

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 9, 2014

Item 17, Report No. 41, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 9, 2014.

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**ZONING BY-LAW AMENDMENT FILE Z.12.030
DRAFT PLAN OF SUBDIVISION FILE 19T-12V005
BLOCK 33 WEST PROPERTIES INC.
WARD 3 - VICINITY OF WESTON ROAD AND RETREAT BOULEVARD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning and Manager of Development Planning, dated December 2, 2014:

Recommendation

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

1. THAT Zoning By-law Amendment File Z.12.030 (Block 33 West Properties Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands, shown on Attachments #2 and #3, from RD3 Residential Detached Zone Three, subject to site-specific Exceptions 9(1221) and 9(1223) to RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone, in the manner shown on Attachment #4.
2. THAT Draft Plan of Subdivision File 19T-12V005 (Block 33 West Properties Inc.), as shown on Attachment #4, BE APPROVED, subject to the conditions of approval set out in Attachment #1 to this report.
3. THAT Draft Plan of Subdivision File 19T-12V005 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 61 residential units (211 persons equivalent).
4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-12V005 (Block 33 West Properties Inc.), shall include the following clause:

“The Owner shall pay to 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 accordance with the Planning Act and the City’s Cash-in-Lieu Policy. The Owner 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 Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation

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

- a 1.5 m wide sidewalk on the south and west sides of Street “1”, which connects to an existing sidewalk along Retreat Boulevard
- a walkway that connects from the terminus of the cul-de-sac of Street “1” to the adjacent West Wind Park to the east and ensures all dwellings are within a 5-minute walk of public open space
- sustainable and locally sourced building materials

Economic Impact

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

Communications Plan

On November 2, 2012, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands, and to the Vellore Woods Ratepayers' Association. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice sign installed on the property in accordance with the City's Sign Notification Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 27, 2012, and forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on December 11, 2012. To date, no comments have been received.

Purpose

To seek approval from the Committee of the Whole on the following applications, respecting the subject lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.12.030 to amend Zoning By-law 1-88, specifically to rezone the subject lands, from RD3 Residential Detached Zone Three, subject to site-specific Exceptions 9(1221) and 9(1223) to RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone, in the manner shown on Attachment #4.
2. Draft Plan of Subdivision File 19T-12V005 to facilitate the development of a residential Draft Plan of Subdivision with the following site statistics:

<u>Lot/Block #</u>	<u>Land Use</u>	<u>Units</u>	<u>Area (ha)</u>
1-15	Single Detached Dwellings (minimum lot frontage of 9.15 m)	15	0.445
16-38	Semi-Detached Dwellings (minimum lot frontage of 15.3 m)	46	1.446
39-40	Reserves	N/A	0.001
<u>Roads</u>	<u>Street 1 (17.5 m wide)</u>	<u>N/A</u>	<u>0.393</u>
TOTAL		61	2.285 ha

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Background - Analysis and Options

Location

The vacant subject lands are located on the southeast corner of Retreat Boulevard and Vellore Park Avenue, being Block 271 on Registered Plan 65M-3898 and Block 63 on Registered Plan 65M-3885, City of Vaughan, as shown on Attachment #3.

The subject lands have a lot area of 2.285 ha with frontage on both Retreat Boulevard and Vellore Park Avenue and abut West Wind Park to the east. The approved Block 33 West Plan identifies the subject lands as a public elementary school site, adjacent to West Wind Park.

On June 7, 2011, the York Region District School Board (YRDSB) advised the Vaughan Planning Department that the lands are no longer required for school purposes. The YRDSB declared the lands surplus and returned the lands to the Owner, being Block 33 West Properties Inc., for development.

Vaughan Official Plan 2010

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), which permits detached and semi-detached dwelling units to a maximum height of three-storeys. The proposal to facilitate the development of 15 detached and 46 semi-detached dwelling units conforms to VOP 2010.

Zoning By-law 1-88

The subject lands are zoned RD3 Residential Detached Zone Three by Zoning By-law 1-88, subject to site-specific Exceptions 9(1221) and 9(1223), as shown on Attachment #3. To facilitate the proposal, the Owner is proposing to rezone the subject lands to RD4 Residential Detached Zone Four and RS1 Residential Semi-Detached Zone, in the manner shown on Attachment #4.

The RD4 Residential Detached Zone permits single detached dwellings on lots with a minimum lot frontage of 9 m, a minimum lot area of 243 m² and a minimum lot depth of 27 m. Lots 1 – 15 as shown on Attachment #4 comply with all of the minimum requirements of the RD4 Zone.

The RS1 Residential Semi-Detached Zone permits semi-detached dwellings on lots with a minimum lot frontage of 7.5 m per unit, a minimum lot area of 202 m² and a minimum lot depth of 27 m. Lots 16 – 38 as shown on Attachment #4 comply with all minimum requirements of the RS1 Zone.

The proposed rezoning to RD4 and RS1 Zones is appropriate for the subject lands, and will facilitate a proposal that conforms to VOP 2010, specifically, the “Low-Rise Residential” land-use designation and built form, which is compatible with the surrounding low-rise land use context.

Subdivision Design

The proposed Draft Plan of Subdivision shown on Attachment #4 includes 15 lots for single detached dwellings with frontage on Vellore Park Avenue and 23 lots (46 units) for semi-detached dwellings with frontage on Street “1”. The cul-de-sac road (Street “1”) maintains a 17.5 m right-of-way and is to be conveyed to the City of Vaughan as a public road. A 1.5m sidewalk will run the length of Street “1” on the west and south sides, and a safe pedestrian access will be provided from the sidewalk into the adjacent West Wind Park to the east. The terminus of Street “1” is adjacent to West Wind Park.

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All development within the Draft Plan of Subdivision, as shown on Attachment #4, must proceed in accordance with the approved Block 33 West Community Architectural Design Guidelines and approved Block 33 West Vellore Park Landscape Masterplan. A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines. Conditions to these effects are included in Attachment #1.

The Owner will be required to erect permanent wood fence treatments for flanking residential lots to be coordinated with the environmental noise report and architectural design guidelines. The Owner will also be required to erect an appropriate fence barrier along the limit of the residential lots that abut the commercial lands to the south. The final design of this fence barrier shall be to the satisfaction of the Vaughan Planning and Development/Transportation Engineering Departments. The Owner will also be required to erect a permanent 1.5 m high black vinyl chain-link fence, or approved equal, along the limits of the residential lots that abut the adjacent park to the east. Access to the park shall be maintained for pedestrians along Street "1". Conditions in this respect are included in Attachment #1.

The Vaughan Planning Department has included as a condition of draft approval on Attachment #1, a requirement that the Owner submit upgraded flankage building elevation drawings for the dwellings that will face Retreat Boulevard and West Wind Park to the satisfaction of the Manager of Urban Design.

The subject lands are located within Block 33 West, which is subject to a Developer's Group Agreement. The Owner will be required to satisfy all obligations, financial or otherwise of the Block 33 West Developer's Group Agreement to the satisfaction of the Block 33 West Trustee and the City of Vaughan. A condition of approval to this effect is included in Attachment #1.

The Vaughan Planning Department is satisfied with the proposed subdivision design, subject to the comments in this report and the conditions of approval in Attachment #1.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department provides the following comments:

i. Sewage and Water Allocation

On October 29, 2013, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Availability of this capacity was subject to the construction and anticipated in-service date for the Regional Southeast Collector (SEC) Sewer expected by Q4-2014.

On April 7, 2014, written confirmation from York Region was received confirming completion of the SEC project remains on schedule and is within twelve months of the anticipated in-service date.

Servicing capacity to File 19T-12V005 (for 61 residential units) was reserved by Vaughan Council resolution on October 29, 2013.

To date, York Region has provided clearances to the City of Vaughan permitting the registration of development applications up to an allowable population of 30,991 persons equivalent of servicing capacity linked to the construction of the SEC. Accordingly, servicing capacity for the subject development is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject development may be recommended for Vaughan Council approval:

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“THAT Draft Plan of Subdivision File 19T-12V005 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 61 residential units (211 persons equivalent).”

A condition to this effect is included in the recommendation of this report.

ii. Noise Attenuation Measures

The subject lands are located adjacent to lands that maintain a large commercial development (Walmart Supercentre). The Owner submitted a revised Noise Impact Feasibility Study, dated June 5, 2014, and prepared by J.E. Coulter Associates Limited to address original comments and provided further information/clarification on potential noise attenuation measures. The Vaughan Development/Transportation Engineering Department has reviewed the revised report and requires that the Owner erect a permanent minimum 2.0 m high privacy fence along the limits of the residential lots (1, 23 – 28, as shown on Attachment #4) that abut the commercial lands. Final design of any permanent fence shall be completed prior to the registration of the subdivision agreement. A condition to this effect is included in Attachment #1.

iii. Road Network

Access to 15 units will be from the existing Vellore Park Avenue and 46 units from the proposed 17.5 m right-of-way (R.O.W.) of Street “1” off Retreat Boulevard, ending in a cul-de-sac. The road on the Plan (identified as Street “1” on Attachment #4) must be designed in accordance with the City’s standards and criteria. A condition to this effect is included in Attachment #1.

iv. Environmental Site Assessment (ESA)

The Development/Transportation Engineering Department conducted Environmental Site Assessment (ESA) reviews. No further ESA reports are noted at this time in order for the development application to proceed to a technical report to the Committee of the Whole.

The Vaughan Development/Transportation Engineering Department completed its review of File 19T-12V005 and has no objection to the final design of the proposed plan of subdivision, subject to the comments above, and the conditions of approval included in Attachment #1.

Vaughan Parks Development Department

The Owner has agreed to provide a pedestrian walkway connection from the terminus of Street “1” into West Wind Park to the east. The connection will connect to the existing walkway within the West Wind Park and will ensure a safe and accessible pedestrian access from the proposed plan of subdivision to West Wind Park. A condition of approval to this effect is included in Attachment #1.

Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that prior to final approval, the Owner shall satisfy all obligations, financial or otherwise, of the Block 33 West Developer’s Group Agreement to the satisfaction of the Block 33 West Trustee and the City of Vaughan. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and the City’s approved “Cash-in-Lieu of Parkland Policy”. A condition of approval to this effect is included in Attachment #1.

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Canada Post

Canada Post has no objections to the approval of the proposed Draft Plan of Subdivision, subject to their conditions listed in Attachment #1.

School Boards

The York Region District School Board (YRDSB) and the York Catholic District School Board (YCDSB) have reviewed the proposed Draft Plan of Subdivision File 19T-12V005 and advise that they have no objections to the proposal or its approval.

Utilities

Bell Canada and Enbridge Gas Distribution have no objection to the approval of the proposed Draft of Plan Subdivision, subject to their conditions listed in Attachment #1.

PowerStream Inc. reviewed the proposed Draft Plan of Subdivision and advised that it is the responsibility of the Owner to contact PowerStream Inc. to determine the type of available service in the area to supply this project and assess PowerStream Inc.'s charges.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i. Lead and Promote Environmental Sustainability

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

ii. Plan and Manage Growth & Economic Well-Being

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

iii. Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a 1.5 m wide sidewalk that will connect to a walkway entrance into an adjacent West Wind Park to enhance the City's existing inventory of public amenity and pedestrian space.

Regional Implications

York Region requires that the proposed Draft Plan of Subdivision receive water and wastewater servicing allocation from the City of Vaughan, which is subject to the completion of the Southeast Collector. If the City of Vaughan does not grant the proposed Draft Plan of Subdivision the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment. As noted above, the development has been assigned allocation from the City of Vaughan. A condition to this effect has been included in the recommendation to this report.

York Region has no objection to draft plan approval of Plan of Subdivision File 19T-12V005, subject to the conditions noted in Attachment #1.

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Conclusion

The York Region District School Board (YRDSB) has deemed the subject lands to be surplus and conveyed back the lands to the original Owner, being Block 33 West Properties Inc., who has submitted Zoning By-law Amendment and Draft Plan of Subdivision applications to facilitate a development consisting of 15 single detached residential lots (15 units) and 23 semi-detached residential lots (46 units).

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.12.030 and Draft Plan of Subdivision File 19T-12V005, in accordance with the applicable policies of the City's Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The applications will facilitate a low density residential development form that is consistent and compatible with the surrounding land uses, and conforms to the land use and applicable policies of the Official Plan, and requirements of Zoning By-law 1-88. The Vaughan Planning Department can support the approval of the Zoning By-law Amendment and Draft Plan of Subdivision applications, subject to the comments and recommendations in this report, and Conditions of Approval set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-12V005 and Proposed Zoning

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.)