

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 4, 2013

Item 5. Report No. 25, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on June 4, 2013.

**5. ZONING BY-LAW AMENDMENT FILE Z.13.007
 DRAFT PLAN OF SUBDIVISION FILE 19T-13V002
 DRAFT PLAN OF CONDOMINIUM FILE 19CDM-13V003
 TEEFY DEVELOPMENTS INC.
 WARD 4 – VICINITY OF BATHURST STREET AND RUTHERFORD ROAD**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated May 21, 2013, be approved;**
- 2) That the deputation of Mr. Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, on behalf of the applicant, be received; and**
- 3) That Communication C3 from Ms. Tanya M. Roman, A.S.O., Block 10 Thornhill Woods Developers Group, Vogell Road, Richmond Hill, dated May 6, 2013, be received:**

Recommendation

The Commissioner of Planning recommends:

1. THAT the Public Hearing report for Files Z.13.007, 19T-13V002 and 19CDM-13V003 (Teefy 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.

Contribution to Sustainability

The contribution to sustainability 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 Meeting was circulated: April 26, 2013
- b) Circulation Area: 150 m
- c) Comments Received as of May 7, 2013: None

Purpose

The Owner has submitted the following development applications for the subject lands shown on Attachments #1 and #2 to facilitate the development of 149 townhouse dwelling units as shown on Attachments #6 to #8:

1. Draft Plan of Subdivision File 19T-13V002 to facilitate the creation of two blocks under a single registered M Plan, in the manner shown on Attachment #3, which would permit the application for Draft Plan of Condominium (Common Elements) File 19CDM-13V003 consisting of the following:

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- a) Block 1 (Block for 149 Townhouse Units, Road and Amenity Area) 4.023 ha
- b) Block 2 (Road Widening along Bathurst Street) 0.199 ha
- Total Area 4.222 ha

2. Draft Plan of Condominium File 19CDM-13V003 to create common elements including fifteen (15) visitor parking spaces, walkways and a 175 m² private amenity area as shown on Attachment #4.
3. Zoning By-law Amendment File Z.13.007, specifically to amend Zoning By-law 1-88, to rezone the subject lands from A Agricultural Zone to RVM2 Residential Urban Village Multiple Dwelling Zone Two (tableland) and OS1 Open Space Conservation Zone (valleylands/buffers) in the manner shown on Attachment #5, and to permit the following site-specific zoning exceptions to Zoning By-law 1-88:

	By-law Standard	By-law 1-88 RVM2 Multiple Residential Zone Requirements	Proposed Exceptions to RVM2 Zone Requirements
a.	Definition of a Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	The lands proposed to be zoned RVM2 Zone as shown on Attachment #5 shall be deemed to be one Lot regardless of the number of buildings constructed on the Lot, and regardless of the creation of new lots by way of a common elements condominium, exemption from part lot control, consent, subdivision, and/or easements or registrations that are given, and shall be deemed to comply with the provisions of the site specific zoning by-law.
b.	Minimum Residential Visitor Parking	38 visitor parking spaces (149 units @ 0.25 spaces per unit)	15 spaces
c.	Minimum Number of Barrier Free Parking Spaces	3 spaces	0 spaces
d.	Driveway Width for Joint Ingress and Egress	7.5 m	6.0 m

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e.	Minimum Landscape Width (abutting Bathurst Street)	6.0 m	1.0 m
f.	Permitted Yard Encroachments and Restrictions	An exterior stairway is permitted in the rear yard only except that an exterior stairway not exceeding one-half storey in height is permitted in any yard.	Permit exterior stairways exceeding one-half storey in height in any yard.
g.	Frontage on a Public Street	Building or structure must be located on a lot that fronts a public street.	Permit the proposed development on a lot with access to a common element road or driveway that provides access to a public street.
h.	Maximum Building Height for Accessory Buildings and Structures (Proposed Garages)	4.5 m	13.1 m
i.	Location of Accessory Structure (Proposed Garages)	Any accessory building or structure shall be located in the rear yard and subject to the required setbacks of the main dwelling unit on the lot, provided that a garage may be erected in a side yard or front yard in compliance with the provisions of Schedule "A1".	The proposed garages shall be located as shown on Attachment #6.
j.	Parking Areas for Multiple Family Dwellings	An outdoor parking area shall be screened from the street and any adjacent premises. Screening shall consist of either a landscaped earthen berm, or an evergreen hedgerow, and shall have a minimum height of 1.2 metres.	The landscaping and screening requirements for outdoor parking areas shall not apply.
k.	Minimum Front Yard (Bathurst Street)	3.0 m	1.0 m
l.	Minimum Yard Requirement to a Sight Triangle	1.5 m	0.0 m

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m.	Minimum Interior Side Yard	1.2 m	<ul style="list-style-type: none"> ▪ 0.6 m (from north property line to Block “A”) ▪ 1.0 m (from north property line to proposed garages)
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Additional zoning exceptions may be identified through the detailed review of the applications.

Background – Analysis and Options

Location	<ul style="list-style-type: none"> ▪ The 4.22 ha site is located on the west side of Bathurst Street, south of Rutherford Road (9130 Bathurst Street), City of Vaughan, shown as “Subject Lands” on Attachments #1 and #2. ▪ The site is developed with a single detached historic brick dwelling built in the 1900s, a barn and a number of metal sheds, which are proposed to be demolished to facilitate the development. The property has been used as agricultural lands and most recently as a sheep pasture.
Official Plan Designation	<ul style="list-style-type: none"> ▪ “Medium Density Residential/Commercial” by in-effect OPA #600 (Carrville - Urban Village 2), which permits a net residential density of between 17 and 40 units per hectare (uph). The proposed 149 units on the subject lands (4.22 ha) yields a density of 35.3 uph. The proposed development conforms to OPA #600. ▪ The subject lands are designated “Mid-Rise Mixed-Use” by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010, (as modified September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. ▪ The “Mid-Rise Mixed-Use” designation permits a mix of residential, retail, community and institutional uses. Section 9.2.2.4 c. states, “In areas designated as Mid-Rise Mixed-Use the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of retail uses or other active uses that animate the street.” The proposed development does not include a retail component, and therefore, does not comply with this policy. ▪ The “Mid-Rise Mixed-Use” designation permits a “mid-rise building” type, which is defined as buildings between five and twelve storeys in height. The proposed three-storey townhouse development does not conform to the permitted building type policies in VOP 2010.

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Zoning	<ul style="list-style-type: none"> ▪ A Agricultural Zone by Zoning By-law 1-88, which permits agricultural uses. ▪ The proposed 149 unit townhouse development is not permitted in the A Agricultural Zone. A Zoning By-law Amendment has been submitted to rezone the subject lands to RVM2 Residential Urban Village Multiple Dwelling Zone Two (tableland) and OS1 Open Space Conservation Zone (valleylands/buffers), and to permit the site-specific zoning exceptions to facilitate the proposed development shown on Attachments #6 to #8.
Surrounding Land Uses	<ul style="list-style-type: none"> ▪ Shown on Attachment #2.

Preliminary Review

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with City Official Plan	<ul style="list-style-type: none"> ▪ The applications will be reviewed in consideration of the applicable City Official Plan policies.
b.	Appropriateness of Proposed Development, Zone Category and Site specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of amending Zoning By-law 1-88 to facilitate the redevelopment of the site for a 149 unit common element townhouse development will be reviewed in consideration of the surrounding existing and planned land uses. ▪ The applicant has submitted a conceptual site plan and building elevations (Attachments #6 to #8) and has requested site-specific zoning exceptions to Zoning By-law 1-88, specifically the RVM2 Residential Urban Village Multiple Dwelling Zone. The appropriateness of the proposed zoning category and site-specific exceptions will be reviewed in consideration of the surrounding existing and planned land uses particularly the existing commercial development north of the subject lands and the abutting valleylands.
c.	Block 10 Plan	<ul style="list-style-type: none"> ▪ The approved Block 10 Plan identifies the subject lands as Medium Density Residential. The proposed development will be reviewed in consideration of the Block 10 Plan. ▪ The Owner will be required to satisfy all obligations, financial or otherwise of the Block 10 Developers Group Agreement to the satisfaction of the Block 10 Trustee and the City of Vaughan.

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d.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none">▪ The proposed development must conform to the Urban Design and Architectural Guidelines for Block 10, if approved.
e.	Studies and Reports	<ul style="list-style-type: none">▪ The Functional Servicing Report, Urban Transportation Considerations Report, Phase I and Phase II Environmental Site Assessment, Geotechnical Investigation Report, and Environmental Noise Feasibility Study submitted in support of the applications must be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department.▪ The Stage 1 and 2 Archaeological Assessment submitted in support of the applications must be approved to the satisfaction of the Vaughan Recreation and Culture Department. The historic significance of the existing structure located at 9130 Bathurst Street must be assessed to the satisfaction of the Vaughan Cultural Services Division.▪ The Arborist Report and Site Inventory submitted in support of the applications must be approved to the satisfaction of the Vaughan Development Planning Department.
f.	Region of York	<ul style="list-style-type: none">▪ The applications must be reviewed by the Region of York Transportation and Community Planning Department. Specifically, the Urban Transportation Considerations Report, the location of the proposed accesses onto Bathurst Street, the limits and width of the Bathurst Street road widening, requirements for transit stops, and the appropriateness of development on or adjacent to the existing sanitary sewer easement (in favour of the Region of York) along the western and southern limits of the property. The Owner shall satisfy all the requirements of York Region.

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g.	Future Site Development Application	<ul style="list-style-type: none"> ▪ A Site Development Application is required to implement the proposed 149 unit common element townhouse development on the subject lands, which will be reviewed in consideration of, but not limited to, the following: <ul style="list-style-type: none"> ▪ appropriate building placement and site design, including the location and appropriate number of visitor parking spaces and proximity to proposed units; ▪ appropriate amenity space size and location; ▪ location of community mail boxes; ▪ on-site vehicular circulation, including proper service and emergency vehicle turning areas, and driveway access locations; ▪ garbage storage and pick up; ▪ opportunities for sustainable design; ▪ proposed townhouse blocks with greater than 6 units; ▪ the appropriateness of the proposed building height and length of the separate garages; ▪ compatibility with adjacent lands including setbacks from public streets, opportunities for a trail or amenity connection within the valley system, and transition with the existing commercial development to the north; ▪ building siting and orientation towards Bathurst Street including proposed building setbacks to the street and daylight triangles and landscaping; ▪ upgraded end and rear building elevations for all blocks; and, ▪ the appropriateness of the existing sanitary trunk sewer easement along the west property line forming part of the rear yard areas.
h.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Owner will be required to pay to the City of Vaughan cash-in-lieu of parkland dedication in accordance with the City's Cash-in-lieu Policy and the Planning Act to the satisfaction of the Vaughan Real Estate Division, if approved.
i.	Servicing Allocation	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the applications are approved. Should servicing capacity not be available, use of the Holding Symbol "(H)" will be considered for the subject lands.
j.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> ▪ The subject lands abut the East Don River and are within the TRCA permit control area. The development limits (tableland and valleyland) including the required 10 m buffer area that does not appear to be incorporated into the applicant's proposal must be determined by the TRCA and the City. The Owner must satisfy all requirements of the TRCA and the City.

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Relationship to Vaughan Vision 2020/Strategic Plan

The applicability of these applications to the Vaughan Vision will be determined when the technical report is considered.

Regional Implications

The applications have 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 applications will be considered in the technical review of the applications, together with comments from the public and 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. Draft Plan of Subdivision File 19T-13V002
4. Draft Plan of Condominium File 19CDM-13V003
5. Proposed Zoning
6. Conceptual Site Plan
7. Conceptual Elevations
8. Conceptual Elevations

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.)