

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 5, 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.

5 ZONING BY-LAW AMENDMENT FILE Z.17.037 PALA BUILDERS INC. VICINITY OF DUFFERIN STREET AND RUTHERFORD 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, residents, interested Regional Councillors, and staff, to address outstanding issues;
- 3) That the following deputations be received;
 1. Mr. Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive, Concord, representing the applicant; and
 2. Mr. David Charezenko , Carville Mills Ratepayers' Association; and
- 3) That the following communications be received:
 - C1 Resident, dated February 28, 2018;
 - C2 Sharon and Gary Katz, dated February 23, 2018; and
 - C4 Carrville Mills Ratepayers' Association, dated March 6, 2018.

Purpose

To receive comments from the public and the Committee of the Whole for Zoning By-law Amendment File Z.17.037 on the subject lands shown on Attachments #1 and #2, to permit the development of 126, 3-storey condominium townhouse units accessed by private common element roads, as shown on Attachments #3 to #5.

Recommendation

1. THAT the Public Hearing report for File Z.17.037 (Pala Builders 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 proposed development consisting of 126 condominium townhouse units.
- A Zoning By-law Amendment is required to permit the proposed development.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Background - Block 11 Plan

The subject lands are located on the southeast corner of Crimson Forest Drive and Marc Santi Boulevard, as shown on Attachments #1 and #2. The lands were originally identified in the Block 11 Plan for a future elementary school, but were deemed surplus by the York Region District School Board (YRDSB). The surrounding land uses are shown on Attachment #2.

A Zoning By-law Amendment has been submitted to permit the development

The Owner has submitted the following application for the subject lands shown on Attachments #1 and #2 to permit 126, 3-storey condominium townhouse units accessed by private common element condominium roads, hereinafter referred to as “the proposed development”, as shown on Attachments #3 to #5:

1. Zoning By-law Amendment File Z.17.037 to amend Zoning By-law 1-88 to rezone the subject lands from RD3 Residential Detached Three Zone, as shown on Attachment #2, to RT1 Residential Townhouse Zone in the manner shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1.

Public Notice was provided in accordance with the Planning Act and Council's Notice Signs Procedures and Protocol

- a) Date the Notice of Public Hearing was circulated: February 9, 2017.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and Notice Signs were installed along the Crimson Forest Drive and Marc Santi Boulevard street frontages, in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m

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c) Comments Received:

Email from Lorne Sederoff, a resident advising that the proposed site plan provides no green amenity space.

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 development proposal conforms to Vaughan Official Plan 2010 Low-Rise Residential policies.

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010). This designation permits detached and townhouse dwelling units having a maximum permitted building height of 3-storeys with no prescribed density requirement.

The subject lands are located within a “Community Area” identified on Schedule 1 “Urban Structure” and are subject to the Community Areas policies of VOP 2010. Policy 9.1.2.2 requires that new development within the Community Areas respect and reinforce the existing scale, height, massing, lot pattern, building type, character, form, and function of the local area. VOP 2010 identifies compatibility criteria for new development in a “Community Area”. The compatibility criteria direct that new development be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. The immediate area is developed with detached, semi-detached and townhouse dwellings, as shown on Attachment #2.

Policy 9.2.3.2. identifies development criteria for townhouse dwelling units, which states that townhouses shall be up to 3-storeys in height and not more than six attached residential units in a row. The proposed development concept shown on Attachment #3 shows Blocks with seven and eight units in a row. The site design must be in conformity with Policy 9.2.3.2. The applicant submitted a planning Justification Report including an opinion on the appropriateness of the proposed seven and eight unit townhouse blocks, which is under review.

VOP 2010 permits limited intensification in Community Areas provided the proposed development is sensitive to and compatible with the character, form and planned function of the surrounding context. The proposed development will be reviewed in consideration of the surrounding lands uses.

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On October 19, 2016, Council adopted the "Vaughan Community Areas and Low-Rise Residential Areas Study" and approved the "Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods", to support the VOP 2010 policies respecting compatibility of infill and townhouse development. The subject lands are located within Block 11, which is not identified as a "Established Community Area", and therefore are not subject to these policies.

The Block 11 Community Plan in which the subject lands are located in, identifies the subject lands as a "Future Elementary School" site. The YRDSB has confirmed that the site is no longer required for a school. The proposed townhouse use conforms to the "Low-Rise Residential" designation.

Exceptions to Zoning By-law 1-88 are required to permit the proposed development

The subject lands are zoned RD3 Residential Detached Zone Three by Zoning By-law 1-88. The RD3 Zone permits only detached dwellings on lots having a minimum lot frontage and lot area of 12 m and 324 m², respectively.

A townhouse unit, is not a permitted use in the RD3 Residential Zone. Therefore, an amendment to Zoning By-law 1-88 is required to permit the proposed development shown on Attachments #3 to #5. The Owner proposes to rezone the subject lands to a RT1 Residential Townhouse Zone with the following site-specific zoning exceptions.

Table 1:

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Definition of a "Lot"	Means a parcel of land fronting on a street.	Means a parcel of land fronting onto a public or private street.
b.	Definition of "Street Townhouse Dwelling"	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street.	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street or a private street.

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c.	Definition of "Street Line"	Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street.	Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a public street or private road.
d.	Frontage on a Public Street	No person shall erect a building unless the lot upon which it is located fronts upon a public street.	No person shall erect a building unless the lot upon which it is located fronts upon a public street or a private road.
e.	Maximum Number of Units Per Block	6 units	8 units (Blocks 1, 3, & 16) 7 units (Blocks 4, 7 to 15 inclusive)
f.	Minimum Driveway Width (based on lot frontage)	3.5 m wide driveway (based on a lot frontage of 6 m to 6.99 m)	3.16 ((Blocks 1, 2, 3) based on lot frontage of 5.55 m to 6.99 m)
g.	Minimum Lot Depth	27 m	18.55 m
h.	Maximum Building Height	11 m	12 m
i.	Minimum Lot Frontage	6 m/unit	5.5 m (Block 1, Block 2 & Block 3)

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j.	Minimum Lot Area	162 m ²	110 m ²
k.	Minimum Yards	i) Front Yard (Marc Santi Blvd) - 4.5 m ii) Front Yard Setback to Garage 6.4 m iii) Exterior Side Yard - 4.5 m iv) Rear Yard - 7.5 m	i) Front Yard - 4 m (Blocks 17, 18, & 19) ii) Front Yard Setback to Garage 6 m (Blocks 1, 2 & 3) iii) Exterior Side (Block 1) - 4 m (Block 3 - 3.9 m) iv) Rear Yard - 5.4 m (Blocks 1, 2 and 3) v) Rear Yard - 0 m (Blocks 4 - 19)
l.	Maximum Interior Garage Dimension	3.048 m	Blocks 1, 2 & 3 3.1 m (Interior Units) 3.4 m (End Units) Blocks 4 to 19 5.7 m
m.	Rear Yard Encroachment (Deck)	1.8 m	Blocks 1 to 3 - 1.9 m
n.	Exterior Side Yard Setback to Site Triangle	3 m	0.3 m (Blocks 16 and 19)

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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.

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

	MATTERS TO BE REVIEWED	COMMENT
a.	Provincial Policies, Regional and City Official Plan Policies	<ul style="list-style-type: none">▪ The proposed development will be reviewed in consideration of the applicable Provincial policies, Regional and City Official Plan policies.
b.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none">▪ The appropriateness of the proposed rezoning to permit the proposed development will be reviewed in consideration of, but not limited to, the existing and planned surrounding land uses, lot size and configuration, transition to the existing detached dwellings to the south, built form compatibility, building setbacks, and traffic impact.
c.	Oak Ridges Moraine Plan (ORM)	<ul style="list-style-type: none">▪ The subject lands are located within the Oak Ridges Moraine Conservation Plan boundary and are designated “Settlement Area”. The subject lands are located within a plan subdivision approved prior to the approval of the ORM Conservation Plan. Current ORM policy requires an Oak Ridges Moraine Conservation Plan conformity letter to be submitted for the City’s review. This letter will be required as part of a Site Development application, should the Zoning By-law Amendment application be approved.

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	MATTERS TO BE REVIEWED	COMMENT
d.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> - Planning Justification Report - Stormwater Management and Functional Servicing Report (FSR) - Transportation Study - Preliminary Environmental Noise Analysis ▪ Additional reports or studies may be required as part of the development application review process.
e.	Allocation and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and allocated by Vaughan Council, if the development application is approved. If servicing is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which can be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.
f.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"> ▪ 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, should a future Site Development application be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.

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	MATTERS TO BE REVIEWED	COMMENT
g.	Site Development Application	<ul style="list-style-type: none"> ▪ A Site Development Application is required to permit the proposed development and will be reviewed in consideration of, but not limited to: <ul style="list-style-type: none"> - appropriate building design and materials - site design, massing, scale, height and building/unit orientation and upgraded flankage building elevation designs - interface with the existing neighbourhood park and the existing residential lots to the south - the provision of an appropriate on-site amenity area - the location of the air conditioning units - pedestrian and barrier free accessibility - appropriateness of proposed building setbacks - appropriate driveway and vehicular access - appropriate amenity area and landscaping - environmental sustainability - servicing and grading - stormwater management and water balance report - snow storage areas on the site - appropriate provisions for waste management - proper vehicular turning movements on the proposed private road and adequate road width to accommodate service vehicles (e.g. fire and garage trucks) - the relationship of the proposed built form and design with the immediate surrounding area and site - consistency with Block 11 “The Valleys of Thornhill Urban Design Guidelines” and the Block 11 Architectural Guidelines - the Owner must satisfy all requirements of the Block 11 Developers Group Agreement and will be required to satisfy all obligations, financial and otherwise, to the satisfaction of the Block 11 Trustee and the City of Vaughan

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	MATTERS TO BE REVIEWED	COMMENT
h.	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 site plan approval process, if the application is approved.
i.	Draft Plan of Condominium Application	<ul style="list-style-type: none">▪ If the development proposal is approved, a Draft Plan of Condominium Application will be required to tie common elements (i.e. private road internal sidewalk, visitor parking, and common landscaped amenity areas) to be owned and maintained by a future condominium corporation.
j.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ 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 has been included within the Functional Servicing Report (FSR) submission and is subject to review and approval by the TRCA.

Financial Impact

Not applicable.

Broader Regional Impacts/Considerations

The application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified through the circulation 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 application 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.

This report was prepared in consultation with the Director of Development Planning and the Senior Manager of Development Planning. For more information, please contact: Laura Janotta, Planner, Development Planning Department, Extension 8634.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Proposed Zoning
4. Typical Conceptual Front Elevations
5. Perspective Rendering

Prepared by

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Stephen Lue, Senior Planner, ext. 8210

(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.)