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File: P-2172

April 4, 2017

City of Vaughan
c/o Barbara McEwan, City Clerk
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Communication
COUNCIL: April 19/17
CW Rpt. No. 13 Item 5

Attention: Mayor and Members of Council

**Re: Community Area Policy Review
For Low-Rise Residential Designations
Amendment to the Vaughan Official Plan 2010
City Files: 19T-03V05 & Z.03.024
840999 Ontario Limited and Prima Vista Estates Inc.
Part of Lots 24 and 25, Concession 6
City of Vaughan, Regional Municipality of York**

Dear Mayor and Members of Council,

KLM Planning Partners Inc. is the land use planner on behalf of 840999 Ontario Limited and Prima Vista Estates Inc. with respect to their above noted plan of subdivision. We have had an opportunity to review the Recommendation Report to the Committee of the Whole to be heard by Vaughan Council on April 4, 2017 regarding the Community Area Policy Review for Low-Rise Residential Designations. After our review, we believe further clarification is required to some of the proposed amendments, which if unchanged, have the potential to adversely impact not only our client's lands, but other future development in the City.

The above noted plan of subdivision (19T-03V05) was draft approved by the Ontario Municipal Board on April 6, 2016 and the proposed zoning is to permit street townhouses on a private road. Block 467 of this plan of subdivision requires further development applications which may involve a minor amendment to the proposed zoning as well as site plan approval. OPA 744 is currently the operative Official Plan and permits the proposed use and contains no restrictions requiring frontage onto a public street. OPA 2010 is currently under appeal as it relates to these lands although the OMB has issued a decision and a final order awaits. We are concerned that the proposed amendments to Vaughan Official Plan 2010 (VOP 2010) may have adverse impact on the ability to develop these lands efficiently.

As we understand, the proposed amendments to VOP 2010 are intended to address concerns with regards to infill townhouses in mature neighbourhoods and to mitigate potentially adverse impact on these established areas. The proposed amendments define 'Established Community Areas' within the City and

provide additional policies with regards to townhouse development within these areas. We are concerned that the proposed amendments are unclear and do not sufficiently limit the effects of the proposed amendments to these Established Community Areas only. We are concerned that there will be the potential for staff to interpret the policies of VOP 2010 in order to limit townhouse development in all areas of the City. This could affect the potential development of our client's lands and the City's ability to meet provincial requirements related to intensification and efficient use of land and services.

Our first concern relates to the proposed amendment to Policy 9.2.3.2.d which states:

*"Townhouses shall generally front onto a public street. Where a townhouse end unit does not front a public street but flanks a public street, the flanking unit(s) shall provide a front yard and front-door entrance facing the public street. Notwithstanding the above, Townhouses in designated **Low-Rise Residential** areas in Established Community Areas shall be developed in accordance with Policy 9.1.2.4."*

While the requirement that townhouses shall generally front onto a public street is currently in VOP 2010, we feel that the proposed amendment provides an opportunity to clarify this policy to avoid the potential interpretation that would limit townhouse development in all areas of the City. The proposed amendment provides further direction related to townhouses in designated Low-Rise Residential areas in Established Community Areas, which requires frontage onto a public street. The intent of the proposed amendment is to mitigate the potential adverse impacts of townhouse developments on Established Community Areas. The proposed amendment to Policy 9.2.3.2.d and the addition of Policy 9.1.2.4 requiring that all townhouses within Established Community Areas shall have frontage on a public street, address these concerns. Accordingly, we believe it is no longer necessary to generally require all townhouses to have frontage on a public street. Newly developing areas do not require the same protection as Established Community Areas. Allowing this wording to remain leaves this Policy open for interpretation that could limit townhouse development City-wide and prevent the efficient use of land and services and affect the City's ability to achieve its intensification targets.

We believe that the wording of the proposed amendment should be more in line with the wording that was originally provided in the report to Committee of the Whole, dated November 1, 2016. Accordingly, we provide the following suggestion for revised wording as follows:

*"Townhouses in designated Low-Rise Residential areas in Established Community Areas shall generally front onto a public street. Where a townhouse end unit does not front a public street but flanks one, the flanking unit(s) shall provide a front yard and front-door entrance facing the public street. Notwithstanding the above, Townhouses in designated **Low-Rise Residential** areas in Established Community Areas shall be developed in accordance with Policy 9.1.2.4."*

We feel that the above change to the proposed amendment would satisfy the City's desire to address townhouse development within Established Community Areas Low-Rise Residential Areas, while allowing other areas of the City to develop efficiently and assist the City in achieving intensification targets.

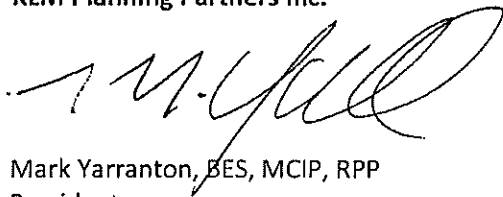
We also have concern regarding lack of clarity with respect to the definition of 'Established Community Area', as defined in the proposed Policy 9.1.2.1. This definition is vague and the determination of what is considered to be "entirely or almost entirely developed and occupied" is too subjective, especially in the broad scope of a neighbourhood bounded by arterial roads or other significant features. This lack of clarity makes it unclear which policies apply to a particular parcel of land.

Finally, the proposed Policy 9.1.2.1 states that "where no established neighbourhood is located", new development shall be in accordance with the proposed Policy 9.1.2.5. However, Policy 9.1.2.5 relates to "new street and/or laneway network[s] and other public or private infrastructure...required to facilitate and service new development in **Established Community Areas**". Further clarity is required in determining Established Community Areas and we request that they be more clearly defined or otherwise identified through an additional schedule to VOP 2010.

We believe that the proposed amendments should be clarified to ensure that the proposed restrictions are limited only to those areas of the City which are considered 'Established Community Areas'. We believe the direction proposed by Vaughan Planning staff will have very serious implications for the efficient use of land in appropriate locations in support of the intensification objectives of the Province which exist today and which are currently being proposed to be substantially increased through the ongoing coordinated review of the Provincial Plans, which commenced in February 2015. Should the proposed amendments result in interpretations by City staff that would result in limitations on townhouse development City-wide, it is our opinion that this would adversely impact the City's ability to meet the provincial requirements related to intensification, the efficient use of land and the efficient use of services.

We trust the foregoing is in order. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,
KLM Planning Partners Inc.



Mark Yarranton, BES, MCIP, RPP
President

cc. Graziano Stefani, 840999 Ontario Limited and Prima Vista Estates Inc.
Melissa Rossi, Manager, Policy Planning
Kyle Fearon, Planner 1, Policy Planning & Environmental Sustainability
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John Mackenzie, Deputy City Manager, Planning and Growth Management