

COMMITTEE OF THE WHOLE SEPTEMBER 6, 2005

**ZONING BY-LAW AMENDMENT FILE Z.05.026
SHAWN MARK IN TRUST
REPORT #P.2005.44**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.05.026 (Shawn Mark in Trust) BE APPROVED, to rezone the subject lands shown on Attachment #2 from 'A' Agricultural Zone to R2 Residential Zone to facilitate the severance of the property into three (3) residential lots plus one part lot to be added to the abutting lands to the east (Block 164 of Plan 65M-3094) to form a complete lot, and that the R2 Zone standards contained in Exception 9(910) for the adjacent registered subdivision 65M-3094 shall be applied to the subject lands as identified in the staff report, with the inclusion of the following additional site-specific exceptions:
 - require a minimum lot frontage of 14m for Part 3 as shown on the Preliminary Plan of Survey (Attachment #2); and
 - require that Part 6 as shown on the Preliminary Plan of Survey (Attachment #2) be developed together with Block 164 on Plan 65M-3094 with a minimum total combined lot frontage of 15m.
2. THAT Council pass the following resolution with respect to the allocation of sewage and water servicing capacity:

"NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Zoning BY-law Amendment Application Z.05.026 (Shawn Mark In Trust) be allocated sewage capacity from the Maple Service Area of the York/Durham Servicing Scheme and water supply from Pressure District No. 7 of the York Water Supply System, for a total of 4 single family residential units".

Economic Impact

There are no requirements for new funding associated with this report. The proposed development will add new assessment to the local tax base.

Purpose

The Owner has submitted an application to amend the Zoning By-law to rezone the subject lands shown on Attachment #1 from A Agricultural Zone to R2 Residential Zone with site-specific exceptions. The application will facilitate a future consent application to create three (3) residential lots plus one part lot to be added to the abutting lands to the east (Block 164 of Plan 65M-3094) to form an additional complete lot. The future lots will complete both the lotting within the existing plan of subdivision (65M-3094) and the Pine Hollow Crescent road allowance.

Background - Analysis and Options

The subject lands shown on Attachment #1 are located on the east side of Jane Street, north of Brandon Gate Drive on the north side of Pine Hollow Crescent, in Lot 25, Concession 4, City of Vaughan. The subject lands have 45.95m frontage on Jane Street, an area of 0.24 ha, and is developed with a bungalow dwelling unit which is to be demolished. The surrounding land uses are as follows:

North - proposed residential subdivision 19T-02V11 (R2, R3, R4 Residential Zones)

South - existing detached residential (R2 Residential Zone)
East - existing detached residential (R2 Residential Zone)
West - Jane Street; proposed secondary school/residential (C4 General Commercial Zone/RVM1(WS-A) Residential Zone)

On May 27, 2005, a Notice of Public Hearing was mailed to all property owners within 120m of the subject lands and to the Maple Landing Ratepayers and Columbus Trail Residents' Associations. To date, no comments have been received. The recommendation of the Committee of the Whole on June 20, 2005, to receive the Public Hearing report and forward a technical report to a future Committee meeting, was ratified by Council on June 27, 2005.

Official Plan

The subject lands are designated "Low Density Residential" by OPA #350 (Maple Community Plan) which permits single-detached and semi-detached housing units at a maximum net density of 22 units/ha, which would yield a maximum of 5 lots (ie. 0.24 ha x 22 units/ha). OPA #350 requires that development within existing neighbourhoods shall be compatible with the existing neighbourhood character in terms of physical form and scale. The proposed three lots plus a part lot conforms to the density requirement. The proposed lots are also consistent with the existing lots on Pine Hollow Crescent in terms of lot frontage and depth, and will utilize the R2 Residential Zone standards that are consistent with existing development to the south and east in accordance with Exception 9(910). The proposed zoning amendment conforms to the Official Plan.

Zoning

The subject lands are zoned A Agricultural Zone by By-law 1-88. The abutting lands to the east and south are zoned R2 Residential Zone, subject to Exception 9(910). The applicant is proposing to rezone the subject lands from A Agricultural Zone to R2 Residential Zone with the application of the zone standards contained in Exception 9(910), to be consistent with the existing zoning on the adjacent lands. The proposed rezoning will facilitate a future severance of the subject lands to create 3 full lots and one part lot as shown on Attachment #2, with the following statistics:

	<u>Lot Frontage</u>	<u>Lot Depth</u>	<u>Lot Area</u>
Part 3	14m*	41.08m (min)	519m ²
Part 4	15m	40.63m (min)	612m ²
Part 5	15m	40.17m (min)	606m ²
**Part 6	4.06m	40.0m (approx.)	275m ²

*Frontage as defined By-law 1-88 is measured 6.4m back from the front lot line.

**Note: Part 6 is to be combined with Block 164 on Plan 65M-3094 to create a full lot having a frontage of 14.9m, a depth of 40m, and an area of 560m².

The R2 Residential Zone standards in Exception 9(910), which applies to the adjacent lands, provides for the following development standards:

- Minimum Lot Frontage - 15m
- Minimum Front Yard - 7.5m
- Minimum Rear Yard - 9m
- Minimum Interior Side Yard - 1.2m

- Minimum Exterior Side Yard - 4.5m
- Maximum Building Height - 11m
- Maximum Lot Coverage - 40%
- Minimum Gross Floor Area - 150m²
- Minimum Lot Depth - 30m
- Minimum Lot Area - none

A zoning exception is required to permit a reduced lot frontage of 14m for Part 3. Part 3 is irregular in shape, and therefore, the lot frontage measured 6.4m back from the front lot line will result in a lot frontage of approximately 14m. The combination of Part 6 and Block 164 on Plan 65M-3494 will also result in a lot frontage of 14.99m (4.06 + 10.936m), which is slightly less than the minimum 15m requirement, thereby requiring an exception to the R2 Zone standards in Exception 9(910).

Part 2 on the Preliminary Plan of Survey is 3m wide, and will be used as a buffer landscape along Jane Street, which is considered to be sufficient. In view of the proposed zoning category and development standards, the proposed zoning amendment application will facilitate the creation of residential lots and a building form that is consistent and compatible with existing residential development in the area, and can therefore be supported. The application will also facilitate the completion of Pine Hollow Crescent (Part 7).

Roads

The future lots will have frontage on the north side of Pine Hollow Crescent. The applicant will need to dedicate lands (identified on the Preliminary Plan of Survey as Part 7) to complete Pine Hollow Crescent to City engineering standards. This will occur through a Development Agreement, which will be prepared by the Vaughan Engineering Department at the consent approval stage.

Region of York

The Regional Transportation and Works Department has reviewed the Zoning Amendment Application and has advised that construction access will not be permitted directly from Jane Street. Construction access and access to the future residential lots will be provided through the internal street network. Any existing driveway(s) along the Regional road frontage must be removed as part of the development work, at no cost to the Region.

The Owner is required to engage the services of a consultant to prepare and submit for review, a noise study to the Regional Transportation and Works Department recommending noise attenuation features and to agree to implement these noise attenuation features to their satisfaction.

The Region requires that a sidewalk be constructed on the east side of Jane Street and the provision of an appropriate concrete pedestrian walkway, subject to design approval by the City and the Region, to facilitate a pedestrian access to/from existing transit services on Jane Street from Pine Hollow Crescent

The Regional Transportation and Works Department is protecting a 36.0m right-of-way for this section of Jane Street. As such, the Regional requests that all municipal setbacks be referenced from a point 18.0m from the centreline of Jane Street. The Owner shall convey the following lands, along the entire frontage of the site adjacent to Jane Street, to the Region of York, free of all costs and encumbrances:

- i. A road widening along the entire frontage of the site adjacent to Jane Street, of sufficient width to provide 18m from the centreline of Jane Street; and
- ii. A 0.3m reserve across the full frontage of the site where it abuts Jane Street, which shall be conveyed to the Regional of York for public highway purposes, free of all costs and encumbrances.

The Owner will be required to satisfy the requirements of the Region of York, as a condition of the future severance application to be considered by the Committee of Adjustment, and implemented through the execution of the Vaughan Engineering Department Development Agreement for the subject lands.

Vaughan Engineering Department

The Vaughan Engineering Department has provided an allocation resolution included in the recommendation section of this report. The Engineering Department has also advised that the existing watermains and storm and sanitary sewers on Pine Hollow Crescent will provide connections to this development. Connections to the existing infrastructure will be subject to confirmation that there are no downstream constraints in the existing system. Financial contributions for the proportionate share towards any municipal services that have been designed and over sized by others to accommodate the plan will be required from the subject development.

Relationship to Vaughan Vision 2007

The applicability of this application to the Vaughan Vision will be determined when the technical report is completed.

Conclusion

The Planning Department has reviewed the proposed application to amend the Zoning By-law to facilitate a severance of the lands in accordance with the applicable policies of the Official Plan and the requirements of the Zoning By-law. The proposed rezoning will result in residential building lots and dwellings that are consistent in size and configuration to existing development in the vicinity of the subject lands. The proposed development will also complete Pine Hollow Crescent with similar single-detached residential dwellings. For these reasons, it is recommended that the Zoning Amendment Application be approved.

Attachments

1. Location Map
2. Preliminary Plan of Survey

Report prepared by:

Glenn White, Planner, ext. 8213
Mauro Peverini, Senior Planner, ext. 8407
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/LG

Attachment 1

FILE No.:
Z.05.026

September 6, 2005

Not to Scale



Development Planning Department

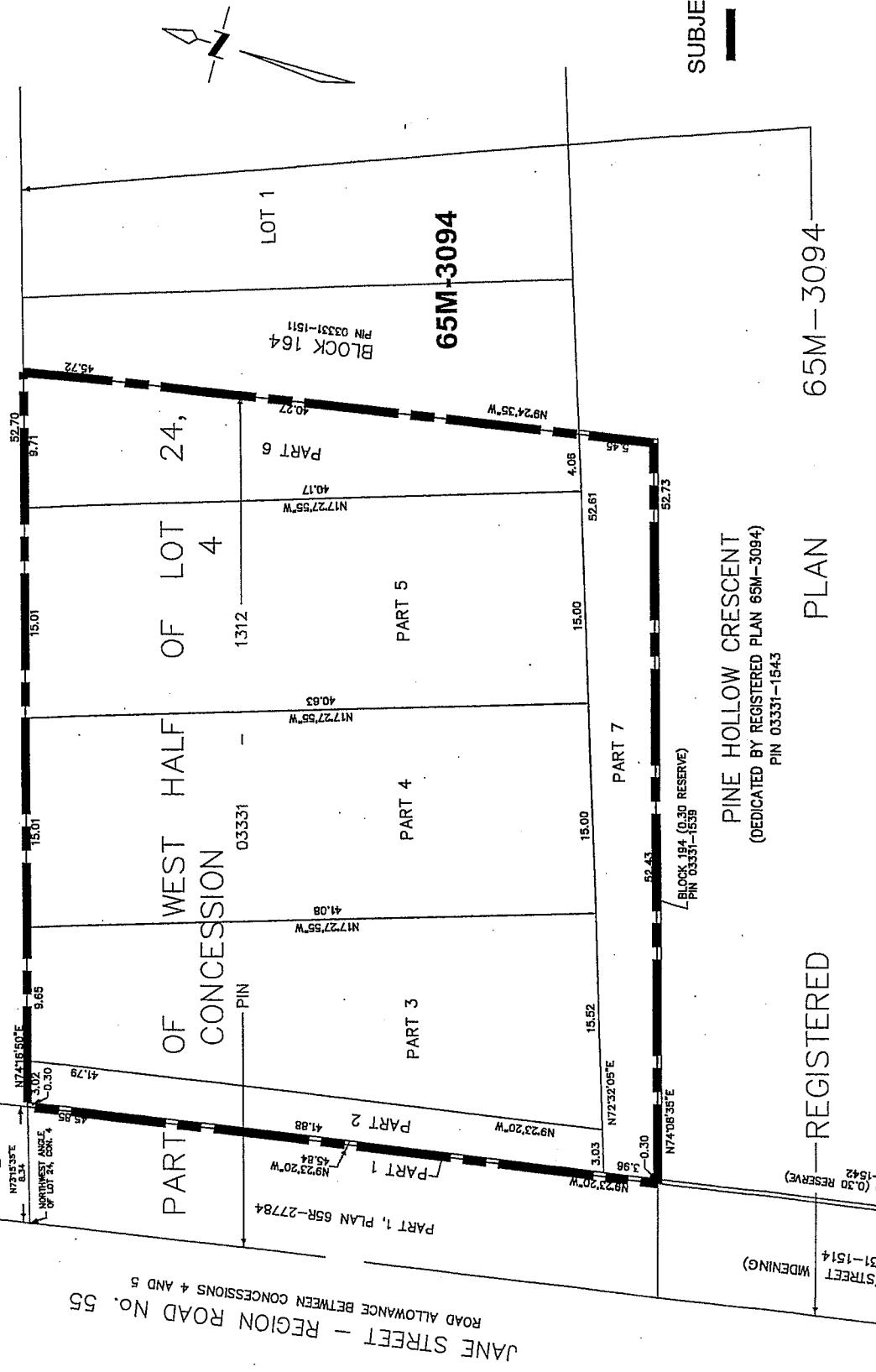
Location Map

Part of Lot 24,
Concession 4
APPLICANT:
SHAWN MARK IN TRUST
N:\DFTY1\ATTACHMENTS\Z.05.026



PART OF LOT 25, CONCESSION 4

PART 1, PLAN 65R-27432
PIN 03331-4987



Preliminary Plan of Survey

Part of Lot 24,
Concession 4

APPLICANT:
SHAWN MARK IN TRUST

September 6, 2005
Not to Scale

2
FILE No.:
Z.05.026
September 6, 2005
Not to Scale

Development Planning Department