

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015

Item 25, Report No. 26, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 23, 2015.

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**ZONING BY-LAW AMENDMENT FILE Z.13.048
DRAFT PLAN OF SUBDIVISION FILE 19T-13V011
LONGYARD PROPERTIES INC.
WARD 4 - VICINITY OF MAJOR MACKENZIE DRIVE AND BATHURST STREET**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated June 16, 2015:

Recommendation

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.13.048 (Longyard Properties Inc.) BE APPROVED, specifically to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachments #2 and #3, from RD4(H) Residential Detached Zone Four with the Holding Symbol "H" and subject to Exception 9(1385) to RD3 Residential Detached Zone Three and OS5 Open Space Environmental Protection Zone in the manner shown on Attachment #4 together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-13V011 (Longyard Properties Inc.) to facilitate a residential Draft Plan of Subdivision for 13 lots for detached dwellings as shown on Attachment #4, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1.
3. THAT Vaughan Council adopt the following resolution with respect to the allocation of sewage capacity from the York Sewage Servicing/Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol dated May 19, 2015:

"IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-13V011 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 13 residential units (47 persons equivalent)."
4. THAT prior to enactment of the implementing Zoning By-law, the Owner shall withdraw their appeal to the Ontario Municipal Board (OMB) of Council's decision to refuse demolition of the George Munshaw House to the satisfaction of the City's Solicitor and Commissioner of Planning.

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with sustainable built form

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

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Goal 4: To create a vibrant community where citizens and business thrive.

- Objective 4.1: To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- Clean water collector in the conveyance system (storm sewers)
- Thermal mitigation in the end of pipe facility (wet pond - Pond 8) consisting of a 3 m deep permanent pool and subsurface cooling trench combined with plantings to provide shade
- The Owner will be preserving and relocating the existing George Munshaw House within the broader overall Longyard subdivision as shown on Attachment #3.

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

On April 17, 2014, a Notice of Public Hearing was circulated to all property owners within the expanded polling area as shown on Attachment #3. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedure and Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 14, 2014, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on May 27, 2014. To date, the following written submission has been received by the Vaughan Planning Department:

- i) K. Hanit, Queensbridge Drive, respecting the need to preserve the George Munshaw House.

The Owner is proposing to relocate the George Munshaw House to Fanning Mills Circle, in the vicinity of Via Romano Boulevard and Major MacKenzie Drive, to be restored/renovated and used as a private residence, as shown on Attachment #3. The Heritage Vaughan Committee decision regarding the relocation of the George Munshaw House is discussed in this report.

On June 9, 2015, the Vaughan Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the subject applications.

Purpose

The purpose of this report is to seek approval from the Committee of the Whole for the following applications:

1. Zoning By-law Amendment File Z.13.048 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from RD4(H) Residential Detached Zone Four with the Holding Symbol "(H)" and subject to Exception 9(1385) to RD3 Residential Detached Zone Three and OS5 Open Space Environmental Protection Zone in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.

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2. Draft Plan of Subdivision File 19T-13V011 on the subject lands shown on Attachments #2 and #3, to facilitate a residential subdivision consisting of 13 lots for detached dwellings as shown on Attachment #4. The proposed Draft Plan of Subdivision statistics are as follows:

| | |
|--|-----------------|
| Lots 1 - 13 (single detached dwellings, minimum 14.8 m frontage) | 0.747 ha |
| Blocks 14 and 15 (Buffer) | 0.127 ha |
| Road (Street '22', 17.5 m) | <u>0.216 ha</u> |
| Total Area | 1.090 ha |

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands with 13 lots for detached dwellings lots and two open space buffer blocks as shown on Attachment #4. The Vaughan Planning Department supports the proposed development since it implements Vaughan Official Plan 2010 (VOP 2010) and is compatible with the surrounding existing and planned land uses.

Location

The vacant 1.09 ha subject lands shown on Attachments #2 and #3 are located on the west side of Foley Crescent, northwest of Major Mackenzie Drive and Via Romano Boulevard, being Block 800 on approved Draft Plan of Subdivision File 19T-03V13, in Part of Lot 21, Concession 2, City of Vaughan. The surrounding land uses are shown on Attachment #3.

Official Plan

The subject lands are designated "Low Rise Residential" by Vaughan Official Plan 2010 (VOP 2010), which permits detached dwelling units. The proposed residential Draft Plan of Subdivision conforms to VOP 2010. The lands located immediately west of the subject lands are designated "Oak Ridges Moraine Natural Core". The Toronto and Region Conservation Area (TRCA) is satisfied that all natural heritage features and natural hazards have been identified and appropriate buffers to the proposed development are provided.

Ontario Municipal Board (OMB) Appeal

At the March 24, 2015, meeting of Vaughan Council, an application to demolish the George Munshaw House was refused. As per the *Ontario Heritage Act* R.S.O 1990, c.O.18, the Owner appealed the decision to the Ontario Municipal Board. An appeal was submitted to the City Clerk's Office on April 30, 2015, and a three day OMB hearing is scheduled for late September 2015. City staff is currently working with the Owner to relocate the George Munshaw House as discussed later in this report. Should Vaughan Council approve the recommendations of this report, a condition of approval has been included requiring the Owner's OMB appeal to be withdrawn to the satisfaction of the City's Solicitor and Commissioner of Planning, prior to the enactment of the implementing Zoning By-law amendment.

Block 12 Plan

The Block 12 Plan was approved by Vaughan Council on September 22, 2003, and identifies the subject lands as Low-Rise Residential which permits detached dwellings. The proposed land use is consistent with the approved Block 12 Plan.

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Zoning

The subject lands are zoned RD4(H) Residential Detached Zone Four with the Holding Symbol “(H)”, subject to Exception 9(1385) by Zoning By-law 1-88, which permits one detached residential dwelling on Block 800. The Owner is proposing to rezone this block to RD3 Residential Detached Zone Three to facilitate the creation of 13 lots and to OS5 Open Space Environmental Protection Zone to create two buffer blocks (Blocks 14 and 15), as shown on Attachment #4. The following site-specific exceptions to the RD3 Zone are required to facilitate the proposed Draft Plan of Subdivision and the future detached dwellings:

Table 1:

| | By-law Standard | Zoning By-law 1-88, RD3 Zone Requirements | Proposed Exceptions to the RD3 Zone Requirements |
|----|--|--|--|
| a. | Minimum Building Setback Abutting a Non-Residential Use (OS5 Zone) | 3.5 m for Lots 1 and 8 | 3 m |
| b. | Maximum Driveway Width | 6 m | 7.5 m for Lots 2 and 3 (staff recommendation; staff cannot support applicant request for no maximum) |

The Vaughan Planning Department can support the proposed site-specific zoning exceptions to the RD3 Zone for the following reasons:

a) Building Setback

The proposed reduction of the building setback abutting buffer Blocks 14 and 15 is minor and will facilitate an appropriate location for the detached dwellings and still contribute to an attractive streetscape.

b) Maximum Driveway Width

The Owner has requested that no maximum driveway width apply to Lots 2 and 3 as these lots are located on the curve of the proposed cul-de-sac road. The Vaughan Planning Department recommends that a maximum driveway width of 7.5m be permitted to allow a sufficient width to provide safe access to each driveway from the street given the angle that the driveway will intersect with the proposed road, and allow for the landscaped front yard as required by Zoning By-law 1-88.

Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #4 includes 13 residential lots for detached dwellings with average frontages of 15.3 m served by a 17.5 m wide public cul-de-sac road (Street “22”), which extends west from Foley Crescent. The Plan also includes two buffer Blocks (Blocks 14 and 15).

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All development within the proposed Draft Plan of Subdivision must proceed in accordance with the Vaughan Council approved Block 12 Architectural Design Guidelines prepared by Watchorn Architect Inc. A condition to this effect is included in Attachment #1.

The Vaughan Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment #4, subject to the comments in this report and conditions of approval set-out in Attachment #1.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Vaughan Development Engineering and Infrastructure Planning Services Department (Engineering Department) has provided the following comments:

a) Road Network

Site access is proposed via a public cul-de-sac (Street “22”), connecting to Foley Crescent. The Owner shall provide a 0.3 m reserve along the daylight triangle for Lot 7.

b) Servicing

The water supply, sanitary servicing and stormwater management plans for the subject development are consistent with City’s criteria and the approved Block 12 Master Environmental Servicing Plan. The site servicing and stormwater management schemes for the proposed development are as follows:

Units fronting Street “22” will be serviced by a new 200 mm watermain and 200 mm sanitary sewer along the proposed road, which will connect to the existing 200 mm diameter watermain and 500 mm sanitary sewer on Foley Crescent. Units fronting on Foley Crescent will receive service connections for each lot to the existing watermain and sanitary sewer.

The subject site is part of the Block 12 Stormwater Management (SWM) Pond 8 watershed, and is included in the stormwater management plan identified in the Block 12 MESP. The development also contributes to the Block 12 Clean Water Collector (CWC) System, which collects roof water and infiltrates into the native soils within the right of way. There is a 375 mm CWC pipe proposed to collect this runoff throughout the subject site.

Units fronting Street “22” will be serviced by a new 525 mm and 750 mm storm sewer along the proposed road. This sewer will connect to the 375 mm and 825 mm diameter storm sewer located on Foley Crescent.

c) Allocation

In accordance with the City’s annual servicing capacity allocation strategy report as adopted by Vaughan Council on May 19, 2015, formal allocation of servicing capacity is required by Vaughan Council in conjunction with Draft Plan approval. A servicing allocation resolution is included in the recommendation of this report

d) Environmental

The Environmental Site Assessment (ESA) documentation provided in support of the applications was reviewed by the Engineering Department. The Owner has addressed the ESA requirements and the Department has no additional requirements.

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e) Lot Grading

The proposed grading of the site and the lot grading of the individual lots shall meet the current City's lot grading criteria.

f) Noise

The Owner shall provide a noise report as a condition of Draft Plan of Subdivision approval.

g) Summary

The Engineering Department has no objection to the approval of this Draft Plan of Subdivision application, subject to the comments in this report and the conditions of approval set out in Attachment #1.

Vaughan Planning Department - Urban Design and Cultural Heritage Division

The subject property contains the George Munshaw House that is designated under Part IV of the Ontario Heritage Act, designation By-law 403-87 as amended by By-law 167-2014. All proposals involving Part IV designated properties require the approval of a Heritage Permit with Heritage Vaughan Committee approval, in addition to any other City approvals.

The George Munshaw House is proposed to be relocated to Lot 104 within Draft Plan of Subdivision File 19T-03V13, as shown on Attachment #3. The proposed lot is located on Fanning Mills Circle which will provide visibility of the George Munshaw House from Major MacKenzie Drive. The relocation of the George Munshaw House was considered by the Heritage Vaughan Committee on May 13, 2015, at which time the following recommendation was adopted:

"The Manager of Urban Design and Cultural Heritage recommends:

1. That the proposed relocation of the George Munshaw House, Designated Part IV under the Ontario Heritage Act through By-law 403-87 as amended by By-law 167-2014, to Lot 104 of Draft Plan of Subdivision File 19T-03V13, Phase 2, BE APPROVED subject to the following conditions:
 - i) The Applicant submit a Conservation Plan to the satisfaction of the Manager of Urban Design and Cultural Heritage;
 - ii) The Owner enter into a Heritage Easement Agreement with the City of Vaughan for the lands where the George Munshaw House is proposed to be relocated;
 - iii) The Applicant provide a Letter of Undertaking with financial securities calculated to cost of the replacement and relocation of the George Munshaw House; and,
 - iv) Any significant changes to the proposal by the Owner or Applicant, may require reconsideration by Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning."

As a result of the relocation of the George Munshaw House, the Designation By-law 403-87 as amended by By-law 167-2014 must be amended to reflect the proposed new legal description for the property. In accordance with Section 30.1 of the Ontario Heritage Act, the Owner will be notified of the proposed legal description and will have an opportunity to submit an objection to

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the City Clerk as per the requirements of the Act. The Heritage Vaughan Committee will be consulted prior to the June 16, 2015, Committee of the Whole meeting of the amendment to the Designation By-law. The revision to the Designation By-law must be approved by Vaughan Council, however this will not occur until a Letter of Undertaking to secure the relocation of the George Munshaw House is executed and Phase 2 of Plan of Subdivision File 19T-03V13 is registered. Once the By-law is final and binding, the City Clerk will provide a copy of the By-law to the Owner and the Ontario Heritage Trust.

Urban Design and Cultural Heritage conditions to this effect are included in Attachment #1 to this report.

Through the review conducted to relocate the George Munshaw House it was determined, based on final site grading plans, that Block 409 of Registered Plan 65M-4425, as shown on Attachment #3, is no longer suitable as a walkway connection to the valley system. Walkway connections to the valley system have been provided elsewhere in the subdivision plan. Through discussions with the Urban Design and Cultural Heritage Division and the Owner it is intended that this Block revert back to the Owner for a single detached residential lot. The subdivision agreement for the original Plan of Subdivision includes a provision that should the City determine that the lands are no longer required then the City may reconvey the Block back to the Owner at no cost to the City. It is noted that Block 409 is zoned OS2 Open Space Park Zone, which does not permit a detached dwelling, and therefore, the Block must be rezoned by the landowner to the appropriate residential category. In addition, the Owner must obtain servicing allocation for this lot.

Vaughan Parks Development Department

The Parks Development Department has reviewed the proposed Draft Plan of Subdivision and advises that the subject application originally formed part of Draft Plan of Subdivision File 19T-03V13 (Helmhorst Investments Ltd.), therefore, the 1.09 subject lands were considered for parkland dedication through File 19T-03V13, and cash-in-lieu of parkland is not required for the subject application.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has no objection to approval of the applications, subject to their conditions included in Attachment #1.

School Boards

The York Region District School Board and York Catholic District School Board have no objection to the applications.

Canada Post

Canada Post has no objections to the proposed subdivision, subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post, in accordance with their conditions included in Attachment #1.

Utilities

The Owner will be required to confirm that sufficient wire-line communications /telecommunications infrastructure is available within the proposed development. The Owner will also be required to grant any easements that may be required for telecommunication services. A condition to this effect is included in Attachment #1.

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Enbridge Gas Distribution has no objections to the application. The Owner will be required to prepare a composite utility plan that allows for the safe installation of all utilities, including the required separation between utilities. Enbridge Gas Distribution has provided conditions in Attachment #1 to be included in the subdivision agreement.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

i) **Lead and Promote Environmental Sustainability**

The Owner will be incorporating the sustainable site and building features identified in this report.

ii) **Plan and Manage Growth & Economic Well Being**

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

Servicing for the proposed development has been identified in accordance with the annual servicing/allocation report approved by Vaughan Council.

iii) **Preserve Our Heritage and Support Diversity, Arts and Culture**

The Owner is proposing to relocate and preserve the George Munshaw House.

Regional Implications

This development is located within the Bathurst Trunk wastewater area and will be serviced from Water Pressure District No. 6. This development will receive water and wastewater servicing allocation from the City of Vaughan in the short term.

York Region has no objection to Draft Plan of Subdivision File 19T-13V011, subject to their Pre-conditions and Conditions of approval in Attachment #1.

Conclusion

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.13.048 and Draft Plan of Subdivision File 19T-13V011, in accordance with the applicable policies of the City's Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the surrounding existing and planned land uses. The applications will facilitate the development of a residential development with a built form and character that will be consistent and compatible with the community.

The Vaughan Planning Department can support the approval of the Zoning By-law Amendment and Draft Plan of Subdivision applications, subject to the recommendations in this report, and the Conditions of Approval set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-13V011 and Proposed Zoning

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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.)