

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 20, 2018

Item 5, Report No. 11, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on, March 20, 2018.

5 ZONING BY-LAW AMENDMENT FILE Z.17.037 PALA BUILDERS INC. VICINITY OF DUFFERIN STREET AND RUTHERFORD ROAD

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated March 6, 2018, be approved;
- 2) That a community meeting be organized by the Local Councillor with the applicant, residents, interested Regional Councillors, and staff, to address outstanding issues;
- 3) That the following deputations be received;
 1. Mr. Ryan Mino-Leahan, KLM Planning Partners Inc., Jardin Drive, Concord, representing the applicant; and
 2. Mr. David Charezenko , Carville Mills Ratepayers' Association; and
- 3) That the following communications be received:
 - C1 Resident, dated February 28, 2018;
 - C2 Sharon and Gary Katz, dated February 23, 2018; and
 - C4 Carrville Mills Ratepayers' Association, dated March 6, 2018.

Purpose

To receive comments from the public and the Committee of the Whole for Zoning By-law Amendment File Z.17.037 on the subject lands shown on Attachments #1 and #2, to permit the development of 126, 3-storey condominium townhouse units accessed by private common element roads, as shown on Attachments #3 to #5.

Recommendation

1. THAT the Public Hearing report for File Z.17.037 (Pala Builders Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

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Report Highlights

- To receive input from the public and the Committee of the Whole on a proposed development consisting of 126 condominium townhouse units.
- A Zoning By-law Amendment is required to permit the proposed development.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

Background - Block 11 Plan

The subject lands are located on the southeast corner of Crimson Forest Drive and Marc Santi Boulevard, as shown on Attachments #1 and #2. The lands were originally identified in the Block 11 Plan for a future elementary school, but were deemed surplus by the York Region District School Board (YRDSB). The surrounding land uses are shown on Attachment #2.

A Zoning By-law Amendment has been submitted to permit the development

The Owner has submitted the following application for the subject lands shown on Attachments #1 and #2 to permit 126, 3-storey condominium townhouse units accessed by private common element condominium roads, hereinafter referred to as “the proposed development”, as shown on Attachments #3 to #5:

1. Zoning By-law Amendment File Z.17.037 to amend Zoning By-law 1-88 to rezone the subject lands from RD3 Residential Detached Three Zone, as shown on Attachment #2, to RT1 Residential Townhouse Zone in the manner shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1.

Public Notice was provided in accordance with the Planning Act and Council's Notice Signs Procedures and Protocol

- a) Date the Notice of Public Hearing was circulated: February 9, 2017.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and Notice Signs were installed along the Crimson Forest Drive and Marc Santi Boulevard street frontages, in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m

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c) Comments Received:

Email from Lorne Sederoff, a resident advising that the proposed site plan provides no green amenity space.

Any additional 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 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.

Previous Reports/Authority

Not applicable.

Analysis and Options

The development proposal conforms to Vaughan Official Plan 2010 Low-Rise Residential policies.

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010). This designation permits detached and townhouse dwelling units having a maximum permitted building height of 3-storeys with no prescribed density requirement.

The subject lands are located within a “Community Area” identified on Schedule 1 “Urban Structure” and are subject to the Community Areas policies of VOP 2010. Policy 9.1.2.2 requires that new development within the Community Areas respect and reinforce the existing scale, height, massing, lot pattern, building type, character, form, and function of the local area. VOP 2010 identifies compatibility criteria for new development in a “Community Area”. The compatibility criteria direct that new development be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. The immediate area is developed with detached, semi-detached and townhouse dwellings, as shown on Attachment #2.

Policy 9.2.3.2. identifies development criteria for townhouse dwelling units, which states that townhouses shall be up to 3-storeys in height and not more than six attached residential units in a row. The proposed development concept shown on Attachment #3 shows Blocks with seven and eight units in a row. The site design must be in conformity with Policy 9.2.3.2. The applicant submitted a planning Justification Report including an opinion on the appropriateness of the proposed seven and eight unit townhouse blocks, which is under review.

VOP 2010 permits limited intensification in Community Areas provided the proposed development is sensitive to and compatible with the character, form and planned function of the surrounding context. The proposed development will be reviewed in consideration of the surrounding lands uses.

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On October 19, 2016, Council adopted the "Vaughan Community Areas and Low-Rise Residential Areas Study" and approved the "Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods", to support the VOP 2010 policies respecting compatibility of infill and townhouse development. The subject lands are located within Block 11, which is not identified as a "Established Community Area", and therefore are not subject to these policies.

The Block 11 Community Plan in which the subject lands are located in, identifies the subject lands as a "Future Elementary School" site. The YRDSB has confirmed that the site is no longer required for a school. The proposed townhouse use conforms to the "Low-Rise Residential" designation.

Exceptions to Zoning By-law 1-88 are required to permit the proposed development

The subject lands are zoned RD3 Residential Detached Zone Three by Zoning By-law 1-88. The RD3 Zone permits only detached dwellings on lots having a minimum lot frontage and lot area of 12 m and 324 m², respectively.

A townhouse unit, is not a permitted use in the RD3 Residential Zone. Therefore, an amendment to Zoning By-law 1-88 is required to permit the proposed development shown on Attachments #3 to #5. The Owner proposes to rezone the subject lands to a RT1 Residential Townhouse Zone with the following site-specific zoning exceptions.

Table 1:

| | Zoning By-law 1-88 Standard | RT1 Residential Townhouse Zone Requirements | Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements |
|----|--|---|---|
| a. | Definition of a "Lot" | Means a parcel of land fronting on a street. | Means a parcel of land fronting onto a public or private street. |
| b. | Definition of "Street Townhouse Dwelling" | Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street. | Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street or a private street. |

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| | | | |
|----|--|--|---|
| c. | Definition of "Street Line" | Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street. | Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a public street or private road. |
| d. | Frontage on a Public Street | No person shall erect a building unless the lot upon which it is located fronts upon a public street. | No person shall erect a building unless the lot upon which it is located fronts upon a public street or a private road. |
| e. | Maximum Number of Units Per Block | 6 units | 8 units (Blocks 1, 3, & 16) 7 units (Blocks 4, 7 to 15 inclusive) |
| f. | Minimum Driveway Width (based on lot frontage) | 3.5 m wide driveway (based on a lot frontage of 6 m to 6.99 m) | 3.16 ((Blocks 1, 2, 3) based on lot frontage of 5.55 m to 6.99 m) |
| g. | Minimum Lot Depth | 27 m | 18.55 m |
| h. | Maximum Building Height | 11 m | 12 m |
| i. | Minimum Lot Frontage | 6 m/unit | 5.5 m (Block 1, Block 2 & Block 3) |

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| | | | |
|----|---|---|--|
| j. | Minimum Lot Area | 162 m ² | 110 m ² |
| k. | Minimum Yards | i) Front Yard (Marc Santi Blvd) - 4.5 m ii) Front Yard Setback to Garage 6.4 m iii) Exterior Side Yard - 4.5 m iv) Rear Yard - 7.5 m | i) Front Yard - 4 m (Blocks 17, 18, & 19) ii) Front Yard Setback to Garage 6 m (Blocks 1, 2 & 3) iii) Exterior Side (Block 1) - 4 m (Block 3 - 3.9 m) iv) Rear Yard - 5.4 m (Blocks 1, 2 and 3) v) Rear Yard - 0 m (Blocks 4 - 19) |
| l. | Maximum Interior Garage Dimension | 3.048 m | Blocks 1, 2 & 3 3.1 m (Interior Units) 3.4 m (End Units) Blocks 4 to 19 5.7 m |
| m. | Rear Yard Encroachment (Deck) | 1.8 m | Blocks 1 to 3 - 1.9 m |
| n. | Exterior Side Yard Setback to Site Triangle | 3 m | 0.3 m (Blocks 16 and 19) |

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

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

| | MATTERS TO BE REVIEWED | COMMENT |
|----|--|--|
| a. | Provincial Policies, Regional and City Official Plan Policies | <ul style="list-style-type: none">▪ The proposed development will be reviewed in consideration of the applicable Provincial policies, Regional and City Official Plan policies. |
| b. | Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions | <ul style="list-style-type: none">▪ The appropriateness of the proposed rezoning to permit the proposed development will be reviewed in consideration of, but not limited to, the existing and planned surrounding land uses, lot size and configuration, transition to the existing detached dwellings to the south, built form compatibility, building setbacks, and traffic impact. |
| c. | Oak Ridges Moraine Plan (ORM) | <ul style="list-style-type: none">▪ The subject lands are located within the Oak Ridges Moraine Conservation Plan boundary and are designated "Settlement Area". The subject lands are located within a plan subdivision approved prior to the approval of the ORM Conservation Plan. Current ORM policy requires an Oak Ridges Moraine Conservation Plan conformity letter to be submitted for the City's review. This letter will be required as part of a Site Development application, should the Zoning By-law Amendment application be approved. |

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| | MATTERS TO BE REVIEWED | COMMENT |
|----|-----------------------------------|--|
| 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 and/or respective public approval authority: <ul style="list-style-type: none"> - Planning Justification Report - Stormwater Management and Functional Servicing Report (FSR) - Transportation Study - Preliminary Environmental Noise Analysis ▪ Additional reports or studies may be required as part of the development application review process. |
| e. | 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 development application is approved. If servicing is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which can be removed once servicing capacity is identified and allocated to the lands by Vaughan Council. |
| f. | 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 of Parkland Policy, should a future Site Development application 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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| | MATTERS TO BE REVIEWED | COMMENT |
|----|---------------------------------|--|
| g. | Site Development Application | <ul style="list-style-type: none"> ▪ A Site Development Application is required to permit the proposed development and will be reviewed in consideration of, but not limited to: <ul style="list-style-type: none"> - appropriate building design and materials - site design, massing, scale, height and building/unit orientation and upgraded flankage building elevation designs - interface with the existing neighbourhood park and the existing residential lots to the south - the provision of an appropriate on-site amenity area - the location of the air conditioning units - pedestrian and barrier free accessibility - appropriateness of proposed building setbacks - appropriate driveway and vehicular access - appropriate amenity area and landscaping - environmental sustainability - servicing and grading - stormwater management and water balance report - snow storage areas on the site - appropriate provisions for waste management - proper vehicular turning movements on the proposed private road and adequate road width to accommodate service vehicles (e.g. fire and garage trucks) - the relationship of the proposed built form and design with the immediate surrounding area and site - consistency with Block 11 “The Valleys of Thornhill Urban Design Guidelines” and the Block 11 Architectural Guidelines - the Owner must satisfy all requirements of the Block 11 Developers Group Agreement and will be required to satisfy all obligations, financial and otherwise, to the satisfaction of the Block 11 Trustee and the City of Vaughan |

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| | MATTERS TO BE REVIEWED | COMMENT |
|----|--|---|
| h. | Sustainable Development | <ul style="list-style-type: none">▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (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 application is approved. |
| i. | Draft Plan of Condominium Application | <ul style="list-style-type: none">▪ If the development proposal is approved, a Draft Plan of Condominium Application will be required to tie common elements (i.e. private road internal sidewalk, visitor parking, and common landscaped amenity areas) to be owned and maintained by a future condominium corporation. |
| j. | Toronto and Region Conservation Authority (TRCA) | <ul style="list-style-type: none">▪ The development of the subject lands must satisfy the requirements of the Source Protection Plan under the <i>Clean Water Act, 2006</i>. The purpose of a Source Protection Plan is to outline how water quality and quantity for the municipal drinking water systems will be protected. A site-specific water balance assessment has been included within the Functional Servicing Report (FSR) submission and is subject to review and approval by the TRCA. |

Financial Impact

Not applicable.

Broader Regional Impacts/Considerations

The application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified through the circulation will be addressed when the technical report is considered.

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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 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.

This report was prepared in consultation with the Director of Development Planning and the Senior Manager of Development Planning. For more information, please contact: Laura Janotta, Planner, Development Planning Department, Extension 8634.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Proposed Zoning
4. Typical Conceptual Front Elevations
5. Perspective Rendering

Prepared by

Laura Janotta, Planner, ext. 8634
Stephen Lue, Senior Planner, ext. 8210

(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.)

Subject:

Z.17.037 Pala Builders FW: Unacceptable ro

**PUBLIC HEARING
COMMUNICATION**

C1

Date: Mar 6/18 ITEM NO. 5

From: [REDACTED]

Sent: Wednesday, February 28, 2018 5:44 PM

To: Bevilacqua, Maurizio <Maurizio.Bevilacqua@vaughan.ca>; Gillis, Jacquelyn <Jacquelyn.Gillis@vaughan.ca>; Liscio, Alexandria <Alexandria.Liscio@vaughan.ca>; Janotta, Laura <Laura.Janotta@vaughan.ca>

Cc: Ciafardoni, Joy <Joy.Ciafardoni@vaughan.ca>

Subject: Unacceptable road condition on Crimson Forest Drive . I am against approval of the new constaction site in the area.

Dear All,

I would like to bring to your attention the problems in my residential area.

The nearby roads have became filthy dirty again with much dust in the surrounding air from ongoing construction activity. I had to change 2 of my car tires because something on Crimson Forest Drive, left behind from construction, cut one tire beyond repair. Please flush the Crimson Forest Drive with water as the weather warms up.

I contacted the city of Vaughan in a past with another issue about high level **silica dust** in the area (last summer, fall months from cutting on-site stone veneer on currently built townhouses) and I got reply that there is no By-law exist regarding level of dust in the residential area. If the city does not care about health of their residents who will? I have breathing problem and I dread now the upcoming spring and summer months when the construction workers start to cut those stones again. Is it any Government agency in Canada responsible for air quality in residential area?

Now, the City of Vaughan in approval process of building another 126 townhouses in our area, leaving the residents of the area to be exposed to more dust, noise and dirty roads for years to come. I just wonder, if any By-law exist for how many years the developer can continue construction in very close proximity to the existing neighbourhood? I have lived in the area since 2008. Should our property taxes will be revised and reflect the taxes as for people living in construction zone?

As a resident of the area I am against of building new 126 townhouses.

File #: Z.17.037 Pala Builders Inc, Marc Santi Blvd and Crimson Forest Dr.

If the building of public school is unnecessary, then the existing park area can be extended to Block 11. With all the new townhouses construction, going on right now on the Crimson Forest Drive, we have no greenery left in the area. Besides, why the architects do not follow the existing neighborhood design according to the city of Vaughan "Urban Design Guidelines for Infill Development in Established Low Rise Residential neighbourhoods"? Why does city of Vaughan approve the design of those ugly townhouses that don't look like our existing neighbourhood? In fact, our neighbourhood houses now look like they don't belong to the area.

Thank you for your time and consideration.

Sincerely,

PS. I request that my e-mail and name will not be disclosed in the public records.

Subject:

File#Z.17.037 -Pala Builders.

PUBLIC HEARING COMMUNICATION C 2
Date: Mar 6/18 ITEM NO. 5

-----Original Message-----

From: SHARON KATZ [mailto: [REDACTED]]
Sent: Friday, February 23, 2018 8:18 PM
To: DevelopmentPlanning@vaughan.ca
Subject: File#Z.17.037

Re: Pala builders application to Rezone area parts of lot 16 and 17, concession 2.

We are opposed to this property being rezoned for town houses. We live at [REDACTED] Marc Santi Blvd. we are the closest house to this proposed project. We purchased our house and moved from city of Toronto to be in a less densely populated area. Since they built the town house going west of our house towards Dufferin street the traffic on Marc Santi has become intolerable. By continuing to increase the density you are further endangering people who live on Marc Santi with the traffic. It is difficult now to back out of our driveway. Last year the young man living next door to us was hit by a car crossing the street. He spent several months in the hospital. After the child was released from the hospital, the parents moved. They were terrified, by what happened.

This is supposed to be a residential street and it is becoming a highway.

People become extremely impatient because of the amount of traffic on this street, and try to pass other cars and it is going to result in a fatality.

It is unfair to us to change this zoning as it will also diminish the value of our home. It also diminishes the quality of enjoyment of our property when you have so much traffic on this street.

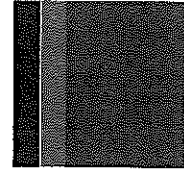
You have a wonderful park, and reservoir area, that people threw out the neighborhood come to enjoy; by increasing the density of the housing in this area you are jeopardizing the enjoyment of this area. So many people come and park in front of that area to access the park, and you will make it more difficult and dangerous by eliminating so much of the parking. Forcing people to park on the opposite side of the street and cross a busy street with young children.

Yours truly,

Sharon and Gary Katz.

Sent from Sharon's iPad.

Carrville Mills Ratepayers' Association



**PUBLIC HEARING
COMMUNICATION**

Date: Mar 6/18 **ITEM NO.** 5 **CA**

March 6, 2018

Sirs/Mesdames:
Committee of the whole
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Barbara A. McEwan, City Clerk

Dear Sirs/Mesdames:

We are the Carrville Mill Ratepayers' Association and are writing to inform the Committee of the Whole of our concerns regarding the proposed Zoning By-law Amendment application (File No. Z.17.037) by Pala Builders Inc. for the property at the southeast corner of Crimson Forest Drive and Marc Santi Boulevard.

Introduction - Carrville Mills Ratepayers' Association

The Carrville Mills Ratepayers' Association was formed on February 19, 2018 to promote, protect and represent the public interests of our community. Our membership is representative of those residing in the area bounded on the north by Major Mackenzie Drive, on the east by Bathurst Street, on the south by Rutherford Road and on the west by Dufferin Street.

The Carrville Mills Ratepayers' Association was recently registered with the City of Vaughan and we are experiencing rapid membership growth as residents become aware of the community engagement opportunities to help shape their community.



We envision our association will facilitate active engagement in the planning matters of our new community. We believe we offer a collection of community interests should inform planning decision that enhance the livability of our community.

Comments

Our association has reviewed the proposed development and are of the opinion the proposal is overdevelopment. The proposal does not respect or reinforce the existing development in the immediate area. The proposed development does not comply with the Vaughan Official Plan for the reasons outlined below.

The Vaughan Official Plan establishes the stability of Community Areas as an objective of Council.

Policy 2.2.3.2 states that Community Areas are considered Stable Areas and therefore Community Areas with existing development are not intended to experience significant physical change.

Recognizing that our Community Area is still evolving, the Vaughan Official Plan permits new developments where the existing scale, height, massing, lot pattern, building type, character, form and planned function of the established neighbourhood are respected and reinforced in accordance with the urban design and built form policies of Chapter 9.

Policy 9.1.2.2 states that new development will be designed to respect and reinforce the physical character of the established neighbourhood through the following design elements:

- a. The local pattern of lots, streets and blocks;
- b. The size and configuration of lots;
- c. The building type of nearby residential properties;
- d. The heights and scale of nearby residential properties;
- e. The setback of buildings from the street;
- f. The pattern of rear and side-yard setbacks...

The physical character of existing development in the immediate local area is regulated by the RD3 -Residential Detached Three Zone of the Vaughan Zoning By-law, as is the site of the development proposal.

The RD3 Zone provides basis for understanding the existing scale, height, massing, lot pattern, building type, character, form and function that the development proposal must respect and reinforce.



The RD3 Zone provisions include:

| | |
|--------------------------------|-----------|
| Minimum Lot Frontage: | 12 m |
| Minimum Lot Area: | 360 sq.m. |
| Minimum Front Setback: | 4.5 m |
| Minimum Rear Setback: | 7.5 m |
| Minimum Interior Side Setback: | 1.2m |
| Minimum Exterior Side Setback: | 4.5m |
| Minimum Landscape Coverage: | 10% |
| Maximum Lot Coverage: | 40% |
| Maximum Height: | 9.5 m |

Paying particular attention to the physical character of the immediately adjacent area (i.e. Apple Grove Court), we find that the development proposal fails to provide the appropriate transition required to respect and reinforce the existing development for the following reasons:

1. The new development proposes a minimum 5.41 m rear yard setback to the immediately adjacent area, where a minimum of 7.5 m exists. This proposal fails to respect the pattern of building separation as an element defining the existing physical character of this area.
2. The new development proposes townhouse blocks (#1-3) immediately adjacent to single family lots, which fails to reinforce the lot size, configuration and building type elements defining the existing physical character of this area.
3. The new development proposes building heights of 11.11 m and three storey building scale immediately adjacent to existing two storey buildings and 9.5 m building heights. This proposal fails to respect the height and scale of the physical character of the existing area.
4. The new development proposes blocks (#1-3) with outdoor amenity spaces (patios) at the second floor (greater than 2.8 m above grade), which fails to create an appropriate visual relationship with the physical character of the existing area. The proposed development will create an overlook condition that does not respect the privacy of adjacent outdoor amenity areas.

Turning our attention to the interior of the development we find that the proposal fails to provide a comfortable environment for future residents that would positively contribute to the livability of the community area. Example of these proposed conditions is described in the following comments:



5. The new development proposes internal block separations of 11.16 m, where the Vaughan Official Plan requires a minimum of 18 m in order to maximize daylight, enhance landscaping treatments and provide privacy for individual units. This proposal does not meet the minimum facing distances required for daylighting, landscaping and privacy of the public realm.
6. The proposed network of interior sidewalks is discontinuous and is void of any relationship to outdoor amenity space within the site. Opportunities for a central amenity space extending from the adjacent parkland (Carrville Mill Park) should be explored and the buildings should be oriented to such open space to create a comfortable environment for residents.

Closure

Thank you for the opportunity for the Carrville Mills Ratepayers' Association to participate in the public planning process for the proposed development. As outlined in our comments, we share the opinion that the proposed zoning bylaw amendment application does not comply with the Vaughan Official Plan. The development proposal does not respect or reinforce the existing development in the immediately adjacent area and it representative of overdevelopment of the site.

Our association looks forward to working with the City of Vaughan and Pala Builders Inc. to revised the development proposal and create an opportunity that contributes to the livability of our community. We are prepared to participate in more fulsome design discussions to create a development proposal that respects and reinforces the existing physical character of the neighbourhood.

Sincerely,

Carrville Mills Ratepayers' Association

c.c. Executive Office, Carrville Mills Ratepayers' Association
Sandra Yeung Racco, Councillor, Ward 4
Laura Janotta, Planner, Development Planning
Mauro Peverini, Manager, Development Planning



Item: 5



Committee of the Whole (Public Hearing) Report

DATE: Tuesday, March 06, 2018

WARD: 4

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.17.037
PALA BUILDERS INC.
VICINITY OF DUFFERIN STREET AND RUTHERFORD ROAD**

FROM:

Jason Schmidt-Shoukri - Deputy City Manager, Planning & Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole for Zoning By-law Amendment File Z.17.037 on the subject lands shown on Attachments #1 and #2, to permit the development of 126, 3-storey condominium townhouse units accessed by private common element roads, as shown on Attachments #3 to #5.

Recommendation

1. THAT the Public Hearing report for File Z.17.037 (Pala Builders Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

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Public Notice was provided in accordance with the Planning Act and Council's Notice Signs Procedures and Protocol

- a) Date the Notice of Public Hearing was circulated: February 9, 2017.

The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and Notice Signs were installed along the Crimson Forest Drive and Marc Santi Boulevard street frontages, in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m

- c) Comments Received:

Email from Lorne Sederoff, a resident advising that the proposed site plan provides no green amenity space.

Any additional 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 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.

Previous Reports/Authority

Not applicable.

Analysis and Options

The development proposal conforms to Vaughan Official Plan 2010 Low-Rise Residential policies.

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010). This designation permits detached and townhouse dwelling units having a maximum permitted building height of 3-storeys with no prescribed density requirement.

The subject lands are located within a “Community Area” identified on Schedule 1 “Urban Structure” and are subject to the Community Areas policies of VOP 2010. Policy 9.1.2.2 requires that new development within the Community Areas respect and reinforce the existing scale, height, massing, lot pattern, building type, character, form, and function of the local area. VOP 2010 identifies compatibility criteria for new development in a “Community Area”. The compatibility criteria direct that new development be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. The immediate area is developed with detached, semi-detached and townhouse dwellings, as shown on Attachment #2.

Policy 9.2.3.2. identifies development criteria for townhouse dwelling units, which states that townhouses shall be up to 3-storeys in height and not more than six attached residential units in a row. The proposed development concept shown on Attachment #3 shows Blocks with seven and eight units in a row. The site design must be in conformity with Policy 9.2.3.2. The applicant submitted a planning Justification Report including an opinion on the appropriateness of the proposed seven and eight unit townhouse blocks, which is under review.

VOP 2010 permits limited intensification in Community Areas provided the proposed development is sensitive to and compatible with the character, form and planned function of the surrounding context. The proposed development will be reviewed in consideration of the surrounding lands uses.

On October 19, 2016, Council adopted the "Vaughan Community Areas and Low-Rise Residential Areas Study" and approved the "Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods", to support the VOP 2010 policies respecting compatibility of infill and townhouse development. The subject lands are located within Block 11, which is not identified as a “Established Community Area”, and therefore are not subject to these policies.

The Block 11 Community Plan in which the subject lands are located in, identifies the subject lands as a "Future Elementary School" site. The YRDSB has confirmed that the site is no longer required for a school. The proposed townhouse use conforms to the "Low-Rise Residential" designation.

Exceptions to Zoning By-law 1-88 are required to permit the proposed development

The subject lands are zoned RD3 Residential Detached Zone Three by Zoning By-law 1-88. The RD3 Zone permits only detached dwellings on lots having a minimum lot frontage and lot area of 12 m and 324 m², respectively.

A townhouse unit, is not a permitted use in the RD3 Residential Zone. Therefore, an amendment to Zoning By-law 1-88 is required to permit the proposed development shown on Attachments #3 to #5. The Owner proposes to rezone the subject lands to a RT1 Residential Townhouse Zone with the following site-specific zoning exceptions.

Table 1:

| | Zoning By-law 1-88 Standard | RT1 Residential Townhouse Zone Requirements | Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements |
|----|--|--|---|
| a. | Definition of a “Lot” | Means a parcel of land fronting on a street. | Means a parcel of land fronting onto a public or private street. |
| b. | Definition of “Street Townhouse Dwelling” | Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street. | Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street or a private street. |
| c. | Definition of “Street Line” | Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street. | Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a public street or private road. |
| d. | Frontage on a Public Street | No person shall erect a building unless the lot upon which it is located fronts upon a public street. | No person shall erect a building unless the lot upon which it is located fronts upon a public street or a private road. |

5.5

| | Zoning By-law 1-88 Standard | RT1 Residential Townhouse Zone Requirements | Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements |
|----|---|--|--|
| e. | Maximum Number of Units Per Block | 6 units | 8 units (Blocks 1, 3, & 16) 7 units (Blocks 4, 7 to 15 inclusive) |
| f. | Minimum Driveway Width (based on lot frontage) | 3.5 m wide driveway (based on a lot frontage of 6 m to 6.99 m) | 3.16 ((Blocks 1, 2, 3) based on lot frontage of 5.55 m to 6.99 m) |
| g. | Minimum Lot Depth | 27 m | 18.55 m |
| h. | Maximum Building Height | 11 m | 12 m |
| i. | Minimum Lot Frontage | 6 m/unit | 5.5 m (Block 1, Block 2 & Block 3) |
| j. | Minimum Lot Area | 162 m ² | 110 m ² |

5.6

| | Zoning By-law 1-88 Standard | RT1 Residential Townhouse Zone Requirements | Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements |
|----|---|--|--|
| k. | Minimum Yards | i) Front Yard (Marc Santi Blvd) - 4.5 m ii) Front Yard Setback to Garage 6.4 m iii) Exterior Side Yard - 4.5 m iv) Rear Yard - 7.5 m | i) Front Yard - 4 m (Blocks 17, 18, & 19) ii) Front Yard Setback to Garage 6 m (Blocks 1, 2 & 3) iii) Exterior Side (Block 1) - 4 m (Block 3 - 3.9 m) iv) Rear Yard - 5.4 m (Blocks 1, 2 and 3) v) Rear Yard - 0 m (Blocks 4 - 19) |
| l. | Maximum Interior Garage Dimension | 3.048 m | Blocks 1, 2 & 3 3.1 m (Interior Units) 3.4 m (End Units) Blocks 4 to 19 5.7 m |
| m. | Rear Yard Encroachment (Deck) | 1.8 m | Blocks 1 to 3 - 1.9 m |
| n. | Exterior Side Yard Setback to Site Triangle | 3 m | 0.3 m (Blocks 16 and 19) |

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

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

| | MATTERS TO BE REVIEWED | COMMENT |
|----|--|--|
| a. | Provincial Policies, Regional and City Official Plan Policies | <ul style="list-style-type: none"> ▪ The proposed development will be reviewed in consideration of the applicable Provincial policies, Regional and City Official Plan policies. |
| b. | Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions | <ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning to permit the proposed development will be reviewed in consideration of, but not limited to, the existing and planned surrounding land uses, lot size and configuration, transition to the existing detached dwellings to the south, built form compatibility, building setbacks, and traffic impact. |
| c. | Oak Ridges Moraine Plan (ORM) | <ul style="list-style-type: none"> ▪ The subject lands are located within the Oak Ridges Moraine Conservation Plan boundary and are designated “Settlement Area”. The subject lands are located within a plan subdivision approved prior to the approval of the ORM Conservation Plan. Current ORM policy requires an Oak Ridges Moraine Conservation Plan conformity letter to be submitted for the City’s review. This letter will be required as part of a Site Development application, should the Zoning By-law Amendment application be approved. |

| | MATTERS TO BE REVIEWED | COMMENT |
|----|------------------------------|--|
| 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 and/or respective public approval authority: <ul style="list-style-type: none"> - Planning Justification Report - Stormwater Management and Functional Servicing Report (FSR) - Transportation Study - Preliminary Environmental Noise Analysis ▪ Additional reports or studies may be required as part of the development application review process. |
| e. | 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 development application is approved. If servicing is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which can be removed once servicing capacity is identified and allocated to the lands by Vaughan Council. |
| f. | 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 of Parkland Policy, should a future Site Development application 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. |
| g. | Site Development Application | <ul style="list-style-type: none"> ▪ A Site Development Application is required to permit the proposed development and will be reviewed in consideration of, but not limited to: <ul style="list-style-type: none"> - appropriate building design and materials |

| | MATTERS TO BE REVIEWED | COMMENT |
|----|-------------------------------|--|
| | | <ul style="list-style-type: none"> - site design, massing, scale, height and building/unit orientation and upgraded flankage building elevation designs - interface with the existing neighbourhood park and the existing residential lots to the south - the provision of an appropriate on-site amenity area - the location of the air conditioning units - pedestrian and barrier free accessibility - appropriateness of proposed building setbacks - appropriate driveway and vehicular access - appropriate amenity area and landscaping - environmental sustainability - servicing and grading - stormwater management and water balance report - snow storage areas on the site - appropriate provisions for waste management - proper vehicular turning movements on the proposed private road and adequate road width to accommodate service vehicles (e.g. fire and garage trucks) - the relationship of the proposed built form and design with the immediate surrounding area and site - consistency with Block 11 "The Valleys of Thornhill Urban Design Guidelines" and the Block 11 Architectural Guidelines - the Owner must satisfy all requirements of the Block 11 Developers Group Agreement and will be required to satisfy all obligations, financial and otherwise, to the satisfaction of the Block 11 Trustee and the City of Vaughan |
| h. | Sustainable Development | <ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (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 application is approved. |

| | MATTERS TO BE REVIEWED | COMMENT |
|----|--|---|
| i. | Draft Plan of Condominium Application | <ul style="list-style-type: none"> If the development proposal is approved, a Draft Plan of Condominium Application will be required to tie common elements (i.e. private road internal sidewalk, visitor parking, and common landscaped amenity areas) to be owned and maintained by a future condominium corporation. |
| j. | Toronto and Region Conservation Authority (TRCA) | <ul style="list-style-type: none"> The development of the subject lands must satisfy the requirements of the Source Protection Plan under the <i>Clean Water Act, 2006</i>. The purpose of a Source Protection Plan is to outline how water quality and quantity for the municipal drinking water systems will be protected. A site-specific water balance assessment has been included within the Functional Servicing Report (FSR) submission and is subject to review and approval by the TRCA. |

Financial Impact

Not applicable.

Broader Regional Impacts/Considerations

The application has been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified through the circulation 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 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.

This report was prepared in consultation with the Director of Development Planning and the Senior Manager of Development Planning. For more information, please contact: Laura Janotta, Planner, Development Planning Department, Extension 8634.

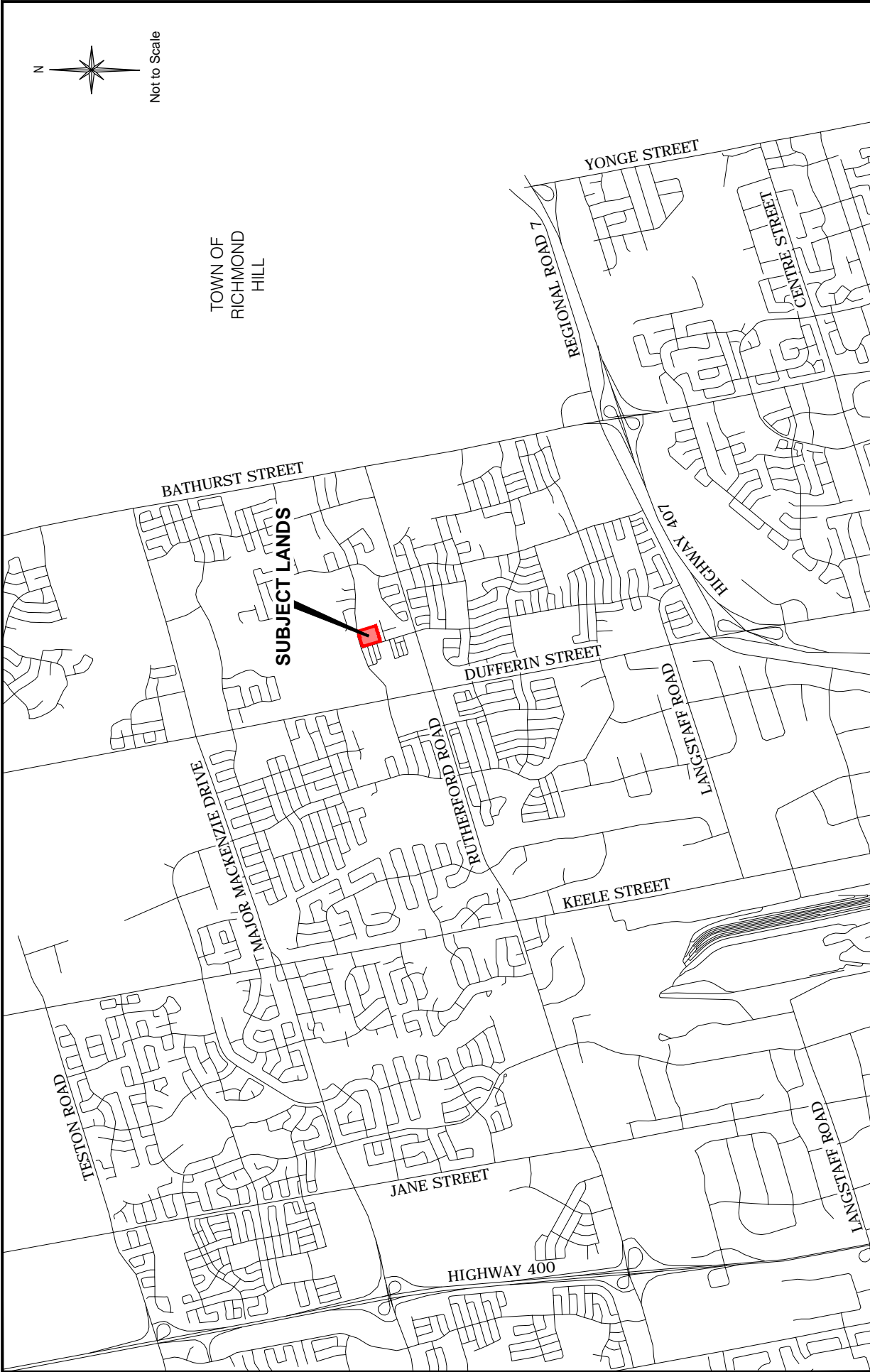
Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Proposed Zoning
4. Typical Conceptual Front Elevations
5. Perspective Rendering

Prepared by

Laura Janotta, Planner, ext. 8634
Stephen Lue, Senior Planner, ext. 8210

/LG



Attachment

File:
Z.17.037
Date:
March 6, 2018



Context Location Map

Location: Part of Lots 16 & 17,
Concession 2

Applicant:
Pala Builders Inc.

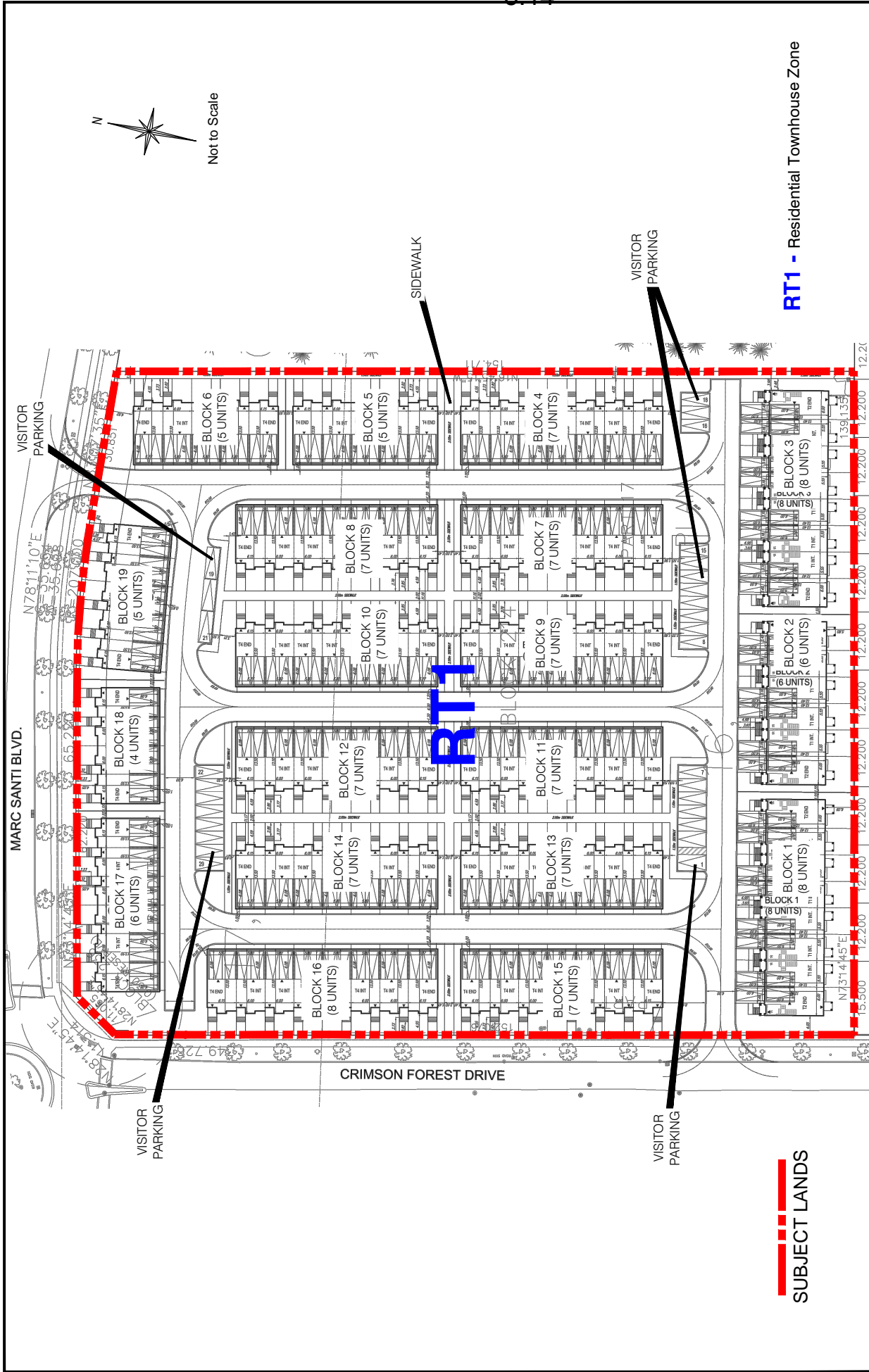
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*Location: Part of Lots 16 & 17,
Concession 2*

Applicant:
Pala Builders Inc.

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Attachment

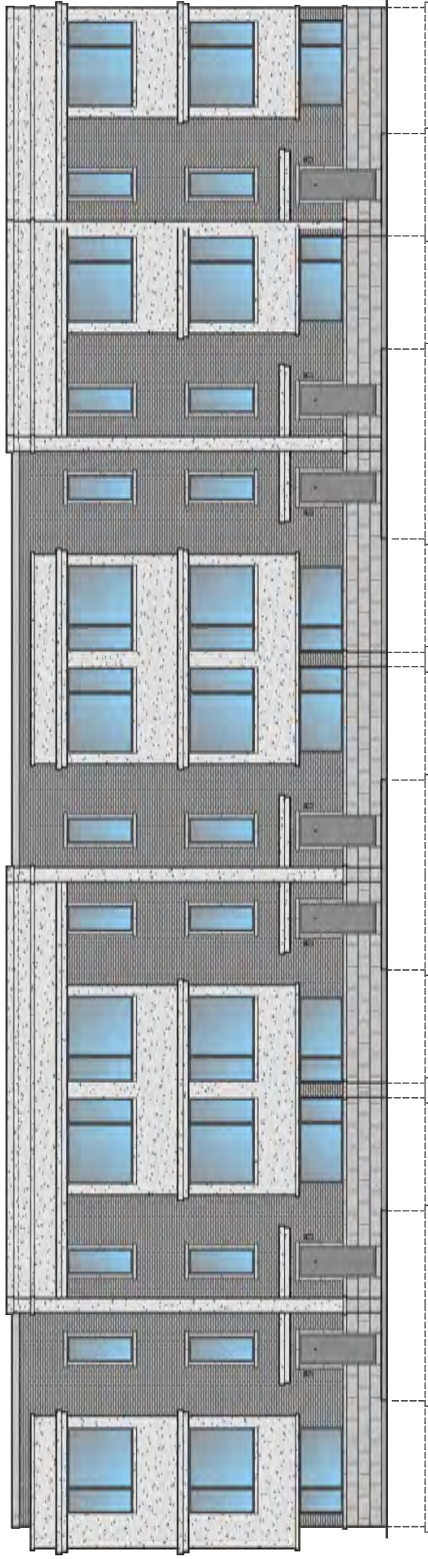
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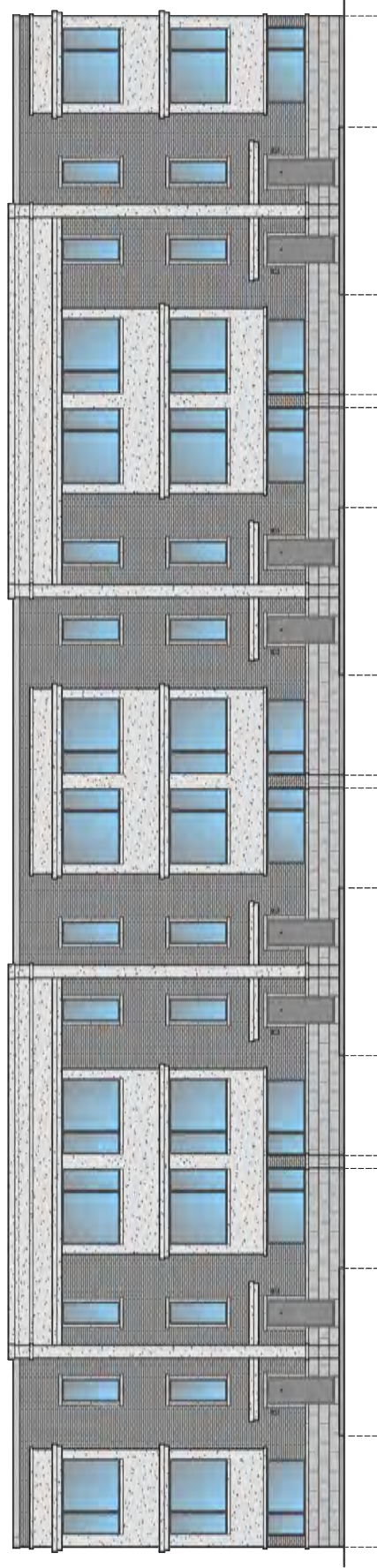
Conceptual Site Plan and
Proposed Zoning

Applicant: Pala Builders Inc.
Location: Part of Lots 16 & 17,
Concession 2

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TYPICAL ELEVATION (BLOCK 4) FRONTING ONTO CRIMSON FOREST DRIVE



TYPICAL ELEVATION (BLOCK 16) FRONTING ONTO PROPOSED PARK

Not to Scale

Typical Conceptual Front Elevations

Applicant: Pala Builders Inc.
Location: Part of Lots 16 & 17,
Concession 2
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Attachment

File: Z.17.037
Date: March 6, 2018

4



Not to Scale

Perspective Rendering

Location: Part of Lots 16 & 17,
Concession 2

Applicant:
Pala Builders Inc.

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Attachment

File:
Z.17.037
Date:
March 6, 2018

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