

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 1, Report No. 27, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2016.

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**OFFICIAL PLAN AMENDMENT FILE OP.15.004
ZONING BY-LAW AMENDMENT FILE Z.15.012
REX-CON CONSTRUXION CORP. AND 1257665 ONTARIO INC.
WARD 4 - VICINITY OF KEELE STREET AND ROCKVIEW GARDENS**

The Committee of the Whole 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 June 21, 2016, be approved; and**
- 2) That the following deputations be received:**
 - 1. Ms. Cathy Ferlisi, past President of the Concord West Ratepayers' Association, Southview Drive, Concord;**
 - 2. Mr. Michael Manett, MPLAN Inc., Foxwood Road, Thornhill, on behalf of the applicant; and**
 - 3. Ms. Josephine Mastrodicasa, Concord West Ratepayers' Association and Concord West Seniors Association, Hillside Avenue, Concord.**

Recommendation

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

- 1. THAT Official Plan Amendment File OP.15.004 (Rex-con Construxion Corp. and 1257665 Ontario Inc.), to amend Vaughan Official Plan 2010, specifically the policies of Section 9.1.2.3 regarding new development within an established Community Area to facilitate the creation of 6 lots for detached dwelling units on the subject lands, shown on Attachments #1 to #3, BE REFUSED.**
- 2. THAT Zoning By-law Amendment File Z.15.012 (Rex-con Construxion Corp. and 1257665 Ontario Inc.), to amend Zoning By-law 1-88, specifically to rezone the subject lands from R1V Old Village Residential Zone to R2 Residential Zone, in the manner shown on Attachment #3, BE REFUSED.**

Contribution to Sustainability

The applications implement the following Goal and Objective of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

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

In accordance with the goal and objective identified above, the Owners have advised that the following sustainable site and building features but not limited to, would be included in the development proposal:

- planting new street trees in accordance with City guidelines
- the preservation of two residential trees on private property and six municipal street trees in accordance with the tree preservation guidelines, outlined in the arborist report submitted in support of the applications.

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Economic Impact

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

Communications Plan

On August 14, 2015, a Notice of Public Hearing was circulated to an extended polling area beyond 150 m, as shown on Attachment #2, and to the Concord West Ratepayers Association. 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 subject lands in accordance with the City's Notice Sign Procedures and Protocol.

On September 9, 2015, a Public Hearing was held for Official Plan and Zoning By-law Amendment Files OP.15.004 and Z.15.012. At the Public Hearing, deputations and written submissions were received from the following:

- Humphries Planning Group Inc., Chrislea Road, Vaughan
- Concord West Seniors Club - Petition, Keele Street, Vaughan
- Seniors of Concord West, Vaughan
- C. Miceli, Southview Drive, Vaughan
- B. & M. Trasolini, Hillside Avenue, Vaughan
- B. Trasolini, Denbigh Crescent, Toronto
- C. Ferlisi, J. Ferlisi, F. Ferlisi, M. Ferlisi, J. Ferlisi, Southview Drive, Vaughan
- M. Bonfini, M. Bonfini, R. Bonfini, and T. Bonfini, Southview Drive, Vaughan
- R. Maggiacomo, G. Maggiacomo, A. Filbrandt, I. Pellecchia, M. Pellecchia, M. Pellecchia, Rockview Gardens, Vaughan
- R. Damico, G. Damico, Southview Drive, Vaughan
- S. Bianchi, Keele Street, Vaughan
- G. Virgioni, Baldwin Avenue, Vaughan
- C. Bruno, A. Bruno, Rockview Gardens, Vaughan
- N. Miranda, F. Miranda, Southview Drive, Vaughan
- G. DiNorscia, A. DiNorscia, Keeleview Court, Vaughan
- C. DiMarco, Baldwin Avenue, Vaughan
- R. DiMarco, G. DiMarco, A. DiMarco, V. DiMarco, Baldwin Avenue, Vaughan
- A. Alonzi, Southview Drive, Vaughan
- G. Seemann, J. Seemann, Rockview Gardens, Vaughan
- B. Antonini, G. Antonini, R. Antonini, M. Antonini, Baldwin Avenue, Vaughan
- S. Rotolone, Keeleview Court, Vaughan
- N. DiPaolo, Keeleview Court, Vaughan
- A. Liberata, Keeleview Court, Vaughan
- M. Untderlander, E. Untderlander, Southview Drive, Vaughan
- G. Viele, E. Viele, Southview Drive, Vaughan
- L. Giancola, G. Giancola, T. Giancola, Rockview Gardens, Vaughan
- C. Nichols, V. Nichols, Southview Drive, Vaughan
- S. Catenacci, A. Catenacci, O. Catenacci, Regional Road 7, Vaughan
- A. Venir, Southview Drive, Vaughan
- D. Mascherin, Rockview Gardens, Vaughan
- A. Primomo, A. Primomo, Southview Drive, Vaughan
- A. Baldasini, G. Baldasini, Southview Drive, Vaughan
- N. Giovanna, G. Giovanna, Hillside Avenue, Vaughan
- G. D'Orazio, M. D'Orazio, Hillside Avenue, Vaughan
- D. Romano, A. Romano, Rockview Gardens, Vaughan
- D. Caporrella, A. Caporrella, Southview Drive, Vaughan

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- C. Martino, Southview Drive, Vaughan
- G. Chiarlitti, Hillside Avenue, Vaughan
- T. Panezutti, Rockview Gardens, Vaughan
- Baldassini, Southview Drive, Vaughan
- Marchione, Southview Drive, Vaughan
- A. Mastrodicasa, Hillside Avenue, Vaughan
- J. Mastrodicasa, Concord West Ratepayers Association, Vaughan
- R. Tiberini, Hillside Avenue, Vaughan
- R. Mascarin, D. Mascarin, Southview Drive, Vaughan
- G. Doldolea, D. Klana, Baldwin Avenue, Vaughan
- A. DeRose, P. DeRose, Southview Drive, Vaughan
- A. Franco, Baldwin Avenue, Vaughan
- M. Minici, L. Minici, M. Minici, Baldwin Avenue, Vaughan
- F. Nuosci, D. Nuosci, B. Nuosci, A. Nuosci, L. Nuosci, C. Sorbara, Baldwin Avenue, Vaughan
- B. Trozzo, R. Trozzo, Southview Drive, Vaughan
- S. Salerno, Southview Drive, Vaughan
- J. Morson, Southview Drive, Vaughan
- E. Morson, Southview Drive, Vaughan
- R. DiPricso, Southview Drive, Vaughan
- D. Paolo, Hillside Avenue, Vaughan
- S. Galloro, Southview Drive, Vaughan, and
- T. Bruni, F. Bruni, Southview Drive, Vaughan.

The following is a summary of the concerns raised at the Public Hearing on September 9, 2015:

- i) Compatibility of the proposed lots (detached dwelling units) with the existing surrounding area;
- ii) The subject lands are inappropriate for intensification;
- iii) Development will increase traffic and noise;
- iv) Protection of the character of the community;
- v) Concerned that a precedent will be set that will enable future lot severances; and,
- vi) Loss of privacy for the Owners on the lots to the west of the subject lands.

The recommendation of the Committee of the Whole to receive the Public Hearing report of September 9, 2015, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on September 16, 2015.

On June 9, 2016 the Vaughan Development 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 applications.

Purpose

The Owner is seeking approval from the Committee of the Whole of the following applications on the subject lands, shown on Attachments #1 and #2, to facilitate the future severances of two existing lots, to create 6 lots (minimum 15.24 m lot frontage and 507.1 m² lot area) for detached dwellings, as shown on Attachment #3:

1. Official Plan Amendment File OP.15.004, to amend the policies in Vaughan Official Plan 2010 (VOP 2010), specifically the design and compatibility criteria for new development within lands designated “Low-Rise Residential” and identified as a “Community Area”.

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2. Zoning By-law Amendment File Z.15.012, to rezone the subject lands from R1V Old Village Residential Zone (minimum 30 m lot frontage and 845 m² lot area) to R2 Residential Zone (minimum 15 m frontage and 450 m² lot area), in the manner shown on Attachment #3.

Background - Analysis and Options

Synopsis:

The Owners are proposing to rezone two large residential lots to facilitate the future severance of the subject lands into 6 lots with a minimum 15.24 m lot frontage on Baldwin Avenue and a minimum lot area of 507.1 m², as shown on Attachment #3. The Vaughan Development Planning Department does not support the Official Plan and Zoning By-law Amendment applications as they would facilitate lot areas and new development that does not conform with the compatibility policies in VOP 2010 and would set a precedent for the future severances of large lots within the interior of the Concord community.

Location

The subject lands are located on the west side of Baldwin Avenue, between Rockview Gardens and Southview Drive, municipally known as 23 Rockview Gardens and 10 Southview Drive, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

Land Use Policies and Planning Considerations

The Vaughan Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.15.004 and Z.15.012 in consideration of the following policies:

a) Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) 2014 includes policies that focus growth and development to “Settlement Areas”. The subject lands are located within a settlement area as defined by the PPS. Part V, Policies, states the following (in part):

i) Section 1.1.3.3 of “Settlement Areas”

“Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

ii) Section 1.4.3 (in part) of “Housing”

“Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by (in part):

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs
- d) promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed; and,

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- e) establishing development standards for residential intensification, redevelopment and new residential development which minimizes the cost of housing and facilitates compact form, while maintaining appropriate levels of public health and safety.”

iii) Section 4.7 of Implementation and Interpretation

“The Official Plan is the most important vehicle for implementation of this Provincial Policy Statement.

Comprehensive, integrated and long-term planning is best achieved through municipal official plans. Municipal official plans shall identify provincial interests and set out appropriate land use designations and policies. Municipal official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions.

Municipal official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of a municipal official plan.”

The proposed Official Plan and Zoning By-law Amendments are not consistent with the intent of the intensification and housing policies of the PPS, as the subject lands are not located within a planned intensification area as identified in the City’s Official Plan. Vaughan Official Plan 2010 (VOP 2010) has established policies for land use intensification and compatibility policies for infill development. The subject lands are located within a designated “Community Area”, which is a “Stable Area” in VOP 2010 intended to be maintained as a larger lot old village residential community. The proposal does not conform with the City’s Official Plan, for the reasons in this report, which the PPS identifies is the most important vehicle to implement the PPS.

b) Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan) is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan promotes intensification of the existing built-up areas, with a focus on urban growth centres, intensification corridors and major transit stations. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan also encourages population and employment growth to be accommodated within the built up areas encouraging the development of complete communities with a mix of housing types with access to local amenities.

The subject lands are located within an existing built-up area, however, they have not been identified in VOP 2010 for redevelopment or intensification. If these applications are approved, it would set a precedent for further intensification of the interior of this neighbourhood that is identified in VOP 2010 as a “Stable Area” and a “Community Area”.

c) York Region Official Plan

Section 3.5 in the York Region Official Plan (YROP) states that local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures

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and levels of affordability within each community. VOP 2010 establishes policies for urban design and built form within Community Areas. Section 9.1.2.1 of VOP 2010 states that new development will be designed to respect and reinforce the physical character of the established neighbourhood within which it is located.

The subject lands are designated “Urban Area” by the YROP and are not located within a Regional Intensification Corridor. Section 5.3 of the YROP states that it is the policy of Regional Council that local municipalities develop intensification strategies and map intensification areas for their own areas. The City of Vaughan has developed an intensification strategy through the approval of VOP 2010, which identifies and maps intensification areas in the City of Vaughan. The subject lands located are not within any identified Intensification Area in VOP 2010.

In consideration of the above, the applications to amend the City’s Official Plan and Zoning By-law to facilitate the creation of 6 lots for detached dwellings within an “Urban Area” do not meet the objectives of the YROP, which states that policies for development and intensification are established through the local municipal official plan.

d) OPA #589

OPA #589 came into force on July 13, 2006. The basis for OPA #589 is identified as follows:

- “1. There are established pockets of low density residential neighbourhoods in the Concord and Thornhill communities that have successfully maintained a historical pattern of large-lot residential development (30m/100 ft. frontages), notwithstanding that there is no specific protection by Amendment Number 4 and Amendment Number 210, respectively.
2. There are no specific policies that address the potential for redevelopment of these large lots in the R1V Zone neighbourhoods, putting the existing character of these areas at risk.
3. There is merit in adding policies that would protect and recognize these areas as an important historical component and as unique enclaves within their broader communities.
4. The minor modification to the existing policy framework will more adequately serve to maintain the integrity of the streetscapes and character of these areas, and provide guidance for the review of any future applications to ensure sensitivity to the existing development.
5. Currently, the residential community in Concord is subject to the policies of Amendment Number 4, which came into effect on October 10, 1961, as the City’s base Official Plan. Amendment Number 4 includes very limited, general residential policies. Over time, as the various residential communities and employment areas evolved, each received its own specific Official Plan. However, the residential area in Concord is the last area in Vaughan still remaining under Amendment Number 4.
6. Amendment Number 4 contains little or no policy framework to guide any new development within the Concord residential neighbourhood, nor does it recognize the historical large lot development in this area. The Concord area is similar in nature to the older established areas of Thornhill, and as such, the policies contained in Amendment Number 210, including the amending policies within the subject Amendment to protect the R1V zoned areas, are appropriate and can be applied to the Concord area.

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7. Having received statutory Public Hearing on May 7, 2001, on December 16, 2002, Vaughan Council approved Official Plan Amendment Application OP.01.003 (City of Vaughan – R1V Zones), to amend Amendment Number 210 (Thornhill-Vaughan Community Plan) to recognize and protect the historical pattern of large lot sizes in the Thornhill neighbourhoods; and, to remove the Concord residential neighbourhood from Amendment Number 4 and place it within the boundaries of Amendment Number 210 (Thornhill-Vaughan Community Plan), under a “Low Density Residential” designation, thereby providing a framework of residential policies for the Concord community that are not presently available.”

OPA #589 was a City initiated Official Plan Amendment intended to recognize and protect the historical pattern of large lot subdivisions within the City of Vaughan. The policy intent of OPA #589 is consistent with Section 9.1.2.3 in VOP 2010 to maintain the older established character of this community.

e) Vaughan Official Plan (VOP) 2010

The subject lands are designated “Low-Rise Residential” and are located within a “Community Area”, as identified on Schedule “1” - Urban Structure of VOP 2010. This designation permits detached, semi-detached, and townhouse dwellings subject to the policies in Sections 9.1.2 and 9.2.3 in VOP 2010.

In addition to the policies in Section 9, other policies in VOP 2010 apply to this development proposal. The following sections in VOP 2010 demonstrate the intent of the Official Plan to direct intensification, both new and infill, to certain areas of the City of Vaughan and to have other areas remain stable. The following policies in VOP 2010 apply to the development proposal.

Section 1.5, Goals for the Official Plan (In Part)

“Goal 1: Strong and Diverse Communities - A city’s community areas are among its most important assets. They are where people interact with one another on a daily basis. Distinct and diverse communities make a city an existing place to live. Vaughan consists of five existing residential communities (Woodbridge, Kleinburg, Maple, Thornhill and Concord) and three developing residential communities (Vellore, Carrville and Nashville). This Official Plan seeks to maintain the stability of the existing residential communities, direct well designed, context-sensitive growth to strictly defined areas, and provide for a wide range of housing choices and a full range of community services and amenities within each community.”

“Goal 8: Directing Growth to Appropriate Locations - (in part) The Plan provides an appropriate balance in this regard by accommodating 45% of new residential growth through intensification and the remainder within New Community Areas. Intensification areas have been limited to 3% of the overall land base to protect existing Community Areas and Natural Areas.”

Section 2.1.3.2; Defining Vaughan’s Transformation: Key Planning Objectives (In Part)

“To address the City’s main land-use planning challenges and manage future growth by:

- c. identifying Intensification Areas, consistent with the intensification objectives of this Plan and the Regional Official Plan, as the primary location for accommodating intensification.
- e. ensuring the character of established communities are maintained.”

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Section 2.2.1: Vaughan's Urban Structure (In Part)

"In keeping with the principles of Policy 2.1.3.2, future growth in Vaughan will be directed according to Schedule 1 Urban Structure. The Urban Structure establishes a comprehensive framework for guiding growth in Vaughan. Understanding the organization of the City on a macro level is necessary to achieving the overall objectives of directing growth to appropriate locations while protecting Stable Areas."

Section 2.2.1.1: Vaughan's Urban Structure (In Part)

"That Schedule 1 illustrates the planned Urban Structure of the City of Vaughan, which achieves the following objectives:

- b) maintains the stability of lands shown as Community Areas for a variety of Low-Rise Residential purposes, including related parks, community, institutional and retail uses;
- d) establishes a hierarchy of Intensification Areas that range in height and intensity of use, as follows:
 - i) the Vaughan Metropolitan Centre will be the major focus for *intensification* for a wide range of residential, office, *retail*, cultural and civic uses. The Vaughan Metropolitan Centre will be the location of the tallest buildings and most intense concentration of *development*.
 - ii) Regional Intensification Corridors will be a major focus for *intensification* on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit. The Regional Intensification Corridors link the Vaughan Metropolitan Centre with other Intensification Areas in Vaughan and across York Region.
 - iii) Primary Centres will be locations for *intensification* accommodated in the form of predominantly mixed-use high- and mid-rise buildings, developed at an intensity supportive of transit.
 - iv) Local Centres will provide the mixed-use focus for their respective communities, in a manner that is compatible with the local context.
 - v) Primary Intensification Corridors link together the various centres on transit supportive corridors and will be places to accommodate *intensification* in the form of mid-rise, and limited high rise and low-rise buildings with a mix of uses."

Section 2.2.1.2: Vaughan's Urban Structure (In Part)

"That the areas identified on Schedule 1 as the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Regional Intensification Corridors and Primary Intensification Corridors are collectively known within this Plan as Intensification Areas. Intensification Areas will be the primary locations for the accommodation of growth and the greatest mix of uses, heights and densities in accordance with the prescribed hierarchy established in this Plan. The policies related to Intensification Areas shall be consistent with policies for such areas as contained in the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan."

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Section 2.2.3: Community Areas (In Part)

“Fundamental to Vaughan’s Urban structure is its communities. Woodbridge, Kleinburg, Maple, Thornhill, Concord, and the new communities of Vellore and Carrville contribute to a unique sense of place for the City and establish the Vaughan identity. New communities will do the same.

Vaughan’s existing Community Areas are characterized by predominantly Low-Rise Residential housing stock, with local amenities including local retail, community facilities, schools, parks, and they provide access to the City’s natural heritage and open spaces. The policies of this Plan will protect and strengthen the character of these areas. As the City grows and matures, these Community Areas will remain mostly stable. However, incremental change is expected as a natural part of maturing neighbourhoods. This change will be sensitive to, and respectful of, the existing character of the area.”

Section 2.2.3.2: Community Areas (In Part)

“That Communities Areas are considered Stable Areas and therefore Community Areas with existing development are not intended to experience significant physical change. New development that respects and reinforces the existing scale, height, massing, lot pattern, building type, character, form and planned function of the immediate local area is permitted, as set out in the policies in Chapter 9 of this Plan.”

Section 2.2.3.3: Community Areas (In Part)

“That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context.”

Section 2.2.5: Intensification Areas (In Part)

Section 2.2.5 in VOP 2010 identifies that the development of Intensification Areas will support the policies of this Plan related to Stable Areas and specifically, that existing Community Areas will not see significant physical change as the vast majority of residential development within the built boundary will take place within Intensification Areas.

Section 7.1: Community Infrastructure (In Part)

Section 7.1 in VOP 2010 discusses Community Infrastructure including the provision of social services and facilities.

The Vaughan Development Planning Department has reviewed these applications in consideration of the policies in VOP 2010 identified above. The subject lands are located within an existing Community Area also identified as a Stable Area, and are not identified as an Intensification Area by VOP 2010. The proposal to create 6 detached lots would introduce instability in this Community Area and establish a precedent for the continuation of the division of the large residential lots into smaller lots. The intent of VOP 2010 is that this unique, large lot residential area remain stable.

The intent of Sections 9.1.2.3 and 9.1.2 of Chapter 9 in VOP 2010 is consistent with OPA #589 to maintain the character of this community. The purpose of OPA #589 is to “have the effect of recognizing and protecting the historical pattern of large lot sizes in Thornhill and in the newly included area of Concord”. The severance of the two large residential lots into 6 smaller lots is not compatible with the large lot character of the interior of this community.

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VOP 2010 identifies that new development in Community Areas be designed to respect and reinforce the physical character of the surrounding area. In addition, proposed new developments in Community Areas with established development shall pay particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks. Community Areas are 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 lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes.

The proposed 6 residential lots are located within an established neighbourhood with large lots developed with detached dwellings. The subject lands are also located in an “older established” neighbourhood given the large lot sizes in the area, and therefore, development of the subject lands is subject to Policy 9.1.2.3 of VOP 2010. This policy requires that new lots “should be equal to or exceed the frontages of the adjacent nearby and facing lots” and that “the area of new lots be consistent with the size of adjacent and the nearby lots”. The proposed lots are inconsistent with the lot sizes in the community and in particular to the immediate west and north and are smaller in lot area compared to the lots on the east side of Baldwin Avenue and the south side of Southview Drive. Therefore, the proposal in this respect does not conform with VOP 2010.

The Concord community is isolated as it relates to other residential areas. The Vaughan Parks Development Department has reviewed these applications and advises that currently there is adequate parkland provided for this community by Southview Park located southeast of Southview Drive and Baldwin Avenue. If this large lot residential community were to intensify the amount of parkland per person could be reduced to a level that is unacceptable and inconsistent with the intent of the Active Together Master Plan.

VOP 2010 states that new development shall be designed to respect and reinforce the existing physical character and uses in the surrounding area as they relate to lot configuration and size, built form, and physical character of the surrounding development.

xi) Section 9.1.2.3 Compatible Criteria

Policy 9.1.2.3 in VOP 2010 states that within “Community Areas” that have older established residential neighbourhoods characterized by large lots, the preparation of area-specific zoning by-laws shall be guided by the following policies:

i) Lot Frontage

New lots should be equal to or exceed the frontages of adjacent nearby and facing lots. The proposed lots have frontages ranging from 15 m to 18.29 m, which are similar to the existing R3 Residential Zone lots (15.25 m - 16.5 m) on the east side of Baldwin Avenue and the south side of Southview Drive (15 m -16.7 m), however, are significantly smaller than the 30 m wide lots to the immediate west and north.

ii) Lot Area

The area of new lots should be consistent with the size of adjacent and nearby lots. The proposed lots range in area from approximately 507 m² to 602 m², with 4 of the 6 proposed lots (Lots 2-5) ranging in size from approximately 507 m² to 523 m², and the other two lots at 602 m². These lots are smaller than the lots on the east side of Baldwin Avenue (lot areas ranging between 655.75 m² - 709.5 m²) and on the south of Southview Drive, which have minimum lot areas of approximately 673.5 m². The interior of the established Concord Community mostly consists of large lot residential development including lots with 30 m frontages and lot depths ranging between 50-100 m and substantial lot areas of 1,500 m² - 3,000 m².

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iii) Lot Configuration

New lots should respect the existing lotting fabric. Proposed Lots 2 - 5 will face east with driveway access from Baldwin Avenue, which respects the existing lot fabric of the lots on the east side of Baldwin Avenue. However, east/west orientation of the proposed lots would significantly change the lot configuration as it relates to the lots to the west by creating six back yards abutting the two existing properties to the west, whereas two side yards currently exist. In addition, all lots that currently exist on Rockview Gardens and Southview Drive have their frontage and dwellings oriented to the street. The proposed severance will change the existing lotting fabric on these streets by reorienting the corner lots towards Baldwin Avenue.

iv) Front Yards and Exterior Side Yards

Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape. The introduction of the proposed R2 Zone would allow a 4.5 m front yard setback, however, the Owner is proposing front yard setbacks ranging from 7 m to 7.2 m. The proposed front yard setbacks are smaller than the front yard setbacks of the existing dwellings along the south side of Southview Drive (9.15 m) and on the east side of Baldwin Avenue (9.1 m), and the existing buildings to the west and north.

The existing properties (23 Rockview Gardens and 10 Southview Drive) are oriented with the front yard facing these streets. The development proposal would change the streetscape along these streets by introducing 4.5 m side yards abutting Southview Drive and Rockview Gardens, where only minimum 7.5 m front yards currently exist. The R2 Zone interior side yard requirement of 1.2 m is also less than the 1.5 m interior side yard requirement of the R1V Zone to the west, and the 1.5 m interior side yards of the existing dwellings to the east and south.

v) Rear Yards

Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion. The proposed building envelopes will exceed the required 7.5 m rear yard setback of the R2 Residential Zone. The proposed rear yard setbacks range from 10.3 m to 10.8 m. However, the existing lot pattern and size of the R1V Zone lots to the west allow for significant rear yards of approximately 18 m, which are much larger in size. The reorientation of the existing lots at 10 Southview Drive and 23 Rockview Gardens from north south to east west would create six rear yards for the remaining lots to the west where side yards previously existed. This would significantly change visual intrusion into the rear yards of these lots by reducing the level of privacy that currently exists. The rear yards of the existing dwellings in the R3 Zone to the east and south are also greater being a minimum of 12 m and 15 m, respectively.

vi) Building Height and Massing

Buildings should respect the scale of adjacent residential buildings. The proposed lots are intended to be developed with 2-storey detached dwellings with a height of 10.3 m, which are similar in scale and massing with the mix of existing detached residential dwellings within the community. The lots to the immediate west are larger, however, the maximum permitted lot coverage on the R1V lots is 20%, whereas 40 % coverage would be permitted by the proposed R2 Zone on the

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subject lands allowing for a larger building on a smaller lot. The proposed building heights and massing would be similar to the existing dwellings in the R3 Residential Zone to the east and south, however would result in a building mass and form smaller than buildings on the lots zoned R1V Zone to the west.

vii) Lot Coverage

Lot coverage should be consistent with development in the area. The Owner is not requesting any variances to the R2 Residential Zone provisions, which permits a 40% lot coverage. The proposed lot coverage is the same as the permitted lot coverage of the adjacent lots to the east and south of the subject lands zoned R3 Residential Zone by Zoning By-law 1-88, which also permits a maximum lot coverage of 40%. The R1V zoned lots to the west and north allow for a 20% lot coverage, which may yield a dwelling that is larger in Gross Floor Area (GFA), and located on a larger lot. The proposed lot coverage is not consistent with the R1V Zone, which currently applies to all of the lots in the interior of this community.

The Vaughan Development Planning Department is of the opinion that the applications would facilitate the creation of new lots that are not consistent with the policies in VOP 2010 identified above. The applications would result in future detached dwellings on minimum 15.24 m frontage lots with minimum 507 m² lot areas.

VOP 2010 states that new development respect and reinforce the physical character of the surrounding area with guidance provided by the VOP 2010 policies identified above. The development proposal would not respect and reinforce the existing physical character of the surrounding area, particularly in the interior of this community, which consists of a unique enclave of large residential lots that are developed with single detached dwellings. The proposal will result in lots and new dwellings with the potential to significantly disrupt or change the character of the neighbourhood.

Although there are lots in the immediate neighbourhood located on Keeleview Court, Hartley Court, and Gemma Court that are smaller in lot size and frontage than the existing R1V Old Village Residential Zone lots, they are separated by streets and lots that act as transitions from the nearby employment and commercial uses to the large lot residential uses located in the interior of the community.

The approval of the subject applications would establish a precedent for the severance of larger lots within the interior of this community (i.e. lots fronting onto Southview Drive, Rockview Gardens and Hillside Avenue) that would significantly change the character of the established large lot community. The intent of the Official Plan to maintain the subject lands for large lots developed with one dwelling is further reinforced by Zoning By-law 1-88, specifically Section 3.20 which requires that only one single family dwelling be erected on the lots shown on Registered Plan M-2468, which includes the subject lands and all the large lots located within the interior of the Concord community.

Consent (Severance) Policies - VOP 2010

The approval of the subject applications would facilitate the future severance of the subject lands. Sections 10.1.2.33 to 10.1.2.46 in VOP 2010 establish the policies regarding consents, specifically, the following policies are applicable:

Section 10.1.2.41 states (in part) that:

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- “a. infilling which economizes the use of urban land without disturbing the existing pattern of development or perpetuating an undesirable pattern of development or prejudicing the layout of future development shall be considered acceptable;”
- “b. where a parcel of land is located within an existing settlement or designated by the Official Plan for development, and the size of the parcel is large and it is apparent that an application for a severance could be a forerunner of other similar applications on the original parcel, such individual severances from that parcel shall not be permitted but may be considered through an application for a Plan of Subdivision”.

Should these applications be approved, they would establish a precedent to perpetuate an undesirable pattern of development. These applications would be forerunners for similar consent applications within the interior of the existing Concord community.

Section 10.1.2.45 states (in part):

“That the Committee of Adjustment in assessing each Consent application is required to consider the matters set out in Section 51(24) of the Planning Act. In addition to these matters, Council considers the following to apply:

- a. In the case of non-conformity of the approval with the Official Plan, no consent shall be granted;
- b. In cases where either or both of the subject or retained lands are not in conformity with the approved Zoning By-law, the applicant shall file a Zoning By-law amendment application prior to or concurrently with the consent application, or where the required zoning exceptions to facilitate the severance are minor in nature and maintain the intent of this Plan, a minor variance application. When considering such Zoning By-law Amendment shall have regard for the consent policies of this Plan.”

However, Section 10.1.2.46 of VOP 2010 states (in part):

“That in addition to matters under the Planning Act, the Committee of Adjustment, in determining whether a consent is to be granted, shall have regard for the following matters in consultation with the appropriate departments and agencies:

- a. Compatibility of the proposed size, shape and use of the lot with:
 - i. The local pattern of lots, streets and blocks;
 - ii. The size and configuration of existing lots;
 - iii. The building type of nearby properties;
 - iv. The heights and scale of nearby properties;
 - v. The setback of buildings from the street; and,
 - vi. The pattern of rear and side yard setbacks.”

These policies are similar to the compatibility criteria identified earlier in this report. The subject applications would facilitate severances to create the smallest lots within the interior of the community, specifically fronting onto Southview Drive, Rockview Gardens and Hillside Avenue, and lots with areas that are smaller than those on the east side of Baldwin Avenue on the south side of Southview Drive, inconsistent with the policies in VOP 2010.

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VOP 2010 Community Area Policy Review for Low-Rise Residential Designations

In October 2015, Vaughan Council directed the Vaughan Policy Planning and Environmental Sustainability Department to undertake a study of the policies governing land use change in Community Areas of VOP 2010. On March 1, 2016, the Deputy City Manager of Planning & Growth Management and the Director of Policy Planning & Environmental Sustainability prepared a report for consideration by the Committee of the Whole regarding the implementation options for proceeding with the Community Area Policy Review for Low-Rise Residential Areas. The March 1, 2016, staff report included a report prepared by Urban Strategies for the City of Vaughan titled, "Draft Policy Review: Vaughan Community Areas and Low-Rise Residential Areas Study". This report identifies proposed VOP 2010 policy amendments to the Low-Rise Residential policies in order to provide clarity and strengthen the policies when reviewing infill development applications located in the Low-Rise Residential designation. The report also included urban design guidelines for low rise residential infill development.

The recommended VOP 2010 Low-Rise Residential policy amendments and infill guidelines have not been implemented by the City of Vaughan at this time. However, one of the recommended changes to the Low-Rise Residential policies, includes the following:

"The suggested amendment to Policy 2.2.3.2 would add the words "and orientation" and would read "New development that respects and reinforces the existing scale, height, massing, lot pattern, building type and orientation, character, form and planned function of the immediate local area is permitted".

The creation of 6 lots and the proposed future orientation of the dwellings on these lots would not conform to this recommendation for lots located in the interior of this community.

The study also identifies that Policy 9.2.3.1(b) be amended to require that in areas where detached and semi-detached dwellings exist that any new detached or semi-detached dwellings respect the scale, massing, setback and orientation of other built and approved houses of the same type in the immediate area. The proposed lots would change the orientation of the existing interior lots and facilitate dwellings that do not respect and reinforce the character of the community as discussed in this report.

Zoning

The subject lands are zoned R1V Old Village Residential Zone by Zoning By-law 1-88, which only permits a detached dwelling on a lot with a minimum lot frontage of 30 m and a minimum lot area of 845 m².

The Owners are proposing to rezone two existing residential lots developed with detached dwellings from R1V Old Village Residential Zone to R2 Residential Zone. The 6 proposed lots, as shown on Attachment #3, exceed the minimum requirements of the R2 Residential Zone, however, are substantially smaller than the minimum lot frontage and area requirements for the R1V Zone of Zoning By-law 1-88 as follows:

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Table 1 - Zoning By-law Amendment		
Lot #	Proposed Lot Frontage (m) and Lot Area (m ²)	R1V Zone Minimum Lot Frontage and Lot Area (m ²) Requirements
1	18.29 m, 602.1 m ²	30 m, 845 m ²
2	15.24 m, 507.1 m ²	
3	15.24 m, 507.1 m ²	
4	16.12 m, 523.6 m ²	
5	15.68 m, 516.5 m ²	
6	18.29 m, 602.5 m ²	

The Owners have not requested any site-specific amendments to the minimum development standards (e.g. minimum required front, side or rear yards, building height, etc.) of the R2 Residential Zone.

The subject lands are located on Registered Plan M-2468. Section 3.20 of Zoning By-law 1-88 requires that only one single family dwelling be erected on lots shown on Registered Plan M-2468. This specific zoning requirement further reinforces OPA #589 and VOP 2010 to maintain the larger lots in the area. A site-specific exception from Section 3.20 in Zoning By-law 1-88 is required to enable the future Consent Applications and facilitate the creation of 6 residential lots.

Table 1 demonstrates that the proposed lots are significantly smaller than the minimum R1V Zone requirements, which is the predominant zone in the interior of the Concord Community.

The proposed rezoning would facilitate development that does not conform to the Vaughan Official Plan 2010 regarding compatibility and the requirements of Zoning By-law 1-88, particularly Section 3.20, which requires the subject lands to be developed with one dwelling on each of the original two lots in the registered plan of subdivision.

Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Official Plan and Zoning By-law Amendment applications have been reviewed by the Vaughan DEIP Department and the following comments have been provided:

a) Storm Servicing

The subject lands are currently serviced by a 675 mm storm sewer located on Baldwin Avenue and a 600 mm municipal storm sewer located on Rockview Gardens. The Owners will be responsible for providing detailed plans at the Consent application and/or the Building Permit stage to identify the location of the connection to each lot and any other necessary detailed information with respect to storm drainage and grading, if the subject applications are approved.

b) Sanitary Servicing

The subject lands are currently serviced by a 375 mm municipal sanitary sewer located on Baldwin Avenue and a 200 mm municipal sanitary sewer located on Rockview Gardens. Based on the sanitary sewer design, as outlined in the Functional Service Report, prepared by Soscia Engineering Ltd., dated March 16, 2015, the development proposal contemplates an increase of 0.26 litres/second (L/s) (assuming peak usage) for a total flow of 52.75 L/s for the portion of the sewer between Manhole (MH)15A to

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MH16A. The proposed increase to the sanitary sewer flow is acceptable, however, sewage allocation will be considered at the Consent application stage, to the satisfaction of the DEIP Department, if the subject applications are approved. The Owners will be responsible for providing detailed plans at the Consent application and/or Building Permit stage to identify the location of the sanitary connection for each lot, if the subject applications are approved.

c) Water Servicing

The subject lands are currently serviced by 150 mm PVC watermain located on the south side of Rockview Gardens and on the north side of Southview Drive. The lots within the proposed development will be serviced by an individual water service connection. There will be no increase to the required fire flow because the lots proposed are detached dwellings. All water service connections will require further review and approval at the Grading Permit stage and will be subject to review and approval from the Vaughan Environmental Services Department within the Public Works Portfolio, prior to the final approval of any Building Permit, if the subject applications are approved.

d) Lot Grading

Individual and detailed Site Grading Plans for the proposed residential lots will be required for review as part of the Building Permit and/or Consent application stage, to the satisfaction of the Vaughan DEIP Department, if the subject applications are approved. Individual grading plans are subject to standards set forth in the City of Vaughan Lot Grading Criteria Guide.

e) Environmental

The Vaughan DEIP Department has reviewed the site screening questionnaire and signed certificate, dated May 12, 2015. No further environmental site assessment documents are required at this time.

f) Road Network/Transportation Planning

Site accesses for Lots 2 to 4 inclusive are proposed via Baldwin Avenue. A detailed design review of the proposed driveway accesses will be undertaken at the Consent application and Building Permit stages, if the subject applications are approved. The proposed driveway locations for Lots 1 and 6 are from Rockview Gardens and Southview Drive, respectively, as shown on Attachment #3. The proposed 6 m driveway width is the maximum permitted in an R2 Residential Zone.

g) Noise

The Owners propose to rezone the subject lands from R1V Old Village Residential Zone to R2 Residential Zone. Based on the proposed lot severance to create 6 lots for single detached dwellings within an existing residential neighbourhood, a Noise Report is not required at this time.

Office of the City Solicitor - Real Estate Department

Should the subject applications be approved, the Owners will be required to pay the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in

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accordance with the *Planning Act* and the City's Cash-in-Lieu Policy. The Owners shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

School Boards

The York Region District School Board, and York Region Catholic District School Board have no objection to the approval of the subject applications.

Canada Post

Should the subject applications be approved, Canada Post requires that the Owners agree to include in all offers of purchase and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox. The Owners will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale. The Owners will consult with Canada Post Corporation to determine suitable locations for the placement of a Community Mailbox and to indicate these locations on the appropriate servicing plan.

The Owners will provide the following for each Community Mailbox site and include these requirements on the appropriate serving plans:

- An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailbox
- Any required walkway across the boulevard, as per municipal standards
- Any required curb cut depressions for barrier free access

The Owners further agree to determine and provide a suitable temporary Community Mailbox location, which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox location.

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

This report does not support the priorities set forth in the Term of Council Service Strategy Map (2014 - 2018).

Regional Implications

The subject lands are designated "Urban Area" by the York Region Official Plan (2010), which permits a wide range of residential, commercial, industrial and institutional uses. York Region has no objection to the Official Plan Amendment application. On July 16, 2015, Official Plan Amendment File OP.15.004 was considered by the York Region Development Review Committee and was exempt from approval by Regional Planning Committee and Council, pursuant to Regional By-law 4-0265-1999-07. Based on the Region's review of the proposed Official Plan Amendment, York Region concluded that the file is a routine matter of local significance, which does not affect Regional policies. This allows the Official Plan Amendment application to be considered by the local municipality, and if approved, for the implementing Official Plan Amendment to come into effect upon adoption by Vaughan Council subject to the expiration of the required appeal period under the Planning Act.

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Conclusion

Official Plan and Zoning By-law Amendment Files OP.15.004 and Z.15.012, respectively, have been reviewed in accordance with the Provincial Policy Statement 2014, the Provincial Growth Plan, the York Region Official Plan, Vaughan Official Plan 2010, Zoning By-law 1-88, comments from City departments and external public agencies, and the area context. The Vaughan Development Planning Department is of the opinion that the development proposal does not conform with the requirements of VOP 2010, as outlined in this report. The proposal to facilitate the creation of 6 lots for detached dwellings will result in development that is incompatible with the existing community. In addition, should the applications be approved, they will establish a precedent for future severances of existing large lots within the interior of the community, which does not conform with VOP 2010. Accordingly, the Vaughan Development Planning Department recommends that these applications BE REFUSED.

Attachments

1. Context Location Map
2. Location Map & Expanded Polling Area
3. Conceptual Site Plan

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.)