

**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 10, 2013**

**6                                ZONING BY-LAW AMENDMENT FILE Z.13.030**  
**1321362 ONTARIO INC., 11336 HIGHWAY 27 G. P. INC., KLEINVIT ESTATES INC.,**  
**AND 11220 HIGHWAY 27 HOLDINGS INC.**  
**WARD 1 - VICINITY OF REGIONAL ROAD 27 AND KIRBY ROAD**

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated November 26, 2013, be approved;
- 2) That the following deputations be received:
  1. Mr. Jeff Solly, Director of Land Development, Sorbara Developmemnt Group, Steeles Avenue West, Vaughan, on behalf of the applicant; and
  2. Mr. Ken Nieuwhot, Kleinburg and Area Ratepayers' Association, Kleinburg, PO Box 202, Kleinburg; and
- 3) That Communication C8 from Mr. Ken Schwenger, President, Kleinburg and Area Ratepayers' Association, dated November 25, 2013, be received.

1. THAT the Public Hearing report for File Z.13.030 (1321362 Ontario Inc., 11336 Highway 27 G. P. Inc., Kleinvit Estates Inc., and 11220 Highway 27 Holdings Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## Communications Plan

- The Owner has submitted Zoning By-law Amendment File Z.13.030 on the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88, specifically the R1 Residential Zone subject to site-specific Exceptions 9(1377), 9(1378), 9(1379) and 9(1393) to facilitate the development of detached dwelling units within Plan of Subdivision Files 19T-03V02 (Registered Plan 65M-4371), 19T-08V04 (Registered Plan 65M-4377), and 19T-08V05 (Registered Plan 65M-4370) and Draft Approved Plan of Subdivision File 19T-08V06, as shown on Attachments #3 to #9, in consideration of the following site-specific zoning exceptions:

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	<b>By-law Standard</b>	<b>Zoning By-law 1-88, R1 Residential Zone, subject to site-specific Exceptions 9(1377), 9(1378), 9(1379) and 9(1393) Requirements</b>	<b>Proposed Exceptions to the R1 Residential Zone, Exceptions 9(1377), 9(1378), 9(1379) and 9(1393)</b>
a.	Maximum Lot Coverage (42 lots for detached dwelling units)	35%	35.89% to 41.53% (Subject lots are shown on Attachment #3 and the specific lots where an increase in the maximum lot coverage is proposed are identified on Attachments #5, #6 and #7)
b.	Maximum Building Height (99 lots and 7 blocks for detached dwelling units)	9.5 m	9.51 m to 11.3 m (Subject lots are shown on Attachment #3 and the specific lots where an increase to the maximum permitted building height is proposed are shown on Attachments #4, #5, #6 and #7)

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

On September 25, 2012, Zoning By-law 153-2012 (Exception 9(1377)), Zoning By-law 154-2012 (Exception 9(1378)), and Zoning By-law 155-2012 (Exception 9(1379)), and on June 25, 2013, Zoning By-law 105-2013 (Exception 9(1393)) were passed by Vaughan Council to facilitate Draft Plan of Subdivision Files 19T-08V05, 19T-08V04, 19T-03V02 and 19T-08V06, respectively. The Owners have requested modifications to the R1 Residential Zone standards in Zoning By-law 1-88, in order to address site grading conditions and Low Impact Development Design (LID) measures that have been implemented in each Plan to achieve sustainable site designs. This has resulted in rear to front draining lots where the grade is lower at the front of the lot, as shown on Attachment #9 and other grading requirements. Zoning By-law 1-88 requires that the building height be calculated between the average elevation of the finished grade at the front of the dwelling (front being defined as the wall containing the main entrance to the dwelling). As a result, the building is higher than the maximum permitted building height in the R1 Zone compared to the standard grading shown on Attachment #8. The Owner has also requested an increase to the maximum lot coverage provision due to the design of the proposed detached dwelling units providing large covered and unenclosed porches at the front and the rear of the dwelling in order to accommodate appropriate seating and outdoor amenity areas, in accordance with the North Humber Extension Area Architectural Design Guidelines, which were approved by Vaughan Council on December 11, 2012. Through the detailed design work for each Plan of Subdivision, it has become apparent that exceptions to the maximum lot coverage and maximum building height requirements of Zoning By-law 1-88 are appropriate.

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Location	<ul style="list-style-type: none"> <li>West of Regional Road 27, and south of Kirby Road, shown as “Subject Lands” on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>“Residential Area - Humber North Extension” and “Residential Area “A” - Humber North Extension” by in-effect OPA #601 (Kleinburg -Nashville Community Plan), as amended by site-specific OPA #719 and “Residential Area - Humber North Extension” by OPA #601 (Kleinburg-Nashville Community Plan), as further amended by site-specific OPA #738. The Official Plan permits detached dwelling units on the subject lands and does not prescribe a maximum lot coverage or building height. The residential Plan of Subdivision conforms to the in-effect Official Plan.</li> <li>“Low-Rise Residential” by the new Vaughan Official Plan (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012), as further modified and endorsed by the Region of York Council on June 28, 2012, and approved, in part, by the Ontario Municipal Board on July 23, 2013. The “Low-Rise Residential” designation permits detached dwellings and does not prescribe a maximum building height or lot coverage. The application conforms to VOP 2010.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88, subject to site-specific Exceptions 9(1377), 9(1378), 9(1379) and 9(1393).</li> <li>The proposed zoning exceptions, as identified in the “Purpose” section of this report, do not comply with Zoning By-law 1-88, and therefore, an amendment to the Zoning By-law is required.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>Shown on Attachment #2.</li> </ul>

**Preliminary Review**

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

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Proposed Zoning and Development Standards	<ul style="list-style-type: none"> <li>The appropriateness of increasing the maximum lot coverage on the lots shown on Attachments #5, #6 and #7, and maximum building height on the lots shown on Attachments #4, #5, #6 and #7 on the subject lands will be reviewed in consideration of the technical merits related to topographical conditions, and compatibility with other lots within the Plans of Subdivision and the surrounding land use context.</li> </ul>

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b.	Urban Design and Architectural Guidelines	▪ The proposed development must conform to and be consistent with the applicable North Humber Extension Area Urban Design Guidelines and Architectural Design Guidelines approved by Vaughan Council
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**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 application has been circulated to the Region of York for review and comment. Any issues will be addressed when the technical report is considered.

**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. Overall Plan - Lots/Blocks for Proposed Building Heights and Lot Coverage Exceptions
4. Registered Plan 65M-4370 / Draft Plan of Subdivision File 19T-08V05: Proposed Maximum Building Heights
5. Registered Plan 65M-4377 / Draft Plan of Subdivision File 19T-08V04: Proposed Maximum Building Heights and Maximum Lot Coverages
6. Registered Plan 65M-4371 / Draft Plan of Subdivision File 19T-03V02: Proposed Maximum Building Heights and Maximum Lot Coverages
7. Draft Plan of Subdivision File 19T-08V06: Proposed Maximum Building Heights and Maximum Lot Coverages
8. Cross Section - Standard Grading
9. Cross Section - Back to Front Grading Change

**Report prepared by:**

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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.)