

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 2, Report No. 28, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on June 28, 2016, as follows:

By approving that recommendation 1) of the Committee of the Whole (Public Hearing) meeting of June 21, 2016, be replaced with the following amended recommendation:

- 1) That recommendation 1. 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***

By receiving Communication C1, from Mr. J. Greco, Concord Food Centre, Centre Street, Thornhill, dated June 23, 2016.

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**OFFICIAL PLAN AMENDMENT FILE OP.16.001
ZONING BY-LAW AMENDMENT FILE Z.16.001
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-16V002
2464879 ONTARIO INC. (CITY PARK HOMES)
WARD 5 - VICINITY OF DUFFERIN STREET AND CENTRE STREET**

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 June 21, 2016, be approved;**
- 2) That the following deputations and Communications be received:**
 - 1. Mr. Leo Longo, Aird & Berlis LLP, on behalf of the applicant and Communication C29;**
 - 2. Mr. Jay Leider, King High Drive, Thornhill;**
 - 3. Mr. Josh Martow, Beverley Glen Ratepayers' Association, Coldwater Court, Thornhill;**
 - 4. Mr. Gino Barbieri, Campania Court, Woodbridge; and**
 - 5. Ms. Andrea Halpern, Evita Crescent, Thornhill and Communication C22, dated June 21, 2016; and**
- 3) That the following Communications be received:**
 - C7. Wayne Li and Xue Zhou, dated June 17, 2016;**
 - C14. Mr. Roberto Di Flaviano, Belfield Court, Thornhill, dated June 17, 2016;**
 - C19. Mr. Murray Goldkind, Centre Street, Thornhill, dated June 21, 2016;**
 - C20. Ms. Loren Shuster, dated June 21, 2016;**
 - C21. Ms. Sandra Bogorodetski, dated June 21, 2016;**
 - C23. Ms. Anna Spalierno, Oakmount Crescent, Concord, dated June 21, 2016;**
 - C24. Mr. Eric Iankelevic, Redford Place, Vaughan, dated June 21, 2016;**
 - C25. Ms. Juliet Williams, Boom Road, Maple, dated June 21, 2016;**
 - C26. Resident, Major Mackenzie Drive, Vaughan, dated June 21, 2016;**
 - C27. Vinokurov Vsevolod, Yonge Street, Thornhill, dated June 21, 2016; and**
 - C28. Mr. Uri Avner, Judith Avenue, Thornhill, dated June 21, 2016.**

Recommendation

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

- 1. THAT the Public Hearing report for Files OP.16.001, Z.16.001 and 19CDM-16V002 (2464879 Ontario Inc. (City Park Homes)) BE RECEIVED; and, that any issues identified**

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be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

2. THAT Files OP.16.001, Z.16.001, 19CDM-16V002 and related Site Development File DA.16.003 (2464879 Ontario Inc. (City Park Homes)) shall BE HELD IN ABEYANCE, until the Dufferin Street and Centre Street Secondary Plan review is completed by the City and approved by Vaughan Council, and that the recommendations of the study be reflected in a revised site design, if required, prior to the consideration of a technical report by the Vaughan Committee of the Whole for the development applications.

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 27, 2016. The Notice of Public Hearing was also posted on the City's web-site at 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 and to the Beverley Glen Ratepayers' Association, the Brownridge Ratepayers' Association and the Glen Shields Ratepayers' Association.
- c) Comments Received: None

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.

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 56 three-storey freehold townhouse units within eight blocks, to be served by a privately-owned and maintained common element condominium road, internal walkway, amenity space/tot lot, and 15 visitor parking spaces, as shown on Attachments #3 to #6:

1. Official Plan Amendment File OP.16.001, specifically to amend Vaughan Official Plan 2010 (VOP 2010), to redesignate the subject lands from "Community Commercial Mixed-Use" to "Low-Rise Residential".
2. Zoning By-law Amendment File Z.16.001 to rezone the subject lands from R1 Residential Zone, and partially (southerly portion) subject to site-specific Exception 9(329) (detached dwellings on lots with a minimum frontage of 18 m and lot area of 540 m²) to RM2 Multiple Residential Zone (townhouses served by privately-owned and administered condominium common elements), together with the following site-specific zoning exceptions to the RM2 Zone standards of Zoning By-law 1-88:

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	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone
a.	Permitted Uses	Block (Condominium) Townhouse Dwelling	Permit a freehold Townhouse Dwelling on a lot with frontage on a private common element condominium road
b.	Frontage on a Public Street	A lot must front onto a public street	Permit a freehold lot to front onto a private common element condominium road
c.	Minimum Lot Area	230 m ² / unit	113 m ² / unit
d.	Minimum Front Yard Setback (Dufferin Street)	4.5 m	3.05 m (Block 8)
e.	Minimum Rear Yard Setback	4.5 m	Block 3 - 3.29 m (to east lot line) Block 7 - 2.93 m (to east lot line)
f.	Minimum Amenity Area	56 units @ 90 m ² / unit Total = 5,040 m ²	56 units @ 32.5 m ² / unit Total = 1,820 m ²
g.	Minimum Landscape Strip Width around the Periphery of an Outdoor Parking Area	3 m	2.34 m (west visitor parking area)

Additional zoning exceptions may be identified through the detailed review of the Zoning By-law Amendment application and will be considered in a technical report to a future Committee of the Whole meeting.

3. Draft Plan of Condominium (Common Elements) File 19CDM-16V002, to facilitate the proposed condominium tenure of the common elements that will be privately owned and maintained by a Condominium Corporation on behalf of the proposed 56 freehold townhouse units and will consist of a common element condominium road, internal walkway, amenity spaces and tot lot, 15 visitor parking spaces, and a community mailbox, as shown on Attachment #6.

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Background - Analysis and Options

Location	<ul style="list-style-type: none">7803 and 7815 Dufferin Street (east side), located north of Centre Street, shown as “Subject Lands” on Attachments #1 and #2.
Official Plan Designation	<ul style="list-style-type: none">The subject lands are designated “Community Commercial Mixed-Use” with a maximum permitted building height of four storeys and a density of 1.5 FSI (Floor Space Index) by Vaughan Official Plan 2010 (VOP 2010). The subject lands are located within a “Community Area” as identified in Schedule 1, the “Urban Structure” of VOP 2010. The “Community Commercial Mixed-Use” designation permits non-residential intensification in the form of office, retail, cultural and entertainment uses.The subject lands are also designated “Commercial Mixed-Use Area C” in the Centre Street Corridor Secondary Plan in Section 12.9, Volume 2 of VOP 2010, which was adopted by Vaughan Council on April 23, 2013, and is pending approval from the Ontario Municipal Board. The “Commercial Mixed-Use Area C” designation permits existing commercial uses, retail stores, banks and business and professional offices. Residential uses are not permitted in this designation.The subject lands are located within the Dufferin Street and Centre Street Required Secondary Plan Area, as identified on Schedule 14A, “Areas Subject to Secondary Plans”, in VOP 2010, and as shown on Attachment #2. The Dufferin Street and Centre Street secondary plan is currently being undertaken by the Vaughan Policy Planning and Environmental Sustainability Department and will outline policies related, but not limited to, land use and street connections within the secondary plan area.Section 10 in VOP 2010 includes policies for Council to permit the continuance of processing an existing development application in Required Secondary Plan Areas that was submitted prior to May 17, 2010. <p>The subject Official Plan Amendment and Zoning By-law Amendment applications and the related Site Development application were submitted to the City on January 14, 2016. The subject Draft Plan of Condominium (Common Elements) File was submitted to the City on April 1, 2016. The applications do not comply with the criteria in Section 10 of VOP 2010. Therefore, consideration of the subject applications by the Committee of the Whole should only proceed upon completion of the Dufferin Street and Centre Street required secondary plan, as the proposal may affect, or conflict with, the</p>

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	<p>proposed land use, street network and development policies envisioned by the forthcoming secondary plan. A recommendation to hold the development applications in abeyance pending the outcome of the study and Vaughan Council's consideration of the study is provided in this report.</p> <ul style="list-style-type: none">▪ Section 9.2.3.2 in VOP 2010 provides the following development criteria for townhouse dwellings: that one block of townhouses shall consist of no more than six attached residential dwellings; that townhouse dwellings shall generally front onto a public street; and, that blocks of townhouses that are not separated by a public street shall have a minimum facing distance of 18 m. <p>The proposed development does not meet these development criteria as a minimum of eight residential units in a row are proposed for Blocks 1, 2, 4, 6 and 7, as shown on Attachment #3; all townhouse blocks either front onto, or are accessed by, a private common element condominium road; and, the minimum facing distance between townhouse blocks ranges between 13 m to 16.95 m.</p> <ul style="list-style-type: none">▪ Section 9.2.1.2 in VOP 2010 states that any variations from the policies in Subsection 9.2.3, shall, to the satisfaction of the City, be minor and shall respond to unique conditions or context of a site, and will not require an amendment to the Official Plan provided that they are supported through an Urban Design Brief. The Owner has submitted an Urban Design and Sustainability Brief in support of the proposed variations to the development criteria established in Section 9.2.3.2 in VOP 2010.▪ The proposed residential use is not permitted within the "Community Commercial Mixed-Use" designation, therefore an amendment to VOP 2010 is required. The Owner has submitted an Official Plan Amendment application to facilitate the proposed development.
Zoning	<ul style="list-style-type: none">▪ The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88, and partially subject (southerly portion) to Exception 9(329), which permits only detached dwellings on a lot with a minimum frontage of 18 m and a lot area of 540 m². The Owner is proposing to rezone the subject lands to RM2 Multiple Residential Zone in order to permit 56 freehold townhouse units, together with the site-specific zoning exceptions to the RM2 Zone identified in the Purpose section of this report.▪ The Owner has submitted a Zoning By-law Amendment application to implement the proposed zoning to facilitate the proposed development.

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Surrounding Land Uses	▪ Shown on Attachment #2.
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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:

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial policies, Regional and City Official Plans	<ul style="list-style-type: none">▪ The applications will be reviewed in consideration of the applicable Provincial policies, York Region and VOP 2010 Official Plan policies, including the final recommendations for the Dufferin Street and Centre Street Secondary Plan.▪ Consideration of the subject applications by the Committee of the Whole is considered premature until the Dufferin Street and Centre Street Secondary Plan is completed, as the proposed development may be affected by the final land use, transportation and development policies of the Secondary Plan, which is expected to be completed by the fourth quarter of 2016. Future stakeholder meetings, community meetings and Public Hearings are also required for input into the Secondary Plan Study, prior to its completion.▪ Centre Street is identified as a Regional Rapid Transit Corridor in the York Region Official Plan, and forms part of the vivaNext transit initiative. The proposed rapidway is scheduled for construction between 2015 and 2018, and will restrict access and turning movements for the properties abutting Centre Street. Schedule 10 of VOP 2010 identifies Dufferin Street from Steeles Avenue West to Major Mackenzie Drive as a “Special Study Corridor” for the Dufferin Street vivaNext Rapid Transit Corridor, and is identified in the York Region Transportation Master Plan as a transit network improvement to be completed by 2031. The proposed Secondary Plan may identify new internal road connections as a result of the transit initiatives mentioned above, which may affect the development proposal.▪ The appropriateness of the proposed variations to the development criteria for townhouse units in Section 9.2.3.2 of VOP 2010 will be reviewed in consideration of the proposed development and Urban Design and Sustainability Brief submitted by the Owner.

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		<ul style="list-style-type: none"> ▪ The site plan design submitted under Site Development File DA.16.003 will be reviewed as input into the Dufferin Street and Centre Street Secondary Plan study.
b.	Appropriateness of Proposed Use and Site-Specific Official Plan and Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of permitting the proposed low-rise residential land use and the site-specific zoning amendments to facilitate the development of 56 freehold townhouse dwelling units on the subject lands, as shown on Attachments #3 to #6, will be reviewed in consideration of the final Dufferin Street and Centre Street Secondary Plan recommendations, the existing and planned surrounding land uses, with particular consideration given to land use, built form compatibility, and area pedestrian and vehicular connections. ▪ The appropriateness of rezoning the subject lands from R1 Residential Zone, partially subject to Exception 9(329) to RM2 Multiple Residential Zone, together with the site-specific zoning exceptions to facilitate the proposed residential development will be reviewed. Consideration will be given to using the RT1 Residential Townhouse Zone of Zoning By-law 1-88, which has been applied to recent townhouse developments with a similar tenure (i.e. townhouse dwellings on freehold lots tied to condominium common elements such as a private road, visitor parking and landscaped amenity areas), should the Zoning By-law Amendment application be approved.
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ 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"> - Planning Justification Report - Functional Servicing and Stormwater Management Report - Traffic Impact Study - Geotechnical Report - Noise Control Feasibility Study - Urban Design and Sustainability Brief - Tree Inventory and Preservation Plan - Phase 1 Environmental Site Assessment
d.	Related Site Development File DA.16.003	<ul style="list-style-type: none"> ▪ The related Site Development File DA.16.003 will be reviewed in consideration of, but not limited to, the following matters: <ul style="list-style-type: none"> - pedestrian and barrier free accessibility; - proper vehicular (including service vehicles such as fire and garbage trucks) turning movements on the proposed private road;

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		<ul style="list-style-type: none"> - appropriate site design and building materials, orientation of units and upgraded elevations for units facing Dufferin Street and visible flankage elevations, landscaping, amenity area, snow storage, environmental sustainability, stormwater management, and servicing and grading; - the relationship between the facing distance of each townhouse block in order to maximize daylight, enhance landscaping and ensure privacy; - the number of units for each townhouse block, specifically “Blocks 1, 2, 4, 6 and 7”, as shown on Attachment #3; - accessibility and location of the proposed residential visitor parking spaces; and, - the relationship of the proposed built form, building setbacks and design with the immediate neighbourhood and site.
e.	Draft Plan of Condominium File 19CDM-16V002 and Future Part Lot Control Application	<ul style="list-style-type: none"> ▪ Draft Plan of Condominium File 19CDM-16V002 will be reviewed for consistency with the final site plan, if approved, including the design of the private road, location and number of visitor parking spaces, common landscaped areas and parkette, and the appropriate conditions respecting the condominium tenure will be identified in the future technical report. ▪ A future Part Lot Control Application is required to create each individual freehold lot.
f.	Sustainable Development	<ul style="list-style-type: none"> ▪ 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, if the applications are approved.
g.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"> ▪ 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.

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h.	Allocation and Servicing	<ul style="list-style-type: none">▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and allocated by Vaughan Council, if the proposed development is approved. If servicing capacity 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.
i.	Road Widening and Access	<ul style="list-style-type: none">▪ York Region must confirm the final planned road right-of-way width for Dufferin Street. In addition, driveway access locations, design and road improvements, if required, must be reviewed and approved by York Region.▪ The applications will be reviewed in consideration of the “Special Study Corridor” area along Dufferin Street, and the Centre Street Regional Rapid Corridor.▪ The location of access points and their impact on the proposed comprehensive redevelopment of the northeast corner of Dufferin and Centre Street will be examined.▪ Impacts on nearby streets, including King High Drive, will be assessed as part of the review of the Traffic Impact Study submitted in support of the applications.

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. The Owner has applied for an exemption from York Region approval of the Official Plan Amendment application, which if successful, then Vaughan Council will be the final approval authority.

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 following the conclusion of the Centre Street Secondary Plan Review as per Recommendation #2 in this report.

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Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Elevations - Block 5
6. Proposed Draft Plan of Condominium (Common Elements) File 19CDM-16V002

Report prepared by:

Mark Antoine, Planner, ext. 8212
Christina Napoli, Senior Planner, ext. 8483

(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.)