

P-2527

April 3, 2017

By E-mail and Mail to: Barbara.McEwan@vaughan.ca

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mayor and Members of Council

**Re: Community Area Policy Review for Low-Rise Residential Designations
Amendments to the Vaughan Official Plan 2010
Committee of the Whole – April 4, 2017
City File #15.120.1
On behalf of Kleinburg Village Development Corp.
357, 365 and 375 Stegman's Mill Road
Related Files: OP.15.006, Z. 15.025 & DA. 16.071
City of Vaughan**



Dear Mayor and Members of Council:

KLM Planning Partners Inc. ("KLM Planning") is the land use planning consultant for Kleinburg Village Development Corp., the owner of the above-noted lands. This letter is in response to our review of the Planning Department staff recommendation report to Vaughan Committee of the Whole on April 4, 2017 respecting amendments to VOP 2010 (Community Area Policy Review for Low-Rise Residential Designations), and further to our correspondence dated November 1, 2016 (attached) in response to the Public Hearing regarding the same subject matter.

After reviewing the report, we have concluded that our concerns which were previously identified have not been addressed to our satisfaction. We acknowledge and appreciate the position of staff that *"all development applications submitted in the Low-Rise Residential Areas in the Established Community Areas prior to the approval of the amendments to the Official Plan resulting from this process will be reviewed on the basis of the policies that were in effect of the time the applications were submitted"*. It would be appreciated if staff and Council could extend this position to future development applications intended to implement the development after Council approval including site plan, draft plan of condominium and minor variance applications, where applicable.

Additionally, we continue to have concern with the proposed policy 9.1.2.4 for Established Community Areas which requires that all new dwellings shall front and address a public street, and

that private laneways or driveways shall not be used to provide frontage for residential dwellings. There are several good examples of appropriate and compatible developments within the City of Vaughan and specifically within established areas where development is provided access via a private common element or condominium road.

In fact, under Section 6 g) (Urban Design Guidelines) in the main body of the planning report, staff acknowledge concerns raised through the consultation process with respect to the guidelines not appropriately addressing deep and narrow infill sites, particularly those on arterial roads. In response to these concerns, on October 19, 2016, Council approved the Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods subject to the following (in part):

*1. That staff be directed to finalize the guidelines with the requirement that conceptual designs be prepared, with stakeholder input, to investigate opportunities to **incorporate private driveway or laneway internal circulation systems to accommodate development in deeper parcels fronting onto arterial roads**, within the Low-Rise Residential Area;*

The direction provided by Council to consider opportunities to provide private driveways or laneways to accommodate development on deeper parcels fronting onto arterial roads has not been appropriately considered and addressed.

Finally, the delineation between “Community Areas” and “Established Community Areas” is not clear. Even with the new definition added to the end of Policy 9.1.2.1 it is difficult to understand and interpret the specific Official Plan policies applicable to each of these respective areas.

We kindly request that we be notified of any future reports and/or public meetings and open houses regarding this Study and ask that we receive any notice of the Committee of the Whole or Council in this matter. We reserve the right to provide additional comments on the proposed matter related to the subject lands as it evolves.

Thank you for the opportunity to comment and we look forward to participating further in the review. If you have any questions, please contact the undersigned.

Yours very truly,
KIM PIANNING PARTNERS INC.



Ryan Mino-Leahan, MCIP, RPP
Associate/Senior Planner

Copy John Mackenzie, Deputy City Manager, Planning and Growth Management
 Roy McQuillin, Director of Policy Planning and Environmental Sustainability
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November 1, 2016

By E-mail Only: jeffrey.abrams@vaughan.ca

City of Vaughan
c/o Jeffrey A. Abrams, City Clerk
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mayor and Members of Council

**Re: Community Area Policy Review for Low-Rise Residential Designations
Amendments to the Vaughan Official Plan 2010
Committee of the Whole (Public Hearing) – November 1, 2016
City File #15.120.1
On behalf of Kleinburg Village Development Corp.
357, 365 and 375 Stegman's Mill Road
Related Files: OP.15.006, Z. 15.025 & DA. 16.071
City of Vaughan**

Dear Mayor and Members of Council:

KLM Planning Partners Inc. ("KLM Planning") is the land use planning consultant for Kleinburg Village Development Corp. ("Client"), owner of the lands situated in the City of Vaughan at 357, 365 and 375 Stegman's Mill Road in the village of Kleinburg ("subject lands").

This letter is in response to the Report from the Deputy City Manager, Planning and Growth Management and Director of Policy Planning and Environmental Sustainability being considered at a statutory Public Hearing this evening (November 1, 2016) in response to proposed amendments to the Vaughan Official Plan ("VOP 2010") resulting from the Community Area Policy Review.

The above-noted lands are designated "Low-Rise Residential" on Schedule 13 (Land Use) of VOP 2010 and are further designated as "Village Residential" by Map 12.4A (Kleinburg Core) and are subject to the policies in both Volume 1 (city-wide policies) and Volume 2 (area-specific policies).

We have submitted a number of development applications on behalf of our client, being an amendment to the Official Plan (File:OP.15.006) and Zoning By-law (File:Z.15.025) filed on October 5, 2015 and an application for site plan approval filed on July 20, 2016. The purpose of the applications is to facilitate the development of 28 single family dwelling units on the subject lands. The OPA and ZBLA were deemed complete on October 30, 2015 and the Site Plan Application was deemed complete on July 29, 2016. The development applications were subject to a statutory Public Hearing on February 2, 2016.

KLM Planning has been involved throughout the Community Area Policy Review process on behalf of several clients throughout the City through the submission of letters to the City of Vaughan at the Statutory Public Hearing on June 16, 2015, as well as providing detailed comments to the Policy Planning Department in response to the public consultation process in addition to participating in the Public Open House at the Vellore Village Community Centre on May 11, 2016.

We have now had an opportunity to review the aforementioned planning staff report which proposes a number of amendments to VOP 2010 as a further response to the “Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods”, which were approved by Council on October 19, 2016. While many of the policy changes proposed deal with the location and development criteria for townhouses within the Low-Rise Residential areas in the City of Vaughan, it also proposes a number of amendments and modifications that deal with policies pertaining to new development respecting and reinforcing the character of the surrounding community and introduces new elements that define the character of a community including the orientation of dwellings, presence of mature trees and topography and drainage.

While we concur that some clarification was required with regard to the appropriate location of townhouses within the “Low-Rise Residential” designated areas of the City, we are of the view that the existing policies within VOP 2010 provide enough direction to landowners, developers and builders as well as the professional city staff who are responsible for reviewing and commenting on development proposals.

In the case of the subject lands, the owner has proposed a unique development which consists of 28 single family residential dwellings which are connected underground by a laneway system providing access to private garages located within the basement of each unit. This design was a deliberate approach to the development of these lands to be consistent with the Kleinburg Nashville Heritage Conservation District Study and Plan and to emphasize the pedestrian focused development by locating service areas below grade. However, it is unclear what impact the proposed amendments will have on the proposed development concept.

Many of the proposed amendments to VOP 2010 concerning frontage on a public street, minimum front yard and rear yard setbacks and the orientation of dwellings are very prescriptive requirements that in our view are inappropriate in the context of an Official Plan. The Official Plan is to provide general policies which guide development and that are implemented through the Zoning By-law. In most cases, a subsequent development application such as a Zoning By-law

Amendment, Draft Plan of Subdivision, Consent or Minor Variance is required to support redevelopment. Each of these development applications is subject to a public process and is subject to review and assessment by City staff who are trained professionals in their field of expertise. Our experience in Kleinburg has illustrated the level of review and attention to detail exuded by City Staff.

What is clear however is that Vaughan planning staff are attempting to create specific criteria in the Official Plan to ensure a specific type of development is achieved on all infill sites in the City. This is counterproductive to good land use planning in which development applications are assessed on the merits of their proposal which both respond to varying local conditions and at the same time respect and reinforce development within the same community (i.e. does not mean the same as).

We reiterate that the Official Plan is intended to be an overall guiding document, which in our view generally exists within the Council approved version of VOP 2010. Introducing more specific policy criteria within the Official Plan as proposed removes the ability for landowners including our client and City staff to have meaningful discussion and review of development applications that respond to varying site conditions. To impose such prescriptive design criteria within an Official Plan introduces a “one size fits all” approach to land use planning. As we know, land use planning is a balancing act to ensure development is both supportive of intensification and redevelopment that is being pushed by the Province in response to creating communities that are sustainable over the long term, diverse, transit-supportive and pedestrian friendly.

As Vaughan continues to intensify to accommodate a growing population, it needs to consider ways to support development that is both reflective of existing policy direction but supportive of the character of existing communities. To be clear this does not mean that new development needs to be the same as what exists in the surrounding community, but rather needs to respect the character and be compatible with existing uses.

In fact, we would recommend staff consider amendments to the existing policies to ensure that when an amendment to the official plan is required, that development which is compatible can be supported by both the City of Vaughan and developers as a means in which to provide housing which contributes to the diversity and range of housing available to the residents of Vaughan that responds to market conditions ensuring a full range of housing options and related amenities can be achieved in accordance with Provincial Policy and similar initiatives.

We are of the opinion that developments along Arterial and Collector Roads including the development proposed on the subject lands are appropriate locations for moderate intensification as it is situated on lands with generally more convenient access to public transit and other services and in the case of the subject lands direct access within walking distance of the village core of Kleinburg.

We kindly request that we be notified of any future reports and/or public meetings and open houses regarding this Study and ask that we receive any notice of the Committee of the Whole

or Council in this matter. We reserve the right to provide additional comments on the proposed matter related to the subject lands as it evolves.

Thank you for the opportunity to comment and we look forward to participating further in the review. If you have any questions, please contact the undersigned.

Yours very truly,

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