

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2017

By receiving Communication C8 from Mr. Richard Lorello, dated February 21, 2017.

The Committee of the Whole (Public Hearing) recommends:

- ## Recommendation

1. THAT the Public Hearing report for File Z.16.038 (Pine Valley Enclave II Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

The contribution to sustainability such as site and building design initiatives will be determined when the technical report is considered.

This will be addressed when the technical report is completed.

Date the Notice of Public Hearing was circulated: January 13, 2017. The Notice of Public

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Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign installed on the property in accordance with the City's Notice Sign Procedures and Protocols.

- a) Circulation Area: 150 m
- b) Comments Received (prior to the formal Public Hearing Notice being circulated):
 - i. T. Lamanna, resident of Pine Grove Road, submitted correspondence dated October 27, 2016, expressing concern with the removal of several mature trees on the subject lands in order to facilitate the proposed development concept. The resident requests that as many mature trees as possible be retained, and that the Owner consider the surrounding existing residential dwellings by protecting all the mature trees located along the property lines.
 - ii. M. Di Pasquale, resident of Pine Grove Road, submitted correspondence dated December 1, 2016, expressing concerns with the proposed development regarding privacy, sunlight and noise impacts, the removal of several mature trees on the subject lands, and the impacts of the construction activity. The resident requests that mature trees along the property lines be retained, or replaced, to ensure there is privacy and screening between the existing residential community and the proposed development. The resident also requests that the placement of Block "1" be reconsidered to better respect the view corridor of the adjacent, existing residential community to the north.
 - iii. E. Di Pasquale, resident of Pine Grove Road, submitted correspondence dated December 1, 2016, expressing concerns regarding the removal of several mature trees, privacy, sunlight and noise impacts, and the obstructed views to the natural feature.

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 Vaughan Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.16.038 for the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88, specifically to rezone the subject lands from R3 Residential Zone to RM2 Multiple Residential Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3. The Zoning By-law Amendment would facilitate the development of 22 three-storey freehold townhouse dwelling units, served by a privately owned and maintained common element condominium road through a future Condominium Corporation, along with other common elements such as the community mailbox, visitor parking and walkways as shown on Attachments #3 to #6. In addition, the following site-specific zoning exceptions are required to implement the development proposal:

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	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
a.	Definition – “Dwelling, Freehold Townhouse”	Not included in Zoning By-law 1-88	Means “a townhouse dwelling unit situated on its own lot, which abuts a public or private common element road.”
b.	Definition – “Street Line”	Means “the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting the street.”	Means “the dividing line between a lot and a street or a private common element road.”
c.	Permitted Uses	<ul style="list-style-type: none"> • Apartment Dwelling • Multiple Family Dwelling • Block Townhouse Dwelling • 9Day Nursery 	Permit a Townhouse Dwelling Unit
d.	Frontage on a Public Street	No building or structure may be erected unless the lot on which the building or structure is located fronts on an improved public street.	Permit a building or structure erected on a lot to front onto a private common element road.
e.	Permitted Yard Encroachments	Exterior stairways, and porches and balconies which are uncovered, unexcavated and unenclosed and not constructed on footings may extend into a front or exterior side yard to a maximum of 1.8 m.	A covered and unenclosed porch and exterior stairways leading to a porch shall be permitted to encroach into the minimum front yard or exterior side yard to a maximum of 2 m.
f.	Minimum Lot Area	230 m ² / unit	108 m ² / unit
g.	Minimum Lot Frontage	30 m	5.45 m (All lots)
h.	Minimum Front Yard Setback	4.5 m	3 m (All units)

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i.	Minimum Setback to a Garage Wall	6.4 m	6 m (All units)
j.	Minimum Rear Yard Setback	4.5 m	3 m (All units)
k.	Minimum Interior Side Yard Setback	1.5 m	1.26 m and no minimum side yard shall be required between an attached pair of dwelling units.
l.	Minimum Exterior Side Yard	4.5 m	3 m
m.	Minimum Landscaping Width Around a Parking Area	3 m in width around the periphery of a parking area	1.6 m in width around the periphery of a parking area
n.	Minimum Amenity Area	22, 3-bedroom units @ 90 m ² amenity area/unit = 1,980 m ²	1,168 m ² for the entire site (approximately 53.09 m ² /unit)

Additional zoning exceptions may be identified through the detailed review of the application and will be considered in a technical report to a future Committee of the Whole meeting.

Background - Analysis and Options

Location	<ul style="list-style-type: none"> 8254, 8266 and 8272 Pine Valley Drive, being Lots 21 to 23 inclusive, Registered Plan M-1116, located on the west side of Pine Valley Drive, south of Langstaff Road, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> The subject lands are designated “Low-Rise Residential” and “Natural Areas” by Vaughan Official Plan 2010 (VOP 2010), and are located within a “Community Area” as identified on Schedule 1 - Urban Structure of VOP 2010. The “Low-Rise Residential” designation of VOP 2010 permits townhouses no greater than 3-storeys in height, situated on a single parcel and part of a row of at least 3 but no greater than 6 attached residential units. Section 10.2.1.7 of VOP 2010 provides for minor variations related to numerical standards (save and except for height, density and environmental standards), and as such, no amendment is required to address the proposed 7 units within one townhouse block.

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	<ul style="list-style-type: none">▪ The rear portion of the subject lands contains part of a Core Feature as identified on Schedule 2 – Natural Heritage Network of VOP 2010. The proposed development must conform to the Core Feature policies of VOP 2010. The Owner is required to demonstrate that the proposed development will not result in a negative impact on the feature or its functions. In accordance with 5.3.2.3.4 of VOP 2010, the Owner is proposing a 10 m minimum vegetation protection zone from the Core Feature.
Background / History of Related Phase (Pine Valley Enclaves)	<ul style="list-style-type: none">▪ On September 23, 2014, Zoning By-law Amendment File Z.14.038 and Site Development Application File DA.14.071 (Pine Valley Enclaves Phase I) were submitted to the Vaughan Development Planning Department to facilitate the development 24 townhouse and 4 semi-detached dwelling units on a private common element condominium road located at 8204 and 8210 Pine Valley Drive. These applications were appealed to the Ontario Municipal Board (OMB) due to the City of Vaughan's failure to make a decision within the prescribed timelines of the <i>Planning Act</i>. <p>As a result of Vaughan Council's decision to accept a settlement offer by the applicant, the Development Planning Department did not provide a technical report to Vaughan Council or provide planning evidence at the OMB Hearing. On September 21, 2015, the OMB issued an oral decision that approved the development of the lands with 24 townhouse units and 4 semi-detached units. The OMB withheld the issuance of its Final Order pending confirmation from the Appellant that the form and content of the amending Zoning By-law, Site Plan and Site Plan Agreement were finalized to the satisfaction of all parties, including York Region and the City of Vaughan. The OMB issued its Final Order on July 13, 2016.</p> <ul style="list-style-type: none">▪ The subject development proposal constitutes Phase II of the Pine Valley Enclaves Community. The subject lands are located 4 lots north of the Pine Valley Enclaves Phase I project, as shown on Attachment #2, which is currently under construction. The OMB approval of the Pine Valley Enclaves Phase I project has established townhouses as a permitted built form within the immediate vicinity; therefore, an Official Plan Amendment for the townhouse proposal is not required.
Zoning	<ul style="list-style-type: none">▪ The subject lands are zoned R3 Residential Zone, by Zoning By-law 1-88, which permits a single detached dwelling on a lot having a minimum frontage of 12 m.

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	<ul style="list-style-type: none"> The R3 Zone does not permit the proposed townhouse development. An amendment to Zoning By-law 1-88 is required to facilitate the development proposal shown on Attachments #3 to #5.
Surrounding Land Uses	<ul style="list-style-type: none"> Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with York Region Official Plan and Official Plan	<ul style="list-style-type: none"> The application will be reviewed in consideration of the applicable land use and built form policies in VOP 2010, Volume 1. The proposed development will be reviewed for conformity with Chapter 3 – “Environment” of VOP 2010, including but not limited to policies relating to “Core Features”. A Core Feature has been identified by Schedule 2 – “Natural Heritage Network” of VOP 2010, Volume 1. The proposed development will be reviewed in consideration of the compatibility criteria of VOP 2010 with regard to the surrounding and established communities (Section 9.1.2.2) and the development criteria for new townhouses within existing community areas (Section 9.2.3.2).
b.	Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> The appropriateness of the proposed rezoning to an RM2 Multiple Residential Zone and the site-specific zoning exceptions, and the OS1 Open Space Conservation Zone to facilitate the residential development shown on Attachments #3 to #5, will be reviewed. Consideration will be given to the use of the more recent RT1 Residential Townhouse Zone standards, which have been applied to similar common element townhouse developments in the City of Vaughan.
c.	Concurrent Site Development Application	<ul style="list-style-type: none"> The related Site Development File DA.16.046 will be reviewed concurrently with the Zoning By-law Amendment application in consideration of, but not limited to, the following: <ul style="list-style-type: none"> site design; pedestrian and barrier-free accessibility;

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		<ul style="list-style-type: none"> - visitor parking; - building designs and materials; - landscaping; - tree preservation and compensation; - vehicular circulation and movement on the private road network; - future transition and connections (vehicular and pedestrian) to the abutting lands; - establishment of an appropriate buffer to the Core Feature; - protection of and transition to the adjacent Core Feature; and, - stormwater management, erosion and sediment control, servicing, and grading. <ul style="list-style-type: none"> ▪ All issues identified through the review of Site Development File DA.16.046 will be addressed together with the subject Zoning By-law Amendment application in a comprehensive technical report to a future Committee of the Whole meeting.
	Related Draft Plan of Condominium (Common Element)	<ul style="list-style-type: none"> ▪ The related Draft Plan of Condominium (Common Element) File 19CDM-16V006 will be reviewed concurrently with the subject application, and will be reviewed for consistency with the final Site Plan, if the subject application is approved. ▪ The Draft Plan of Condominium (Common Element) will be reviewed in consideration of, but not limited to, the following: <ul style="list-style-type: none"> - the design of the private road; - consistency with the approved site plan - compliance with Zoning By-law 1-88; and, - identification of all common elements (e.g. privacy road vista/parking spaces, amenity area) ▪ Appropriate conditions respecting the proposed condominium tenure will be identified in a technical report to a future Committee of the Whole meeting.
	Future Part Lot Control Application	<ul style="list-style-type: none"> ▪ A future Part Lot Control Application is required to create each individual freehold lot, if the application is approved.
	Studies and Reports	<ul style="list-style-type: none"> ▪ The following reports and studies submitted in support of the application must be reviewed and approved to the satisfaction of the City or respective approval authority: <ul style="list-style-type: none"> - Planning Justification Report - Urban Design Brief - Arborist Report - Functional Servicing and Stormwater Management Report - Geotechnical Report - Phase 1 Environmental Site Assessment (ESA)

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		<ul style="list-style-type: none">- Environmental Impact Study- Traffic Impact Study- Noise and Vibration Report- Archaeological Assessment
	Parkland Dedication	<ul style="list-style-type: none">▪ In accordance with the City of Vaughan's Parkland Dedication policy and the <i>Planning Act</i>, parkland dedication or cash-in-lieu of parkland will be required equivalent to 5% or 1 ha per 300 units of the value of the subject lands, or at a fixed per unit rate, whichever is higher, prior to the issuance of a Building Permit.
	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ The Owner will be required to satisfy all requirements of the TRCA, and dedicate any open space/valley land and associated buffers to the TRCA or the City of Vaughan, free of all costs and encumbrances.
	York Region	<ul style="list-style-type: none">▪ The Owner will be required to dedicate the necessary road allowance(s) to York Region, as shown on Attachment #3, and satisfy any other requirements of York Region.
	Servicing	<ul style="list-style-type: none">▪ If the applications are approved, the availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council. Should servicing capacity not be available, the use of the Holding Symbol "(H)" will be placed on the subject lands, which will be removed once servicing capacity is identified and allocated to the subject lands by Vaughan Council.
	Tree Removal Claims	<ul style="list-style-type: none">▪ In response to complaints received by City Staff of tree removals occurring on the subject lands, Vaughan's By-law and Compliance Department are presently investigating whether any unlawful activity occurred. Should it be determined that existing trees were unlawfully removed by the Owner, the City may retain a professional Arborist, at the expense of the Owner, to prepare an independent report/study which includes a detailed inventory of trees that were removed and recommendations for replanting, mitigation and/or compensation measures.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

The applicability of the applications to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

Regional Implications

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

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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.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Zoning & Conceptual Site Plan
4. Landscape Plan
5. Typical Elevations
6. Draft Plan of Condominium File 19CDM-16V006

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.)