

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012

Item 22, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 25, 2012.

22

**ADMINISTRATIVE CORRECTION TO ZONING BY-LAW 1-88
ZONING BY-LAW AMENDMENT FILE Z.06.049
2088756 ONTARIO LIMITED
WARD 2 – VICINITY OF ISLINGTON AVENUE AND LANGSTAFF ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated September 4, 2012:

Recommendation

The Commissioner of Planning recommends:

1. THAT the following Administrative Correction to Zoning By-law 1-88, BE APPROVED, specifically to amend Exception 9(1309), as follows:
 - a) delete sub-clause di) and replace with the following text: “for the purpose of zoning conformity in this Paragraph, a “Lot” shall be defined as follows:

LOT-The subject lands shall be deemed to be one lot having a minimum lot area of 2,000m², regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control, consent, and any easements or restrictions”;
 - b) delete reference to a “0.9m” setback of stairs in sub-clause hi) and replace with “0.65m”; and,
 - c) delete reference to “1.4m” and “2.53m” width of the landscaping strips in sub-clause bi) and replace with “1.39m” and “2.5m”, respectively.

Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

N/A

Location

The subject lands shown on Attachments #1 and #2 are located on the east side of Islington Avenue, north of Pine Grove Road, being Lot 13 on Registered Plan M-1113, City of Vaughan.

Purpose

To undertake an Administrative Correction to Zoning By-law 1-88, specifically to Exception 9(1309), to correct inadvertent errors in the wording of the Zoning By-law, and to accommodate minor deviations from the by-law that occurred during the construction of the site for 10 freehold townhouse units on a private condominium road.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012

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Background

The subject lands are designated "Medium Density Residential" by site-specific OPA #692, and are zoned RM2 Multiple Residential Zone by By-law 1-88, subject to Exception 9(1309). The subject lands are designated "Low-Rise Residential" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified) and is pending approval from the Ontario Municipal Board.

On June 23, 2008, Vaughan Council approved Official Plan Amendment File OP.06.022 (2088756 Ontario Limited) to amend OPA #240 (Woodbridge Community Plan) as amended by OPA #597 (Islington Avenue Corridor Secondary Plan), specifically to redesignate the subject lands from "Low Density Residential" to "Medium Density Residential" with a site-specific exception to increase the maximum permitted density from 35 units/ha to 50 units/ha to facilitate the development of 10 freehold townhouse dwelling units on a private common element condominium road. The site-specific OPA #692 was adopted by Vaughan Council on June 23, 2008, and is in full force and effect.

On June 23, 2008, Vaughan Council also approved Zoning By-law Amendment File Z.06.049 (2088756 Ontario Limited) to rezone the subject lands from R2 Residential Zone to RM2(H) Multiple Residential Zone with a Holding Symbol "(H)", with exceptions to facilitate the development of 10 freehold townhouse dwelling units accessed by a common element Condominium road. Vaughan Council, subsequently enacted By-law 185-2008.

The removal of the Holding Symbol "(H)" was contingent upon the allocation of servicing to the subject lands by Council, which occurred on June 29, 2010, together with approval of Site Development File DA.08.078 (the approved Landscape Plan is shown on Attachment #3). By-law 176-2011 was passed on September 27, 2011, to remove the Holding Symbol.

Three minor matters with respect to By-law 185-2008 and By-law 176-2011 need to be clarified, including:

- i) the By-law requires a minimum lot area of 200 m² per townhouse lot. However, the by-law should have treated the overall area of the development (which includes 10 units) as being one lot having a minimum lot area of 2,000m²;
- ii) the By-law requires a minimum interior side yard to the stairs of 0.9 m for Block A. The surveyor has now confirmed that the as-built condition is 0.6 m; and,
- iii) the By-law requires minimum landscape strips of 1.4 m in width around the periphery of an outdoor parking area on the Subject Lands and 2.53m adjacent to a portion of the north property line. The surveyor has confirmed that these landscape strips, measured to the narrowest points, are in-fact 1.39m and 2.5m, respectively.

The Vaughan Development Planning Department recommends that the above Administrative Corrections to Zoning By-law 1-88, be approved, since they would accurately implement the intent of the Official Plan, correct inadvertent errors in the wording of the implementing Zoning By-law, and accommodate minor deviations from the by-law that occurred during the recent construction of the site for 10 freehold townhouse units.

It is noted that the *Planning Act* (Section 34(17)) allows Council to deem a revision as minor and not requiring a further Public Hearing. The Vaughan Development Planning Department is satisfied that the proposed Administrative Corrections are minor and that a further Public Hearing is not required.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012

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Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly “Plan & Manage Growth & Economic Well-being”.

Regional Implications

There are no Regional implications associated with the administrative correction to Zoning By-law 1-88.

Conclusion

The Vaughan Development Planning Department is satisfied that the proposed Administrative Corrections to Zoning By-law 1-88, are appropriate to correct inadvertent errors in the wording of the Zoning By-law, and to accommodate minor deviations from the by-law that occurred during the recent construction of the site for 10 freehold townhouse units. Should the Committee concur, a recommendation is provided to facilitate the proposed Administrative Corrections to Zoning By-law 1-88.

Attachments

1. Context Location Map
2. Location Map
3. Approved Landscape Plan (File DA.08.078)

Report prepared by:

Clement Messere, Planner, ext. 8409

/LG

(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.)

COMMITTEE OF THE WHOLE SEPTEMBER 4, 2012

**ADMINISTRATIVE CORRECTION TO ZONING BY-LAW 1-88
ZONING BY-LAW AMENDMENT FILE Z.06.049
2088756 ONTARIO LIMITED
WARD 2 – VICINITY OF ISLINGTON AVENUE AND LANGSTAFF ROAD**

Recommendation

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Contribution to Sustainability

N/A

Economic Impact

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

Communications Plan

N/A

Location

The subject lands shown on Attachments #1 and #2 are located on the east side of Islington Avenue, north of Pine Grove Road, being Lot 13 on Registered Plan M-1113, City of Vaughan.

Purpose

To undertake an Administrative Correction to Zoning By-law 1-88, specifically to Exception 9(1309), to correct inadvertent errors in the wording of the Zoning By-law, and to accommodate minor deviations from the by-law that occurred during the construction of the site for 10 freehold townhouse units on a private condominium road.

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- i) the By-law requires a minimum lot area of 200 m² per townhouse lot. However, the by-law should have treated the overall area of the development (which includes 10 units) as being one lot having a minimum lot area of 2,000m²;
- ii) the By-law requires a minimum interior side yard to the stairs of 0.9 m for Block A. The surveyor has now confirmed that the as-built condition is 0.6 m; and,
- iii) the By-law requires minimum landscape strips of 1.4 m in width around the periphery of an outdoor parking area on the Subject Lands and 2.53m adjacent to a portion of the north property line. The surveyor has confirmed that these landscape strips, measured to the narrowest points, are in-fact 1.39m and 2.5m, respectively.

The Vaughan Development Planning Department recommends that the above Administrative Corrections to Zoning By-law 1-88, be approved, since they would accurately implement the intent of the Official Plan, correct inadvertent errors in the wording of the implementing Zoning By-law, and accommodate minor deviations from the by-law that occurred during the recent construction of the site for 10 freehold townhouse units.

It is noted that the *Planning Act* (Section 34(17)) allows Council to deem a revision as minor and not requiring a further Public Hearing. The Vaughan Development Planning Department is satisfied that the proposed Administrative Corrections are minor and that a further Public Hearing is not required.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Well-being".

Regional Implications

There are no Regional implications associated with the administrative correction to Zoning By-law 1-88.

Conclusion

The Vaughan Development Planning Department is satisfied that the proposed Administrative Corrections to Zoning By-law 1-88, are appropriate to correct inadvertent errors in the wording of the Zoning By-law, and to accommodate minor deviations from the by-law that occurred during the recent construction of the site for 10 freehold townhouse units. Should the Committee concur, a recommendation is provided to facilitate the proposed Administrative Corrections to Zoning By-law 1-88.

Attachments

1. Context Location Map
2. Location Map
3. Approved Landscape Plan (File DA.08.078)

Report prepared by:

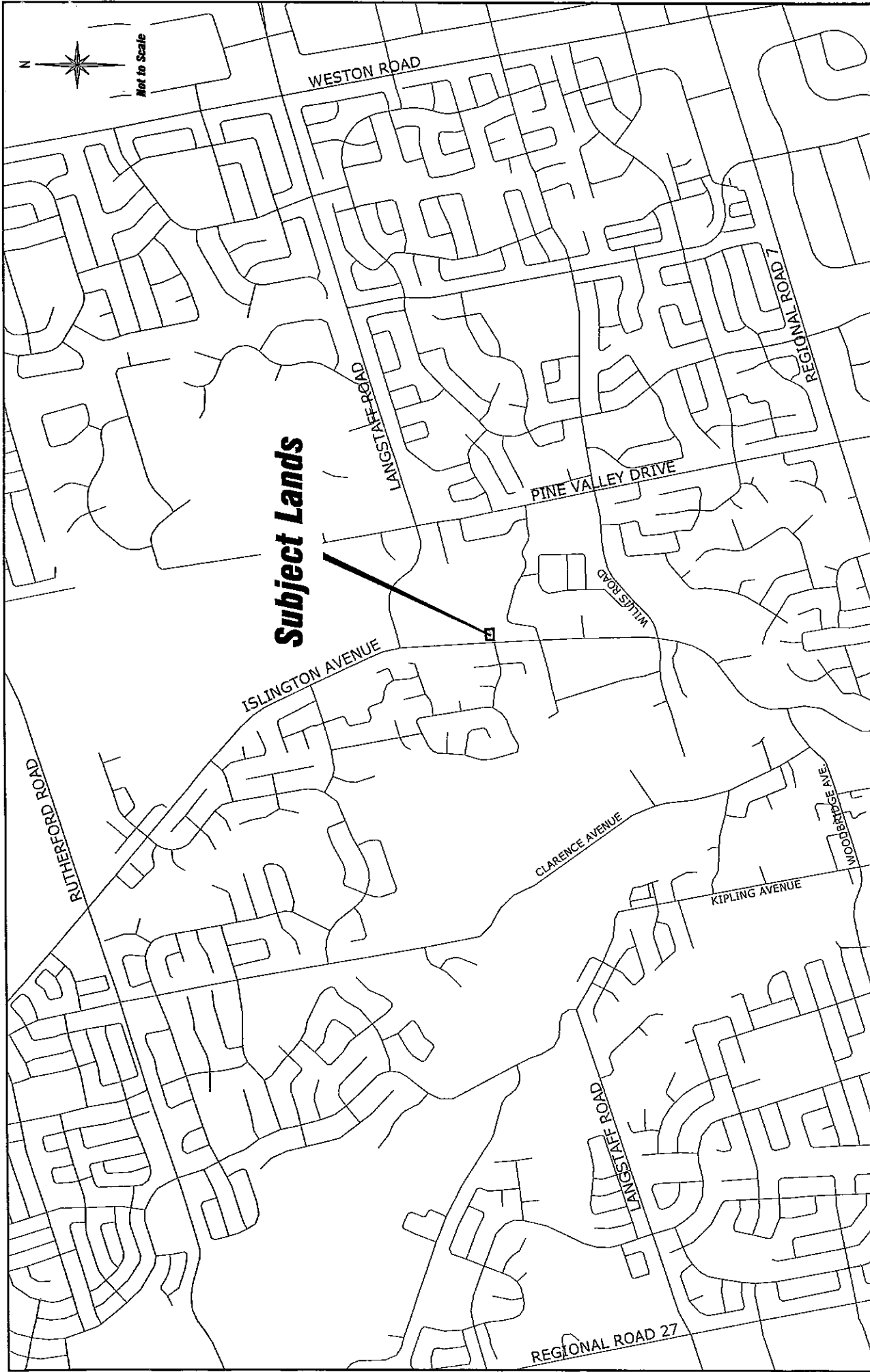
Clement Messere, Planner, ext. 8409

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/LG



Context Location Map

LOCATION:
Part of Lot 10, Concession 7

APPLICANT:
2088756 Ontario Limited

N:\DPT\1 ATTACHMENTS\2\06.049.dwg



Attachment

FILE:
Z.06.049

DATE:
August 17, 2012

1



Location Map

LOCATION: Part of Lot 10, Concession 7

APPLICANT: 2088756 Ontario Limited
NA\PTV1 ATTACHMENTS\Z\Z.05.045.dwg



Attachment

FILE: Z.06.049
DATE: August 17, 2012

2

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 138-2012

A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 185-2008 and By-law 176-2011.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Deleting subparagraph d) and subclause di) of Paragraph 9(1309) in Section 9 “EXCEPTIONS” and substituting therefor the following subparagraph and subclause:

“d) Subsection 2.0 respecting the Definition of a “Lot” and Subsection 4.1.8 and Schedule “A” respecting Minimum Lot Area;”

“di) for the purpose of zoning conformity in this Paragraph, a “Lot” shall be defined as follows:

LOT - The subject lands shall be deemed to be one lot having a minimum lot area of 2,000m², regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control, consent, and any easements or restrictions”;
 - b) Deleting subclause bi) of Paragraph 9(1309) in Section 9 “EXCEPTIONS” and substituting therefor the following subclause:

“bi) a strip of land not less than 1.39 m in width around the periphery of an outdoor parking area shall be provided on the Subject Lands and shall be used for no other purpose than landscaping, but this provision shall not prevent the provision of access driveways across the said strip; and, a strip of land not less than 2.5 m shall be provided adjacent to a portion of the north property line as shown on Schedule “E-1437”;
 - c) Deleting subclause hi) of Paragraph 9(1309) in Section 9 “EXCEPTIONS” and substituting therefor the following subclause:

“hi) the minimum interior side yard to the stairs shall be 0.65 m for Block A only”.

2. Deleting Schedule "E-1437" and substituting therefor the Schedule "E-1437" attached hereto as Schedule "1".

3. Schedule "1" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 25th day of September, 2012.

Regional Councillor Gino Rosati,
Deputy Mayor

Jeffrey A. Abrams, City Clerk

SUMMARY TO BY-LAW 138-2012

The lands subject to this By-law are located on the east side of Islington Avenue, south of Langstaff Road, in Part of Lot 10, Concession 7, and municipally known as 8441 Islington Avenue, City of Vaughan.

The purpose of this by-law is to undertake an Administrative Correction to Zoning By-law 1-88, specifically to Exception 9(1309), to correct inadvertent errors in the wording of the Zoning By-law, and to accommodate minor deviations from the by-law that occurred during the construction of the site for 10 freehold townhouse units on a private condominium road.