

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 19, 2016**

Item 5, Report No. 19, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on April 19, 2016, as follows:

***By receiving the following Communications:***

**C3. E. Shekarabi, dated April 6, 2016; and**

**C9. Ms. Marina Dykhtan, Princess Isabella Court, Maple, dated April 19, 2016.**

**5 DRAFT PLAN OF SUBDIVISION FILE 19T-16V001  
DUFFERIN VISTAS LTD.  
WARD 4 - VICINITY OF DUFFERIN STREET AND MAURIER BOULEVARD**

The Committee of the Whole (Public Hearing) recommends:

- 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 a community meeting be organized by the local Ward Councillor with the applicant, residents and appropriate City staff to address issues raised;
- 3) That the following deputations and Communications be received:
  1. Mr. Glen Lucas, Lucas & Associates, Debra Crescent, Barrie, on behalf of the applicant;
  2. Mr. Sergey Polak, Princess Isabella Court, Maple;
  3. Mr. Robert Raskin, Princess Isabella Court, Maple and Communication C10, dated March 23, 2016;
  4. Ms. Sandra D'Addio, Princess Isabella Court, Maple and Communication C4, dated March 21, 2016;
  5. Ms. Chaohong Zheng, Maverick Crescent, Maple;
  6. Mr. Frank Huo, Princess Isabella Court, Maple and Communication C2, dated March 21, 2016;
  7. Ms. Sarbjit Nijjar, Princess Isabella Court, Maple and Communication C31, dated April 4, 2016;
  8. Ms. Elham Shekarabi-Ahari, Maverick Crescent, Maple and Communication C36, dated April 4, 2016;
  9. Mr. Gagan Nijjar, Princess Isabella Court, Maple and Communication C37;
  10. Ms. Codruta Papoi, Maverick Crescent, Maple;
  11. Mr. Serguei Lifchits, Maverick Crescent, Maple;
  12. Mr. Anthony Percaccio, Princess Isabella Court, Maple;
  13. Mr. Zak Rubin, Maverick Crescent, Maple and and Communication C19, dated April 1, 2016;
  14. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg;
  15. Mr. Peter Badali, Butterfield Crescent, Maple, on behalf of Eagle Hills Community Association and Communication C35;
  16. Mr. John Senisi, Maverick Crescent, Maple;
  17. Mr. Manoj Tiwary, Golden Forest Road, Maple, on behalf of Eagle Hills Community Association; and
  18. Ms. Marina Dykhtan, Princess Isabella Court, Maple and Communication C6, dated March 22, 2016; and

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**4) That the following Communications be received:**

- C1. Mr. Francis Chan, Princess Isabella, Maple, dated March 18, 2016;
- C3. Sam and Enza Mirasola, dated March 21, 2016;
- C5. Ms. Enza Mirasola, dated March 22, 2016;
- C7. The Liberatore Family, March 24, 2016;
- C8. Terry Liu, dated March 22, 2016;
- C9. Susan Poch and Mel Raskin, Princess Isabella Court, dated March 23, 2016;
- C11. Mr. Robert Lin, Grand Trunk Avenue, Vaughan, dated March 26, 2016;
- C12. Liming Yang, Grand Trunk Avenue, Vaughan, dated March 26, 2016;
- C13. Lei Lei, dated March 27, 2016;
- C14. Jia Asianova and Svetlena Asyanova, Princess Isabella Court, dated March 22, 2016;
- C15. Councillor Sandra Yeung Racco, March 30, 2016;
- C16. Silvana and Joseph Barrotta, Princess Isabella Court, dated March 30, 2016;
- C17. Councillor Sandra Yeung Racco, April 1, 2016;
- C18. Councillor Sandra Yeung Racco, March 30, 2016;
- C20. Councillor Sandra Yeung Racco, April 3, 2016;
- C21. Councillor Sandra Yeung Racco, April 3, 2016;
- C22. Councillor Sandra Yeung Racco, April 3, 2016;
- C24. Ms. Helen Mihailidi, Brattys LLP, Keele Street, Vaughan, dated April 4, 2016;
- C25. Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., Chrislea Road, dated April 4, 2016;
- C26. Mr. Nello DiCostanzo and Family, Princess Isabella Court, dated April 4, 2016;
- C27. Councillor Sandra Yeung Racco, April 4, 2016;
- C28. Councillor Sandra Yeung Racco, April 4, 2016;
- C29. Councillor Sandra Yeung Racco, April 4, 2016;
- C30. Councillor Sandra Yeung Racco, April 4, 2016;
- C33. Ms. Rovenia Yuan Wu, Golden Orchard Road, dated April 5, 2016; and
- C34. Mr. Frank Bellec, Princess Isabella Court, dated April 5, 2016.

#### **Recommendation**

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT the Public Hearing report for File 19T-16V001 (Dufferin Vistas Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

#### **Contribution to Sustainability**

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

#### **Economic Impact**

This will be addressed when the technical report is completed.

#### **Communications Plan**

- 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 website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol.

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- b) Circulation Area: 150 m and to the Eagle Hills Community Association.
- c) Comments Received as of March 1, 2016, prior to the formal Notice circulation:
  - i) Mr. and Mrs. Liberatore, Princess Isabella Court, Maple: The proposed townhouses will have a negative impact on the surrounding existing residential development.
  - ii) Ms. M. Dykhtan, Princess Isabella Court, Maple: Concerned with the removal of mature trees located on the subject lands behind her property.
  - iii) Mr. J. D'Addio, Princess Isabella Court, Maple: The subject lands should remain as a natural area and should not be developed for residential purposes.

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 Draft Plan of Subdivision File 19T-16V001 respecting the subject lands shown on Attachments #1 and #2, to facilitate the proposed residential plan of subdivision for 106 townhouse units within 18 blocks all fronting onto a public road and 1 open space block as shown on Attachment #3, and consisting of the following:

a)	Blocks 1-9 and 11-19 (Blocks for 106 Townhouse units on a public road)	2.77 ha
b)	Block 10 (Open Space Block)	0.73 ha
c)	Roads (Streets "A" and "B", 17.5 m right-of-way width)	0.96 ha
	Total Area	4.46 ha

#### **Background - Analysis and Options**

Location	<ul style="list-style-type: none"><li>▪ North of Rutherford Road and west of Dufferin Street, municipally known as 230 Grand Trunk Avenue, City of Vaughan, shown as "Subject Lands" on Attachments #1 and #2.</li></ul>
City of Vaughan Official Plan	<ul style="list-style-type: none"><li>▪ The subject lands are designated "Low-Rise Residential", "Low-Rise Residential Special Study Area" and "Natural Areas" by Vaughan Official Plan 2010 (VOP 2010), as shown on Attachment #4.</li></ul>

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- On October 14, 2015, an OMB Hearing was held, wherein, the Appellant (with the support of the City, the Toronto and Region Conservation Authority and the Eagle Hills Community Association), on consent, sought a redesignation of the subject lands from “Natural Areas” to “Low-Rise Residential”, “Low-Rise Residential Special Study Area” and “Natural Areas”. The OMB reserved its decision at the Hearing and on March 9, 2016, issued a Decision/Order approving the redesignation of the subject lands to “Low-Rise Residential”, “Low-Rise Residential Special Study Area” and “Natural Areas”.
- The “Low-Rise Residential” designation permits residential development, which consists of buildings in a low-rise form no greater than three-storeys. The designation permits a townhouse building form, subject to the Urban Design and Built Form and the Building Types and Development policies of VOP 2010.
- The “Low-Rise Residential Special Study Area” designation permits development in accordance with the “Low-Rise Residential” designation and policies outlined in 9.2.2.1 of VOP 2010, provided that the following studies are submitted in support of a development application:
  - A natural heritage evaluation that defines the natural features, functions and linkages within and to a reasonable extent adjacent to the site, defines appropriate buffers and demonstrates that the impacts of development are appropriately mitigated and/or compensated, where appropriate, including the subject lands and to a reasonable extent those abutting to the south;
  - A geotechnical slope stability analysis, including cross-sections, detailed grading plans;
  - A hydrogeological study/analysis;
  - A water balance;
  - Landscape restoration plans;
  - A Functional Servicing Report (FSR) that:
    - Considers the alignment, design and extent of grading of the proposed extension of Grand Trunk Avenue;
    - Reviews the development opportunities within the context of the Block Plan and Master Environmental Servicing Plan (MESP); and,
    - Detailed consideration of the subject lands and to a reasonable extent the lands to the south, respecting stormwater management, slope stability and the alignment of Grand Trunk Avenue.
  - A Planning Report including the Oak Ridges Moraine Conformity.

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	<p>The identified studies must demonstrate that the development can accommodate and maintain the following “Natural Areas” features, if present on the subject lands, to the satisfaction of the City and in consultation with the TRCA: Draw/Valley, Hazard Slopes, Headwater Drainage Feature, Groundwater seepage areas of the Oak Ridges Moraine, Wetlands, Significant Wildlife Habitat and Endangered Species.</p> <ul style="list-style-type: none"><li>▪ The easterly portion of subject lands are designated “Natural Areas” by VOP 2010. Natural Areas perform many functions that benefit ecological and human health and provide habitat for a wide variety of species that ensure biodiversity in the City. The designation permits land uses that are related to ecological and environmental education, conservation, protection and enhancement.</li><li>▪ The proposed Draft Plan of Subdivision to facilitate a residential use conforms to the in-effect site-specific amendment to VOP 2010, as approved by the OMB in their Decision/Order issued on March 9, 2016.</li></ul>
Zoning	<ul style="list-style-type: none"><li>▪ The subject lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by Zoning By-law 1-88, as shown on Attachment #2. The proposed Draft Plan of Subdivision is not permitted by Zoning By-law 1-88, and therefore, an amendment to the Zoning By-law is required.</li><li>▪ Upon submission of the Draft Plan of Subdivision application to the City, the Vaughan Development Planning Department advised the Owner that the proposed Draft Plan of Subdivision does not comply with Zoning By-law 1-88 and that a Zoning By-law Amendment application is required to facilitate the proposal. To date, the Owner has not filed a Zoning By-law Amendment application. A subsequent Public Hearing will be required to consider the Zoning By-law Amendment Application, once it is submitted to the City.</li><li>▪ Development Planning Staff is of the view that consideration of a technical recommendation report related to the Draft Plan of Subdivision application would be premature in advance of the Owner submitting and obtaining comments on the required Zoning By-law Amendment application.</li></ul>
Surrounding Land Uses	<ul style="list-style-type: none"><li>▪ Shown on Attachment #2.</li></ul>

**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:

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	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity with City Official Plan, and Ontario Municipal Board (OMB) Decision	<ul style="list-style-type: none"> <li>▪ The application will be reviewed in consideration of the applicable City Official Plan policies, and the OMB Decision/Order issued on March 9, 2016.</li> </ul>
b.	Appropriateness of Proposed Use and Draft Plan of Subdivision	<ul style="list-style-type: none"> <li>▪ The appropriateness of permitting the proposed Draft Plan of Subdivision consisting of 18 townhouse blocks on a public road (106 townhouse units) and one open space block, as shown on Attachment #3, will be reviewed in consideration of compatibility with the surrounding existing and planned land uses, with particular consideration given to lot size, appropriate transition, configuration, land use, site characteristics (e.g. grading, vegetation, etc.) and built form.</li> <li>▪ Should the application be approved, the required Draft Plan of Subdivision conditions will be reviewed to ensure the appropriate road alignment and connections, servicing and grading, environmental matters, and other municipal, regional and public agency requirements are addressed.</li> </ul>
c.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> <li>▪ The proposed development must conform to the applicable Block 18 Urban Design Guidelines and Architectural Design Guidelines.</li> </ul>
d.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City of Vaughan and/or the respective approval authority: <ul style="list-style-type: none"> <li>- Transportation Impact Assessment</li> <li>- Environmental Impact Statement</li> <li>- Hydrogeological Study and Water Balance</li> <li>- Phase 1 ESA (Environmental Site Assessment)</li> <li>- Functional Servicing and Functional Stormwater Management Report</li> <li>- Geotechnical Investigation</li> </ul> </li> <li>▪ In accordance with the OMB Decision/Order issued March 9, 2016, the Owner is required to submit the following additional studies/reports: <ul style="list-style-type: none"> <li>- A natural heritage evaluation</li> <li>- A Planning Report including the Oak Ridges Moraine conformity</li> </ul> </li> </ul>

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		<ul style="list-style-type: none"><li>▪ Staff have identified that an updated Phase 1 ESA is required by the City and other studies may be required to be updated, subject to the outcome of reviews by the City and the appropriate public agencies.</li></ul>
e.	Extension of Grand Trunk Avenue	<ul style="list-style-type: none"><li>▪ The Owner is proposing to extend Grand Trunk Avenue, which must be reviewed and approved by the Vaughan Development Engineering and Infrastructure Planning Department. The review will include the lands required to facilitate the extension, which may impact the size and configuration of the Blocks abutting the road.</li></ul>
f.	Block 18 Plan	<ul style="list-style-type: none"><li>▪ The approved Block 18 Plan identifies the subject lands as a “Woodlot” and “Non-participating Land Owner”. The development proposal will be reviewed in consideration of the Block 18 Plan and the existing and planned surrounding land uses. The Owner will be required to submit a revised Block 18 Plan to the satisfaction of the City, should the application be approved.</li><li>▪ The Owner must satisfy all obligations, financial or otherwise of the Block 18 Developers Group Agreement, to the satisfaction of the Block 18 Trustee and the City of Vaughan.</li></ul>
g.	Vegetation Inventory Assessment and Tree Preservation	<ul style="list-style-type: none"><li>▪ There is existing vegetation on the site that may impact the proposed Draft Plan of Subdivision. The Owner will be required to prepare a Vegetation Inventory Assessment and Tree Preservation Plan, as a condition of draft plan of subdivision approval, should the application be approved.</li></ul>
h.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"><li>▪ The subject lands fall within the regulated area of the TRCA as described within Regulation 166/06. The application has been circulated to the TRCA for review and comments, which will be taken into consideration by the Vaughan Development Planning Department. The Owner must satisfy the requirements of the TRCA.</li></ul>
i.	Sustainable Development	<ul style="list-style-type: none"><li>▪ 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, energy efficient lighting, reduction in pavement, etc., will be reviewed and implemented through the subdivision approval process, if appropriate.</li></ul>

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j.	Servicing Allocation	<ul style="list-style-type: none"><li>▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the Draft Plan of Subdivision is approved. Should servicing capacity not be available, a Holding Symbol “(H)” will be placed on the subject lands, through a zoning application, which will be removed once servicing capacity is identified and allocated to the subject lands by Vaughan Council.</li></ul>
k.	Cash-in-Lieu of Parkland	<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 Policy, should the 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.</li></ul>

**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 Region of York 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. Concept Location Map
2. Location Map
3. Draft Plan of Subdivision File 19T-16V001
4. Land Use Designation

**Report prepared by:**

Mary Caputo, Senior Planner - OMB, ext. 8215

(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.)