

## **COMMITTEE OF THE WHOLE JUNE 3, 2008**

### **ZONING BY-LAW AMENDMENT FILE Z.07.043 L & L HOLDINGS INC. REPORT #P.2008.12**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.07.043 (L & L Holdings Inc.) BE APPROVED, to amend Section 3.20 of By-law 1-88, to facilitate the future severance of two existing residential lots (146 and 160 Waymar Heights Boulevard) as shown on Attachment #1, into 3 residential lots for detached dwelling units as shown on Attachment #2.

#### **Economic Impact**

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

#### **Communications Plan**

On March 14, 2008, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands, and to land owners located on Waymar Heights Boulevard and Davidson Drive, 99, 100, 102 and 103 Gamble Street, the Board of Trade Golf Course, and Pine Grove Elementary School. A Public Hearing was held on April 7, 2008, and considered the following applications:

1. An Official Plan Amendment Application (File OP.07.007) to amend the "Low Density Residential" policies in OPA No. 240 (Woodbridge Community Plan), to reduce the minimum lot area for lands abutting the Board of Trade Golf and Country Club from 930m<sup>2</sup> to 768.25 m<sup>2</sup>.
2. A Zoning By-law Amendment Application (File Z.07.043) to amend By-law 1-88, specifically to rezone the subject lands from R1V Old Village Residential Zone (minimum 845 m<sup>2</sup> lot area and 30 m lot frontage) to R2 Residential Zone (minimum 450 m<sup>2</sup> lot area and 15 m lot frontage).

The above applications were filed to facilitate the future severance of the two existing residential lots having a combined area of 4,225 m<sup>2</sup> into five residential lots as shown on Attachment #3, with lot areas ranging between 768.25 m<sup>2</sup> to 921.83 m<sup>2</sup> and minimum lot frontages of 18.28 m, for the purposes of constructing five single-detached dwellings.

Several letters were received by the Development Planning Department from residents in the area and the Board of Trade Golf Course, requesting to be notified of the status of the applications and expressing concern with the proposal to create five lots with 18.28 m frontages. Concern was expressed with respect to maintaining the character of the neighbourhood, which includes larger lots on both Waymar Heights Boulevard and Davidson Drive. There were several deputations made at the April 7, 2008 Public Hearing in opposition to the proposal on the basis that the creation of five lots, each having 18m (60 feet) frontages would not maintain the character of the street or the neighbourhood.

The recommendation of the Committee of the Whole on April 7, 2008, to receive the Public Hearing report and to forward a technical report to a future Committee of the Whole meeting, was ratified by Council on April 14, 2008.

Previously, at the November 19, 2008, Committee of the Whole meeting, Mr. Joseph Salvatore, who resides at 132 Davidson Drive, appeared as a deputation on behalf of several residents in the area to address the development proposal that contemplated the creation of five residential lots with 18.28 m frontages. Mr. Salvatore requested that the City protect the existing character of the established large lot residential area through inclusion of policies in an Official Plan Amendment, and the rezoning of lands located on Davidson Drive, Waymar Heights Boulevard and the Gamble Street cul-de-sac to R1V Old Village Residential Zone through a Zoning By-law Amendment. The Development Planning Department will be responding to this deputation in a separate report to a future Committee of the Whole meeting.

On April 30, 2008, the applicant submitted two Consent Applications (Files B17/80 and B18/80) to the Committee of Adjustment to facilitate the severance of the existing subject lands into three residential lots as shown on Attachment #2, each having a frontage of 30.48 m (100 feet). The two Consent Applications have been placed on hold at the request of Staff, until the subject zoning amendment has been first considered by Council. On May 12, 2008, the Development Planning Department received a letter from the applicant requesting that the Zoning By-law Amendment File Z.07.043 (L & L Holdings Inc.) be amended, to request a site-specific exception from Section 3.20 of Zoning By-law 1-88 in order to facilitate the creation of three lots through the Consent process. Section 3.20 of By-law 1-88 states that no person shall erect more than one (1) single family dwelling on any lot as shown on Registered Plan 4134. The subject staff report is in consideration of the revised proposal for 3 residential lots.

On May 28, 2008, written notice was provided to those individuals who had requested notification of the subject Committee of the Whole meeting.

### **Purpose**

The Owner has submitted a Zoning By-law Amendment Application (File Z.07.043) on the subject lands shown on Attachment #1, specifically to amend Section 3.20 of By-law 1-88, to facilitate the severance of the subject lands into three lots, each with a lot frontage of 30.48 m as shown on Attachment #2. Section 3.20 of By-law 1-88 does not permit more than one (1) single detached dwelling on each of Lots 1 and 2 on Plan 4134.

### **Background - Analysis and Options**

The subject lands shown on Attachment #1 are comprised of two residential properties located at the southwest corner of Waymar Heights Boulevard and Gamble Street, abutting the Board of Trade Golf Course, being Lots 1 and 2 on Registered Plan 4134 (146 and 160 Waymar Heights Boulevard, respectively), in Lots 9 and 10, Concession 7, City of Vaughan.

The property at 146 Waymar Heights Boulevard has a lot area of 2,232.5 m<sup>2</sup> and a lot frontage of 45.725 m. The property at 160 Waymar Heights Boulevard has a lot area of 1992.9 m<sup>2</sup> and a lot frontage of 45.725 m. A house exists on each of the two lots, which are proposed to be demolished, should the application be approved. The surrounding land uses are shown on Attachment #1.

### **Land Use Policies/Planning Considerations**

#### **i) Provincial Policy Statement**

The subject applications were initiated after March 1, 2005, and are therefore subject to the 2005 Provincial Policy Statement (PPS). The PPS sets out overall direction on matters of Provincial interest related to land use planning and development, and includes policies that encourage the focus of new growth to urban areas. The PPS promotes efficient, cost effective development, and land use patterns that are based on densities which:

- i) efficiently use land, resources, infrastructure, and public service facilities; and,
- ii) avoid the need for unnecessary and/or uneconomical expansion of infrastructure.

The PPS promotes a full range of housing types and densities to meet projected demographic and market requirements of current and future residents by ensuring all forms of residential intensification in parts of built-up areas that have sufficient infrastructure to create a potential supply of new housing units. Development and land use patterns which may cause environmental or public health and safety concerns shall be avoided.

The revised proposal meets the intent of the PPS with respect to providing an efficient use of land and infrastructure and increasing the supply of new housing units.

ii) Region of York Official Plan

The subject lands are identified as being within the "Urban Area" of the Region of York Official Plan. The proposed zoning amendment is consistent with Section 5.2.4 of the Regional Official Plan, which directs development to existing built-up portions of urban areas.

iii) City of Vaughan Official Plan

The subject lands are designated "Low Density Residential" by OPA #240 (Woodbridge Community Plan), subject to a provision that lands adjacent to the Board of Trade Golf and Country Club shall be developed for single family residential only, and that lots abutting the golf course shall be a minimum of 930 m<sup>2</sup> in lot area. The proposed Zoning By-law Amendment Application would facilitate a Consent Application for the severance of the subject lands into three lots, each with a lot area in excess of 930 m<sup>2</sup>, which would conform to the Official Plan.

Land Use Context

The subject lands are comprised of 2 existing residential lots with frontage onto Waymar Heights Boulevard, and are located at the southwest corner of Waymar Heights Boulevard and Gamble Street. The built form along Waymar Heights Boulevard is comprised exclusively of established single detached residential dwellings on lots with minimum frontages of 30 m (100 feet). The subject lands back onto the Board of Trade Golf Course, and therefore, are subject to a site-specific policy in OPA #240 (Woodbridge Community Plan) which requires that any lot abutting the golf course shall be a minimum of 930 m<sup>2</sup> in lot area and shall be developed for single family residential lots only.

On January 23, 1952, Subdivision Plan 4134 was registered and created 22 lots (including the two subject lots) with frontage on Waymar Heights Boulevard. Each of the two existing lots, which forms the subject lands, has a frontage of 45.725 m. The 22 lots within Plan 4134 vary in size and configuration, with lot frontages ranging from 30.48m to 48.8m, and lot areas ranging from 1766m<sup>2</sup> to 6795m<sup>2</sup>. The three proposed lots will each have lot frontages of 30.48 m and lot areas of 1301.96 m<sup>2</sup>, 1408.61 m<sup>2</sup> and 1514.96 m<sup>2</sup> (Lots 1, 2 and 3, respectively) as shown on Attachment #2, which meet the requirements of the Official Plan and Zoning By-law, and although would be the smallest lots on Waymar Heights Boulevard, such new lots would be in keeping with the smaller lot fabric on the west side of the street as per the original registered plan.

The majority of the residential lots located on Davidson Drive were created by 2 different subdivision plans that were registered in the early 1950's and have lot frontages that range between 22.8m and 29.2m, and with lot areas that range between 1210m<sup>2</sup> and 1960<sup>2</sup>. The three proposed lots are consistent with the lot fabric along Davidson Drive.

## Zoning

The subject lands are zoned R1V Old Village Residential Zone by By-law 1-88. The minimum lot size and frontage requirement in this Zone are 845 m<sup>2</sup> and 30 m, respectively. The three proposed lots will each have lot frontages of 30.48 m and lot areas of 1301.96 m<sup>2</sup>, 1408.61 m<sup>2</sup> and 1514.96 m<sup>2</sup> (Lots 1, 2 and 3, respectively) as shown on Attachment #2. Therefore, each proposed lot would comply with the minimum lot size and frontage requirement of the R1V Zone.

Section 3.20 of Zoning By-law 1-88 states that no person shall erect more than one (1) single family dwelling on any lot within Registered Plan 4134. The subject lands represent Lots 1 and 2 on Registered Plan 4134. Accordingly, an amendment to Section 3.20 is required in order to facilitate the severance of the two existing lots on Plan 4134 into three lots for the purposes of erecting three new single family detached dwellings. The three proposed lots comply with the minimum lot frontage and area requirements of the R1V Zone. The future dwellings on each new lot will comply with all other development standards (e.g. lot coverage, yard setbacks, and height) of the R1V Zone.

The proposed lot areas for each of the 3 new lots would also comply with the requirements of the Official Plan. Accordingly, the Development Planning Department can support the approval of the Zoning By-law Amendment Application as the three new lots would conform and comply with the requirements of the Official Plan and Zoning By-law, respectively, and result in residential lots and dwellings that are consistent and compatible with the existing surrounding development.

## Interim Control By-law and Group Homes Land Use Study

On June 11, 2007, Council approved a recommendation contained in a report from the Ward 5 Councillor respecting a Group Homes Land Use Study. The report recommended that an Interim Control By-law applicable to properties zoned R1V Old Village Residential Zone be forwarded to Council for enactment and that the Group Homes Land Use Study be completed within six months.

On June 11, 2007, Interim Control By-law 193-2007 was enacted, thereby prohibiting the issuance of building permits within the R1V Old Village Residential Zone for a period of 1 year. As a result, a number of residents expressed concerns respecting the restrictions of By-law 193-2007, which did not allow for the construction of projects generally permitted within the municipal application process. In response to the concerns raised, an amending Interim Control By-law, (By-law 264-2007) was enacted by Council on July 19, 2007, and exempted single detached dwellings, additions and accessory structures not exceeding a maximum GFA of 500 m<sup>2</sup>, which are not for a group home use.

The Group Homes Land Use Study is currently being conducted by the Policy Planning Department. The intent of the study is to update the City of Vaughan's policies respecting Group Homes within the R1V Old Village Residential Zone. It is the intention of the Owner to ultimately sever the existing two residential lots into three residential lots and develop each with a single detached dwelling. The applicant has not requested an exemption from the requirements of the Interim Control By-law.

## Vaughan Engineering

The Vaughan Engineering Department has reviewed the proposal and advises that the City of Vaughan's current protocol allows servicing allocation capacity to be granted for the proposed additional residential lot through the Consent process. The two existing lots are currently municipally serviced. Once severed, additional service will be required for one additional lot. A service connection application is to be submitted to the Public Works Department along with a plan of the site for review/approval and subsequent pricing. Any unused services must be decommissioned as part of the same process through the Public Works Department. If existing

utilities (i.e. hydro pole, light standards) require relocation this must be completed through the City of Vaughan's Engineering Services Department. A sight triangle of 5 m by 5 m is required at the intersection of Waymar Heights and Gamble Street.

#### Toronto and Region Conservation Authority (TRCA)

The TRCA has advised that the subject properties are located outside of the TRCA's Regulated Area and do not impact on their program policies or interests.

#### Relationship to Vaughan Vision 2020

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 Zoning By-law Amendment Application to amend By-law 1-88 in order to facilitate a future severance of the subject lands comprised of two (2) existing lots into three (3) lots. The proposed amendment for three lots would conform to the Official Plan, and comply with the minimum lot frontage and area requirements of the R1V Old Village Residential Zone requirements in By-law 1-88. In addition, the proposed zoning amendment would result in the creation of lots and future single detached dwellings that are compatible and in keeping with the existing residential development in the surrounding area. Accordingly, the Development Planning Department can support the approval of the zoning by-law amendment application to amend By-law 1-88.

#### Attachments

1. Location Map
2. Proposed New Lot Plan
3. Site Plan Proposed at Public Hearing – April 7, 2008

#### Report prepared by:

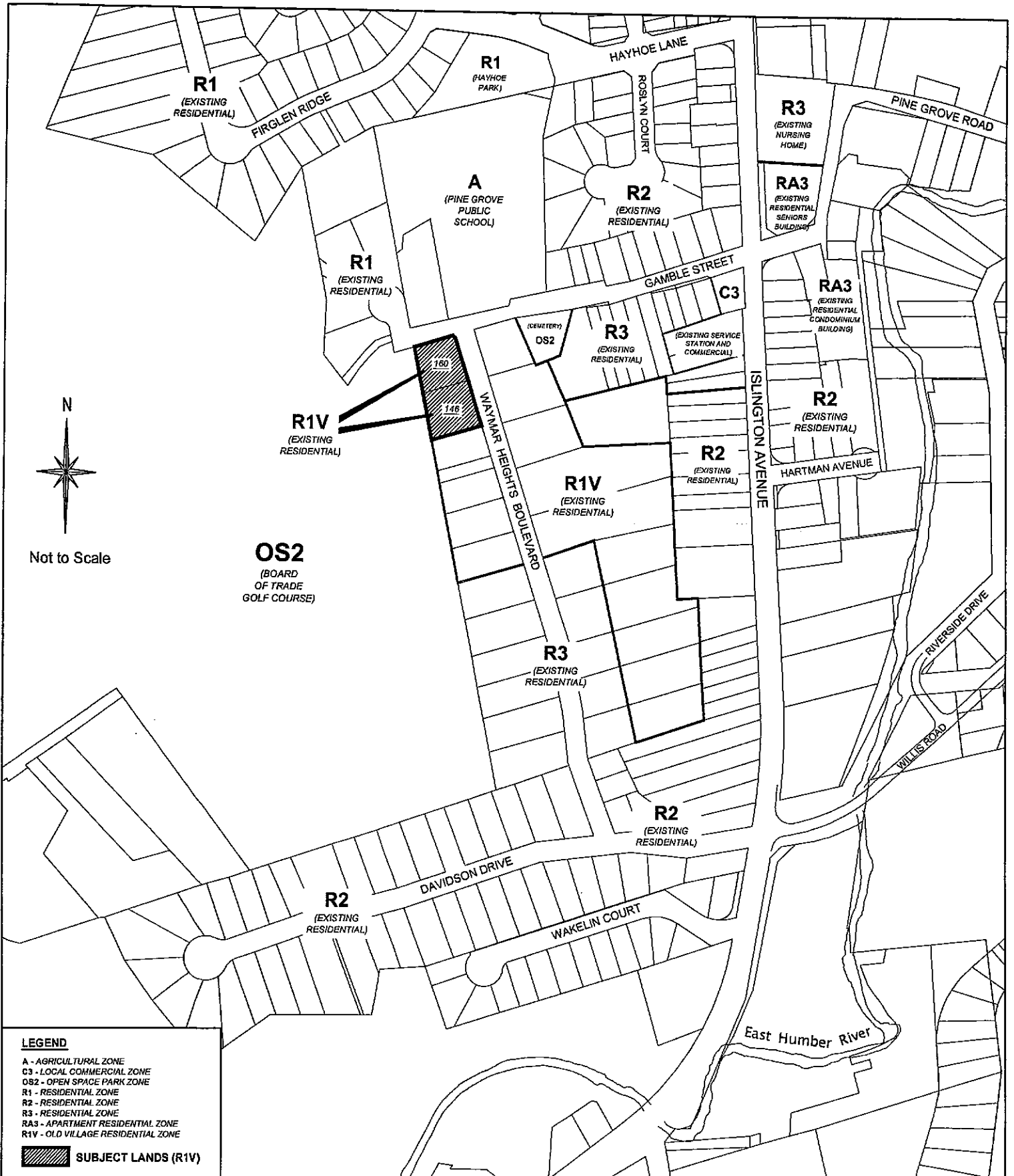
Clement Messere, Planner, ext. 8409  
Mauro Peverini, Senior Planner, ext. 8407

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

GRANT UYEVAMA  
Manager of Development Planning

/CM



**LEGEND**

- A - AGRICULTURAL ZONE
- C3 - LOCAL COMMERCIAL ZONE
- OS2 - OPEN SPACE PARK ZONE
- R1 - RESIDENTIAL ZONE
- R2 - RESIDENTIAL ZONE
- R3 - RESIDENTIAL ZONE
- RA3 - APARTMENT RESIDENTIAL ZONE
- R1V - OLD VILLAGE RESIDENTIAL ZONE

SUBJECT LANDS (R1V)

## Location Map

Part of Lots 9 & 10,  
Concession 7

APPLICANT:  
L AND L HOLDINGS INC. (IN TRUST)



*The City Above Toronto*

Development Planning Department

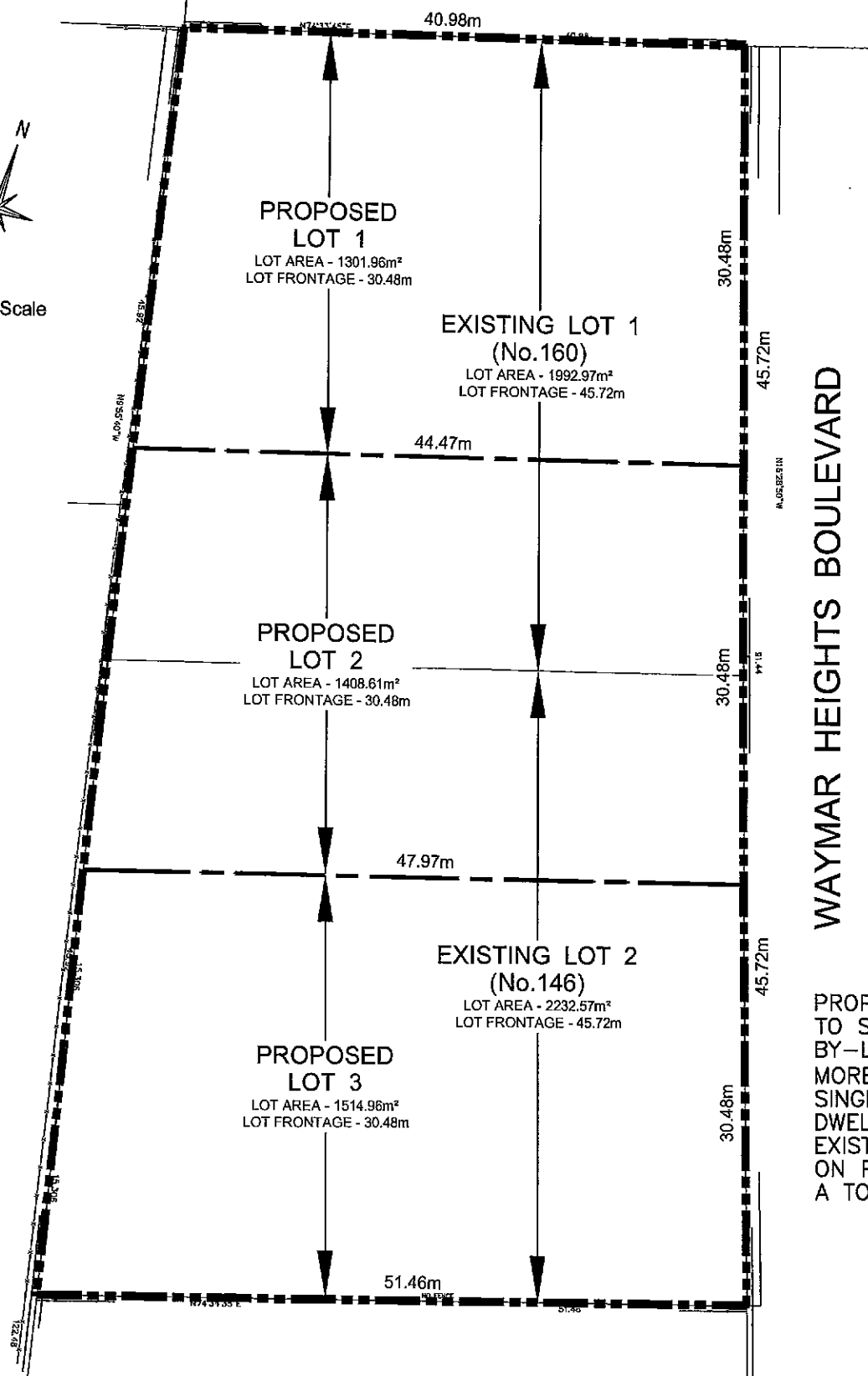
## Attachment

FILE No(s):  
OP.07.007 &  
Z.07.043

May 21, 2008

# 1

# GAMBLE STREET



WAYMAR HEIGHTS BOULEVARD

PROPOSED AMENDMENT TO SECTION 3.20 OF BY-LAW 1-88 TO PERMIT MORE THAN ONE(1) SINGLE DETACHED DWELLING ON EACH OF EXISTING LOTS 1 & 2 ON PLAN 4134, FOR A TOTAL OF 3 LOTS.

-----  
SUBJECT LANDS

## Proposed New Lot Plan

Part of Lots 9 & 10,  
Concession 7

APPLICANT:  
L AND L HOLDINGS INC. (IN TRUST)



Development Planning Department

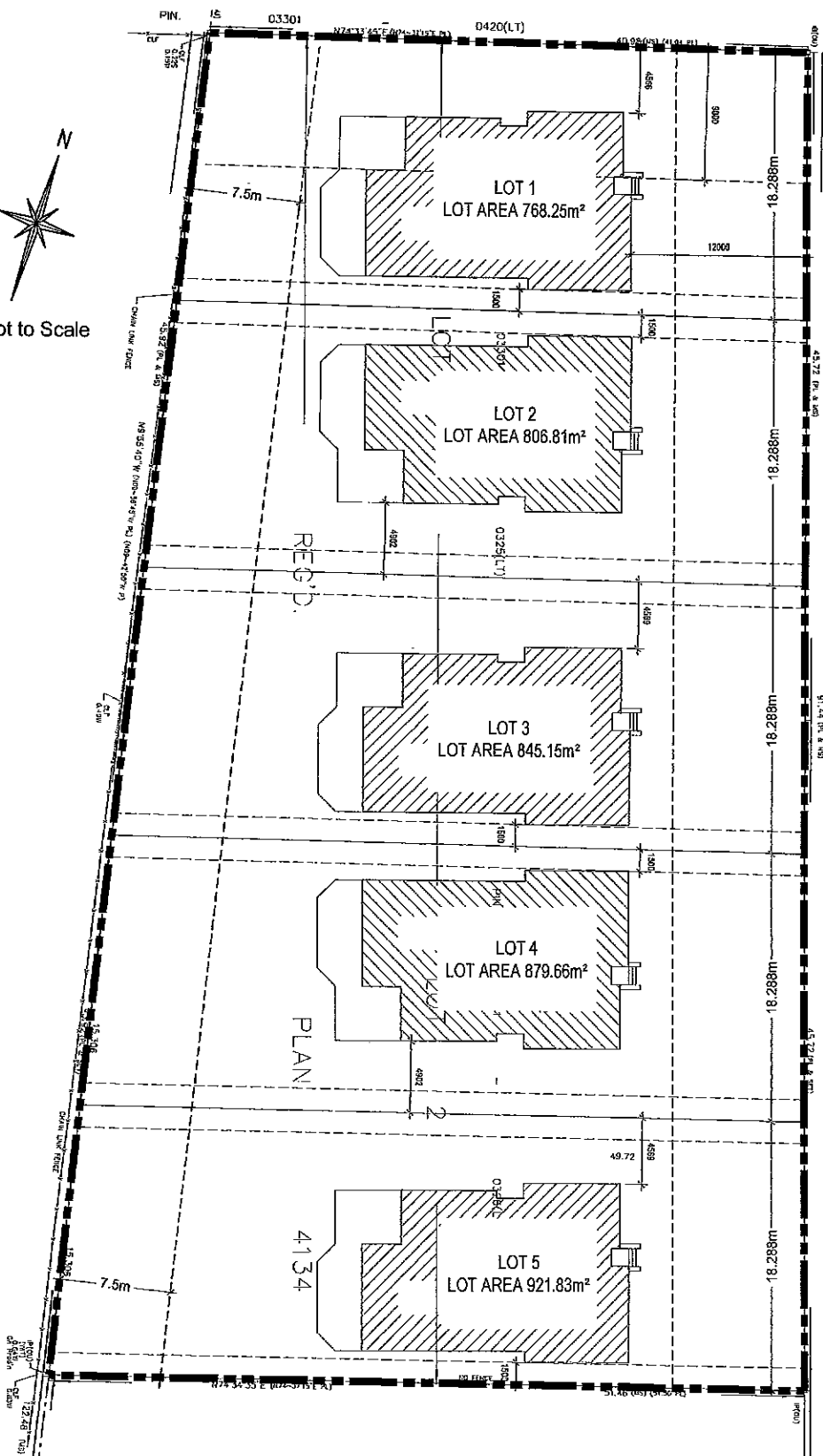
## Attachment

FILE No(s):  
OP.07.007 &  
Z.07.043

May 21, 2008

# 2

# GAMBLE STREET



**OFFICIAL PLAN AMENDMENT APPLICATION**  
 AMEND OPA #240 (WOODBRIDGE COMMUNITY PLAN) TO REDUCE THE MINIMUM LOT AREA ABUTTING THE BOARD OF TRADE GOLF COURSE FROM 930 m<sup>2</sup> TO 768.25 m<sup>2</sup>

**ZONING AMENDMENT APPLICATION**  
 REZONE THE SUBJECT LANDS FROM R1V OLD VILLAGE RESIDENTIAL ZONE TO R2 RESIDENTIAL ZONE

**WAYMAR HEIGHTS BOULEVARD**

**SUBJECT LANDS**

## Site Plan Proposed at Public Hearing - April 7, 2008



## Attachment

APPLICANT: L AND L HOLDINGS INC. (IN TRUST) Part Lots 9 & 10, Concession 7

The City Above Toronto

FILE No(s):  
 OP.07.007 &  
 Z.07.043

# 3

May 21, 2008

Development Planning Department