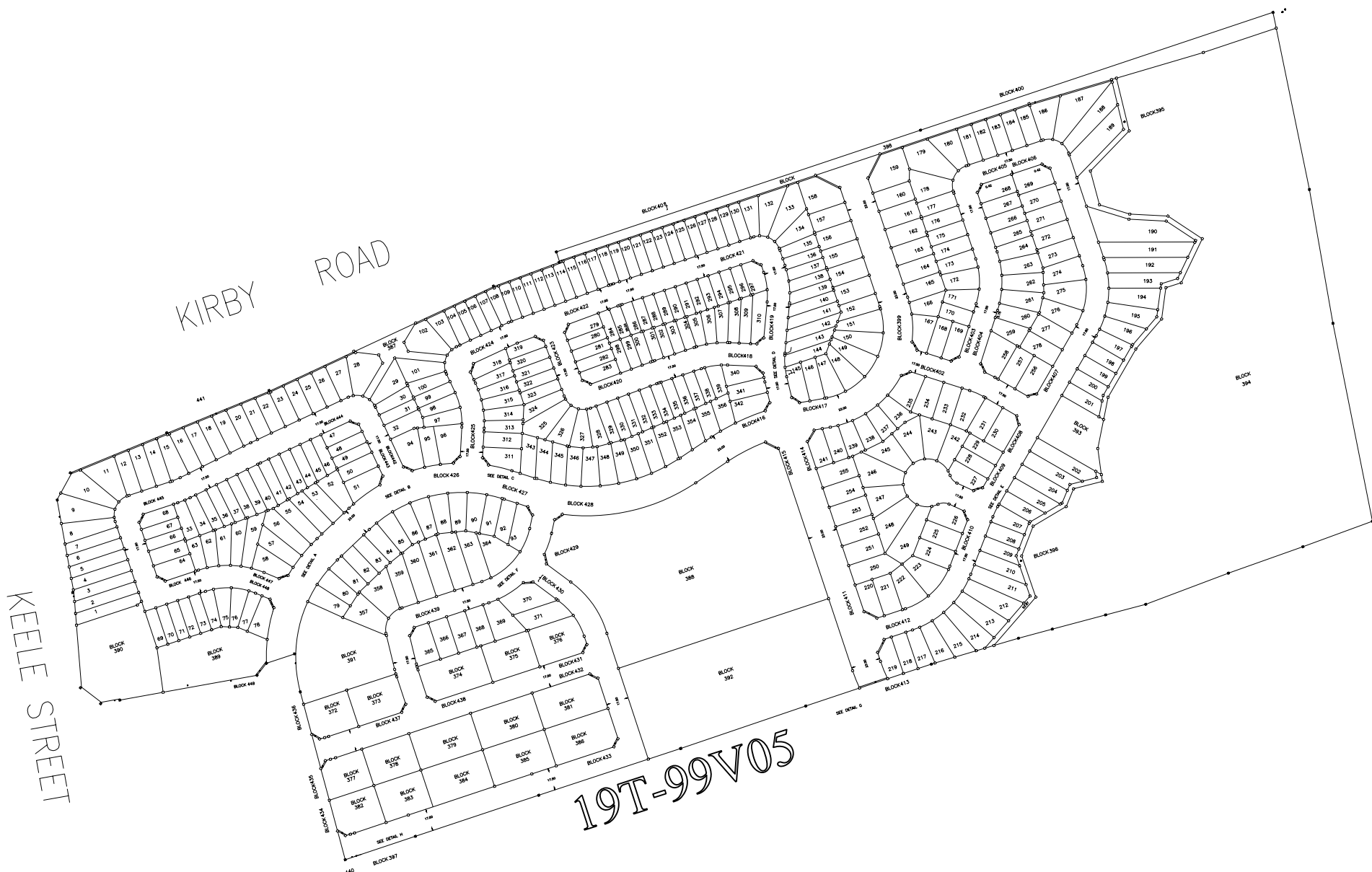
FILE #:
Z.01.075

REPORT #:
LOCATION:
PART LOT 30, CON. 3

 SUBJECT LANDS
CITY OF VAUGHAN
PLANNING DEPARTMENT

APPLICANT:
MAPLEWOOD VILLAGES LIMITED

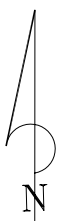
DATE: 11/23/2001
SCALE: NOT TO SCALE



KEELE STREET

KIRBY ROAD

19T-99V05



<p>ATTACHMENT '2'</p> <p>DRAFT PLAN</p>	<p>FILE #:</p> <p>Z.01.075</p>	<p>REPORT #:</p> <p>PART LOT 30, CON. 3</p>	<p>DATE: 11/23/2001</p>
	<p>CITY OF VAUGHAN PLANNING DEPARTMENT</p>		<p>SCALE: NOT TO SCALE</p>
<p>APPLICANT:</p> <p>MAPLEWOOD VILLAGES LIMITED</p>			