

COMMITTEE OF THE WHOLE APRIL 18, 2005

**ZONING BY-LAW AMENDMENT FILE Z.05.004
HUMBERPLEX DEVELOPMENTS INC.
REPORT #P.2005.14**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment File Z.05.004 (Humberplex Developments Inc.) BE APPROVED, to increase the maximum permitted building height from 9.5m to 11m in the R1 Residential Zone for the single-detached residential dwelling units in approved Draft Plan of Subdivision 19T-01V04.

Purpose

The Owner has submitted an application to amend the Zoning By-law to increase the maximum permitted building height from 9.5m to 11m in the R1 Residential Zone for the single-detached residential dwelling units in approved Draft Plan of Subdivision 19T-01V04, as shown on Attachment #2 and #3.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located north of Nashville Road on the east side of Regional Road 27, in Part of Lot 27, Concession 8, City of Vaughan. The 36.8 ha site comprises approved Draft Plan of Subdivision 19T-01V04, which consists of 167 single-detached dwelling units with frontages ranging from 15m to 18m and lot areas of 540m². The plan was approved by the Ontario Municipal Board in a Decision Order dated August 6, 2003. The subject lands include a 1.11ha park site, 1.55ha stormwater management pond facility, 5.48ha open space valleylands and 1.35ha TransCanada Pipeline block.

The affected residential portion of the subject lands are designated "Serviced Residential", by OPA #601 (Kleinburg-Nashville Community Plan) and zoned R1 Residential Zone by By-law 1-88, subject to Exception 9(1162). The surrounding land uses are:

- North - Copper Creek golf course (OS2 Open Space Park Zone)
- South - open space (OS2 Open Space Park Zone); residential (R1 Residential Zone)
- West - open space (OS2 Open Space Park Zone) water tower/open space (A Agricultural Zone); Regional Road 27
- East - valley lands (OS1 Open Space Conservation Zone)

Public Hearing

On February 11, 2005, a Notice of Public Hearing was mailed to all property owners within 120 metres of the subject lands and to the Kleinburg and Area Ratepayers Association. To date, no written comments have been received. At the Public Hearing Mr. Robert Klein, representing the Kleinburg and Area Ratepayers Association, requested a 30.48m landscape buffer be provided along the south property line to match the 30.48m landscape buffer provided along the north property line for the registered subdivision plan to the south (19T-81061-Millview Investments Ltd). The provision of a 30.48m landscape buffer as suggested would eliminate approximately 18 lots in a plan that is approved by the Ontario Municipal Board. The landscape buffer would result in lots that would not comply with the minimum lot area size of 540m². The landscape buffer in Plan of Subdivision 19T-81061 provides a sufficient linear park connection between the open space lands to the west and the valleylands to the east for accessibility and use by the public in accordance with the Park and Open Space policies in OPA #601. Accordingly, Staff does not support the provision of a 30.48m landscaped buffer as suggested.

The recommendation of the Committee of the Whole to receive the public hearing report on March 7, 2005, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on March 21, 2005.

Official Plan

i) Land Use Designation

The residential portion of the subject lands shown on Attachment #2 are designated "Serviced Residential" by OPA #601, which permits detached residential dwellings. The subdivision will be developed with a range of bungalows, 1-1/2 storey, and 2 storey residential dwelling units in accordance with the Official Plan, with the maximum permitted heights to be identified in the zoning by-law.

ii) Built Form

The Official Plan provides urban design policies for the Humber North Neighbourhood, which requires that development address the built compatibility and architectural design criteria in the Official Plan. The Official Plan policies concerning built form and compatibility requires that new development be compatible with adjacent and neighbouring development by ensuring that the siting and massing of new buildings do not result in negative impacts on adjacent properties. The Official Plan also requires that building facades should provide articulation to provide visual interest using such elements as porches, bays, canopies, balconies, solariums, and other architectural features.

On April 26, 2004, Council approved the "Wycliffe Humberplex Architectural Design Guidelines" prepared by John G. Williams Ltd. (January 2004) for the subject lands shown on Attachment #2. The Architectural Design Guidelines provide design criteria for the proposed development including ensuring guidelines for model repetition, façade variety, and roof design. The design of the proposed residential dwelling units are required to address and be consistent with the Architectural Design Guidelines, and must receive approval from the Control Architect for the subdivision, prior to obtaining a building permit. The Architectural Design Guidelines would not require amendment should Council approve the subject zoning amendment to increase the building heights.

Zoning - Increased Height

The R1 Residential Zone permits a maximum building height of 9.5m for a single-detached residential dwelling unit. The By-law defines "building height" as the vertical distance between the average elevation of the finished grade at the front of the building and in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof.

The proposed architectural design of the single-detached dwelling units as shown on Attachment #3, will feature high pitch roofs to allow for 3.05m (10ft) internal floor to ceiling heights. The overall site slopes downward from the easterly top-of-bank towards Regional Road #27. In this particular development with the pitched roofs, the maximum building height of a dwelling will be calculated from the average elevation of the finished grade at the front of the dwelling to the midpoint of the roof. Finished grade is defined as the average elevation of the finished ground level at the walls. As a result, where the ground level is sloped along the front wall of a dwelling, the resulting building height will be higher and contribute to an increased building height.

The Owner has not determined which lots within the subdivision will incorporate the increased height, but it is expected that the requested 11m height will be applied to approximately 25 percent of the residential dwelling units, and primarily the 2 storey dwelling units.

The subject lands are surrounded by an open space buffer and park and Regional Road #27 to the west, the Copper Creek Golf Course to the north, open space valley lands to the east, and a 30.48m wide linear park to the south. The proposed increase to the maximum permitted building height is minor in nature and will result in development that is compatible with and will not materially impact on the surrounding land uses. Accordingly, Staff can support the proposed zoning amendment application.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly previously set by Council and the necessary resources Statement #A-5, "Plan and Manage Growth".

Conclusion

Staff have reviewed the proposed application to amend the Zoning By-law to increase the maximum permitted building height from 9.5m to 11m in approved Draft Plan of Subdivision 19T-01V04, as shown on Attachment #2, in the context of the applicable Official Plan policies, the requirements of By-law 1-88, the Architectural Design Guidelines, and the adjacent open space and valleylands. Staff are satisfied that the increased height is minimal and appropriate in the context of the subdivisions location, and will result in development that is compatible with the surrounding land uses.

For these reasons, Staff recommends approval of the proposed amendment to the Zoning By-law.

Attachments

1. Location Map
2. Draft Plan of Subdivision 19T-01V04
3. Typical Elevation plan

Report prepared by:

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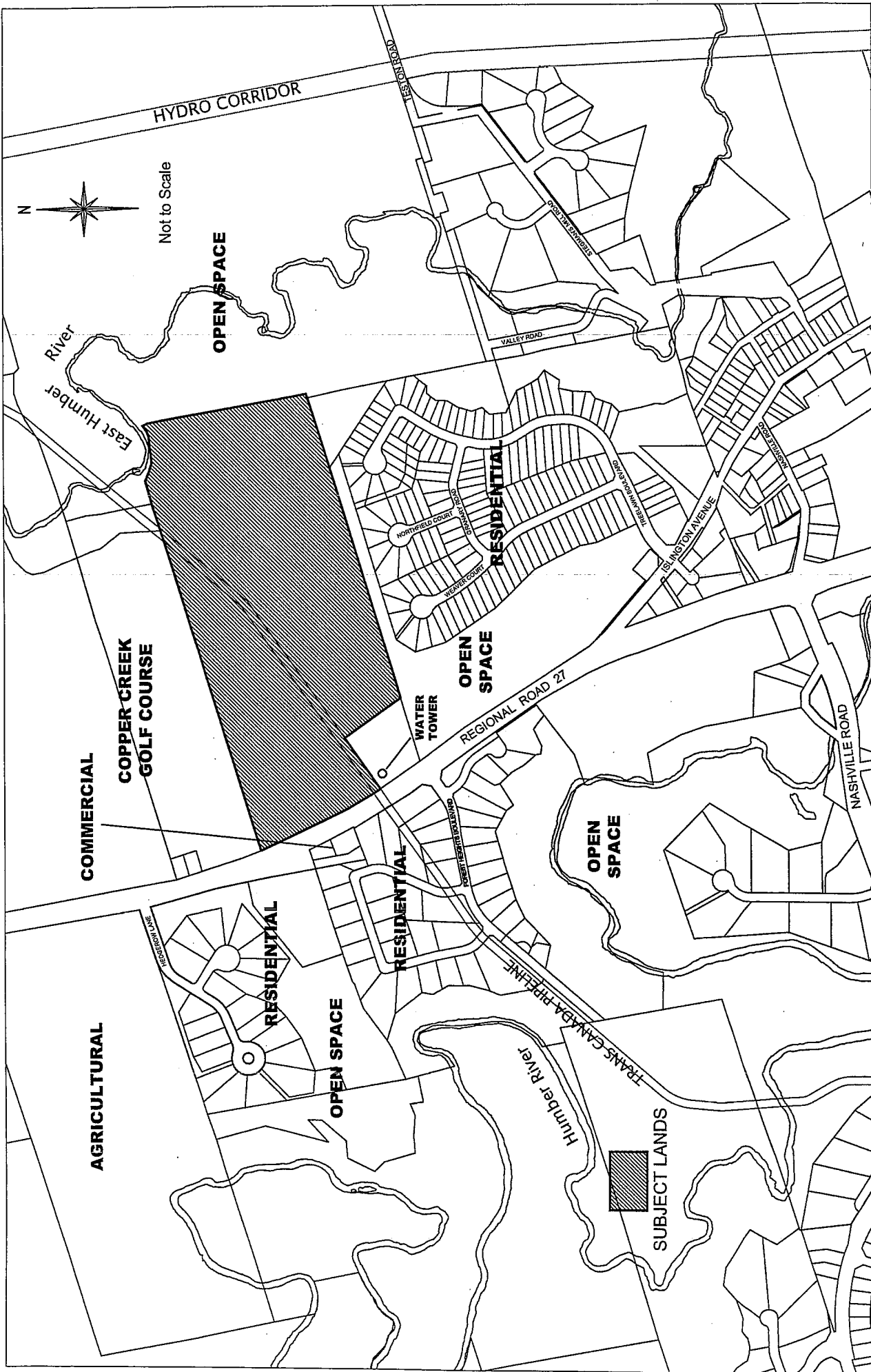
Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG

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Location Map

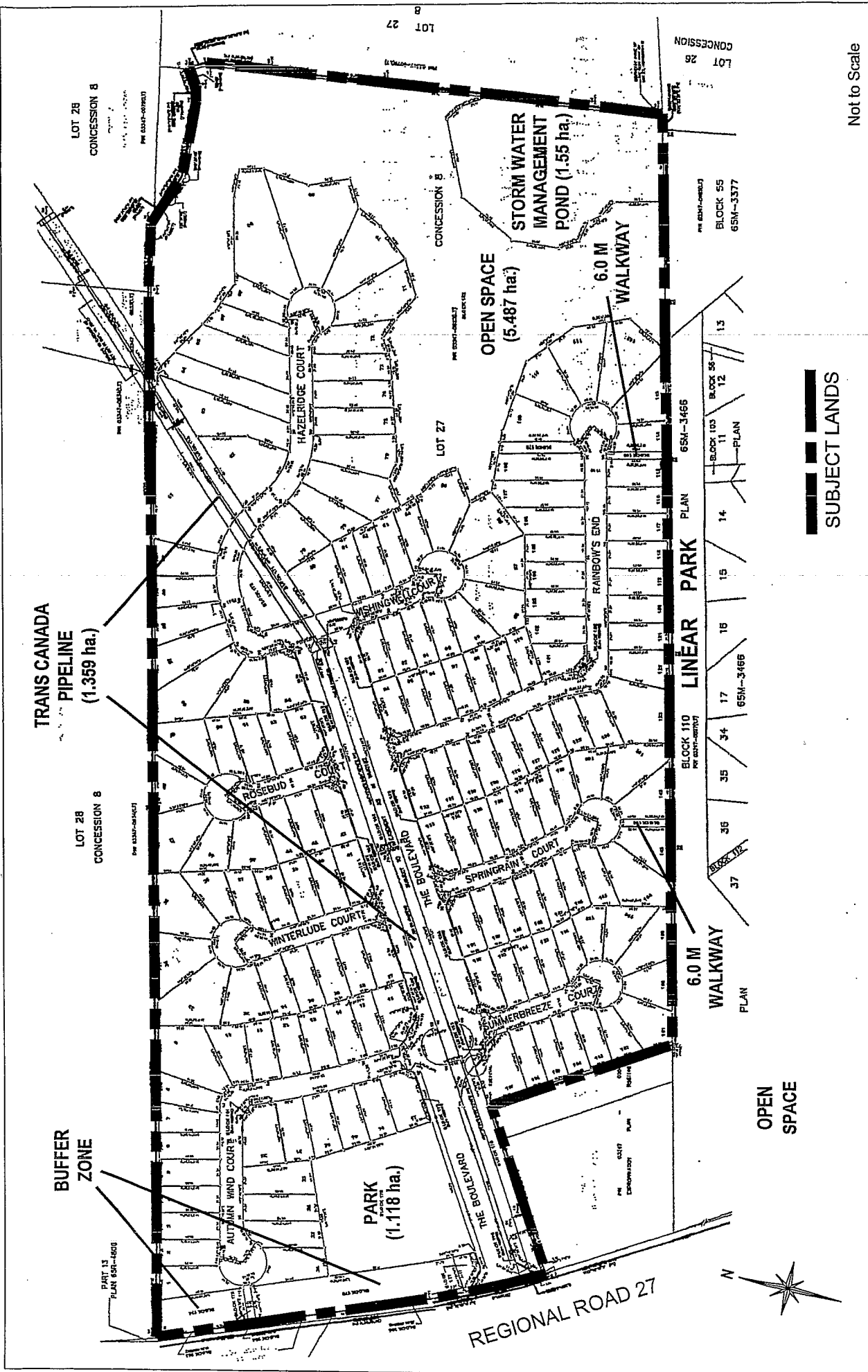
Part of Lot 27,
Concession 8
 APPLICANT:
 HUMBERPLEX DEVELOPMENTS INC.
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Development Planning Department

Attachment 1

FILE No.:
 Z.05.004
 RELATED FILE:
 19T-01V04
 March 31, 2005



Not to Scale

Attachment 2

FILE No.: Z.05.004
 RELATED FILE: 19T-01V04
 March 30, 2005

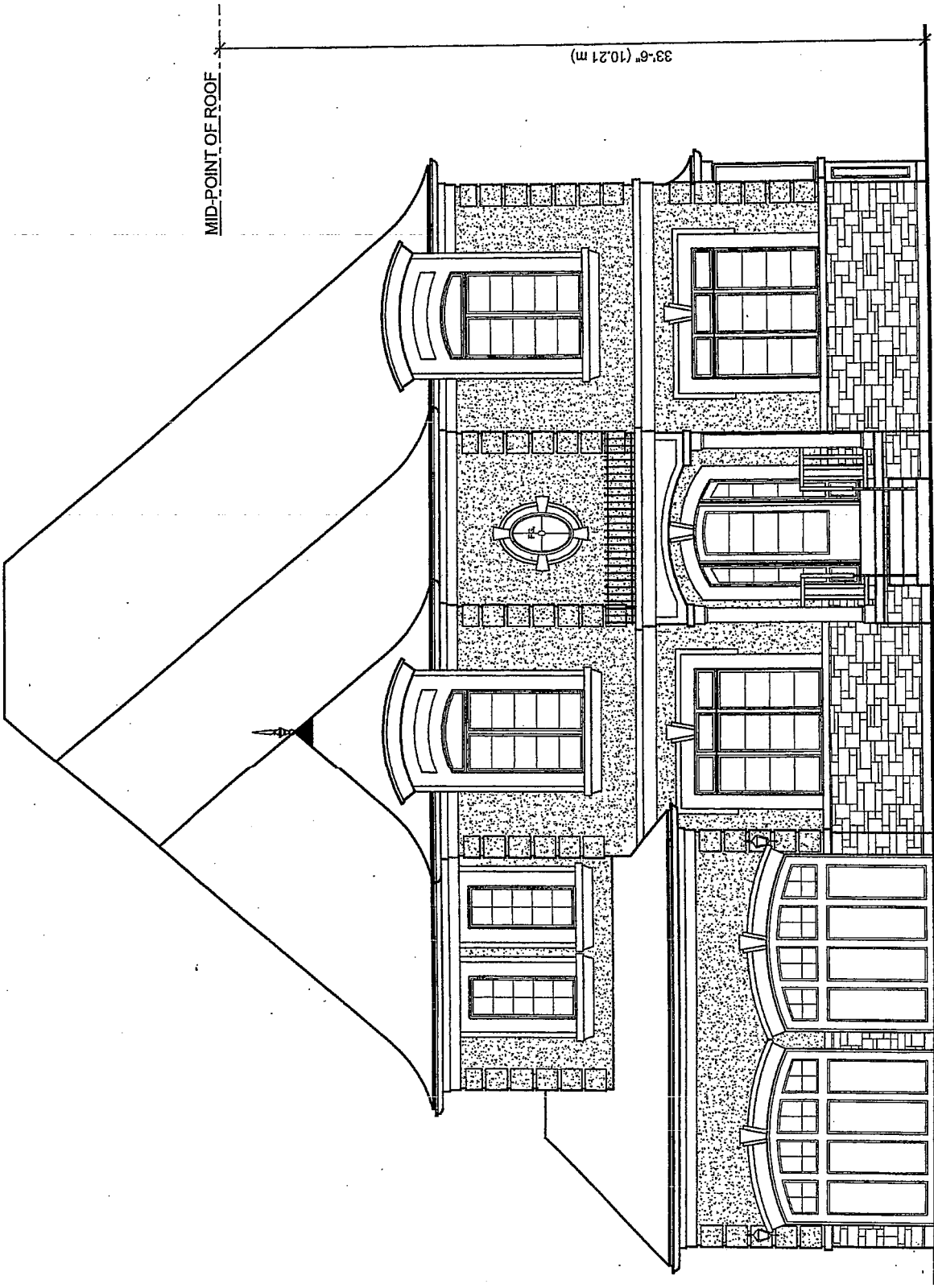


Development Planning Department

Draft Plan of Subdivision 19T-01V04

Part of Lot 27, Concession 8

APPLICANT: HUMBERPLEX DEVELOPMENTS INC.



Not to Scale

Typical Elevation Plan

Part of Lot 27,
Concession 8
APPLICANT:
HUMBERPLEX DEVELOPMENTS INC.

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Development Planning Department

Attachment 3
 FILE No.: Z.05.004
 RELATED FILE: 19T - 01V04
 February 7, 2005