

**CITY OF VAUGHAN  
COMMITTEE OF THE WHOLE (PUBLIC HEARING)  
AGENDA**

**Tuesday, September 17, 2019**

**7:00 p.m.**

**Council Chamber**

**2nd Floor, Vaughan City Hall**

**2141 Major Mackenzie Drive**

**Vaughan, Ontario**

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<b>2. STAFF COMMUNICATIONS</b>	
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ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE  
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AND VIDEO BROADCAST

[www.vaughan.ca](http://www.vaughan.ca) (Agendas, Minutes and Live Council Broadcast)

## **Committee of the Whole (Public Hearing) Report**

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**DATE:** Tuesday, September 17, 2019

**WARD:** 4

**TITLE: BLOCK 18 PROPERTIES INC.  
DRAFT PLAN OF SUBDIVISION FILE 19T-19V003  
VICINITY OF GRAND TRUCK AVENUE AND MURET  
CRESCENT**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To receive comments from the public and the Committee of the Whole on Draft Plan of Subdivision File 19T-19V003 for the Subject Lands shown on Attachment 1, to permit a residential development consisting of 40 single detached dwelling units, as shown on Attachment 2.

**Report Highlights**

- To receive input from the public and the Committee of the Whole on a proposed development consisting of 40 single detached dwelling units fronting onto a public road.
- A Draft Plan of Subdivision application is required to permit the proposed development.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

**Recommendations**

1. THAT the Public Hearing report for File 19T-19V003 (Block 18 Properties Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

The subject lands ('Subject Lands') are comprised of a 2.25 ha site area, located at the northeast corner of Grand Truck Avenue and Muret Crescent, legally described as Block 203 on 65M-3932 and Part 31 on 65R-28685 within Part of Lot 19, Concession 3.

The vacant lands were intended to be developed with a school. However, on June 23, 2016, the York Catholic District School Board confirmed that the Subject Lands are no longer required for an elementary school. The Subject Lands and the surrounding land uses are shown on Attachment 1.

### ***A Draft Plan of Subdivision application has been submitted to permit the proposed development***

The Owner has submitted a Draft Plan of Subdivision (the 'Application') to permit a residential development (the 'Development') consisting of 40 single detached residential dwelling units, as shown on Attachment 2. The Draft Plan of Subdivision (the 'Draft Plan') consists of the following:

<b>Lots/ Blocks/ Roads</b>	<b>Land Use</b>	<b>Area (ha)</b>	<b>Number of Units</b>
13.7 m frontage (Lots 10, 11, 17-20, 38 and 40)	Residential Lots	0.398 ha	7
12 m frontage (Lots 1-9, 12-16, 21-37 and 39)	Residential Lots	1.376 ha	32
Block 41	Buffer (to be dedicated to a public authority)	0.122 ha	n/a
Block 42 and 43	0.3 m Reserve	0.001 ha	n/a
Block 44	Walkway	0.001 ha	n/a

### ***Public Notice was provided in accordance with the Planning Act and Vaughan Council's Notification Protocol***

- a) Date the Notice of Public Hearing was circulated: August 23, 2019.  
The Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed along the Grand Truck Avenue and Muret Crescent frontages in accordance with the City's Notice Signs Procedures and Protocols.
- b) Circulation Area: 150 m, as shown on Attachment 1.
- c) Comments received:



Written comments have been received by the Development Planning Department from the following individuals:

- Email from Tanya Chu, dated July 25, 2019
- Email from Zahra Lotfazar, Muret Crescent, dated July 18, 2019

The following is a summary of the comments that were provided:

- i) The Development will devalue the area. A previous sign on the property advised that a school was proposed.
- ii) Request for the name of the builder and timing of construction.

The concerns noted above and any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to a future Committee of the Whole meeting.

### **Previous Reports/Authority**

Not applicable.

### **Analysis and Options**

#### ***The Development conforms to the Vaughan Official Plan 2010 ('VOP 2010')***

The Subject Lands are designated "Low-Rise Residential" by VOP 2010. The "Low-Rise Residential" designation permits detached-dwellings and does not prescribe a maximum density. The proposed residential Draft Plan of Subdivision intends to facilitate the construction of 40 detached dwelling units and conforms to the Official Plan.

The abutting lands to the east are designated "Natural Areas" by VOP 2010 and zoned OS5 Open Space Environmental Protection Zone by Zoning By-law 1-88. The "Natural Areas" designation includes natural features such as wetlands, woodlands and valley and stream corridors which does not permit development. The Owner has provided an Environmental Impact Study ('EIS') which identifies a significant woodland, valleyland and unevaluated wetlands on the adjacent lands. The Owner has proposed a minimum 10 m vegetation protection zone (Block 41) as shown on Attachment 2. The preliminary development limits must be reviewed to determine the appropriate minimum vegetation protection zone ('MVPZ') as identified in VOP 2010 policy 3.2.3.4. Minor modifications to boundaries are permitted, as per VOP 2010, Policy 3.4.2.2 and 3.2.3.11. The Owner

shall provide further technical studies in order to establish the development limits for the Subject Lands to the satisfaction of the City and Toronto and Region Conservation Authority ('TRCA').

VOP 2010, Policy 3.2.3.10 states that Core Features and their related vegetation protection zone will be conveyed to the City and/or TRCA as a condition of development approval to ensure their continued protection and management. The proposed buffer block (Block 41) on Attachment 2 will be conveyed in public ownership.

***The Development conforms to the Oak Ridges Moraine Conservation Plan ('ORM')***

The Subject Lands are located within the Oak Ridges Moraine Conservation Plan ('ORMCP') Area, specifically a Settlement Area (as shown on Schedule 4 in VOP 2010), which states that Planning Act applications filed after November 16, 2001, are subject to the "Settlement Area" policies of the ORMCP. The Owner has submitted an Oak Ridges Moraine Conformity Report in accordance with the requirements of the ORMCP.

***The Development complies to the requirements of Zoning By-law 1-88***

The Subject Lands are zoned "RD4 Residential Detached Zone Four", subject to site-specific Exceptions 9(1229) and 9(1232). The Draft Plan meets the required minimum lot frontage requirement of a 9 m and the minimum lot area requirement of 243 m<sup>2</sup>. The Owner has advised that all other RD4 Zone requirements of the by-law are met, and no additional exceptions are required. However, through the detailed review of the Application additional zoning exceptions may be identified and will be considered in a technical report to a future Committee of the Whole meeting.

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

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity and Consistency with Provincial Policies / Plans, and York Region and City of Vaughan Official Plans	<ul style="list-style-type: none"> <li>The Application will be reviewed in consideration of statutory Provincial policies including the Provincial Policy Statement 2014 ('PPS') and the Growth Plan for the Greater Golden Horseshoe 2019 ('Growth Plan'), and the policies of the York Region Official Plan ('YROP'), and the City of Vaughan Official Plan ('VOP 2010').</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
b.	Final Approved Limits of Development Must be Established	<ul style="list-style-type: none"> <li>▪ In order to complete a thorough review of the Application, which includes analysis of the matters to be reviewed as identified in this report, the final approved limits of development must be established to the satisfaction of the City and TRCA.</li> </ul>
c.	Toronto and Region Conservation Authority ('TRCA')	<ul style="list-style-type: none"> <li>▪ The Subject Lands are partially located within the TRCA's regulated area and therefore, must be reviewed to the satisfaction of the TRCA.</li> <li>▪ The Subject Lands were previously identified as a school block and as the use has changed, further studies are needed to identify water balance targets. The Owner shall ensure that the target supply of clean groundwater is being met through the Development.</li> </ul>
d.	Approved Source Protection Plan	<ul style="list-style-type: none"> <li>▪ The Subject Lands are located within the WHPAQ (Wellhead Protection Area - Recharge Management Area) as identified in the approved Source Protection Plan which provides policies for protecting the drinking water sources/supply. The Owner is required to satisfy the requirements.</li> </ul>
e.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The following studies and reports in support of the Application must be approved to the satisfaction of the City and/or respective approval authority: <ul style="list-style-type: none"> <li>- Planning Justification Report</li> <li>- Preliminary Geotechnical Report</li> <li>- Noise Impact Study</li> <li>- Environmental Impact Study</li> <li>- Urban Design Brief</li> <li>- Tree Inventory and Preservation Plan</li> </ul> </li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
		<ul style="list-style-type: none"> <li>- Sustainability Scoring Tool and Summary Letter</li> <li>- Traffic Impact Study, Transportation Mobility Plan and TDM Plan</li> <li>- Landscape Master Plan</li> <li>- Phase 1 Environmental Site Assessment</li> <li>- Functional Servicing and Storm Water Management Report</li> </ul> <ul style="list-style-type: none"> <li>▪ Additional studies/reports may be required as part of the development application review process.</li> </ul>
f.	Urban Design and Architectural Design Guidelines	<ul style="list-style-type: none"> <li>▪ Future residential development must conform to the approved Urban Design Guidelines and Architectural Design Guidelines for the Block 18 Carrville Corners Landscape Masterplan prepared by NAK Design Group should the Application be approved.</li> </ul>
g.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ In accordance with the City of Vaughan's Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Application Score. Currently the Application does not meet the minimum threshold, Staff will work with the Owner to improve the score prior to final approval.</li> </ul>
h.	Parks Development Department	<ul style="list-style-type: none"> <li>▪ The Owner will be required to submit a revised grading plan and a walkway scoped report for the walkway proposed from the Subject Lands into the adjacent neighbourhood park (Attachment 2).</li> <li>▪ Appropriate mitigation measures such as increased setbacks and/or fencing will be required to address noise and safety concerns</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
		as the Subject Lands abut a neighbourhood park with a soccer facility.
i.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ The Owner will be required to pay to the City of Vaughan, cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City of Vaughan's Cash-in-Lieu of Parkland Policy, should the Applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Vaughan Legal Department, Real Estate Division.</li> </ul>
j.	Block 18 Developers Group	<ul style="list-style-type: none"> <li>▪ Prior to the final approval of the Application, the Owner shall enter into a Developers Group Agreement with the other participating landowners within Block 18 to the satisfaction of the City.</li> </ul>

### **Financial Impact**

Not applicable.

### **Broader Regional Impacts/Considerations**

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

### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information,** please contact: Margaret Holyday, Senior Planner,

Development Planning Department, ext. 8216.

**Attachments**

1. Location Map
2. Draft Plan of Subdivision File 19T-19V003

**Prepared by**

Margaret Holyday, Senior Planner, ext. 8216

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8407











## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, September 17, 2019

**WARD:** 4

**TITLE: DUFCEEN CONSTRUCTION INC./MARYDEL HOMES  
OFFICIAL PLAN AMENDMENT FILE OP.17.013  
ZONING BY-LAW AMENDMENT FILE Z.17.040  
VICINITY OF DUFFERIN STREET AND CENTRE STREET**

**FROM:**

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

**ACTION:** FOR INFORMATION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on Official Plan Amendment File OP.17.013 and Zoning By-law Amendment File Z.17.040, to permit the development of 140 stacked townhouse units, a 10-storey apartment building containing 168 units, and a 12-storey apartment building containing 274 units, for a total of 582 units, as shown on Attachments 2, on the subject lands shown on Attachment 1 and 2.

### **Report Highlights**

- To receive input from the public and the Committee of the Whole on a proposed development consisting of 140 stacked townhouse units and 442 residential apartment units.
- Official Plan and Zoning By-law Amendments are required to permit the proposed development.
- Should the Official Plan and Zoning By-law Amendment Applications be approved, future Site Development and Draft Plan of Condominium Applications will be required.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

## **Recommendation**

1. THAT the Public Hearing report for Official Plan and Zoning By-law Amendment Files OP.17.013 and Z.17.040 (Dufcen Construction Inc./Marydel Homes) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

The Subject Lands (the ‘Subject Lands’) shown on Attachment 1 are located north of Centre Street and on the west side of Dufferin Street, and are municipally known as 7838, 7848, 7850, 7868 and 7878 Dufferin Street, as shown on Attachments 1 and 2. The Subject Lands are currently vacant. The surrounding land uses are shown on Attachment 1

### ***An Official Plan Amendment and Zoning By-law Amendment have been submitted to permit the development***

The Owner has submitted the following applications (the ‘Applications’) for the Subject Lands to permit 140 stacked townhouse units, a 10-storey apartment building containing 168 units, and a 12-storey apartment building containing 274 units, for a total of 582 units, with driveway access onto Dufferin Street, (the ‘Development’), as shown on Attachment 2:

1. Official Plan Amendment File OP.17.013 to amend the Vaughan Official Plan 2010 (“VOP 2010”) to redesignate the Subject Lands from “Community Commercial Mixed-Use” to “Mid-Rise Residential” to permit the Development, in the manner shown on Attachment 2.
2. Zoning By-law Amendment File Z.17.040 to amend Zoning By-law 1-88 to rezone the Subject Lands from “C7 Service Commercial” subject to Exception 9(1411), as shown on Attachment 1, to “RM2 Multiple Residential Zone” and “RA3 Apartment Residential Zone” to permit the development in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.

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

- a) Date the Notice of Public Hearing was circulated: August 23, 2019.

The Notice of Public Hearing was also posted on the City’s web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed along Dufferin Street, in accordance with the City’s Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands.

c) Comments Received:

Written comments have been received by the Development Planning Department from the following individuals:

- Brownridge Ratepayers Association

The following is a summary of the comments that have been provided to date:

- i) Residential is not acceptable for the Subject Lands, as the Subject Lands are bounded by a Hydro line and Highway 407.
- ii) Stacked townhomes and mid-rise buildings are out of character with the existing community.
- iii) The community supports Community Commercial Mixed-Use development.

The concerns noted above and any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

### **Previous Reports/Authority**

Not applicable.

### **Analysis and Options**

***An Amendment to the policies of the “Community Commercial Mixed Use” designation of VOP 2010 is required to permit the Development.***

The subject lands are designated “Community Commercial Mixed Use” by VOP 2010 and are located within a “Community Area” as identified on Schedule 1, “Urban Structure” of VOP 2010. This designation does not permit residential development.

In accordance with Schedule 14-A of VOP 2010, “Areas Subject to Secondary Plans”, the adjacent lands at the Dufferin Street and Centre Street intersection are within a required secondary plan area. Consideration will be given to the proposed land uses in the Dufferin Street and Centre Street Secondary Plan.

***Amendments to Zoning By-law 1-88 are required to permit the Development***

The Subject Lands are zoned “C7 Service Commercial Zone” subject to Exception 9(1411) by Zoning By-law 1-88, as shown on Attachment 1. The “C7 Service Commercial Zone” permits only service commercial uses.

The Development is not permitted in the “C7 Service Commercial Zone”, therefore, an amendment to Zoning By-law 1-88 is required to permit the proposed development. shown on Attachment 2. The Owner proposes to rezone the Subject Lands to a “RM2 Multiple Residential Zone” and a “RA3 Apartment Residential Zone” with the following site-specific zoning exceptions:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>RM2 Multiple Residential Zone Requirements</b>	<b>Proposed Exceptions to the RM2 Multiple Residential Zone Requirements</b>
a.	Definition - Lot	“Lot” means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the <i>Planning Act, R.S.O. 1983</i> would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	“Lot” means the Subject Lands shall be deemed one development and one lot, with a private condominium road, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control consent and any easements or restrictions for each parcel.
b.	Maximum Building Height	11 m	14 m
c.	Minimum Front Yard Setback	4.5 m	3.0 m

	<b>Zoning By-law 1-88 Standard</b>	<b>RA3 Apartment Residential Zone Requirements</b>	<b>Proposed RA3 Residential Zone Requirements</b>
d.	Definition - Lot	“Lot” means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the <i>Planning Act</i> , R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	“Lot” means the Subject Lands shall be deemed one development and one lot, with a private condominium road, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control, consent and any easements or restrictions for each parcel.
e.	Minimum Interior Side Yard Setback	4.5 m	2.6 m

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

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

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT</b>
a.	Consistency and Conformity with Provincial Policies, York	<ul style="list-style-type: none"> <li>The proposed development will be reviewed in consideration of the statutory Provincial policies including the <i>Provincial Policy Statement, 2014</i></li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT</b>
	Region and City Official Plans	(‘PPS’) and <i>A Place to Grow the Growth Plan for the Greater Golden Horseshoe (2019)</i> (the ‘Growth Plan’) and the policies of the York Region (‘YROP’) and the City of Vaughan (‘VOP 2010’) Official Plan.
b.	Appropriateness of the Proposed Uses and Site - Specific Official Plan and Zoning Exceptions	<ul style="list-style-type: none"> <li>• The appropriateness of the proposed amendments to the Official Plan and Zoning By-law will be reviewed in consideration of the existing and planned surrounding land uses with consideration given to land use and built form compatibility, and lot size and configuration, transition to the existing detached dwellings to the south, built form compatibility, building setbacks, and traffic impact.</li> <li>• A Secondary Plan is required to determine the land use context for the adjacent Dufferin Street Centre Street area intersection area. Consideration will be given to the proposed Dufferin Street and Centre Street land use.</li> <li>• Vaughan Policy Planning and Environmental Sustainability presented a report at the September 17, 2019 Committee of the Whole Meeting recommending that the Dufferin-Centre Area Specific Plan be included in the 2020 Policy Planning and Environmental Sustainability budget for review, and that the Dufferin-Centre Area Specific Plan be expanded to include additional lands to update the policy framework. The additional lands referred to in the PPES report includes the Subject Lands.</li> <li>• The Subject Lands are within a draft Major Transit Station Area (‘MTSA’) as identified by York Region.</li> </ul>



	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT</b>
c.	Section 37 Provision	<ul style="list-style-type: none"> <li>• Opportunities for Section 37 benefits under the <i>Planning Act</i>, the policies of VOP 2010, and the City's Guideline for the Implementation of Section 37 of the <i>Planning Act</i> will be explored for this development. Section 37 of the Planning Act allows municipalities to authorize increases in height and/or density of development in return for the provision of facilities, services or other matters (i.e. community benefits) as determined by the municipality only if the proposed increase is considered to be appropriate.</li> </ul>
d.	Lands to the south	<ul style="list-style-type: none"> <li>• The neighbouring lands south of the Subject Lands currently cannot obtain vehicular access to Dufferin Street and Centre Street as these lands are within an MTO Control Area.</li> <li>• Consideration must be given to providing access to these lands.</li> </ul>
e.	Studies and Reports	<ul style="list-style-type: none"> <li>• The Owner has submitted the following studies and reports in support of the application, which must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> <li>- Planning Justification Report</li> <li>- Stormwater Management and Functional Servicing Report (FSR)</li> <li>- Transportation Study</li> <li>- Preliminary Environmental Noise Analysis</li> <li>- Geotechnical Investigation</li> <li>- Urban Design and Sustainability Brief</li> </ul> </li> <li>• The requirement for additional studies/information may be identified through the development application review process.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT</b>
f.	Allocation and Servicing	<ul style="list-style-type: none"> <li>The availability of water and sanitary sewage servicing capacity for the proposed residential units must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing capacity is unavailable, the Holding Symbol "(H)" may be applied to the Subject Lands. Removal of the Holding Symbol will be conditional on servicing being identified and allocated by Vaughan Council.</li> </ul>
g.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"> <li>The provision of cash-in-lieu of parkland dedication in accordance with the <i>Planning Act</i> and the City's Cash-in-lieu of Parkland Policy, is required if the Applications are approved.</li> </ul>
h.	Site Development Application	<ul style="list-style-type: none"> <li>A Site Development Application will be required and will be reviewed in consideration of, but not limited to, appropriate building and site design, barrier free accessibility, pedestrian connectivity, the location and size of amenity space, vehicular access, internal traffic circulation, parking, landscaping (hard and soft), the location of permeable pavers, landscape buffers, fencing, environmental sustainability, bird friendly design, waste management, outdoor lighting designed to eliminate light spillage to neighbouring properties, stormwater management, and serving and grading.</li> <li>A Site Development Application can be processed concurrently with the Applications and be considered together in a comprehensive technical report to a future Committee of the Whole Meeting to ensure that the site-specific exceptions are identified in the implementing zoning by-law to facilitate the Development, if the Applications are approved.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT</b>
i.	Sustainable Development	<ul style="list-style-type: none"> <li>• Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the “heat island” effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if the Applications are approved.</li> <li>• In accordance with the City of Vaughan Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Overall Application Score.</li> </ul>
j.	Future Draft Plan of Condominium Application	<ul style="list-style-type: none"> <li>• Should the Applications be approved, a Draft Plan of Condominium Application will be required to establish the condominium tenure for the Development.</li> </ul>
k.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> <li>• The development of the Subject Lands must satisfy the requirements of the Source Protection Plan under the <i>Clean Water Act, 2006</i>. The purpose of a Source Protection Plan is to outline how water quality and quantity for the municipal drinking water systems will be protected. A site-specific water balance assessment has been included within the Functional Servicing Report (FSR) submission and is subject to review and approval by the TRCA.</li> </ul>
l.	Infrastructure Ontario and Hydro One	<ul style="list-style-type: none"> <li>• A Hydro One corridor exists west of the Subject Lands. The development of the Subject Lands must satisfy all requirements of Hydro One and Infrastructure Ontario.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT</b>
m.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> <li>• The Development must conform to the City-wide Urban Design Guidelines and have regard for the applicable Centre Street Urban Design Guidelines and Centre Street Streetscape Plan. The Urban Design and Sustainability Brief prepared by Weston Consulting must be reviewed to the satisfaction of the Vaughan Development Planning Department.</li> </ul>

### **Financial Impact**

Not applicable.

### **Broader Regional Impacts/Considerations**

The application has been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner has applied for a Regional Official Plan exemption which is currently being reviewed by the Region. Any issues identified through the circulation will be addressed when the technical report is considered.

### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the application will be considered in the technical review of the applications, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Carol Birch, Planner, Development Planning Department, Extension 8485.

### **Attachments**

1. Location Map
2. Concept Plan
3. Proposed Zoning

### **Prepared by**

Carol Birch, Planner, extension 8485

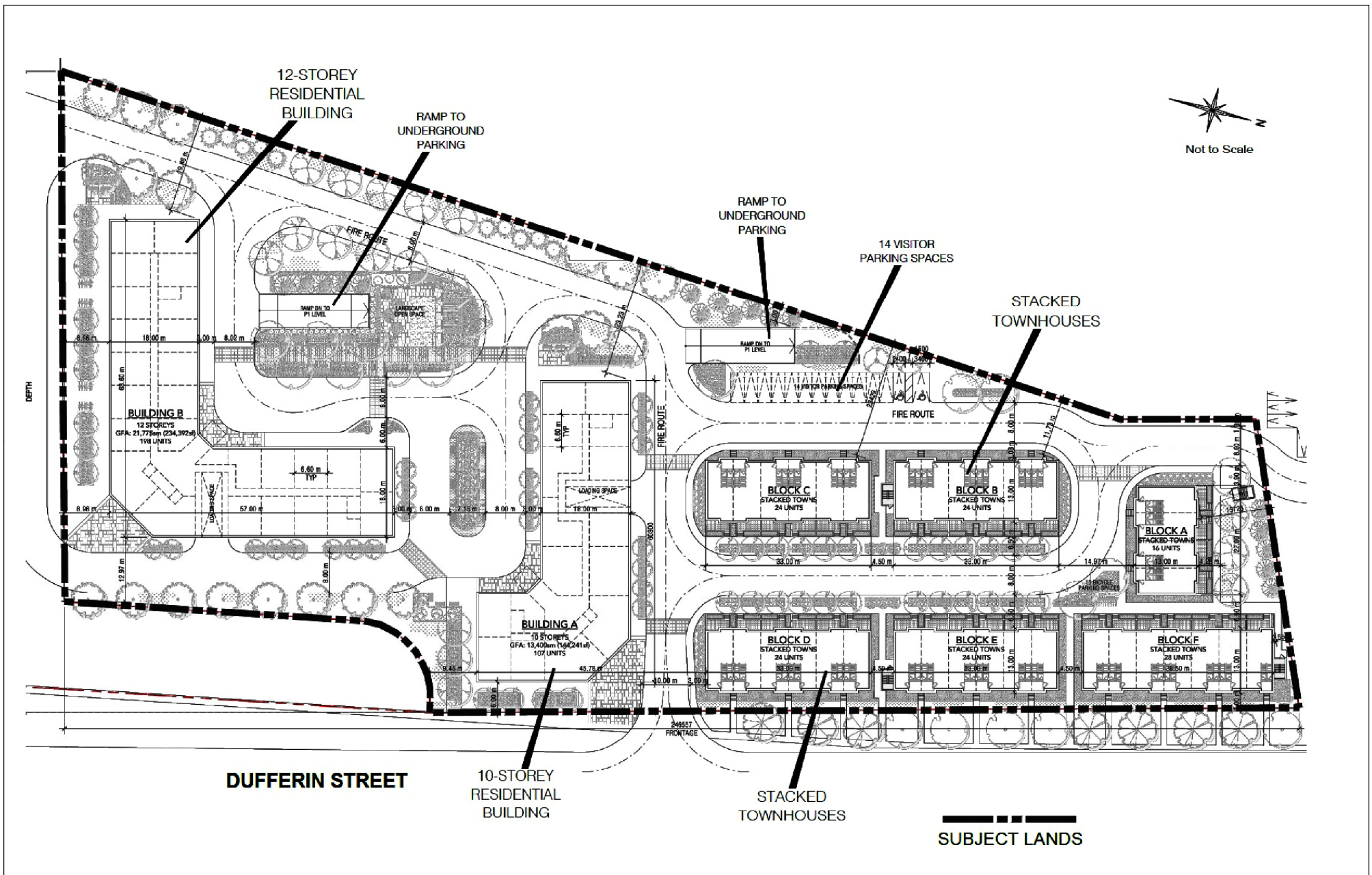
Eugene Fera, Senior Planner, extension 8003

Nancy Tuckett, Senior Manager of Development Planning, extension 8529

Mauro Peverini, Director of Development Planning, extension 8407

/LG





# Concept Plan

**LOCATION:**  
Part of Lots 7 & 8, Concession 3

**APPLICANT:**  
Dufcen Construction Inc. / Marydel Homes



# Attachment

**FILES:**  
OP.17.013 & Z.17.040

**DATE:**  
September 17, 2019



## Proposed Zoning

**Location:**  
Part of Lots 7 & 8, Concession 3

**Applicant:**  
Dufcen Construction Inc. / Marydel Homes



## Attachment

**Files:**  
OP.17.013 & Z.17.040

**Date:**  
September 17, 2019





## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, September 17, 2019

**WARD:** 2

**TITLE: NATIONAL CAPITAL FINANCIAL INC.  
ZONING BY-LAW AMENDMENT FILE Z.19.005  
VICINITY OF KIPLING AVENUE AND WOODBRIDGE AVENUE**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.19.005 (National Capital Financial Inc.) to amend the C3 Local Commercial Zone subject to site-specific Exception 9(1054) of Zoning By-law 1-88, for the subject lands shown on Attachment 1. Zoning By-law Amendment File Z.19.005, if approved, will permit additional at-grade commercial uses and a residential unit within the second floor of the existing two-storey commercial building, together with the site-specific zoning exceptions identified in Table 1.

**Report Highlights**

- To receive comments from the public and the Committee of the Whole regarding the additional at-grade commercial uses and a second-floor residential unit on the subject lands.
- An amendment to Zoning By-law 1-88 is required to permit the proposed uses and site-specific exceptions.
- A technical report will be prepared by the Development Planning Department to be considered at a future Committee of the Whole meeting.

## **Recommendations**

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.19.005 (National Capital Financial Inc.) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

The Subject Lands (the 'Subject Lands') are located on the west side of Kipling Avenue, south of Woodbridge Avenue, and are municipally known as 7938 Kipling Avenue, as identified on Attachment 1. The Subject Lands are currently developed with a two-storey commercial building, as identified on Attachment 2, that was formerly a residential dwelling.

### ***A Zoning By-law Amendment Application was submitted to permit additional uses and site-specific exceptions***

The Owner (National Capital Financial Inc.) has submitted Zoning By-law Amendment Application Z.19.005 (the 'Application') to amend the "C3 Local Commercial Zone" ('C3 Zone') subject to site-specific Exception 9(1054) of Zoning By-law 1-88, to permit additional at-grade commercial uses permitted by the C3 Zone, and one residential unit on the existing second floor of the building with a gross floor area ('GFA') of 84.6 m<sup>2</sup>. Site-specific Exception 9(1054) limits the permitted uses on the Subject Lands to a Bridal Retail Store with an accessory work area and storage on the second floor, and a storage area in the basement. The proposed site-specific zoning exceptions identified in Table 1 of this report will also be required to recognize the existing lot conditions on the Subject Lands.

The permitted uses by the C3 Zone that are proposed on the ground floor of the existing building through this Application are as follows:

- Bank or Financial Institution;
- Business or Professional Office;
- Personal Service Shop;
- Pharmacy;
- Photography Studio;
- Retail Store; and
- Video Store.

In addition to the permitted uses by the C3 Zone, a residential unit is proposed on the second floor of the existing building.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol***

- a) Date the Notice of Public Hearing was circulated: August 23, 2019

The Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: 150 m and the area shown on Attachment 1, and to the Village of Woodbridge Ratepayer's Association and West Woodbridge Homeowners Ratepayer's Association.

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 Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

**Previous Reports/Authority**

N/A

**Analysis and Options**

***The Application conforms to Vaughan Official Plan 2010***

The Subject Lands are designated "Mid-Rise Mixed-Use" by Vaughan Official Plan 2010 ('VOP 2010'), Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan ('KACSP'). The "Mid-Rise Mixed-Use" designation represents the primary retail and commercial centre for the KACSP and is intended to concentrate a significant residential population. The "Mid-Rise Mixed-Use" designation permits small scale, grade related retail, service commercial, restaurant and office uses as part of a contiguous mixed-use building. Residential units in the form of townhouse, low-rise or mid-rise building types are permitted, provided they are not located on the street facing ground level. Stand alone, single use buildings are not permitted.

The existing two-storey building on the Subject Lands is a permitted building type. The proposed uses on the ground floor and residential unit on the second floor are permitted by the "Mid-Rise Mixed-Use" designation of the KACSP. The Application conforms to VOP 2010.

The Subject Lands are located within the “Woodbridge Heritage Conservation District Study and Plan” (‘WHCD Plan’). The existing building is designated Part V under the *Ontario Heritage Act* and is listed on the City’s “Register of Properties of Cultural Heritage Value”. The Owner intends to utilize the existing building and proposes minor alterations to the rear of the building to accommodate access for the proposed residential unit. The proposed building and site alterations will be subject to review by the Urban Design and Cultural Heritage Division of the Development Planning Department and the Heritage Vaughan Committee.

***Site-Specific Amendments to Zoning By-law 1-88 are required to permit the Application***

The Subject Lands are zoned “C3 Local Commercial Zone” and subject to site-specific Exception 9(1054) of Zoning By-law 1-88, as shown on Attachment 2. The following site-specific exceptions are required to implement the full range of uses permitted by the C3 Zone on the ground floor and a residential unit on the second floor, and to recognize the existing lot area of the Subject Lands:

Table 1

	<b>Zoning By-law 1-88 Standards</b>	<b>C3 Zone and site-specific Exception 9(1054) Requirements</b>	<b>Proposed Exceptions to the C3 Zone and site-specific Exception 9(1054)</b>
a.	Permitted Uses	Bridal Retail Store	<p>On the ground floor:</p> <ul style="list-style-type: none"> <li>• Bank or Financial Institution;</li> <li>• Business or Professional Office;</li> <li>• Personal Service Shop;</li> <li>• Pharmacy;</li> <li>• Photography Studio;</li> <li>• Retail Store;</li> <li>• Video Store.</li> </ul> <p>On the second floor:</p> <ul style="list-style-type: none"> <li>• One (1) residential unit measuring 84.6 m<sup>2</sup>.</li> </ul>
b.	Minimum Lot Depth	60 m	47.67 m

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

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

	<b>Matters to be Reviewed</b>	<b>Comments</b>
a.	Consistency and Conformity with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> <li>The Application will be reviewed for consistency and conformity with the <i>Provincial Policy Statement, 2014</i> (the 'PPS'), the <i>Growth Plan for the Greater Golden Horseshoe 2019</i> (the 'Growth Plan') and the policies of the York Region Official Plan ('YROP'), VOP 2010 and the KACSP</li> </ul>
b.	Appropriateness of the Proposed Zoning By-law Amendment and Site-Specific Exceptions	<ul style="list-style-type: none"> <li>The appropriateness of the proposed amendments to Zoning By-law 1-88 will be reviewed in consideration of the existing and planned uses to implement the "Mid-Rise Mixed-Use" designation of the KACSP; compatibility with surrounding land uses; appropriateness of the site design; and appropriateness of the proposed site-specific zone standards</li> </ul>
c.	Related Site Development Application	<ul style="list-style-type: none"> <li>The Owner will be required to submit a Minor Site Development Application to facilitate the addition of an access to the proposed residential unit at the rear of the building, and minor alterations to the parking area, which will be reviewed in consideration of, but not limited to, the following matters: <ul style="list-style-type: none"> <li>– appropriate site design</li> <li>– barrier free accessibility</li> <li>– adequate parking to support the proposed uses</li> <li>– appropriate driveway access onto Kipling Avenue</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>– appropriate landscaping, amenity area, and snow storage areas</li> <li>– proper stormwater management and retention measures to ensure any runoff/drainage is properly maintained on site</li> <li>– proper servicing and grading</li> <li>– appropriate provisions for waste management collection and storage</li> <li>• The Development Planning Department is the delegated approval authority for Minor Site Development Applications, as the Application is to add a building access and make site alterations only (no new development). The matters identified through the review of the Site Development Application must be addressed by the Owner.</li> </ul>
d.	Woodbridge Heritage Conservation District ('WHCD')	<ul style="list-style-type: none"> <li>• The Application and future Minor Site Development Application must conform to the approved WHCD Plan and be approved by the Heritage Vaughan Committee.</li> </ul>
e.	Studies and Reports	<ul style="list-style-type: none"> <li>• The Owner is required to submit the following studies and reports in support of the future Minor Site Development Application: <ul style="list-style-type: none"> <li>– Heritage Impact Assessment</li> <li>– Site Plan Accessibility Check List</li> </ul> </li> <li>• Additional reports or studies may be required as part of the development application review process.</li> </ul>
f.	Sustainable Development	<ul style="list-style-type: none"> <li>• Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, bicycle racks to promote alternative modes of transportation, drought tolerant landscaping, energy efficient lighting,</li> </ul>

		reduction in pavement, and roof-top treatment to address the “heat island” effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if the application is approved.
g.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> <li>The Development must conform to the approved “Kipling Avenue Corridor Urban Design Guidelines – 2009.”</li> </ul>

### **Financial Impact**

N/A

### **Broader Regional Impacts/Considerations**

The Subject Lands do not front onto a Regional Road. The York Region Community Planning and Development Services Department has reviewed the Application and consider it a local matter, and have no objection to the Application.

### **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of this Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public Hearing or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Chris Cosentino, Planner at extension 8215

### **Attachments**

1. Location Map
2. Site Plan and Zoning
3. Site-Specific Zoning Schedule E-1153

### **Prepared by**

Chris Cosentino, Planner, ext. 8215

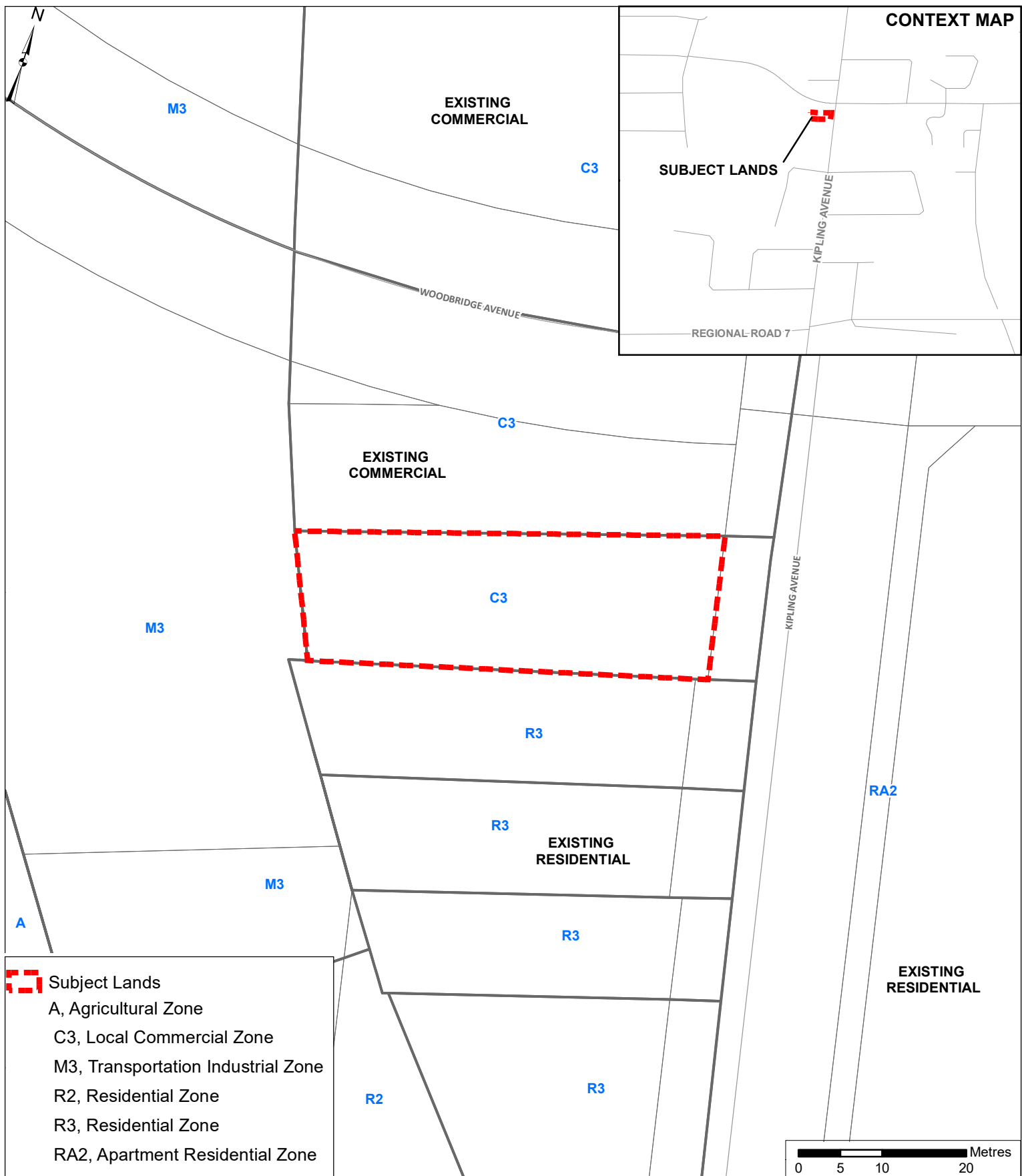
Mark Antoine, Senior Planner, ext. 8212

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning, ext. 8407







## Location Map

**LOCATION:**  
Part of Lot 7, Concession 8,  
7938 Kipling Avenue

**APPLICANT:**  
National Capital Financial Inc.



## Attachment

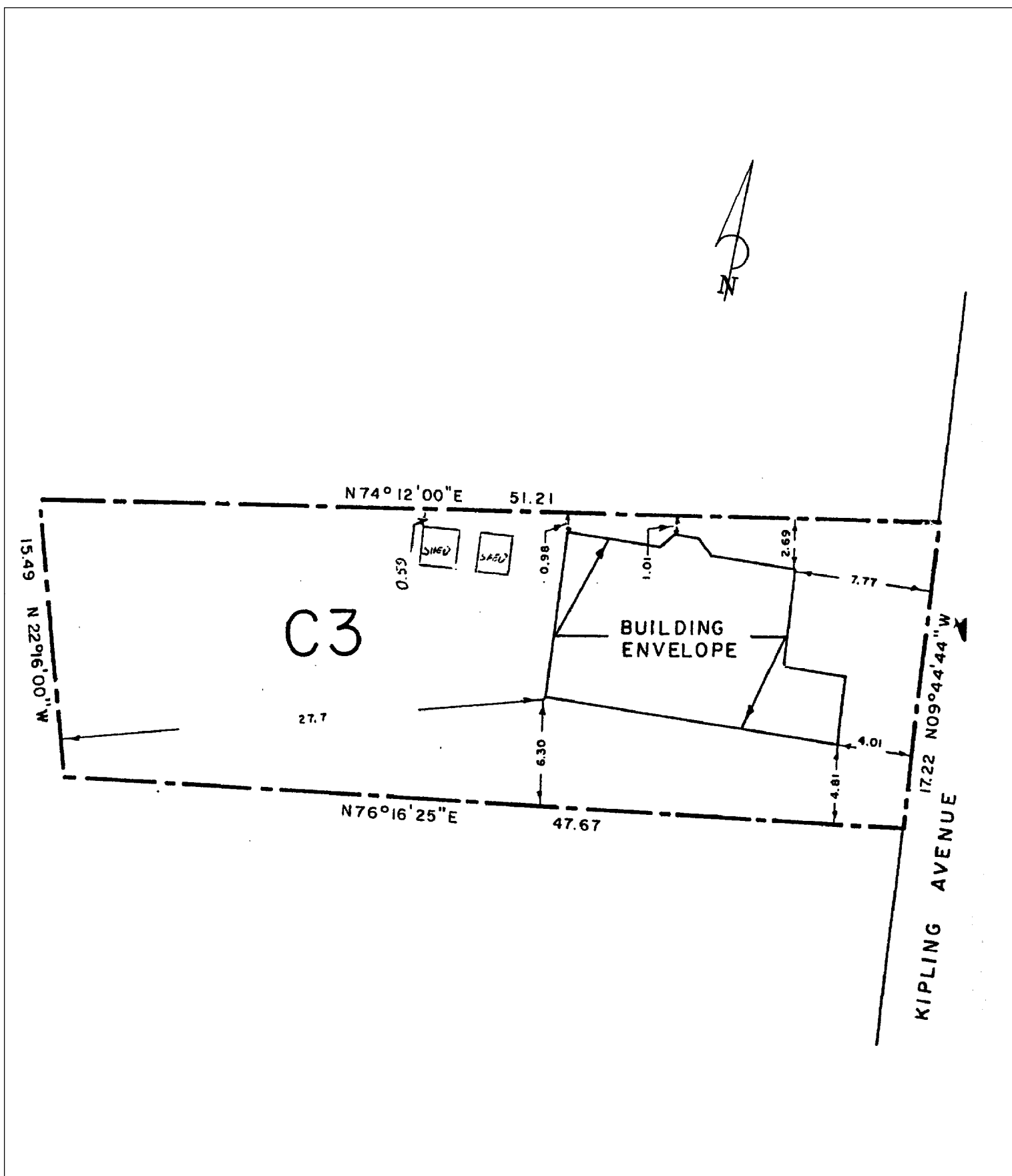
**FILE:**  
Z.19.005

**DATE:**  
September 17, 2019









## Site-Specific Zoning Schedule E-1153

**LOCATION:**  
Part of Lot 7, Concession 8,  
7938 Kipling Avenue

**APPLICANT:**  
National Capital Financial Inc.



## Attachment

**FILE:**  
Z.19.005

**DATE:**  
September 17, 2019

3



## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, September 17, 2019

**WARDS:** ALL

**TITLE: SHORT-TERM RENTAL ACCOMMODATIONS, AMENDMENTS  
TO ZONING BY-LAW 1-88**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To receive comments from the public and the Committee of the Whole on proposed amendments to the City of Vaughan By-law 1-88, as it relates to regulating Short-Term Rental accommodations. In addition, to provide Committee with background information and the consultation process that has taken place to date.

**Report Highlights**

- To receive input from the public and Committee of the Whole regarding proposed amendments to Zoning By-law 1-88 that are required to regulate the approved Short-Term Rental accommodations strategy in Vaughan
- The recommended Zoning By-law amendment will complement the proposed companion Short-Term Rental accommodation licensing regulations
- The proposed city-wide Zoning By-law regulations regarding Short-Term Rental accommodations are based on best practices research and extensive public feedback
- A Public Hearing is required prior to the adoption of an amendment to Zoning By-law 1-88, to meet the requirements of the *Planning Act*
- A technical report will be prepared by staff and considered at a future Committee of the Whole meeting

## **Recommendation**

1. THAT the Public Hearing report for a city-wide Zoning By-law amendment for Short-Term Rental accommodations BE RECEIVED; and, that any issues identified be addressed by staff in a comprehensive report to the Committee of the Whole.

## **Background**

### ***Public Notice was provided in accordance with the Planning Act and Vaughan Council's Notification Protocol***

The Notice of Public Hearing was published in the August 22, 2019 edition of the Vaughan Citizen and Liberal newspapers and posted to the website for the newspapers.

Additional notification of the meeting was provided through the following methods:

- On August 22, 2019 the Notice was sent to all interested parties who had actively participated as part of the first component of the Short-Term Rental review, as well as to community and ratepayers' associations citywide.
- Notification was also provided on the City Update, Council eNews and via corporate social media accounts.
- The Notice of Public Hearing was also posted on the City's website at:
  - [www.vaughan.ca/shorttermrentals](http://www.vaughan.ca/shorttermrentals)
  - [http://www.vaughan.ca/news/city\\_page\\_online/Pages/Public-Hearing-Notices.aspx](http://www.vaughan.ca/news/city_page_online/Pages/Public-Hearing-Notices.aspx)
  - [http://www.vaughan.ca/services/business/public\\_hearings/Pages/default.aspx](http://www.vaughan.ca/services/business/public_hearings/Pages/default.aspx)

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 city staff as input in the review process and will be addressed in a technical report at a future Committee of the Whole meeting.

## **Previous Reports/Authority**

On May 6, 2019, Finance, Administration and Audit Committee considered a staff report and received public submissions on a proposed Short-Term Rental Licensing By-law and other regulatory changes to address Short-Term Rental accommodations. On May 14, 2019, Vaughan City Council ratified the Committee's recommendations. The staff report can be found at the following link:

<https://pub-v Vaughan.escribemeetings.com/filestream.ashx?DocumentId=15844>



Contained in the staff report were a number of specific recommendations related to Zoning By-law 1-88. The first general recommendation included “That staff be authorized to undertake any other actions required to implement the recommendations of this report, including implementing the proposed new by-laws and making any consequential amendments to related by-laws, subject to the approval of City Legal Services.”

Specifically related to Zoning By-law 1-88, the following recommendations were adopted by Council:

To amend Zoning By-law 1-88, as amended, to:

- a. Define Short-Term Rentals as, “All or part of a dwelling unit used to provide sleeping accommodations for any rental period that is 29 consecutive nights or less in exchange for payment, but does not include Bed-and-Breakfasts, as defined in the Short-Term Rentals By-law or its successor by-law”;
- b. Amend the definition of “Bed and Breakfast Establishment” to mean “an establishment within part of a single family detached dwelling that provides sleeping accommodation for guests, and may include meals, services, facilities and amenities for the exclusive use of guests, but excludes a hotel, motel, or Short-Term Rental”;
- c. Allow Short-Term Rentals in areas where residential use is permitted;
- d. Limit the number of the Short-Term Rentals to one rental booking per dwelling unit at any given time; and
- e. Any other consequential requirements as prescribed by the amending by-law.

In addition to the staff report, a Short-Term Rental accommodations web section and Frequently Asked Questions web page were created, which can be accessed at the following link: [www.vaughan.ca/shorttermrentals](http://www.vaughan.ca/shorttermrentals)

## **Analysis and Options**

### ***What are Short-Term Rental accommodations and are they an issue in Vaughan?***

The renting of a home or part of a home, or any dwelling unit (single, semi-detached, townhouse, multiple or apartment) for a short duration, and “home-sharing” where people exchange housing accommodations while on vacation or away from their homes for other reasons, is not new to the tourism industry. The advent and popularity of online platforms, such as Airbnb, HomeAway, and VRBO (Vacation Rentals by Owner),

Flipkey, Homestay, Go With Oh, OneFineStay or Booking.com has contributed to the availability and ease of short-term home rentals in cities across the world. This type of rental is referred to as “Short-Term Rental” (“STR”) accommodations and are generally understood to refer to private individuals renting out all or part of their residences for short periods of time in exchange for a fee.

A number of Vaughan residents are renting either some or all of their residence(s) to others using an internet platform such as Airbnb or VRBO. While the prevalence of STR accommodations in Vaughan is relatively low, as identified in Attachment #2, there is potential the number of STR accommodations may grow in the future given their growth in other jurisdictions.

### ***How has the City responded to Short-Term Rental accommodations?***

A staff team was convened in 2018 to review the regulatory and community implications of STR accommodations in close consultation with the public. The staff team concluded that Vaughan’s Zoning By-law 1-88 does not regulate STR accommodations, hence the need for the proposed zoning amendment that is appended as Attachment 1. The staff team also recommended complementary licensing to ensure there is a desirable level of regulation. Lastly, the staff team recommended applying a Municipal Accommodation Tax (“MAT”) to STR accommodations to be consistent with Vaughan’s taxation approaches to other tourist and business accommodations.

### ***A fulsome Public Engagement Process was initiated by City staff in 2018 to understand and determine how Short-Term Rental accommodations affect the City of Vaughan***

This public meeting is the culmination of almost two years of research and public involvement regarding the STR accommodations issue. Advantages and disadvantages of STR accommodations were identified through the multi-phased public consultation process. Many respondents supported the regulation of STR accommodations on the basis there would be a level of oversight from the City. Attachment #2, appended to this report, provides a full description of the previous public consultation process on STR accommodations.

### ***Proposed City-wide Zoning Amendments to address Short-Term Rental accommodations have been considered to provide greater clarity***

Attachment #1, appended to this report, reflects a proposed draft by-law that sets out the definitions and regulations, as identified by Council’s resolution, to permit STR accommodations in residential dwellings throughout the City of Vaughan.

The draft by-law defines STR accommodations as “a dwelling unit or part of a dwelling unit used to provide temporary accommodation for a rental period of not more than 29 consecutive days and shall not include a Hotel, Motel or Bed and Breakfast Establishment”.

The proposed zoning amendment also includes a clause that states, “a maximum of one (1) Short-Term Rental is permitted per dwelling unit” and a revised definition for Bed and Breakfast Establishment to clearly distinguish a traditional Bed and Breakfast from a Short-Term Rental accommodation.

### ***What is the relationship of Short-Term Rental accommodations to the City’s Comprehensive Zoning Review***

The City of Vaughan is undertaking a Comprehensive Review of Zoning By-law 1-88. Council has directed that the STR accommodation regulation be put in place in advance of the completion of the comprehensive zoning by-law review.

### ***A Public Hearing is required prior to the adoption of the Zoning By-law amendment in order to meet the requirements of the Planning Act***

Although Vaughan Council ratified the Committee’s recommendations that staff be authorized to undertake any action required to implement the proposed new by-laws, and amending Zoning By-law 1-88, a Public Hearing is required under Section 34 of the *Planning Act*. Section 34, subsection (12) prescribes that “before passing a by-law under this section ... (a) the Council shall ensure that:

- (i) At least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed by-law”.

### **Financial Impact**

There are no anticipated financial implications directly associated with the proposed City-wide zoning amendment to Zoning By-law 1-88 to regulate STR accommodations. Enforcement of the City’s new Zoning By-law regulations will be coordinated with administration and enforcement of the related STR Licensing By-law using existing staff resources, pending preparation of the 2020 Budget.

### **Broader Regional Impacts/Considerations**

STR accommodations would provide alternative tourist accommodations that could support local and regional businesses and institutions while allowing Vaughan residents to derive revenues from their housing units. The expected MAT revenues would also be used to promote Vaughan’s tourist industry and business community.

## **Conclusion**

The Council recommendations resulting from its meeting of May 14, 2019, as they relate to STR accommodations, identified in this report and any other issues identified through the Public Hearing process will be considered in the technical review of the Zoning By-law amendment report. This will be considered together with the comments from the public and Vaughan Council expressed at the Public Hearing, or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Bill Kiru, Director of Policy Planning and Environmental Sustainability, Ext. 8633

## **Attachments**

1. Draft Zoning By-law Amendment to By-law 1-88
2. Short-Term Rental Public Participation Process

## **Prepared by:**

Leo DeLoyde, DeLoyde Development Solutions

Fausto Filipetto, Manager of Policy Planning – Long Range, Ext. 8699

Bill Kiru, Director of Policy Planning and Environmental Sustainability, Ext. 8633

## **ATTACHMENT #1**

### **Draft Zoning By-law Amendment to By-law 1-88**

#### **BY-LAW NUMBER - 2019**

#### **A By-law to amend City of Vaughan By-law 1-88.**

**WHEREAS** the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

**AND WHEREAS** there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

**NOW THEREFORE** the Council of the Corporation of the City of Vaughan  
**ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

a) Adding the following definition in alphabetical sequence to Section 2.0

**DEFINITIONS:**

“SHORT-TERM RENTAL – Means a dwelling unit or part of a dwelling unit used to provide temporary accommodation for a rental period of not more than 29 consecutive days and shall not include a Hotel, Motel or Bed and Breakfast Establishment.”;

b) Deleting the definition of “BED AND BREAKFAST ESTABLISHMENT” in Section 2.0 DEFINITIONS and replacing with the following:

“BED AND BREAKFAST ESTABLISHMENT – Means an owner-occupied

establishment in a commercial zone, operated as an accessory use to a single detached dwelling where temporary sleeping accommodation and sanitary facilities are made available to guests and where meals are provided to guests. A Bed and Breakfast Establishment shall not include a Hotel, Motel or Short-Term Rental.”;

- c) Adding the following Subsection to Section 3.0 GENERAL PROVISIONS FOR ALL ZONES in numerical order:

“3.31 SHORT-TERM RENTALS

A maximum of one (1) Short-Term Rental shall be permitted within a Single Detached Dwelling, Semi-Detached Dwelling, Townhouse Dwelling, Multiple Unit Dwelling or Apartment Dwelling, provided that a maximum of one (1) Short-Term Rental is permitted per dwelling unit.”;

- d) This By-law comes into effect on the day of passing.

Enacted by the City of Vaughan Council this \_\_\_ day of \_\_\_\_\_, 2019.

## **SUMMARY TO BY-LAW - 2019**

This Amendment applies to all of the lands within the corporate boundaries of the City of Vaughan.

The purpose of this by-law is to define Short-Term Rental accommodations and create a provision which permits the use within Single Detached Dwellings, Semi-Detached Dwellings, Townhouse Dwellings, Multiple Unit Dwellings and Apartment Dwellings to a maximum of one (1) Short-Term Rental per dwelling unit. The By-law also redefines a “Bed and Breakfast Establishment” to clarify and distinguish a Bed and Breakfast Establishment from a Short-Term Rental.





## **ATTACHMENT #2**

### **Short-Term Rental Public Participation Process**

#### **Stakeholder Engagement and Research**

The City of Vaughan (COV) values the opinions of all citizens and stakeholders. Staff have undertaken an extensive internal and external stakeholder engagement process to develop a fulsome understanding of the current situation, including the challenges and benefits associated with STRs in Vaughan. Staff have engaged extensively with members of the public, businesses, interest groups and STR companies. A comprehensive stakeholder mapping exercise identified the following stakeholder groups:

- Ratepayers' Associations
- Homeowners in the City of Vaughan
- Renters in the City of Vaughan
- The general City of Vaughan public
- Neighbours (people living in areas/communities where short-term rentals are being operated)
- Condominium Boards in the City of Vaughan
- Hotel and motel owners and operators in the City of Vaughan (12)
- Fairbnb (national coalition of homeowners, tenants, tourism businesses and labour organizations)
- City of Vaughan staff
- Airbnb
- The Regional Municipality of York
- Vaughan Chamber of Commerce
- Building Industry and Land Development Association (BILD)
- Greater Toronto Hotel Association
- Ontario Restaurant Hotel and Motel Association
- Expedia
- Greater Toronto Apartment Association
- Insurance Bureau of Canada
- Travel Industry Council of Ontario (TICO)
- Toronto Real Estate Board
- Municipal Property Assessment (MPAC)
- Federation of Ontario Bed and Breakfast Accommodation

Vaughan's previous public engagement process included three phases:

### Phase 1: Initial Consultation

An online survey was launched on November 1 and ran until December 31, 2018. It was promoted on all of the City's corporate channels including Facebook, Twitter, Instagram, the City Update eNewsletter, Vaughan TV and community centre TV screens, digital signs, the website homepage and in Council eNews. A public service announcement, which was published on November 5, 2018, also promoted the online survey and was distributed to media outlets. The Vaughan Citizen picked up the story and published it online on November 6, 2018 and in print on November 16, 2018. Citizens who called in to Access Vaughan from November 26 to December 7, 2018 were also asked to answer select survey questions regarding short-term rentals. An email address, [shorttermrentals@vaughan.ca](mailto:shorttermrentals@vaughan.ca), was also created to receive and respond to questions and comments about STRs.

A total of **830 surveys** were completed: **425** through the online survey and **405** completed over the phone with an Access Vaughan citizen service representative. A total of **133 open-ended comments** were received via the online survey. A total of **203 email addresses** were collected from respondents who indicated interest in receiving information from the City, as it becomes available, related to short-term rentals in Vaughan, including future consultation opportunities.

### Phase 2: Public and Stakeholder Meetings

A public consultation meeting was held in each of the five wards in Vaughan in February and March 2019. The public meetings were attended by a total of 45 residents. The meeting format included a background presentation on STRs, including information about the current prevalence of STRs in Vaughan, as well as a question-and-answer period and a handout for participants to respond to two key questions:

1. What are the concerns surrounding short-term rentals in Vaughan?
2. What benefits and opportunities do short-term rentals represent for our communities?

The Corporate and Strategic Communications department implemented a comprehensive communications approach to promote the public meetings. There was also outreach to the approximately 200 citizens who provided their email addresses during phase one who expressed their desire to be informed on future consultation opportunities, as well as industry stakeholders who were also engaged in Phase 1.

Numerous meetings and discussions were held with various interest groups and STR companies, such as the Toronto Real Estate Board and Vaughan Chamber of Commerce and Airbnb, and as well, staff conducted a review of Fairbnb online media, an advocacy group which has shared concerns with respect to STRs and their impact on affordable *housing* and resident safety.

### Phase 3: Validation

As part of phase three consultations, staff updated the website with information about the recommended regulatory framework for STRs, including the proposed technical amendments to the City's Zoning By-law, creation of a new by-law for STRs licensing and a Municipal Accommodation Tax (MAT) STR By-law. The STR's email address, [shorttermrentals@vaughan.ca](mailto:shorttermrentals@vaughan.ca), remained open to receive additional comments and questions about the recommended regulatory framework.

Staff also sent follow up emails to the original industry stakeholder list created as part of Phase One. Follow up communications with these groups included notifying them of the City's recommended regulatory framework and notice that the public report would be presented at a Finance, Administration and Audit Committee Meeting, and that the public could attend to provide further comment.

#### *2018 Citizen Satisfaction Survey*

To assess citizen satisfaction with existing programs and services provided by the City of Vaughan and to prioritize issues to improve and focus municipal service delivery, the City has routinely conducted citizen satisfaction surveys since 2007. Through the most recent 2018 survey, the information gathered was intended to assist the City in identifying key trends and issues of importance as we continue to strive for service excellence.

Administered by research firm Ipsos-Reid, the 2018 survey was conducted among 806 respondents 18 years of age and older living in the city of Vaughan. The margin of error of the completed interviews was +/- 3.5 per cent, 19 times out of 20. The results of the survey were weighted based on age, gender and sub-region within Vaughan to match the demographic profile of residents based on 2016 census data. The survey ran from June 18 to July 15, 2018. Of note, the survey asked the following question: *In your view, as a resident of the City of Vaughan, what is the most important issue facing your community, that is the one issue you feel should receive the greatest attention from your Mayor and Members of Council?*

This was an unprompted question, meaning citizens were not given a list of issues to choose from, rather, they were encouraged to proactively provide their own ideas. Staff requested that Ipsos-Reid review citizen responses to determine if any specific references to STRs or Airbnb were made. They found there were no mentions of either, indicating that STRs is not an important top-of-mind issue compared to other issues. Based on this fulsome engagement, staff have identified key information and trends in public sentiment with respect to STRs, summarized below.

### **Short-Term Rentals in Vaughan**

Staff used complaint information and stakeholder input to gain a better understanding of the nature and extent of the issues that STRs have created in Vaughan.

#### *Airbnb in Vaughan*

Staff engaged the popular STR company Airbnb, who advised that they hold 80% of the STR market share in Vaughan, which by their present estimates means that they offer

320 of the current 400 STRs offered in the City. The company provided the following information:

- on February 12, 2019, there were 320 STR hosts in Vaughan, though they explained that this number fluctuates regularly;
- Vaughan STR hosts typically earn \$6,700 per year on average;
- a typical STR rental is for 4.1 nights at a time;
- typical STR hosts rent their home/room for 49 nights annually; and
- 49% of Vaughan STR hosts typically rent their entire home, while 48% typically rent a private room within their home, which in a pool of 320 STRs, equates to 157 entire homes rented and 154 homes renting a private room.

#### *Prevalence and distribution of Short-Term Rentals*

The City's Planning department has reviewed the distribution of STRs, finding that they are found throughout the City, with greater concentrations in some areas which may vary by season, such as areas surrounding Canada's Wonderland during the summer season.

Based on 2016 StatsCan data with respect to numbers of households considered in tandem with data from Airbnb, we can estimate that approximately 400 of the total 94,217 households in Vaughan are likely hosting STRs at any given time.

#### **What we heard about short-term rentals**

Vaughan residents, through a series of consultations across the city's five wards, shared their experiences, concerns and suggestions with respect to short-term rentals.

#### ***Input from York Regional Police***

In reviewing their activity related to STRs, York Regional Police ("YRP") advised that in 2018, there were several criminal and non-criminal complaints investigated, such as assaults, sexual assaults, disputes, identity fraud and property damage. YRP suggested that STR applications should require a greater breadth of information, including insurance and key contact information, and that processes for lodging complaints related to STRs should be clear and accessible to the public.

#### ***Support for city regulation***

As mentioned above, in the telephone and online surveys, staff heard from 830 respondents; more than three quarters indicated that they were Vaughan home-owners, but as well, respondents included other organizations, such as condominium board members, a short-term rental platform company, a tourism organization and various ratepayers' association members. Two key results were that:

- 473 of respondents advised that STRs are not an issue in Vaughan; and
- 581 of respondents believed that the City should regulate STRs.

As such, while more than half of respondents did not believe that STRs were an issue in Vaughan, the great majority of respondents believed that the City should have a regulatory framework in place to govern them.

### ***Concerns about Short-Term Rentals***

Staff heard the following concerns from stakeholders and complaints:

- **Homes being used as party houses:** A number of residents reported living in close proximity to STR houses being used to host parties on the weekends. They described these parties as often having loud music until late hours of the night, many parked vehicles which frequently obstructed the flow of traffic and, in some cases, houses had hired security guards manning the door, similar to a night club. In a few recent incidents in Vaughan, there have been incidents of criminal matters occurring at these parties, prompting the attention of YRP.
- **Poor upkeep of properties:** Some residents complained of STR properties being poorly maintained, with renters sometimes damaging property and leaving behind excessive amounts of trash, all contributing to a general concern over how these nuisances might impact property values.
- **Fire and access safety:** Some residents expressed concern that STRs in homes may not have the proper life-safety measures, such as smoke and carbon monoxide alarms, and that the owners may not be providing the proper emergency information to their renters, potentially creating a serious hazard.
- **Condominium residents:** Some condominium residents expressed concern that having STR renters leads to overuse and excessive wear-and-tear of common/shared areas, ultimately resulting in higher condo fees, and concern about their homes feeling like hotels, with a changing influx of different STR renters having access to their buildings.
- **Hotels, motels, other accommodation venues and the Municipal Accommodation Tax:** These venues expressed concern over unfair competition from STRs, who are not subject to the same taxes and often provide accommodation at lower costs. As of April 1, 2019, as per By-law 029-2019, guests at Vaughan hotels, motels, campgrounds and bed-and-breakfasts have been required to pay the Municipal Accommodation Tax (MAT), a 4% charge for paid overnight accommodations.
- **Impact on affordable housing:** One concern that surfaced in almost every municipality is that homeowners/occupants may choose to offer available rooms or suites as STRs instead of as long-term affordable housing, with the underlying motivation being able to earn more money as an STR provider, while avoiding stricter landlord-tenant regulations associated with long-term rentals. Many municipalities have attempted to protect the long-term affordable housing supply by limiting the number of nights that an STR can be rented to be between 28 and 30 nights, with an additional limit on the total number of days that an STR can be rented in a given year.

## ***Positives of Short-Term Rentals***

Staff also heard from stakeholders about the positive impacts of STRs:

- **Additional supplementary income:** Some stakeholders expressed interest in becoming STR operators as a way to supplement their income and have greater housing stability.
- **Affordable travel options for tourists, families and those caring for loved ones:** Some residents expressed that they enjoyed using STRs to travel and found them to be an enjoyable and more affordable option for accommodation, especially for large families. STRs also were seen as more economical and convenient alternatives for those with relatives who may be staying in the City for various other reasons, such as required medical care.
- **Support to Vaughan business community:** Some suggested that STRs contributed to ancillary industries, economic stability and greater business success for restaurants and other industries that benefit from, and cater to, visitors.
- **Increased accessibility to housing options through technology:** Some stakeholders indicated that STR platforms made it easier to find accommodation within an area, providing an opportunity to lodge in a desired area while looking for permanent accommodations within that same area and to create greater rental-housing competition within an area, putting a downward pressure on rental housing prices generally in that area.

## **Delegations to Vaughan Finance and Administration Committee and City Council**

The City of Vaughan Finance and Administration Committee held an open meeting on May 6, 2018 to consider a staff report and receive public submissions and to make recommendations to Council on proposed Licensing By-law and other regulatory changes to control Short Term Rentals. On May 14, 2019, Vaughan City Council approved recommendations to undertake the steps necessary to regulate Short Term Rentals under the City's Licensing and Zoning By-laws.

See <https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=15844>

## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, September 17, 2019

**WARD:** 3

**TITLE: VELMAR CENTRE PROPERTY LIMITED  
OFFICIAL PLAN AMENDMENT FILE OP.19.003  
ZONING BY-LAW AMENDMENT FILE Z.19.008  
VICINITY SOUTHWEST CORNER OF RUTHERFORD ROAD  
AND VELMAR DRIVE**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on Official Plan Amendment and Zoning By-law Amendment Files OP.19.003 and Z.19.008 for the Subject Lands shown on Attachment 1, to permit the development shown on Attachments 2 to 6 consisting of a 7-storey mixed-use apartment building with 139 residential units, a total Gross Floor Area ('GFA') of 13,035 m<sup>2</sup>, a Floor Space Index ('FSI') of 3.15 times the area of the lot, 615 m<sup>2</sup> of ground floor commercial space, 3 parking spaces at grade, and 257 parking spaces within 3 levels of underground parking.

### **Report Highlights**

- To receive input from the public and the Committee of the Whole on applications to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit a 7-storey mixed-use apartment building consisting of 139 residential units and 615 m<sup>2</sup> of ground floor commercial space.
- Vaughan Official Plan 2010 permits a maximum building height of 4-storeys and a Floor Space Index of 1.5 times the area of the lot on the Subject Lands.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

## **Recommendations**

1. THAT the Public Hearing report for Files OP.19.003 and Z.19.008 (Velmar Centre Property Limited) BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive technical report to the Committee of the Whole.

## **Background**

The subject lands (the 'Subject Lands'), shown on Attachment 1 are located on the southwest corner of Rutherford Road and Velmar Drive, and are municipally known as 4101 Rutherford Road. The surrounding land uses are shown on Attachment 1. The Subject Lands are developed with a one-storey commercial building.

### ***Official Plan and Zoning By-law Amendment Applications have been submitted to permit the Development***

The Owner has submitted the following Applications (the 'Applications') for the Subject Lands shown on Attachment 1 to permit a 7-storey mixed-use apartment building with 139 residential units and 615 m<sup>2</sup> of ground floor commercial space (the 'Development') shown on Attachments 2-6:

1. Official Plan Amendment File OP.19.003 to amend Vaughan Official Plan ("VOP 2010") to amend the "Low-Rise Mixed-Use" designation on the Subject Lands to increase the maximum permitted building height and FSI from 4-storeys and 1.5 times the area of the lot to 7-storeys and 3.15 times the area of the lot respectively.
2. Zoning By-law Amendment File Z.19.008 to amend Zoning By-law 1-88, to rezone the Subject Lands from "C3 Local Commercial Zone", subject to site-specific Exception 9(814) to "RA2 Apartment Residential Zone" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 2 of this report.

### ***Public Notice was provided in accordance with the Planning***

- a) Date the Notice of Public Hearing was Circulated: August 23, 2019

The Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed along the Rutherford Road and Velmar Drive street frontages generally in accordance with the City's Notice Signs Procedures and Protocols ('Protocols'). The Applications were received on May 15, 2019, with supplemental materials received on May 16, 2019, and May



31, 2019. The Applications were deemed as “complete” on June 13, 2019. The Owner on July 8, 2019, posted the Notice Signs on the Subject Lands. The Protocols states that the Notice Sign be posted on the Subject Lands within 14 days of receipt of an application. Notwithstanding, notice regarding the Applications exceeds all the legislative requirements of the *Planning Act*.

- b) Circulation Area: An expanded notification area within 650 m of the Subject Lands as shown on Attachment 1, to the Carrying Place, Greater Woodbridge, National Estates, Pinewood Estates and Vellore Woods Ratepayers’ Associations, and those individuals that had requested notice or provided a written submission to the City.
- c) Comments received:

The Development Planning Department has received written comments from the following individuals (as of August 23, 2019):

- T. Di Pasquale, Siderno Crescent, emails dated June 20, 2019, June 24, 2019 and July 17, 2019
- R. Dunsworth, Siderno Crescent, email dated June 20, 2019
- S. Pasquini, Siderno Crescent, emails, dated June 20, 2019, and July 8, 2019
- A. Selvaggi, Velmar Drive, email dated June 20, 2019
- T. Genco, email address only, emails dated June 20, 2019, and June 24, June 25, and June 26, 2019
- H. D’Onoforio, email address only, email dated June 24, 2019
- J. Losiggio, Velmar Drive, email dated June 24, 2019
- E. Melchiori, email address only, email dated June 24, 2019
- S. Sbergio, email address only, email dated June 25, 2019
- T. Palumbo, Siderno Crescent, email dated June 25, 2019
- R. Vella, Polo Crescent, emails dated June 27, 2019, and July 18, 2019
- L. Russo, Polo Crescent, email dated June 28, 2019
- M. Lund, email address only, email dated June 28, 2019
- F. Mondelli, email address only, email dated June 28, 2019
- N. Di Lecce, Velmar Drive, email dated June 29, 2019
- L. and M. Prativiera, Polo Crescent, email dated July 2, 2019
- C. Zhang, email address only, email dated July 2, 2019
- Q. Deng, email address only, email dated July 2, 2019
- Bruno (no surname provided), email address only, emails dated July 2, 2019, and July 3, 2019

- Carrying Place Ratepayers Association, emails dated July 2, 2019 and July 3, 2019
- K. Doan, email address only, email dated July 3, 2019
- E. Yang, Siderno Crescent, emails July 3, 2019 and July 5, 2019
- J. Zhu and S. Jia, Siderno Crescent, email dated July 7, 2019
- E. Zou, email address only, email dated July 9, 2019
- J. Andreoli, email address only, email dated July 12, 2019
- Dr. Fervaha, email address only, email dated July 13, 2019
- M. Furman, Deer Run Court, email dated July 15, 2019
- V. Lacaria, email address only, emails dated July 15 and 25, 2019 and August 2, 2019
- A. Scarpino, Pinemeadow Drive, email dated July 15, 2019
- T. Markle, Novaview Crescent, email dated July 16, 2019
- R. Pignotti, Colavita Court, email dated July 16, 2019
- J. Carrello, email address only, email dated July 17, 2019
- G. Sellitto, Velmar Drive, email dated July 17, 2019
- Lisa (no surname provided), emails dated July 17, 2019, July 19, 2019, July 23, 2019, and July 29, 2019
- N. and C. Farro, Flatbush Avenue, email dated July 18, 2019
- F. Quattrociochio, email address only, email dated July 18, 2019
- V. Baggetta, Polo Crescent, email dated July 18, 2019
- Vince (no surname provided), email address only, email dated July 19, 2019
- L. Rubino, email address only, email dated July 19, 2019
- N. Tasevski, email address only, email dated July 19, 2019
- A. Garisto, Velmar Drive, email dated July 19, 2019
- J. and E. Ramundi, Novaview Crescent, email dated July 19, 2019
- C. Mammone, Polo Crescent, email dated July 20, 2019
- A. Russo, Polo Crescent, emails dated July 21, 2019 and July 23, 2019
- J. Simone, email address only, email dated July 22, 2019
- F. Gasbare, email address only, email dated July 22, 2019
- P. Simone, email address only, email dated July 22, 2019
- V. Manos, email address only, email dated July 22, 2019
- C. Locciano, Pinemeadow Drive, email dated July 23, 2019
- F. Scarangella, Windrose Court, email dated July 24, 2019
- M. Marcucci, Polo Crescent, email dated July 24, 2019
- C. Beattie, Santa Barbara Place, email dated July 24, 2019
- A. and P. Pitoscia, Velmar Drive, letter dated July 2019, and received July 31, 2019

- Lina and Massimiliano (no surnames provided), Velmar Drive, letter dated July 2019, and received Aug 2, 2019
- S. Florio, Kimber Crescent, emails dated July 26, 2019, and August 13, 2019
- M. Porretta, Muzich Place, email dated August 3, 2019
- R. Savage, email address only, email dated August 6, 2019
- F. Battaglia, email address only, email dated August 12, 2019
- M. Lippi, email address only, email dated August 14, 2019
- Sal (no surname provided) email address only, email dated August 14, 2019
- M. Power, email address only, email dated August 15, 2019
- B. and M. Paiano, Polo Crescent, letter received August 16, 2019
- T. and D. Parente, Polo Crescent, letter received August 16, 2019
- G. and A. Botta, no address provided, letter received August 16, 2019
- F. Leone, Polo Crescent, letter received August 16, 2019
- Barazza Family, Woolacott Road, email dated August 19, 2019

The following is a summary of the comments that have been provided in the written correspondence received to date:

- Traffic infiltration and congestion is already an issue in the community and along Weston Road and Rutherford Road
- Access and egress from individual properties (driveways) in the community is problematic which will be worsened by the Development
- The increase traffic generated by the Development will have implications on emergency vehicles
- The proposed access/egress on Velmar Drive is inadequate and would be better suited on a regional road
- One of the Notice Signs displayed on the property was inadequately placed and the signs took too long to install
- Pedestrian and accessibility safety must be satisfactorily addressed
- Noise pollution is already an issue in the community that will be worsened
- The Development is out of scale and will change the character of the area
- The proposed density is too high for the area. The neighbourhood consists of single detached dwellings
- There are better suited areas for apartment type dwellings in the City that have already been identified
- The extension of Pine Valley Drive should be considered and approved
- The Development is overcrowded and too many units are proposed

- The proposed Development will negatively impact Velmar Downs Park in a community that already is inadequately serviced for parks
- The Development should not extend onto the park property
- The existing commercial plaza serves a community need
- The proposed parking is inadequate and may overflow onto the neighbourhood streets
- Approval of the Development will set a precedent for other properties
- The Development will add to the community and provide additional choice and affordable units
- The Development will have negative sun and shadow implications and negatively impact on privacy
- The building of the church and the erection of a telecommunications tower occurred without adequate community input
- Residents asked about next steps and in the planning process timing
- Residents asked why the City accepted the Application

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in the final technical report to be considered at a future Committee of the Whole meeting.

### **Previous Reports/Authority**

N/A

### **Analysis and Options**

***Amendments to Vaughan Official Plan (VOP 2010) are required to permit the Development***

The Subject Lands are designated “Low-Rise Mixed-Use” by VOP 2010, which permits residential, office and retail uses, and the following building types; townhouses, stacked townhouses, low-rise buildings, and public or private institutional buildings. The Owner is proposing the following amendments to VOP 2010:

#### **Table 1**

	<b>VOP 2010 Policy</b>	<b>Proposed Amendments to VOP 2010</b>
a.	The “Low-Rise Mixed-Use” designation on the Subject Lands permits a Maximum Building Height of 4-storeys	Maintain the “Low-Rise Mixed-Use” designation on the Subject Lands and increase the Maximum Building Height from 4-storeys to 7-storeys
b.	The “Low-Rise Mixed-Use” designation on the Subject Lands permits a Maximum Floor Space Index (FSI) of 1.5 times the area of the lot	Maintain the “Low-Rise Mixed-Use” designation on the Subject Lands and increase the Maximum Floor Space Index (FSI) from 1.5 FSI times the area of the lot to 3.15 times the area of the lot

The proposed Development does not conform to the maximum building height and FSI policies of the VOP 2010 and therefore, amendments to the Official Plan are required. Should the Applications be approved, the necessary additional exceptions to VOP 2010 may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

***Amendments to Zoning B-law 1-88 are required to permit the Development***

The Subject Lands are zoned “C3 Local Commercial Zone”, subject to site-specific Exception 9(814), by Zoning By-law 1-88, which does not permit the Development. The Owner proposes to rezone the Subject Lands to “RA2 Apartment Residential Zone”, together with the following site-specific exceptions to permit the Development shown on Attachments 2 to 6:

Table 2

	<b>Zoning By-law 1-88 Standard</b>	<b>RA2 Apartment Residential Zone Requirements</b>	<b>Proposed Exceptions to the RA2 Apartment Residential Zone Requirements</b>
a.	Uses Permitted	<ul style="list-style-type: none"> <li>• Apartment Dwelling</li> <li>• Day Nursery</li> </ul>	<p>To permit the following additional uses on the ground floor (maximum 615 m<sup>2</sup>) :</p> <ul style="list-style-type: none"> <li>• Bank or Financial Institution</li> </ul>

	<b>Zoning By-law 1-88 Standard</b>	<b>RA2 Apartment Residential Zone Requirements</b>	<b>Proposed Exceptions to the RA2 Apartment Residential Zone Requirements</b>
			<ul style="list-style-type: none"> <li>• Business or Professional Office</li> <li>• Eating Establishment/Outdoor Patio</li> <li>• Eating Establishment, Convenience/Outdoor Patio</li> <li>• Eating Establishment, Take-Out/Outdoor Patio</li> <li>• Personal Service Shop</li> <li>• Pharmacy</li> <li>• Photography Studio</li> <li>• Retail Store</li> <li>• Service or Repair Shop</li> <li>• Club or Health Centre</li> </ul>
b.	Dimension of a Parking Space	2.7 x 6 m	2.6 x 6 m
c.	Minimum Lot Area Per Unit	80 m <sup>2</sup> / unit @139 units = 11,120 m <sup>2</sup>	No Minimum Lot Area / unit is Proposed
d.	Minimum Front Yard Setback (Rutherford Road)	7.5 m	5.9 m
e.	Minimum Rear Yard Setback	7.5 m	4.9 m (South property line)
f.	Minimum Interior Side Yard Setback	12.25 m	4.9 m (West property line)

	<b>Zoning By-law 1-88 Standard</b>	<b>RA2 Apartment Residential Zone Requirements</b>	<b>Proposed Exceptions to the RA2 Apartment Residential Zone Requirements</b>
g.	Minimum Yard Setbacks to the Underground Parking Garage	1.8 m	0.6 m (to each property line)
h.	Minimum Width Landscape Strip Abutting a Street Line	6 m	<ul style="list-style-type: none"> <li>• 3.4 m along Rutherford Road</li> <li>• 5.3 m along Velmar Drive</li> </ul> <p>A ventilation shaft and/or a hydro transformer may be located within the landscaped strip</p>
i.	Maximum Yard Encroachments for Balconies	1.8 m	2 m encroachment into any yard, provided that the balcony is setback a minimum of 3 m from any lot line
j.	Minimum Number of Parking Spaces	<p>139 units @ 1.5 spaces/unit = 209 spaces +</p> <p>139 units @ .25 spaces/unit for visitor parking = 35 spaces +</p> <p>Commercial GFA (615m<sup>2</sup>) @ 6 spaces/100 m<sup>2</sup> = 37 spaces</p> <p>Total Parking Required = 281 spaces</p> <p>9 Barrier Free Parking Spaces (4 Type A and 5 Type B)</p>	<p>139 units @ 1.22 spaces/unit = 170 spaces +</p> <p>139 units @ .2 spaces/unit for visitor parking = 28 spaces +</p> <p>Commercial GFA (615m<sup>2</sup>) @ 10 spaces/100 m<sup>2</sup> = 62 spaces</p> <p>Total Parking Proposed = 260 spaces</p> <p>7 Barrier Free Parking Spaces (3 Type A and 4 Type B)</p>

The site plan, landscape plan, building elevations and perspective views submitted in support of the Applications are shown on Attachments 2 to 6. Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.



Following a preliminary review of the Applications, the Development Planning Department has identified the following matters to be reviewed in further detail:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity and Consistency with Provincial Policies and York Region Official Plan	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of the statutory Provincial policies including the <i>Provincial Policy Statement 2014</i> (the 'PPS'), <i>A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019</i> (the 'Growth Plan'), and the policies of the York Region Official Plan ('YROP 2010').</li> </ul>
b.	City of Vaughan Official Plan 2010	<ul style="list-style-type: none"> <li>▪ The Owner is proposing to maintain the "Low-Rise Mixed-Use" designation on the Subject Lands and increase the maximum permitted building height to 7-storeys and the maximum FSI to 3.15 times the area of the lot in order to permit the Development, within a "Low-Rise Mixed-Use" designation.</li> <li>▪ Low-Rise Buildings are generally buildings up to a maximum of 5-storeys in height by VOP 2010. A 7-storey building is considered a Mid-Rise Building.</li> <li>▪ The appropriateness of maintaining the existing "Low-Rise Mixed-Use" designation and amending the maximum permitted building height and FSI will be reviewed.</li> <li>▪ The proposed building height and FSI will be reviewed in consideration of the Community Area, Urban Design and Form, and Building Types and Development Criteria policies of VOP 2010.</li> <li>▪ The Applications will be reviewed in consideration of the City's Urban Structure as set out in VOP 2010.</li> </ul>
c.	Appropriateness of the proposed Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed amendments to Zoning By-law 1-88 will be reviewed in consideration of the existing and</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>planned surrounding land uses, built form compatibility with the surrounding area, and appropriate development standards.</p> <ul style="list-style-type: none"> <li>▪ The Owner is proposing to provide 7 Barrier Free Parking Spaces instead of 9. The number of Barrier Free Parking Spaces cannot be reduced as they are subject to the requirements of Ontario Regulation 413/12, made under the <i>Accessibility for Ontarians with Disabilities Act</i>.</li> </ul>
d.	Traffic and Infiltration	<ul style="list-style-type: none"> <li>▪ The Development will be reviewed in consideration of traffic infiltration initiatives that have been undertaken for the surrounding community.</li> </ul>
e.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The following studies and reports were submitted in support of the Applications and must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> <li>– Planning Justification Report</li> <li>– Draft Official Plan Amendment</li> <li>– Draft Zoning By-law Amendment</li> <li>– Urban Design Brief</li> <li>– Traffic Impact Study</li> <li>– Community Services and Facility Study</li> <li>– Sun/Shadow Study</li> <li>– Tree Inventory and Preservation Plan</li> <li>– Parkland Dedication Summary</li> <li>– Site Plan Accessibility Checklist</li> <li>– Sustainability Metrics Chart</li> <li>– Functional Servicing and Stormwater Management Report</li> <li>– Phase One Environmental Site Assessment</li> <li>– Geotechnical Investigation</li> <li>– Hydrogeological Assessment</li> <li>– Construction Management Plan</li> <li>– Noise Impact and Feasibility Study</li> <li>– Pedestrian Wind Study</li> </ul> </li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>Additional studies/reports may be required as part of the development application review process.</li> </ul>
f.	Urban Design Guidelines	<ul style="list-style-type: none"> <li>The Development will be reviewed in consideration of the City of Vaughan City-Wide Urban Design Guidelines.</li> </ul>
g.	Related Site Development Application	<ul style="list-style-type: none"> <li>The Owner has submitted related Site Development File DA.19.042 for the proposed Development shown on Attachments 2 to 6, which will be reviewed comprehensively and concurrently with the Applications. The review of the Site Development Application will consider, but not be limited to, the following matters: <ul style="list-style-type: none"> <li>Appropriate built form, building elevations and materials, site design, enhanced landscaping, and interface with Velmar Downs Park</li> <li>The relationship of the building setbacks, height and design with the immediate area</li> <li>Site circulation, proper vehicular access and turning movements, including service vehicles such as fire and garbage trucks, on the Subject Lands</li> <li>Pedestrian and barrier-free accessibility to / from and throughout the site</li> <li>Integration of the Development with the existing community</li> <li>Provision of sufficient snow storage area(s)</li> <li>Implementation of appropriate waste collection design standards, stormwater management, and site servicing and grading</li> </ul> </li> </ul>
h.	Sustainable Development	<ul style="list-style-type: none"> <li>Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bioswales, drought tolerant landscaping, energy efficient lighting, reduction in pavement, bird-friendly treatments, etc., will be reviewed and</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>implemented through the Site Development Application process, if the Applications are approved.</p> <ul style="list-style-type: none"> <li>In accordance with the City of Vaughan's Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Application Score.</li> </ul>
i.	Toronto and Region Conservation Authority ('TRCA')	<ul style="list-style-type: none"> <li>The Subject Lands are located in a Source Water Protection vulnerable area referred to as a Wellhead Protection Area-Q2 ('WHPA-Q2') and which must be reviewed and approved to the satisfaction of the TRCA.</li> </ul>
j.	Parkland Dedication	<ul style="list-style-type: none"> <li>The Owner will be required to pay to the City of Vaughan a cash-in-lieu of the dedication of parkland dedication, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-Lieu of Parkland Policy, should the Applications be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Real Estate Department.</li> </ul>
k.	Water and Servicing Allocation	<ul style="list-style-type: none"> <li>The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the Subject Lands will be zoned with a Holding Symbol "(H)", which will be removed once Vaughan Council identifies and allocates servicing capacity for the Subject Lands.</li> </ul>
l.	Section 37 (Density Bonusing)	<ul style="list-style-type: none"> <li>The Applications will be subject to and reviewed in consideration of the City's bonusing for increases in building height and density (Section 37 of the <i>Planning Act</i>) policies of VOP 2010, and the City's Guidelines for the Implementation</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		of Section 37 of the <i>Planning Act</i> , whereby Council may authorize an increase in building height and/or density in return for community benefits.
m.	Draft Plan of Condominium Application(s)	<ul style="list-style-type: none"> <li>The Owner is proposing a condominium tenure for the Development and a Draft Plan of Condominium Application(s) will be required, if the Applications are approved, to establish the ownership tenure(s) of the Development.</li> </ul>
n.	York Region - Road Widening, Access and Traffic	<ul style="list-style-type: none"> <li>The Subject Lands are located on Rutherford Road which is under the jurisdiction of York Region. York Region will identify and approve any road widenings, if required, and the location and design of the proposed access/egress driveway. York Region must review the Traffic Study submitted in support of the Applications.</li> </ul>

### **Financial Impact**

Not Applicable

### **Broader Regional Impacts/Considerations**

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues or comments received from the Region will be addressed through the technical report to Council. At the time of the preparation of this report, the Owner has not submitted a request for exemption of Regional approval of the Official Plan Amendment Application. Accordingly, York Region must approve the implementing Official Plan Amendment if the Official Plan Amendment Application is approved.

## **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the technical review of the Applications, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Clement Messere, Senior Planner, Development Planning Department, ext. 8409.

## **Attachments**

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. North & East Elevations
5. West & South Elevations
6. Perspective Views

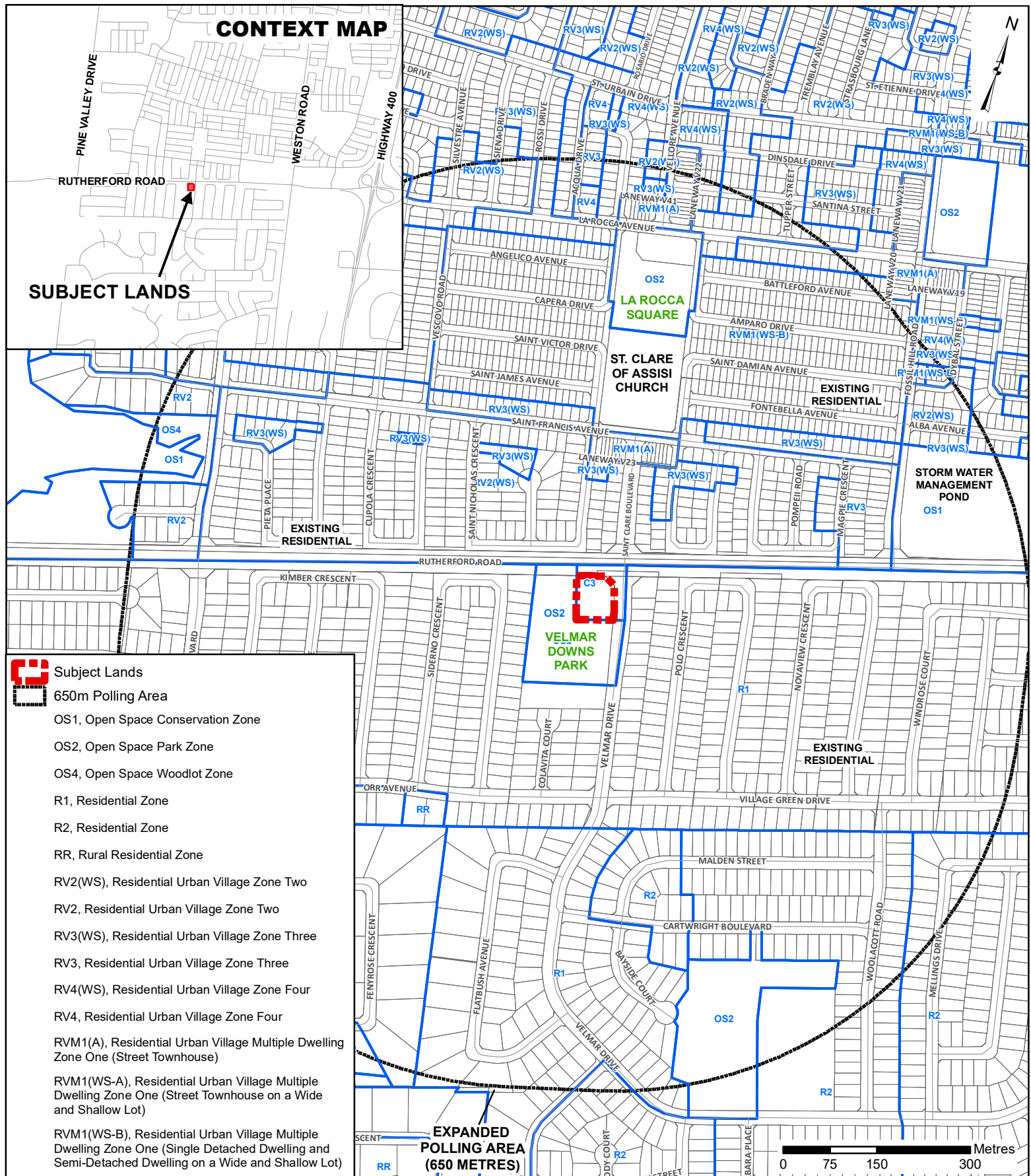
## **Prepared by**

Clement Messere, Senior Planner, ext. 8409

Carmela Marrelli, Senior Manager of Development Planning ext. 8791

Mauro Peverini, Director of Development Planning, ext. 8407

/LG



## Context and Location Map

**LOCATION:** Part of Lot 15, Concession 6

**APPLICANT:** Velmar Centre Property Limited



Development Planning  
Department

## Attachment

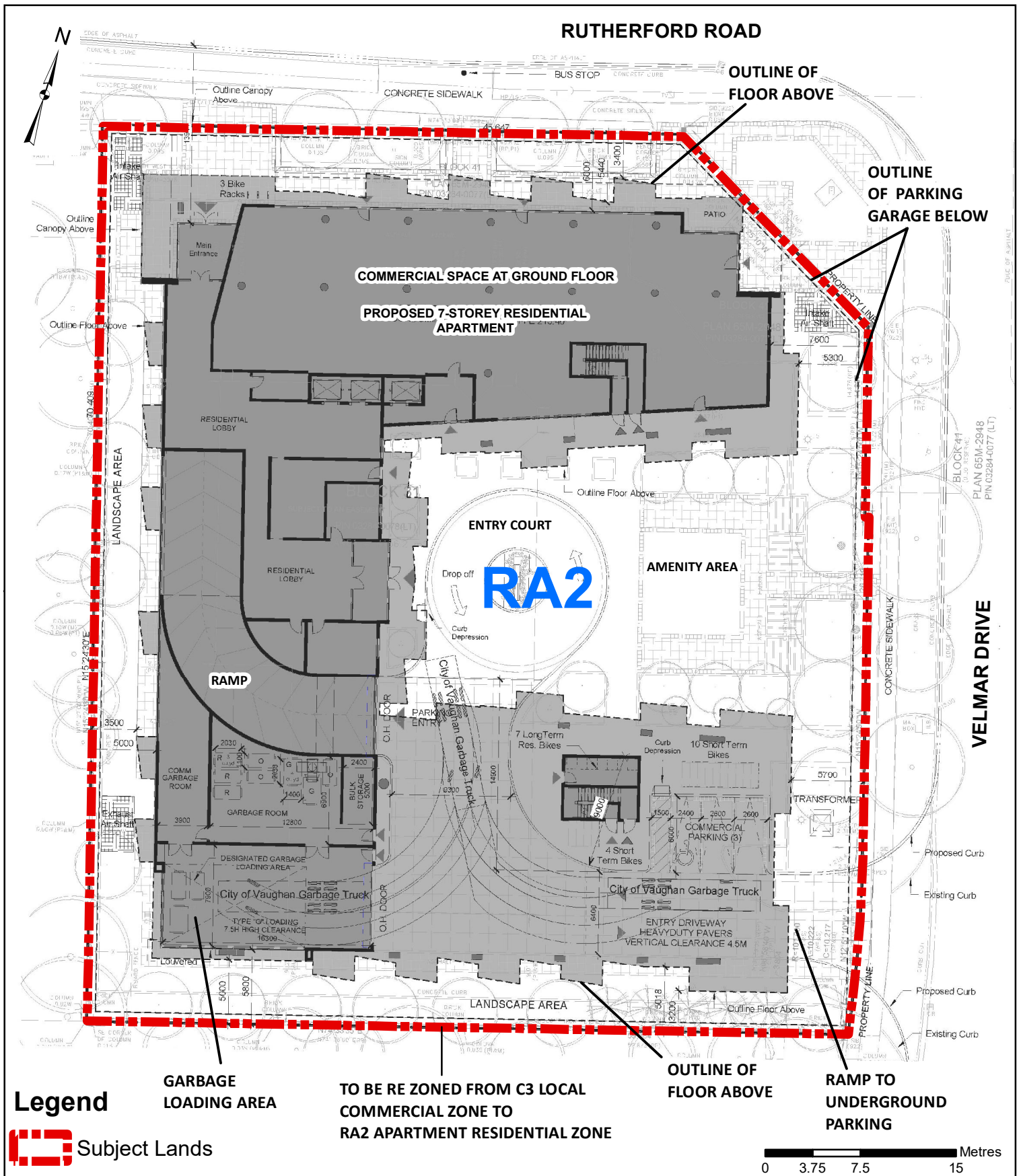
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OP.19.003, Z.19.008

**RELATED FILE:**  
DA.19.042

**DATE:**  
September 17, 2019

1





## Site Plan and Proposed Zoning

**LOCATION:**  
Part of Lot 15, Concession 6

**APPLICANT:**  
Velmar Centre Property Limited



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## Attachment

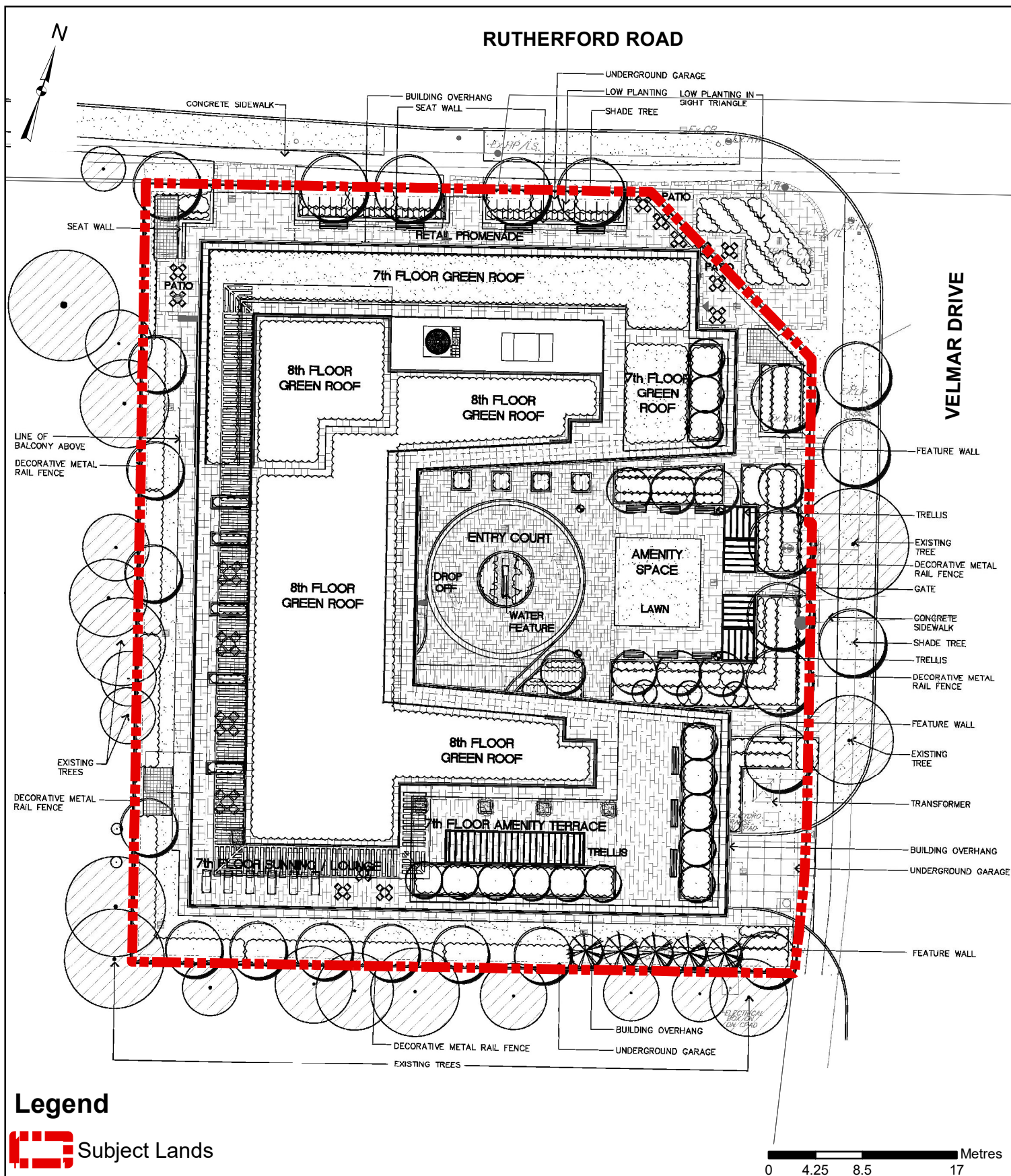
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**RELATED FILE:**  
DA.19.042

**DATE:**  
September 17, 2019

2





# Landscape Plan

**LOCATION:**  
Part of Lot 15, Concession 6

**APPLICANT:**  
Velmar Centre Property Limited



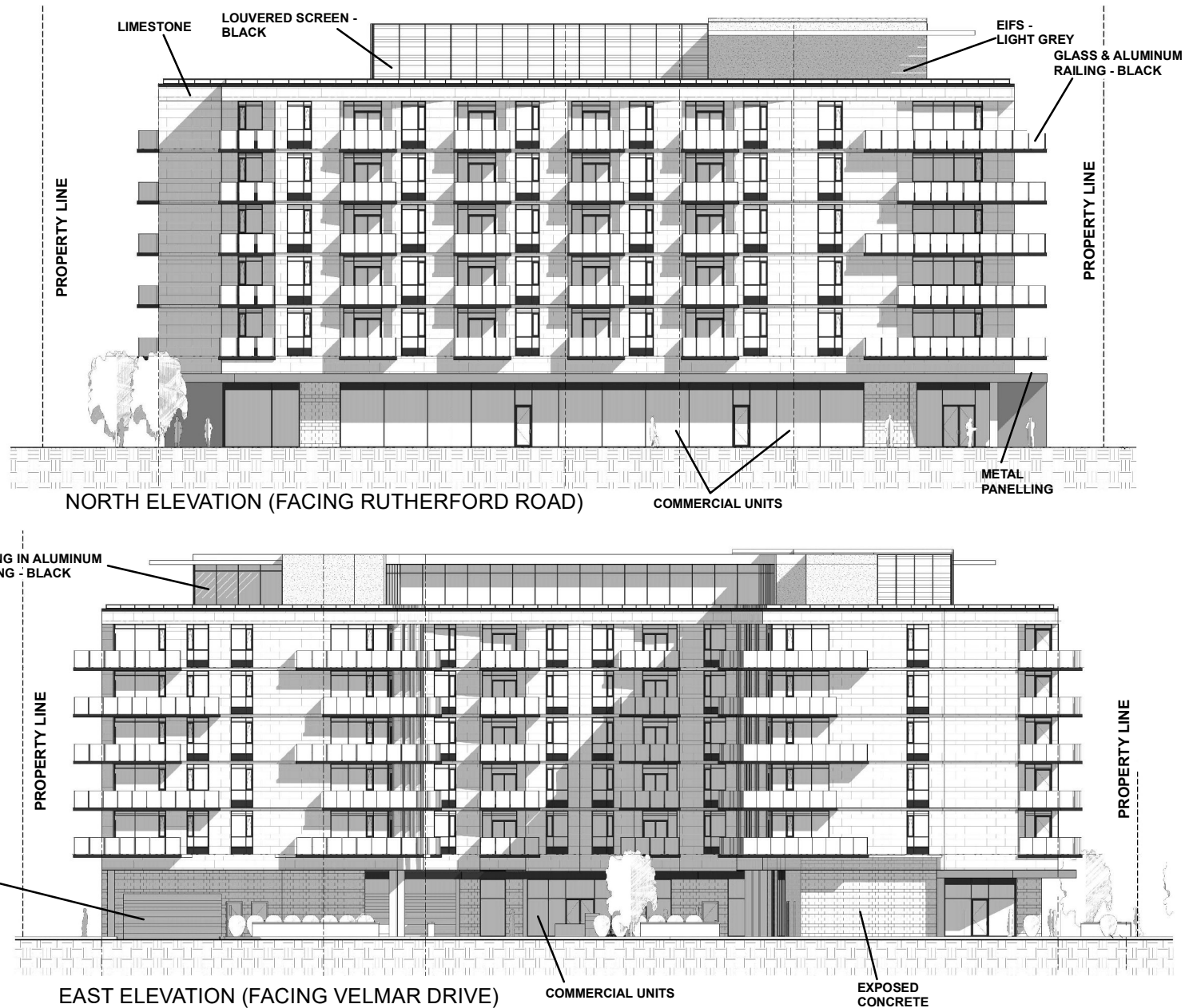
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**FILES:**  
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**RELATED FILE:**  
DA.19.042

**DATE:**  
September 17, 2019

**3**



## North & East Elevations

**LOCATION:**  
Part of Lot 15, Concession 6

**APPLICANT:**  
Velmar Centre Property Limited

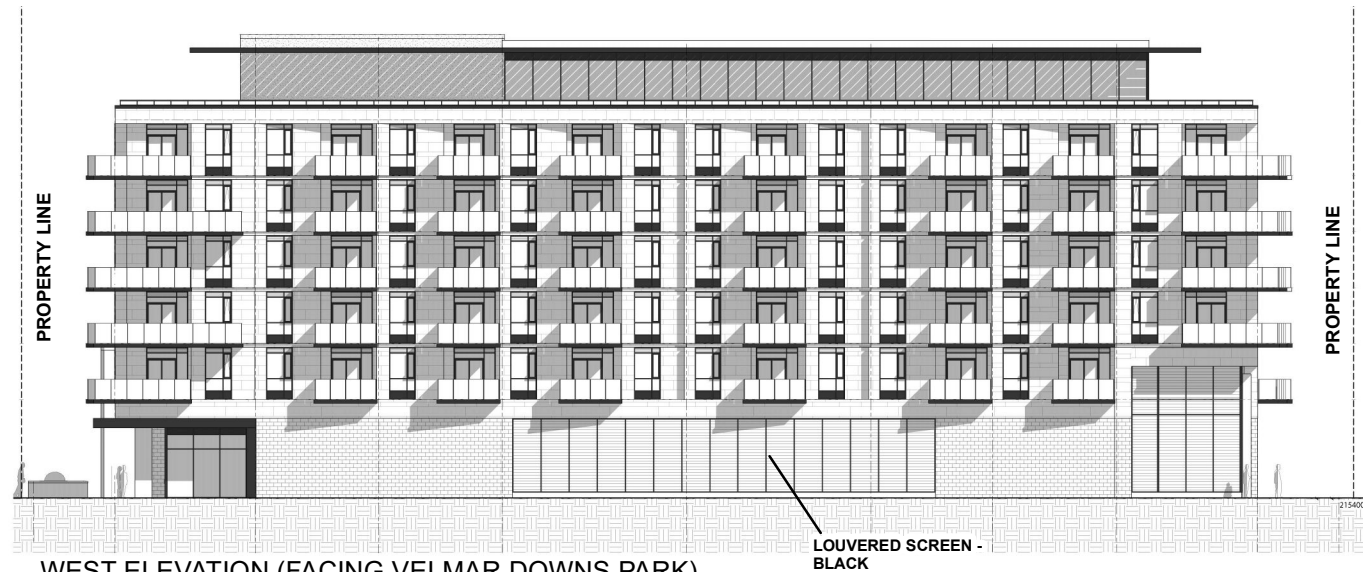


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**RELATED FILE:**  
DA.19.042  
**DATE:**  
September 17, 2019

4





## West & South Elevations

**LOCATION:**  
Part of Lot 15, Concession 6

**APPLICANT:**  
Velmar Centre Property Limited

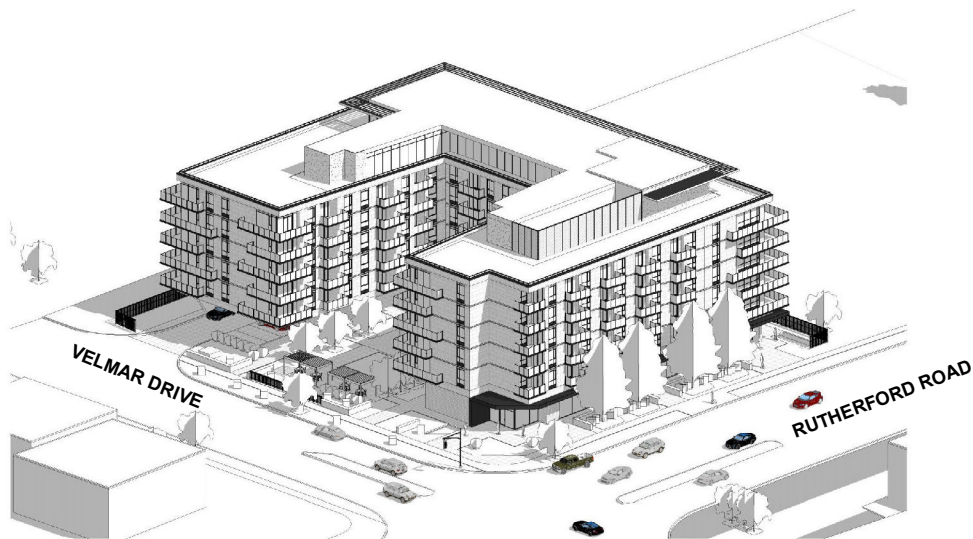
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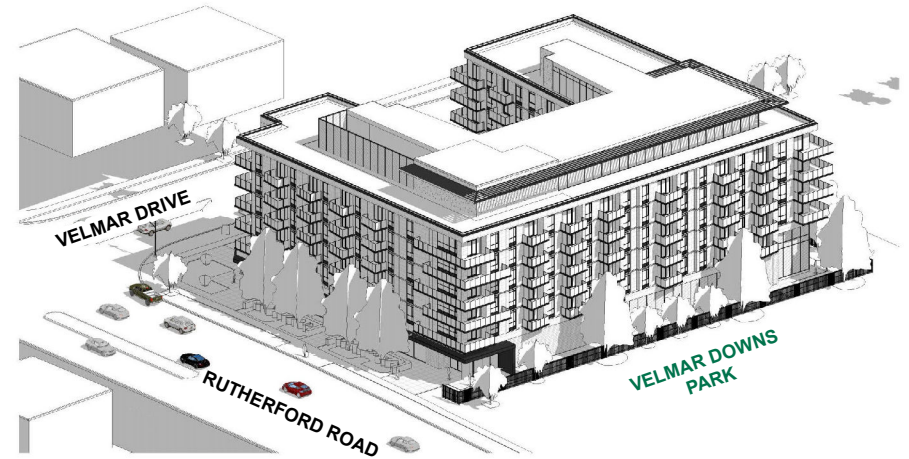
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DA.19.042  
**DATE:**  
September 17, 2019

5



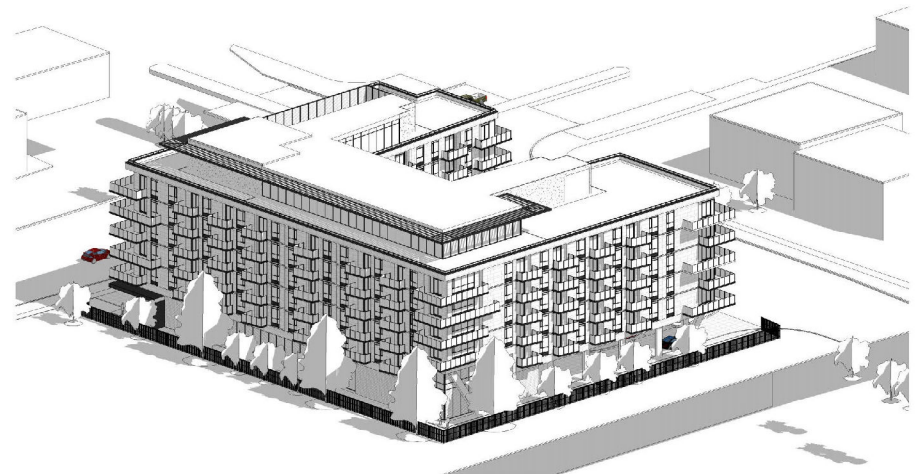
NORTH-EAST CORNER VIEW



NORTH-WEST CORNER VIEW



SOUTH-EAST CORNER VIEW



SOUTH-WEST CORNER VIEW

## Perspective Views

**LOCATION:**  
Part of Lot 15, Concession 6

**APPLICANT:**  
Velmar Centre Property Limited

Document Path: N:\GIS\_Archive\Attachments\OP\OP.19.003\OP.19.003\_Perspectives.mxd



## Attachment

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**DATE:**  
September 17, 2019

6