

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2016

**4 ZONING BY-LAW AMENDMENT FILE Z.15.031
RUTHERFORD CONTWO INVESTMENTS LIMITED
WARD 4 - VICINITY OF DUFFERIN STREET AND RUTHERFORD ROAD**

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated April 5, 2016, be approved;
- 2) That the applicant work with the residents and resident associations to deal with any issues raised; and
- 3) That the following deputations be received:
 1. Mr. Ryan Virtanen, KLM Planning Partners Inc., Jardin Drive, Concord, on behalf of the applicant;
 2. Mr. Rom Koubi, Ner Israel Drive, Thornhill, L4J 9K8, on behalf of Preserve Thornhill Woods Association;
 3. Mr. Eduardo Suarez, Santa Amato Crescent, Thornhill, L4J 0C4;
 4. Mr. Chi Man Vincent Lee, Santa Amato Crescent, Thornhill, L4J 0C4;
 5. Ms. Ada Lee, Santa Amato Crescent, Thornhill, L4J 0C4; and
 6. Mr. Kevin Zhang, Santa Amato Crescent, Thornhill, L4J 0C4.

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.15.031 (Rutherford Contwo Investments Limited) 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.

- a) Date the Notice of a Public Hearing was circulated: March 11, 2016. The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca, and two Notice Signs were installed on the property along Dufferin Street and Rutherford Road, in accordance with the City's Notice Sign Procedures and Protocol.
- b) Circulation Area: 150 m and to the Preserve Thornhill Woods Association

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c) Comments Received:

Any 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 Committee of the Whole on Zoning By-law Amendment File Z.15.031 to amend Zoning By-law 1-88, specifically to rezone the 1.68 ha subject lands shown on Attachments #1 and #2 from A Agricultural Zone to RM2 Multiple Residential Zone together with the site-specific zoning amendments identified in Table 1 of this report, and to OS5 Open Space Environmental Protection Zone in the manner shown on Attachment #3. The Zoning By-law Amendment application would facilitate the development of the subject lands with 220 condominium stacked townhouse dwelling units (consisting of 2 and 3 bedroom units) within 8 buildings serviced by an underground parking structure and a private driveway accessed from Dufferin Street and Rutherford Road with visitor parking and common amenity areas, as shown on Attachments #3 to #6.

Table 1:

	By-law 1-88 Standards	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone
a.	Definition of a Stacked Townhouse Dwelling	Not defined in By-law 1-88.	Means an attached low-rise residential condominium building containing 3 or more dwelling units, each of which has: (1) direct access from the outside ground level; (2) one or more party walls with abutting dwelling units; and (3) is above or below another dwelling unit, having a private internal traffic circulation system or direct access from a public street.
b.	Minimum Parking Space Requirement	1.5 parking spaces per dwelling unit	1 parking space per dwelling unit

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c.	Minimum Landscaped Area Abutting Dufferin Street and Rutherford Road	6 m	3 m
d.	Permitted Yard Encroachments for Stairs and a Canopy	<p>a) Stairs: Exterior stairs are permitted to encroach into the rear yard only, except that an exterior stairway not exceeding one-half storey in height shall be permitted in any yard.</p> <p>b) Canopy: Canopies shall not project more than 0.5 m into a required yard.</p>	<p>a) Stairs: Permit exterior stairways that exceed one-half storey to be located within and encroach 4.5 m into the required Rutherford Road and Dufferin Street yards as integrated landscape components due to site grades.</p> <p>b) Canopy: Permit canopies on Buildings A, B, C, and D to extend into the minimum required yards (Rutherford Road and Dufferin Street) a maximum of 1.2 m.</p>
e.	Minimum Setback to a Sight-Triangle (Building "B")	4.5 m	2.16 m
f.	Rooms Below Grade	No dwelling unit is permitted below grade.	Permit a dwelling unit to be located below or partially below grade.
g.	Parking Areas for Multiple Family Dwellings (Minimum Landscape Requirements)	<p>a) 3 m wide landscaped strip around the periphery of an outdoor parking area</p> <p>b) A parking area shall be screened from a street and any adjacent premises</p>	<p>a) 2.5 m wide landscaped strip around the periphery of an outdoor parking area, which shall not prevent the crossing of access driveways and walkways across said strip</p> <p>b) No requirement for a parking area to be screened from the street and any adjacent premises</p>

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h.	Minimum Landscaped Strip Width	6 m	Permit covered porches and exterior stair encroachments of 4.5 m within the 6 m wide landscaped strip
i.	Maximum Dimension of a Driveway	6 m at the street curb Not more than one driveway per lot	7.5 m at the street curb Permit two driveways for the subject lands
j.	Minimum Amenity Area	The minimum amenity area for each dwelling shall be 55m ² /two bedroom unit and 90 m ² /three bedroom unit Total amenity area required = 12,590 m ²	The minimum amenity area for any unit type shall be 21.45 m ² /unit and a total of 4,719.6 m ² for the site
k.	Permitted Uses in a RM2 Zone	A stacked townhouse dwelling is not permitted	Permit a stacked townhouse dwelling
l.	Minimum Lot Area	230 m ² /unit	71.53 m ² /unit
m.	Minimum Exterior Side Yard Setback to Buildings “C” and “D” (Dufferin Street)	4.5 m	3.5 m
n.	Maximum Building Height	11 m	15 m

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"> At the southeast corner of Dufferin Street and Rutherford Road, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none"> “High-Rise Residential” by the Carrville Centre Secondary Plan, which forms part of Volume 2 (Area Specific Policy 11-2) of Vaughan Official Plan 2010 (VOP 2010). This designation permits Stacked Townhouse Dwellings, a building height between 2 and 22-storées, and a maximum Floor Space Index (FSI) between 3 and 3.5.

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	<ul style="list-style-type: none">▪ The Carrville Centre area is a Local Centre identified as an Intensification Area shown on Schedule 1 in VOP 2010.▪ The site is located within the Oak Ridges Moraine Conservation Plan Area, specifically a Settlement Area (Schedule 4 in VOP 2010), which requires that the Owner submit an Oak Ridges Moraine Conformity Report.▪ The site is located within the “High Vulnerability Aquifer” Area, as shown on Schedule 6 of VOP 2010.▪ Rutherford Road is identified as a Major Arterial (Regional) Road on Schedule 9 to VOP 2010 and is currently subject of an Environmental Assessment prior to future improvements being undertaken by York Region.▪ Dufferin Street is identified as a Major Arterial (Regional) Road and is further identified on Schedule 10 of VOP 2010 as a Special Study Corridor and Rutherford Road is identified as part of the Regional Transit Priority Network.▪ The site is located within the York Region Recharge Water Protection Area.▪ The site is located adjacent to a Natural Area shown in VOP 2010 on Schedule 13. The policies of the Carrville Centre Secondary Plan requires a minimum 10m ecological buffer, zoned to an appropriate open space zone and conveyed to the City or the TRCA. An edge management plan and a hydrogeological investigation and storm water management plan are required to ensure the existing ground water is maintained and enhanced.▪ The Zoning By-law Amendment Application to rezone the subject lands to permit stacked townhouse dwellings with a maximum building height of 4-storeys, an FSI of 1.33, and to rezone the 10 m buffer to an open space category conforms to the Official Plan.
Zoning	<ul style="list-style-type: none">▪ A Agricultural Zone by Zoning By-law 1-88.▪ The Owner is proposing to rezone the subject lands from A Agricultural Zone to RM2 Multiple Residential Zone together with site-specific zoning exceptions (tableland), and OS1 Open Space Environmental Protection Zone (10 m wide buffer), as shown on Attachment #3, to implement the proposal.▪ The application does not comply with Zoning By-law 1-88. The Owner has submitted Zoning By-law Amendment File Z.15.031 to facilitate the proposed rezoning and site-specific exceptions to implement the proposed development in conformity with the Official Plan.

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Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.
Block 10 Plan	<ul style="list-style-type: none">▪ The proposed development is consistent with the Block 10 Plan, which identifies the site as being located within the Carrville District Centre (VOP 2010 Carrville Secondary Plan).▪ The Owner will be required to participate in the Block 10 Developers Group.

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	COMMENTS
a.	Conformity with Regional and City Official Plans	<ul style="list-style-type: none">▪ The application will be reviewed in consideration of the applicable Regional and City Official Plan policies, particularly the policies in VOP 2010 for the Carrville Centre Secondary Plan respecting Urban Design and Built Form.
b.	Appropriateness of the Proposed Zoning	<ul style="list-style-type: none">▪ The appropriateness of the proposed rezoning to facilitate the development of 220 stacked townhouse dwelling units on the subject lands, as shown on Attachments #3 to #6, will be reviewed in consideration of the existing and planned surrounding land uses, with particular consideration given to the site configuration, built form, building setbacks, traffic impact, and the buffering provided to the adjacent valleyland.▪ The valleyland to the east of the subject lands is zoned OS5 Open Space Environmental Protection Zone, as shown on Attachment #2. The buffer lands on the subject lands will be combined with the existing valleyland should this Zoning Amendment application be approved, as shown on Attachment #3.
c.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none">▪ Reviews will ensure that the proposed development conforms to the Urban Design and Architectural Guidelines for Block 10.

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d.	Related Site Development Application	<ul style="list-style-type: none"> ▪ The related Site Development File DA.15.074 will be reviewed concurrently with the Zoning By-law Amendment application to ensure the following matters, but not limited to, will be considered: <ul style="list-style-type: none"> - appropriate building and site design, environmental sustainability, pedestrian and barrier-free accessibility, vehicular access, internal traffic circulation, parking, landscaping, buffers to the adjacent valleylands, snow storage, stormwater management, and servicing and grading.
e.	Traffic Impact Study	<ul style="list-style-type: none"> ▪ The Traffic Impact study submitted in support of the development proposal must be reviewed and approved by the York Region Transportation and Community Planning Department and the Vaughan Development Engineering and Infrastructure Planning (DEIP) Department.
f.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEEDS (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect, green roofs, etc, will be reviewed and implemented through the site plan approval process, if the application is approved.
g.	Phase 1 Environmental Report and Technical Studies	<ul style="list-style-type: none"> ▪ The Phase 1 ESA (Environmental Site Assessment) submitted in support of the application must be approved to the satisfaction of the Vaughan DEIP Department. ▪ The Owner has submitted the following studies and reports in support of the development proposal, which must be approved to the satisfaction of the City and/or York Region: <ul style="list-style-type: none"> - Functional Servicing Report - Stormwater Management Report (including a Site Water Balance) - Soils Report - Traffic Impact Study - Urban Design and Sustainability Brief - Environmental Noise Analysis - Soil Investigation Report - Phase One Environmental Site Assessment

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h.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none">▪ A future Draft Plan of Condominium application will be required to create Condominium Corporation (Standard) tenure for the development and to create the units and provide for the continued maintenance of the development.
i.	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 Planning Act and the City of Vaughan's Cash-in-lieu Policy, should the Zoning and Site Development applications be approved. The final value of the cash-in-lieu of parkland dedication amount will be determined by the Office of the City Solicitor, Real Estate Department, when the Site Development application is approved.
j.	Woodlot Fee	<ul style="list-style-type: none">▪ The Owner will be required to pay to the City of Vaughan, a Woodlot Fee of \$1,000 per unit, as part of the related Site Development Approval process, if this application is approved.
k.	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 proposed development is approved. If servicing capacity is unavailable, the lands, or portion thereof, 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.
l.	Road Widening and Access	<ul style="list-style-type: none">▪ York Region must confirm the final planned road right-of-way widths for Rutherford Road and Dufferin Street. In addition, access locations and road improvements, if required, must be reviewed and approved by York Region.▪ York Region must approve the final driveway location and design.▪ Rutherford Road is identified as a part of the Regional Transit Priority Network" and Dufferin Street is identified as a "Special Study Corridor" on Schedule 10, Major Transit Network, of VOP 2010. The application will be reviewed to determine any additional road/transit facility requirements for each major arterial road, to the satisfaction of York Region.

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m.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ The City, in consultation with the Toronto and Region Conservation Authority must confirm the development limits and appropriate open space buffer along the east limit of the site; conformity with the Oak Ridges Moraine Conservation Plan; and, adequacy of the water balance report and any impacts on the aquifer related to the York Region Recharge Protection Area.
n.	Other Lands owned by Applicant	<ul style="list-style-type: none">▪ The Applicant owns the land to the south as shown on Attachment #2. These lands do not form part of this development application, and will be separated by the proposed OS5 buffer, should the subject zoning application be approved.

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

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

Regional Implications

The application has been circulated to the York Region Transportation and Community Planning 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 application will be considered in the technical review of the application, 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. Site Plan and Proposed Zoning
4. Typical Landscape Plan
5. Typical Elevations - Dufferin Street
6. Typical Elevations - Rutherford Road

Report 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.)