

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 13, Report No. 26, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 27, 2017, as follows:

By approving the following:

That the Ontario Municipal Board be advised that City of Vaughan Council ENDORSES the following recommendations:

- 1. THAT Official Plan Amendment File OP.16.001 (2464879 Ontario Inc. (City Park Homes)), to amend Vaughan Official Plan 2010, specifically to redesignate the subject lands shown on Attachments #1 and #2 from "Community Commercial Mixed-Use" to "Low-Rise Residential" BE APPROVED;***
- 2. THAT Zoning By-law Amendment File Z.16.001 (2464879 Ontario Inc. (City Park Homes)), to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from R1 Residential Zone, partially subject to Exception 9(329) (southerly portion), to RM2 Multiple Residential Zone, together with the site-specific zoning exceptions to the RM2 Multiple Residential Zone standards identified in Table 1, to facilitate a 56 unit townhouse development BE APPROVED;***
- 3. THAT Site Development File DA.16.003 (2464879 Ontario Inc. (City Park Homes)), to facilitate 56 three-storey freehold townhouse units, as shown on Attachments #4 to #6, BE APPROVED;***
- 4. THAT Draft Plan of Condominium (Common Elements) File 19CDM-16V002 (2464879 Ontario Inc. (City Park Homes)), to create common elements (to be managed by a future condominium corporation) including visitor parking spaces, private roads, walkways and a private parkette, as shown on Attachment #7, BE APPROVED;***
- 5. THAT should the Ontario Municipal Board approve Official Plan Amendment File OP.16.001, Zoning By-law Amendment File Z.16.001, Site Development File DA.16.003 and Draft Plan of Condominium (Common Element) File 19CDM-16V002, either in whole or in part, that the Ontario Municipal Board withhold its final Decision/Order until such time that:***
 - a) the implementing Official Plan Amendment is prepared to the satisfaction of the City;***
 - b) the implementing Zoning By-law is prepared to the satisfaction of the City;***
 - c) the final plans and conditions of Site Plan and Draft Plan of Condominium (Common Elements) approval are obtained and approved by the following City Departments and external agencies:***
 - i) the Development Planning Department;***
 - ii) the Development Engineering and Infrastructure Planning Department;***
 - iii) the Parks Development Department;***
 - iv) the Office of the City Solicitor - Real Estate Division;***
 - v) York Region;***
 - vi) Ministry of Transportation; and***
 - vii) all required utility companies (i.e. Canada Post, Bell, Rogers, Alectra Utilities Corporation, and Enbridge Gas).***

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- d) *That the Owner's appeal of Vaughan Official Plan 2010 (Appeal #159) (OMB Case No. PL111184) to the Ontario Municipal Board be resolved, to the satisfaction of the Office of the City Solicitor and Deputy City Manager, Planning & Growth Management.*
6. *THAT City of Vaughan legal staff be directed to attend the Ontario Municipal Board Hearing in support of the Council recommendation regarding the respective applications for Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements).*

By approving that staff continue to work towards, and be authorized to resolve the issue of the road pattern;

By approving that the confidential recommendation of the Council (Closed Session) meeting of June 27, 2017, be received; and

By receiving communication C31 from Mr. Mario Racco, Brownridge Ratepayers Association, Ms. Pauline Durso, Glen Shields Ratepayers Association, and BGRA Executive Committee, Beverly Glen Ratepayers' Association.

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OFFICIAL PLAN AMENDMENT FILE OP.16.001
ZONING BY-LAW AMENDMENT FILE Z.16.001
SITE DEVELOPMENT FILE DA.16.003
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-16V002
2464879 ONTARIO INC. (CITY PARK HOMES)
WARD 5 - VICINITY OF DUFFERIN STREET AND CENTRE STREET

The Committee of the Whole 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 June 20, 2017, be approved;
- 2) That the confidential recommendation of the Committee of the Whole (Closed Session) meeting of June 20, 2017, be approved; and
- 3) That the following deputations and communications, be received:
 1. Mr. Leo Longo, Aird & Berlis Bay Street, Toronto, and Communication C7, dated June 19, 2017;
 2. Mr. Philip Antecol, King High Drive, Thornhill;
 3. Mr. Josh Martow, Coldwater Court, Thornhill and Communication C27, dated June 20, 2017; and
 4. Ms. Ronda Goldberg, King High Drive, Thornhill.

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend that the Ontario Municipal Board be advised that City of Vaughan Council ENDORSES the following recommendations:

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1. THAT Official Plan Amendment File OP.16.001 (2464879 Ontario Inc. (City Park Homes)), to amend Vaughan Official Plan 2010, specifically to redesignate the subject lands shown on Attachments #1 and #2 from "Community Commercial Mixed-Use" to "Low-Rise Residential" BE REFUSED, as the development proposal is not consistent with the proposed public road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3.
2. THAT Zoning By-law Amendment File Z.16.001 (2464879 Ontario Inc. (City Park Homes)), to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from R1 Residential Zone, partially subject to Exception 9(329) (southerly portion), to RM2 Multiple Residential Zone, together with the site-specific zoning exceptions to the RM2 Multiple Residential Zone standards identified in Table 1, to facilitate a 56 unit townhouse development BE REFUSED, as the development proposal is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3.
3. THAT Site Development File DA.16.003 (2464879 Ontario Inc. (City Park Homes)), to facilitate 56 three-storey freehold townhouse units, as shown on Attachments #4 to #6, BE REFUSED, as the development proposal is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3.
4. THAT Draft Plan of Condominium (Common Elements) File 19CDM-16V002 (2464879 Ontario Inc. (City Park Homes)), to create common elements (to be managed by a future condominium corporation) including visitor parking spaces, private roads, walkways and a private parkette, as shown on Attachment #7, BE REFUSED, as the Draft Plan of Condominium proposal is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3.
5. THAT should the Ontario Municipal Board approve Official Plan Amendment File OP.16.001, Zoning By-law Amendment File Z.16.001, Site Development File DA.16.003 and Draft Plan of Condominium (Common Element) File 19CDM-16V002, either in whole or in part, that the Ontario Municipal Board withhold its final Decision/Order until such time that:
 - a) the implementing Official Plan Amendment is prepared to the satisfaction of the City;
 - b) the implementing Zoning By-law is prepared to the satisfaction of the City;
 - c) the final plans and conditions of Site Plan and Draft Plan of Condominium (Common Elements) approval are obtained and approved by the following City Departments and external agencies:
 - i) the Development Planning Department;
 - ii) the Development Engineering and Infrastructure Planning Department;
 - iii) the Parks Development Department;
 - iv) the Office of the City Solicitor - Real Estate Division;
 - v) York Region;
 - vi) Ministry of Transportation; and
 - vii) all required utility companies (i.e. Canada Post, Bell, Rogers, Alectra Utilities Corporation, and Enbridge Gas).

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- d) that the Owner's appeal of Vaughan Official Plan 2010 (Appeal #159) (OMB Case No. PL111184) to the Ontario Municipal Board be resolved, to the satisfaction of the Office of the City Solicitor and Deputy City Manager, Planning & Growth Management.
6. THAT City of Vaughan staff be directed to attend the Ontario Municipal Board Hearing in support of the recommendations contained in this report regarding the respective applications for Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements).

Contribution to Sustainability

The applications implement the following Goal and Objective of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with sustainable built form

In accordance with the goal and objective 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:

- the use of shade trees to reduce energy consumption and the heat island effect;
- low-flow and water conserving plumbing fixtures; and
- LED light fixtures throughout the site.

Economic Impact

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

Communications Plan

On May 27, 2016, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a notice sign was installed on the subject lands in accordance with the City's Notice Sign Procedures and Protocols.

On June 21, 2016, a Public Hearing was held for Official Plan Amendment File OP.16.001, Zoning By-law Amendment File Z.16.001 and Draft Plan of Condominium (Common Elements) File 19CDM-16V002. At the Public Hearing, the following deputations and written submissions were received:

Deputations

1. J. Leider, King High Drive, expressing concerns related to traffic on Dufferin Street and King High Drive.
2. J. Martow, Beverley Glen Ratepayers' Association, Coldwater Court, in support of the proposed development.
3. G. Barbieri, Campania Court, expressing concerns related to the proper studies being undertaken for the proposed development.
4. A. Halpern, Evita Crescent, in support of the proposed development.

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Written Submissions

1. R. Di Faviano, Belfield Court, via email correspondence dated June 17, 2016, objecting to the proposed density on the subject lands and the proposed wood fence treatment along the east property line.

Response

The proposed secondary plan for the Dufferin and Centre Street intersection, as shown on Attachment #3, has established the land use, height and density for the study area. The proposed development of the subject lands is consistent with the permissions being advanced as part of the draft Dufferin Street and Centre Area Specific Policies Official Plan Amendment. The proposed wood fence treatment along the easterly property line is a typical treatment for new developments to provide visual buffering and privacy.

2. Ten (10) letters all dated June 21, 2016, and one email dated June 23, 2016, in support of the proposal, from the following:
 - J. Greco, Centre Street, (email)
 - M. Goldkind, Centre Street
 - L. Shuster, no address given
 - S. Bogorodetski, no address given
 - A. Halpern, Evita Crescent
 - A. Spalierno, Oakmount Crescent
 - E. Iankelevic, Redford Place
 - J. Williams, Boom Road
 - Resident, Major Mackenzie Drive
 - V. Vsevolod, Yonge Street
 - U. Avner, Judith Avenue

The recommendation of the Committee of the Whole to receive the Public Hearing report of June 21, 2016, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on June 28, 2016.

On June 6, 2017, the Development Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the applications.

Purpose

To seek direction from the Committee of the Whole for the endorsement of the staff recommendations to refuse the following applications respecting the subject lands shown on Attachments #1 and #2, on the basis that the development proposal containing 56 freehold townhouse units, as shown on Attachments #4 to #7, is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, and would negatively impact the future redevelopment of the northeast quadrant:

1. Official Plan Amendment File OP.16.001, specifically to amend Vaughan Official Plan 2010, to redesignate the subject lands from “Community Commercial Mixed-Use” to “Low-Rise Residential”, together with exceptions related to the number of townhouse units in a row and the minimum facing distance between townhouse blocks.
2. Zoning By-law Amendment File Z.16.001 to rezone the subject lands from R1 Residential Zone, and partially subject to site-specific Exception 9(329), to RM2 Multiple Residential Zone, together with the site-specific zoning exceptions to the RM2 Multiple Residential Zone standards identified in Table 1 of this report.

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3. Site Development File DA.16.003 to permit 56 three-storey freehold townhouse units.
4. Draft Plan of Condominium (Common Elements) File 19CDM-16V002 to create common elements (to be managed by a future condominium corporation) including visitor parking spaces, private roads, walkways and a private parkette, as shown on Attachment #7.

Background - Analysis and Options

Synopsis

The Owner is proposing to develop the subject lands shown on Attachments #1 and #2 with 56 three-storey freehold townhouse units, as shown on Attachments #4 to #7. The subject lands are designated "Community Commercial Mixed-Use" by Vaughan Official Plan, 2010. The Owner has submitted Official Plan Amendment File OP.16.001 to redesignate the subject lands to "Low-Rise Residential", a land use designation which in itself is consistent with the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment that will be considered by the Committee of the Whole on June 20, 2017, under separate cover. However, the Development Planning Department does not support the Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications, as the development proposal is not consistent with the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment. As such, the proposed development, if approved, would negatively impact the planned comprehensive redevelopment of the northeast quadrant of the Study area and would not reflect the comments from Regional Transportation staff.

Location

The subject lands are 2.81 ha in size and are located on the east side of Dufferin Street, north of Centre Street, and are known municipally as 7803 and 7815 Dufferin Street. The surrounding land uses are shown on Attachment #2.

Land Use Policies and Planning Considerations

The Development Planning Department has reviewed the development proposal shown on Attachments #4 to #7 in consideration of the following policies:

1. Provincial Policy Statement 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2014 (PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS policies state, as follows (in part):

a) Section 1.1.1 of "Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns"

Section 1.1 of the PPS requires that development accommodate an appropriate range of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs.

b) Section 1.1.3 of "Settlement Areas"

1.1.3.1 - "Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted."

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1.1.3.3 - "Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs."

c) Section 1.2.1 of "Coordination"

"A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including (in part):

a) managing and/or promoting growth and development

d) Section 1.5.1 of "Public Spaces, Recreation, Parks, Trails and Open Space"

"Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (in part).

e) Section 1.6.7.5 of "Transportation Systems"

"1.6.7.5 Transportation and land use considerations shall be integrated at all stages of the planning process."

f) Section 4.7 of "Implementation and Interpretation"

"The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies."

The draft Dufferin Street and Centre Street Area Specific Policies (hereinafter referred to as "the draft Dufferin Centre Plan") will support the planning evolution of the study area by providing a framework for an appropriate street and block development pattern, municipal servicing and infrastructure and will establish the appropriate mix, location and density of planned land uses, and is therefore consistent with Section 1.1.1 of the PPS. The draft Dufferin Centre Plan proposes an integrated transportation network that is consistent with Section 1.5.1 of the PPS, and promotes the development of communities with healthy, safe, and pedestrian friendly streets that provide connectivity to the overall community.

The draft Dufferin Centre Plan, if adopted, would be consistent with Section 4.7 of the PPS wherein "the official plan is the most important vehicle for implementation" and that "comprehensive, integrated and long-term planning is best achieved through official plans." In addition, it identifies provincial interests and sets out appropriate land use designations and policies consistent with the PPS.

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The proposed site-specific Official Plan Amendment to redesignate the subject lands to “Low-Rise Residential” to permit a townhouse development facilitates a built form that is consistent with the Settlement Area policies (Section 1.1.3) of the PPS. It is also consistent with the proposed land use designation identified in the draft Dufferin Centre Plan for the subject lands.

The development proposal shown on Attachments #4 to #7 is not consistent with the PPS policies that support an integrated approach to land use and transportation considerations (Sections 1.2.1 and 1.6.7.5). The proposed road pattern utilizes two right-in / right-out access points and an internal private road network to serve the subject lands only, which is not consistent with the identified transportation and pedestrian network advocated within the land use of the draft Dufferin Centre Plan, as shown on Attachment #3. The proposed road pattern would serve only the subject lands to the exclusion of the required access considerations identified for the comprehensive redevelopment of the remainder of the northeast quadrant.

2. The Provincial Growth Plan for the Greater Golden Horseshoe

The Provincial Growth Plan for the Greater Golden Horseshoe Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan promotes intensification of existing built-up areas, with a focus on urban growth centres, intensification corridors and major transit stations. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan also encourages population and employment growth to be accommodated within the built up areas, and encourages the development of complete communities with a mix of housing types with access to local amenities.

Sections 3.1, 3.2.1 and 3.2.2 of the Growth Plan directs municipalities to coordinate infrastructure planning, land use planning, and infrastructure investment in order to implement the objectives of the Growth Plan.

The draft Dufferin Centre Plan identifies a proposed 18 m wide public road connecting Centre Street to Dufferin Street that is located along the easterly and northerly perimeter of the subject lands, as shown on Attachment #3. Corresponding studies for the draft Dufferin Centre Plan identify the proposed public road system as a key component in the creation of the draft Dufferin Centre Plan and the resultant building heights and densities. A critical component of the draft Dufferin Centre Plan is the internal public road network that is intended to provide greater capacity to support and accommodate vehicular and pedestrian traffic for the anticipated development levels through a direct connection to a signalized intersection at Dufferin Street. York Region and City transportation staff have confirmed their support for the public road network in their review of these applications for the subject lands.

The subject lands are located within an existing built-up area and have been identified in Vaughan Official Plan 2010 for non-residential intensification in the form of office, retail, cultural and entertainment uses. The proposed Official Plan Amendment to redesignate the subject lands for residential townhouse units represents an alternative form of intensification that would conform to certain policies of the Growth Plan, as the subject lands are proposed to be designated “Low-Rise Residential” by the draft Dufferin Centre Plan. However, the proposed development shown on Attachments #4 to #7 is not consistent with Growth Plan policies 3.1 (Infrastructure Planning), 3.2.1 (Land Use Planning) and 3.2.2 (Infrastructure Investment).

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3. York Region Official Plan 2010

The York Region Official Plan 2010 (YROP) guides economic, environmental and community building decisions across York Region. The subject lands are designated as an “Urban Area” on Map 1, “Regional Structure” of the YROP. The YROP also identifies Dufferin Street as a “Special Study Area” from Major Mackenzie Drive to Steeles Avenue West for a future north-south Regional Rapid Transit Corridor on Map 11, “Transit Network”.

Section 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” It also states that “the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements.” Further, Chapter 5 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region”.

Section 7.2.53 of the YROP provides the following policy direction: “to restrict vehicle access from developments adjacent to Regional streets to maximize the efficiency of the

Regional street system through techniques such as suitable local street access, shared driveways and interconnected properties. Exceptions may be made to this policy in Regional Centres and Corridors, and mainstreets.”

York Region staff has indicated that the proposed development does not comply with YROP policy 7.2.53, and that the proposed public road network identified in the draft Dufferin Centre Plan will provide appropriate access for the subject lands, upon redevelopment. Should Vaughan Council approve the draft Dufferin Centre Plan, York Region is the final approval authority.

The draft Dufferin Centre Plan Land Use, Density and Building Height Plan, as shown on Attachment #3, contains land use and development policies to support its transformation into an attractive, pedestrian-friendly and transit-supportive node through the application of a comprehensive and integrated approach to land use planning, supportive transportation, environmental sustainability, and urban design policies. These policies are consistent with the policies of the YROP.

4. Vaughan Official Plan 2010

The subject lands are designated “Community Commercial Mixed-Use” with a maximum permitted building height of four-storeys and a floor space index (FSI) of 1.5 times the area of the lot, and are located within a “Community Area” as identified on Schedule 1, “Urban Structure” of Vaughan Official Plan 2010 (VOP 2010). The “Community Commercial Mixed-Use” designation (Section 9.2.2.8) permits non-residential intensification in the form of office, retail, cultural and entertainment uses that will primarily serve residents of the immediate community.

The “Community Commercial Mixed-Use” designation does not permit residential uses, and therefore, an amendment to VOP 2010 is required to permit the proposed development shown on Attachments #4 to #7. The Owner is requesting an amendment to VOP 2010 to redesignate the subject lands to “Low-Rise Residential”.

In addition to the land use policies in Section 9.2.2.8 of VOP 2010, the following VOP 2010 policies apply to this development proposal:

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a) Section 4 - Transforming Transportation

Section 4.1.1.3 of VOP 2010 recognizes the integrated nature of land use, urban design, and transportation in land use planning decisions that support a full range of transportation options, and specifically prioritizes opportunities to enhance walking, cycling and transit options.

b) Section 9.2.3.2 – Building Types and Development Criteria – Townhouses

VOP 2010 provides the following development criteria for townhouse dwellings:

- that one block of townhouses shall consist of no more than six attached residential dwellings;
- that townhouse dwellings shall generally front onto a public street; and
- that blocks of townhouses that are not separated by a public street shall have a minimum facing distance of 18 m.

The Owner is requesting an exception to Section 9.2.3.2 in order to permit a townhouse development accessed by a private condominium road including blocks with eight townhouse units in a row and a minimum facing distance of 13 m between Blocks 1, 2 and 4, and 7, 8 and 9, as shown on Attachment #4.

c) Section 10 - Implementation

Section 10.1.1.6 of VOP 2010 states that “where it has been determined that a Secondary Plan is required but not yet completed, no amendments to VOP 2010 or the Zoning By-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area.”

Section 10.1.1.12 of VOP 2010 states that “notwithstanding the policies concerning the Required Secondary Plan Areas identified in Schedule 14-A, Council may permit the continuance of processing of an existing development application submitted prior to May 17, 2010 when it is demonstrated to Council’s satisfaction that the proposed development is generally compatible with the vision contemplated in the Official Plan; is significant in terms of its contribution to city-building; and that the proposal could be adversely affected because of any delay caused by having to adhere to the timing of a secondary plan process.” This policy was intended to permit the continuance of an existing development application that was in process in an area identified as a “Required Secondary Plan Area” prior to the adoption of VOP 2010 in September, 2010. The subject applications were submitted in January, 2016, and April, 2016, respectively. Accordingly, they do not meet the intent of this policy or the requirement that the applications were “existing” or submitted prior to May 17, 2010.

Section 10.2.1.7 of VOP 2010 permits minor variations to the numerical standards contained in VOP 2010 without the need for an Official Plan Amendment, with the exception of any variations to floor space index, building height or environmental standards, provided that such variations respond to unique conditions or the context of a site. These variations must be supported through a Planning Justification Report and/or Urban Design Brief to the satisfaction of the City. The proposed exceptions to the number of townhouse units in a block and minimum facing distance between townhouse blocks would not require an amendment to VOP 2010, subject to justification through a Planning Justification Report and/or Urban Design Brief.

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d) Schedule 14A and 14B - Areas Subject to Secondary / Area Specific Plans

Schedule 14A, “Areas Subject to Secondary Plans” of VOP 2010 identifies the subject lands within the Dufferin Centre Plan Area. The subject lands are also located within the Centre Street Corridor Area Specific Plan, as identified on Schedule 14B “Areas Subject to Area Specific Plans”, in VOP 2010, which is described in the next Section of this report.

5. Centre Street Corridor Area Specific Plan

The subject lands are designated “Commercial Mixed-Use Area C” with a maximum permitted building height of 11 m in the Centre Street Corridor Area Specific Plan (Section 12.9, Volume 2 of VOP 2010). This Plan was adopted by Vaughan Council on September 7, 2010, and modified on April 23, 2013, and is pending approval from the Ontario Municipal Board. The “Commercial Mixed-Use Area C” designation permits existing commercial uses, retail stores, banks and business and professional offices on the subject lands. Residential uses are not permitted in this designation.

Centre Street is identified in the YROP as a Regional Rapid Transit Corridor (“Rapidway”), and forms part of the vivaNext transit initiative. The proposed rapidway is scheduled for construction between 2015 and 2018. After the rapidway is constructed, it will restrict access and turning movements along Centre Street. Schedule 10, “Major Transit Network” of VOP 2010 identifies Dufferin Street from Steeles Avenue West to Major Mackenzie Drive as a “Special Study Corridor” for the Dufferin Street vivaNext Rapid Transit Corridor, and is identified in the York Region Transportation Master Plan as a transit network improvement to be completed by 2031.

Through the draft Dufferin Centre Plan approval process, the Centre Street Corridor Area Specific Plan would be replaced, in so far as it applies to the Dufferin Centre Plan study area (including the subject lands) shown on Attachment #3, by way of an Official Plan Amendment. On this basis, should the draft Dufferin Centre Plan be approved, the subject lands would be removed from the Centre Street Corridor Area Specific Plan.

On June 16, 2016, the Owner appealed the Centre Street Corridor Secondary Plan to the Ontario Municipal Board (OMB) (Appeal #159), arguing that the “Low-Rise Residential” land use designation is the most appropriate official plan designation for the subject lands. A condition is included in the recommendation of this report requiring the Owner to settle Appeal #159, should the OMB approve the subject Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications.

6. Dufferin Street and Centre Street Area Specific Policies

The subject lands are located within the “Dufferin Street and Centre Street Required Secondary Plan Area”, as identified on Schedule 14A, “Areas Subject to Secondary Plans” in VOP 2010. The study area, as shown on Attachment #2, is approximately 17 ha and includes the subject lands.

On April 23, 2013, Vaughan Council directed that a study be initiated to consider the appropriate land uses, building heights, densities and urban design objectives for the study area for the purpose of preparing Official Plan policies to guide the future development or redevelopment of the study area. In September 2013, The Planning Partnership was retained as the lead planning consultant, along with Poulos & Chung Limited (transportation planning), to conduct the Dufferin and Centre Street Intersection Land Use Study (the “Study”).

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On June 28, 2016, a public open house was held to gather initial input on the proposed process and methodology of the Study. A second public open house was held on November 3, 2016, to review a draft framework plan for the Study area and receive feedback. The proposed Study was considered by the Committee of the Whole (Public Hearing) on March 7, 2017. The recommendation of the Committee of the Whole to receive the Public Hearing report of March 7, 2017, and receive the presentation by the consultants, regarding the Study, was ratified by Vaughan Council on March 21, 2017.

The final Study and proposed Official Plan policies (Dufferin Street and Centre Street Area Specific Policies) are being considered by the Committee of the Whole on June 20, 2017, under separate cover. The draft land use, density, and building heights for the Dufferin Street and Centre Street Area Specific Policies are shown on Attachment #3.

The proposed Study and Official Plan policies support the development of a plan that would have the following defining characteristics:

- Accommodation of transit supportive levels of density by way of intensification that is consistent with the intent of Provincial, Regional and Municipal planning policies;
- Development of a compact, vibrant and complete community by introducing mixed-use development that has appropriate levels of employment and residential densities;
- Creation of a pedestrian friendly, transit-supportive and high-quality urban environment through the application of an integrated approach to planning, transportation, environmental sustainability and urban design; and
- The application of good design principles with an emphasis on common internal traffic circulation.

The Study proposes higher densities in the northeast quadrant of the Study area, and more specifically at the north east corner of Dufferin Street and Centre Street, as shown on Attachment #3. Higher densities are proposed at the northeast quadrant of the intersection with a transition to lower densities away from the intersection, towards the surrounding established low-density community. The subject lands are proposed to be designated “Low-Rise Residential” with a maximum building height of 6-storeys and an FSI of 2.0 times the area of the lot. The draft Dufferin Centre Plan permits detached, semi-detached, stacked and back-to-back townhouses, and low-rise buildings on the subject lands.

The draft Dufferin Centre Plan also identifies a new internal public street network, as shown on Attachment #3, that is integrated with Dufferin Street and Centre Street, taking into account the proposed Regional Rapid Transit Initiatives. The proposed internal public street network was informed by a Functional Design Report dated December, 2016, prepared by Poulos & Chung Limited. The proposed public road network introduces a full turning movement and signalized intersection on Dufferin Street approximately 205 m north of Centre Street, as shown on Attachment #3. Additional intersections for the northeast quadrant of Dufferin Street and Centre Street include two right-in / right-out intersections proposed along Centre Street, and one right-in / right-out intersection along Dufferin Street, south of the proposed signalized intersection.

The proposed internal public road network for the draft Dufferin Centre Plan is based on the following principles identified in Chapter 6 “The Transportation Plan” of the Study:

- The need to maximize integration with the existing arterial road network to provide road users with the greatest variety of options to minimize traffic flow on major corridors;
- Emphasis on full moves intersections, thereby giving road users more travel options to access corridors based on preference and traffic volumes; and

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- Consolidating access points to preserve arterial capacity in order to minimize interrupted traffic flows on Dufferin Street and Centre Street.

The Study further identifies that traffic movement and distribution is one of the major challenges facing both existing and new development in the Study area, and that the incoming Rapidway along Centre Street will create a further constraint by limiting full movement access along Centre Street within the Study area to right-in / right-out access points. Considering these constraints, providing appropriate roads that integrate into the arterial street network is necessary. The new street network needs to be spaced appropriately to allow for efficient urban block sizes and to encourage pedestrian movement, while providing the area with more transportation options. Obtaining full-movement signalized intersections will provide drivers and pedestrians with more travel options and flexibility.

A full-movement signalized intersection is proposed in order to provide the northeast quadrant of the Dufferin Street and Centre Street intersection with greater capacity to accommodate vehicular and pedestrian traffic based on future developments in that quadrant, which also includes the proposed building height (6-storeys) and density (a FSI of 2.0 times the area of the lot) identified on the subject lands.

The Study provides for a 205 m distance separation between Centre Street and the new intersection, in order to allow an appropriate distance for sufficient vehicle queuing to accommodate left turn movements at the intersection of Dufferin Street and Centre Street, without overlap.

The draft Dufferin Centre Plan has identified that the proposed signalized intersection at Dufferin Street will reduce left-turn queuing on Dufferin Street, which in part will improve the overall traffic flow in the area. The Functional Design Report by Poulos & Chung Limited also indicates that the proposed local street network and traffic light will reduce traffic load at the Centre Street and Dufferin Street intersection. The proposed signalized intersection will also enhance public safety by creating a safer crossing option for pedestrians.

The draft Dufferin Centre Plan contains the recommended VOP 2010 policies to bring the Study into effect. Specifically, Section 12.xx.7.1 states (in part):

- “It is the intent of this Plan to establish a highly connected and permeable network of local streets that accommodate vehicles, pedestrians and cyclists, and promote pedestrian connectivity to the transit facilities serving this Plan. The system will be secured through the Development Review process.”

Summary of Planning Policy

The Development Planning Department has reviewed the proposed development shown on Attachments #4 to #7 in consideration of the Provincial policies, and Regional and City Official Plan policies. The proposed draft Dufferin Centre Plan, if approved, would be consistent with the policy objectives of the PPS, Growth Plan, YROP and VOP 2010, particularly as it relates to the coordination of and integration between land use and transportation planning (Sections 1.2.1, 1.5.1, 1.6.7.5, 1.6.8.1 and 1.7.1 of the PPS, Sections 3.1, 3.2.1 and 3.2.2 of the Growth Plan, and Sections 4.1.1.3 and 4.1.1.7 of VOP 2010).

The proposed site-specific Official Plan Amendment to redesignate the subject lands to “Low-Rise Residential” in VOP 2010 is consistent with the “Settlement” policies of the PPS (1.1.3), and the policies of the Growth Plan to encourage population growth within built-up areas. The proposed “Low-Rise Residential” designation and proposed built form (townhouse units) is consistent with the proposed land use policies and permitted uses for the subject lands within the draft Dufferin Centre Plan.

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However, the proposed internal road pattern to facilitate the development proposal, as shown on Attachments #4 to #7, does not conform to the Growth Plan, VOP 2010 or the draft Dufferin Centre Plan, nor is it consistent with the intent of the PPS as it relates to the coordination of land use and transportation planning. The lack of consistency and conformity with these policy requirements includes the following:

- Section 1.6.7.5 of the PPS and Sections 3.1, 3.2.1 and 3.2.2 of the Growth Plan state that transportation and land use considerations shall be integrated at all stages of the planning process in order to implement the objectives of the plans. The proposed development shown on Attachments #4 to #7 does not consider the proposed road network within the draft Dufferin Centre Plan, which integrates transportation and land use considerations.
- Chapter 6 of the Study states that traffic movement is one of the major challenges facing existing and new development within the Dufferin Street and Centre Street intersection. The forthcoming Rapidway will allow for an integrated transportation system, however, it will limit full movement access points to right-in / right-out movements along Centre Street in the Study area.
- Section 4.1.1.3 of VOP 2010 recognizes the integrated nature of land use, urban design and transportation in land use planning decisions to support a full range of transportation options. The draft Dufferin Centre Plan contemplates an 18 m public road along the east and north side of the subject lands to facilitate a connection from a right-in / right-out intersection at Centre Street, to a full movement, signalized intersection at Dufferin Street. The Study, Functional Design Report, and draft Dufferin Centre Plan identifies the proposed full moves intersection as a critical component to implementing the defining characteristics and realizing the proposed building heights and densities of the draft Dufferin Centre Plan. The proposed development, if approved, as shown on Attachments #4 to #7, would preclude this objective of the draft Dufferin Centre Plan and VOP 2010 from being realized. This would be contrary to creating a pedestrian friendly and transit-supportive environment through an integrated approach to planning, transportation, environmental sustainability and urban design, as prescribed by Policy 4.1.1.3 of VOP 2010.
- The proposed development does not meet the criteria in Section 10.1.1.12 of VOP 2010 to permit the continuance of processing an existing development application in Required Secondary Plan Areas submitted prior to May 17, 2010, as the respective applications for the subject land were submitted in January and April of 2016.
- Section 10.1.1.6 of VOP 2010 states that where it has been determined that a Secondary Plan is required but not yet completed, no amendments to VOP 2010 or the Zoning By-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area. The subject lands are identified as being located in an "Areas Subject to Secondary Plans", on Schedule 14A of VOP 2010. The draft Dufferin Centre Plan is being considered concurrently with the subject development applications by the Committee of the Whole on June 20, 2017, under separate cover. The land use designation proposed by the Owner through Official Plan Amendment File OP.16.001 is consistent with the land use designation proposed within the draft Dufferin Centre Plan. However, the development proposal is not consistent with the draft Dufferin Centre Plan, particularly with respect to the proposed transportation network.

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- Sections 12.xx.7.1 of the recommended VOP 2010 policies for the draft Dufferin Centre Plan and Chapter 3 of the Study envisions a highly connected and permeable network of local streets that are to be secured through the development review process. The public road network in the draft Dufferin Centre Plan is intended to optimize connectivity while providing flexibility for a range of development scenarios. The proposed private road network, as shown on Attachments #4 to #7, is inconsistent with the proposed public road network identified in the draft Dufferin Centre Plan, thereby precluding the ability to secure and establish the proposed 18 m public road through the development review process. The proposed private road network also prevents the goal of optimizing connectivity and providing for a range of development scenarios, as the proposed full movement signalized intersection would accommodate vehicular and pedestrian traffic that is commensurate with the proposed densities envisioned by the draft Dufferin Centre Plan.

Although the proposed land use designation (“Low-Rise Residential”) conforms with the draft Dufferin Centre Plan, the development proposal would preclude the ability to achieve the goals and objectives of the draft Dufferin Centre Plan. In consideration of the objectives and defining characteristics of the draft Dufferin Centre Plan, the introduction of an internal private road network on the subject lands shown on Attachment #4 would result in a fragmented road pattern for the Study area. On this basis, the Development Planning Department does not support the Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications.

Zoning

The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88, and partially subject to Exception 9(329) (southerly portion), which only permits detached dwellings on a lot with a minimum frontage of 18 m and a lot area of 540 m². The Owner is proposing to rezone the subject lands to RM2 Multiple Residential Zone in order to permit 56 freehold townhouse units, together with the following site-specific zoning exceptions to the RM2 Zone:

Table 1

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone
a.	Permitted Uses	Block (Condominium) Townhouse Dwelling	Permit a freehold Townhouse Dwelling on a lot with frontage on a private common element condominium road
b.	Frontage on a Public Street	A lot must front onto a public street	Permit a freehold lot to front onto a private common element condominium road
c.	Minimum Lot Area	230 m ² / unit	113 m ² / unit

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d.	Minimum Exterior Side Yard Setback (Dufferin Street)	4.5 m	3.05 m (Block 8)
e.	Minimum Rear Yard Setback	4.5 m	Block 3 - 3.29 m (to the east lot line) Block 7 - 2.93 m (to the east lot line)
f.	Minimum Amenity Area	56 units @ 90 m ² / unit Total = 5,040 m ²	56 units @ 32.5 m ² / unit Total = 1,820 m ²
g.	Minimum Landscape Strip Width around the Periphery of an Outdoor Parking Area	3 m	2.34 m (west visitor parking area)

The proposed rezoning and site-specific exceptions would facilitate a development that does not conform to VOP 2010 or the draft Dufferin Centre Plan.

Site Plan

The proposed site plan shown on Attachment #4 consists of 56 three-storey freehold townhouse units served by a 6.4 m wide private common element condominium road, tot lot, and 15 visitor parking spaces. Access to the subject lands is proposed from Dufferin Street via two right-in / right-out driveways. Pedestrian circulation is proposed by a 1.5 m wide sidewalk connecting to the existing municipal sidewalk on Dufferin Street, as shown on Attachment #4.

Block "5", as shown on Attachment #4, is oriented with a rear lot condition that would face onto Dufferin Street. Should the proposed development be approved, the Development Planning Department recommends that Block "5" be reoriented to have the main façade containing the primary entrance to each unit facing Dufferin Street.

The proposed building elevations shown on Attachment #6 consist primarily of brown brick, white concrete, and grey hardie board siding. Should the applications be approved, the Development Planning Department recommends that the front elevations for Block "5", and flankage elevations for Blocks "1" and "8" facing Dufferin Street, be upgraded and treated as front entrances. In addition, bird friendly treatments should be considered in the design of the proposed development.

The proposed landscape plan shown on Attachment #5 includes a mix of deciduous and coniferous trees, shrubs, ornamental grasses and perennials. A play structure is proposed within the tot lot, as shown on Attachment #5.

The subject lands are located within a "Gateway Centre" in the Centre Street Urban Design Guidelines, which envisions redevelopment to reinforce smaller walkable block sizes with buildings that are street-oriented, and to provide animated and pedestrian-scaled grade level conditions. Should the development applications be approved, the Development Planning Department recommends that the proposed development shall comply with the Centre Street Urban Design Guidelines.

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Draft Plan of Condominium (Common Element)

The Owner has submitted Draft Plan of Condominium (Common Element) application File 19CDM-16V002 for the subject lands shown on Attachments #1 and #2, for the creation of common elements (to be managed by a future condominium corporation) comprised of a 6.4 m wide private road, a 1.5 m wide sidewalk, tot lot area, and visitor parking areas, as shown on Attachment #7.

Should the development applications be approved by the OMB, in whole or in part, the Development Planning Department recommends that the OMB be requested to withhold its final Decision/Order regarding the Official Plan Amendment and Zoning By-law Amendment Applications until the implementing Official Plan Amendment and Zoning By-law Amendment documents are prepared to the satisfaction of the City. In addition, it is recommended that the

OMB's Decision/Order regarding the Site Development and Draft Plan of Condominium (Common Elements) applications be withheld until such time as the final plans and conditions of Site Plan Approval and Draft Plan of Condominium (Common Elements) Approval are obtained from the appropriate City Departments and external agencies, as identified in the recommendation of this report.

Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department has reviewed the applications and provides the following comments:

a) Road Network

Access to the site is proposed via ingress and egress driveways from Dufferin Street. The surrounding land uses consist of retail and service commercial uses to the south and west, service commercial, office and residential uses to the north, and residential uses to the east. The subject lands may be subject to a future road widening of Dufferin Street, upon determination from York Region.

b) Water Servicing

The subject lands can be serviced by an existing watermain located on the east side of Dufferin Street. Based on the data provided in the Functional Servicing and Stormwater Management Report ("Servicing Report") prepared by Condeland Engineering Ltd., and dated November 9, 2015, there is sufficient capacity to service the proposed 56 townhouse units.

Should the applications be approved, future water service connections are subject to the review and approval from the City of Vaughan Environmental Services Department within the Public Works Department, prior to final approval of the Site Development Application.

c) Sanitary Servicing

Servicing for the subject lands is proposed from the existing municipal sanitary sewer located on Dufferin Street. The Owner is required to revise the Servicing Report to further analyze the City's local sanitary sewer system connecting to the City's sanitary sewer trunk located at Concord Road/Wade Gate. City-wide servicing capacity is available, and will be reviewed upon the Ontario Municipal Board's final Decision/Order.

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d) Storm Drainage and Servicing

The Servicing Report proposes to control storm drainage through two different internal storm sewer systems and discharged into two different outlet points along Dufferin Street. The Owner will be required to revise the Servicing Report to provide justification for the proposed use of a dual storm sewer system, to the satisfaction of the DEIP Department in consultation with York Region, should the applications be approved.

e) Lot Grading

Should the applications be approved, the Owner will be required to revise the grading plan to the satisfaction of the DEIP Department.

f) Environmental

The DEIP Department has reviewed the site screening questionnaire and Phase One Environmental Report prepared by Bruce A. Brown Associated Limited and dated June 5, 2015, and has advised that no further environmental site assessment documents are required at this time.

g) Environmental Noise Report

The Owner has submitted a Noise Control Feasibility Study ("Noise Study") prepared by SS Wilson Associates, and dated December 3, 2015. The Noise Study recommends the use of sound barrier walls, ranging in height from 2.5 m to 5 m to address and mitigate noise from Dufferin Street, Centre Street, and the existing commercial uses located south of the subject lands. Warning clauses have also been recommended to be included in corresponding Offers of Purchase and Sale and agreements, and must be registered on title.

Should the applications be approved, in whole or in part, the City will require the Owner to provide specific warning clauses for future occupants of the subject lands for inclusion in the Offers of Purchase and Sale, Site Plan Agreement and the future Condominium Agreement and Declaration. The Owner must also provide details regarding the structural design of all noise mitigation features. In addition, if the proposed development is reconfigured based on the outcome of the OMB process and through the recommendation contained in this report, wherein the units along Dufferin Street are reoriented to have front entrances facing the public street (i.e. Dufferin Street), an updated Noise Report and updated noise mitigation measures may be required.

h) Transportation

The Transportation Planning section of the DEIP Department has indicated that the proposed private road system of the development varies from the recommended road network in the pending draft Dufferin Centre Plan. As such, staff review of the Traffic Impact Study submitted by Cole Engineering Group, dated January, 2016, will not commence in the absence of a final decision on the draft Dufferin Centre Plan by Vaughan Council.

Ministry of Transportation

The subject lands are located within the Ministry of Transportation (MTO) Permit Control Area given its proximity to Highway 407. Should the applications be approved, the Owner must satisfy all requirements of the MTO. A condition to this effect is included in the recommendation of this report.

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Office of the City Solicitor, Real Estate Division

Should the subject applications be approved, the Owner is required to pay the City of 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 Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

School Boards

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the applications, and require no conditions.

Canada Post

Should the subject applications be approved, Canada Post requires that the Owner agree to include in all Offers of Purchase and Sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox. The Owner will be responsible for notifying the purchaser of the exact Community Mailbox location(s) prior to the closing of any home sale. The Owner is required to consult with Canada Post Corporation to determine suitable locations for the placement of a Community Mailbox and to indicate these locations on the appropriate servicing plan.

The Owner must provide the following for each Community Mailbox site and include these requirements on the appropriate serving plans:

- An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailbox;
- Any required walkway across the boulevard, as per municipal standards; and
- Any required curb cut depressions for barrier free access.

The Owner further agrees to determine and provide a suitable temporary Community Mailbox location, which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox location(s).

Utilities

Rogers Cable and Bell Canada have no objections to the proposed development.

Enbridge Gas Distribution has no objection to the applications, subject to conditions respecting securing easements and the Owner contacting Enbridge Gas for service and meter installations, should the applications be approved.

Alectra Utilities Corporation (formerly PowerStream Inc.) has reviewed the Site Development application and has indicated that it is the Owner's responsibility to contact Alectra and discuss all aspects of the site with respect to electrical supply and the transformer location(s), should the applications be approved.

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

This report does not support the priorities set forth in the Term of Council Service Excellence Strategy Map (2014-2018).

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Regional Implications

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. York Region staff is responsible for permitting access onto Dufferin Street, and have been participating in the draft Dufferin Centre Plan and Study, and generally support the City's recommended draft policy direction for the Study area. Specifically, Regional transportation staff supports the concept of a local "ring" road that connects Dufferin Street and Centre Street in the northeast quadrant of the intersection. With this new local road, York Region would not permit access onto Dufferin Street and would require direct access from the proposed local public road.

York Region has advised that the Owner is encouraged to revise their proposed concept to more closely conform to the draft Dufferin Centre Plan, specifically to show the proposed local public road that connects Dufferin Street to Centre Street. This critical link will greatly improve the access situation for the increased development potential of the subject lands, as well as for the balance of the northeast quadrant of the Dufferin Street and Centre Street intersection.

York Region is securing a 45 m right-of-way for the section of Dufferin Street in which the subject lands are located. Should the applications be approved, the Owner is required to convey lands that are 22.5 m from the centerline of construction of Dufferin Street, including any additional lands required for turn lanes at the proposed intersection, to the satisfaction of York Region.

Should the respective Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications be approved, the Owner is required to satisfy any conditions of approval imposed by York Region.

Conclusion

Official Plan and Zoning By-law Amendment Files OP.16.001 and Z.16.001, Site Development File DA.16.003, and Draft Plan of Condominium (Common Elements) File 19CDM-16V002 have been reviewed in accordance with the policies of the Provincial Policy Statement, 2014 and the Provincial Growth Plan, the York Region Official Plan, Vaughan Official Plan 2010, the draft Dufferin Centre Plan, Zoning By-law 1-88, comments from City departments and external public agencies, and the existing and planned area context. The Development Planning Department does not support the proposed Official Plan and Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications, as they do not facilitate development of this quadrant in an integrated and comprehensive manner that is consistent with the relevant policy framework identified in this report and contemplated by the draft Dufferin Centre Plan.

Accordingly, the Development Planning Department recommends that the applications for the subject lands be refused and that Vaughan Council instruct staff to attend before the Ontario Municipal Board to oppose the subject applications.

Attachments

1. Context Location Map
2. Location Map
3. Dufferin Street and Centre Street Area Specific Policies – Draft Land Use, Density, and Building Height Plan
4. Proposed Site Plan
5. Proposed Landscape Plan
6. Proposed Elevations - Block 5
7. Proposed Draft Plan of Condominium (Common Elements) File 19CDM-16V002

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Report prepared by:

Mark Antoine, Planner, ext. 8212

Christina Napoli, Senior Planner, ext. 8483

(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.)

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c 31
Communication
COUNCIL: <u>June 27/17</u>
<u>CW</u> Rpt. No. <u>11</u> Item <u>13</u>

Dear Mayor & Members of Council.

Please find 3 letters from the 3 Ratepayers Association abutting the 3 corners of the Dufferin St. & Centre St. study area. All the 3 Ratepayers Associations are against staff & Committee of the Whole recommendation.

I have been speaking with residents & the Presidents of the other ratepayers Associations & all of us find hard to believe that the present Council is ignoring the community feelings. This, as I know, has never happened in Vaughan.

We wonder why?

Is it because the Local Councillor is not listening to his constituents?

If the Local Councillor is not listening - Where is the Mayor & the Local & Regional Councillors & the rest of Council that have a duty to all the residents of Vaughan?

Please be reminded that the study was going to make recommendations for the 3 corners, yet the report makes recommendations to only one corner, the corner that has a well-used strip mall, that pays taxes & that provides Jobs & Services for the community.

The community's recommendation to Council is to allow – Single, Semi and/or Townhomes within the study area. That direction can be given & the community will be able to accept Council decision. If Council does not feel comfortable with that, we ask that the study be deferred to a later date after receiving direction from the Province that owns the 2 south parcels of land.

I will be pleased to clarify any question that you may have.

Sincerely,

Mario G. Racco

President- BRA

905-760-0330

=====

20-06-2017

Dear Barbara & John.

Please find the Brownridge Ratepayers Association position regarding the Dufferin Street & Centre St. Land Use Study that will be in front of the Committee of the Whole today.

I became aware of the items on today's agenda from a community member. I have not received any notice from the City, yet I wrote a letter & spoke at the Public Hearing.

Has the City's policy changed?

Why I was not informed about the item on today's C of the W agenda?

Sincerely,

Mario G. Racco

President- Brownridge Ratepayers Association

905-760-0330

Brownridge Ratepayers Association
21 Checker Court; Thornhill ON L4J 5X4
Tel. 905-760-0330 Info@BrownridgeRA.com

20 June 2017

Mayor & Members of Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

Re: Dufferin St. & Centre St. Land Use Study; CW 20 June 2017 meeting.

Dear Mayor & Members of Council.

I am writing as the President of the Brownridge Ratepayers Association, the community on the South/East side of the intersection studied.

Since we were not notified of today's meeting, we are not able to inform the community & participate at today's 1 p.m. meeting.

I have been able to review the staff report & I disagree with the staff recommendation.

On behalf of the Brownridge Ratepayers Association, I ask that members of the committee:

1. Refuse staff recommendation.
2. Approve Single and/or Semi and/or Townhomes for any future residential development.
3. Do not approve medium density Condos.
4. Do not encourage the removal of the existent commercial development.
5. Direct staff to sit down with the owners of the North/West corner property & find a way to develop it properly, instead of being a liability to the community as presently is.

The community expect that when the Province will dispose of the two parcels of land at the South/East & South/West corners, that any future development will be consistent with the existing development – Single homes and/or a park. A change to Semis and/or Townhomes could potentially be supported. The community will not support any condo/building in the area since the community is mostly single homes & has been developed in 1979 (south/west) & 1985 (south/east). This is an established community & there are many high-density buildings in the vicinity & more are proposed.

The City has many options to have High Density Residential at the VMC & other similar places. The City should not destroy existing communities by following City's staff direction. A direction recommended mostly from People who do not live in the City nor has been elected by the People of the City, but follow ideas given instead of following the needs, wishes & wants of the People affected & a good amount of proper planning.

When we were asked to participate in the study, we were told that our comments were important & that they were going to shape the future development in our community. We do not see, in staff recommendation, what we recommended at the meeting nor what we said at the public meeting in front of Members of Council. We are disappointed & trust that the elected people see merits on the issues raised by the community.

I will be available at 416-419-3017 to answer any question that you may have.

Sincerely,

Mario G. Racco
President-Brownridge Ratepayers Association
Tel. 905-760-0330 Info@BrownridgeRA.com

Glen Shields Ratepayers Association

26 June 2017

The Mayor and members of Council
The City of Vaughan
2141 Major Mackenzie Drive
Maple Ontario L6A 1T1

Dear Mayor & Members of Council.

As the President of the Glen Shields Ratepayers Association, I am writing to ask Council to refuses the recommendation recommended by planning staff for the Dufferin Street and Centre Street study.

The Glen Shields Community has been waiting for the province of Ontario to realise their property north of our community for a potential park or a similar development as Anthony Lane. What the Committee of the Whole has done is approve a recommendation that we were never told of and that we strongly oppose. Our community was established in 1979 and is almost 100% a single homes community. After paying taxes for almost 38 years, it is highly unfair that the people we elected would go against our best interest. In particular we are disappointed with our local Councillor that none of us has ever seen and who does not seem to care about his constituents. He was quoted on the local newspaper as supporting Condos at Dufferin and Centre and has supported the recommendation that will encourage Condos on the remaining land to the south of the existing single homes. Interestingly he does not support the same development near his house at Atkinson Avenue and Clarke Avenue.

Since we can't rely on our Councillor, we are asking the Mayor and the two Regional Councillors, that we have elected, to:

1. Approve single homes consistent with Anthony Lane and the Glen Shields community.
2. Provide a park for the new development.
3. Do NOT support any residential condo.

If our requests are not possible, we could support townhomes that respect the existing homes on Anthony Lane and are pleasing to the community.

We participated at the study and provided inputs, but our inputs were ignored. We are disappointed.

Please respect our rights and refuse to approve what has been recommended by your staff.

Yours truly,

Pauline Durso
President, Glen Shields Ratepayers Association

Council Meeting June 20, 2017 – 1pm

This letter is written in response to the following 2 agenda items:

Item 11

**DUFFERIN STREET AND CENTRE STREET INTERSECTION LAND USE STUDY AMENDMENT
TO THE VAUGHAN OFFICIAL PLAN 2010 FILE 26.6 WARDS 4 AND 5**

Item 13

**OFFICIAL PLAN AMENDMENT FILE OP.16.001 ZONING BY-LAW AMENDMENT FILE
Z.16.001 SITE DEVELOPMENT FILE DA.16.003 DRAFT PLAN OF CONDOMINIUM FILE
19CDM-16V002 2464879 ONTARIO INC. (CITY PARK HOMES) WARD 5 - VICINITY OF
DUFFERIN STREET AND CENTRE STREET**

Letter from the Beverley Glen Ratepayers' Association:

Through community meetings, public hearings, ratepayer group meetings and general public dialogue, residents have shown enthusiastic support of the opportunity to add high-end town homes to the neighborhood; this has been especially true in light of the frequency at which condos are being approved in the area.

The Beverley Glen Ratepayers' Association would like to extend its support for the proposal from City Park Homes to build high-end town homes north of the Tim Horton's (currently zoned for Low-Rise Residential).

Thank you.

- BGRA Executive Committee

Josh Martow – President
Mark Milunsky – Vice President
John Kucharczuk – Secretary
Garrett Barron – Treasurer
Itia Golan – Director
Ronit Levi – Director
Andre Setton – Director
Jake Hasson – Director

AIRD & BERLIS LLP

Barristers and Solicitors

Leo F. Longo

Direct: 416.865.7778

E-mail: llongo@airdberlis.com

C	7
COMMUNICATION	
CW -	June 20/17
ITEM -	13

June 19, 2017

File No. 132971

BY EMAIL

Mayor and Members of Council
City of Vaughan
City Hall
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Barbara McEwan, City Clerk

Dear Sirs/Mesdames:

**Re: COW Meeting, June 20, 2017
Agenda Item 13
City Park Homes Applications
Planning Staff Report
Your File Nos. OP.16.001, Z.16.001, DA.16.003 & 19CDM-16V002**

**2464879 Ontario Inc. and Ultra Towns Inc. (City Park Homes)
7803 and 7815 Dufferin Street**

We are counsel to 2464879 Ontario Inc. and Ultra Towns Inc. ("City Park Homes") in the above-captioned matter.

For reasons set out below, we respectfully request that Council reject the recommendations contained in the abovementioned planning staff report.

The Process to Date

The staff report has a much too brief description of what has preceded to date in this matter:

"The recommendation of the Committee of the Whole to receive the Public Hearing report of June 21, 2016, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on June 28, 2016."

June 19, 2017

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This background is woefully incomplete and does not give Council either a full or accurate picture of what has occurred respecting its previous consideration of these matters.

Staff does not disclose that I made a deputation at the June 21, 2016 public meeting.

Staff does not disclose that I placed before Council at that meeting a communication item that extracted s. 10.1.1.13 of the VOP(2010) and requested that these matters be exempted from OP s. 10.1.1.6; see attached Communication Item C.29. Further, staff fails to mention s. 10.1.1.13 when discussing the implementation policies of the VOP(2010).

Staff does not accurately disclose what action Council took at its June 28, 2016 meeting; see attached Council action.

Staff had specifically recommended to Council that further consideration of the City Park Homes applications be deferred pending the Dufferin Centre Study review being completed and approved:

"2. THAT Files OP.16.001, Z.16.001, 19CDM-16V002 and related Site Development File DA.16.003 (2464879 Ontario Inc. (City Park Homes)) shall BE HELD IN ABEYANCE, until the Dufferin Street and Centre Street Secondary Plan review is completed by the City and approved by Vaughan Council, and that the recommendations of the study be reflected in a revised site design, if required, prior to the consideration of a technical report by the Vaughan Committee of the Whole for the development applications."

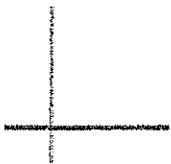
That recommendation was not accepted by Council. The applications were not to be held in abeyance.

But what then occurred? Staff held back preparing the comprehensive technical report and bringing it back to Council until this meeting...at which it is also bringing forward the Dufferin Centre Study and OPA. This is wrong and unacceptable. Staff ignored (defied?) Council's clear rejection of staff's requested recommendation set out above.

And now that a year have passed and this matter has finally been brought back to Council, the single planning reason offered for refusing these applications relates entirely to what is proposed in the Dufferin Centre Study! Absent this Study, staff have offered no reasons for denying our clients' applications.

The "Clergy" Principle

A single reason is given for planning staff's recommendation that the City Park Homes applications be refused:



June 19, 2017

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"as the development proposal is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3."

Note that this proposed road network does not yet exist in any approved, in force City planning policy or document. The public road that staff proposes to locate on our client's lands has no legal status.

Our clients' applications were submitted in January and April of 2016.

The foundation of staff's recommendations is legally unsustainable. The "Clergy" principle provides that development applications are to be assessed against the planning policies in effect at the time of the applications. "New" planning policies cannot and do not have retroactive effect. Suggesting otherwise is incorrect.

The "Clergy" principle applies to the City Park Homes' applications which are now before the OMB. It is a false premise to assume that any OP policies arising from this Intersection Study will be considered "in place" and its vision determinative of recommendations respecting the development that occurs on our client's lands.

The Revised Proposal

After obtaining some initial City and Regional staff comments on the development proposal, our client submitted a revised proposal in January, 2017; see copy attached. As requested by Regional staff, one of the private road accesses to Dufferin Street was removed from the plan. Staff does not disclose these facts in its report.

I intend to attend next Tuesday's COW meeting and address Council respecting these matters.

Should you require any clarification or additional information respecting this submission, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP


Leo F. Longo
LFL/ek

June 19, 2017

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cc: Claudia Storto/Caterina Facciolo
Barnett Kussner, WeirFoulds LLP
Client
John Zipay/Julia Pierdon
Kim Nystrom/Faranak Hosseini
Gerry Borean

29641896.3



CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 2, Report No. 28, of the Committee of the Whole (Public Hearing), which was adopted, as amended, by the Council of the City of Vaughan on June 28, 2016, as follows:

By approving that recommendation 1) of the Committee of the Whole (Public Hearing) meeting of June 21, 2016, be replaced with the following amended recommendation:

- 1) *That recommendation 1. contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated June 21, 2016, be approved; and*

By receiving Communication C1, from Mr. J. Greco, Concord Food Centre, Centre Street, Thornhill, dated June 23, 2016.

2
OFFICIAL PLAN AMENDMENT FILE OP.16.001
ZONING BY-LAW AMENDMENT FILE Z.16.001
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-16V002
2464879 ONTARIO INC. (CITY PARK HOMES)
WARD 5 - VICINITY OF DUFFERIN STREET AND CENTRE STREET

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 June 21, 2016, be approved;
- 2) That the following deputations and Communications be received:
 1. Mr. Leo Longo, Aird & Berlis LLP, on behalf of the applicant and Communication C29;
 2. Mr. Jay Leider, King High Drive, Thornhill;
 3. Mr. Josh Martow, Beverley Glen Ratepayers' Association, Coldwater Court, Thornhill;
 4. Mr. Gino Barbieri, Campania Court, Woodbridge; and
 5. Ms. Andrea Halpern, Evita Crescent, Thornhill and Communication C22, dated June 21, 2016; and
- 3) That the following Communications be received:
 - C7. Wayne Li and Xue Zhou, dated June 17, 2016;
 - C14. Mr. Roberto Di Flaviano, Belfield Court, Thornhill, dated June 17, 2016;
 - C19. Mr. Murray Goldkind, Centre Street, Thornhill, dated June 21, 2016;
 - C20. Ms. Loren Shuster, dated June 21, 2016;
 - C21. Ms. Sandra Bogorodetski, dated June 21, 2016;
 - C23. Ms. Anna Spalierno, Oakmount Crescent, Concord, dated June 21, 2016;
 - C24. Mr. Eric Iankelevic, Redford Place, Vaughan, dated June 21, 2016;
 - C25. Ms. Juliet Williams, Boom Road, Maple, dated June 21, 2016;
 - C26. Resident, Major Mackenzie Drive, Vaughan, dated June 21, 2016;
 - C27. Vinokurov Vsevolod, Yonge Street, Thornhill, dated June 21, 2016; and
 - C28. Mr. Uri Avner, Judith Avenue, Thornhill, dated June 21, 2016.

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 OP.16.001, Z.16.001 and 19CDM-16V002 (2464879 Ontario Inc. (City Park Homes)) BE RECEIVED; and, that any issues identified

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 2, CW(PH) Report No. 28 – Page 2

be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

2. THAT Files OP.16.001, Z.16.001, 19CDM-16V002 and related Site Development File DA.16.003 (2464879 Ontario Inc. (City Park Homes)) shall BE HELD IN ABEYANCE, until the Dufferin Street and Centre Street Secondary Plan review is completed by the City and approved by Vaughan Council, and that the recommendations of the study be reflected in a revised site design, if required, prior to the consideration of a technical report by the Vaughan Committee of the Whole for the development applications.

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: May 27, 2016. The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Notice Sign Procedures and Protocol.
- b) Circulation Area: 150 m and to the Beverley Glen Ratepayers' Association, the Brownridge Ratepayers' Association and the Glen Shields Ratepayers' Association.
- c) Comments Received: None

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 the final technical report 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, to facilitate the development of 56 three-storey freehold townhouse units within eight blocks, to be served by a privately-owned and maintained common element condominium road, internal walkway, amenity space/tot lot, and 15 visitor parking spaces, as shown on Attachments #3 to #6:

1. Official Plan Amendment File OP.16.001, specifically to amend Vaughan Official Plan 2010 (VOP 2010), to redesignate the subject lands from "Community Commercial Mixed-Use" to "Low-Rise Residential".
2. Zoning By-law Amendment File Z.16.001 to rezone the subject lands from R1 Residential Zone, and partially (southerly portion) subject to site-specific Exception 9(329) (detached dwellings on lots with a minimum frontage of 18 m and lot area of 540 m²) to RM2 Multiple Residential Zone (townhouses served by privately-owned and administered condominium common elements), together with the following site-specific zoning exceptions to the RM2 Zone standards of Zoning By-law 1-88:

C29
CW (PH)
June 21/16
Item 2

Required Secondary Plan Areas - Policy Regarding the Processing of Individual Development Applications

10.1.1.12. That notwithstanding the policies concerning the Required Secondary Plan Areas identified in Schedule 14-A, Council may permit the continuance of processing of an existing development application submitted prior to May 17, 2010 when it is demonstrated to Council's satisfaction that the proposed development is generally compatible with the vision contemplated in the Official Plan; is significant in terms of its contribution to city-building; and that the proposal could be adversely affected because of any delay caused by having to adhere to the timing of a secondary plan process.

10.1.1.13. That upon direction by Council to staff to proceed with the processing of a development application in advance of the Secondary Plan, it will be required that the applicant attend a pre-application consultation meeting with appropriate staff at which meeting the requirements for various studies will be established, to the satisfaction of the City, to be undertaken as part of a complete application.

Subject:

FW: COMMUNICATION - Council Meeting Tues June 20th - 1pm

Attachments:

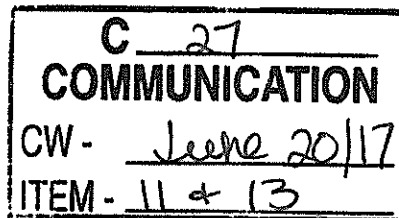
Communication - BGRA.docx

From: Josh Martow [<mailto:info@beverleyglenra.com>]

Sent: Tuesday, June 20, 2017 12:20 AM

To: Clerks@vaughan.ca

Subject: COMMUNICATION - Council Meeting Tues June 20th - 1pm



Hi,

Attached is an official letter from the Beverley Glen Ratepayers' Association in regards to the upcoming Committee of the Whole (with respect to items 11 and 13). Please confirm when this is added as a communication.

Thank you.

Josh Martow

Council Meeting June 20, 2017 – 1pm

This letter is written in response to the following 2 agenda items:

Item 11

**DUFFERIN STREET AND CENTRE STREET INTERSECTION LAND USE STUDY AMENDMENT
TO THE VAUGHAN OFFICIAL PLAN 2010 FILE 26.6 WARDS 4 AND 5**

Item 13

**OFFICIAL PLAN AMENDMENT FILE OP.16.001 ZONING BY-LAW AMENDMENT FILE
Z.16.001 SITE DEVELOPMENT FILE DA.16.003 DRAFT PLAN OF CONDOMINIUM FILE
19CDM-16V002 2464879 ONTARIO INC. (CITY PARK HOMES) WARD 5 - VICINITY OF
DUFFERIN STREET AND CENTRE STREET**

Letter from the Beverley Glen Ratepayers' Association:

Through community meetings, public hearings, ratepayer group meetings and general public dialogue, residents have shown enthusiastic support of the opportunity to add high-end town homes to the neighborhood; this has been especially true in light of the frequency at which condos are being approved in the area.

The Beverley Glen Ratepayers' Association would like to extend its support for the proposal from City Park Homes to build high-end town homes north of the Tim Horton's (currently zoned for Low-Rise Residential).

Thank you.

- BGRA Executive Committee

Josh Martow – President
Mark Milunsky – Vice President
John Kucharczuk – Secretary
Garrett Barron – Treasurer
Itia Golan – Director
Ronit Levi – Director
Andre Setton – Director
Jake Hasson – Director

COMMITTEE OF THE WHOLE JUNE 20, 2017

**OFFICIAL PLAN AMENDMENT FILE OP.16.001
ZONING BY-LAW AMENDMENT FILE Z.16.001
SITE DEVELOPMENT FILE DA.16.003
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-16V002
2464879 ONTARIO INC. (CITY PARK HOMES)
WARD 5 - VICINITY OF DUFFERIN STREET AND CENTRE STREET**

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend that the Ontario Municipal Board be advised that City of Vaughan Council ENDORSES the following recommendations:

1. THAT Official Plan Amendment File OP.16.001 (2464879 Ontario Inc. (City Park Homes)), to amend Vaughan Official Plan 2010, specifically to redesignate the subject lands shown on Attachments #1 and #2 from "Community Commercial Mixed-Use" to "Low-Rise Residential" BE REFUSED, as the development proposal is not consistent with the proposed public road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3.
2. THAT Zoning By-law Amendment File Z.16.001 (2464879 Ontario Inc. (City Park Homes)), to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #1 and #2 from R1 Residential Zone, partially subject to Exception 9(329) (southerly portion), to RM2 Multiple Residential Zone, together with the site-specific zoning exceptions to the RM2 Multiple Residential Zone standards identified in Table 1, to facilitate a 56 unit townhouse development BE REFUSED, as the development proposal is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3.
3. THAT Site Development File DA.16.003 (2464879 Ontario Inc. (City Park Homes)), to facilitate 56 three-storey freehold townhouse units, as shown on Attachments #4 to #6, BE REFUSED, as the development proposal is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3.
4. THAT Draft Plan of Condominium (Common Elements) File 19CDM-16V002 (2464879 Ontario Inc. (City Park Homes)), to create common elements (to be managed by a future condominium corporation) including visitor parking spaces, private roads, walkways and a private parkette, as shown on Attachment #7, BE REFUSED, as the Draft Plan of Condominium proposal is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, as shown on Attachment #3.
5. THAT should the Ontario Municipal Board approve Official Plan Amendment File OP.16.001, Zoning By-law Amendment File Z.16.001, Site Development File DA.16.003 and Draft Plan of Condominium (Common Element) File 19CDM-16V002, either in whole or in part, that the Ontario Municipal Board withhold its final Decision/Order until such time that:
 - a) the implementing Official Plan Amendment is prepared to the satisfaction of the City;
 - b) the implementing Zoning By-law is prepared to the satisfaction of the City;

- c) the final plans and conditions of Site Plan and Draft Plan of Condominium (Common Elements) approval are obtained and approved by the following City Departments and external agencies:
 - i) the Development Planning Department;
 - ii) the Development Engineering and Infrastructure Planning Department;
 - iii) the Parks Development Department;
 - iv) the Office of the City Solicitor - Real Estate Division;
 - v) York Region;
 - vi) Ministry of Transportation; and
 - vii) all required utility companies (i.e. Canada Post, Bell, Rogers, Alectra Utilities Corporation, and Enbridge Gas).
 - d) that the Owner's appeal of Vaughan Official Plan 2010 (Appeal #159) (OMB Case No. PL111184) to the Ontario Municipal Board be resolved, to the satisfaction of the Office of the City Solicitor and Deputy City Manager, Planning & Growth Management.
6. THAT City of Vaughan staff be directed to attend the Ontario Municipal Board Hearing in support of the recommendations contained in this report regarding the respective applications for Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements).

Contribution to Sustainability

The applications implement the following Goal and Objective of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with sustainable built form

In accordance with the goal and objective 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:

- the use of shade trees to reduce energy consumption and the heat island effect;
- low-flow and water conserving plumbing fixtures; and
- LED light fixtures throughout the site.

Economic Impact

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

Communications Plan

On May 27, 2016, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a notice sign was installed on the subject lands in accordance with the City's Notice Sign Procedures and Protocols.

On June 21, 2016, a Public Hearing was held for Official Plan Amendment File OP.16.001, Zoning By-law Amendment File Z.16.001 and Draft Plan of Condominium (Common Elements) File 19CDM-16V002. At the Public Hearing, the following deputations and written submissions were received:

Deputations

1. J. Leider, King High Drive, expressing concerns related to traffic on Dufferin Street and King High Drive.
2. J. Martow, Beverley Glen Ratepayers' Association, Coldwater Court, in support of the proposed development.
3. G. Barbieri, Campania Court, expressing concerns related to the proper studies being undertaken for the proposed development.
4. A. Halpern, Evita Crescent, in support of the proposed development.

Written Submissions

1. R. Di Faviano, Belfield Court, via email correspondence dated June 17, 2016, objecting to the proposed density on the subject lands and the proposed wood fence treatment along the east property line.

Response

The proposed secondary plan for the Dufferin and Centre Street intersection, as shown on Attachment #3, has established the land use, height and density for the study area. The proposed development of the subject lands is consistent with the permissions being advanced as part of the draft Dufferin Street and Centre Area Specific Policies Official Plan Amendment. The proposed wood fence treatment along the easterly property line is a typical treatment for new developments to provide visual buffering and privacy.

2. Ten (10) letters all dated June 21, 2016, and one email dated June 23, 2016, in support of the proposal, from the following:
 - J. Greco, Centre Street, (email)
 - M. Goldkind, Centre Street
 - L. Shuster, no address given
 - S. Bogorodetski, no address given
 - A. Halpern, Evita Crescent
 - A. Spalierno, Oakmount Crescent
 - E. Iankelevic, Redford Place
 - J. Williams, Boom Road
 - Resident, Major Mackenzie Drive
 - V. Vsevolod, Yonge Street
 - U. Avner, Judith Avenue

The recommendation of the Committee of the Whole to receive the Public Hearing report of June 21, 2016, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on June 28, 2016.

On June 6, 2017, the Development Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the applications.

Purpose

To seek direction from the Committee of the Whole for the endorsement of the staff recommendations to refuse the following applications respecting the subject lands shown on

Attachments #1 and #2, on the basis that the development proposal containing 56 freehold townhouse units, as shown on Attachments #4 to #7, is not consistent with the proposed road network identified in the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment, and would negatively impact the future redevelopment of the northeast quadrant:

1. Official Plan Amendment File OP.16.001, specifically to amend Vaughan Official Plan 2010, to redesignate the subject lands from "Community Commercial Mixed-Use" to "Low-Rise Residential", together with exceptions related to the number of townhouse units in a row and the minimum facing distance between townhouse blocks.
2. Zoning By-law Amendment File Z.16.001 to rezone the subject lands from R1 Residential Zone, and partially subject to site-specific Exception 9(329), to RM2 Multiple Residential Zone, together with the site-specific zoning exceptions to the RM2 Multiple Residential Zone standards identified in Table 1 of this report.
3. Site Development File DA.16.003 to permit 56 three-storey freehold townhouse units.
4. Draft Plan of Condominium (Common Elements) File 19CDM-16V002 to create common elements (to be managed by a future condominium corporation) including visitor parking spaces, private roads, walkways and a private parkette, as shown on Attachment #7.

Background - Analysis and Options

Synopsis

The Owner is proposing to develop the subject lands shown on Attachments #1 and #2 with 56 three-storey freehold townhouse units, as shown on Attachments #4 to #7. The subject lands are designated "Community Commercial Mixed-Use" by Vaughan Official Plan, 2010. The Owner has submitted Official Plan Amendment File OP.16.001 to redesignate the subject lands to "Low-Rise Residential", a land use designation which in itself is consistent with the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment that will be considered by the Committee of the Whole on June 20, 2017, under separate cover. However, the Development Planning Department does not support the Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications, as the development proposal is not consistent with the draft Dufferin Street and Centre Street Area Specific Policies Official Plan Amendment. As such, the proposed development, if approved, would negatively impact the planned comprehensive redevelopment of the northeast quadrant of the Study area and would not reflect the comments from Regional Transportation staff.

Location

The subject lands are 2.81 ha in size and are located on the east side of Dufferin Street, north of Centre Street, and are known municipally as 7803 and 7815 Dufferin Street. The surrounding land uses are shown on Attachment #2.

Land Use Policies and Planning Considerations

The Development Planning Department has reviewed the development proposal shown on Attachments #4 to #7 in consideration of the following policies:

1. Provincial Policy Statement 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2014 (PPS). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS policies state, as follows (in part):

- a) Section 1.1.1 of “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns”

Section 1.1 of the PPS requires that development accommodate an appropriate range of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs.

- b) Section 1.1.3 of “Settlement Areas”

1.1.3.1 - “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.”

1.1.3.3 - “Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

- c) Section 1.2.1 of “Coordination”

“A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including (in part):

a) managing and/or promoting growth and development

- d) Section 1.5.1 of “Public Spaces, Recreation, Parks, Trails and Open Space”

“Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity (in part).

- e) Section 1.6.7.5 of “Transportation Systems”

“1.6.7.5 Transportation and land use considerations shall be integrated at all stages of the planning process.”

- f) Section 4.7 of “Implementation and Interpretation”

“The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies.”

The draft Dufferin Street and Centre Street Area Specific Policies (hereinafter referred to as “the draft Dufferin Centre Plan”) will support the planning evolution of the study area by providing a framework for an appropriate street and block development pattern, municipal servicing and infrastructure and will establish the appropriate mix, location and density of planned land uses, and is therefore consistent with Section 1.1.1 of the PPS. The draft Dufferin Centre Plan proposes an integrated transportation network that is consistent with Section 1.5.1 of the PPS, and promotes the development of communities

with healthy, safe, and pedestrian friendly streets that provide connectivity to the overall community.

The draft Dufferin Centre Plan, if adopted, would be consistent with Section 4.7 of the PPS wherein “the official plan is the most important vehicle for implementation” and that “comprehensive, integrated and long-term planning is best achieved through official plans.” In addition, it identifies provincial interests and sets out appropriate land use designations and policies consistent with the PPS.

The proposed site-specific Official Plan Amendment to redesignate the subject lands to “Low-Rise Residential” to permit a townhouse development facilitates a built form that is consistent with the Settlement Area policies (Section 1.1.3) of the PPS. It is also consistent with the proposed land use designation identified in the draft Dufferin Centre Plan for the subject lands.

The development proposal shown on Attachments #4 to #7 is not consistent with the PPS policies that support an integrated approach to land use and transportation considerations (Sections 1.2.1 and 1.6.7.5). The proposed road pattern utilizes two right-in / right-out access points and an internal private road network to serve the subject lands only, which is not consistent with the identified transportation and pedestrian network advocated within the land use of the draft Dufferin Centre Plan, as shown on Attachment #3. The proposed road pattern would serve only the subject lands to the exclusion of the required access considerations identified for the comprehensive redevelopment of the remainder of the northeast quadrant.

2. The Provincial Growth Plan for the Greater Golden Horseshoe

The Provincial Growth Plan for the Greater Golden Horseshoe Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan promotes intensification of existing built-up areas, with a focus on urban growth centres, intensification corridors and major transit stations. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan also encourages population and employment growth to be accommodated within the built up areas, and encourages the development of complete communities with a mix of housing types with access to local amenities.

Sections 3.1, 3.2.1 and 3.2.2 of the Growth Plan directs municipalities to coordinate infrastructure planning, land use planning, and infrastructure investment in order to implement the objectives of the Growth Plan.

The draft Dufferin Centre Plan identifies a proposed 18 m wide public road connecting Centre Street to Dufferin Street that is located along the easterly and northerly perimeter of the subject lands, as shown on Attachment #3. Corresponding studies for the draft Dufferin Centre Plan identify the proposed public road system as a key component in the creation of the draft Dufferin Centre Plan and the resultant building heights and densities. A critical component of the draft Dufferin Centre Plan is the internal public road network that is intended to provide greater capacity to support and accommodate vehicular and pedestrian traffic for the anticipated development levels through a direct connection to a signalized intersection at Dufferin Street. York Region and City transportation staff have confirmed their support for the public road network in their review of these applications for the subject lands.

The subject lands are located within an existing built-up area and have been identified in Vaughan Official Plan 2010 for non-residential intensification in the form of office, retail, cultural and entertainment uses. The proposed Official Plan Amendment to redesignate the subject lands for residential townhouse units represents an alternative form of intensification that would conform to certain policies of the Growth Plan, as the subject lands are proposed to be designated “Low-Rise Residential” by the draft Dufferin Centre Plan. However, the proposed development shown on Attachments #4 to #7 is not consistent with Growth Plan policies 3.1 (Infrastructure Planning), 3.2.1 (Land Use Planning) and 3.2.2 (Infrastructure Investment).

3. York Region Official Plan 2010

The York Region Official Plan 2010 (YROP) guides economic, environmental and community building decisions across York Region. The subject lands are designated as an “Urban Area” on Map 1, “Regional Structure” of the YROP. The YROP also identifies Dufferin Street as a “Special Study Area” from Major Mackenzie Drive to Steeles Avenue West for a future north-south Regional Rapid Transit Corridor on Map 11, “Transit Network”.

Section 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” It also states that “the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements.” Further, Chapter 5 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region”.

Section 7.2.53 of the YROP provides the following policy direction: “to restrict vehicle access from developments adjacent to Regional streets to maximize the efficiency of the Regional street system through techniques such as suitable local street access, shared driveways and interconnected properties. Exceptions may be made to this policy in Regional Centres and Corridors, and mainstreets.”

York Region staff has indicated that the proposed development does not comply with YROP policy 7.2.53, and that the proposed public road network identified in the draft Dufferin Centre Plan will provide appropriate access for the subject lands, upon redevelopment. Should Vaughan Council approve the draft Dufferin Centre Plan, York Region is the final approval authority.

The draft Dufferin Centre Plan Land Use, Density and Building Height Plan, as shown on Attachment #3, contains land use and development policies to support its transformation into an attractive, pedestrian-friendly and transit-supportive node through the application of a comprehensive and integrated approach to land use planning, supportive transportation, environmental sustainability, and urban design policies. These policies are consistent with the policies of the YROP.

4. Vaughan Official Plan 2010

The subject lands are designated “Community Commercial Mixed-Use” with a maximum permitted building height of four-storeys and a floor space index (FSI) of 1.5 times the area of the lot, and are located within a “Community Area” as identified on Schedule 1, “Urban Structure” of Vaughan Official Plan 2010 (VOP 2010). The “Community Commercial Mixed-Use” designation (Section 9.2.2.8) permits non-residential intensification in the form of office, retail, cultural and entertainment uses that will primarily serve residents of the immediate community.

The “Community Commercial Mixed-Use” designation does not permit residential uses, and therefore, an amendment to VOP 2010 is required to permit the proposed development shown on Attachments #4 to #7. The Owner is requesting an amendment to VOP 2010 to redesignate the subject lands to “Low-Rise Residential”.

In addition to the land use policies in Section 9.2.2.8 of VOP 2010, the following VOP 2010 policies apply to this development proposal:

a) Section 4 - Transforming Transportation

Section 4.1.1.3 of VOP 2010 recognizes the integrated nature of land use, urban design, and transportation in land use planning decisions that support a full range of transportation options, and specifically prioritizes opportunities to enhance walking, cycling and transit options.

b) Section 9.2.3.2 – Building Types and Development Criteria – Townhouses

VOP 2010 provides the following development criteria for townhouse dwellings:

- that one block of townhouses shall consist of no more than six attached residential dwellings;
- that townhouse dwellings shall generally front onto a public street; and
- that blocks of townhouses that are not separated by a public street shall have a minimum facing distance of 18 m.

The Owner is requesting an exception to Section 9.2.3.2 in order to permit a townhouse development accessed by a private condominium road including blocks with eight townhouse units in a row and a minimum facing distance of 13 m between Blocks 1, 2 and 4, and 7, 8 and 9, as shown on Attachment #4.

c) Section 10 - Implementation

Section 10.1.1.6 of VOP 2010 states that “where it has been determined that a Secondary Plan is required but not yet completed, no amendments to VOP 2010 or the Zoning By-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area.”

Section 10.1.1.12 of VOP 2010 states that “notwithstanding the policies concerning the Required Secondary Plan Areas identified in Schedule 14-A, Council may permit the continuance of processing of an existing development application submitted prior to May 17, 2010 when it is demonstrated to Council’s satisfaction that the proposed development is generally compatible with the vision contemplated in the Official Plan; is significant in terms of its contribution to city-building; and that the proposal could be adversely affected because of any delay caused by having to adhere to the timing of a secondary plan process.” This policy was intended to permit the continuance of an existing development application that was in process in an area identified as a “Required Secondary Plan Area” prior to the adoption of VOP 2010 in September, 2010. The subject applications were submitted in January, 2016, and April, 2016, respectively. Accordingly, they do not meet the intent of this policy or the requirement that the applications were “existing” or submitted prior to May 17, 2010.

Section 10.2.1.7 of VOP 2010 permits minor variations to the numerical standards contained in VOP 2010 without the need for an Official Plan Amendment, with the exception of any variations to floor space index, building height or environmental standards, provided that such variations respond to

unique conditions or the context of a site. These variations must be supported through a Planning Justification Report and/or Urban Design Brief to the satisfaction of the City. The proposed exceptions to the number of townhouse units in a block and minimum facing distance between townhouse blocks would not require an amendment to VOP 2010, subject to justification through a Planning Justification Report and/or Urban Design Brief.

d) Schedule 14A and 14B - Areas Subject to Secondary / Area Specific Plans

Schedule 14A, "Areas Subject to Secondary Plans" of VOP 2010 identifies the subject lands within the Dufferin Centre Plan Area. The subject lands are also located within the Centre Street Corridor Area Specific Plan, as identified on Schedule 14B "Areas Subject to Area Specific Plans", in VOP 2010, which is described in the next Section of this report.

5. Centre Street Corridor Area Specific Plan

The subject lands are designated "Commercial Mixed-Use Area C" with a maximum permitted building height of 11 m in the Centre Street Corridor Area Specific Plan (Section 12.9, Volume 2 of VOP 2010). This Plan was adopted by Vaughan Council on September 7, 2010, and modified on April 23, 2013, and is pending approval from the Ontario Municipal Board. The "Commercial Mixed-Use Area C" designation permits existing commercial uses, retail stores, banks and business and professional offices on the subject lands. Residential uses are not permitted in this designation.

Centre Street is identified in the YROP as a Regional Rapid Transit Corridor ("Rapidway"), and forms part of the vivaNext transit initiative. The proposed rapidway is scheduled for construction between 2015 and 2018. After the rapidway is constructed, it will restrict access and turning movements along Centre Street. Schedule 10, "Major Transit Network" of VOP 2010 identifies Dufferin Street from Steeles Avenue West to Major Mackenzie Drive as a "Special Study Corridor" for the Dufferin Street vivaNext Rapid Transit Corridor, and is identified in the York Region Transportation Master Plan as a transit network improvement to be completed by 2031.

Through the draft Dufferin Centre Plan approval process, the Centre Street Corridor Area Specific Plan would be replaced, in so far as it applies to the Dufferin Centre Plan study area (including the subject lands) shown on Attachment #3, by way of an Official Plan Amendment. On this basis, should the draft Dufferin Centre Plan be approved, the subject lands would be removed from the Centre Street Corridor Area Specific Plan.

On June 16, 2016, the Owner appealed the Centre Street Corridor Secondary Plan to the Ontario Municipal Board (OMB) (Appeal #159), arguing that the "Low-Rise Residential" land use designation is the most appropriate official plan designation for the subject lands. A condition is included in the recommendation of this report requiring the Owner to settle Appeal #159, should the OMB approve the subject Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications.

6. Dufferin Street and Centre Street Area Specific Policies

The subject lands are located within the "Dufferin Street and Centre Street Required Secondary Plan Area", as identified on Schedule 14A, "Areas Subject to Secondary Plans" in VOP 2010. The study area, as shown on Attachment #2, is approximately 17 ha and includes the subject lands.

On April 23, 2013, Vaughan Council directed that a study be initiated to consider the appropriate land uses, building heights, densities and urban design objectives for the study area for the purpose of preparing Official Plan policies to guide the future development or redevelopment of

the study area. In September 2013, The Planning Partnership was retained as the lead planning consultant, along with Poulos & Chung Limited (transportation planning), to conduct the Dufferin and Centre Street Intersection Land Use Study (the “Study”).

On June 28, 2016, a public open house was held to gather initial input on the proposed process and methodology of the Study. A second public open house was held on November 3, 2016, to review a draft framework plan for the Study area and receive feedback. The proposed Study was considered by the Committee of the Whole (Public Hearing) on March 7, 2017. The recommendation of the Committee of the Whole to receive the Public Hearing report of March 7, 2017, and receive the presentation by the consultants, regarding the Study, was ratified by Vaughan Council on March 21, 2017.

The final Study and proposed Official Plan policies (Dufferin Street and Centre Street Area Specific Policies) are being considered by the Committee of the Whole on June 20, 2017, under separate cover. The draft land use, density, and building heights for the Dufferin Street and Centre Street Area Specific Policies are shown on Attachment #3.

The proposed Study and Official Plan policies support the development of a plan that would have the following defining characteristics:

- Accommodation of transit supportive levels of density by way of intensification that is consistent with the intent of Provincial, Regional and Municipal planning policies;
- Development of a compact, vibrant and complete community by introducing mixed-use development that has appropriate levels of employment and residential densities;
- Creation of a pedestrian friendly, transit-supportive and high-quality urban environment through the application of an integrated approach to planning, transportation, environmental sustainability and urban design; and
- The application of good design principles with an emphasis on common internal traffic circulation.

The Study proposes higher densities in the northeast quadrant of the Study area, and more specifically at the north east corner of Dufferin Street and Centre Street, as shown on Attachment #3. Higher densities are proposed at the northeast quadrant of the intersection with a transition to lower densities away from the intersection, towards the surrounding established low-density community. The subject lands are proposed to be designated “Low-Rise Residential” with a maximum building height of 6-storeys and an FSI of 2.0 times the area of the lot. The draft Dufferin Centre Plan permits detached, semi-detached, stacked and back-to-back townhouses, and low-rise buildings on the subject lands.

The draft Dufferin Centre Plan also identifies a new internal public street network, as shown on Attachment #3, that is integrated with Dufferin Street and Centre Street, taking into account the proposed Regional Rapid Transit Initiatives. The proposed internal public street network was informed by a Functional Design Report dated December, 2016, prepared by Poulos & Chung Limited. The proposed public road network introduces a full turning movement and signalized intersection on Dufferin Street approximately 205 m north of Centre Street, as shown on Attachment #3. Additional intersections for the northeast quadrant of Dufferin Street and Centre Street include two right-in / right-out intersections proposed along Centre Street, and one right-in / right-out intersection along Dufferin Street, south of the proposed signalized intersection.

The proposed internal public road network for the draft Dufferin Centre Plan is based on the following principles identified in Chapter 6 “The Transportation Plan” of the Study:

- The need to maximize integration with the existing arterial road network to provide road users with the greatest variety of options to minimize traffic flow on major corridors;
- Emphasis on full moves intersections, thereby giving road users more travel options to access corridors based on preference and traffic volumes; and
- Consolidating access points to preserve arterial capacity in order to minimize interrupted traffic flows on Dufferin Street and Centre Street.

The Study further identifies that traffic movement and distribution is one of the major challenges facing both existing and new development in the Study area, and that the incoming Rapidway along Centre Street will create a further constraint by limiting full movement access along Centre Street within the Study area to right-in / right-out access points. Considering these constraints, providing appropriate roads that integrate into the arterial street network is necessary. The new street network needs to be spaced appropriately to allow for efficient urban block sizes and to encourage pedestrian movement, while providing the area with more transportation options. Obtaining full-movement signalized intersections will provide drivers and pedestrians with more travel options and flexibility.

A full-movement signalized intersection is proposed in order to provide the northeast quadrant of the Dufferin Street and Centre Street intersection with greater capacity to accommodate vehicular and pedestrian traffic based on future developments in that quadrant, which also includes the proposed building height (6-storeys) and density (a FSI of 2.0 times the area of the lot) identified on the subject lands.

The Study provides for a 205 m distance separation between Centre Street and the new intersection, in order to allow an appropriate distance for sufficient vehicle queuing to accommodate left turn movements at the intersection of Dufferin Street and Centre Street, without overlap.

The draft Dufferin Centre Plan has identified that the proposed signalized intersection at Dufferin Street will reduce left-turn queuing on Dufferin Street, which in part will improve the overall traffic flow in the area. The Functional Design Report by Poulos & Chung Limited also indicates that the proposed local street network and traffic light will reduce traffic load at the Centre Street and Dufferin Street intersection. The proposed signalized intersection will also enhance public safety by creating a safer crossing option for pedestrians.

The draft Dufferin Centre Plan contains the recommended VOP 2010 policies to bring the Study into effect. Specifically, Section 12.xx.7.1 states (in part):

- “It is the intent of this Plan to establish a highly connected and permeable network of local streets that accommodate vehicles, pedestrians and cyclists, and promote pedestrian connectivity to the transit facilities serving this Plan. The system will be secured through the Development Review process.”

Summary of Planning Policy

The Development Planning Department has reviewed the proposed development shown on Attachments #4 to #7 in consideration of the Provincial policies, and Regional and City Official Plan policies. The proposed draft Dufferin Centre Plan, if approved, would be consistent with the policy objectives of the PPS, Growth Plan, YROP and VOP 2010, particularly as it relates to the coordination of and integration between land use and transportation planning (Sections 1.2.1, 1.5.1, 1.6.7.5, 1.6.8.1 and 1.7.1 of the PPS, Sections 3.1, 3.2.1 and 3.2.2 of the Growth Plan, and Sections 4.1.1.3 and 4.1.1.7 of VOP 2010).

The proposed site-specific Official Plan Amendment to redesignate the subject lands to “Low-Rise Residential” in VOP 2010 is consistent with the “Settlement” policies of the PPS (1.1.3), and the policies of the Growth Plan to encourage population growth within built-up areas. The proposed “Low-Rise Residential” designation and proposed built form (townhouse units) is consistent with the proposed land use policies and permitted uses for the subject lands within the draft Dufferin Centre Plan.

However, the proposed internal road pattern to facilitate the development proposal, as shown on Attachments #4 to #7, does not conform to the Growth Plan, VOP 2010 or the draft Dufferin Centre Plan, nor is it consistent with the intent of the PPS as it relates to the coordination of land use and transportation planning. The lack of consistency and conformity with these policy requirements includes the following:

- Section 1.6.7.5 of the PPS and Sections 3.1, 3.2.1 and 3.2.2 of the Growth Plan state that transportation and land use considerations shall be integrated at all stages of the planning process in order to implement the objectives of the plans. The proposed development shown on Attachments #4 to #7 does not consider the proposed road network within the draft Dufferin Centre Plan, which integrates transportation and land use considerations.
- Chapter 6 of the Study states that traffic movement is one of the major challenges facing existing and new development within the Dufferin Street and Centre Street intersection. The forthcoming Rapidway will allow for an integrated transportation system, however, it will limit full movement access points to right-in / right-out movements along Centre Street in the Study area.
- Section 4.1.1.3 of VOP 2010 recognizes the integrated nature of land use, urban design and transportation in land use planning decisions to support a full range of transportation options. The draft Dufferin Centre Plan contemplates an 18 m public road along the east and north side of the subject lands to facilitate a connection from a right-in / right-out intersection at Centre Street, to a full movement, signalized intersection at Dufferin Street. The Study, Functional Design Report, and draft Dufferin Centre Plan identifies the proposed full moves intersection as a critical component to implementing the defining characteristics and realizing the proposed building heights and densities of the draft Dufferin Centre Plan. The proposed development, if approved, as shown on Attachments #4 to #7, would preclude this objective of the draft Dufferin Centre Plan and VOP 2010 from being realized. This would be contrary to creating a pedestrian friendly and transit-supportive environment through an integrated approach to planning, transportation, environmental sustainability and urban design, as prescribed by Policy 4.1.1.3 of VOP 2010.
- The proposed development does not meet the criteria in Section 10.1.1.12 of VOP 2010 to permit the continuance of processing an existing development application in Required Secondary Plan Areas submitted prior to May 17, 2010, as the respective applications for the subject land were submitted in January and April of 2016.
- Section 10.1.1.6 of VOP 2010 states that where it has been determined that a Secondary Plan is required but not yet completed, no amendments to VOP 2010 or the Zoning By-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area. The subject lands are identified as being located in an “Areas Subject to Secondary Plans”, on Schedule 14A of VOP 2010. The draft Dufferin Centre Plan is being considered concurrently with the subject development applications by the Committee of the Whole on June 20, 2017, under separate cover. The land use designation proposed by the Owner through Official Plan Amendment File OP.16.001 is consistent with the land use designation proposed within the draft Dufferin Centre Plan.

However, the development proposal is not consistent with the draft Dufferin Centre Plan, particularly with respect to the proposed transportation network.

- Sections 12.xx.7.1 of the recommended VOP 2010 policies for the draft Dufferin Centre Plan and Chapter 3 of the Study envisions a highly connected and permeable network of local streets that are to be secured through the development review process. The public road network in the draft Dufferin Centre Plan is intended to optimize connectivity while providing flexibility for a range of development scenarios. The proposed private road network, as shown on Attachments #4 to #7, is inconsistent with the proposed public road network identified in the draft Dufferin Centre Plan, thereby precluding the ability to secure and establish the proposed 18 m public road through the development review process. The proposed private road network also prevents the goal of optimizing connectivity and providing for a range of development scenarios, as the proposed full movement signalized intersection would accommodate vehicular and pedestrian traffic that is commensurate with the proposed densities envisioned by the draft Dufferin Centre Plan.

Although the proposed land use designation (“Low-Rise Residential”) conforms with the draft Dufferin Centre Plan, the development proposal would preclude the ability to achieve the goals and objectives of the draft Dufferin Centre Plan. In consideration of the objectives and defining characteristics of the draft Dufferin Centre Plan, the introduction of an internal private road network on the subject lands shown on Attachment #4 would result in a fragmented road pattern for the Study area. On this basis, the Development Planning Department does not support the Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications.

Zoning

The subject lands are zoned R1 Residential Zone by Zoning By-law 1-88, and partially subject to Exception 9(329) (southerly portion), which only permits detached dwellings on a lot with a minimum frontage of 18 m and a lot area of 540 m². The Owner is proposing to rezone the subject lands to RM2 Multiple Residential Zone in order to permit 56 freehold townhouse units, together with the following site-specific zoning exceptions to the RM2 Zone:

Table 1

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone
a.	Permitted Uses	Block (Condominium) Townhouse Dwelling	Permit a freehold Townhouse Dwelling on a lot with frontage on a private common element condominium road
b.	Frontage on a Public Street	A lot must front onto a public street	Permit a freehold lot to front onto a private common element condominium road
c.	Minimum Lot Area	230 m ² / unit	113 m ² / unit

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone
d.	Minimum Exterior Side Yard Setback (Dufferin Street)	4.5 m	3.05 m (Block 8)
e.	Minimum Rear Yard Setback	4.5 m	Block 3 - 3.29 m (to the east lot line) Block 7 - 2.93 m (to the east lot line)
f.	Minimum Amenity Area	56 units @ 90 m ² / unit Total = 5,040 m ²	56 units @ 32.5 m ² / unit Total = 1,820 m ²
g.	Minimum Landscape Strip Width around the Periphery of an Outdoor Parking Area	3 m	2.34 m (west visitor parking area)

The proposed rezoning and site-specific exceptions would facilitate a development that does not conform to VOP 2010 or the draft Dufferin Centre Plan.

Site Plan

The proposed site plan shown on Attachment #4 consists of 56 three-storey freehold townhouse units served by a 6.4 m wide private common element condominium road, tot lot, and 15 visitor parking spaces. Access to the subject lands is proposed from Dufferin Street via two right-in / right-out driveways. Pedestrian circulation is proposed by a 1.5 m wide sidewalk connecting to the existing municipal sidewalk on Dufferin Street, as shown on Attachment #4.

Block "5", as shown on Attachment #4, is oriented with a rear lot condition that would face onto Dufferin Street. Should the proposed development be approved, the Development Planning Department recommends that Block "5" be reoriented to have the main façade containing the primary entrance to each unit facing Dufferin Street.

The proposed building elevations shown on Attachment #6 consist primarily of brown brick, white concrete, and grey hardie board siding. Should the applications be approved, the Development Planning Department recommends that the front elevations for Block "5", and flankage elevations for Blocks "1" and "8" facing Dufferin Street, be upgraded and treated as front entrances. In addition, bird friendly treatments should be considered in the design of the proposed development.

The proposed landscape plan shown on Attachment #5 includes a mix of deciduous and coniferous trees, shrubs, ornamental grasses and perennials. A play structure is proposed within the tot lot, as shown on Attachment #5.

The subject lands are located within a “Gateway Centre” in the Centre Street Urban Design Guidelines, which envisions redevelopment to reinforce smaller walkable block sizes with buildings that are street-oriented, and to provide animated and pedestrian-scaled grade level conditions. Should the development applications be approved, the Development Planning Department recommends that the proposed development shall comply with the Centre Street Urban Design Guidelines.

Draft Plan of Condominium (Common Element)

The Owner has submitted Draft Plan of Condominium (Common Element) application File 19CDM-16V002 for the subject lands shown on Attachments #1 and #2, for the creation of common elements (to be managed by a future condominium corporation) comprised of a 6.4 m wide private road, a 1.5 m wide sidewalk, tot lot area, and visitor parking areas, as shown on Attachment #7.

Should the development applications be approved by the OMB, in whole or in part, the Development Planning Department recommends that the OMB be requested to withhold its final Decision/Order regarding the Official Plan Amendment and Zoning By-law Amendment Applications until the implementing Official Plan Amendment and Zoning By-law Amendment documents are prepared to the satisfaction of the City. In addition, it is recommended that the OMB's Decision/Order regarding the Site Development and Draft Plan of Condominium (Common Elements) applications be withheld until such time as the final plans and conditions of Site Plan Approval and Draft Plan of Condominium (Common Elements) Approval are obtained from the appropriate City Departments and external agencies, as identified in the recommendation of this report.

Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department has reviewed the applications and provides the following comments:

a) Road Network

Access to the site is proposed via ingress and egress driveways from Dufferin Street. The surrounding land uses consist of retail and service commercial uses to the south and west, service commercial, office and residential uses to the north, and residential uses to the east. The subject lands may be subject to a future road widening of Dufferin Street, upon determination from York Region.

b) Water Servicing

The subject lands can be serviced by an existing watermain located on the east side of Dufferin Street. Based on the data provided in the Functional Servicing and Stormwater Management Report (“Servicing Report”) prepared by Condeland Engineering Ltd., and dated November 9, 2015, there is sufficient capacity to service the proposed 56 townhouse units.

Should the applications be approved, future water service connections are subject to the review and approval from the City of Vaughan Environmental Services Department within the Public Works Department, prior to final approval of the Site Development Application.

c) Sanitary Servicing

Servicing for the subject lands is proposed from the existing municipal sanitary sewer located on Dufferin Street. The Owner is required to revise the Servicing Report to further analyze the City's local sanitary sewer system connecting to the City's sanitary sewer

trunk located at Concord Road/Wade Gate. City-wide servicing capacity is available, and will be reviewed upon the Ontario Municipal Board's final Decision/Order.

d) Storm Drainage and Servicing

The Servicing Report proposes to control storm drainage through two different internal storm sewer systems and discharged into two different outlet points along Dufferin Street. The Owner will be required to revise the Servicing Report to provide justification for the proposed use of a dual storm sewer system, to the satisfaction of the DEIP Department in consultation with York Region, should the applications be approved.

e) Lot Grading

Should the applications be approved, the Owner will be required to revise the grading plan to the satisfaction of the DEIP Department.

f) Environmental

The DEIP Department has reviewed the site screening questionnaire and Phase One Environmental Report prepared by Bruce A. Brown Associated Limited and dated June 5, 2015, and has advised that no further environmental site assessment documents are required at this time.

g) Environmental Noise Report

The Owner has submitted a Noise Control Feasibility Study ("Noise Study") prepared by SS Wilson Associates, and dated December 3, 2015. The Noise Study recommends the use of sound barrier walls, ranging in height from 2.5 m to 5 m to address and mitigate noise from Dufferin Street, Centre Street, and the existing commercial uses located south of the subject lands. Warning clauses have also been recommended to be included in corresponding Offers of Purchase and Sale and agreements, and must be registered on title.

Should the applications be approved, in whole or in part, the City will require the Owner to provide specific warning clauses for future occupants of the subject lands for inclusion in the Offers of Purchase and Sale, Site Plan Agreement and the future Condominium Agreement and Declaration. The Owner must also provide details regarding the structural design of all noise mitigation features. In addition, if the proposed development is reconfigured based on the outcome of the OMB process and through the recommendation contained in this report, wherein the units along Dufferin Street are reoriented to have front entrances facing the public street (i.e. Dufferin Street), an updated Noise Report and updated noise mitigation measures may be required.

h) Transportation

The Transportation Planning section of the DEIP Department has indicated that the proposed private road system of the development varies from the recommended road network in the pending draft Dufferin Centre Plan. As such, staff review of the Traffic Impact Study submitted by Cole Engineering Group, dated January, 2016, will not commence in the absence of a final decision on the draft Dufferin Centre Plan by Vaughan Council.

Ministry of Transportation

The subject lands are located within the Ministry of Transportation (MTO) Permit Control Area given its proximity to Highway 407. Should the applications be approved, the Owner must satisfy

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

Office of the City Solicitor, Real Estate Division

Should the subject applications be approved, the Owner is required to pay the City of 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 Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

School Boards

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the applications, and require no conditions.

Canada Post

Should the subject applications be approved, Canada Post requires that the Owner agree to include in all Offers of Purchase and Sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox. The Owner will be responsible for notifying the purchaser of the exact Community Mailbox location(s) prior to the closing of any home sale. The Owner is required to consult with Canada Post Corporation to determine suitable locations for the placement of a Community Mailbox and to indicate these locations on the appropriate servicing plan.

The Owner must provide the following for each Community Mailbox site and include these requirements on the appropriate serving plans:

- An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailbox;
- Any required walkway across the boulevard, as per municipal standards; and
- Any required curb cut depressions for barrier free access.

The Owner further agrees to determine and provide a suitable temporary Community Mailbox location, which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox location(s).

Utilities

Rogers Cable and Bell Canada have no objections to the proposed development.

Enbridge Gas Distribution has no objection to the applications, subject to conditions respecting securing easements and the Owner contacting Enbridge Gas for service and meter installations, should the applications be approved.

Alectra Utilities Corporation (formerly PowerStream Inc.) has reviewed the Site Development application and has indicated that it is the Owner's responsibility to contact Alectra and discuss all aspects of the site with respect to electrical supply and the transformer location(s), should the applications be approved.

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

This report does not support the priorities set forth in the Term of Council Service Excellence Strategy Map (2014-2018).

Regional Implications

The applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. York Region staff is responsible for permitting access onto Dufferin Street, and have been participating in the draft Dufferin Centre Plan and Study, and generally support the City's recommended draft policy direction for the Study area. Specifically, Regional transportation staff supports the concept of a local "ring" road that connects Dufferin Street and Centre Street in the northeast quadrant of the intersection. With this new local road, York Region would not permit access onto Dufferin Street and would require direct access from the proposed local public road.

York Region has advised that the Owner is encouraged to revise their proposed concept to more closely conform to the draft Dufferin Centre Plan, specifically to show the proposed local public road that connects Dufferin Street to Centre Street. This critical link will greatly improve the access situation for the increased development potential of the subject lands, as well as for the balance of the northeast quadrant of the Dufferin Street and Centre Street intersection.

York Region is securing a 45 m right-of-way for the section of Dufferin Street in which the subject lands are located. Should the applications be approved, the Owner is required to convey lands that are 22.5 m from the centerline of construction of Dufferin Street, including any additional lands required for turn lanes at the proposed intersection, to the satisfaction of York Region.

Should the respective Official Plan Amendment, Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications be approved, the Owner is required to satisfy any conditions of approval imposed by York Region.

Conclusion

Official Plan and Zoning By-law Amendment Files OP.16.001 and Z.16.001, Site Development File DA.16.003, and Draft Plan of Condominium (Common Elements) File 19CDM-16V002 have been reviewed in accordance with the policies of the Provincial Policy Statement, 2014 and the Provincial Growth Plan, the York Region Official Plan, Vaughan Official Plan 2010, the draft Dufferin Centre Plan, Zoning By-law 1-88, comments from City departments and external public agencies, and the existing and planned area context. The Development Planning Department does not support the proposed Official Plan and Zoning By-law Amendment, Site Development and Draft Plan of Condominium (Common Elements) applications, as they do not facilitate development of this quadrant in an integrated and comprehensive manner that is consistent with the relevant policy framework identified in this report and contemplated by the draft Dufferin Centre Plan.

Accordingly, the Development Planning Department recommends that the applications for the subject lands be refused and that Vaughan Council instruct staff to attend before the Ontario Municipal Board to oppose the subject applications.

Attachments

1. Context Location Map
2. Location Map
3. Dufferin Street and Centre Street Area Specific Policies – Draft Land Use, Density, and Building Height Plan
4. Proposed Site Plan
5. Proposed Landscape Plan
6. Proposed Elevations - Block 5
7. Proposed Draft Plan of Condominium (Common Elements) File 19CDM-16V002

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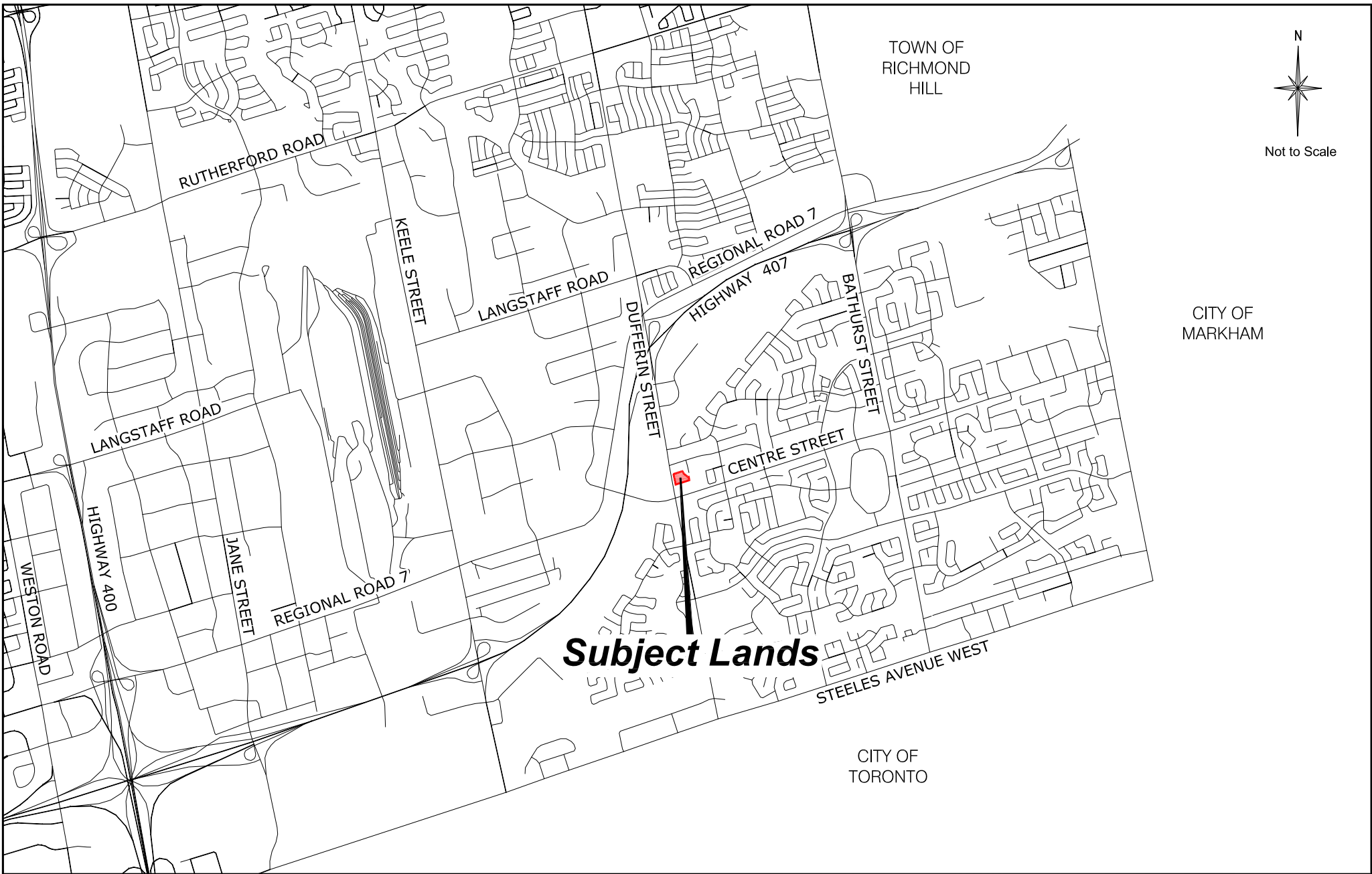
Respectfully submitted,

JOHN MACKENZIE
Deputy City Manager
Planning & Growth Management

MAURO PEVERINI
Director of Development Planning

BILL KIRU
Senior Manager of Development Planning

/LG



Context Location Map

Location: Part of Lot 6,
Concession 2

Applicant:
2464879 Ontario Inc. (City Park Homes)

N:\GIS_Archive\Attachments\OP\op.16.001etal.dwg

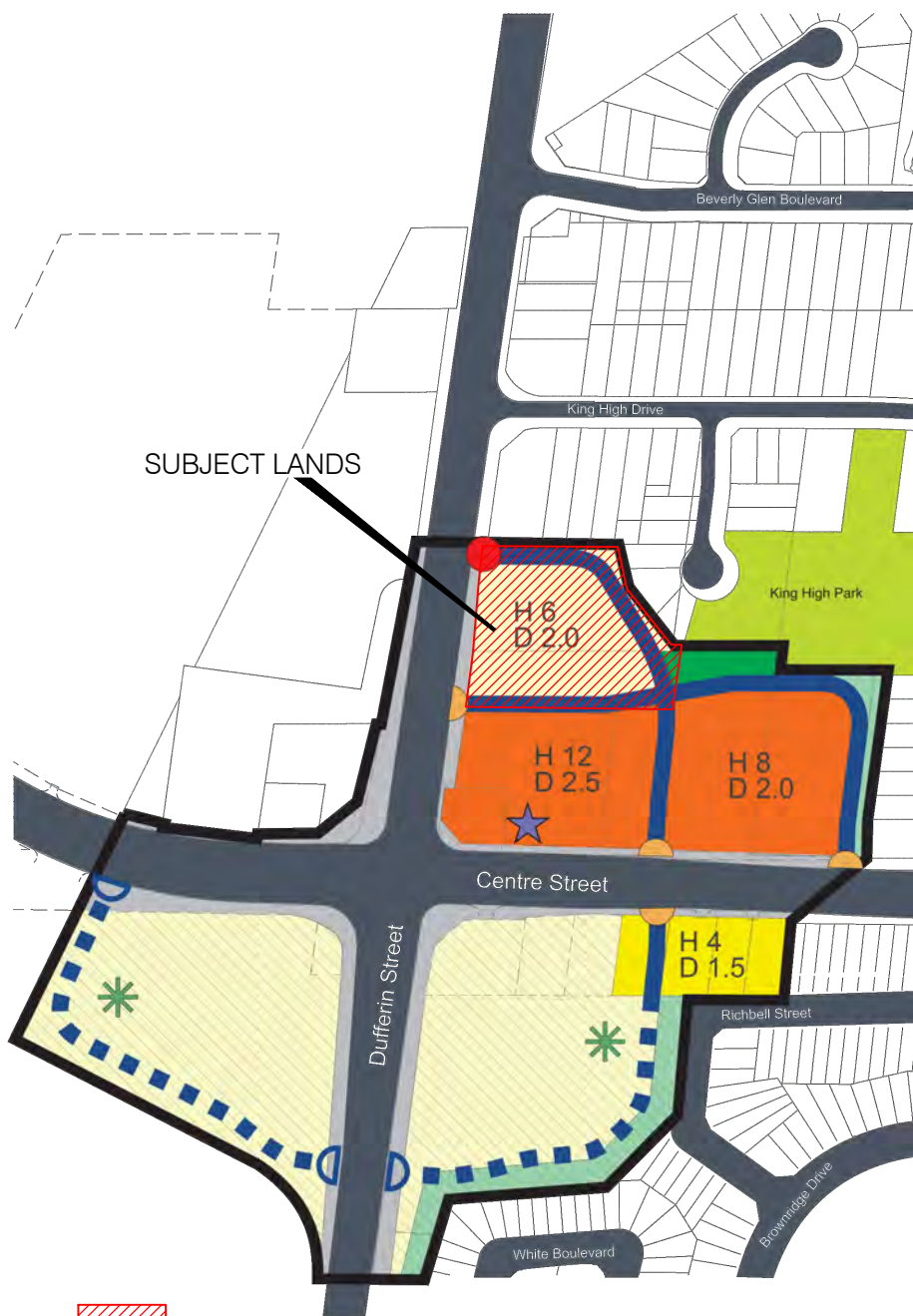


Attachment

Files: OP.16.001, Z.16.001,
19CDM-16V002 & DA.16.003

Date:
June 20, 2017

1



- Low-Rise Residential
- Low-Rise Mixed-Use (Refer to Further Study Area in Section 12.XX.3)
- Mid-Rise Mixed-Use
- Existing Park
- Open Space (Fisherville Creek Channel)
- Park
- Potential Park
- Public Square
- Potential Full Movement Access
- Access Point
- Existing Road
- Public Road Network
- Potential Public Network & Access Points (18-m Right of Way)
- Further Study Area (MTO Area of Interest)
- H** Maximum Building Height
- D** Maximum Density
- Amendment Area

Not to Scale

Dufferin Street and Centre Street Area Specific Policies - Draft Land Use, Density, and Building Height Plan

Applicant: 2464879 Ontario Inc. Location: Part of Lot 6,
(City Park Homes) Concession 2



Attachment

Files: OP.16.001, Z.16.001,
19CDM-16V002 & DA.16.003

Date:
June 20, 2017

3



Proposed Site Plan

Location: Part of Lot 6,
Concession 2

Applicant:
2464879 Ontario Inc. (City Park Homes)

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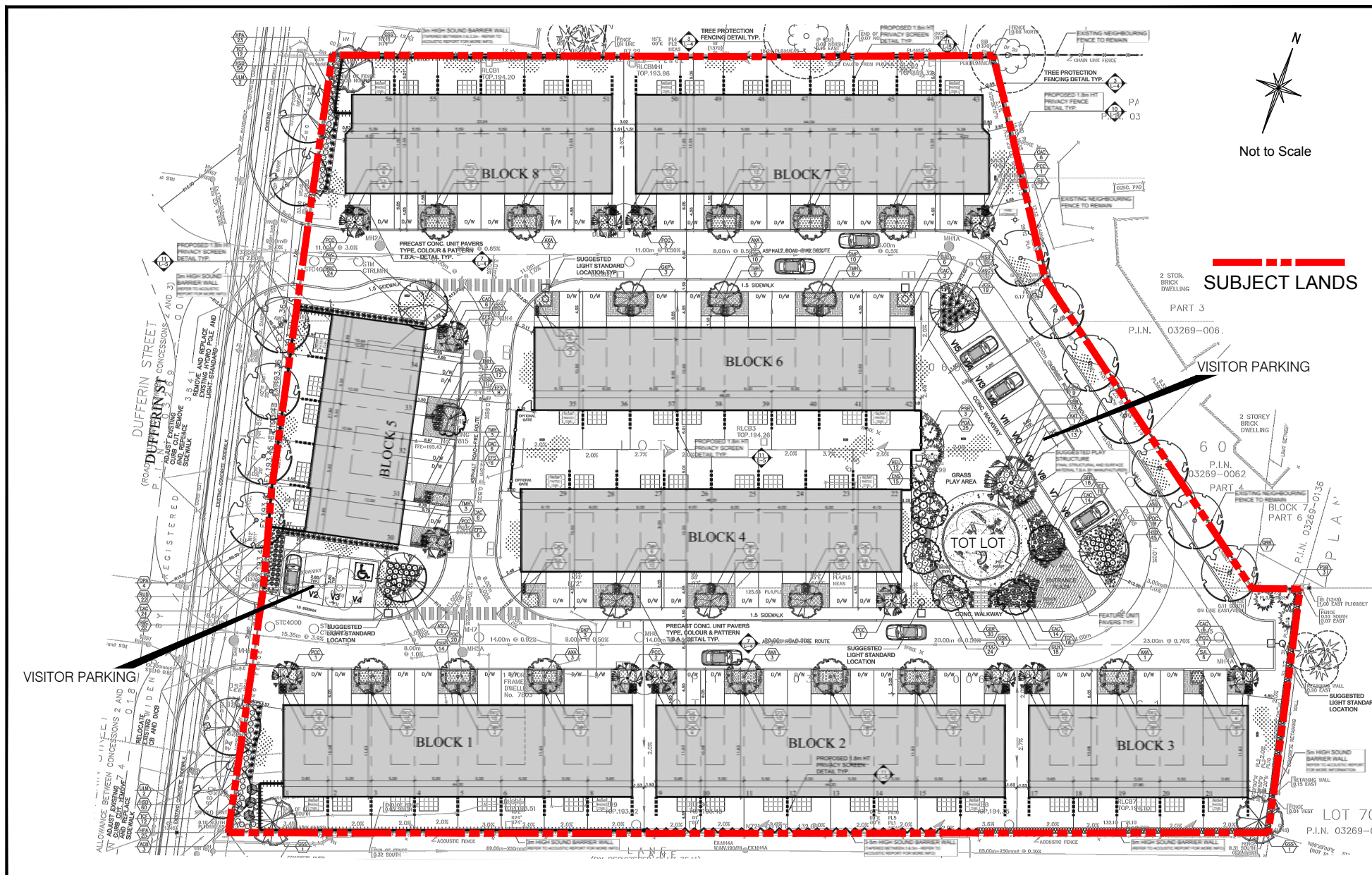


Attachment

Files: OP.16.001, Z.16.001,
19CDM-16V002 & DA.16.003

Date:
June 20, 2017

4



Proposed Landscape Plan

Location: Part of Lot 6,
Concession 2

Applicant:
2464879 Ontario Inc. (City Park Homes)

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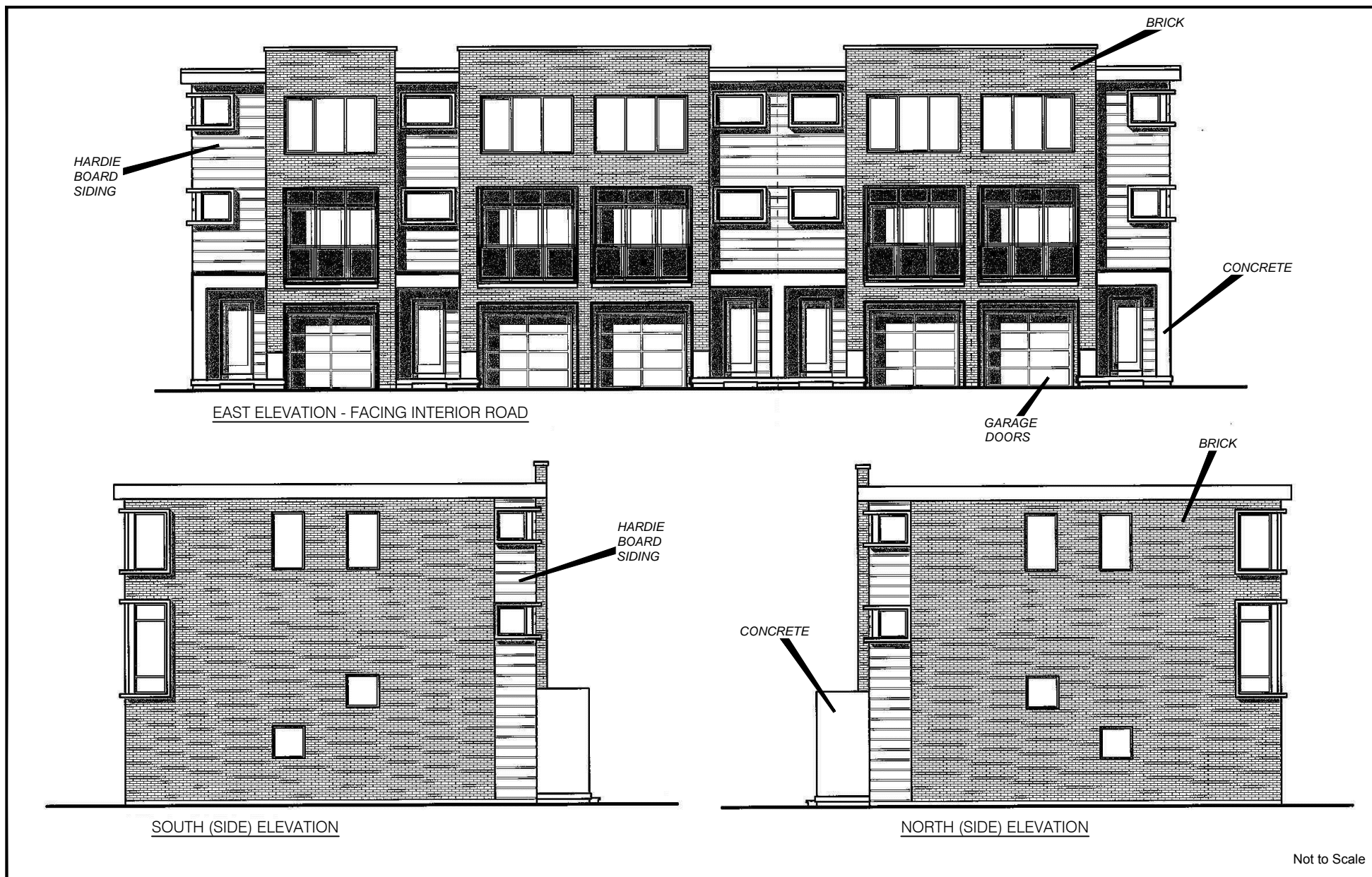


Attachment

Files: OP.16.001, Z.16.001,
19CDM-16V002 & DA.16.003

Date:
June 20, 2017

5



Proposed Elevations - Block 5

Location: Part of Lot 6,
Concession 2

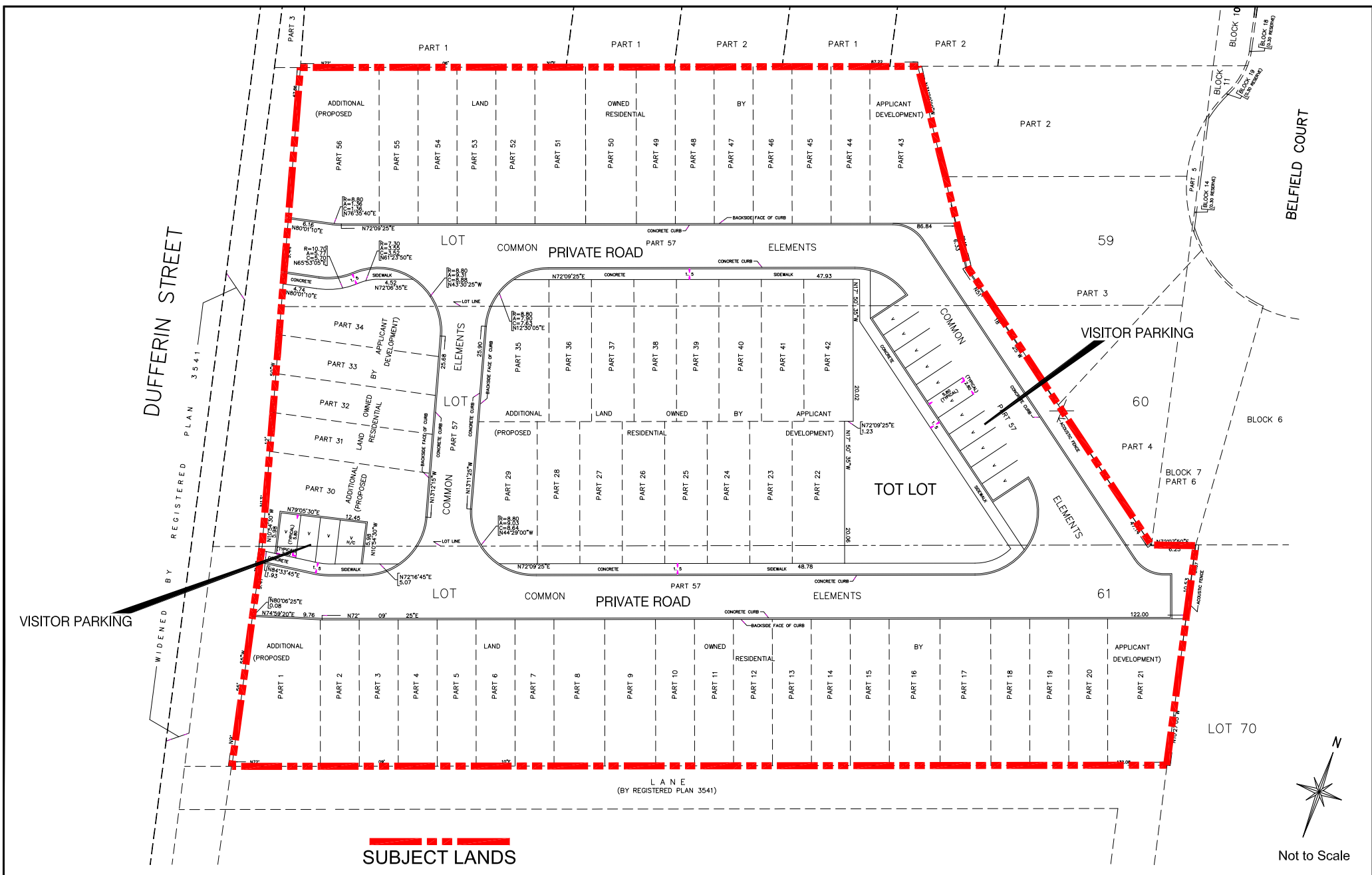
Applicant:
2464879 Ontario Inc. (City Park Homes)



Attachment
Files: OP.16.001, Z.16.001,
19CDM-16V002 & DA.16.003

Date:
June 20, 2017

6



Proposed Draft Plan of Condominium (Common Elements) File 19CDM-16V002

Applicant:
2464879 Ontario Inc. (City Park Homes)

Location: Part of Lot 6,
Concession 2



Attachment

Files: OP.16.001, Z.16.001,
19CDM-16V002 & DA.16.003

Date:
June 20, 2017

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