

**WESTON
CONSULTING**

planning + urban design

**COMMUNICATION – C59
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020**

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

October 28, 2020
File 7531

Attn: Todd Coles, City Clerk

**RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting) – Item 1
11650 & 11700 Keele Street**

Weston Consulting is the planning consultant for Wycliffe Clark Limited, the owner of the property located on the south side of Clark Avenue West, west of Bathurst Street in the City of Vaughan (herein referred to as the 'subject property'). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and provide the following comments on behalf of the landowner.

Development Planning applications Z.16.037, 19T-16V008, DA.16.079, and 19CDM-16V005 have been approved to permit the development of the property for 79 townhouse units on a common element condominium road. The Zoning By-law Amendment application was approved by City of Vaughan Council in 2018 and Zoning By-law 081-2018 (Attachment 1) came into effect on May 23, 2018. This site-specific Zoning By-law rezoned the subject property from "A" Agricultural Zone to "RT1" Residential Townhouse Zone with site-specific provisions. In addition, a Minor Variance application (A185/19) was submitted in December of 2019 and approved by the Committee of Adjustment on February 27, 2020, becoming final and binding on May 13th. The Notice of Decision with the details of the approved variances is attached for your reference (Attachment 2).

The third draft of the CZBL zones the subject property as A-1083. We have reviewed the text of Exception 1083 and recognize that it does not conform to the approved Zoning By-law 081-2018 or the Minor Variance approval. In addition, the CZBL indicates that the applicable parent zones for the subject property are A – Agriculture Zone, R4 – Fourth Density Residential Zone and RM2 – Multiple Unit Residential Zone, which does not correspond with the approved RT1 zone category for the property. The third draft CZBL, does include an RT1 – Townhouse Residential Zone which complies with the base use being developed on this site.

Based on our review of the CZBL, the zoning proposed for the subject property is inaccurate. We request that the CZBL be amended to reflect the approved RT1 zone category for the subject property and include the approved site-specific Zoning By-law regulations approved in both the Zoning By-law approval and the Minor Variance application.

We thank you for the opportunity to provide these comments and will continue to monitor the City-wide Comprehensive Zoning By-law process. We request to be notified of any future reports and/or meetings regarding the CZBL and any decisions regarding this matter.

Please contact the undersigned at ext. 309 should you have any questions regarding this submission.

Yours truly,

Weston Consulting

Per:



Jenna Thibault, B.Sc., MPL, MCIP, RPP
Senior Planner

- c. Nick Spensieri, Deputy City Manager, Infrastructure Development
- Brandon Correia, Manager of Special Projects
- G. Bensky, Wycliffe Homes
- K. Franklin, Weston Consulting

Attachment 1 – Zoning By-law 081-2018
Attachment 2 – Notice of Decision (A185/19)

WYCLIFFE CLARK LIMITED

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 34,
Subsections (18) and (19) of
the Planning Act, R.S.O. 1990, c.P.13

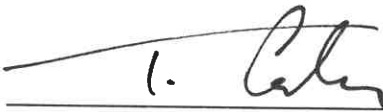
I, TODD COLES, of the Township of King, make oath and say:

- 1. THAT I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
- 2. THAT By-law Number 081-2018 was passed by the Council of the Corporation of the City of Vaughan on the 23rd day of May 2018, and written notice was given on the 28th day of May 2018 in the manner and form and to the persons prescribed in Regulation 199/96.
- 3. THAT no notice of appeal setting out an objection to By-law 081-2018 was filed with me within twenty (20) days from the date of written notice of the passing of the by-law.
- 4. THAT By-law Number 081-2018 is deemed to have come into effect on the 23rd day of May 2018.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this)
19th day of June 2018.)



A Commissioner, etc.
Christine Marie Monique Vignessault,
a Commissioner, etc.,
Province of Ontario, for
The Corporation of the City of Vaughan.
Expires July 5, 2020.



TODD COLES
City Clerk

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 081-2018

A By-law to amend City of Vaughan By-law 1-88.

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) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from A Agricultural Zone to RT1 Residential Townhouse Zone in the manner shown on the said Schedule "1"
 - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1458) Notwithstanding the provisions of:

 - a) Subsection 2.0 respecting the Definition of Gross Floor Area, Lot, and Street Line;
 - b) Subsection 3.8 respecting Parking Requirements;
 - c) Subsection 3.13 respecting Minimum Landscape Area;
 - d) Subsection 3.21 respecting Frontage on a Public Street;
 - e) Subsection 4.1.2 respecting Soft Landscaped Area;
 - f) Subsection 4.1.4 f) respecting Dimensions of Driveways;
 - g) Subsection 4.22.2 respecting Encroachments;
 - h) Subsection 4.22.3 and Schedule "A3" respecting the zone standards in the RT1 Residential Townhouse Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1588":

 - ai) For the purposes of this By-law, the following definitions shall apply:
 - i) **GROSS FLOOR AREA** – Means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the area of any cellar, or car parking area above or below grade within the building or within a separate structure, or mechanical penthouse or rooftop laundry room.
 - ii) **LOT** – Means a parcel of land fronting on a public or private street;
 - iii) **STREET LINE** – Means the dividing line between a front lot line and

a public or private street;

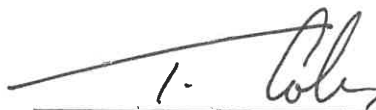
- bi) A minimum of 20 visitor parking spaces shall be provided, of which 2 shall be barrier-free parking spaces;
- ci) The minimum landscape strip width abutting a street line shall be 1.2 m;
- cii) Notwithstanding ci) above, and for further clarification, the minimum landscape strip on Clark Avenue West shall be 2.5 m;
- di) No person shall erect or construct a building or structure unless such building or structure has access to a private road or driveway that provides access to a public street;
- ei) A minimum of 58.4 % of the required minimum landscaped area shall be composed of soft landscaping;
- fi) Where a lot has a minimum frontage of 7.0 to 8.99 m, the maximum driveway width shall be 5.9 m;
- gi) Exterior stairways are permitted to encroach a maximum of 0.95 m into a required interior side yard for Blocks A, B, C, D, E, F, G and Z;
- gii) Porches and balconies (uncovered, unexcavated and unenclosed) are permitted to encroach a maximum of 4.4 m into a required rear yard;
- giii) A 0 m no encroachment zone shall be maintained within the front yard and exterior side yards and within the interior side yard abutting a walkway;
- giv) The maximum finished floor elevation of an unenclosed porch shall not exceed 1.75 m above finished grade;
- hi) The minimum lot frontage shall be:
 - i) Blocks H, I, J, K, L, M, N, O - 5.5 m;
 - ii) Blocks A, B, C, D, E, F, G, Z - 5.9 m;
- hii) The minimum lot area shall be 117 m²/unit;
- hiii) The minimum rear yard shall be:
 - i) Blocks H and L - 5.65 m;
 - ii) Blocks B, C, G, I, J, K, M, N, O - 6.0 m;
 - iii) Blocks A, D, E, F, Z - 6.6 m;
- hiv) The minimum exterior side yard shall be 0.85 m;
- hv) The minimum exterior side yard abutting a sight triangle shall be 0 m;
- hvi) The maximum building height shall be:
 - i) Blocks A, B, C, D, E, F, G, Z - 14.1 m;
 - ii) Blocks H, I, J, K, L, M, N, O - 12.8 m;
- hvii) The minimum interior side yard shall be:
 - i) Blocks D, E, F, G - 0.9 m;
 - ii) Blocks A, B, C, Z - 0.95 m;

- hviii) the minimum lot depth shall be:
 - i) Block G - 19 m;
 - ii) Block F - 20 m;
 - iii) Blocks A, B, C, D, E, Z - 21.0 m;
 - iv) Blocks H, I, J, K, L, M, N, O - 23.0;
- hix) The minimum front yard shall be:
 - i) Block G - 2.5 m;
 - ii) Block F - 2.6 m;
 - iii) Blocks A, B, C, D, E, Z - 3.3 m;
- hx) The minimum front yard setback to the stairs for Blocks A, B, C, D, E, F, G and Z shall be 0 m;
- hxi) A maximum of 7 townhouse units may be constructed in a row in Blocks H, I, J, L, M and N;
- hxii) The maximum interior garage width shall be 5.6 m and the minimum interior garage width shall be 2.75 m;
- c) Adding Schedule "E-1588" attached hereto as Schedule "1".
- d) Deleting Key Map 2A and substituting therefor the Key Map 2A attached hereto as Schedule "2".

2. Schedules "1", and "2" shall be and hereby form part of this By-law.

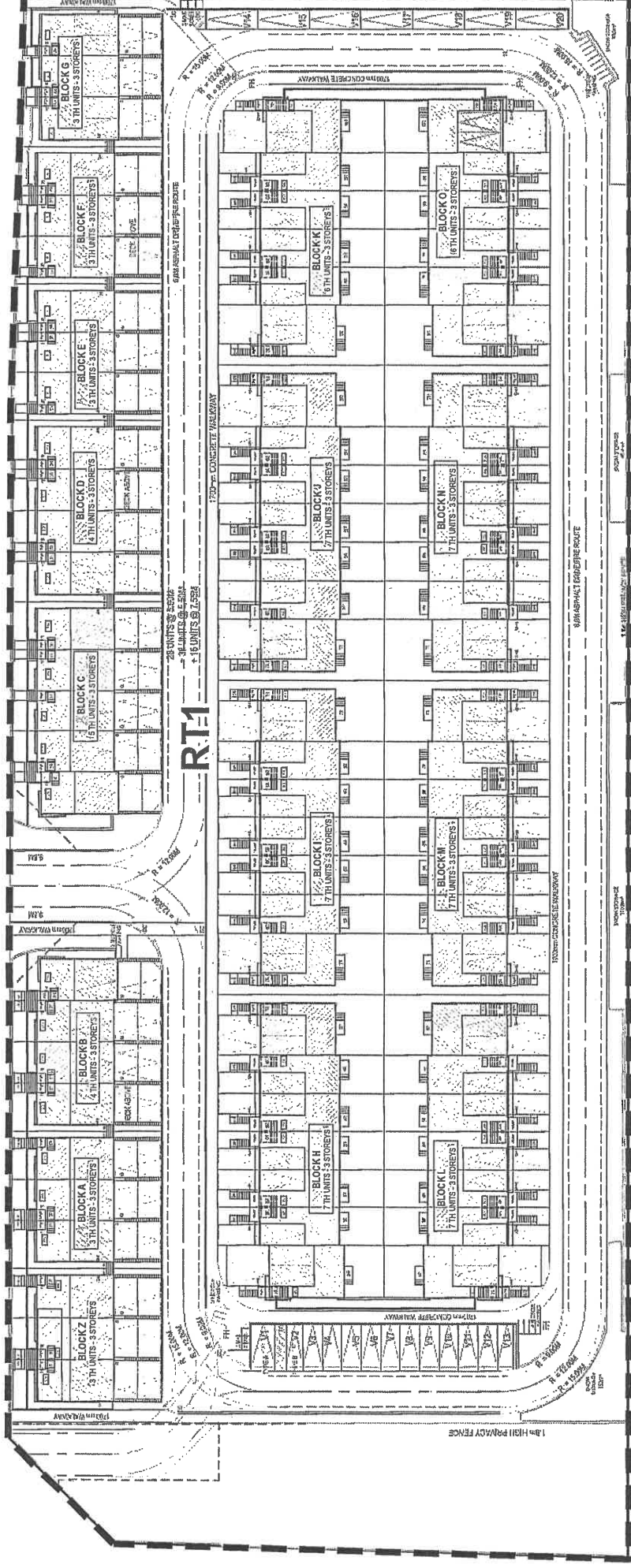
Enacted by City of Vaughan Council this 23rd day of May, 2018.


Hon. Maurizio Bevilacqua, Mayor


Todd Coles, City Clerk



Clark Avenue West



THIS IS SCHEDULE 'E-1588'
TO BY-LAW 1-88
SECTION 9(158)

SUBJECT LANDS

0 12.5 25 50 Metres

FILE: Z.16.037
RELATED FILES: DA.16.079, 19T-16V008, 19CDM-16V005
LOCATION: PART OF LOT 3, CONCESSION 2
APPLICANT: WYCLIFF CLARK LIMITED
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 081 -2018
PASSED THE 23rd DAY OF MAY, 2018

SIGNING OFFICERS

[Signature] MAYOR
[Signature] CLERK

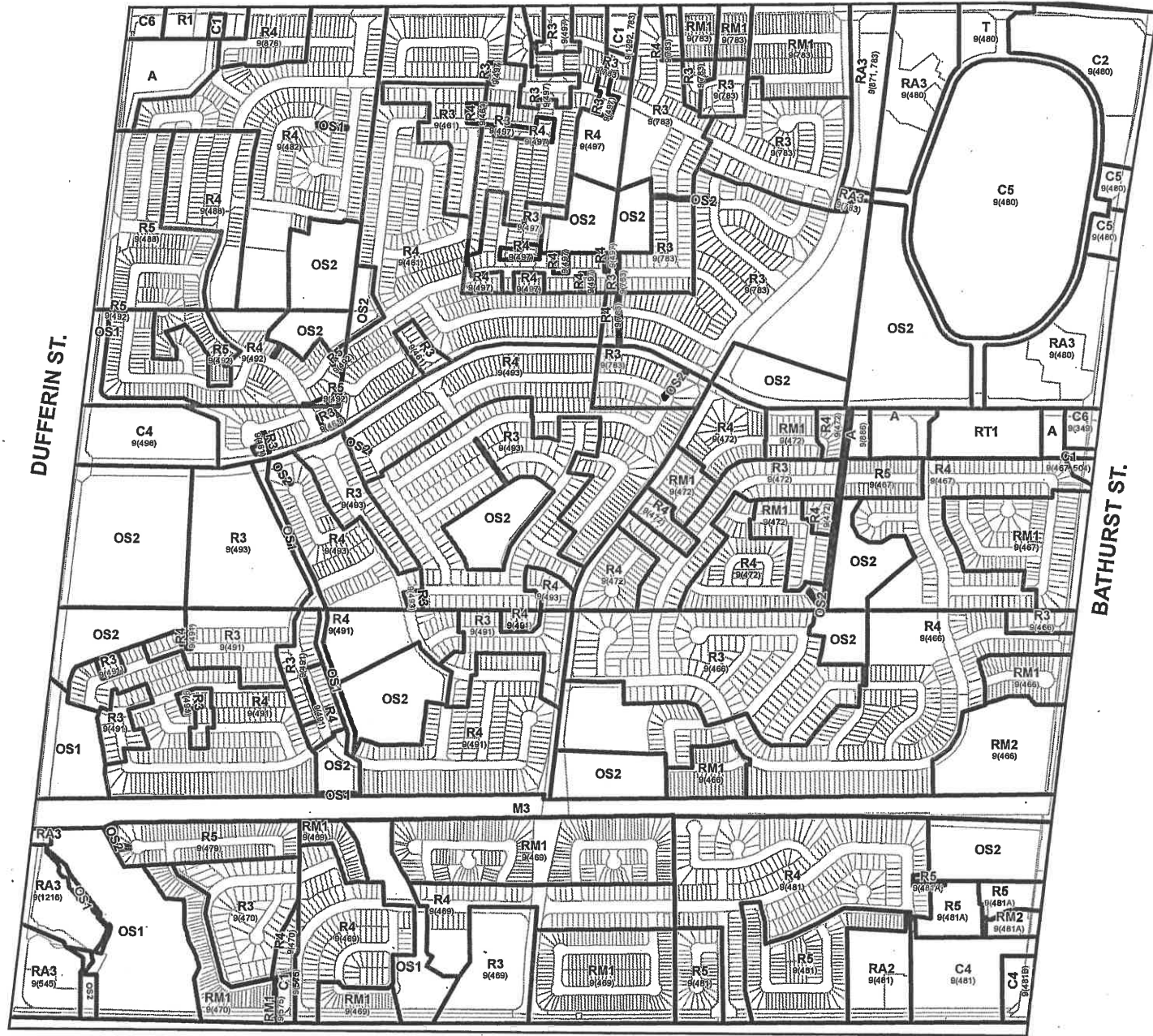


CENTRE ST.

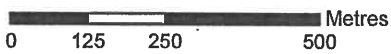
DUFFERIN ST.

BATHURST ST.

STEELES AVE. W

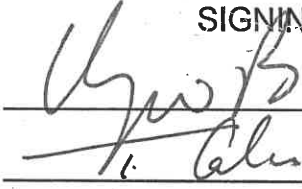



KEY MAP 2A
BY-LAW NO. 1-88



THIS IS SCHEDULE '2'
TO BY-LAW 081 -2018
PASSED THE 23rd DAY OF MAY, 2018

FILE: Z.16.037
RELATED FILES: DA.16.079, 19T-16V008
& 19CDM-16V005
LOCATION: PART OF LOT 3, CONCESSION 2
APPLICANT: WYCLIFF CLARK LIMITED
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

SUMMARY TO BY-LAW 081-2018

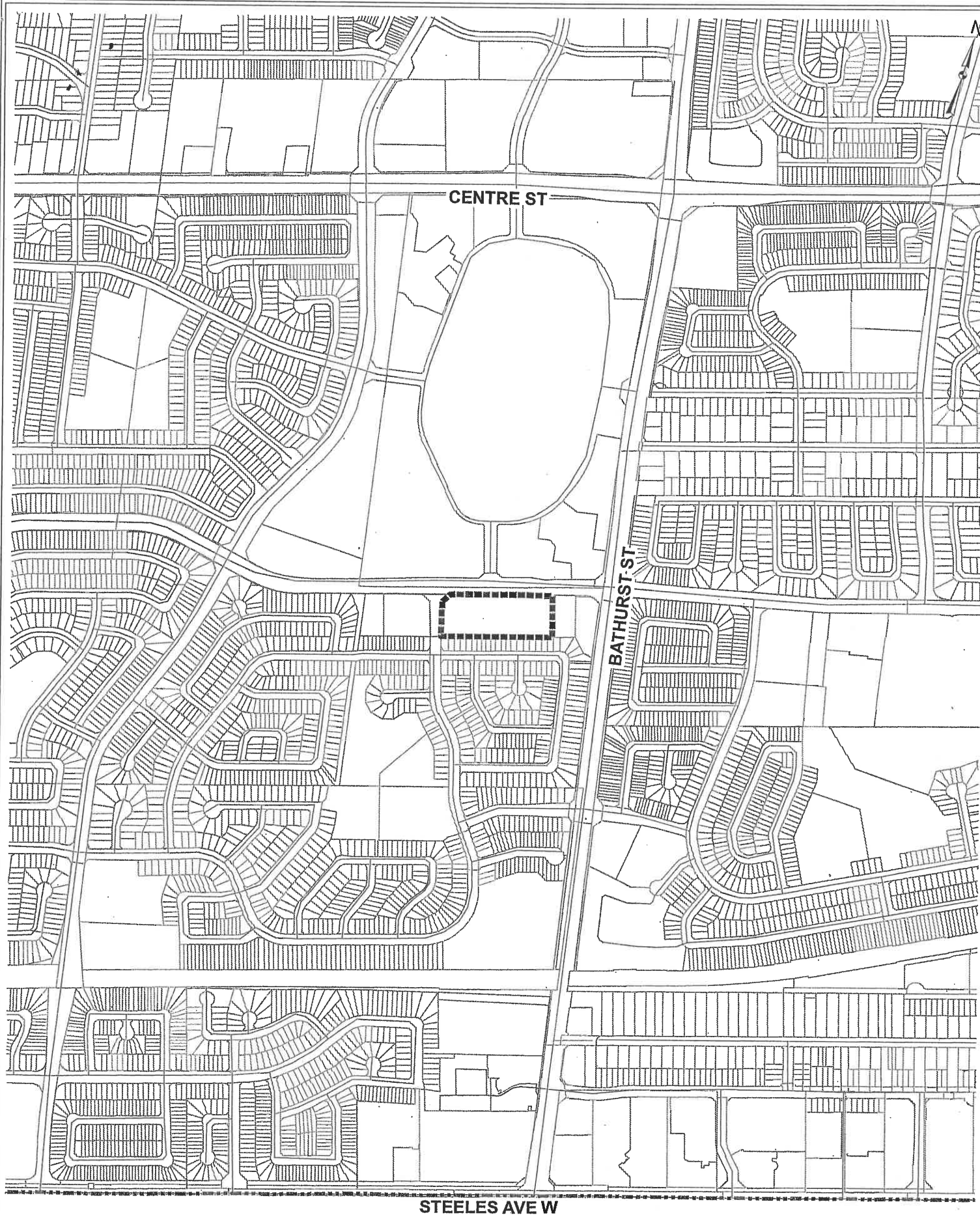
The lands subject to this By-law are located on the south side of Clark Avenue West, west of Bathurst Street, being Part of Lot 3, Concession 2, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from A Agricultural Zone to RT1 Residential Townhouse Zone and to permit site-specific exceptions to the RT1 Zone to facilitate the development of 82 freehold townhouse units which are served by a private common element condominium road, and visitor parking spaces.

The exceptions to the RT1 Zone are as follows:

- A minimum of twenty (20) visitor parking spaces shall be provided, of which two (2) shall be barrier-free spaces;
- A minimum landscape strip width abutting a street line shall be 1.2 m;
- The minimum landscape strip along Clark Avenue West shall be 2.5 m;
- No person shall erect or construct a building or structure unless such building or structure has access to a private road or driveway that provides access to a public street;
- A minimum of 58.4% of the required minimum landscaped area shall be composed of soft landscaping;
- Where a lot has a minimum frontage of 7.0 – 8.99 m, the maximum driveway width shall be 5.9 m;
- Exterior stairways are permitted to encroach a maximum of 0.95 m into a required interior side yard for Blocks A, B, C, D, E, F, G and Z;
- Porches and balconies (uncovered, unexcavated and unenclosed) are permitted to encroach a maximum of 4.4 m into a required rear yard;
- A 0 m no encroachment zone shall be maintained within the front yard and exterior side yards and within the interior side yard abutting a walkway;
- The maximum finished floor elevation of an unenclosed porch shall not exceed 1.75 m above finished grade;
- The minimum lot frontage shall be 5.5 m for Blocks H, I, J, K, L, M, N, and O;
- The minimum lot frontage shall be 5.9 m for Blocks A, B, C, D, E, F, G, and Z;
- The minimum lot area shall be 117 to m²/unit;
- The minimum rear yard shall be 5.65 m for Blocks H and L;
- The minimum rear yard shall be 6.0 m for Blocks B, C, G, I, J, K, M, N and O;
- The minimum rear yard shall be 6.6 m for Blocks A, D, E, F, and Z;
- The minimum exterior side yard shall be 0.85 m;
- The minimum exterior side yard abutting a sight triangle shall be 0 m;
- The maximum building height shall be 14.1 m for Blocks A, B, C, D, E, F, G and Z;
- The maximum building height shall be 12.8 m for Blocks H, I, J, K, L, M, N, and O;
- The minimum interior side yard shall be 0.9 m for Blocks D, E, F, and G;
- The minimum interior side yard shall be 0.95 m for Blocks A, B, C, and Z;
- The minimum lot depth for Block G shall be 19 m;
- The minimum lot depth for Block F shall be 20.0 m;
- The minimum lot depth for Blocks A, B, C, D, E, and Z shall be 21.0 m;
- The minimum lot depth for Blocks H, I, J, K, L, M, N, and O shall be 23.0 m;
- The minimum front yard for Block G shall be 2.5 m;

- The minimum front yard for Block F shall be 2.6 m;
- The minimum front yard for Blocks A, B, C, D, E and Z shall be 3.3 m;
- The minimum front yard setback to the stairs for Blocks A, B, C, D, E, F, G, and Z shall be 0 m;
- A maximum of seven (7) townhouse units may be constructed in a row in Blocks H, I, J, L, M, N; and
- The maximum interior garage width shall be 5.6 m and the minimum interior garage width shall be 2.75 m.



CITY OF
TORONTO

0 125 250 500 Metres

LOCATION MAP TO BY-LAW 081 -2018

FILE: Z.16.037

RELATED FILES: DA.16.079, 19T-16V008, 19CDM-16V005

LOCATION: PART OF LOT 3, CONCESSION 2

APPLICANT: WYCLIFF CLARK LIMITED

CITY OF VAUGHAN



Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
T 905 832 8585
E CofA@vaughan.ca

NOTICE OF DECISION

Minor Variance Application A185/19

Section 45 of the Planning Act, R.S.O. 1990, c.P.13

Re-Issuance of Notice Pursuant to Section 4 of O.Reg 149/20

Date of Hearing: Thursday, February 27, 2020

Applicant: Wycliffe Clark Limited

Agent: Kurt Franklin - Weston Consulting Group Inc.

Property: 839 -911 Clark Avenue and 1 -279 Smallwood Circle, Thornhill

Zoning: The subject lands are zoned RT1 Residential Townhouse Zone, and subject to the provisions of Exception No. 9(1458) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010: Low-Rise Residential

Related Files: None

Purpose: Relief of the by-law is being requested to permit a reduced number of townhouse units for Blocks N, O & P from an approved 82 units to 79 units to facilitate (draft) plan of subdivision application 19T-16V008.

The development as shown as Drawing No. A100 (as submitted with the application) is to replace the current Schedule E-1588 as part of Exception No. 9(1458).

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum lot depth of 27.0 metres is required.	1. To permit a minimum lot depth of 23.0 metres for Block P.
2. A minimum rear yard setback of 7.5 metres is required.	2. To permit a minimum rear yard setback of 6.0 metres for Block P.
3. A minimum interior side yard setback of 1.2 metres shall be permitted for an end unit.	3. To permit a minimum interior side yard setback of 0.95 metres for the end unit in Block C.
4. A maximum building height of 12.8 metres is permitted for Blocks N and O and a maximum building height of 11.0 metres is permitted for Block P.	4. To permit a maximum building height of 14.0 metres for Blocks N, O and P.
5. A minimum lot frontage of 6.0 metres is required.	5. To permit a minimum lot frontage of 5.5 metres for Block P.
6. Schedule E-1588 as Part of Exception No. 9(1458) applies to this development.	6. To permit the development as shown as Drawing No. A100 attached to this application and to replace the current Schedule E-1588 as part of Exception No. 9(1458).

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A185/19 on behalf of Wycliffe Clark Limited be **APPROVED**, in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following condition:

	Department/Agency	Condition
1	Development Planning Michael Di Febo 905-832-8585 x 8990 michael.difebo@vaughan.ca	That Development Application File Number DA.19.064 be approved to the satisfaction of the Development Planning Department.

For the following reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Please Note:

It is the responsibility of the owner/applicant and/or authorized agent to address any condition(s) of approval noted in this decision to the satisfaction of the commenting department or agency. Once conditions have been satisfied, the Secretary Treasurer will be in a position to issue a clearance letter which is required prior to the issuance of a Building Permit.

Relief granted from the City’s Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City’s Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

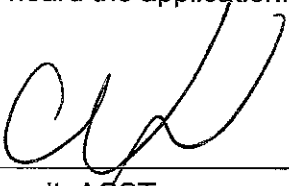
Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions	Public Oral Submissions
* Public Correspondence received and considered by the Committee in making this decision	*Please refer to the approved Minutes of the Thursday, February 27, 2020 meeting for submission details.
N/A	N/A

Late Written Public Submissions:

In accordance with the Committee of Adjustment Procedural By-law (069-2019) public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

**ORIGINAL NOTICE OF DECISION DATED MARCH 6, 2020 SIGNED BY ALL MEMBERS
PRESENT WHO CONCURRED IN THIS DECISION**

DATE OF HEARING:	Thursday, February 27, 2020
DATE OF ORIGINAL NOTICE:	March 6, 2020
DATE OF RE-ISSUED NOTICE PURSUANT TO O.REG 149/20: <i>Pursuant to Section 4 of O.Reg 149/20, notices of decision issued pursuant to subsection 45 of the Planning Act on or after February 26, 2020 and before April 15, 2020 are deemed to have not been completed, and notices shall be given again (no later than 10 days after the lifting of the provincial statutory COVID-19 emergency Order)</i>	April 22, 2020
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal. <i>The last day of appeal is 20 days after the giving of notice in accordance with subsection 4(4) of Ontario Regulation 149/20.</i>	May 12, 2020 4:30 p.m.
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application.  <hr/> Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The *Planning Act*, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days *after the giving of notice in accordance with subsection 4(4) of Ontario Regulation 149/20* appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time. Please mail or courier appeals and prescribed fees to:

Office of the City Clerk - Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan Ontario, L6A 1T1

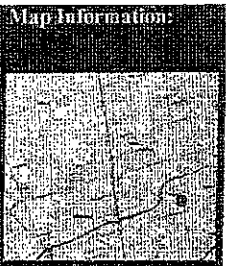
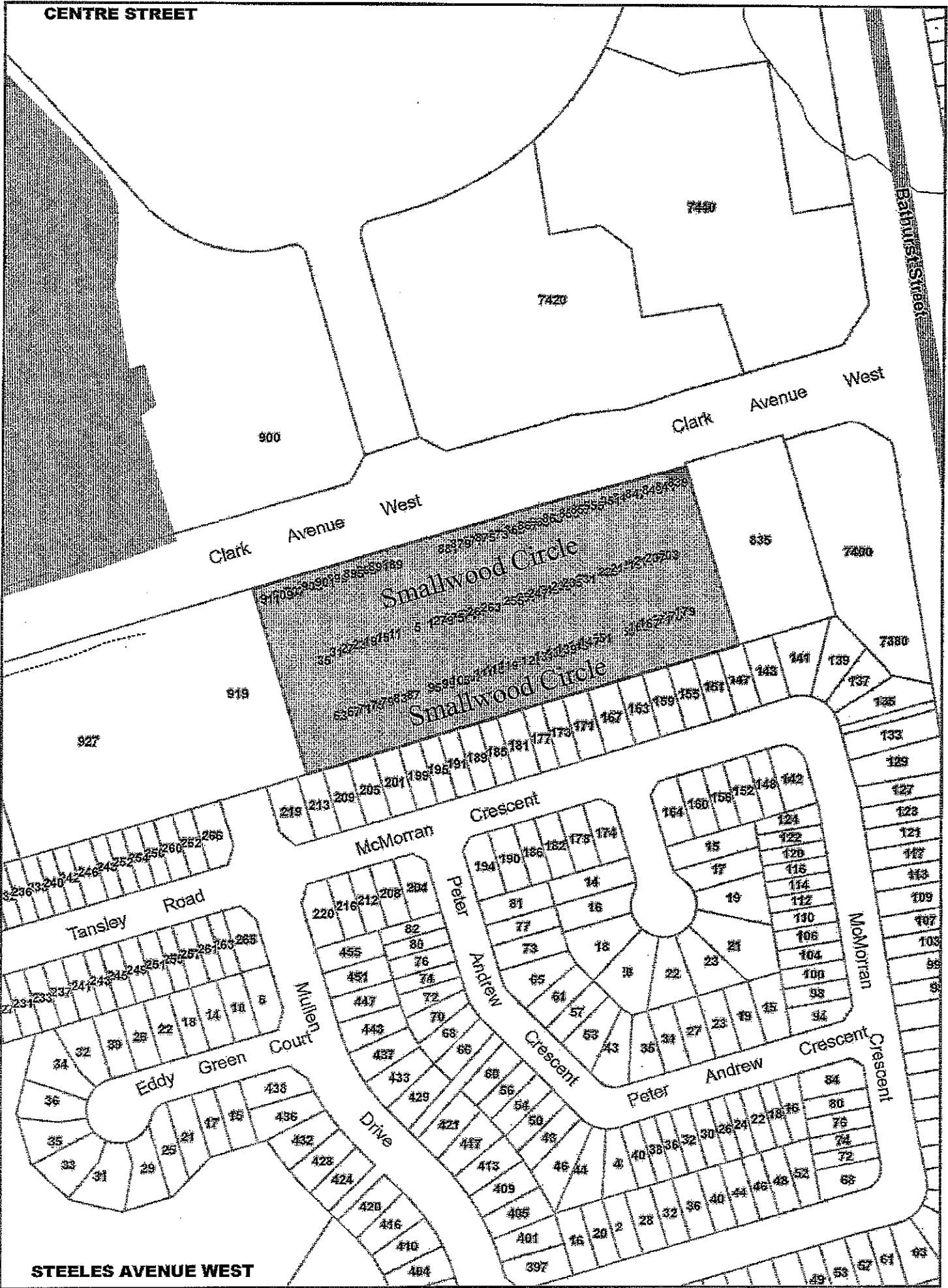
If you have questions regarding the appeal process, please email cofa@vaughan.ca

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is \$300 plus \$25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elfto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: \$841.00 per application

*Please note that all fees are subject to change.



Map Information:


Title:

LOCATION MAP - A185/19

839-911 Clark Avenue and 1-279 Smallwood Circle, THORNHILL


Disclaimer:

Proportionate errors have been made to ensure that the information appears on this map is accurate and correct. We do not accept any liability for any errors or omissions. The City of Vaughan assumes no responsibility for liability due to any errors or omissions. This map is not a guarantee of information.

 **VAUGHAN**

Scale: 1:2,257

0 0.04 km



Created By:

Infrastructure Delivery

Department

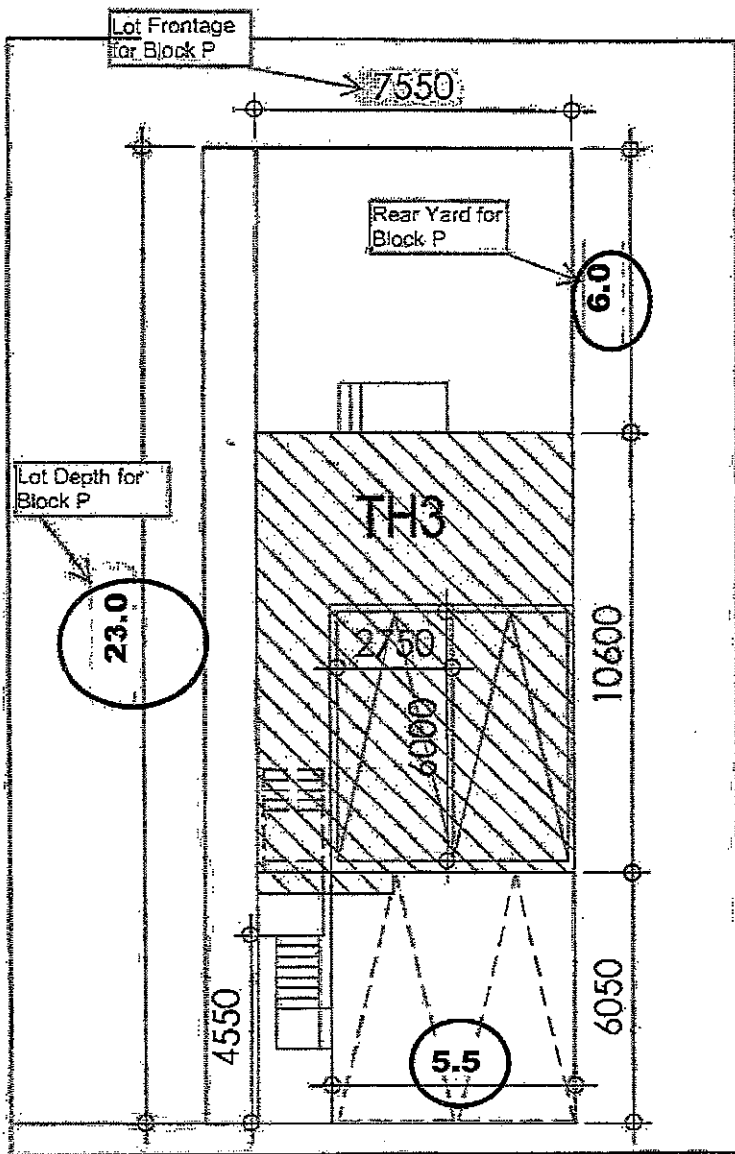
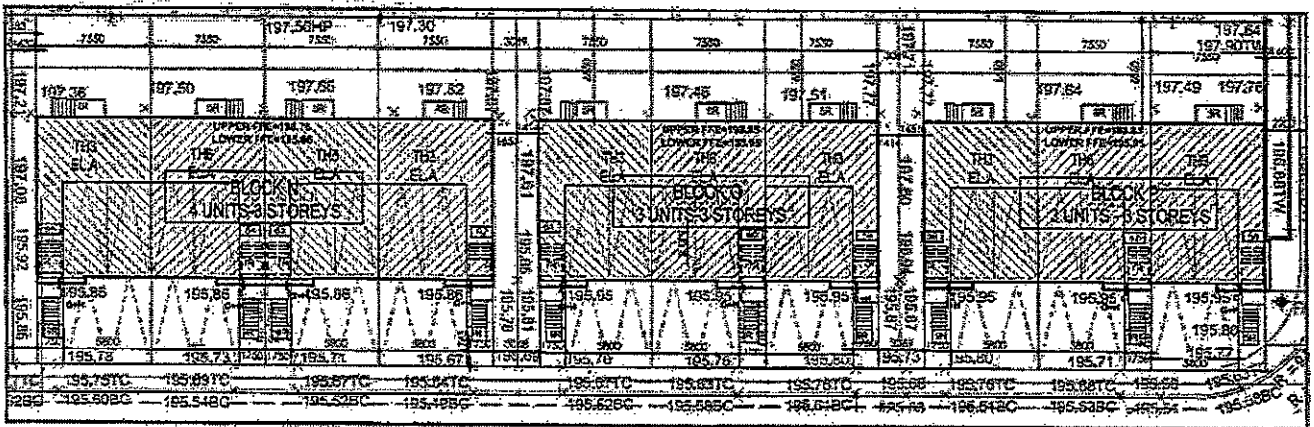
January 8, 2020 3:30 PM

Projection:

NAD 83

UTM Zone

17N



The approved Zoning By-law did not contain Block P. Thus, a minor variance application is required to incorporate Block P into the Zoning By-law. A site plan revision application has also been submitted and is currently under review by City Planning Staff.

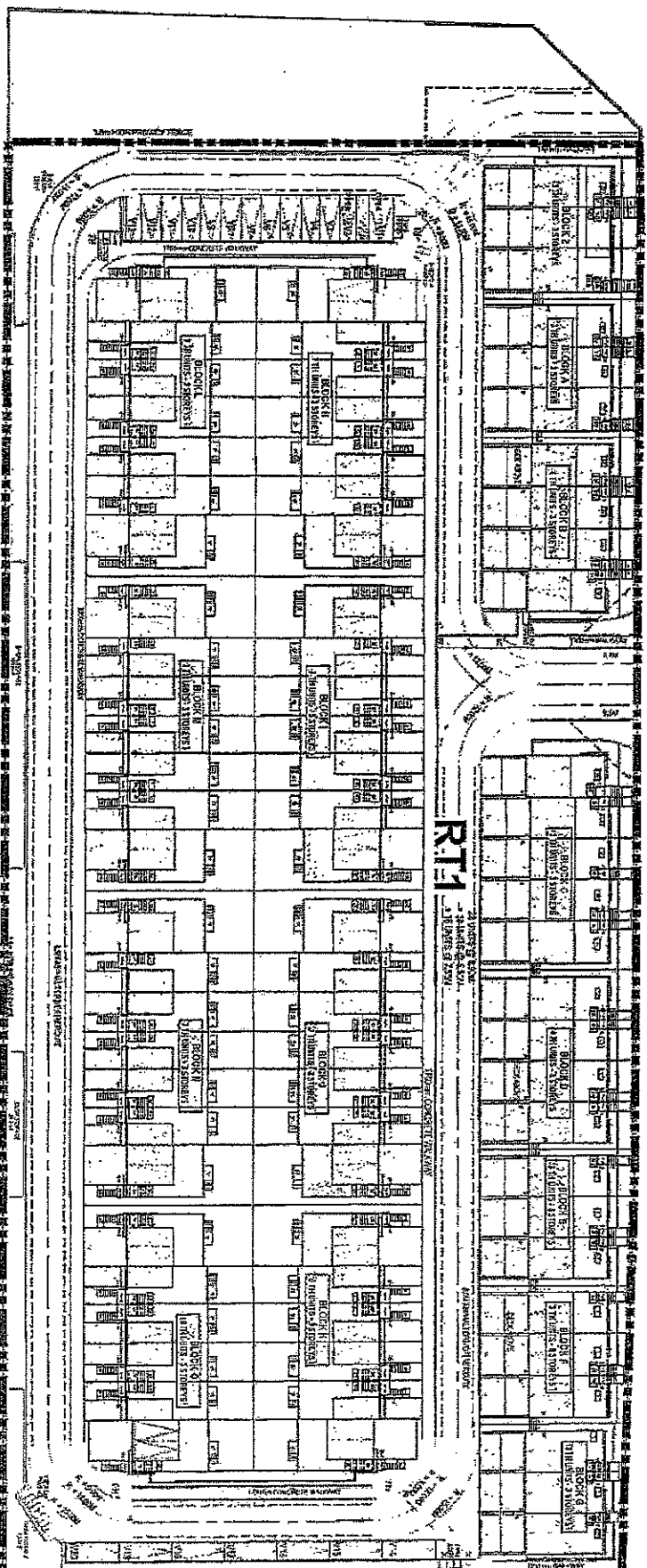
Blocks N, O, & P are comprised of units TH3 and TH6. These units have the same exterior and lot dimensions. They only differ in the interior which is not part of the minor variance application.

Since Block P was not part of the originally approved Zoning By-law, this Block needs to be added to the Zoning By-law through a minor variance application.

(0.95m)



Clark Avenue West



THIS IS SCHEDULE 'E'-1588
TO BY-LAW 1-88
SECTION 9(1458)



 SUBJECT LANDS

0 12.5 25 60 Metres

FILE: Z.16.037
RELATED FILES: DA.16.079, 19T-16V008, 19CDM-16V005
LOCATION: PART OF LOT 3, CONCESSION 2
APPLICANT: WYCLIFFE CLARK LIMITED
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 193-2018
PASSED THE 12th DAY OF DECEMBER, 2018

SIGNING OFFICERS


MAYOR

CLERK