

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016**

Item 3, 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 7, 2016.

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**ZONING BY-LAW AMENDMENT FILE Z.15.029  
DRAFT PLAN OF SUBDIVISION FILE 19T-15V010  
GRACEGREEN REAL ESTATE DEVELOPMENT LTD.  
WARD 1 - VICINITY OF KEELE STREET AND MCNAUGHTON ROAD**

**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 May 31, 2016, be approved;**
- 2) That the deputation of Mr. Richard Domes, Gagnon & Law Urban Planners Ltd., Queen Street East, Brampton and Communications C10 from Michael Gagnon and Richard Domes, dated May 31, 2016, on behalf of the applicant, be received; and**
- 3) That Communication C9 from Mr. Quinto M. Annibale, Loopstra Nixon LLP, dated May 31, 2016, be received.**

**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 Files Z.15.029 and 19T-15V010 (Gracegreen Real Estate Development Ltd.), 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.

**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 Public Hearing was circulated: May 6, 2016. 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 on the property in accordance with the City's Notice Sign Procedures and Protocol.
- b) Circulation Area: 150 m
- c) 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 the final technical report at a future Committee of the Whole meeting.

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### **Purpose**

To receive comments from the public and the Committee of the Whole on the following applications for the subject lands shown on Attachments #1 and #2, to facilitate the development of 19 three-storey freehold townhouse units (13 of which will include a roof-top terrace) within four blocks to be served by future privately owned and maintained common elements by a Condominium Corporation on behalf of the 19 freehold townhouse unit owners and will consist of a private-road, five visitor parking spaces, sidewalks, community mailbox, and a common amenity area, as shown on Attachments #3 to #6:

1. Zoning By-law Amendment File Z.15.029, specifically to amend Zoning By-law 1-88, to rezone the subject lands from A Agricultural Zone to RT1 Residential Townhouse Zone (freehold townhouse units), together with the following site-specific zoning exceptions to the RT1 Residential Townhouse Zone standards of Zoning By-law 1-88:

	<b>Zoning By-law 1-88 Standard</b>	<b>RT1 Residential Townhouse Zone Requirements</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements</b>
a.	Permitted Uses	Street Townhouse Dwelling	Permit a townhouse unit (Blocks 2 and 3) on a freehold lot to front onto a private common element condominium road
b.	Frontage on a Public Street	No person shall erect a building unless the lot upon which it is located fronts upon a public street	Permit a townhouse unit (Blocks 2 and 3) to be erected on a freehold lot which fronts onto a privately owned and maintained common element condominium road.
c.	Maximum Number of Units in a Row	6 units	7 units (Block 2 as shown on Attachment #4)
d.	Maximum Height of an Exterior Stairway in the Rear Yard	Not to exceed one-half storey in height	Permit an exterior stairway in the rear yard of up to one-storey in height (Blocks 2 and 3)
e.	Minimum Width of Landscaping around the Periphery of an Outdoor Parking Area	3 m wide strip of land with a minimum height of 1.2 m	This provision shall not apply to the subject lands

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f.	Minimum Amenity Area	19 three bedroom units @ 90 m <sup>2</sup> /unit = 1,710 m <sup>2</sup>	Total Amenity Area proposed = 1,111m <sup>2</sup>
g.	Minimum Lot Frontage	6 m / unit	5.5 m / unit (All Units)
h.	Minimum Lot Area	162 m <sup>2</sup> /unit	91 m <sup>2</sup> /unit
i.	Minimum Front Yard Setback	4.5 m	4.3 m (Blocks 2 and 3)
j.	Minimum Rear Yard Setback	i) 15 m (Blocks 1 and 4) ii) 7.5 m (Blocks 2 and 3)	i) ▪ 3.6 m (Unit 17 in Block 4) ▪ 3.7 m (Block 1 and Units 18 and 19 in Block 4)  ii) 4.5 m (Blocks 2 and 3)
k.	Minimum Interior Side Yard Setback Abutting a Non-Residential Use	3.5 m	<ul style="list-style-type: none"> <li>• 0 m west lot line (Blocks 2 and 3)</li> <li>• 0 m north lot line (Block 1)</li> <li>• 0 m south lot line (Block 4)</li> </ul>
l.	Minimum Exterior Side Yard Setback	4.5 m	<ul style="list-style-type: none"> <li>• 0 m (Block 3 - Unit 16)</li> <li>• 0 m (Block 2 - Unit 4)</li> <li>• 0 m (Block 1 - Unit 3)</li> <li>• 0 m (Block 4 - Unit 17)</li> </ul>
m.	Minimum Lot Depth	27 m	<ul style="list-style-type: none"> <li>• 21 m (Blocks 1, 2 and 3)</li> <li>• 22 m (Block 4)</li> </ul>
n.	Minimum Driveway Width	No requirement in Zoning By-law 1-88 for minimum driveway width on a lot with a frontage less than 6 m in frontage	Maximum 3 m wide driveway with a minimum of 33% of the front yard landscaped

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o.	Maximum Permitted Yard Encroachments	1.8 m	2.7 m stairways into rear yard (Blocks 2 and 3)
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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.

2. Draft Plan of Subdivision File 19T-15V010, as shown on Attachment #3, consisting of Block 1 (0.368 ha) for technical purposes under the Planning Act to facilitate a future Draft Plan of Condominium (Common Elements - comprised of the private internal road, walkways, visitor parking spaces, and private landscaped amenity areas that are located within the development proposal shown on Attachments #4 to #6); Block 2 (0.002 ha) for a 0.3 m wide reserve; and, Block 3 (0.041 ha) for road widening purposes, for a total land area of 0.411 ha.

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"><li>▪ West side of Keele Street, north of McNaughton Road, known municipally as 10316 Keele Street, shown as “Subject Lands” on Attachments #1 and #2.</li></ul>
Official Plan Designation	<ul style="list-style-type: none"><li>▪ The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), and are located within a “Community Area” as identified in Schedule 1, the “Urban Structure” of VOP 2010. The designation permits townhouse dwelling units, subject to the policies of Section 9 in VOP 2010, and there is no associated density requirement.</li><li>▪ The subject lands are located within the “Village of Maple Heritage Conservation District Plan”, and are subject to Section 12.2.1.1c “Heritage Conservation Districts” in VOP 2010.</li><li>▪ A “Community Area” is generally established with a number of older, residential neighbourhoods that are characterized by large lots and/or historical, architectural, or landscape value. They are also characterized by their substantial rear, front and side yards and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes.</li></ul> <p>VOP 2010 identifies compatibility criteria for new developments in a “Community Area”. The compatibility criteria direct that new development is designed to respect and reinforce the physical character of the established neighbourhood within which it is located. In addition, new development in a “Community Area” within established development areas shall pay particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks.</p>

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	<ul style="list-style-type: none"><li>▪ The proposed townhouse development is located on Keele Street, being an arterial road, adjacent to a stormwater management pond with an existing row of live-work townhouse units (a similar built form) further north and existing industrial uses on the east side of Keele Street. Existing detached dwellings fronting onto Keele Street are located south of the subject lands.</li></ul> <p>Section 9.2.3.2. in VOP 2010 identifies development criteria for townhouse dwelling units, which states that townhouses shall be up to three storeys in height and not more than six attached residential units in a row. Proposed townhouse Blocks 2 and 3 are designed with a roof-top terrace, accessed by a partially covered stairway from the interior of the 3<sup>rd</sup> storey. The terrace is enclosed by a false-façade on the front elevations and partial walls and fencing on the remaining elevations. The roof-top terrace does not constitute a 4<sup>th</sup> storey as defined by VOP 2010 and Zoning By-law 1-88. Therefore, the proposed building height conforms with VOP 2010. In accordance with VOP 2010, the Owner has provided an Urban Design Sustainability Brief, to address the development criteria for townhouses, which must be reviewed to the satisfaction of the Vaughan Development Planning Department.</p> <p>Section 10.2.1.7 of VOP 2010 provides for minor variations related to numerical standards (does not apply to height), and as such, there is no amendment required to deal with the 7 unit townhouse block (Block 2).</p>
Zoning	<ul style="list-style-type: none"><li>▪ The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88, which permits the existing detached dwelling.</li><li>▪ The Owner is proposing to rezone the subject lands to RT1 Residential Townhouse Zone, together with the site-specific zoning exceptions to the RT1 Zone identified in the Purpose section of this report to permit 19 freehold townhouse units accessed by a privately owned and maintained internal condominium common element road, services and amenities on the subject lands.</li><li>▪ The development proposal does not comply with Zoning By-law 1-88, and therefore, an amendment to Zoning By-law 1-88 is required to facilitate the development proposal.</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 applications, the Vaughan Development Planning Department has identified the following matters to be reviewed in greater detail:

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	MATTERS TO BE REVIEWED	COMMENT(S)
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 Provincial policies and the Regional and City Official Plan policies, particularly the policies in VOP 2010 respecting design and compatibility criteria for new development in a “Community Area” and the requirements of the Village of Maple Heritage Conservation District Plan.</li> </ul>
b.	Appropriateness of Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>The appropriateness of the proposed rezoning to facilitate the development of 19 townhouse dwelling units, will be reviewed in consideration of the site being a gateway into the Village of Maple Heritage Conservation District, lot size and configuration, access, pedestrian and barrier-free access, transition, built form compatibility, building setbacks, number of units in a row, and traffic impact. An Urban Design and Sustainability Brief has been submitted in support and of the proposed development, which must be reviewed to the satisfaction of the Vaughan Development Planning Department.</li> </ul>
c.	Maple Heritage Conservation District Plan	<ul style="list-style-type: none"> <li>The existing detached dwelling on the subject lands is designated under Part V of the <u>Ontario Heritage Act</u> and is listed in the Vaughan Heritage Inventory given its location within the Village of Maple Heritage Conservation District Plan (HCDP) and identified as a contributing property in the village mapping. The proposal must be reviewed by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and the Heritage Vaughan Committee.</li> <li>The Owner must submit a Cultural Heritage Impact Assessment (HIA) that assesses conformity with the Village of Maple Heritage Conservation District Plan (HCDP). The HCDP specifically states that the demolition of heritage buildings is not supported. The HIA should provide a reasonable rationale for supporting this action and recommend specific mitigation strategies, which must be reviewed to the satisfaction of the Vaughan Development Planning Department, Cultural Heritage Division.</li> </ul>
d.	Maple Streetscape & Urban Design Guidelines	<ul style="list-style-type: none"> <li>The subject lands are located within the Maple Streetscape designated area. If the subject applications are approved, the proposed development through the related Site Development File DA.15.071 must comply with the requirements in the Maple Streetscape and Urban Design Guidelines, which includes prescribed streetscape materials, street furniture and lighting within the public realm along Keele Street.</li> </ul>

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e.	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 or respective public approval authority: <ul style="list-style-type: none"> <li>- Land Use Planning Justification Report</li> <li>- Sun/Shade Study</li> <li>- Stage 1 Archaeological Assessment</li> <li>- Functional Servicing and Stormwater Management Report</li> <li>- Noise Feasibility Study</li> <li>- Phase One Environmental Site Assessment</li> <li>- Urban Design and Sustainability Brief</li> <li>- Arborist Report</li> </ul> </li> </ul>
f.	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 is 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>
g.	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 applications 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>
h.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none"> <li>▪ A future Draft Plan of Condominium Application will be required to facilitate a condominium tenure of the common elements (i.e. private road, internal sidewalks, visitor parking, and common landscaped amenity area) to be owned and maintained by a Condominium Corporation on behalf of the 19 freehold townhouse unit owners, should the applications be approved.</li> </ul>
i.	Site Development Application	<ul style="list-style-type: none"> <li>▪ The related Site Development File DA.15.071 will be reviewed concurrently with the zoning and subdivision applications, and in consideration of, but not limited to, the following: <ul style="list-style-type: none"> <li>- appropriate building design and materials</li> <li>- site design and building/unit orientation</li> <li>- upgraded flange elevations</li> <li>- pedestrian and barrier free accessibility</li> <li>- building setbacks appropriate for a Heritage Conservation District</li> <li>- appropriate driveway and vehicular access</li> <li>- landscaping</li> </ul> </li> </ul>

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		<ul style="list-style-type: none"> <li>- environmental sustainability</li> <li>- servicing and grading</li> <li>- stormwater management</li> <li>- the appropriateness and design of the proposed 2 m high retaining wall along the westerly lot line abutting McNaughton Park, as shown on Attachment #4</li> <li>- tree preservation on the subject lands and in McNaughton Park</li> </ul> <p>▪ All issues identified through the review of Site Development File DA.15.071 will be addressed together with the subject Zoning By-law Amendment and Draft Plan of Subdivision applications in a comprehensive technical report to a future Committee of the Whole meeting.</p> <p>Opportunities for sustainable design, including CPTED (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 site plan approval process.</p>
j.	Review of Low-Rise Residential Development	<p>▪ On March 1, 2016, the Vaughan Committee of the Whole considered a report (File 15.120) from the Vaughan Policy Planning and Environmental Sustainability Department. The report identified implementation options for proceeding with the Community Area Policy Review for Low-Rise Residential Areas as directed by Vaughan Council on October 20, 2015. The report focused on the following:</p> <ul style="list-style-type: none"> <li>- Background on the origin of the Community Area Policy Review for Low-Rise Residential Areas;</li> <li>- A discussion of current issues with the interpretation of VOP 2010;</li> <li>- A description of the study process and methodology;</li> <li>- The findings included proposed urban design guidelines, recommended Official Plan policy amendments and implementation options for the Community Area Policy Review for Low-Rise Residential Designations; and,</li> <li>- Next Steps and Recommendations for implementation.</li> </ul> <p>▪ On March 22, 2016, Vaughan Council received the “General Low Rise Residential Infill Guidelines” and the draft “Townhouse Infill Guidelines” set out in the report and recommended that they be distributed to stakeholders for comment and that such comments be received no later than May 31, 2016.</p> <p>▪ The applications will be reviewed in consideration of the principles of the Low Rise Residential Review.</p>



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k.	Road Widening and Access	<ul style="list-style-type: none"><li>▪ York Region must confirm the final planned right-of-way width for Keele Street. Should additional land for a road widening be required, the proposal must be revised accordingly.</li><li>▪ York Region must review and approve the proposed final driveway access location and design on Keele Street.</li></ul>
l.	Existing Mature Trees	<ul style="list-style-type: none"><li>▪ The majority of the existing trees on site are proposed to be removed including some of the trees in McNaughton Park located immediately west of the subject lands. The Vaughan Parks Development Department must review the Arborist report submitted in support of the application. Should it be determined that some/all of the trees must be preserved, it may result in a loss in the number of units on the site.</li></ul>
m.	Street Name	<ul style="list-style-type: none"><li>▪ The proposed site plan indicates that the proposed street name for the private road is McQuarrie Gate. However, there is an existing street named “McQuarrie Lane” located south of McNaughton Road. A new street name must be provided in accordance with the Vaughan Council approved Street Naming Policy, which does not permit the duplication of a street name within the City and in York Region for emergency response purposes.</li></ul>

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

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

#### **Regional Implications**

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.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Draft Plan of Subdivision File 19T-15V010
4. Site and Landscape Plan
5. Building Elevations (Block 4)
6. Building Elevations (Block 2)

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**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.)