

COMMITTEE OF THE WHOLE JUNE 8, 2005

INTERIM CONTROL BY-LAW - AMENDMENT **KLEINBURG – NASHVILLE HERITAGE CONSERVATION DISTRICT**

Recommendation:

The Commissioner of Planning recommends:

- 1) That a By-law to amend Interim Control By-law 220-2004 be forwarded to Council for enactment.
- 2) That the By-law to amend the Interim Control By-law provide exemptions for properties identified as 3, 4, 7, and 8 for existing applications as described on Attachment 1.
- 3) That the following report of the Commissioner of Planning be received.

Economic Impact

N/A

Purpose

The purpose of this report is to recommend the amendment of Interim Control By-law 220-2004 to include eight additional properties within the Kleinburg core area.

Location

The eight (8) properties are spread through the area covered by the existing Interim Control By-law within the Kleinburg core area. (Attachment 1 – Map)

As a year has passed, and the expected work has either been completed or not started it would be appropriate to amend By-law No. 220-2004 to include the identified eight (8) properties.

Background – Analysis and Options

During the initial preparation and adoption of By-law 220-2004 a number of properties were identified as being suitable for exclusion from the Interim Control By-law. The primary reason these properties were excluded was that the owners of the identified properties had intended to undertake previously approved developments or were in the process of achieving site plan approval.

Attachment 2 is a synopsis that provides the location of the property, the type of file associated with the property, the status of the proposed development and the potential impact of placing the property within the Interim Control By-law.

Relationship to Vaughan 2007

The staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA #601.

Conclusion

That a By-law to amend the boundary of the Interim Control By-law 220-2004 should be adopted for the above noted properties. These properties have either developed in

accordance with the submitted applications or should comply with future standards within the community to be established through the current policy review.

Attachments

- 1) Location map of lands to be added to Interim Control By-law
- 2) Description of Properties and Proposed Developments.
- 3) Draft By-law and Schedules.

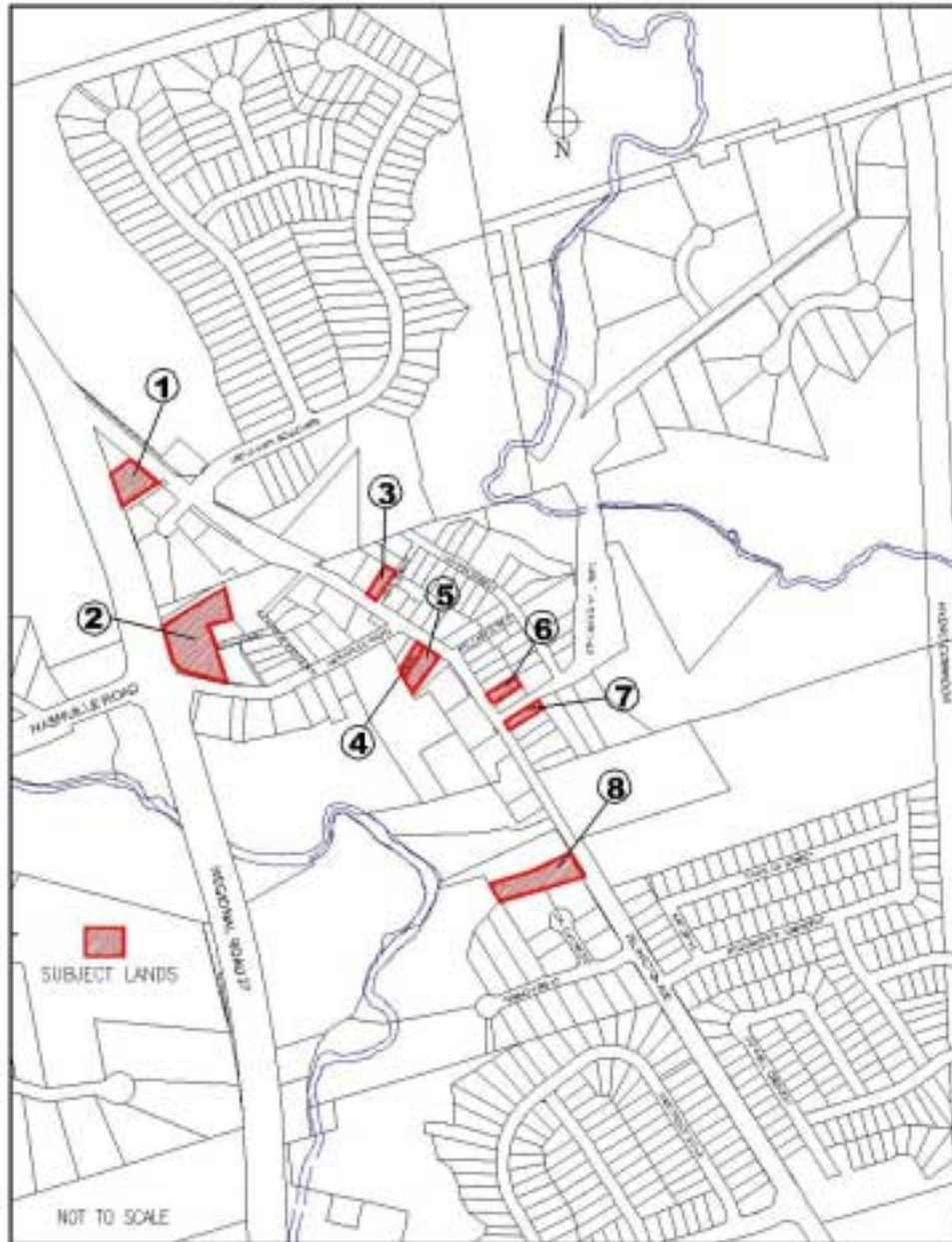
Reports prepared by:

Aaron Hershoff, Planner 1, extension 8320.

Respectfully submitted

John Zipay
Commissioner of Planning

Diana Birchall
Director of Policy Planning/Urban Design



THIS IS SCHEDULE '1'
TO BY-LAW _____ - 2005
 PASSED THE _____ DAY OF _____, 2005

LOCATION: PT LOTS 23, 24, 25, CONCESSION 8
 KLEINBURG CORE INTERIM CONTROL BY-LAW - AMENDMENT
 CITY OF VAUGHAN

SIGNING OFFICERS

_____ MAYOR

_____ CLERK

Application Descriptions

Map ID:	1
Files:	DA.00.11 / Z.95.080
Civic Address:	10674 Islington Ave.
Development Status:	An amendment of the Zoning By-law to allow for the construction of two single detached dwellings has been approved, pending site plan approval.
Impact of ICB:	High. Including these lots within the ICB, without relief would prohibit the construction of houses on two approved building lots. The 1995 recommendations for items to occur prior to the adoption of the Zoning By-law are still valid and should occur prior to the approval of the amendment. (i.e. site plan review and agreements are required) Legal has recommended that this property should be included in the ICB and that once the required Zoning By-law and site plan agreement are completed, the property could be exempt from the ICB.
Map ID:	2
File:	DA.03.009
Civic Address:	110 Nashville Rd.
Development Proposal:	Mixed commercial development.
Status:	Development is substantially complete. Minor landscaping and items related to site plan control agreement need to be reviewed.
Impact of ICB:	The proposed ICB will have low impact on development. The ICB will allow for the changing of tenants and uses within building provided that no additional parking would be required.
Map ID:	3
Files:	Z.03.081 / DA.04.039
Civic Address:	10545 Islington Ave.
Development Status:	An amendment of the Zoning By-law has been approved to permit ground floor commercial uses and upper level residential uses in an existing building pending site plan approval. Although a site plan application has been made, the applicant has not submitted the required supporting documents for this application to proceed.
Impact of ICB:	High. The inclusion of this property in an amended ICB area would have a high impact.
Map ID:	4
File:	Z.01.067 / DA.01.084
Civic Address:	10512 Islington Ave.
Development Status:	A site specific amendment to the C1 zone to allow for an addition, patio and parking is completed. No work has been undertaken due to issues with site plan and negotiating suitable drainage easement with abutting property owner.
Impact of ICB:	Low, as the property owner is unable to access required drainage on abutting property. ICB should be written to permit development as approved.

Map ID: 5
Files: Z.02.006 / DA.02.003
Civic Address: 10504 Islington Ave.
Development Status: Redevelopment of property associated with old post office for mixed use development. The development is complete.
Impact of ICB: ICB will have low impact on development. Should allow for the changing of tenants and uses within building provided that no additional parking would be required.

Map ID: 6
Files: Z.03.013 / DA.03.046
Civic Address: 10465 Islington Ave.
Development Status: Site specific zoning allows for the use of the main floor for retail space, specifically a photo studio, second storey residential uses and storage in the basement and attic has been passed. Special terms and conditions are included with respect to the use and storage of photographic chemicals and processes. Approval has been granted to provide relief from provision of parking and rear yard setback.
Impact of ICB: ICB will have low impact on development. Should allow for the changing of tenants and uses within building provided that no additional parking would be required.

Map ID: 7
Files: Z.03.046 / DA.03.040
Civic Address: 10449 Islington Ave.
Development Status: Approved site specific Zoning By-law is in effect. The adaptive reuse of two existing buildings to permit the following uses, pending an approved site plan agreement. Building 1, ground floor commercial, upper floors residential. Building 2, commercial. Commercial uses to be specified in pending Zoning By-law. Zoning By-law to be approved upon Site Plan Approval.
Impact of ICB: Low, pending site plan approval.

Map ID: 8
Files: Z.03.064 / DA.03.055
Civic Address: 10360 Islington Ave.
Development Status: A site specific amendment to the Zoning By-law to permit a 2 ½ storey residential building containing 15 dwelling units has been approved.
Impact of ICB: Low. This property is currently vacant. Any use of the property to be permitted during the period in which the ICB is in effect should be in accordance with the site specific Zoning By-law.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER -2005

A By-law to amend City of Vaughan By-law Number 220-2004.

WHEREAS the Council for The Corporation of the City of Vaughan directed that a study – the “Kleinburg Core Area Land Use Study” - be undertaken in respect of land use planning policies for the Kleinburg Core Area;

AND WHEREAS on June 28th, 2004 the Council for the City of Vaughan enacted an interim control by-law, being By-law Number 220-2004, pursuant to subsection 38(1) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to prohibit the use of those lands within the Kleinburg Core Area, shown as the "Subject Lands" on Schedule '1' to the said By-law, until the Kleinburg Core Area Land Use Study was completed;

AND WHEREAS Council deems it desirable to amend By-law Number 220-2004 to include an additional eight (8) parcels of land within the 'Subject Lands' set out on Schedule '1' to By-law Number 220-2004;

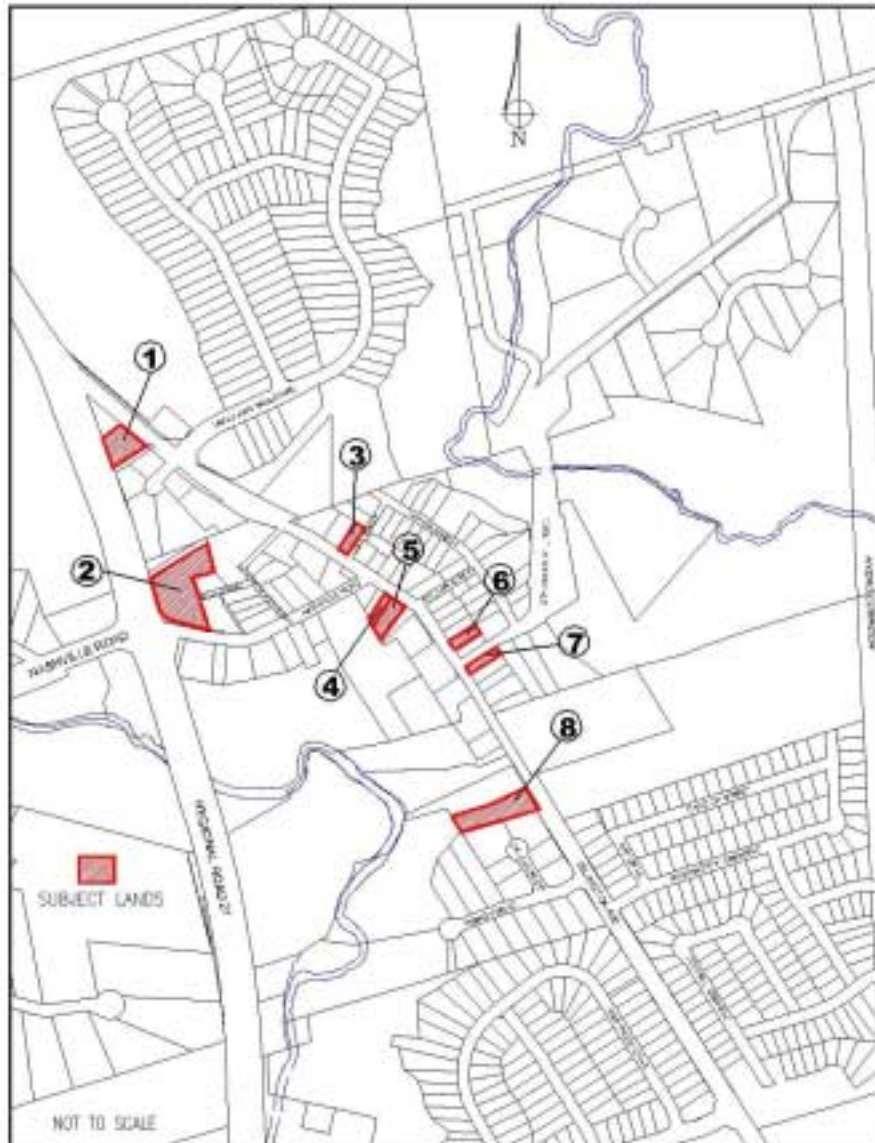
NOW THEREFORE the Council for the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. Schedule '1' to By-law Number 220-2004 shall be and is hereby amended to include the lands numbered 1 through to 8 on Schedule '1' to this By-law;
2. Notwithstanding the provisions of any zoning by-law in effect in the City of Vaughan, the additional lands numbered 1 through to 8 on Schedule '1' to this By-law shall be used for no other purpose than those purposes set out below each such property identified and described on Schedule '2' to this By-law;
3. Schedules '1' and '2' shall be and hereby form part of this By-law.

READ a FIRST, SECOND and THIRD time and finally passed this day of June 2005.

Michael DiBiase, Mayor

John D. Leach, City Clerk



THIS IS SCHEDULE '1'
TO BY-LAW _____ - 2005
PASSED THE _____ DAY OF _____, 2005

LOCATION: PT LOT'S 23, 24, 25, CONCESSION B
 KLEINBURG CORE INTERIM CONTROL BY-LAW - AMENDMENT
 CITY OF VAUGHAN

SIGNING OFFICERS

_____ MAYOR

_____ CLERK

SCHEDULE '2' TO BY-LAW NUMBER
- 2005

1. LANDS IDENTIFIED AS # 1 ON SCHEDULE '1'

Municipal Address: 10674 Islington Ave.

Legal Description(s): PIN 03347-0104 / PIN 003347-0207
PT LT 1, PL 210, VAUGHAN;
PT LT 2, PL 210, VAUGHAN;
PT 1, PL 65R-4066 VAUGHAN
PT MILL ROAD, PL 210, VAUGHAN

Permitted Uses: The permitted uses for the lands described above shall be limited to any use that existed on the day of passing of By-law No. 220-2004.

2. LANDS IDENTIFIED AS # 2 ON SCHEDULE '1'

Municipal Address: 110 Nashville Rd.

Legal Description: PIN 03347-0235
LT 5, PL 268, VAUGHAN;
LT 6, PL 268, VAUGHAN;
LT 17, PL 268, VAUGHAN;
LT 18, PL 268, VAUGHAN;
PT LT 4, PL 268, VAUGHAN;
PT LT 7, PL 268, VAUGHAN;
PT LT 8, PL 268, VAUGHAN;
PT LT 9, PL 268, VAUGHAN;
PT LT 16, PL 268, VAUGHAN;
PT LT 19, PL 268, VAUGHAN;
PT MAIN ST, PL 268, VAUGHAN;
PT LT 24, CON 8, VAUGHAN;
PT LT 25, CON 8, VAUGHAN;
PT LT 19, PL 210, VAUGHAN

Permitted Uses: The permitted uses for the lands described above shall be limited to any use that existed on the day of passing of By-law No. 220-2004 or those uses permitted in By-law No. 346-2003 and By-law No. 7-2005, provided that any future development of the lands occurs in accordance with an approved site plan control agreement.

3. LANDS IDENTIFIED AS # 3 ON SCHEDULE '1'

Municipal Address: 10545 Islington Ave.

Legal Description: PIN 03347-0132
LT 34, PL 275, VAUGHAN

Permitted Uses: The permitted uses for the lands described above shall be limited to any use that existed on the day of passing of By-law No. 220-2004.

4. LANDS IDENTIFIED AS # 4 ON SCHEDULE '1'

Municipal Address: 10512 Islington Ave

Legal Description: PIN 03323-0276
PT LT 39, PL 9, VAUGHAN;
PT LT 40, PL 9, VAUGHAN AS IN R667405

Permitted Uses: The permitted uses for the lands described above shall be limited to any use that existed on the day of passing of By-law No. 220-2004 or those uses permitted in By-law No. 239-2003, provided that any future development of the lands occurs in accordance with an approved site plan control agreement.

5. LANDS IDENTIFIED AS # 5 ON SCHEDULE '1'

Municipal Address: 10504 Islington Ave.

Legal Description: PIN 03323 – 0425 / PIN 03323-03424
PT LT 38, PLN 9, VAUGHAN;
PT LT 39 PLN 9, VAUGHAN AS IN R670720 SAVE & EXCEPT PT 1, PL 65R-26273
PT LT 38 & PT LT 39, PLN 9, PT 1, PL 65R-26273, VAUGHAN

Permitted Uses: The permitted uses for the lands described above shall be limited to any use that existed on the day of passing of By-law No. 220-2004 or those uses permitted in By-law No. 208-2003, provided that any future development of the lands occurs in accordance with an approved site plan control agreement.

6. LANDS IDENTIFIED AS # 6 ON SCHEDULE '1'

Municipal Address: 10465 Islington Ave.

Legal Description: PIN 03347-0645
LT 2 AND PT LOT 13, PLAN 11 AS IN R446510 SAVE & EXCEPT PT 2, PL 65R-26744; VAUGHAN
PT LT 2, PLAN 11, PT 2, PL 65R-26744, VAUGHAN

Permitted Uses: The permitted uses for the lands described above shall be limited to any use that existed on the day of passing of By-law No. 220-2004 or those uses permitted in By-law No. 93-2004, provided that any future development of the lands occurs in accordance with an approved site plan control agreement.

7. LANDS IDENTIFIED AS # 7 ON SCHEDULE '1'

Municipal Address: 10449 Islington Ave.

Legal Description: PIN03326-0162
PT LT 25, PL 11, VAUGHAN AS IN R501188

Permitted Uses: The permitted uses for the lands described above shall be limited to any use that existed on the day of passing of By-law No. 220-2004 or those uses permitted in By-law No. 308-87, provided that any future development of the lands occurs in accordance with an approved site plan control agreement.

8. LANDS IDENTIFIED AS # 8 ON SCHEDULE '1'

Municipal Address: 10360 Islington Ave.

Legal Description: PIN 03323-0418
PT LT 23, CON 8, PTS 4 & 5, PL 65R-22136, VAUGHAN;
S/T EASEMENT OVER PT 5, PL 65R-22136 AS IN LT1529305

Permitted Uses: The permitted uses for the lands described above shall be limited to those uses permitted in By-law 87-2005, provided that any future development of the lands occurs in accordance with an approved site plan control agreement.