

**1. ZONING BY-LAW AMENDMENT FILE Z.11.007
RUTHERFORD CONTWO INVESTMENTS LIMITED
WARD 4**

P.2011.15

Recommendation

The Acting Commissioner of Planning and the Director of Development Planning recommend:

THAT the Public Hearing report for File Z.11.007 (Rutherford Contwo Investments Limited) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

Communications Plan

- a) Date the Notice of a Public Meeting was circulated: April 15, 2011
- b) Circulation Area: 150 m and the Thornhill Woods Community Association
- c) Comments Received as of April 26, 2011: None

Purpose

The Owner has submitted a Zoning By-law Amendment Application (File Z.11.007) on behalf of 38 landowners for the subject lands shown on Attachments #1 to #5, to amend Zoning By-law 1-88, specifically the RVM1 (WS-A) Residential Urban Village Multiple Zone One respecting site-specific Exception 9(1063) (kii) to permit a maximum curb cut width of 5.4 m for each end unit with a double car garage in a row of townhouse dwellings, as shown on Attachments #3 to #6. Site-specific Exception 9(1063) (kii) currently permits a maximum driveway width of 5.4 m for end units on the private residential lands that tapers to provide for a maximum curb cut width of 3.2 m.

In the Fall of 2010, during the construction of the driveways, of which the curb cuts for the affected lots were incorrectly cut (not in accordance with the Zoning By-law), Fieldgate Homes was approached by the 38 landowners with double-car garages to widen their driveways at the curb, which is the subject of this Zoning By-law Amendment Application and related Site Plan Amendment Application (File DA.11.021).

Background - Analysis and Options

Location	<ul style="list-style-type: none">▪ A total of 38 properties are subject to the Zoning By-law Amendment Application. ▪ Southeast of Rutherford Road and Pleasant Ridge Avenue, specifically on the properties municipally known as: 128, 145, 146, 151, 155, 156, 169, and 181 Balsamwood Road; 132, 133, 145, 158 160, 166, 168 and 180 Foxwood Road; 11, 25, 29, 30, 41, 48, 60, 76, and 88 Mary Ellen Baker Crescent; 127, 128, 132, 139, 146, 147, 158, and 163 Mintwood Road; and, 641, 651, 657, 669, and 675 Pleasant Ridge Avenue, City of Vaughan, and shown as Subject Lands on Attachments #4 and #5.
-----------------	---

<p>Official Plan Designation</p>	<ul style="list-style-type: none"> ▪ "Medium Density Residential/Commercial" by OPA #600. ▪ "Low-Rise Residential" by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010, and is subject to York Region approval and is not in effect. ▪ The proposal conforms to the Official Plans.
<p>Zoning</p>	<ul style="list-style-type: none"> ▪ RVM1(WS-A) Residential Urban Village Multiple Zone One by By-law 1-88, subject to site-specific Exception 9(1063) (kii), which reads as follows: <ul style="list-style-type: none"> "For the street townhouse dwelling units on the lands zoned RVM1 (WS-A) on Schedule "E-1163M" the maximum width of a driveway on private residential lands shall be 5.4 m for the end unit of a row of townhouse dwellings and a maximum of 3.75 m in width on the interior units of a row of townhouse dwellings. Both interior and end units shall have a maximum 3.2 m wide curb cut." ▪ The subject proposal to permit a maximum curb cut width of 5.4 m for each end unit with a double car garage in a row of townhouse dwellings requires an amendment to Zoning By-law 1-88 as site-specific Exception 9(1063) (kii) permits a maximum curb cut width of 3.2 m (Attachment #6).
<p>Surrounding Land Uses</p>	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Preliminary Review

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

<p>a.</p>	<p>Appropriateness of increased curb cut-widths</p>	<ul style="list-style-type: none"> ▪ The appropriateness of permitting a maximum curb cut width of 5.4 m for each unit with a double car garage in a row of townhouse dwellings has and will continue to be reviewed together with the related Site Development Application (File DA.11.021) with respect to the impact on the subject lots and the streetscape, as it pertains to loss or relocation of boulevard trees and on-street parking spaces, conflict with municipal services located above or below grade within or adjacent to the driveway (eg. fire hydrants, water meters, street light poles, hydro boxes), and any conflict due to the proximity to sight triangles at intersection locations. ▪ Two community meetings were held with the affected landowners, representatives of Fieldgate Homes, City Staff from the Development Planning and Development/Transportation Engineering Departments, and the Ward 4 Councillor on <u>October 5, 2010</u> and <u>March 23, 2011</u>, for discussion and information purposes. At the recent meeting, conceptual plans were shown to the landowners by City Staff (Attachments #3 to #5) identifying all 38 properties with a curb cut of 5.4 m or slightly less due to individual circumstances and the following: <ul style="list-style-type: none"> - 8 boulevard trees being relocated within the subdivision; - 6 on-street parking spaces being removed; and, - 12 properties that will have a water shut-off valve situated within the driveway.
-----------	---	--

	<ul style="list-style-type: none"> ▪ The Vaughan Development/Transportation Engineering Department has advised that of the 38 properties subject to the Zoning By-law and Site Plan Amendment Applications, the current as-built state of the driveways are as follows until such time as Vaughan Council has considered and makes a decision on the applications: <ul style="list-style-type: none"> ▪ the base curbs have not been poured for 14 of the properties; ▪ for 22 of the properties, a maximum 5.4m wide curb cut is constructed but with a tapered paved driveway; ▪ for 1 property, a 5.4 m wide curb cut is constructed, however, the driveway has not been paved; and, ▪ for 1 property, a 5.4m wide curb cut and driveway (full length with no taper) is constructed.
--	---

Relationship to Vaughan Vision 2020/Strategic Plan

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

Regional Implications

The subject lands are located on local City of Vaughan roads. The proposed zoning amendment is a local issue with no Regional implications.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Site Plan - North
5. Site Plan - South
6. Typical Permitted & Proposed Driveway Widths

Report prepared by:

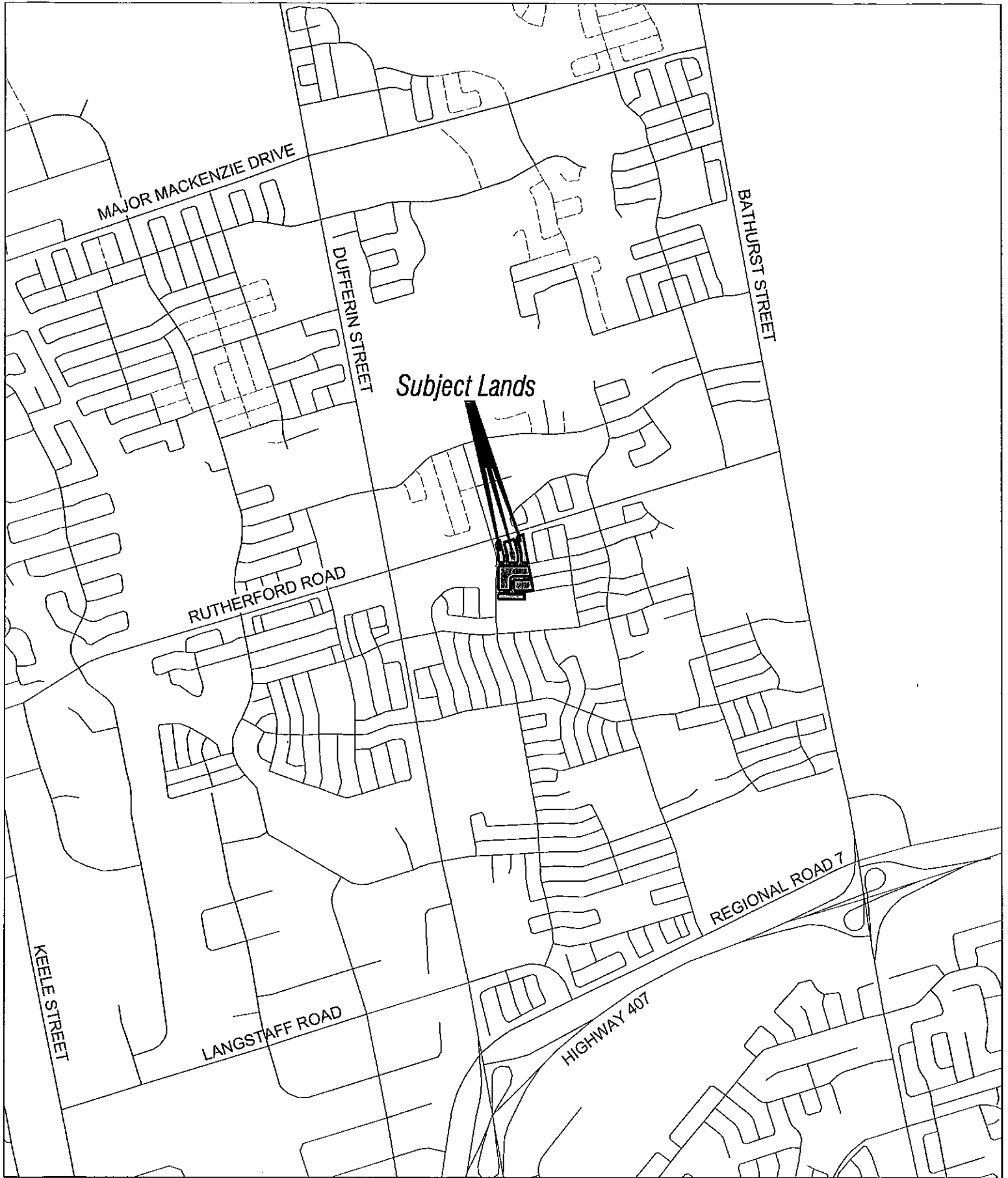
Mary Caputo, Planner 1, ext. 8215
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN ZIPAY
Acting Commissioner of Planning

GRANT UYHEYAMA
Director of Development Planning

/LG



Context Location Map

LOCATION:
Part Lot 15, Concession 2

APPLICANT:
Rutherford Contwo Investments Limited

H:\01\1 ATTACHMENTS\2\z.11.0076c.11.021.dwg

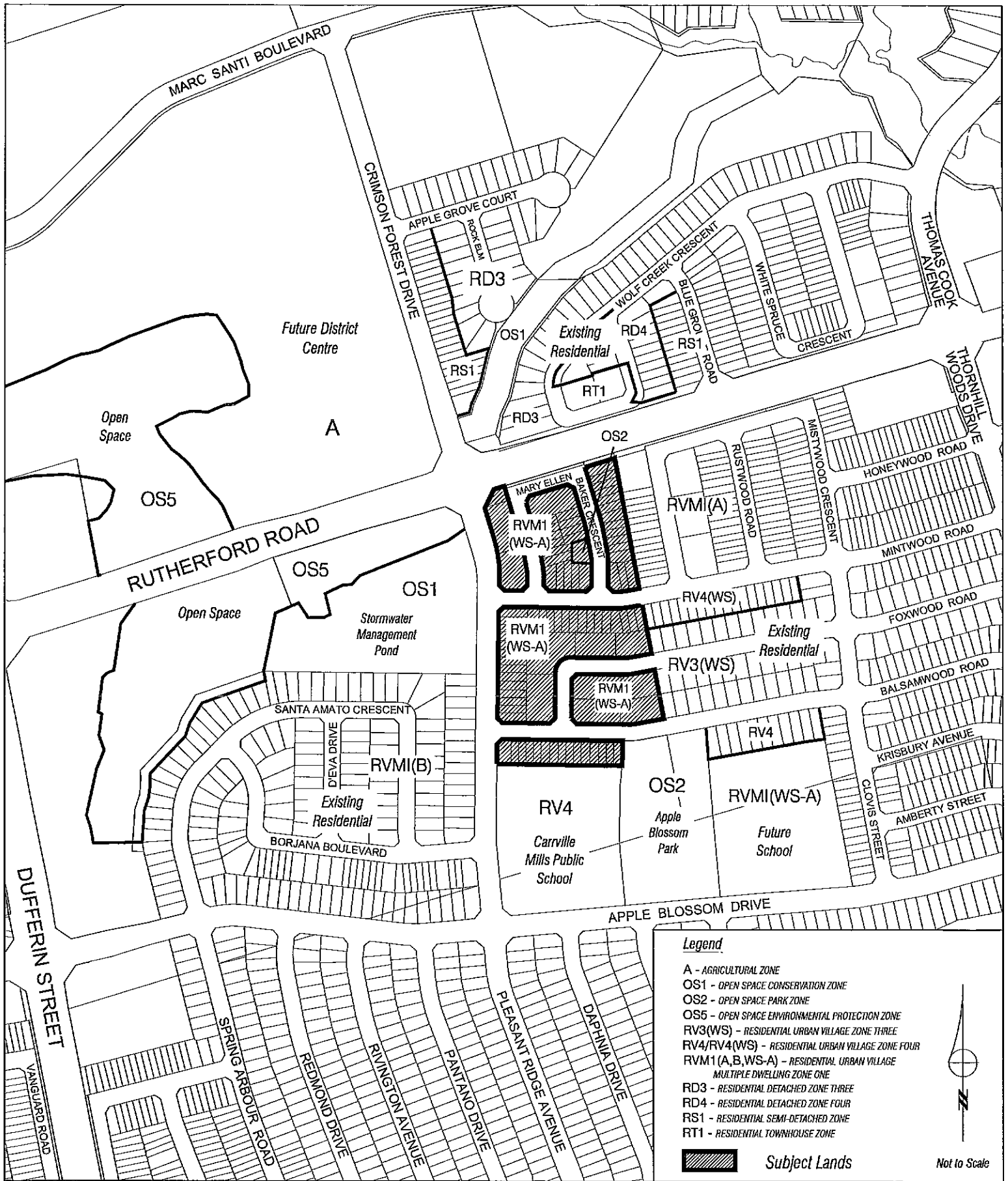


Attachment

FILES:
Z.11.007 & DA.11.021

DATE:
April 13, 2011

1



Location Map

LOCATION:
Part Lot 15, Concession 2

APPLICANT:
Rutherford Contwo Investments Limited

H:\OF\1 ATTACHMENTS\2\2.11.0007de.11.021.dwg



Attachment

FILES:
Z.11.007 & DA.11.021

DATE:
April 20, 2011

2

RUTHERFORD ROAD

ZONING AMENDMENT APPLICATION:

TO AMEND SITE SPECIFIC EXCEPTION 9(1063) OF ZONING BY-LAW 1-88 TO PERMIT A MAXIMUM CURB CUT WIDTH OF 5.4m FOR THE END UNIT WITH A DOUBLE CAR GARAGE IN A ROW OF TOWNHOUSE DWELLINGS, WHEREAS A MAXIMUM CURB CUT WIDTH OF 3.2m IS PERMITTED.

SITE PLAN NORTH
(SEE ATTACHMENT #4)

SITE PLAN SOUTH
(SEE ATTACHMENT #5)



Not to Scale

-  NEW TREE LOCATIONS
-  TREES TO BE REMOVED
-  ADDED AREAS TO DRIVEWAYS
-  TYPICAL PARKING SPOT FOR 5.50m (18' 0") LONG CARS
-  PARKING SPACE LOST DUE TO WIDENING OF DRIVEWAYS

SUBJECT LANDS

Site Plan

LOCATION:
Part Lot 15, Concession 2

APPLICANT:
Rutherford Conitwo Investments Limited

N:\DPT\1 ATTACHMENTS\2\11.0007a.11.021.dwg

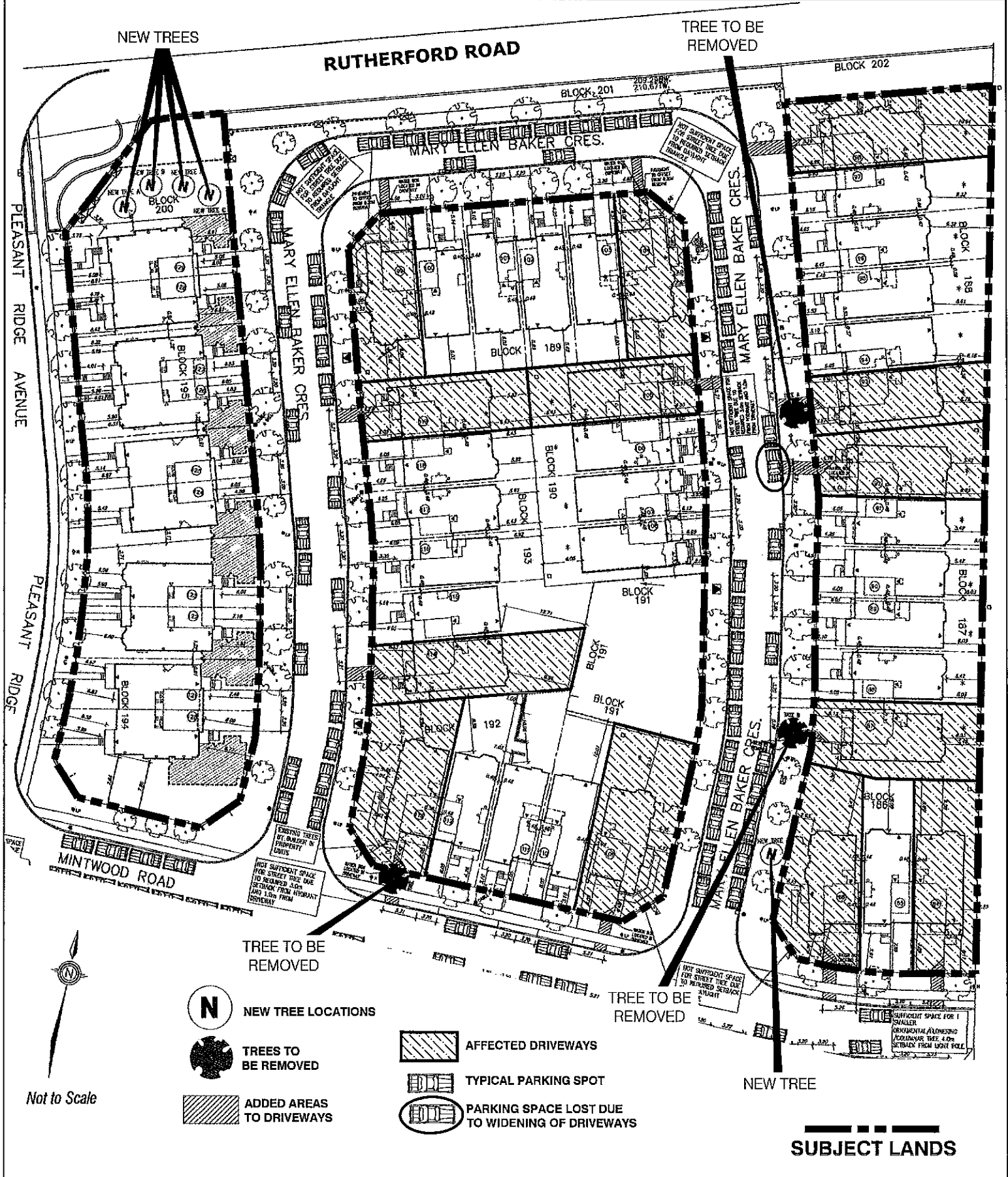


Attachment

FILES:
Z.11.007 & DA.11.021

DATE:
April 20, 2011

3



Site Plan - North

LOCATION:
Part Lot 15, Concession 2

APPLICANT:
Rutherford Contwo Investments Limited

NE:\DFT\1 ATTACHMENTS\2\z.11.007\da.11.021.dwg

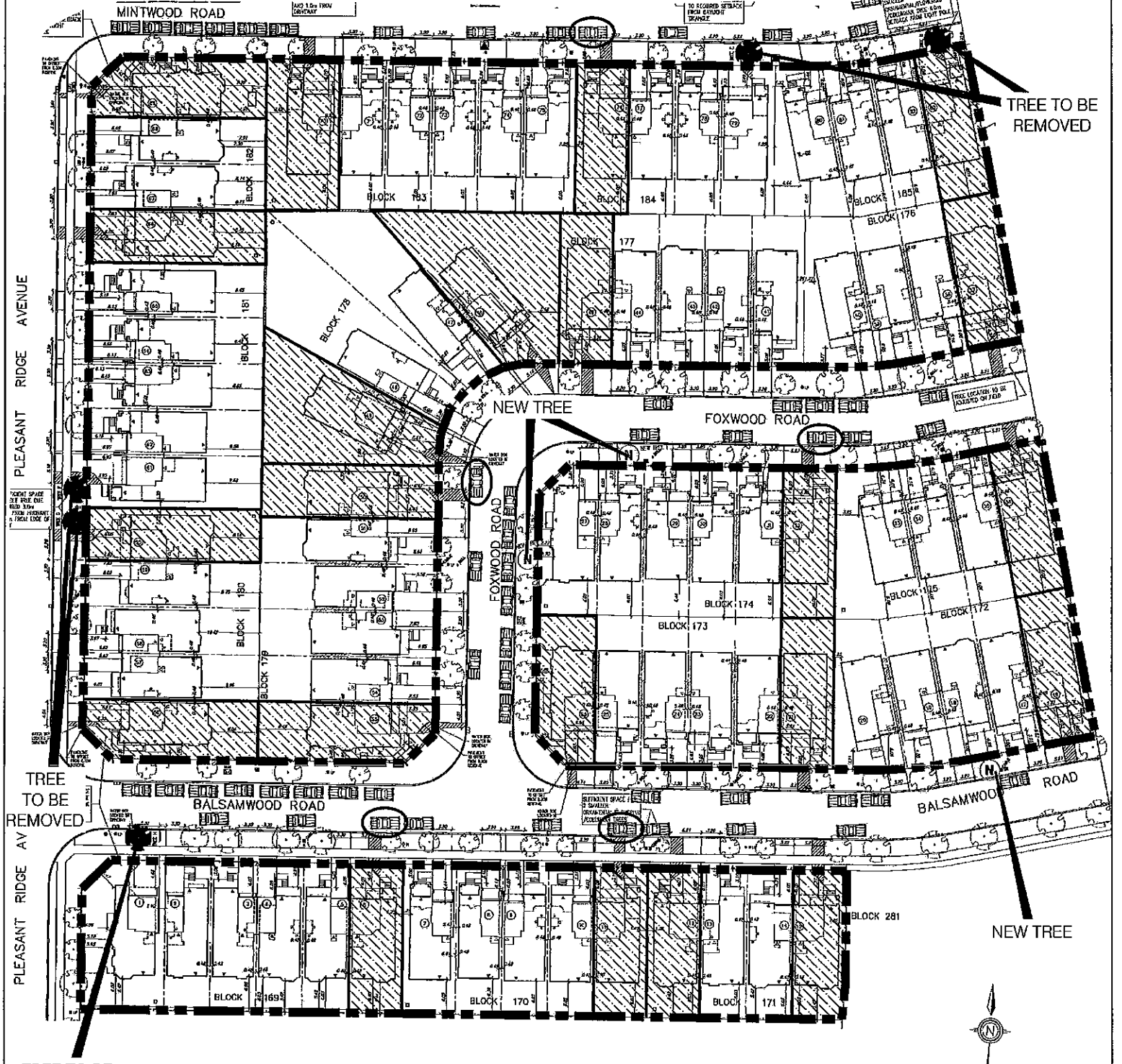


Attachment

FILES:
Z.11.007 & DA.11.021

DATE:
April 13, 2011







4



TREE TO BE REMOVED

TREE TO BE REMOVED

NEW TREE

-  NEW TREE LOCATIONS
-  TREES TO BE REMOVED
-  ADDED AREAS TO DRIVEWAYS
-  AFFECTED DRIVEWAYS
-  TYPICAL PARKING SPOT
-  PARKING SPACE LOST DUE TO WIDENING OF DRIVEWAYS



Not to Scale

SUBJECT LANDS

Site Plan - South

LOCATION:
Part Lot 15, Concession 2

APPLICANT:
Rutherford Contwo Investments Limited

H:\OFF\1 ATTACHMENTS\2\z.11.000766.11.021.dwg

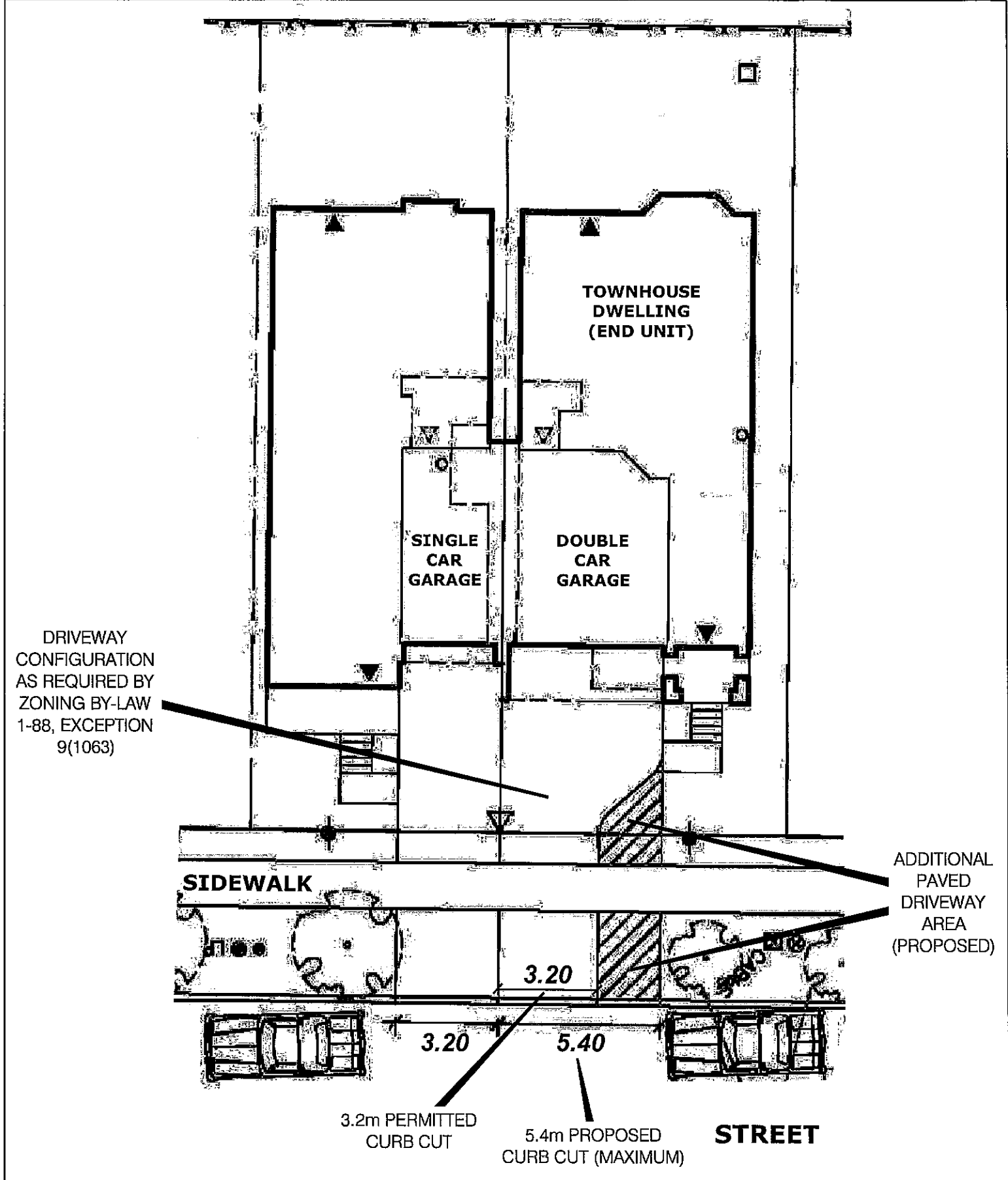


Attachment

FILES:
Z.11.007 & DA.11.021

DATE:
April 13, 2011

5



Typical Permitted & Proposed Driveway Widths

APPLICANT: Rutherford Contwo Investments Limited

LOCATION: Part Lot 15, Concession 2



Attachment

FILES: Z.11.007 & DA.11.021

DATE: April 20, 2011

6