

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 16, 2016**

Item 4, Report No. 8, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on February 16, 2016.

**4**

**DRAFT PLAN OF SUBDIVISION FILE 19T-15V009  
DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-15V005  
EAGLEVIEW HEIGHTS DEVELOPMENTS LTD.  
WARD 3 – VICINITY OF MAJOR MACKENZIE DRIVE AND HIGHWAY 400**

**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 February 2, 2016 be approved; and**
- 2) That the following deputations be received:**
  - 1. Ms. Rosemarie L. Humphries, President, Humphries Planning Group, Chrislea Road, Woodbridge, on behalf of the applicant; and**
  - 2. Ms. Elvira Caria, Bunting Drive, Woodbridge, on behalf of the Vellore Woods Ratepayers' Association.**

**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 19T-15V009 and 19CDM-15V005 (Eagleview Heights Developments Ltd.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.**

**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: January 8, 2016.
- b) Circulation Area: 150 m, and to the Vellore Woods Ratepayers' Association. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol.

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##### **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 the following applications for the subject lands shown on Attachments #1 and #2:

1. Draft Plan of Subdivision File 19T-15V009 as shown on Attachment #3, to create one block within a future Registered M-Plan for technical reasons that would allow the related Draft Plan of Condominium to be processed to facilitate the condominium tenure of the common elements (as described below) under the Planning Act.
2. Draft Plan of Condominium (Common Elements) File 19CDM-15V005, 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 freehold townhouse unit owners and will consist of the internal road and walkways, 42 visitor parking spaces, parkette, and landscaped berm and noise fencing adjacent to Highway 400, as shown on Attachments #4 and #5, that would serve a proposed development consisting of 206 townhouse units.

A future Site Development Application will be required to be submitted for the townhouse dwelling units and site development details that will facilitate the proposed subdivision and condominium applications, and the earlier approvals granted by Vaughan Council in 2014 for Official Plan and Zoning By-law Amendment permissions.

##### **Background**

In October, 2008, the previous Owner (1678573 Ontario Inc.) of the subject lands submitted Official Plan Amendment File OP.08.016 and Zoning By-law Amendment File Z.08.062 to permit the development of the subject lands with 1,296 residential units in three apartment buildings. On January 25, 2011, Vaughan Council recommended that the Region of York be requested to modify the Vaughan Official Plan to remove the Mid-Rise Residential land designation and replace it with a Study Area designation to review issues including access, density, traffic, and site environmental issues. Vaughan Council also recommended that the City establish a Ward 3 Sub-committee that would meet with the applicant and ratepayers to resolve the outstanding issues.

On May 27, 2011, the previous Owner (1678573 Ontario Inc.) appealed the applications to the Ontario Municipal Board (OMB) based on Council's 'refusal to make a decision' within the timeframe for approval prescribed in the Planning Act. On January 6, 2012, the OMB approved the site-specific Official Plan Amendment (OPA #723), which amended OPA #600, to redesignate the subject lands to "High Density Residential/Commercial". The OMB also approved the Zoning By-law Amendment (By-law 7-2012, Exception 9(416)) to rezone the property to RA3(H) Apartment Residential Zone with the Holding Symbol "H". The approvals were to facilitate a final development concept comprising of 864 residential apartment units within two apartment buildings and 54 townhouse dwelling units. This development was not pursued.

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In January, 2014, new Official Plan Amendment (File OP.14.002) and Zoning By-law Amendment (File Z.14.003) applications were submitted by 1678573 Ontario Inc. to facilitate townhouses. The Owner submitted two conceptual development scenarios as part of the application. On June 24, 2014, Council approved the applications, which resulted in the adoption of OPA #7 to Vaughan Official Plan 2010, and redesignated the subject lands from “High Density Residential/Commercial” to “Low Rise Residential”, and through the enactment of Zoning By-law 112-2014, Exception 9(1410), rezoned the property to RVM2 “(H)” Residential Urban Village Multiple Dwelling Zone 2, stipulating the following:

- Total number of units (200)
- Minimum lot area (200 m<sup>2</sup>)
- Minimum lot frontage for a townhouse block (24 m)
- Visitor parking ratio (0.20 spaces per unit) and a minimum of 4 handicapped parking spaces
- Maximum width of the access driveway (14 m at the street curb)
- An outdoor landscape strip around the periphery of an outdoor parking area or a landscape earthen berm for screening are not required

The current new Owner (Eagleview Heights Development Ltd.) has submitted a Draft Plan of Subdivision Application (File 19T-15V009) and a Draft Plan of Condominium (Common Elements) Application (File 19CDM-15V005) to facilitate the development of 206 townhouses on the subject lands, as shown on Attachments #3 and #4, respectively. There are minor changes from the conceptual plan submitted at the Official Plan and Zoning By-law review stage by the previous Owner as shown on Attachment #6 in comparison to the conceptual plan shown on Attachments #4 and #5 by the current new Owner, with respect to:

- The number of units (increase of 6 units from 200 to 206)
- Location of the parkette (from south end to north end of site)
- Orientation of the townhouse blocks
- Location of visitor parking spaces
- Configuration of the internal road and walkways

#### Analysis and Options

Location	<ul style="list-style-type: none"><li>▪ The subject lands are located on the west side of Highway #400, south of Major Mackenzie Drive, municipally known as 77 Eagleview Heights, City of Vaughan, shown as “Subject Lands” on Attachments #1 and #2.</li><li>▪ The 4.08 ha parcel is relatively flat and contains 7 buildings used for commercial sales of swimming pools and landscape material on the northerly portion of the property. The southerly portion of the site is undeveloped. All existing structures will be demolished to accommodate the proposed development.</li></ul>
Official Plan Designation	<ul style="list-style-type: none"><li>▪ The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), Volume 2, Site-Specific Policy 13.23, which permits residential uses of no greater than 3 storeys in height in the form of detached houses, semi-detached houses and townhouses in addition to public and private institutional buildings.</li></ul>

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	<ul style="list-style-type: none"><li>▪ The site-specific policies stipulate the following:<ul style="list-style-type: none"><li>i. A maximum of 200 townhouse units</li><li>ii. A maximum of 7 townhouse units in a block</li><li>iii. A minimum lot frontage for a townhouse block of 24m</li><li>iv. A minimum area of 714sq.m. for a parkette/amenity area</li><li>v. Maximum of three storeys in height or 13 metres</li><li>vi. Visitor parking ratio of 0.20 spaces per unit</li></ul></li><li>▪ Section 10.2.1.7 of VOP 2010, Volume 1 states that an allowance of 5% variation of all of the numerical requirements is permitted, except for variations to floor space index (FSI), height or environmental standards, which would allow a maximum of 210 townhouse units. The proposed increase of 6 units from 200 to 206 units is permitted by the Official Plan.</li><li>▪ The proposed Draft Plan of Subdivision and Draft Plan of Condominium proposals conform to the Official Plan.</li></ul>
Zoning	<ul style="list-style-type: none"><li>▪ The subject lands are zoned RVM2 “(H)” Residential Urban Village Multiple Dwelling Zone 2 by Zoning By-law 1-88, subject to Exception 9(1410). The proposal will be reviewed for compliance with the By-law, including, but not limited to, the following specific exceptions:<ul style="list-style-type: none"><li>i. Total number of units (200)</li><li>ii. Minimum lot area (200 sq.m)</li><li>iii. Visitor parking ratio (0.20 spaces per unit) and a minimum of 4 handicapped parking spaces</li><li>iv. Maximum width of the access driveway (14 metres at the street curb)</li></ul></li><li>▪ If relief from the Zoning By-law is required with respect to the proposed development, this will be determined during the course of review of the applications, and identified in the technical review. Any variances, if supported, may be addressed through the Committee of Adjustment process.</li></ul>
Surrounding Land Uses	<ul style="list-style-type: none"><li>▪ Shown on Attachment #2.</li></ul>

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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:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	City Official Plan Policies	<ul style="list-style-type: none"><li>▪ The applications will be reviewed in consideration of the applicable site-specific City Official Plan policies.</li></ul>
b.	Compliance with the Site-Specific Zoning Exception	<ul style="list-style-type: none"><li>▪ The applications will be reviewed in light of the site-specific Zoning By-law (Exception 9(1410)) to determine compliance and where By-law relief may be required.</li></ul>
c.	Site Contamination	<ul style="list-style-type: none"><li>▪ Due to the previous use of the site as a boat dealership, subsurface contamination on site has been identified and will require remediation to the satisfaction of the City taking into account MOECC requirements.</li><li>▪ The Phase 1 ESA (Environment Site Assessment) and reports submitted in support of the application must be approved to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning (DEIP) Department.</li></ul>
d.	Servicing Allocation	<ul style="list-style-type: none"><li>▪ On June 24, 2014, Council approved the recommendation of the Committee of the Whole (June 17, 2014) to reserve servicing capacity from the York Durham-Peel Servicing Scheme and water supply from the York Water Supply System for a maximum of 200 residential units.</li><li>▪ This reservation was valid for a 12 month period, in which a site plan agreement was to be executed, however, this time period has now lapsed and a site development application has yet to be received. Therefore, the servicing allocation is required to be renewed, and allocation for an additional 6 units will also be required to be obtained.</li></ul>
e.	Removal of the 'H' Holding Symbol	<ul style="list-style-type: none"><li>▪ There is a Holding Symbol "(H)" on the subject lands, which is not to be removed until the following conditions have been addressed to the satisfaction of the City of Vaughan:<ul style="list-style-type: none"><li>i) Vaughan Council identifies and allocates sewer and water allocation;</li><li>ii) Written clearance from the Trustee for Block 32W that the Owner has entered into and signed the Block 32W Cost Sharing Agreement;</li></ul></li></ul>

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		<ul style="list-style-type: none"> <li>iii) Approval of a Site Development application by Vaughan Council; and,</li> <li>iv) Registration of a Record of Site Condition (RSC) with the Ministry of Environment to the satisfaction of the Vaughan DEIP Department.</li> </ul> <p>■ A Zoning By-law Amendment Application and the enactment of a future by-law will be required to remove the 'H' Holding provision when the above conditions have been met.</p>
f.	Future Site Development Application	<ul style="list-style-type: none"> <li>■ The Owner will be required to submit a future Site Development Application to facilitate the development of the subject lands, concurrent with, or following the approval of the Draft Plan of Condominium (Common Elements) application.</li> <li>■ The Site Development Application shall demonstrate that the freehold lotting and common elements can be supported. The application will be reviewed to ensure, but not limited to, the appropriate site and building design, pedestrian connectivity, environmental sustainability, universal accessibility, access, internal traffic circulation, parking, building materials, landscaping and screening, mailbox location, and stormwater management, servicing and grading. The review will also ensure minimal impact to the existing residential area with respect to the mitigation of noise from Highway 400, lighting and traffic, and the appropriate use of landscape screening, acoustic and privacy fencing, and berming to reinforce a positive streetscape and viewscape.</li> <li>■ Opportunities for sustainable design, including permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, and reduction in pavement will be reviewed and implemented through the site plan approval process.</li> </ul>
g.	Future Site Development Application- Pedestrian Connection To MTO Lands	<ul style="list-style-type: none"> <li>■ An opportunity to provide a pedestrian access and a potential secondary emergency access to the site through the MTO lands to the north was identified during the previous Official Plan and Zoning applications. GO Transit (the current leaseholders) commented that a pedestrian/bicycle and barrier free access should be provided, thus increasing ridership.</li> <li>■ The MTO has indicated that an easement for emergency access over its property would not be permitted for safety and operational reasons of the commuter parking lot. The applicant and the City Departments will explore this further with the MTO during the Site Plan stage.</li> </ul>
h.	Future Part Lot Control Application	<ul style="list-style-type: none"> <li>■ The Owner will be required to submit a future Part Lot Control Application to facilitate the creation of the individual freehold lots.</li> </ul>

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

The applicability of the 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 were circulated to the York Region Transportation and Community Planning Department 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 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 technical report to a future Committee of the Whole meeting.

**Attachments**

1. Context Location Map
2. Location Map
3. Draft Plan of Subdivision 19T-15V009
4. Draft Plan of Condominium 19CDM-15V005
5. Conceptual Site and Landscape Plan
6. Conceptual Site Plan (Proposed Townhouses) considered with Files OP.14.002 and Z.14.003.

**Report prepared by:**

Kathryn Moore, Planner, ext. 8813  
Clement Messere, Senior Planner, ext. 8409

(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.)