

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018**

Item 4, Report No. 11, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on, March 20, 2018.

#### **4                    ZONING BY-LAW AMENDMENT FILE Z.17.038                      DRAFT PLAN OF SUBDIVISION FILE 19T-17V013                      NULOOK DEVELOPMENTS 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 March 6, 2018, be approved;
- 2) That a community meeting be organized by the Local Councillor with the applicant, 3 or 4 key residents, interested Regional Councillors, and staff, to address outstanding issues; and
- 3) That the following deputations be received:
  1. Mr. Mark McConville, Humphries Planning Group Inc., Chrislea Road, Vaughan, representing the applicant;
  2. Mr. Robert A. Kenedy, Maple Ridge Ratepayers' Association, Georgia Crescent, Maple;
  3. Mr. Bruno Bressi, Mapledown Way, Maple;
  4. Mr. Marino Primozic, Mapledown Way, Maple;
  5. Mr. Ben Prete, Mapledown Way, Maple; and
  6. Ms. Emily B. Fusco, Mapledown Way, Maple.

#### **Purpose**

To receive comments from the public and the Committee of the Whole for Zoning By-law Amendment File Z.17.038 and Draft Plan of Subdivision File 19T-17V013 for the subject lands shown on Attachments #1 and #2, to permit a residential plan of subdivision consisting of 8 lots that would be developed with detached dwellings, as shown Attachments #3 and #4.

#### **Recommendation**

1. THAT the Public Hearing report for Files Z.17.038 and 19T-17V013 (Nulook Developments 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.

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#### **Report Highlights**

- To receive input from the public and the Committee of the Whole on a residential plan of subdivision consisting of 8 lots to be developed with detached dwellings.
- Zoning By-law Amendment and Draft Plan of Subdivision applications 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 west side of Dufferin Street, north of Teston Road, and are municipally known as 11,000 Dufferin Street, shown as “Subject Lands” on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

#### ***Zoning By-law Amendment and Draft Plan of Subdivision Applications are required 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 8 lots that would be developed with detached dwellings having access via an extension of Mapledown Way, as shown on Attachments #3 and #4:

1. Zoning By-law Amendment File Z.17.038 to amend Zoning By-law 1-88, to rezone the subject lands from R1 Residential Zone as shown on Attachment #2 to R1 Residential Zone and OS2 Open Space Park Zone in the manner shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-17V013, as shown on Attachment #3, to permit a residential plan of subdivision consisting of the following:

Lots 1-8 (detached dwelling units)	0.688 ha	8 units
Block 9 (Buffer Block)	0.079 ha	
Future Public Road (Extension of Mapledown Way)	0.229 ha	
0.3 m Reserve	0.003 ha	
Total	0.999 ha	8 units

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

- a) Date the Notice of Public Hearing was circulated: February 9, 2018.  
  
The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along the Dufferin Street frontage and at the current terminus of Mapledown Way in accordance with the City's Notice Signs Procedures and Protocols.
- b) Circulation Area: An extended notification area beyond 150 m, as shown on Attachment #2, and to the Mackenzie Ridge Ratepayers Association.
- c) Comments Received:
  - i) Nick Kvito, Mapledown Way, email dated December 18, 2017, expressing concern with the decommissioning of the existing Mapledown Way cul-de-sac and the potential impact to the existing private landscape features, including the existing permeable pavers and a feature wall.

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 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.

### **Previous Reports/Authority**

Not applicable.

### **Analysis and Options**

***The proposed development conforms to Vaughan Official Plan 2010***

The subject lands are designated "Low-Rise Residential" by Vaughan Official Plan 2010 (VOP 2010) and are located within a "Community Area" as identified on Schedule 1, "Urban Structure" of VOP 2010. This designation permits detached houses having a maximum permitted building height of 3-storeys, and there is no associated density requirement.

VOP 2010, S. 9.1.2.2 and 9.1.2.3 identifies compatibility criteria for new development in a "Community Area". The compatibility criteria directs that new development be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. In addition, new development in a

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“Community Area” within established development areas shall pay particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks.

Section 9.2.3.1. in VOP 2010 identifies development criteria for detached houses, which states that detached houses will respect and reinforce the scale, massing, setback and orientation of other built and approved detached houses in the immediate area. The proposed 8-unit residential subdivision conforms to the requirements of VOP 2010 and Section 9.2.3.1.

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.

#### ***Amendments to Zoning By-law 1-88 are required to permit the proposed development***

The subject lands are zoned R1 Residential Zone subject to site-specific Exception 9(1107A) by Zoning By-law 1-88, as shown on Attachment #2.

The Owner is proposing to rezone the subject lands to R1 Residential Zone, together with the site-specific zoning exceptions identified in Table 1, and to OS2 Open Space Park Zone, as shown on Attachment #3, to permit the proposed residential development and to extend the Open Space Zone (Buffer Block) along Dufferin Street.

The development proposal does not comply with Zoning By-law 1-88, Exception 9(1107A) and therefore, an amendment to Zoning By-law 1-88 is required to permit the proposed development shown on Attachments #3 and #4. The following site-specific zoning exceptions to the R1 Residential Zone are required to permit the development:

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Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>R1 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R1 Residential Zone Requirements</b>
a.	Yard Encroachments and Restrictions (Lots 1-8 inclusive)	<p>i) Exterior stairways shall be permitted in the rear yard only except that an exterior stairway not exceeding one-half storey in height shall be permitted in any yard</p> <p>ii) Exterior stairways, porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings may extend into a required interior side yard to a maximum distance of 0.3 m</p>	<p>i) Exterior stairways, with or without foundations may extend into the interior side yard a maximum of 0.5 m, and may extend a maximum of 3.6 m into the required front and rear yards</p> <p>ii) ▪ Balconies, may extend into the required interior side yard a maximum of 0.5 m</p> <p>▪ Bay and box windows, or similar projections, with or without foundations, may extend into the required interior side yard a maximum of 0.5 m, and may extend a maximum of 1.8 m into the required front and rear yards.</p> <p>▪ Covered porches and porticos, with or without cold cellars, may extend into the required interior side yard a maximum of 0.5 m, and may extend a maximum of 1.8 m into the required front and rear yards</p>

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	<b>Zoning By-law 1-88 Standard</b>	<b>R1 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R1 Residential Zone Requirements</b>
b.	Minimum Soft Landscape Area (Lots 1-8 inclusive)	<p>i) A minimum of 60% of the required minimum landscaped front or exterior yard shall be composed of soft landscaping</p> <p>ii) Where the area of a rear yard of a lot is greater than 135 m<sup>2</sup>, a minimum of 60% of that portion of the rear yard in excess of 135 m<sup>2</sup> shall be composed of soft landscaping</p>	<p>i) A minimum of 50% of the required minimum landscaped front or exterior yard shall be composed of soft landscaping</p> <p>ii) Where the area of a rear yard of a lot is greater than 135 m<sup>2</sup>, a minimum of 40% of that portion of the rear yard in excess of 135 m<sup>2</sup> shall be composed of soft landscaping</p>
c.	Minimum Percentage of Landscaping in Front Yard	The front yard of a lot with a frontage of 12 m or greater shall be comprised of a minimum of 50% landscaped front or exterior side yard	The front yard of a lot with a frontage of 12 m or greater shall be comprised of a minimum of 40% landscaped front or exterior side yard (Lots 1-8 inclusive)
d.	Maximum Building Height	9.5 m	11 m (Lots 1-8 inclusive)
e.	Maximum Lot Coverage	35%	<p>36% (Lots 3 &amp; 7)</p> <p>37% (Lots 4 to 6)</p>

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	<b>Zoning By-law 1-88 Standard</b>	<b>R1 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R1 Residential Zone Requirements</b>
f.	Minimum Front Yard Setback	7.5 m	6 m (Lots 1-8 inclusive)

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

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

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Provincial Policies, Regional and City Official Plan Policies	<ul style="list-style-type: none"> <li>▪ The applications will be reviewed in consideration of the applicable York Region Official Plan and Vaughan Official Plan 2010 (VOP 2010) policies and the Oak Ridges Moraine Conservation Plan.</li> <li>▪ The proposed development will be reviewed in consideration of Sections 9.1.2.2 and 9.1.2.3 of VOP 2010, regarding the compatibility criteria for new development within existing Community Areas.</li> </ul>
b.	Appropriateness of Proposed Rezoning and Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed R1 Residential Zone and OS2 Open Space Park Zone, together with the site-specific zoning exceptions, will be reviewed in consideration of but not limited to, compatibility with the existing lots and uses in the surrounding area.</li> </ul>

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	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
c.	Draft Plan of Subdivision	<ul style="list-style-type: none"><li>▪ The proposed Draft Plan of Subdivision will be reviewed in consideration of the proposed extension of Mapledown Way, the existing surrounding land uses, lot sizes and lotting pattern with the existing surrounding residential subdivision.</li><li>▪ The proposed lot configuration and frontages, and driveway configuration will be reviewed for appropriateness and to ensure compatibility and functionality.</li><li>▪ Should the applications be approved, the required Draft Plan of Subdivision conditions will ensure the appropriate connection and alignment of Mapledown Way, the decommissioning of the portions of the existing Mapledown Way cul-de-sac that will not form part of the ultimate road extension (as shown on Attachment #3), servicing and grading, environmental and other municipal, regional and public agency requirements.</li><li>▪ A retaining wall is required at the rear of Lots 1 to 4 inclusive, as shown on Attachment #4. The design details of the retaining wall must be reviewed to the satisfaction of the City.</li></ul>
d.	Community Area Policy Review for Low-Rise Residential Designations	<ul style="list-style-type: none"><li>▪ In recognition of the increased development pressure in large lot neighbourhoods, the City initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in Vaughan Council adopting Urban Design Guidelines (“Guidelines”) for Infill Development in Established Low-Rise Residential Neighbourhoods and the Community Area Policy Review for Low-Rise Residential Designations Study (“Study”).</li></ul>



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	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>▪ The Guidelines were approved by Vaughan Council on October 19, 2016, and serve to clarify and implement the existing official plan policies related to compatibility. The Study was approved by Vaughan Council on April 19, 2017, and an Official Plan Amendment to implement the Study recommendations will be forwarded to Vaughan Council for adoption at a future date.</li> <li>▪ The Guidelines and Study identify the subject lands as being part of an established large lot neighbourhood. The proposed development will be reviewed in consideration of the Study and the Guidelines as they serve to integrate new development into established neighbourhoods</li> </ul>
e.	Urban Design Architectural Guidelines	<ul style="list-style-type: none"> <li>▪ The Owner has provided an Urban Design Brief including Architectural Design Guidelines and a Landscape Master Plan that will be reviewed to the satisfaction of the Development Planning Department.</li> </ul>
f.	Road Widening	<ul style="list-style-type: none"> <li>▪ A road widening along Dufferin Street may be required to the satisfaction of the York Region Community Planning and Development Services Department.</li> </ul>
g.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the applications, which must be approved to the satisfaction of the City and/or respective public approval authority:               <ul style="list-style-type: none"> <li>- Archaeological Assessment</li> <li>- Urban Design Brief</li> <li>- Tree Inventory Report</li> <li>- Functional Servicing Report</li> </ul> </li> </ul>

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	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> <li>- Soil Report</li> <li>- Phase One and Two Environmental Site Assessments together with a Reliance Letter</li> <li>▪ A Oak Ridges Moraine Conformity Report, Noise Report and a Planning Justification Brief are required prior to the final technical report being brought forward to the Committee of the Whole. Additional reports or studies may be required as part of the development application review process.</li> </ul>
h.	Allocation and Servicing	<ul style="list-style-type: none"> <li>▪ The availability of water and sanitary servicing capacity for the development proposal must be identified and allocated by Vaughan Council, if the development applications are approved. If servicing is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.</li> </ul>
i.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ The Owner will 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 of Vaughan’s Cash-in-lieu of Parkland Policy. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.</li> </ul>

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	MATTERS TO BE REVIEWED	COMMENT(S)
j.	Existing Mature Trees	<ul style="list-style-type: none"><li>▪ The majority of the existing trees on site are proposed to be removed. The Tree Inventory Report submitted in support of these applications has been circulated to the Vaughan Development Planning Department and Parks and Forestry Operations for review. Should it be determined that some/all of the trees must be preserved, it may result in a loss in the number of dwelling units that are being proposed for the site or modifications to the preliminary site plan. Alternatively, if the City approves the removal of the trees, then appropriate compensation and/or cash-in-lieu in accordance with the City's Replacement Tree Requirements will be required.</li></ul>
k.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>▪ The development of the subject lands must satisfy the requirements of the Source Protection Plan under the <i>Clean Water Act, 2006</i>. The purpose of a Source Protection Plan is to outline how water quality and quantity for the municipal drinking water systems will be protected. A site-specific water balance assessment must be submitted for review and approval by the TRCA.</li></ul>

#### **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. 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.

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This report was prepared in consultation with the Director of Development Planning and Senior Manager of Development Planning. For more information, please contact Margaret Holyday, Planner, Development Planning Department, at Extension 8216.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Draft Plan of Subdivision File 19T-17V013 and Proposed Zoning
4. Preliminary Site Plan

#### **Prepared by**

Margaret Holyday, Planner, ext. 8216

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.)