

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015

Item 12, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 23, 2015.

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**ZONING BY-LAW AMENDMENT FILE Z.14.041
THE CORPORATION OF THE CITY OF VAUGHAN
ON-LOT PARKING
ALL WARDS - CITY-WIDE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development and Manager of Development Planning, dated June 2, 2015, be approved subject to the following:**
 - 1. That any extension or addition to a walkway adjacent to a driveway to allow a vehicle to be accommodated must be constructed with permeable surface treatments;**
 - 2. That a public communication plan be implemented to advise residential home owners and contractors who do this type of work of the revised zoning and the requirements of such;**
 - 3. That the communication plan include information on the required soft landscaping requirements as defined by Zoning By-law 1-88; and**
 - 4. That the schedule of penalties for failing to provide the permeable surface treatment for any addition or extension include the requirement that the offending, non-permeable area must be replaced with permeable material and a significant financial penalty.**

Recommendation

The Commissioner of Planning, Director of Development and Manager of Development Planning, in consultation with the Director of Environmental Services recommend:

- 1. THAT Zoning By-law Amendment File Z.14.041 (City of Vaughan) BE APPROVED, to amend Zoning By-law 1-88, specifically to permit vehicle parking on a hard landscaping area adjacent to a driveway (e.g. a walkway) in the front or exterior side yard of a residential lot with a minimum lot frontage of 6 metres, as shown on Attachments #2 and #3, and together with the site-specific zoning amendments identified in Table 1.**
- 2. THAT the draft urban design guidelines, entitled "City of Vaughan Urban Design Guidelines for Residential Driveway Modifications to Incorporate Additional Vehicle Parking", as shown on Attachment #4, BE APPROVED, to facilitate the preservation of the existing streetscape character, the promotion of safe and pedestrian-friendly neighbourhood streetscapes, and the integration of high quality landscaping and environmentally sustainable design with permeable surface treatments.**
- 3. THAT the Vaughan Planning and the Vaughan Transportation Services and Parks and Forestry Operations Departments, in collaboration with the Vaughan Building Standards Department, facilitate the coordinated execution of the on-lot parking program, specifically the required updates to the curb cut and driveway widening procedure, and the implementation of the draft urban design guidelines; and that Parking By-law 1-96 be amended to include any required technical changes.**

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Contribution to Sustainability

This application implements the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

In accordance with the goals and objectives identified above, the Vaughan Planning Department recommends that the proposed on-lot parking solution be accompanied by the “Urban Design Guidelines for Residential Driveway Modifications to Incorporate Additional Vehicle Parking”, as shown on Attachment #4, which promotes permeable surface treatments to maximize water infiltration as part of the on-lot parking program.

Economic Impact

There are no requirements for new funding associated with this report. The permissions for on-lot parking will be implemented through the fees already established in the City’s current “Curb Cut & Driveway Widening” program and, if required, the City’s Committee of Adjustment process if a minor variance to the City’s zoning by-law is required.

The current curb cut and driveway widening program is offered to the citizens of the City of Vaughan and is administered by the Vaughan Transportation Services and Parks and Forestry Operations (TSPFO) Department and requires review by the Vaughan Building Standards Department respecting compliance with Vaughan’s Zoning By-law 1-88. Specifically, the following requirements are reviewed:

- a) driveway dimensions;
- b) maximum driveway widths;
- c) minimum landscaped front and exterior side yard requirements; and,
- d) parking space sizes.

The current curb cut and driveway widening program can accommodate the proposed on-lot parking program provided that the existing application process and information brochure distributed by the TSPFO and Building Standards Departments is amended to include a reference to on-lot parking and the accompanying urban design guidelines.

For the 2016 budget review, the Public Works Commission has advised the Vaughan Planning Department that the review of the Public Works user fee will be conducted to ensure that extra costs as a result of the on-lot parking program are captured.

Communications Plan

On December 19, 2014, a Notice of Public Hearing was mailed to all of the City of Vaughan Registered Community Ratepayer Associations. Additional public notifications were published in the December 12, 2014, and January 9, 2015, editions of the Vaughan Citizen and Vaughan Liberal newspapers. Further notification was posted on the CityPage Online, the City Update E-Newsletters, the City’s website at www.vaughan.ca, and social media (Twitter) posts. An email reminder was sent on December 12, 2014, to 32 individuals who requested notification of the City-wide on-lot parking program by the Public Works Commission.

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The recommendation of the Committee of the Whole to receive the Public Hearing report of January 13, 2015 and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on January 20, 2015.

At the Public Hearing on January 13, 2015, deputations were made by Ms. Pamela Taraday of the Springfarm Ratepayers' Association, Thornhill; Ms. Sabrina Simone of Via Toscana, Woodbridge; and a written deputation from Mr. Bruce Quick of Ferretti Street, Maple. The following summarizes the main concerns that were raised:

a) Streetscape and Property Values

The concern was raised with the removal of soft landscaping (i.e. grass) to accommodate the on-lot parking program that it would reduce the perceived property values as it relates to increased front yard hard surfaces.

b) Permeable Material

With the provisions to permit on-lot parking on hard landscaped areas, the concern was raised that the issue with runoff may result in negative environmental consequences and additional strain on the existing municipal sewer system. As a result, the deputants suggested that the permeable materials and additional taxation to mitigate the runoff and the costs associated with it should be considered by the City.

c) Secondary Suites

The concern was raised that the on-lot parking program would permit residents to park on hard landscaped areas and thereby encourage secondary suites in areas where subdivisions would not permit side yard ancillary accesses.

Respecting the matters regarding streetscape, property values and permeable pavers, the Vaughan Planning Department has reviewed these concerns and recommends the approval of the draft urban design guidelines, as shown on Attachment #4, entitled "City of Vaughan Urban Design Guidelines for Residential Driveway Modifications to Incorporate Additional Vehicle Parking". The guidelines provide requirements for permeable surface treatments as part of the City's existing Curb Cut and Driveway Widening program.

The guidelines provide examples of permeable surface treatments to facilitate greater water infiltration to reduce storm water runoff and support trees and vegetation, with the objective to preserve the existing streetscape character. This matter is discussed further in this report. In consideration of the draft urban design guidelines, the Vaughan Planning Department, in consultation with the Financial Planning and Analytics Department, does not support additional taxation at this time as the on-lot parking program does not propose to change the provisions for front and exterior yard landscaping in Zoning By-law 1-88, which is discussed later in this report.

The Province of Ontario has mandated that all municipalities adopt policy to facilitate the creation of secondary suites. As a result, the Vaughan Policy Planning Department has completed the Secondary Suites Policy Study. City staff will be tentatively reporting to Vaughan Council in Q4 – 2015 on the implementing official plan and zoning by-law amendments. These draft amendments may be refined subject to the outcome of additional discussions with other departments to establish the administrative and regulatory measures required for the implementation of the Planning Act amendments. In addition, Council budget deliberations will help to determine future implementation strategies.

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On May 21, 2015, a courtesy notice of this Committee of the Whole meeting was circulated to the individuals who requested notification with respect to this application.

Purpose

The purpose of this report is to seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.14.041 to amend the City's Zoning By-law 1-88, specifically to permit parking on a hard landscaping area adjacent to a driveway (e.g. a walkway) in the front or exterior side yard of a residential lot with a minimum lot frontage of 6 metres, together with the zoning amendments identified on Table 1 to implement the City-wide on-lot parking program. The intent is to allow an opportunity to provide additional parking on the lot, in the manner shown on Attachments #2 and #3, subject to the draft urban design guidelines shown on Attachment #4.

Background - Analysis and Options

Executive Summary

An amendment to the City's Zoning By-law 1-88 is proposed to permit the City-wide on-lot parking program in residential areas subject to the following:

- a) *The residential lot must have a minimum lot frontage of 6 metres;*
- b) *Permit the parking of a motor vehicle on a hard landscaping area (i.e. a walkway), whereas parking a motor vehicle is not permitted on a hard landscaping area;*
- c) *The hard landscaping area must be adjacent to a driveway in the front or exterior side yard of a residential lot;*
- d) *The parking of a motor vehicle on a hard landscaping area will not be used in the calculation of required parking; and,*
- e) *The existing Zoning By-law requirements for front and exterior yard landscaping will not be amended.*

The City will continue to enforce the required soft landscaping (i.e. trees, shrubs, flowers, grass) requirements for front and exterior side yards in accordance with Zoning By-law 1-88. The intent of the City-wide on-lot parking program is to not increase the amount of hard landscaping on a lot, but rather the following:

- a) *Permit residents to park a motor vehicle on existing hard landscaping areas; or,*
- b) *Permit residents to park a motor vehicle on a proposed hard landscaping area through the City's current curb cut and driveway widening program.*

The Vaughan Planning Department supports the proposed Zoning By-law Amendment as it implements the recommendations of Vaughan Council that addresses the City-wide parking needs for the citizens of the City.

The City of Vaughan is a municipality that is still experiencing growth with a maturing transit system. There has been a strong desire expressed by the residents to accommodate convenient parking on residential lots.

Vaughan Public Works Commission

In May 2012, through a report prepared by the Public Works Commission, in consultation and participation with Vaughan's citizens, Vaughan Council directed staff to review parking on the front yard as a possible solution for parking shortages in low density residential areas. This resulted in the establishment of the City Parking Working Group ("Working Group") in the Fall of 2013.

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The Working Group was comprised of representatives from the Vaughan Development Engineering and Infrastructure Planning Services, Capital Delivery and Asset Management, Environmental Services, TSPFO, Development Planning, By-law Enforcement, Fire, Building Standards, Finance and Legal Services Departments. The purpose of the Working Group was to provide feedback to the Public Works Commission on residential parking solutions for the entire City of Vaughan.

A public engagement and communication strategy (“strategy”) was developed by the Public Works Commission and was implemented in March 2014 to solicit feedback from Vaughan’s residents on a residential parking policy. The strategy revealed a strong citizen interest in residential parking policies, in particular, on-lot parking, which is supported by City staff.

Vaughan Planning Department

The strategy was presented by the Commissioners of Public Works and Planning to the May 21, 2014, Committee of the Whole (Working Session) and the report was recommended for approval and ratified by Vaughan Council on May 27, 2014, with the recommendation that staff (the Development Planning Department) draft the amendments to the City’s Zoning By-law 1-88 to permit parking on hard landscaping areas traditionally used for only pedestrian access (i.e. a walkway), specifically for residential lots with a minimum lot frontage of 6 metres, as shown schematically on Attachments #2 and #3.

Zoning

Zoning By-law Amendment File Z.14.041 represents the Planning Act application that is to implement the recommendation of Vaughan Council with respecting to the City-wide on-lot parking program. Table 1 summarizes the required amendments to the City’s Zoning By-law 1-88 to facilitate the program:

Table 1: Amendments for Residential On-Lot Parking in Zoning By-law 1-88			
	By-law Standard	Section 4.0, <u>Residential Zones</u>, Requirements in Zoning By-law 1-88	Proposed Amendments to Section 4.0, <u>Residential Zones</u>, in Zoning By-law 1-88 to Permit On-Lot Parking on a Residential Lot
a.	Definitions of “Landscaping or Landscaping Area” and “Hard Landscaping”	In Section 2.0, <u>Definitions</u> : “Landscaping or Landscaping Area - Means an area of land comprising trees, shrubs, flowers, grass or other horticultural elements. Landscaping may include paths, patios, walkways, decorative stonework or other architectural elements designed to enhance the visual amenity of a property but do not include open storage display areas, parking or loading areas, or areas covered by driveways.”	Add new Section 4.1.4h), <u>On-Lot Parking</u> : Notwithstanding the provisions of Section 2.0 respecting the Definition of Landscaping or Landscaping Area and Hard Landscaping, the following shall apply: i) A Hard Landscaping area shall mean an area of land surfaced by materials in a manner that distinguishes it from a driveway located on the lot, including, but

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		<p>“Hard Landscaping - Means an area of land surfaced by materials such as unit pavers, patio stones, concrete, decorative stonework or other architectural elements designed to enhance the visual amenity of a property but does not include areas devoted to vehicular or pedestrian use such as parking or loading areas or driveways.”</p>	<p>not limited to materials, such as, unit pavers, patio stones, porous bricks, pervious concrete, flagstone, turfstone, porous asphalt, super pervious paver, and decorative stonework or other architectural elements designed to enhance the visual amenity of a property. The use of a Hard Landscaping area may be for the on-lot parking of a motor vehicle and/or a pedestrian walkway;</p> <p>A Hard Landscaping area adjacent to a driveway that is to be used for on-lot parking shall be in accordance with the City's Urban Design Guidelines for Residential Driveway Modifications to Incorporate Additional Vehicle Parking;</p>
b.	Parking and Access Requirements	<p>Section 4.1.4a):</p> <p>“Parking Requirements for Single Family Detached, Semi-Detached, Zero Lot Line Detached and Street Townhouse Dwellings:</p> <p>i) The required parking shall be provided either by an attached or detached garage or carport, or by an uncovered space(s) located in any yard on the lot;</p> <p>ii) Notwithstanding Paragraph (i), no parking shall be permitted in the front yard except on a properly constructed and surfaced driveway used to gain direct access to a garage or carport, or rear or side yard parking space;</p> <p>iii) For the purpose of calculating required parking spaces, the portion of a driveway lying between a front or a side lot line</p>	<p>Add the following to new Section 4.1.4h), <u>On Lot Parking</u>:</p> <p>ii) The required parking shall be provided either by an attached or detached garage or carport, or by an uncovered space located in the front yard or exterior side yard;</p> <p>iii) Notwithstanding Paragraph (ii) above, no parking shall be permitted in the front yard or exterior side yard except on a properly constructed and surfaced driveway used to gain direct access to a garage or carport, or rear or side yard parking space;</p> <p>iv) In addition to Paragraph iii) above, a motor vehicle is permitted to park on a hard landscaping area adjacent to a driveway located in the front or exterior side yard, on the lot;</p>

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		<p>and the nearest edge of a public sidewalk shall be included and where there is no public sidewalk, that portion of the driveway lying between a front or side lot line and the nearest street curb shall be included.”</p>	<p>v) Parking located on a hard landscaping area adjacent to a driveway shall not be used in the calculation of required parking for the use on the lot and shall only apply to lots with a frontage of 6.0 metres or greater and developed with a detached dwelling, zero lot line detached dwelling, semi-detached dwelling, or street townhouse dwelling;</p> <p>vi) For the purpose of calculating required parking spaces, the portion of a driveway lying between a front or a side lot line and the nearest edge of a public sidewalk shall be included and where there is no public sidewalk, that portion of the driveway lying between a front or side lot line and the nearest street curb shall be included;</p> <p>vii) Notwithstanding Paragraph (vi), for the purpose of on-lot parking, the parking area located on or partially within a hard landscaping area adjacent to a driveway shall not be used in the calculation of required parking for the use on the lot; and,</p> <p>viii) For further clarity, Sections 4.1.4 c), d), e), f), and g) shall apply to on-lot parking.</p>
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a) Landscaping and Hard Landscaping Definitions

The proposed amendments to the “Landscaping or Landscaping Area” and “Hard Landscaping” definitions permits motor vehicles to be parked on a hard landscaping area, whereas the current definitions prohibit it.

The existing Zoning By-law 1-88 requirements for front and exterior side yard landscaping will be maintained and currently read as follows:

“(1) The Lot Frontage for Lots between 6.0 – 11.99 m shall be comprised of a Minimum of 33% Landscaped Front or Exterior Side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior Side yard shall be soft landscaping in accordance with Paragraph 4.1.2; and,

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(2) The Lot Frontage for Lots 12.0 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior Side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior Side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

b) **Parking and Access Requirements**

The purpose of the proposed amendments to the parking and access requirements of the residential zone is to distinguish on-lot parking from the existing residential requirements of Zoning By-law 1-88 with the intention to create on-lot parking standards that would remain standalone provisions. Table 1 identifies the proposed amendment language, which is summarized as follows:

- i) To ensure parking is located in the front yard or exterior side yard;
- ii) To permit a motor vehicle to be parked on a hard landscaping area adjacent to a driveway located in the front or exterior side yard; and,
- iii) To maintain the integrity of the residential parking standard requirements, the permission to park a motor vehicle on a hard landscaping area will not be used in the calculation of required parking.

c) **Summary**

The Vaughan Planning Department supports the amendments to the parking and access requirements and the landscaping definitions as they implement the on-lot parking program that was approved by Vaughan Council.

Urban Design Guidelines

The preservation of the existing streetscape character was identified as an important element in the strategy for developing design criteria for on-lot parking. The intent of the guidelines is to maintain and encourage sustainable neighbourhood streetscapes while accommodating the potential for more on lot parking. This principle was used in the development of the draft urban design guidelines, as shown on Attachment #4, which provides guidance on the design and permeable surface treatments for the hard landscaping area associated with on-lot parking. The objective of the draft guidelines is to protect the front yard landscaping and existing street trees and street infrastructure by providing better controls on the way residents can accommodate parking on their lots. For added clarity, the on-lot parking program will not permit a curb cut that is greater than the permissions in Zoning By-law 1-88.

The Vaughan Planning Department supports the draft urban design guidelines, as shown on Attachment #4.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) **Lead and Promote Environmental Sustainability + Plan and Manage Growth & Economic Well-being**

The Vaughan Planning Department proposes the urban design guidelines, shown on Attachment #4, which promotes permeable surface materials incorporated in the hard landscaped area adjacent to a driveway as part of the City-wide on-lot parking program.

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The proposed permeable surface materials will facilitate greater water infiltration to reduce storm water runoff and support trees and vegetation. This will ultimately encourage proper management of storm water discharge into the City's natural corridors and sewer systems.

Regional Implications

There are no Regional implications as on-lot parking will be provided on private property.

Conclusion

The Vaughan Planning Department is satisfied that Zoning By-law Amendment File Z.14.041 implements the recommendations of Vaughan Council that will address the City-wide parking needs in residential areas for the citizens of Vaughan. Therefore, the Vaughan Planning Department supports the approval of the Zoning By-law Amendment Application subject to the recommendations in this report.

Attachments

1. Context Location Map
2. On-Lot Parking Schematic (with Sidewalk)
3. On-Lot Parking Schematic (without Sidewalk)
4. Draft City of Vaughan Urban Design Guidelines for Residential Driveway Modifications to Incorporate Additional Vehicle Parking

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)