

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES JANUARY 29, 2013

Item 2, Report No. 3, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on January 29, 2013.

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**OFFICIAL PLAN AMENDMENT FILE OP.11.009
ZONING BY-LAW AMENDMENT FILE Z.11.034
1850220 ONTARIO INC.
WARD 1 – VICINITY OF TESTON ROAD AND DUFFERIN STREET**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated January 15, 2013, be approved;
- 2) That community meetings with the applicant, Ratepayers groups, Local Councillor, interested Regional Councillors and staff continue to be held to negotiate an agreement regarding the subject lands;
- 3) That the following deputations and communications be received:
 1. Mr. Glen Broll, Glen Schnarr and Associates Inc., Kingsbridge Garden Circle, Mississauga, on behalf of the applicant;
 2. Mr. Robert Kenedy, MacKenzie Ridge Ratepayers' Association, Giorgia Crescent, Maple, and Communication C4, dated January 11, 2013;
 3. Mr. Antony Niro, Maplewood Ravines Community Association, Laurentian Boulevard, Maple, and Communication C11, dated January 15, 2013;
 4. Mr. Todd Robinson, MacKenzie Ridge Ratepayers' Association, Germana Place, Maple;
 5. Mr. Noel Gabriel, Germana Place, Vaughan;
 6. Mr. Ed Malabre, Celeste Drive, Maple, and Communication C5, dated January 15, 2013;
 7. Mr. Brian Kenny, Giorgia Crescent, Maple;
 8. Mr. Joseph Vukman, Germana Place, Maple; and
 9. Ms Kim Kenny, Giorgia Crescent, Maple; and
- 4) That Communication C5 from James and Magdalen Baksi, Antonini Court, Maple, dated January 11, 2013, be received.

Recommendation

The Commissioner of Planning recommends:

THAT the Public Hearing report for Files OP.11.009 and Z.11.034 (1850220 Ontario 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.

Contribution to Sustainability

The contribution to sustainability will be determined when the technical report is considered.

Economic Impact

This will be addressed when the technical report is completed.

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Communications Plan

- a) Date the Notice of a Public Meeting was circulated: December 21, 2012
- b) Circulation Area: Minimum 150 m
- c) Comments received as of January 2, 2013: None.

On October 25, 2011, a Public Hearing was held for Official Plan Amendment File OP.11.009 and Zoning By-law Amendment File Z.11.034 (original proposal as shown on Attachment #4) to: amend OPA #332 (Keele Valley Plan), as amended by OPA #535, to add townhouse dwelling units as a permitted use in the “Executive Residential” designation, whereas only single detached dwelling units are permitted; to increase the maximum permitted density in the “Executive Residential” designation from 5 units per hectare (5 units) to 40 units per hectare (37 units); and, to amend Zoning By-law 1-88 to rezone the subject lands shown on Attachments #1 and #2 from RR Rural Residential Zone (single detached) to RM2 Multiple Residential Zone (townhouses) with site-specific zoning exceptions. A number of deputations were received by Vaughan Council from residents of the area regarding the proposed townhouse development. Written correspondence was also received by the City. On November 8, 2011, Vaughan Council resolved that a Ward 1 Community Meeting be convened with the residents, Members of Council and Staff to discuss the area resident’s concerns.

On February 23, 2012, a Ward 1 Community Meeting was held at Vaughan City Hall, which was attended by the Owner, their agent, area residents, representation from the Mackenzie Ridge Ratepayers Association, Ward 1 Councillor Iafate, and Vaughan Development Planning Staff. At the meeting, the Owner was asked by the residents to consider proposing a less dense development consisting of an extension of Germana Place southward and development of the property with single detached dwellings in order to address their concerns respecting compatibility, traffic, and access.

The Owner has since amended the proposal by removing the proposed townhouse units on the north side of the subject lands and replacing them with 14 semi-detached dwelling units with access to remain onto Dufferin Street as shown on Attachment #3. The revised site plan maintains the 18 townhouse units originally proposed on the southerly portion of the subject lands.

Purpose

The Owner has revised the following applications on the 0.92 ha subject lands shown on Attachments #1 and #2, to facilitate the development of 3 townhouse blocks consisting of 18 townhouse units and 14 semi-detached dwelling units for a total of 32 dwelling units on a private common element condominium road, as shown on Attachment #3:

1. Official Plan Amendment File OP.11.009 to amend OPA #332 (Keele Valley Plan) as amended by OPA #535 to:
 - i) add townhouse and semi-detached dwelling units as permitted uses in the “Executive Residential” designation, whereas only single detached dwellings are permitted; and,
 - ii) to increase the maximum permitted density in the “Executive Residential” designation from 5 units per hectare (5 units) to 35 units per hectare (32 units), representing an increase of 27 units on the subject lands.
2. Zoning By-law Amendment File Z.11.034 to amend Zoning By-law 1-88, specifically to rezone the subject lands from RR Rural Residential Zone (single detached) subject to Exception 9(3) to RM2 Multiple Residential Zone (townhouse dwelling units) together with the following site-specific zoning exceptions:

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	By-law Standard	By-law 1-88 RM2 Zone Requirements	Proposed Exceptions to RM2 Zone
a)	Permitted Dwelling Type	Block Townhouse Dwelling	Add a Semi-Detached Dwelling use
b)	Maximum Building Height	11.0 m	13.0 m
c)	Minimum Front Yard Setback (Dufferin Street)	4.5 m	3.15 m (to proposed Unit #32 as shown on Attachment #3)

Other zoning exceptions may be identified through the detailed review of the applications.

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Background - Analysis and Options

Location	<ul style="list-style-type: none">On the west side of Dufferin Street, north of Teston Road, (10820 Dufferin Street), City of Vaughan, shown on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">“Executive Residential” by in-effect OPA #332, as amended by OPA #535, which only permits single detached dwellings and a maximum density of 5 units per hectare (5 units). The proposal for 3 townhouse blocks consisting of 18 townhouse units and 14 semi-detached units on a private road with a density of 35 units per hectare does not conform to the Official Plan. Therefore, an Official Plan Amendment Application has been submitted.“Settlement Area” by OPA #604 (Oak Ridges Moraine Conservation Plan), which permits development to occur on the subject lands, subject to the provisions of the ORM Plan.“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 September 27, 2012, March 20, 2012, and April 17, 2012), and is pending approval from the Ontario Municipal Board.The “Low-Rise Residential” designation permits the proposed townhouse and semi-detached dwelling uses (no density requirement), however, the proposed development does not conform to the following policies and development criteria of VOP 2010:<ul style="list-style-type: none">i) Section 9.1.2.2 - In Community Areas, new development will be designed to respect and reinforce the existing physical character including size and configuration of lots, building type of nearby residential properties and the pattern of rear and side-yard setbacks;ii) Section 9.2.3.1 – In Community Areas, with existing development, the scale, massing, setback and orientation of Detached Houses and Semi-Detached Houses will respect and reinforce the scale, massing, setback and orientation of other built and approved Detached Houses and/or Semi-Detached Houses in the immediate area. Variations are permitted for the purposes of minimizing driveways; and,iii) Section 9.2.3.2 - Townhouses states, any townhouse development that has flankage on a public street should provide a front-yard and front door entrance facing the public street, whereas, the proposed townhouse units flank onto Dufferin Street, and propose a front-yard and a front door entrance facing the proposed private road. The proposed semi-detached units also front onto the proposed private road.

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Zoning	<ul style="list-style-type: none"> RR Rural Residential Zone (single detached), subject to Exception 9(3), by Zoning By-law 1-88. The proposed townhouse and semi-detached development does not comply with Zoning By-law 1-88. Therefore, a Zoning By-law Amendment application is required.
Surrounding Land Uses	<ul style="list-style-type: none"> Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the applicable Provincial policies, and Regional and City Official Plan policies, including the Oak Ridges Moraine Conservation Plan, and additional policies as identified in this report.
b.	Appropriateness of Proposed Use, Density and Zoning Exceptions	<ul style="list-style-type: none"> The appropriateness of permitting the proposed townhouse and semi-detached dwelling units and an increase in the maximum permitted density from 5 units to 35 units per hectare, will be reviewed in consideration of, but not limited to, compatibility with other existing uses in the surrounding area including the existing single-detached dwellings to the north and the Fire Station immediately to the south, built form, urban design, environmental sustainability, parking, and traffic.
c.	Traffic Impact Study and Parking Assessment	<ul style="list-style-type: none"> The Traffic and Parking Impact Study submitted by the Owner must be reviewed and approved to the satisfaction of the Region of York and the Vaughan Development/Transportation Engineering Department.
d.	Phase One Environmental Site Assessment	<ul style="list-style-type: none"> The Environmental Site Assessment submitted by the Owner must be reviewed to the satisfaction of the Vaughan Development/Transportation Engineering Department. The Owner must provide a Record of Site Condition based on the studies of a qualified environmental consultant. The Record of Site Condition must be acknowledged by the Ministry of the Environment prior to consideration of these applications by the Committee of the Whole.

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e.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ The subject lands abut lands designated “Open Space” by OPA #332, as amended by OPA #535, and are within the Oak Ridges Moraine Regulation Area. The applications must be reviewed to the satisfaction of the Toronto and Region Conservation Authority and the City of Vaughan.
f.	The Regional Municipality of York	<ul style="list-style-type: none">▪ The subject lands front onto Dufferin Street and must be reviewed to the satisfaction of the Region of York, including but not limited to access onto Dufferin Street, traffic, and road improvements.
g.	Lot Creation	<ul style="list-style-type: none">▪ The Owner has advised that they will be submitting a Draft Plan of Subdivision Application to facilitate the creation of a Block consisting of the entirety of the subject lands in order to facilitate the proposed development. The Draft Plan of Subdivision application will be the subject of a future Public Hearing.
h.	Future Site Plan Application	<ul style="list-style-type: none">▪ A future Site Plan Application is required to facilitate a comprehensive review of the proposed development to ensure, but not limited to, appropriate building and site design, development standards, access, amenity area(s), visitor parking, barrier free accessibility, snow storage areas, servicing and grading, landscaping and sustainable development features, should the Official Plan and Zoning By-law Amendment applications be approved.▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, drought tolerant landscaping, reduction in pavement to address the “heat Island” effect, etc., will be reviewed and implemented through the site plan approval process, if approved.
i.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none">▪ A future Draft Plan of Condominium (Common Element) application is required to facilitate the creation of the common element blocks (i.e. private driveway, visitor parking, and any landscaped or common amenity areas), if the Official Plan and Zoning By-law Amendment applications are approved.
j.	Future Part Lot Control Application	<ul style="list-style-type: none">▪ A future Part Lot Control Application is required to create the individual lots for the townhouses and semi-detached dwellings, if the Official Plan and Zoning By-law Amendment applications are approved.

Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of the applications to the Vaughan Vision will be determined when the technical report is considered.

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Regional Implications

The applications have 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 applications will be considered in the technical review of the applications, 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. Revised Conceptual Site Plan
4. Original Conceptual Site Plan (Public Hearing October 25, 2011)
5. Typical Townhouse Conceptual Elevation

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.)