

**2.      ZONING BY-LAW AMENDMENT FILE Z.02.078  
KINDWIN MARKHAM LIMITED  
PRELIMINARY REPORT**

**P.2003.2**

**Recommendation**

The Commissioner of Planning recommends:

THAT the Public Hearing for Zoning By-law Amendment File Z.02.078 (Kindwin Markham Limited) BE RECEIVED, and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole.

**Purpose**

On November 14, 2002, the Owner submitted a Zoning By-law Amendment application to reduce the rear yard setbacks for the subject lots from 6.0m to 4.5m to accommodate bay windows where doors and stairs have been installed.

**Background - Analysis and Options**

The lands are located southwest of Major Mackenzie Drive and Highway #400, being Lots 3, 6, 10, 12, 14, 18 - 21, 23, 24, 27, 28, 37, 39, 41, 43, 88, 90, 92, 94 and 96 on Plan 65M-3560 (503, 541, 542, 545, 555, 559, 566, 567, 571, 574, 575, 579 and 582 Vellore Woods Boulevard and 11, 18, 21, 26, 29, 34, 37 and 42 Grapevine Drive), in Lot 20, Concession 5, City of Vaughan.

The surrounding land uses are:

- North - detached residential (RV4(W.S)) Residential Urban Village Zone Four (Wide Shallow)
- South - detached residential (RV4(W.S)) Residential Urban Village Zone Four (Wide Shallow)
- East - detached residential (RV4(W.S)) Residential Urban Village Zone Four (Wide Shallow)
- West - detached residential (RV4(W.S)) Residential Urban Village Zone Four (Wide Shallow)

The lands are designated "Low Density Residential" by OPA #600, and zoned RV4 Residential Urban Village Zone Four (Wide Shallow) by By-law 1-88, subject to Exception 9(1019).

On December 13, 2002, a notice of public hearing was circulated to all property owners within 120m of the subject lands, and to the Vellore Woods ratepayers Association. No comments have been received to date. Any responses received will be addressed in the technical review and included in a comprehensive staff report to a future Committee of the Whole meeting.

On June 20, 2002, the Committee of Adjustment approved a number of minor variance applications for these lands. The applications were to reduce the required rear yard setbacks from 6.0m to a range from 4.66m to 5.8m. After the houses were constructed, it was found that they did not meet the requirements of the approved variances.

**Preliminary Review**

Following a preliminary review of the proposed application, Staff have identified the following matters to be reviewed in greater detail:

- the application affects a total of 22 detached units;
- the appropriateness and effect of reducing the rear yards for the subject units from 6m to 4.5m, is to be reviewed; the actual constructed setbacks range from 4.5m - 5.9m; and

- a bay window without foundation or openings is permitted to encroach from the wall of the house into the required setback; the bay windows were built with doors and stairs, and are thereby considered to be part of the structure and required to meet the minimum setback.

### **Conclusion**

The above issues, but not limited to, will be considered in the technical review of the application, together with comments of the public and Council expressed at the public hearing or in writing, and be addressed in a comprehensive report to a future Committee of the Whole meeting. In particular, the appropriateness of the reducing the rear yard setbacks to accommodate the bay windows will be reviewed.

### **Attachments**

1. Location Map
2. Site Plan - Lots 3, 6
3. Site Plan - Lots 10, 12, 14
4. Site Plan - Lots 18 - 21, 23
5. Site Plan - Lots 24, 27, 28
6. Site Plan - Lots 37, 39, 41, 43
7. Site Plan - Lots 88, 90, 92
8. Site Plan - Lot 96

### **Report prepared by:**

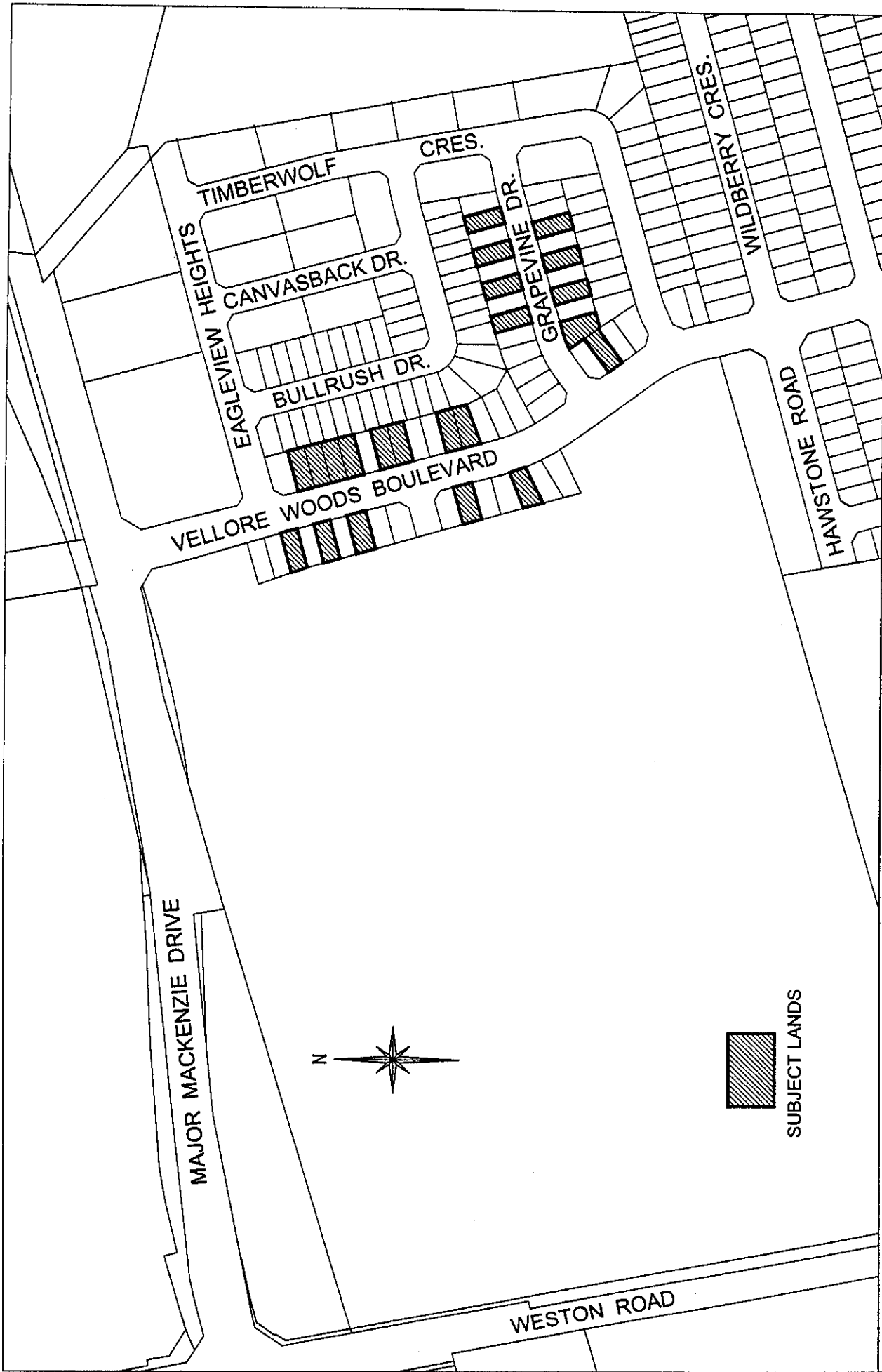
Todd Coles, Planner, ext. 8634  
Art Tikiryan, Senior Planner, ext. 8212  
Marco Ramunno, Manager, Development Planning, ext. 8485

Respectfully submitted,

MICHAEL DeANGELIS  
Commissioner of Planning

JOANNE R. ARBOUR  
Director of Community Planning

/LG



## Location Map

Part of Lot 20,  
Concession 5

APPLICANT:  
KINDWIN MARKHAM  
LIMITED

City of  
**Vaughan**

Community Planning Department

## Attachment

FILE No.:  
Z.02.078

November 25, 2002

Not to Scale

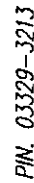
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November 25, 2002  
Not to Scale

**APPLICANT:  
KINDWIN MARKHAM  
LIMITED**

N:\OFT\1 ATTACHMENTS\Z\2.02.075



SUBJECT LANDS

# VELLORE WOODS BOULEVARD

(BY REGISTERED PLAN 65M-3560)

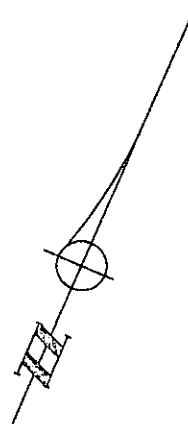
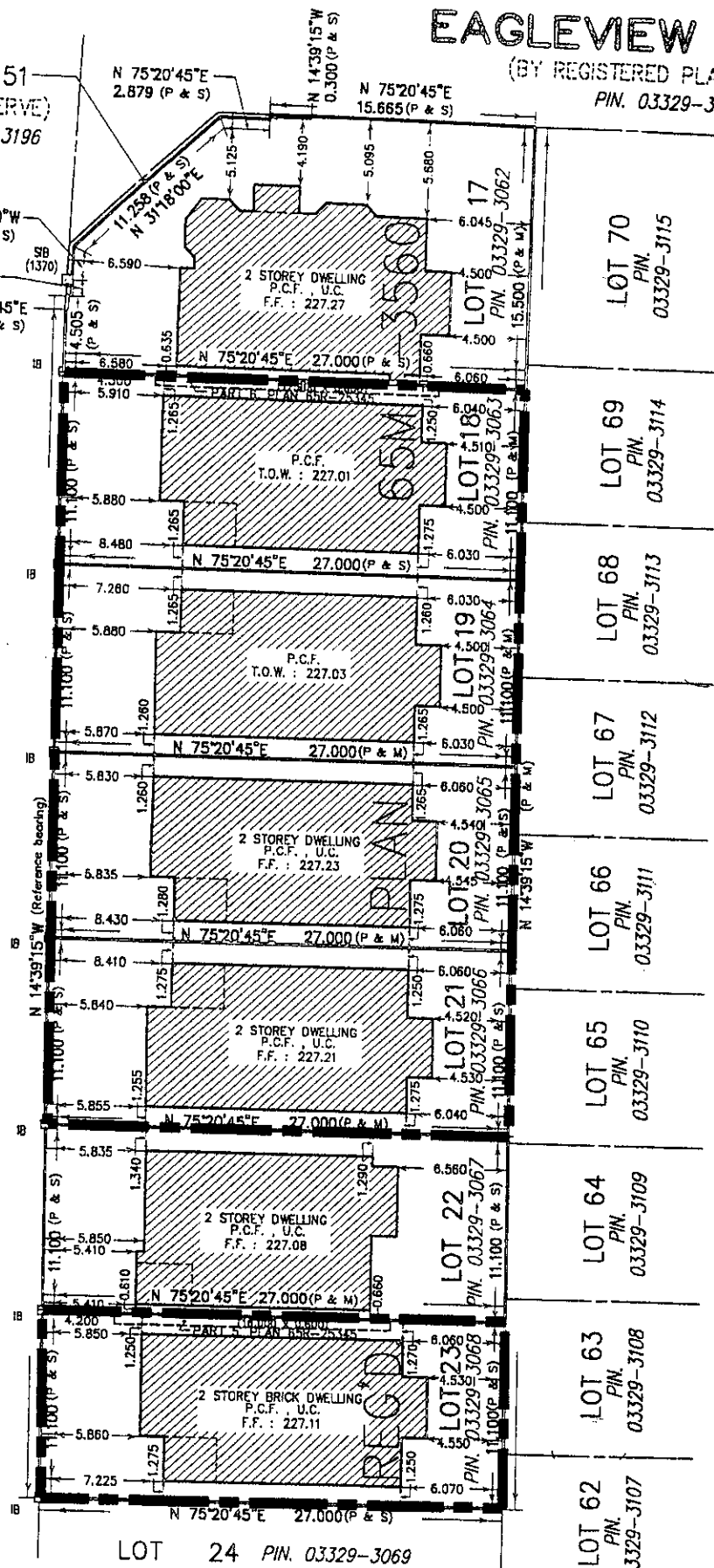
PIN. 03329-3213

BLOCK 151  
(0.30 RESERVE)  
PIN. 03329-3196

## EAGLEVIEW HEIGHTS

(BY REGISTERED PLAN 65M-3560)

PIN. 03329-3218



SUBJECT LANDS

## Attachment

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Z.02.078

November 25, 2002  
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City of  
**Vaughan**

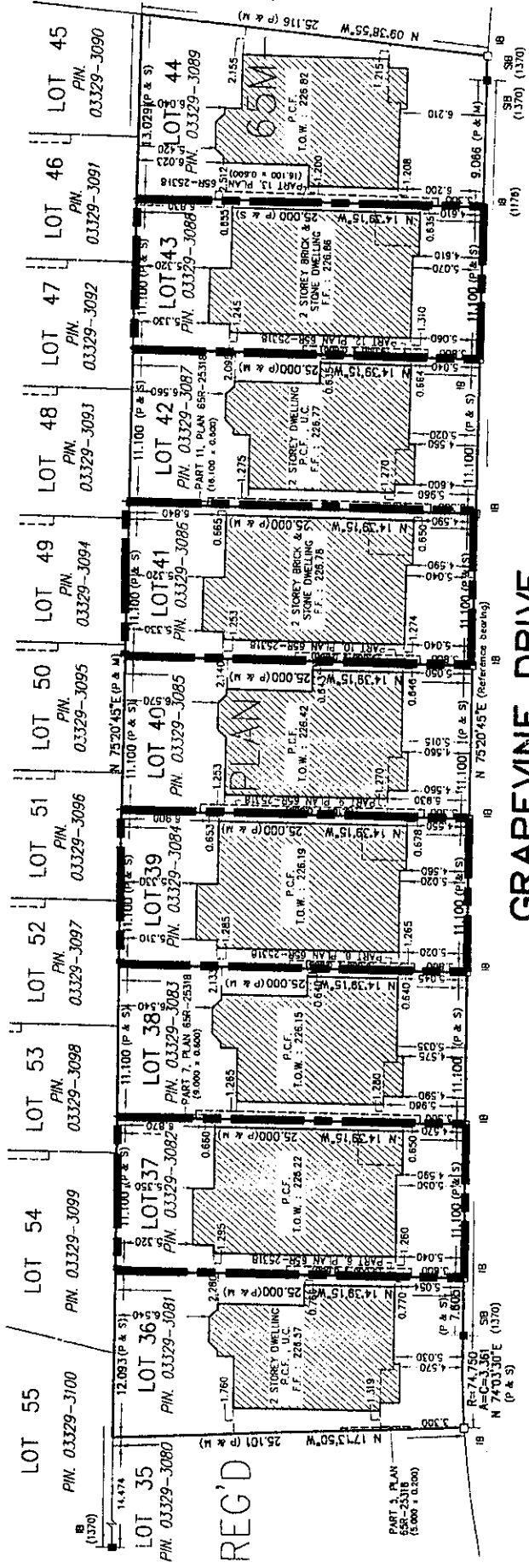
Community Planning Department

## Site Plan

Part of Lot 20,  
Concession 5

APPLICANT:  
KINDWIN MARKHAM  
LIMITED





GRAPEVINE DRIVE

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SUBJECT LANDS

## Site Plan

Part of Lot 20,  
Concession 5

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LIMITED

City of  
**Vaughan**

Community Planning Department

## Attachment

# 6

FILE No.:  
Z.02.078

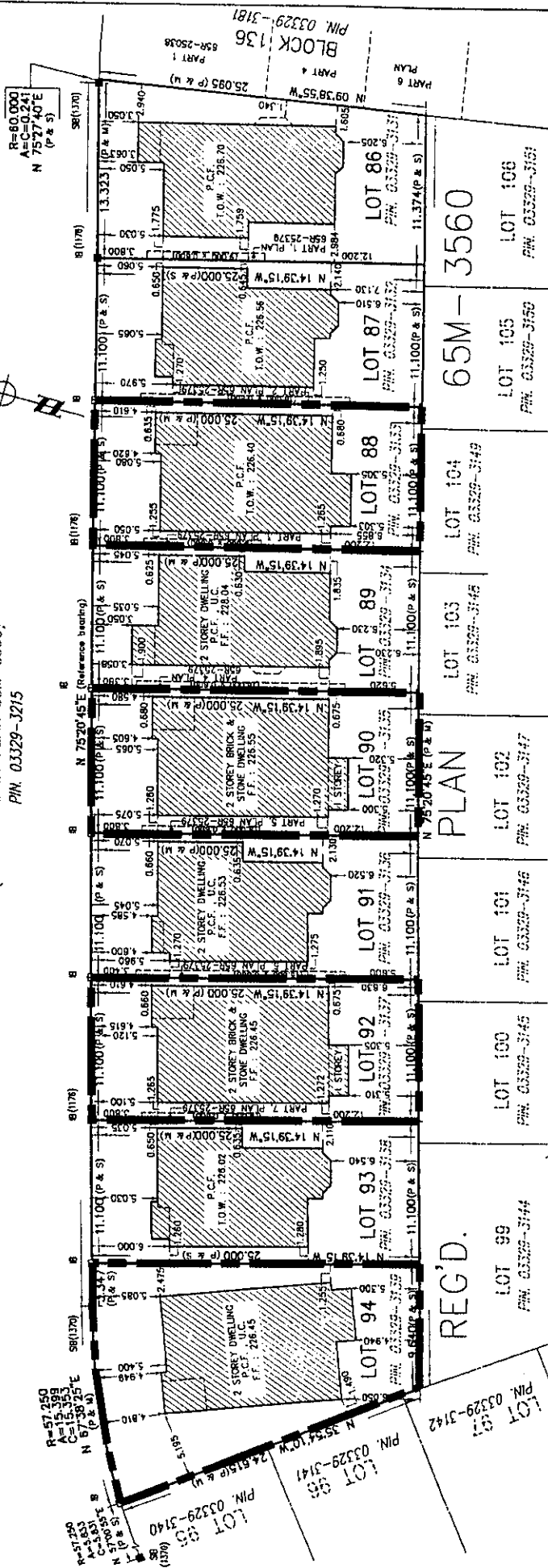
November 25, 2002  
Not to Scale



# GRAPEVINE DRIVE

(BY REGISTERED PLAN 65M-3560)

PIN 03329-3215



SUBJECT LANDS

## Site Plan

Part of Lot 20,  
Concession 5

APPLICANT:  
KINDWIN MARKHAM  
LIMITED

City of  
**Vaughan**

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## Attachment

**7**

FILE No.:  
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November 25, 2002

Not to Scale

PIN. 03329-3213

BLOCK 160—  
(0.30 RESERVE)  
PIN. 03329-3205

BLOCK 159—  
(0.30 RESERVE)  
PIN. 03329-3204

(BY REGISTERED PLAN GSM-3580)

PIN. 03329-3215

TIMBERWOLF CRESCENT  
(BY REGISTERED PLAN 55M-3560)  
PIN. 03329-3214

PIN. 03329-3214

# Site Plan

Part of Lot 20,  
Concession 5

**APPLICANT:  
KINDWIN MARKHAM  
LIMITED**

## Attachment

FILE No.:  
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November 25, 2002

**Not to Scale**

**City of Vaughan**

Community Planning Department

## SUBJECT LANDS

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