

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 30, 2018

Item 1, 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 30, 2018.

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**OFFICIAL PLAN AMENDMENT FILE OP.17.010
ZONING BY-LAW AMENDMENT FILE Z.17.026
DRAFT PLAN OF SUBDIVISION FILE 19T-17V009
TESTON SANDS INC.
VICINITY OF DUFFERIN STREET AND TESTON ROAD**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated January 23, 2018, be approved;
- 2) That the following be approved in accordance with Communication C1 from the Deputy City Manager, Planning and Growth Management and the Director of Development Planning:
 1. That the first sentence in the Matters to be Reviewed Section, b., bullet #1 on page 1.6 of the titled report be deleted thereby removing all reference to the R1V Old Village Residential Zone and Table 1 and only state the following:

“The appropriateness of the proposed RD2, RD3 and OS2 Zones shown on Attachment #3, will be reviewed in consideration of compatibility with the surrounding existing and planned land uses, including the proposed lot pattern, street design and access, park location and size, and the limits of development and necessary buffers along the OS5 Open Space Environmental Protection Zone.”;
- 3) That community meetings organized by the Local Councillor be held as required, with the applicant, 3 to 4 members of the ratepayer’s groups, Regional Councillors and appropriate staff, to address outstanding issues; and
- 4) That the following deputations, be received:
 1. Mr. Glenn Lucas, Lucas & Associates, Debra Crescent, Barrie, representing the applicant;
 2. Mr. Rob Kenedy, MacKenzie Ridge Ratepayers, Giorgia Crescent, Vaughan;

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3. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg;
4. Mr. Gary [REDACTED], Maple; and
5. Mr. Atticus [REDACTED], Maple.

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan Amendment File OP.17.010, Zoning By-law Amendment File Z.17.026 and Draft Plan of Subdivision File 19T-17V009 for the subject lands shown on Attachments #1 and #2, to permit a residential plan of subdivision consisting of 96 lots that would be developed with detached dwellings, as shown on Attachment #3.

Recommendation

1. THAT the Public Hearing report for Files OP.17.010, Z.17.026 and 19T-17V009 (Teston Sands 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.

Report Highlights

- To receive input from the public and the Committee of the Whole on a residential plan of subdivision consisting of 96 lots.
- Official Plan and Zoning By-law Amendments are required to permit the development.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Background

The subject lands are located on the north side of Teston Road, west of Dufferin Street, and are municipally known as 1600 Teston Road, shown as “Subject Lands” on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the proposed development

The Owner has submitted the following applications for the subject lands shown on Attachments #1 and #2 to facilitate a residential plan of subdivision with 96 lots that would be developed with detached dwellings, as shown on Attachment #3:

1. Official Plan Amendment File OP.17.010 to amend Site-Specific Policy 13.20 of the Vaughan Official Plan 2010 (VOP 2010), Volume 2 to redesignate the subject lands from “Natural Areas” to “Low-Rise Residential” subject to the “Low-Rise Residential” policies of VOP 2010.

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2. Zoning By-law Amendment File Z.17.026 to amend Zoning By-law 1-88, to rezone the subject lands from A Agricultural Zone, as shown on Attachment #2, to RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three and OS2 Open Space Park Zone in the manner shown on Attachment #3.
3. Draft Plan of Subdivision File 19T-17V009, as shown on Attachment #3, to facilitate a residential plan of subdivision consisting of the following:

Lots 1-96	Detached Residential (frontages 12m - 15m)	4.45ha	96 units
Block 97	Road Widening	0.04ha	
Block 98	0.3m Reserve	0.01ha	
Block 100	Open Space Park	0.1ha	
Roads	17.5m to 20m (Public Roads "A"-"F")	1.90ha	
Total		6.5ha	96 units

Public Notice was provided in accordance with the Planning Act, Council's Notification Protocol, and included an expanded notification area

- a) Date the Notice of Public Hearing was circulated: December 22, 2017.
The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocols.
- b) Circulation Area: An expanded notification area beyond 150 m as shown on Attachment #1 and to the MacKenzie Ridge Ratepayers' Association.
- c) Comments have been received from the following individuals based on the circulation of the subject applications to the local Ratepayers' Association:
 - S. Sigrist, email dated September 18, 2017
 - R. Kenedy, Georgia Crescent, email dated September 22, 2017
 - A. Avsiannikov, Hunterwood Chase, email dated September 24, 2017
 - M. Muzzo, Georgia Crescent, email dated September 25, 2017
 - P. Bender, email dated September 25, 2017
 - N. and S. Chopra, Georgia Crescent, email dated September 25, 2017
 - J. Vitale, Adirondack Road, email dated October 1, 2017
 - C. Gabriel, Germana Place, email dated October 1, 2017
 - K. Gabriel, Germana Place, email dated October 1, 2017
 - R. Gabriel, Germana Place, email dated October 1, 2017
 - J. and M. Baksi, Antonini Court, email dated October 1, 2017
 - K. Gabriel, Germana Place, email dated October 2, 2017

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- F. Liberatore, email dated October 1, 2017
- J. Vukman, Germana Place, email dated October 2, 2017

The following is a summary of the comments received by the City:

- i) the subject lands are located within the Oak Ridge Moraine and the proposed development will harm the surrounding environment;
- ii) the quality of fill should be monitored, and the large quantity of fill required to properly grade the subject lands and the tamping of the fill may cause vibrations and structural damage to neighbouring properties;
- iii) a large treed buffer zone between the proposed development and all neighbouring properties should be established;
- iv) potential drainage issues caused by heavy rain and potential flooding of new homes and existing neighbouring properties;
- v) there will be increased traffic generated by the proposed development given there is only one access onto Teston Road;
- vi) the development proposal should include executive lots like the abutting residential neighbourhood;
- vii) there has been unauthorized tree removal on the subject lands, whereas existing residents on Germana Place were not permitted to remove trees in their rear yards;
- viii) the unauthorized removal of trees on the subject lands should be replaced and the replanting program should be monitored;
- ix) there is no public transit along Dufferin Street, between Major Mackenzie and King-Vaughan Road to support the proposed development; and
- x) existing schools in the area are at capacity.

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department

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as input in the application review process and will be addressed in the final technical report at a future Committee of the Whole meeting.

Previous Reports/Authority

Not applicable.

Analysis and Options

The proposal requires amendments to Site-Specific Official Plan Policy 13.20 and Zoning By-law 1-88

Official Plan Designation	<ul style="list-style-type: none">▪ The subject lands are designated “Natural Areas” by Vaughan Official Plan 2010 (VOP 2010) as identified on Schedule 13 - “Land Use” and are subject to Site-Specific Policy 13.20 of VOP 2010, Volume 2, as outlined on Attachment #4.▪ Site-Specific Policy 13.20 states (in part) that notwithstanding Schedule 13 – “Land Use” the “Enhancement Area” policies in Section 3.2.3 of VOP 2010, Volume 1 shall apply to the subject lands.▪ Enhancement Areas are identified conceptually on Schedule 2 – “Natural Heritage Network” of VOP 2010. The subject lands are identified as an “Unapproved” site under consideration for Core Features additions, Core Feature Deletions or classification as an Enhancement Area (Note 3, Schedule 2, VOP 2010). Enhancement Areas have the potential to provide additional habitat and or ecological connectivity to the Natural Heritage Network through restoration or re-naturalization (Section 3.2.3.1, in part). As noted, Enhancement Areas including unapproved areas are identified as approximate on Schedule 2 and as part of development process (Planning Act Applications) environmental studies will be conducted to determine the final location and boundary of the Enhancement Area (Section 3.2.3.14, in part).
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- In accordance with Site-Specific Policy 13.20, and the Enhancement Area policies noted above, the Owner has submitted Official Plan Amendment File OP.17.010 to redesignate the subject lands to “Low-Rise Residential” in the manner shown on Attachment #3, to permit the proposed development.
- The Owner also submitted an Appeal (File No. 111184) to the Ontario Municipal Board (OMB) respecting the subject lands, specifically Schedule 2 – “Natural Heritage Network” of VOP 2010.
- The lands identified as “Other Lands Owned by the Applicant” shown on Attachments #2 and #3 are not part of the subject applications. The balance of the privately-owned lands identified as part of “Area B” (Attachment #4) will remain designated “Natural Areas”, zoned A Agricultural Zone and will continue to be subject to the “Enhancement Area” policies noted above. The privately owned lands identified as “Area A” (Attachment #4) will remain designated “Agricultural Area”, zoned OS5 Open Space Environmental Protection Zone and are subject to the “Core Features” policies noted below in part.
- Section 3.2.3.10 of VOP 2010 requires that Core Features and their related vegetation protection zone(s) be conveyed to the City and/or TRCA as a condition of development approval. To enable comprehensive management, such features shall not be fragmented, but shall be brought into public ownership to ensure their continued protection and management. Although the lands zoned OS5, also owned by the Applicant, are not the subject of the current Zoning By-law and Official Plan Amendments and Draft Plan of Subdivision applications, opportunities for the dedication of these lands into public ownership will be explored with the Owner through the review of the subject applications.

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Oak Ridges Moraine Conservation Plan	<ul style="list-style-type: none"> The subject lands are located within the Oak Ridges Moraine Conservation Plan Area (ORMCP) and identified as Oak Ridges Moraine Settlement Area, which permits lot creation and development subject to the provisions of the ORMCP.
Zoning	<ul style="list-style-type: none"> The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88, as shown on Attachment #2, which does not permit the proposed development. The Owner is proposing to rezone the subject lands to RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three and OS2 Open Space Park Zone in the manner shown on Attachment #3. Accordingly, an amendment to Zoning By-law 1-88 is required.

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	COMMENT(S)
a.	Conformity with Provincial Policies, Regional and Official Plans	<ul style="list-style-type: none"> The applications will be reviewed in consideration of the applicable policies of the Provincial Policy Statement (2014), Places to Grow, Oak Ridges Moraine Conservation Plan, the York Region Official Plan, and Vaughan Official Plan 2010.
b.	Appropriateness of Rezoning	<ul style="list-style-type: none"> The appropriateness of the proposed zoning exceptions to the R1V Old Village Residential Zone, as identified in Table 1 of this report, will be reviewed in consideration of the existing and planned surrounding land uses. The appropriateness of the proposed RD2, RD3 and OS2 Zones shown on Attachment #3, will be reviewed in consideration of compatibility with the surrounding existing and planned land uses, including the proposed lot pattern, street design and access, park location and size, and the limits of development and necessary buffers along the OS5 Open Space Environmental Protection Zone.

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		<ul style="list-style-type: none"> ▪ The development limits of the subject lands must be established to the satisfaction of the Toronto and Region Conservation Authority and the City. Any portion of the subject lands that may be located within the Natural Heritage Network will be zoned to the appropriate zone category, should the applications be approved.
c.	Appropriateness of the Draft Plan of Subdivision	<ul style="list-style-type: none"> ▪ Should the applications be approved, the required Draft Plan of Subdivision conditions will be included to address access (including the requirements for the extension of Teston Road), road widths, alignments and connections, servicing and grading, environmental, noise (including noise from the adjacent fire station), and other municipal, regional and public agency and utility requirements.
d.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the subject applications, which must be approved to the satisfaction of the City and/or the respective public approval authority: <ul style="list-style-type: none"> - Archeological Stage 1 Report - Environmental Impact Study and Natural Heritage Evaluation - Environmental Noise Report - Functional Servicing Report and Stormwater Management Report - Geotechnical Report - Hydrogeology Report - Phase 1 Environmental Site Assessment - Planning Justification Report - Slope Stability Report - Transportation Impact Study - Urban Design and Sustainability Brief - Arborist Report, Tree Inventory and Preservation Plan

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		<ul style="list-style-type: none">▪ The Owner shall prepare Urban Design Guidelines to the satisfaction of the Development Planning Department, Urban Design and Cultural Heritage Division prior to Draft Plan Approval.▪ The Owner shall, prior to Draft Plan of Subdivision approval, finalize the Tree Inventory and Preservation Plan/Arborist Report to the satisfaction of the City. The Plan shall include an inventory of all existing trees, an assessment of significant trees to be preserved, the proposed methods of tree preservation, and a compensation plan for all trees removed to date and for trees that will be removed as part of the inventory removals plan. The Owner shall not remove trees without written approval by the City.▪ Additional studies/reports may be required as part of the development application review process.
e.	Water and Servicing Allocation	<ul style="list-style-type: none">▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the applications are approved. If servicing capacity is unavailable, the entirety of the lands will be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the subject lands by Vaughan Council.
f.	Parkland/Cash-in-Lieu of Parkland Dedication	<ul style="list-style-type: none">▪ The proposed park block (Block 100) shown on Attachment #3 must be reviewed and approved to the satisfaction of the Parks Development Department. The Owner shall be required to convey parkland to the City and/or be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City’s Cash-in-lieu of Parkland Policy, to the satisfaction of the City, should the applications be approved.

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g.	Sustainable Development	<ul style="list-style-type: none">▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the draft plan of subdivision process, if the applications are approved.
h.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ The subject lands are located within the TRCA's regulated area pursuant to Ontario Regulation 166/06. The applications have been circulated to the TRCA for review and comment. The Owner must satisfy the requirements of the TRCA.
i.	Teston Road Individual Environmental Assessment (IEA)	<ul style="list-style-type: none">▪ York Region is undertaking an Individual Environmental Assessment Study (IEA) for the proposed Teston Road link between Keele Street and Bathurst Street, with an anticipated commencement date of spring/summer 2018. The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner must satisfy the requirements of York Region and must modify the draft plan, if required, to reflect the outcome of the Teston Road IEA.

Financial Impact

Not applicable.

Broader Regional Impacts/Considerations

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner has applied for an exemption from York Region approval of the Official Plan Amendment

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application. 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 Vaughan 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.

For more information, please contact: Christina Napoli, Senior Planner, Development Planning Department, Extension 8483.

Attachments

1. Context Location Map
2. Location Map
3. Draft Plan of Subdivision File 19T-17V009, Proposed Official Plan and Zoning By-law Amendments
4. Approved Site-Specific Policy 13.20, VOP 2010, Volume 2

Prepared by

Christina Napoli, Senior Planner, ext. 8483

(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.)