

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 23, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 23, 2013.

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**ZONING BY-LAW AMENDMENT FILE Z.12.013
W. MARTIN, S. HOWIESON AND R. STEVENS (31 WIGSTON PLACE)
J. LAGRANDEUR AND G. WIGSTON (33 WIGSTON PLACE)
WARD 5 - VICINITY OF BATHURST STREET AND HIGHWAY #407**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 9, 2013, be approved; and**
- 2) That the deputation of Mr. Joel Ginsberg, Wigston Place, Thornhill, be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT this report BE RECEIVED as information.

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

On March 27, 2013, Mr. J. Ginsberg on Wigston Place was notified by the Development Planning Department by telephone call that the subject report would be considered by the Committee of the Whole on April 9, 2013.

Purpose

The purpose of this report is to respond to Vaughan Council's resolution of March 19, 2013, for staff to provide additional information regarding concerns raised at that meeting in Communication C11 (Letter from F and J Ginsberg), with respect to the enactment of Zoning By-law 24-2013 being deferred to allow the TRCA to assess if a watercourse is located on a portion of the subject lands approved to be zoned R1 Residential Zone and intended for the future development of single detached residential dwellings as shown on Attachment #3, which may have the potential to flood that area.

Background - Analysis and Options

On October 30, 2012, Vaughan Council ratified the minutes of the Committee of the Whole report dated October 26, 2012 and approved the following recommendations to facilitate the creation of 5 residential lots for detached dwellings:

1. THAT Zoning By-law Amendment File Z.12.013 (W. Martin, S. Howieson, R. Stevens, J. LaGranduer, and G. Wigston) BE APPROVED, specifically to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachments #1 and #2 from R1V Old Village

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Residential Zone (minimum 30m lot frontage) and OS1 Open Space Conservation Zone subject to Exception 9(941) to R1 Residential Zone (minimum 18m lot frontage) and OS1 Open Space Conservation Zone (valley) in the manner shown on Attachment #3, subject to the following condition:

- i) that prior to the enactment of the implementing zoning by-law, the Owner shall carry out an Archaeological Assessment of the entire property to the satisfaction of the Vaughan Cultural Services Division.
2. THAT the lands zoned OS1 Open Space Conservation Zone (including the 10 m buffer) as shown on Attachment #3, be dedicated as open space valleyland to the Toronto and Region Conservation Authority (TRCA) as a condition of any future lot creation.

The report of the Commissioner of Planning dated October 16, 2012, indicated that no issues or concerns were identified in the review and consideration of Zoning By-law Amendment File Z.12.013. The Toronto and Region Conservation Authority (TRCA) reviewed the Zoning By-law Amendment application and in a letter dated June 4, 2012, indicated no objection to the approval of the application. In addition, the TRCA was satisfied that the portion of the property, which is deemed to be valleyland, and the respective 10 m buffer located outside the TRCA staked top-of-bank, will be adequately protected by the proposed OS1 Open Space Conservation Zone for these lands. No concerns were identified with the portion of the site to be zoned R1 Residential Zone.

The report also indicated that the Development Planning Department was satisfied that the proposed rezoning of the subject lands to facilitate the creation of 5 residential lots for single detached dwellings would result in development that conforms to the Official Plan, is compatible with the existing pattern of development in the area, and would not have an impact on the existing community. The proposed development complies with the R1 Residential Zone standards in all respects. Accordingly, the Development Planning Department supported the approval of Zoning By-law Amendment File Z.12.013. The Committee of the Whole supported the recommendation to approve the subject Zoning By-law Amendment application, which was subsequently ratified by Vaughan Council on October 30, 2012.

In accordance with the conditions of approval, the Owner carried out an Archaeological Assessment of the property to the satisfaction of the Vaughan Cultural Services Division. No cultural heritage issues were identified by the assessment and it was entered into the Ontario Public Register of Archaeological reports by the Ministry of Tourism, Culture and Sport on January 7, 2013.

Furthermore, the Owner is required to dedicate the lands to be zoned OS1 Open Space Conservation Zone (including the 10 m buffer) to the TRCA as a condition of any future lot creation.

The implementing Zoning By-law 24-2013 was prepared for enactment by Vaughan Council on March 19, 2013, following confirmation that the Archaeological Assessment of the property, was completed to the satisfaction of the City. Prior to the Council meeting, the City Clerk received Communication C11, which suggested that a watercourse traversed the property between the existing dwellings located at #31 and #33 Wigston Place and the impacts of flooding on the future residential lots. Council also received a response from the Development Planning Department through Communication C18. At the meeting, Council deferred the enactment of the implementing Zoning By-law (By-law 24-2013) and requested that the Development Planning Department obtain additional information from the TRCA to respond to Communication C11.

The TRCA staff conducted a site visit of the property and in correspondence dated the same day

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on March 27, 2013, (Attachment #4) confirmed that the property contains only one watercourse and associated valley system, which was previously delineated by the TRCA and is proposed to be rezoned to OS1 Open Space Conservation Zone, and that there is no flood hazard concerns on the lands to be rezoned as R1 Residential Zone, and that the TRCA continues to have no comment or objection to Zoning By-law Amendment File Z.12.013.

Should the Committee concur, the implementing Zoning By-law (By-law 24-2013) will be brought forward to Vaughan Council for enactment on April 23, 2013.

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) **Plan and Manage Growth & Economic Vitality**

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

Regional Implications

N/A

Conclusion

In accordance with Vaughan Council's resolution of March 19, 2013, the Vaughan Development Planning Department has confirmed with the TRCA that the subject lands contain one watercourse and associated valley system which was previously delineated by the TRCA and is proposed to be rezoned to OS1 Open Space Conservation Zone, and that there is no flood hazard concerns on the lands to be rezoned as R1 Residential Zone, as identified on Attachment #4. The Development Planning Department is satisfied that the development proposal is appropriate and compatible with the existing and planned future uses in the surrounding area. Accordingly, the Development Planning Department can support the enactment of Zoning By-law 24-2013, which will be forwarded to the Council meeting on April 23, 2013, should Council concur.

Attachments

1. Context Location Map
2. Location Map
3. Development Concept with Proposed Zoning
4. Letter from TRCA – March 27, 2013

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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.)