

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

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DUFFERIN VISTAS LTD.

WARD 4 - VICINITY OF DUFFERIN STREET AND MAURIER BOULEVARD

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:

1. Mr. Glenn Lucas, Lucas & Associates, Debra Crescent, Barrie, on behalf of the applicant;
2. Mr. Frank Huo, Princess Isabella Court, Maple and Communication C11, dated June 20, 2016;
3. Mr. Nello DiCostanzo, Princess Isabella Court, Maple and Communication C17, dated June 21, 2016;
4. Mr. Furio Liberatore, Princess Isabella Court, Maple, and Communication C13, dated June 17, 2016;
5. Mr. Richard Lorello, Treelawn Boulevard, Kleinburg, and Communication C10, dated June 20, 2016;
6. Mr. Anthony Percaccio, Princess Isabella Court, Maple;
7. Ms. Marina Dykhtan, Princess Isabella Court, Maple, and Communications C6 and C15, dated June 17, 2016; and

C3. Francis, Winnie and Thomas Chan, Princess Isabella Court, Maple, dated June 16, 2016;

C4. XiaoDong Li, dated June 16, 2016;

C5. Papoi Family, Maverick Crescent, Maple, dated June 16, 2016;

C8. Sarb and Avtar Nijjar Gagan, Princess Isabella Court, Maple, dated June 17, 2016;

C9. Shaul Wisebourt and Margarita Makovenko, Maverick Crescent, Maple, dated June 18, 2016;

C16. Ms. June Little, Toronto and Region Conservation Authority, Shoreham Drive, Downsview, dated June 21, 2016; and

C18. Mr. Rubin Zak, dated June 21, 2016.

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

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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 a Public Hearing was circulated: May 27, 2016. 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 Procedures and Protocol.
- b) Circulation Area: 200 m and to the Eagle Hills Community Association.
- c) Comments Received:

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 a technical report to be considered at a future Committee of the Whole meeting.

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.16.016 respecting the subject lands shown on Attachments #1 and #2, to amend Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RT1 Residential Townhouse Zone (minimum 6 m/unit lot frontage) and OS5 Open Space Environmental Protection Zone in the manner shown on Attachment #3 to facilitate a proposed residential plan of subdivision for 105 townhouse units within 18 blocks and 1 open space block as shown on Attachment #3.

Background	-	Analysis	and	Options
Location	▪	North of Rutherford Road and west of Dufferin Street, municipally known as 230 Grand Trunk Avenue, City of Vaughan, shown as "Subject Lands" on Attachments #1 and #2.		
Background	▪	At the Committee of the Whole Public Hearing held on April 5, 2016, Council considered and received the staff report on the related Draft Plan of Subdivision File 19T-16V001 (Dufferin Vistas Ltd.) for the residential plan of subdivision shown on Attachment #3. Several residents spoke and/or submitted written comments for consideration at the Public Hearing, and for further review and consideration by staff in the technical review. The subject Zoning By-law Amendment application and the Draft Plan of Subdivision application will be considered together in a technical report at a future Committee of the Whole meeting.		

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<p>City of Vaughan Official Plan</p>	<ul style="list-style-type: none">▪ The subject lands are designated “Low-Rise Residential”, “Low-Rise Residential Special Study Area” and “Natural Areas” by Vaughan Official Plan 2010 (VOP 2010).▪ On October 14, 2015, an OMB Hearing was held, wherein, the Appellant (with the support of the City, the Toronto and Region Conservation Authority and the Eagle Hills Community Association), on consent, sought a redesignation of the subject lands from “Natural Areas” to “Low-Rise Residential”, “Low-Rise Residential Special Study Area” and “Natural Areas”. The OMB reserved its decision at the Hearing and on March 9, 2016, issued a Decision/Order approving the redesignation of the subject lands to “Low-Rise Residential”, “Low-Rise Residential Special Study Area” and “Natural Areas”.▪ The “Low-Rise Residential” designation permits residential development, which consists of buildings in a low-rise form no greater than three-storeys. The designation permits a townhouse building form, subject to the Urban Design and Built Form and the Building Types and Development policies of VOP 2010.▪ The “Low-Rise Residential Special Study Area” designation permits development in accordance with the “Low-Rise Residential” designation and policies outlined in 9.2.2.1 of VOP 2010, provided that the following studies are submitted in support of a development application:<ul style="list-style-type: none">- A natural heritage evaluation that defines the natural features, functions and linkages within and to a reasonable extent adjacent to the site, defines appropriate buffers and demonstrates that the impacts of development are appropriately mitigated and/or compensated, where appropriate, including the subject lands and to a reasonable extent those abutting to the south;- A geotechnical slope stability analysis, including cross-sections, detailed grading plans;- A hydrogeological study/analysis;- A water balance analysis;- Landscape restoration plans;- A Functional Servicing Report (FSR) that:<ul style="list-style-type: none">• Considers the alignment, design and extent of grading of the proposed extension of Grand Trunk Avenue;• Reviews the development opportunities within the context of the Block Plan and Master Environmental Servicing Plan (MESP); and,
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	<ul style="list-style-type: none">• Detailed consideration of the subject lands and to a reasonable extent the lands to the south, respecting stormwater management, slope stability and the alignment of Grand Trunk Avenue.- A Planning Report including the Oak Ridges Moraine Conservation Plan conformity requirements. <p>The identified studies must demonstrate that the development can accommodate and maintain the following “Natural Areas” features, if present on the subject lands, to the satisfaction of the City and in consultation with the TRCA: Draw/Valley, Hazard Slopes, Headwater Drainage Feature, Groundwater seepage areas of the Oak Ridges Moraine, Wetlands, Significant Wildlife Habitat and Endangered Species.</p> <ul style="list-style-type: none">▪ The easterly portion of subject lands are designated “Natural Areas” by VOP 2010. Natural Areas perform many functions that benefit ecological and human health and provide habitat for a wide variety of species that ensure biodiversity in the City. The designation permits land uses that are related to ecological and environmental education, conservation, protection and enhancement.▪ The proposed Zoning By-law Amendment to facilitate a residential use conforms to the in-effect site-specific amendment to VOP 2010, as approved by the OMB in their Decision/Order issued on March 9, 2016, subject to demonstration through the supporting studies received and required to be submitted as identified by the OMB that development can proceed in the manner proposed on Attachment #3. Should development not be possible on any portion of the property, then the proposed subdivision plan and zoning will need to be amended accordingly.
Zoning	<ul style="list-style-type: none">▪ The subject lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by Zoning By-law 1-88, as shown on Attachment #2. The proposed residential uses are not permitted by Zoning By-law 1-88, and therefore, an amendment to the Zoning By-law is required.
Surrounding Land Uses	<ul style="list-style-type: none">▪ Shown on Attachment #2.

Preliminary Review

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

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	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with City Official Plan, and Ontario Municipal Board (OMB) Decision	<ul style="list-style-type: none"> ▪ The application will be reviewed in consideration of the applicable City Official Plan policies, and the OMB Decision/Order issued on March 9, 2016.
b.	Appropriateness of Proposed Rezoning	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning of the subject lands to permit the townhouse development proposal, will be reviewed in consideration of the surrounding existing and planned land uses and particular consideration given to land use compatibility, built form and the review of the studies and reports submitted in support of the application. ▪ The Owner is not proposing any site-specific exceptions to the RT1 Residential Townhouse Zone development standards in Zoning By-law 1-88.
c.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> ▪ The proposed development must conform to the applicable Block 18 Urban Design Guidelines and Architectural Design Guidelines.
d.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City of Vaughan and/or the respective approval authority: <ul style="list-style-type: none"> - Transportation Impact Assessment - Environmental Impact Statement - Hydrogeological Study and Water Balance - Phase 1 ESA (Environmental Site Assessment) - Functional Servicing and Functional Stormwater Management Report - Geotechnical Investigation - A Natural Heritage Evaluation that defines the natural features, functions and linkages within and to a reasonable extent adjacent to the site, defines appropriate buffers and demonstrates that the impacts of development are appropriately mitigated and/or compensated, where appropriate, including the subject lands and to a reasonable extent those abutting to the south ▪ In accordance with the OMB Decision/Order issued March 9, 2016, the Owner is required to submit the following additional studies/reports: <ul style="list-style-type: none"> - A Landscape Restoration Plan - A Planning Report including the Oak Ridges Moraine conformity

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e.	Extension of Grand Trunk Avenue	<ul style="list-style-type: none">▪ The Owner is proposing to extend Grand Trunk Avenue, which must be reviewed and approved by the Vaughan Development Engineering and Infrastructure Planning Department. The review will include the lands required to facilitate the extension, which may impact the size and configuration of the Blocks abutting the road and the proposed zoning for the subject lands.
f.	Block 18 Plan	<ul style="list-style-type: none">▪ The approved Block 18 Plan identifies the subject lands as a “Woodlot” and “Non-participating Land Owner”. The development proposal will be reviewed in consideration of the Block 18 Plan and the existing and planned surrounding land uses. The Owner will be required to submit a revised Block 18 Plan to the satisfaction of the City, should the application be approved.▪ The Owner must satisfy all obligations, financial or otherwise of the Block 18 Developers Group Agreement, to the satisfaction of the Block 18 Trustee and the City of Vaughan.
g.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none">▪ The subject lands fall within the regulated area of the TRCA as described within Regulation 166/06. The application has been circulated to the TRCA for review and comments, which will be taken into consideration by the Vaughan Development Planning Department. The Owner must satisfy the requirements of the TRCA.
h.	Sustainable Development	<ul style="list-style-type: none">▪ Opportunities for sustainable design, including CEPTD (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 subdivision approval process, if appropriate.
i.	Servicing Allocation	<ul style="list-style-type: none">▪ The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the related Draft Plan of Subdivision application is approved. Should servicing capacity not be available, a Holding Symbol “(H)” will be placed on the subject lands, through the zoning process, which will be removed once servicing capacity is identified and allocated to the subject lands by Vaughan Council.

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k.	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 zoning and subdivision 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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Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

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

Regional Implications

The application has been circulated to York Region for review and comment. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the application, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Concept Location Map
2. Location Map
3. Proposed Zoning File Z.16.016

Report prepared by:

Mary Caputo, Senior Planner - OMB, ext. 8215

(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.)