

C 12.1

John Zipay and Associates  
2085433 Ontario Limited  
2407 Gilbert Court  
Burlington, On  
L7P 4G4  
[jjzipay@hotmail.com](mailto:jjzipay@hotmail.com)  
(416) 305-7989

C 12	
COMMUNICATION	
CW (PH) -	FEB 3/15
ITEM -	1

January 23, 2015

Mayor Maurizio Bevilacqua  
Deputy Mayor & Regional Councillor Michael DiBiase  
Regional Councillor Mario Ferri  
Regional Councillor Gino Rosati  
Ward 1 Councillor Marilyn Iafrate  
Ward 2 Councillor Tony Carella  
Ward 3 Councillor Rosanna DeFrancesca  
Ward 4 Councillor Sandra Yeung Racco  
Ward 5 Councillor Alan Shefman

RECEIVED
FEB - 3 2015
CITY OF VAUGHAN CLERKS DEPARTMENT

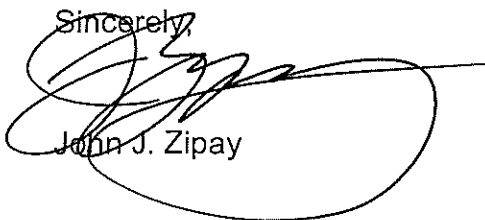
Re: 8204 & 8210 Pine Valley Drive  
ZB Application Z.14.038

On February the 3<sup>rd</sup> - a Rezoning Application Z.14.038 - for lands located at 8204 and 8210 Pine Valley Drive will be heard at a Public Hearing of the Committee of the Whole.

The attached synopsis and photo booklet are provided to you with the intent of demonstrating the current land use context of the immediate area in proximity of the subject lands and to consider the policy framework and planning merit of this application based on its conformity with the official plan.

If you have any questions concerning these submissions I would be pleased to respond to any inquiries.

Sincerely,



John J. Zipay

CC: John MacKenzie, Commissioner of Planning and Development  
Jeffrey Abrams, City Clerk

John Zipay and Associates  
2085433 Ontario Limited  
2407 Gilbert Court  
Burlington, On  
L7P 4G4  
[jizipay@hotmail.com](mailto:jizipay@hotmail.com)  
(416).305-7989

Related to Zoning Application 2.14.038

Schedule 13Q - DESIGNATES SUBJECT LANDS as LOW RISE RESIDENTIAL

PERMITTED BUILDING TYPES

- detached
- semi-detached
- townhouses

## Conclusion

The Planning Department takes issue with the application by reason of clause 9.2.3.2. (b), and is of the opinion that an Official Plan Amendment is required because there are no existing townhouses within the immediate area.

9.2.3.2 (b) "In Community Areas with existing development, the scale, massing, setback and orientation of Townhouses will respect and reinforce the scale, massing, setback and orientation of other built and approved Townhouses in the immediate area. Variations are permitted for the

C12.3

purposes of minimizing driveways and having front entrances and porches located closer to the street than garages."

It is submitted that:

- The presence of townhouses is not a prerequisite to allowing townhouses. Nowhere in the language of this policy does it say that townhouses must be present to allow new townhouses.
- To the contrary, the clause or policy simply and clearly means that in the Community Areas with existing development new Townhouse Development will reinforce the existing built and approved townhouses in the immediate area, subject to the criteria listed, which collectively speak to the merit of the proposed development and not the permissibility of the use.

Conclusion The absence of existing or approved townhouses means that the proposed development, being a permitted use under the LOW RISE DESIGNATION is to be evaluated on MERIT within the context of the existing land uses, which in this case, do not yet include existing townhouses.

Once this application is approved, any subsequent townhouse proposals in the immediate area would be subject to 9.2.3.2 (b) and the evaluation of these future townhouse proposals would now be required to take into account and be evaluated on the basis of a comparison with the first townhouse approval which would now form part of the land use context. The current proposal can only be evaluated on the basis of the present land use context.

The absence of existing townhouses simply means that the proposed development would be the first of its kind and thus would henceforth set the standard for future, additional townhouse development in the area.

### Community Areas

The Planning Department has raised a concern about the introduction of townhouses into a stable Community Area.

According to Schedule 1 of the Official Plan, the subject lands are identified as a "Community Area".

Section 9.2.3. "Community Areas will remain mostly stable. However, incremental change is expected as a natural part of maturing neighbourhoods. Changes will be sensitive to and respectful of the existing character area."

### Current Character of The Area

C12.4

The notion that this area is a stable community area is incorrect. As shown through the accompanying photo booklet, several properties, including the subject application have been or are still being used for commercial purpose which include auto mechanical repairs, roofing business, outside storage of heavy equipment, demolition bins, dumping and a chop shop and auto parts salvage.

Lands in the immediate proximity represent a concentrated pocket of instability with the intrusion of non-residential "self-employed" commercial users due to the large lots which attract businesses that require outside storage. The pocket is surrounded by standard residential development.

#### Merit of Application

- conforms with the Official Plan in terms of use and building types and other related policies
- will establish a stable residential form of development and eliminate the potential for further non-residential uses
- will have no impact upon local surrounding residential neighbourhood street as the subject property directly abuts Pine Valley Drive and all vehicular ingress and egress is directly onto Pine Valley thus eliminating direct connection to local streets
- the development is screened by a heavily vegetated ravine and screen wall to the west and east respectively
- the development is compatible with existing development to the south and appropriate design and landscaping, through site plan approval, will ensure a compatible condition
- approval of this townhouse development will set the standard for the future redevelopment of adjoining lands to the north and encourage the transition of this concentrated pocket of instability to a stable residential area as intended by the Official Plan
- the approval of this application provides the City of Vaughan with an opportunity to set the right tone for redevelopment of an otherwise unstable residential area