

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2022

Item 3, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 17, 2022.

3. 300 ATKINSON INC. – ZONING BY-LAW AMENDMENT FILE Z.19.028, SITE DEVELOPMENT FILE DA.19.081: 300 ATKINSON AVENUE, VICINITY OF ATKINSON AVENUE AND CENTRE STREET

The Committee of the Whole recommends:

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management dated May 3, 2022, be approved; and
- 2) That the comments from Mr. Kevin Bechard, Weston Consulting, Millway Avenue, Vaughan on behalf of the applicant, be received.

Recommendations

1. THAT Zoning By-law Amendment File Z.19.028 (300 Atkinson Inc.) BE APPROVED, to amend Zoning By-law 1-88 and 01-2021 to rezone the subject lands from “R3 Residential Zone” and “RM2 Residential Multiple Zone” subject to Site-Specific Exception 9(1526) by Zoning By-law 1-88 and “I1 Institutional Zone” by Zoning By-law 001-2021 to “RT1 Residential Townhouse Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 and 2 of this report;
2. THAT the Owner be permitted to apply for a Minor Variance Application(s) from the Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law(s) for the subject lands came into effect, to permit minor adjustments to the implementing Zoning By-law(s);
3. THAT Site Development File DA.19.081 (300 Atkinson Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS included in Attachment 1, to the satisfaction of the Development Planning Department to permit one block of townhouses containing 4 units at the southeast corner of the subject lands, as shown on Attachments 3 to 5; and
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“THAT Site Plan Development Application DA.19.081 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 4 residential townhouse units (12 persons equivalent). The allocation of said capacity may be

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EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 17, 2022

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redistributed (at the discretion of the City) in accordance with the City's Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months."

Committee of the Whole (1) Report

DATE: Tuesday, May 3, 2022

WARD: 5

TITLE: 300 ATKINSON INC.
ZONING BY-LAW AMENDMENT FILE Z.19.028
SITE DEVELOPMENT FILE DA.19.081
300 ATKINSON AVENUE
VICINITY OF ATKINSON AVENUE AND CENTRE STREET

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-Law Amendment File Z.19.028 for the subject lands shown on Attachment 2. The Owner seeks approval to rezone the subject lands from “R3 Residential Zone” and “RM2 Residential Multiple Zone” subject to Site-Specific Exception 9(1526) by Zoning By-law 1-88 and “I1 Institutional Zone” by Zoning By-law 001-2021 to “RT1 Residential Townhouse Zone” to appropriately implement a future common element condominium tenure for the development of 50 freehold townhouse units and 56 freehold back-to-back townhouse units.

The Owner also seeks approval from the Committee of the Whole for Site Development File DA.19.081 for a portion of the subject lands, also shown on Attachment 3, to permit one block of townhouses containing 4 units and 8 underground parking spaces at the southeast corner of the subject lands (inclusive of the 50 freehold units mentioned above), as shown on Attachments 3 to 5. The block of townhouses would form part of the larger townhouse development previously approved by Site Development File DA.19.083, as shown on Attachments 3, 6 to 8.

Report Highlights

- A Zoning By-law Amendment is required to rezone the subject lands to appropriately implement a future common element condominium tenure for the development of 50 freehold townhouse units and 56 freehold back-to-back townhouse units.
- A Site Development Application is required to permit one block of townhouses containing 4 units at the southeast corner of the Subject Lands.
- The Development Planning Department supports the approval of the applications as it is consistent with the Provincial Policy Statement 2020, conforms to A Place to Grow – Growth Plan, 2019 as amended, the York Region Official Plan 2010, and Vaughan Official Plan 2010, and are compatible with the existing and planned land uses in the surrounding area.

Recommendations

1. THAT Zoning By-law Amendment File Z.19.028 (300 Atkinson Inc.) BE APPROVED, to amend Zoning By-law 1-88 and 01-2021 to rezone the subject lands from “R3 Residential Zone” and “RM2 Residential Multiple Zone” subject to Site-Specific Exception 9(1526) by Zoning By-law 1-88 and “I1 Institutional Zone” by Zoning By-law 001-2021 to “RT1 Residential Townhouse Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 and 2 of this report;
2. THAT the Owner be permitted to apply for a Minor Variance Application(s) from the Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law(s) for the subject lands came into effect, to permit minor adjustments to the implementing Zoning By-law(s);
3. THAT Site Development File DA.19.081 (300 Atkinson Inc.) BE DRAFT APPROVED SUBJECT TO THE CONDITIONS included in Attachment 1, to the satisfaction of the Development Planning Department to permit one block of townhouses containing 4 units at the southeast corner of the subject lands, as shown on Attachments 3 to 5; and
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“THAT Site Plan Development Application DA.19.081 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 4 residential townhouse units (12 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”

Background

The subject lands (the 'Subject Lands') are municipally known as 300 Atkinson Avenue and are located on the west side of Atkinson Avenue, north of Rosedale Heights Drive, as shown on Attachment 2. The Subject Lands are currently occupied by a 2-storey private school which is closed. The existing surrounding land uses, and the townhouse development previously approved by Council approved through Official Plan and Zoning By-law Amendment and Site Development Files OP.19.001, Z.19.002 and DA.19.083 are shown on Attachments 2, 3, 6 to 8.

A Standard Townhouse Development was previously approved for majority of the Subject Lands through Files OP.19.001, Z.19.002 and DA.19.083

Vaughan Council, on May 18, 2021, approved Official Plan and Zoning By-law Amendment and Site Development Files OP.19.001, Z.19.002 and DA.19.083 to develop 300 Atkinson Avenue with 46 townhouse units and 68 back-to-back townhouses, as shown on Attachment 9. Through this approval, the Subject Lands (excluding the southeast corner) were zoned to "RM2 Residential Multiple Zone" subject to Site-Specific Exception 9(1526). However, the "RM2 Residential Multiple Zone" would implement a standard condominium tenure and not a common element condominium tenure as proposed by the Owner.

A Place of Worship was previously proposed at the southeast corner of the Subject Lands through File Z.19.028

300 Atkinson Inc. (the 'Owner') on November 29, 2019, submitted a further Zoning By-law Amendment File Z.19.028 to permit the development of a two-storey Place of Worship (Attachment 10). Vaughan Council on March 11, 2020, ratified the recommendation of Committee of the Whole to receive the Public Meeting report of March 3, 2020, for Zoning By-law Amendment File Z.19.028 and to forward a comprehensive technical report to a future Committee of the Whole meeting.

The Owner revised File Z.19.028 to remove the Place of Worship and replace it with one block of townhouses

The Owner revised the original development proposal of the southeast corner removing the place of worship and replacing it with a townhouse block consisting for 4 units (Attachment 3) that was consistent with and would form part of the adjacent townhouse development on the remaining portion of 300 Atkinson Avenue. The townhouse development on the remaining portion of 300 Atkinson Avenue was approved by Vaughan Council on May 18, 2021 ('Files OP.19.001, Z.19.002 and DA.19.083').

A revised Zoning By-Law Amendment Application and a revised Site Development Application have been submitted to permit the development

The Owner, on January 19, 2022, revised Zoning By-law Amendment File Z.19.028 (the 'Application') to:

- Revise the Subject Lands to now include the entirety of 300 Atkinson Avenue (previously was just for the southeast corner of 300 Atkinson Avenue)
- Rezone the Subject Lands from “R3 Residential Zone” and “RM2 Residential Multiple Zone” subject to Exception 9(1526) by Zoning By-law 1-88 and “I1 Institutional Zone” by Zoning By-law 001-2021 to “RT1 Multiple Residential Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 and 2 of this report, to appropriately implement a future common element condominium tenure for a townhouse development (106 units) on the Subject Lands.

The Owner has revised Site Development File DA.19.081 to:

- Permit a townhouse block consisting of 4 units at the southeast corner of the Subject Lands, as shown on Attachments 3 to 5.

Overall, the Applications, including the townhouses previously approved through DA.19.083, features 50 traditional townhouses and 56 back-to-back townhouses for a total of 106 townhouse units (the ‘Development’). The number of back-to-back townhouses has been reduced from 68 units to 56 units since the time of the Council approval on May 18, 2021. Although the number of units have changed, the gross floor area, amenity space, building size, setbacks and overall layout is consistent with the previous Council approved Site Development File DA.19.083.

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

On March 11, 2022, circulated a Notice of Public Meeting (the ‘Notice’) was circulated to all property owners within 150 m radius of the Subject Lands, the Rosedale North Ratepayer’s Association, the Beverly Glen Ratepayers Association and to anyone on file with the Office of the City Clerk having requested notice. Copy of the Notice was also posted on the City’s website at www.vaughan.ca and a notice sign was installed along the Atkinson Avenue frontage, in accordance with the City’s Notice Sign Procedures and Protocols.

Vaughan Council on April 26, 2022, ratified the recommendation of Committee of the Whole to receive the Public Meeting report of April 5, 2022, and to forward a comprehensive technical report to a future Committee of the Whole meeting.

There was one deputation made at the public hearing other than a presentation made by the Applicant, Weston Consulting.

Deputation:

- Sarah Revich, no address provided, Thornhill

In summary, the deputant raised concern with the number of visitor parking spaces provided to accommodate the Development. Concerns were also raised with visitor

parking overflowing onto residential streets since Atkinson Avenue does not permit on-street parking.

The above comment is addressed in this report.

The Development Planning Department on April 27, 2022, emailed a non-statutory courtesy notice of this Committee of the Whole meeting to the individual who made a deputation before the Committee of the Whole.

Previous Reports/Authority

Previous reports relating to the Applications, considered by the Committee of the Whole (Public Meeting) on March 3, 2020, June 1, 2021 and April 25 2022, can be found at the following links:

[March 3, 2020, Committee of the Whole Public Meeting, \(Item 3, Report 10\)](#)

[June 1, 2021, Committee of the Whole Public Meeting, \(Item 2, Report 30\)](#)

[April 5, 2022, Committee of the Whole Public Meeting](#)

Reports related to the townhouse development, on the remaining portion of 300 Atkinson Avenue (OP.19.001, Z.19.008 & DA.19.083), can be found at the following links:

[June 4, 2019, Committee of the Whole Public Meeting \(Item 3, Report 22\)](#)

[May 4, 2021, Committee of the Whole \(Item 1, Report 22\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020, ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS policies support the goal to enhance the quality of life for all Ontarians. Key policy objectives include building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The *Planning Act* requires that Council's planning decisions be consistent with the PPS.

The Development provides an additional housing option at a density consistent with the Housing policies of the PPS (Section 1.4.3). The Development adds to the variety of unit types in the community and promotes the efficient use of land.

The Subject Lands are located on Atkinson Avenue, identified as a Major Collector Road on Schedule 9 of Vaughan Official Plan 2010 ('VOP 2010') and serviced by York Region Transit Thornhill bus routes #3 and #160 which provide everyday service and connect to higher order transit services. The Subject Lands are located within walking distance to the Viva Next Bathurst Street and Centre Street Rapid Transit Route and existing retail, restaurant, entertainment, community service, and institutional uses at Bathurst Street and Centre Street supporting the Settlement Area policies of the PPS (Section 1.1.1) by providing transit supportive land uses.

The Development is consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended

The Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 ('Growth Plan') as amended is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including; directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. The *Planning Act* requires that Council's decisions conform to, or do not conflict with, the Growth Plan.

The built form would utilize the Subject Lands more efficiently, make use of existing infrastructure and provide housing supportive of the Growth Plan objectives. Section 2.2.1 directs growth to settlement areas and locations with existing or planned transit to achieve complete communities, to provide a range of housing options with connections to existing or planned municipal water and wastewater systems.

Accordingly, the Development conforms to the Growth Plan.

The Development conforms to the York Region Official Plan, 2010

The Subject Lands are designated "Urban Area" by the York Region Official Plan 2010 ('YROP'). Section 5.3 of the YROP outlines policies for development within the urban structure by encouraging residential development to occur within the built-up area as defined by the Province's Built-Up Area Boundary in the Growth Plan. Well-designed pedestrian-friendly and transit-oriented built form is encouraged. The Development will assist in achieving these goals as it includes residential townhouse units that will provide compact development and make more efficient use of the Subject Lands. There are rapidway stops at Bathurst Street and Atkinson Avenue, and Bathurst Street and Centre Street which are both within walking distance.

Section 3.5 of the YROP, Housing Our Residents, provides housing objectives to promote an integrated community structure and design to ensure a broad mix and range of lot sizes, unit sizes, housing forms, types, and tenures to satisfy the needs of the Region's residents and workers. The Development is located on a major collector road within walking distance to the Bathurst Street and Centre Street transit corridor, promoting a transit supportive density and making efficient use of the Subject Lands.

In consideration of the above, the Development conforms to the policies of the YROP.

The Development conforms to VOP 2010

The Subject Lands are designated "Low Rise Residential" by VOP 2010 and are located within a Community Area as identified on Schedule 1, Urban Structure, of VOP 2010. The "Low-Rise Residential" designation permits detached, semi-detached and

townhouse dwellings with no prescribed maximum density and a 3-storey building height. The Development proposes one new additional block of 3-storey townhouses with a total of 4 units. The Development conforms to the policies of VOP 2010.

The Subject Lands are not identified as an “Established Large-Lot Neighbourhood” as identified through the “Community Area Policy Review for Low-Rise Residential Designations” (‘Official Plan Amendment 15 (‘OPA 15’) of VOP 2010’) and Schedule 1B of VOP 2010 which came into effect on May 28, 2019. “Established Large-Lot Neighbourhoods” are characterized by large lots with minimum lot frontages of 21 m to 30 m. Accordingly these Applications are not subject to the policies of OPA 15.

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

The Subject Lands are zoned “R3 Residential Zone” and “RM2 Residential Multiple Zone” subject to Exception 9(1526) as shown on Attachment 2. The Owner is proposing to rezone the Subject Lands to “RT1 Multiple Residential Zone” to facilitate a townhouse development with a future common element condominium tenure, together with the following site-specific zoning exceptions:

Table 1:

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Definition of “Lot”	Means a parcel of land fronting a public street	Means a parcel of land fronting on a public street, private road, or common element
b.	Definition of “Common Element”	No definition	Means a private road or a private communal space owned by a condominium corporation which includes an underground or above ground parking area, community mailboxes, internal park, stairwell access or an internal sidewalk that does not abut a public road
c.	Definition of “Street Townhouse Dwelling”	Means a townhouse dwelling in which each dwelling unit is situated on its own lot that fronts onto a public street	Means a townhouse dwelling in which each dwelling unit is situated on its own lot that fronts onto a public or private street or a common element
d.	Definition of “Back-to-Back Townhouse Dwelling”	No definition	Means a dwelling containing four or more dwelling units divided by vertical common walls and a common rear wall, and individual dwelling units do not have rear yards. Each Dwelling unit may be situated on its own lot and

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
			accessed by an independent entrance
e.	Definition of "Parallel Parking Space"	No definition	Means a parking space with a minimum size of 2 m wide by 6.7 m long
f.	Definition of "Tandem Parking Space"	No definition	Means a parking space that is only accessed by passing through another parking space from a drive aisle within an underground parking garage
g.	Minimum Lot Area Per Unit	162 m ²	112 m ² (Blocks 1-6 & 16) 105 m ² (Blocks 7-9) 58 m ² (Blocks 10-15)
h.	Minimum Lot Frontage	6 m	5 m (Blocks 1-6, 10-16) 4.5 m (Blocks 7-9)
i.	Minimum Lot Depth	27 m	19 m (Blocks 1-9 & 16) 11 m (Blocks 10-15)
j.	Maximum Townhouse Units in a Row	6 units	7 units (Block 8)
k.	Minimum Front Yard Setback	4.5 m	2.4 m (Blocks 4, 7-9 & 16) 2 m (Blocks 5, 6 & 13-15) 1.5 m (Blocks 10-12)
l.	Minimum Rear Yard Setback	7.5 m	2.4 m (Blocks 1-3) 0 m (Blocks 10-15)
m.	Minimum Interior Yard Setback	1.2 m	0.5 m (Block 9) 0 m (Blocks 6, 7, 10, 11, 14 & 15)
n.	Minimum Exterior Yard Setback	4.5 m (to lot line) 3 m (to sight triangle)	1.2 m (Blocks 10 & 13) 0.9 m (Block 15) 0.6 m (sight triangle) 0 m (Blocks 1, 3 & 12)
o.	Maximum Building Height	11 m	12.91 m (Blocks 10-15) 12.72 m (Blocks 1-3, 7-9) 11.9 m (Blocks 4-6 & 16)
p.	Parking Spaces Requirements	Parking Spaces shall be provided on the same lot as the townhouse dwellings	Parking spaces shall be provided on the common element (underground parking garage)

The proposed zoning exceptions identified in Table 1 would facilitate a Development consistent with Provincial policies that promote the efficient use of land within the built-up area, meets the intent of VOP 2010 and is compatible with the surrounding development.

In consideration of the above, the Development Planning Department is satisfied the “RT1 Multiple Residential Zone” and site-specific zoning exceptions are appropriate and maintain the intent of the Low-Rise Residential designation of VOP 2010.

Minor modifications may be made to the zoning exceptions identified in Table 1 prior to the enactment of an implementing Zoning By-law, as required through the final review of Site Development File DA.19.081 & DA.19.083, should the Applications be approved.

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of the passing was circulated on October 25, 2021, in accordance with the *Planning Act*. The last date for filing an appeal to the OLT in respect of By-law 01-2021 was November 15, 2021. By-law 01-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as By-law 01-2021 is in force, the Owner will be required to demonstrate conformity with both By-law 01-2021 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 01-2021 applies.

Amendments to Vaughan’s new Comprehensive Zoning By-law 001-2021 (‘Zoning By-law 001-2021’) are proposed to permit the Development

The Subject Lands are zoned “I1 Institutional Zone” by Zoning By-law 001-2021 as shown on Attachment 2. The Owner is proposing to rezone the Subject Lands to “RT1 Multiple Residential Zone” to facilitate a townhouse development with a future common element condominium tenure, together with the following site-specific zoning exceptions:

Table 2:

	Zoning By-law 01-2021 Standards	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Definition of “Lot”	Means a parcel of land fronting a public street	Means a parcel of land fronting on a public street, private road, or common element
b.	Definition of “Common Element”	No definition	Means a private road or a private communal space owned by a condominium corporation including an underground or above ground parking area, community mailboxes, internal park, stairwell access or an internal sidewalk that does not abut a public road

	Zoning By-law 01-2021 Standards	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
c.	Definition of "Street Townhouse Dwelling"	Means a townhouse dwelling in which each dwelling unit is situated on its own lot that fronts onto a public street	Means a townhouse dwelling in which each dwelling unit is situated on its own lot that fronts onto a public or private street or a common element
d.	Definition of "Back-to-Back Townhouse Dwelling"	No definition	Means a dwelling containing four or more dwelling units divided by vertical common walls and a common rear wall, and individual dwelling units that do not have rear yards. Each Dwelling unit may be situated on its own lot and accessed by an independent entrance
e.	Definition of "Parallel Parking Space"	No definition	Means a parking space with a minimum size of 2 m wide by 6.7 m long
f.	Definition of "Tandem Parking Space"	No definition	Means a parking space that is only accessed by passing through another parking space from a drive aisle within an underground parking garage
g.	Minimum Lot Area Per Unit	162 m ²	112 m ² (Blocks 1-6 & 16) 105 m ² (Blocks 7-9) 58 m ² (Blocks 10-15)
h.	Minimum Lot Frontage	6 m	5 m (Blocks 1-6, 10-16) 4.5 m (Blocks 7-9)
i.	Maximum Townhouse Units in a Row	6 units	7 units (Block 8)
j.	Minimum Front Yard Setback	4.5 m	2.4 m (Blocks 4, 7-9 & 16) 2 m (Blocks 5, 6 & 13-15) 1.5 m (Blocks 10-12)
k.	Minimum Rear Yard Setback	7.5 m	2.4 m (Blocks 1-3) 0 m (Blocks 10-15)
l.	Minimum Interior Yard Setback	1.2 m	0.5 m (Block 9) 0 m (Blocks 6, 7, 10, 11, 14 & 15)
m.	Minimum Exterior Yard Setback	4.5 m (to lot line) 3 m (to sight triangle)	1.2 m (Blocks 10 & 13) 0.9 m (Block 15) 0.6 m (sight triangle) 0 m (Blocks 1, 3 & 12)
n.	Maximum Building Height	No requirement	12.91 m (Blocks 10-15) 12.72 m (Blocks 1-3, 7-9)

	Zoning By-law 01-2021 Standards	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
			11.9 m (Blocks 4-6 & 16)
o.	Parking Spaces Requirements	Parking Spaces shall be provided on the same lot as the townhouse dwellings	Parking spaces shall be provided on the common element (underground parking garage)
p.	Hard Landscaping Encroachment	0.6 m to lot line	0 m to lot line
q.	Porch Steps Encroachment	1.2 m to lot line	0.5 m to lot line
r.	Minimum Lot Coverage	50 %	Shall not apply
s.	Minimum Staircase to Underground Setback	3.0 m	0 m (Blocks 6, 10,12 & 14)
t.	Minimum Setback to Waste Collection	30 m (to the adjacent R2 Zone)	24 m (to the adjacent R2 Zone)

The proposed zoning exceptions identified in Table 2 would facilitate a Development consistent with Provincial policies that promote the efficient use of land within the built-up area, meets the intent of VOP 2010 and is compatible with the surrounding development.

In consideration of the above, the Development Planning Department is satisfied the “RT1 Multiple Residential Zone” and site-specific zoning exceptions are appropriate and maintain the intent of the Low-Rise Residential designation of VOP 2010.

Minor modifications may be made to the zoning exceptions identified in Table 2 prior to the enactment of an implementing Zoning By-law, as required through the final review of Site Development File DA.19.081 & DA.19.083, should the Applications be approved.

The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance application, if required, within 2 years of a Zoning By-law coming into full force and effect

Section 45 (1.3) of the Planning Act restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The Planning Act also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance application(s) within 2 years of the passing of the zoning by-law amendment. Should Council approve Zoning By-law Amendment File Z.19.028 a Recommendation is included to permit the Owner to apply for Minor Variance application(s), if required, in advance of the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

The Development Planning Department is satisfied with the proposed site plan and building elevations, subject to the Recommendations in this report

Site Plan

The site plan shown on Attachment 3 includes one new block with 4 units (Block 16) that will form part of the adjacent townhouse development approved through DA.19.083. The Development would maintain rear yard setbacks of 7.5 m and over, which is consistent with the rear yard setback required by the R3 Residential Zone of the existing detached dwellings located to the south of the Subject Lands. The Development will have access to the outdoor amenity and playground located in the centre of the adjacent townhouse development. There is a total of 248 parking spaces (222 spaces in one level of underground parking, and 26 at-grade visitor parking spaces), for the overall Development. Access to the Subject Lands will be provided by an 8 m wide private road from Atkinson Road.

There is an enclosed garbage/recycling room located in the underground garage of the Development. The garbage and recycling containers will be transferred from garbage room to the loading area on garbage pickup day. The loading area is located at the end of 'Street A'.

Draft Plan of Condominium and Lot Division

Should the Applications be approved, a Draft Plan of Condominium application is required to establish the proposed common elements condominium tenure of the Development, and to secure appropriate conditions of Draft Plan of Condominium approval. The Owner will also be required to submit a Part Lot Control Application for the overall development in order to create individual lots tied to the common element condominium (Parcels of Tied Land – 'POTLS') for future ownership. A condition to this effect is included in Attachment 1.

Building Elevations

The building elevations for new Block 16, shown on Attachment 5, include dark grey flashing as roof material, dark grey wood patterned panels, and red brick cladding. The rear portion of the third floor of the townhouse block includes a rooftop amenity area that is screened by a 1.8 m high parapet. This design is consistent with adjacent townhouse development approved through DA.19.083 shown on Attachment 6 to 8.

The Development Planning Department recommends that the building elevations, materials and colour pallet be provided to add variety to the streetscape, particularly along Atkinson Avenue and within the Development. Recommendations to this effect are included in Attachment 1 to this report.

Landscape Plan

The Landscape Plan shown on Attachment 4, includes a variety trees, shrubs, and hard and soft landscape areas to provide screening and shade throughout the Subject Lands. There is an existing transformer at the corner of Atkinson Avenue and the new

private driveway which should be screened with new plantings to provide visual screening.

The Development Planning Department will continue to work with the Owner to finalize the site plan, building elevations and landscaping as discussed above.

Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics ('SPM') application score of 31 (bronze level). This score meets minimum threshold requirements.

Tree Protection Protocol

The Owner, prior to the execution of the Site Plan Agreement, is required to enter into a Tree Protection Agreement with the City in accordance with the Vaughan Council enacted Tree Protection By-law 052-2018 and the City's Tree Protection Protocol. The Agreement regulates the preservation and removal of trees on public and private property in the City of Vaughan. The submitted Arborist report identify a total of 12 replacement trees are required to be planted on the southeast corner of the Subject Lands. The proposed landscape plan includes 3 new trees on southeast corner of the Subject Lands, therefore, cash-in-lieu compensation is required for 9 trees (\$4,950).

Prior to final approval of Site Development File DA.19.081, Files DA.19.081 and DA.19.083 (adjacent townhouse Development) shall be consolidated. Therefore, the Letter of Credit provided as part of DA.19.083 will be revised to incorporate the Development and to ensure that tree preservations are completed in accordance with the Tree Protection Protocol for the Subject Lands. A condition to this effect is included in Attachment 1.

Archaeology

The Subject Lands are clear of any built heritage and cultural heritage landscapes and are not located within an area as having archaeological potential. The appropriate warning clauses regarding archaeological resources or human remains being located during construction are included in Attachment 1 of this report.

The Development Engineering Department has no objection to the Development, subject to conditions

The Development Engineering ('DE') Department has no objection to the Development subject to the conditions included in Attachment 1.

Water Supply

The Subject Lands are located within the Pressure District 6 (PD6) and will be serviced by new service connection to the existing municipal watermain on Atkinson Avenue. The provided watermain analysis concludes that the existing watermain on Atkinson Avenue provides adequate flows and pressures to service the Subject Lands.

Sanitary Servicing

The Subject Lands are pre-serviced to accommodate a school development with a population of 87 people and will be serviced by the existing sanitary sewer connection on Rosedale Heights Drive. Given that the overall Development proposes 106 townhouse dwellings (371 people), the proposed sewage flow increases. The Functional Servicing Report and City's sanitary model conclude that the downstream sanitary sewer system has residual capacity to convey the flows generated by the Development.

Stormwater Management

The Subject Lands are located within Don River watershed and pre-serviced to accommodate the existing school and will be serviced by the existing storm sewer connection on Atkinson Avenue. Based on provided Functional Servicing Report, the proposed peak flows up to and including 100 storm events will be controlled to the allowable release rate.

Lot Grading

The Subject Lands drain southeast towards Atkinson Avenue. The Development Engineering department has reviewed the provided Grading Plan and in general, has no objections.

Environmental Site Assessment

The Owner submitted the Environmental Site Screening Questionnaire and has been reviewed by the DE Department. The DE Department has no environmental concerns or comments.

Noise Attenuation

The Owner submitted a noise report entitled Environmental Noise Feasibility Study, prepared by Valcoustics Canada Ltd., dated July 16, 2021, to investigate the potential impact of environmental noise on the Development. The report recommends provisions for requiring air conditioning in the Development, exterior wall and window construction to meet the minimum non-acoustical requirements as per the *Ontario Building Code*, and for the most eastern townhouse unit within the Development to install a 1.8 m high acoustical fence. The report concludes that with the recommended noise mitigation measures, the resultant sound levels both indoors and outdoors will be within the acceptable limits established by the Ministry of the Environment, Conservation and Parks (MECP). The DE Department is satisfied with the submitted documentation and findings.

Road Network and Parking

Access to the Development is proposed from Atkinson Avenue. A Transportation Reliance Letter has been submitted in support of the Applications to assess traffic impacts that would require mitigation in the area and review parking supply. Based on Development Transportation Engineering's review of the application, the Development can adequately be accommodated with the proposed parking, accesses and

surrounding road network. A Transportation Demand Management Checklist/Plan is also provided to assist in recusing single occupant vehicle trips.

A total of 248 parking spaces are provided whereas 186 are required by Zoning By-law 1-88 and 01-2021. Therefore, there is a sufficient amount of parking spaces, including visitor accessible parking spaces to serve the Development.

Atkinson Avenue is served by two existing York Region Transit routes (#3 and #160). The Development is located within walking distance from the existing Promenade Bus Terminal and Bus Rapid Transit (BRT) station, just west of Bathurst Street and Centre Street, providing connectivity to additional transit routes.

The connectivity of the Subject Lands are well served by active transportation, both internally and externally, such as sidewalks and bike lanes. A connected, continuous sidewalk network is proposed on-site with sidewalks fronting the Development connecting to all internal laneways in the adjacent townhouse development external municipal sidewalks on both sides of Atkinson Avenue and Centre Street.

Bicycle lanes are implemented on Centre Street as part of the BRT works west of Bathurst Street. Proposed bicycle lanes on Atkinson Avenue are also identified in the City of Vaughan Pedestrian and Bicycle Master Plan (PBMP). A total of 82 secure long-term bicycle parking spaces are proposed in the underground parking garage. Provisions are also proposed for cyclist trip-end amenities such as bicycle repair stations.

Cash-in-lieu of the Dedication of Parkland is required for the Development

The Office of the Infrastructure Development Department, Real Estate Services ('RE') has no objection to the approval of the Applications. The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the Subject Lands, prior to the issuance of a Building Permit in accordance with the *Planning Act* and the City's Cash-in-Lieu of Parkland Dedication Policy. The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by RE, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The Parks Infrastructure Planning and Development ('PIPD') Department has no objection to the Development

The PIPD Department has reviewed the Development and has no objections, subject to payment in-lieu of parkland being provided. A condition to this effect is included in Attachment 1.

Development Charges apply to the Development

The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board. A clause for the payment

of Development Charges is included as a standard condition in the Site Plan Agreement.

The School Boards have no objection to the Development

The York Region District School Board and York Catholic District School Board have advised they have no objection to the Development.

Canada Post has no objection to the Development, subject to conditions

Canada Post have no objection to the Development, subject to their Conditions of Approval in Attachment 1 of this report.

The various utility companies have no objection to the Development

Bell Canada, Enbridge Gas, Rogers, and Alectra Utilities have no objection to the Development, subject to their Conditions of Approval in Attachment 1 of this report.

The Fire and Rescue Services Department has no objection to the Development

Fire and Rescue do not object to the Development.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has reviewed the Zoning By-law Amendment and Site Development Applications and has no objection.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Site Development Files Z.19.028 and DA.19.081, to appropriately implement a future common element condominium tenure for the development of 50 freehold townhouse units and 56 freehold back-to-back townhouse units and to facilitate a development consisting of one block of townhouses with 4 units as shown on Attachments 3 to 5, together with the site-specific amendments to Zoning By-law 1-88 and Zoning By-law 001-2021.

The Development Planning is of the opinion that the Applications will permit a Development consistent with the PPS, conforms to the Growth Plan and the YROP 2010 and maintains the intent of VOP 2010, and is compatible with the surrounding area context. Accordingly, the Development Planning Department supports the approval of the Applications, subject to the Recommendations of this report.

For more information, please contact: Daniela DeGasperis, Planner, Development Planning, extension 8382.

Attachments

1. Conditions of Site Plan Approval
2. Context and Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. Building Elevations – Facing Atkinson Avenue (Blocks 1 to 3 & 16)
6. Building Elevations – Back-to-Back Townhouse Units (Blocks 10 to 15)
7. Building Elevations – Standard Townhouses (Blocks 4 to 6)
8. Building Elevations – Standard Townhouses (Blocks 7 to 9)
9. Original Development Proposal - OP.19.001, Z.19.002, DA.19.083
10. Original Development Proposal – Z.19.028

Prepared by

Daniela DeGasperis, Planner, ext 8382.

Margaret Holyday, Senior Planner, ext. 8216.

Mary Caputo, Senior Manager of Development Planning, ext. 8635.

Nancy Tuckett, Director of Development Planning, ext. 8529.

Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager

Attachment 1 – Conditions of Site Plan Approval

Site Development File DA.19.081 (300 Atkinson Inc.) Conditions of Approval:

- 1) THAT prior to the execution of the Site Plan Agreement:
 - a) Site Development Files DA.19.081 and DA.19.083 (300 Atkinson Inc.) shall be consolidated into one site plan agreement be registered on title;
 - b) The building elevations of the end unit of Block 16 (fronting onto Atkinson Avenue) shall be updated to provide additional variety and the building materials throughout the project to the satisfaction of the Development Planning Department;
 - c) The Development Planning Department shall approve the final site plan, elevations, landscape plan and cost estimate, tree inventory and removal plan, and lighting plan;
 - d) The Owner shall provide the final georeferenced AutoCAD drawings of the site plan and landscape plan, the associated Excel translation files and individually layered pdfs for all drawings to the satisfaction of the GIS section of the Development Planning Department. If the files meet requirements, an email from gisplanning@vaughan.ca confirming the final submission has been approved will be provided;
 - e) The Development Engineering Department shall approve the final grading and servicing plan, erosion and sedimentation control plan, functional servicing report, traffic impact study, transportation demand management plans and construction management plans;
 - f) The Owner shall satisfy the requirements of York Region;
 - g) The Owner shall obtain all necessary approvals from the Toronto and Region Conservation Authority (TRCA);
 - h) The Owner shall satisfy all requirements from Alectra Utilities Corporation, Enbridge Distribution Inc., Rogers, Bell Canada, and Canada Post.

- 2) THAT the Site Plan Agreement shall include the following conditions and warning clauses, to the satisfaction of the City:

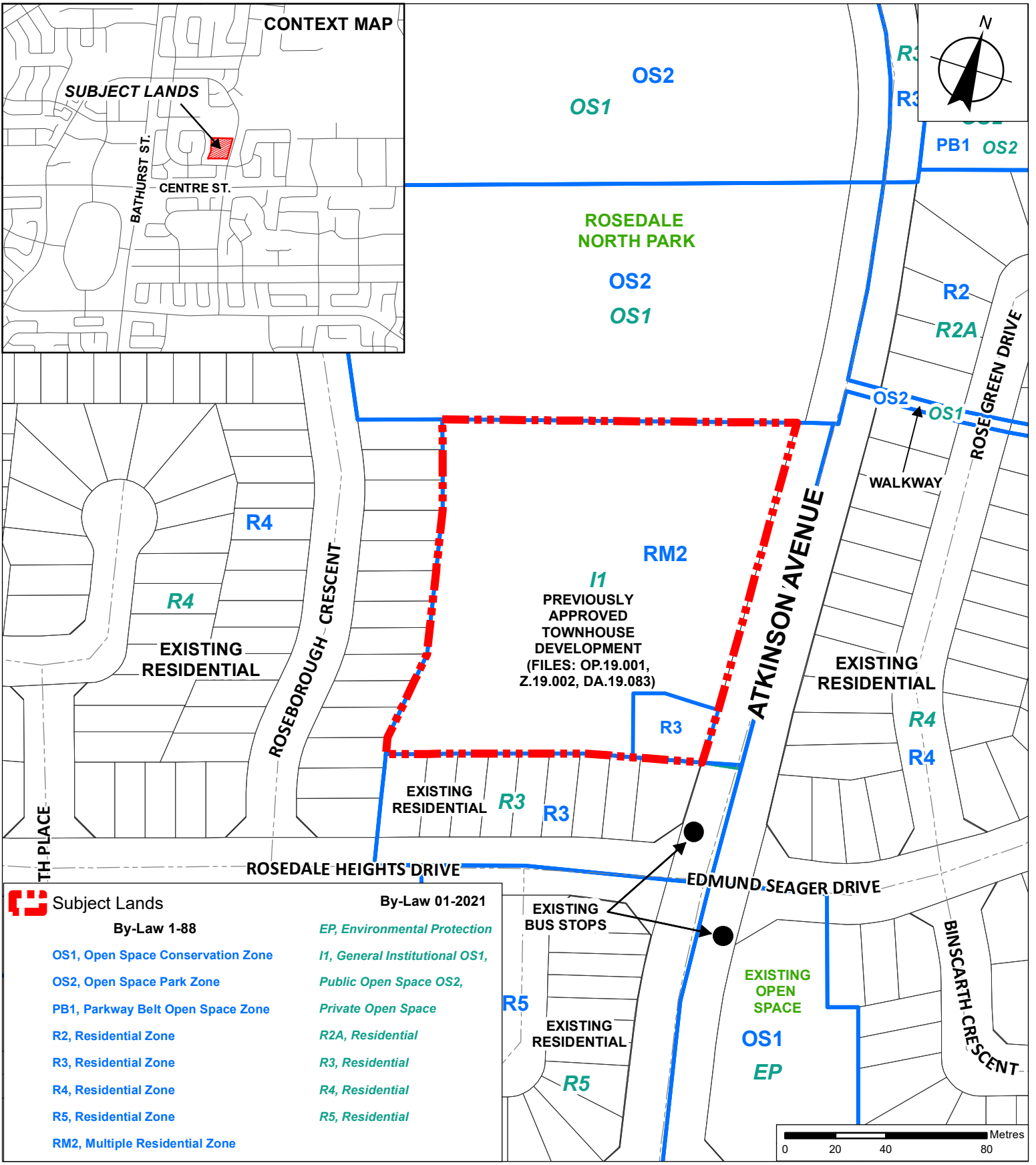
Conditions











- a) “The Owner must supply, install and maintain a centralized mailbox facility to Canada Post’s specifications in accordance with the Canada Post Delivery Standards Manual. The Owner shall contact Canada Post in advance of the construction start date, to discuss a suitable mailbox/mailroom location.”
- b) “The Owner must pay all applicable development charges in accordance with the development charges by-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.”
- c) “The Owner must pay by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the Subject Lands, prior to issuance of a Building Permit.”

Warning Clauses

- “The Owner shall submit a Part Lot Control Application in order to create freehold residential lots.”
- “Should archaeological resources be found on the Subject Lands during construction activities, the Owner must immediately cease all construction activities and immediately notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”
- The following warning clause shall be included in all Offers of Purchase and Sale or Lease for the most eastern unit of Blocks 16: “Purchasers and/or tenants are advised that, despite the inclusion of noise control features in this development area and within the dwelling unit, the noise levels from increasing traffic may continue to be of concern, occasionally interfering with some activities of the occupants. This dwelling has, therefore, been equipped with forced air heating and ducting etc., as well as central air conditioning which will allow windows to be kept closed, thereby achieving indoor sound levels within the limits recommended by the Ministry of Environment, Conservation and Parks and in compliance with the City’s noise requirements. The location of the air conditioning unit on the lot shall be in compliance with the provisions of City of Vaughan By-Law 1-88.”

- The following warning clause shall be included in all Offers of Purchase of Sale or Lease for all other units in Block 16: “Purchasers and/or tenants are advised that, despite the inclusion of noise control features in this development area and within the dwelling unit, the noise levels from increasing traffic may continue to be of concern, occasionally interfering with some activities of the occupants. This dwelling has, therefore, been equipped with forced air heating and ducting etc., sized to accommodate central air conditioning. Installation of central air conditioning will allow windows to be kept closed, thereby achieving indoor sound levels within the limits recommended by the Ministry of Environment, Conservation and Parks and in compliance with the City’s noise requirements. The location of the air conditioning unit on the lot shall be in compliance with the provisions of City of Vaughan By-Law 1-88.”
- “The Owner/Developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated community mailbox, and to include the exact locations (list of lot #s) of each of these community mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.”



 Subject Lands	By-Law 01-2021
 By-Law 1-88	<i>EP, Environmental Protection</i>
 OS1, Open Space Conservation Zone	<i>I1, General Institutional OS1,</i>
 OS2, Open Space Park Zone	<i>Public Open Space OS2,</i>
 PB1, Parkway Belt Open Space Zone	<i>Private Open Space</i>
 R2, Residential Zone	<i>R2A, Residential</i>
 R3, Residential Zone	<i>R3, Residential</i>
 R4, Residential Zone	<i>R4, Residential</i>
 R5, Residential Zone	<i>R5, Residential</i>
 RM2, Multiple Residential Zone	

Context and Location Map

LOCATION: Part of Lot 31,
Concession 1; 300 Atkinson Avenue

APPLICANT:
300 Atkinson Inc.

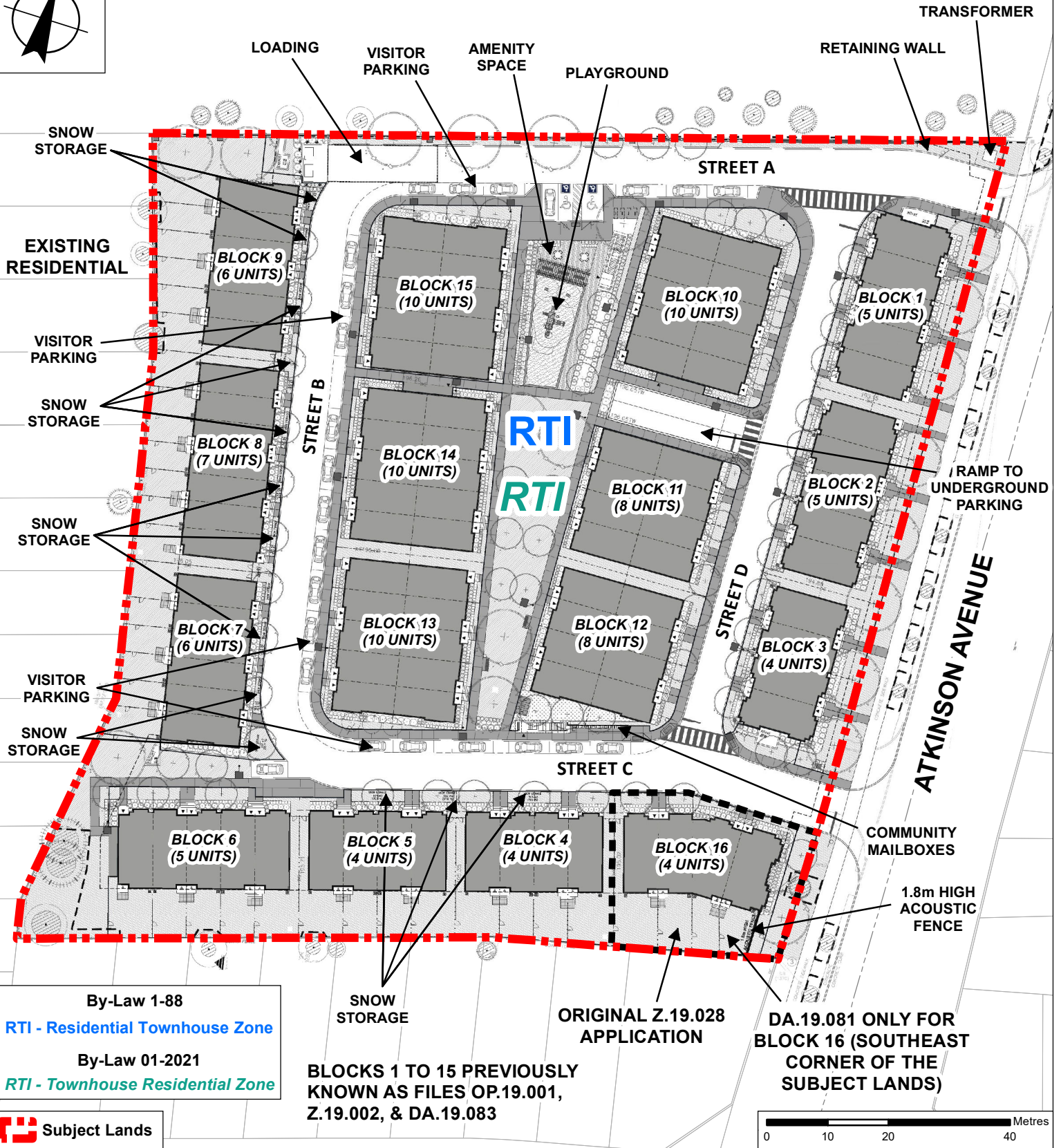


Attachment

FILES: Z.19.028 & DA.19.081
RELATED FILES:
DA.19.083

DATE: May 3, 2022

2



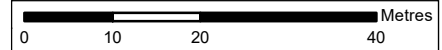
By-Law 1-88
RTI - Residential Townhouse Zone
 By-Law 01-2021
RTI - Townhouse Residential Zone

BLOCKS 1 TO 15 PREVIOUSLY KNOWN AS FILES OP.19.001, Z.19.002, & DA.19.083

ORIGINAL Z.19.028 APPLICATION

DA.19.081 ONLY FOR BLOCK 16 (SOUTHEAST CORNER OF THE SUBJECT LANDS)

Subject Lands



Site Plan and Proposed Zoning

LOCATION: Part of Lot 31, Concession 1; 300 Atkinson Avenue

APPLICANT: 300 Atkinson Inc.

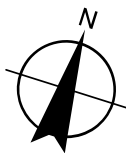



FILES: Z.19.028 and DA.19.081

RELATED FILE: DA.19.083

DATE: May 3, 2022

3



 Subject Lands

Landscape Plan

LOCATION: Part of Lot 31,
Concession 1; 300 Atkinson Avenue

APPLICANT:
300 Atkinson Inc.



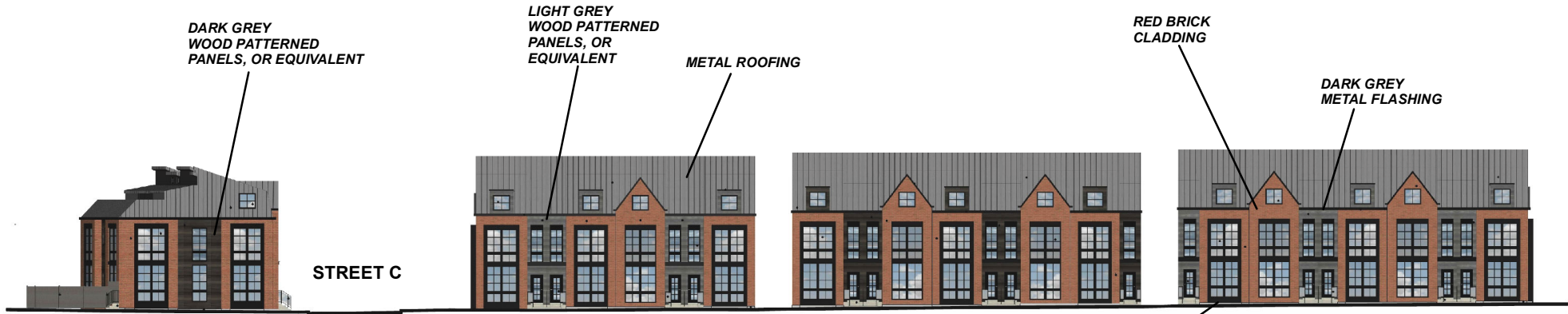
Attachment

FILES: Z.19.028 and DA.19.081

RELATED FILE:
DA.19.083

DATE: May 3, 2022

4



BLOCK 16
EAST ELEVATION - FACING ATKINSON AVENUE

BLOCK 3

BLOCK 2

BLOCK 1
CONCRETE FOUNDATION

BLOCK 1

PRIVACY SCREEN



BLOCK 16
NORTH ELEVATION - FACING STREET C



BLOCK 3
SOUTH ELEVATION - FACING STREET C



BLOCK 1
NORTH ELEVATION - FACING STREET A

Building Elevations - Facing Atkinson Avenue (Blocks 1 to 3 & 16)

LOCATION: Part of Lot 31, Concession 1;
 300 Atkinson Avenue

APPLICANT: 300 Atkinson Inc.



Attachment

FILES: Z.19.028 & DA.19.081

RELATED FILES:
 DA.19.083

DATE: May 3, 2022

5



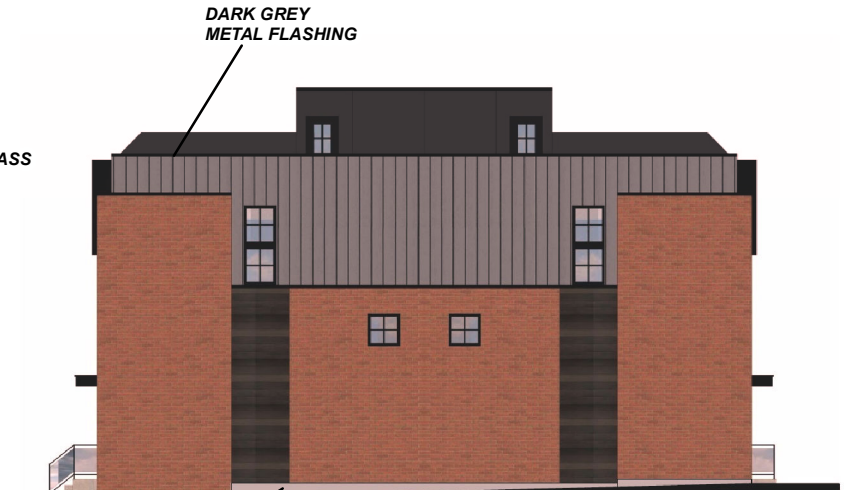
**BLOCK 12
EAST ELEVATION - FACING STREET D**



**BLOCK 12
SOUTH ELEVATION - FACING STREET C**



**BLOCK 12
WEST ELEVATION**



**BLOCK 12
NORTH ELEVATION**

Building Elevations - Back-to-Back Townhouse Units (Blocks 10 to 15)

LOCATION: Part of Lot 31, Concession 1;
300 Atkinson Avenue
APPLICANT: 300 Atkinson Inc.



Attachment

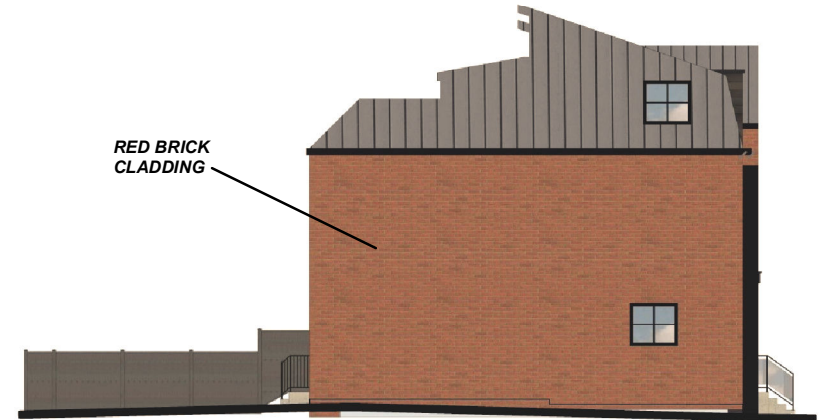
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RELATED FILES:
DA.19.083

DATE: May 3, 2022

6



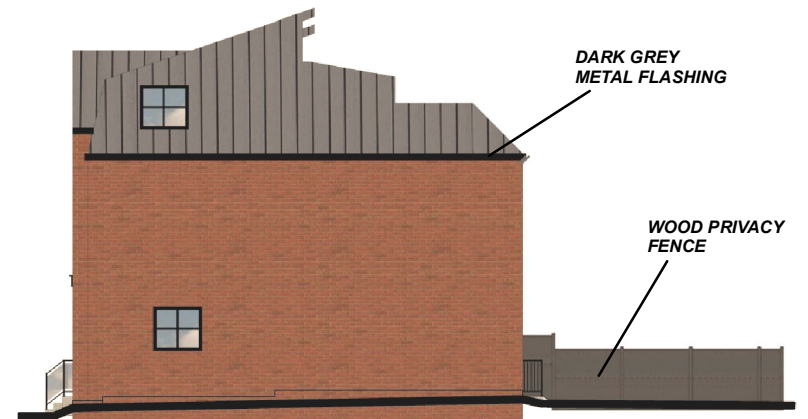
BLOCK 5
NORTH ELEVATION - FACING STREET C



BLOCK 5
EAST ELEVATION



BLOCK 5
SOUTH (REAR) ELEVATION



BLOCK 5
WEST ELEVATION

Building Elevations - Standard Townhouses (Blocks 4 to 6)

LOCATION: Part of Lot 31, Concession 1;
300 Atkinson Avenue

APPLICANT: 300 Atkinson Inc.



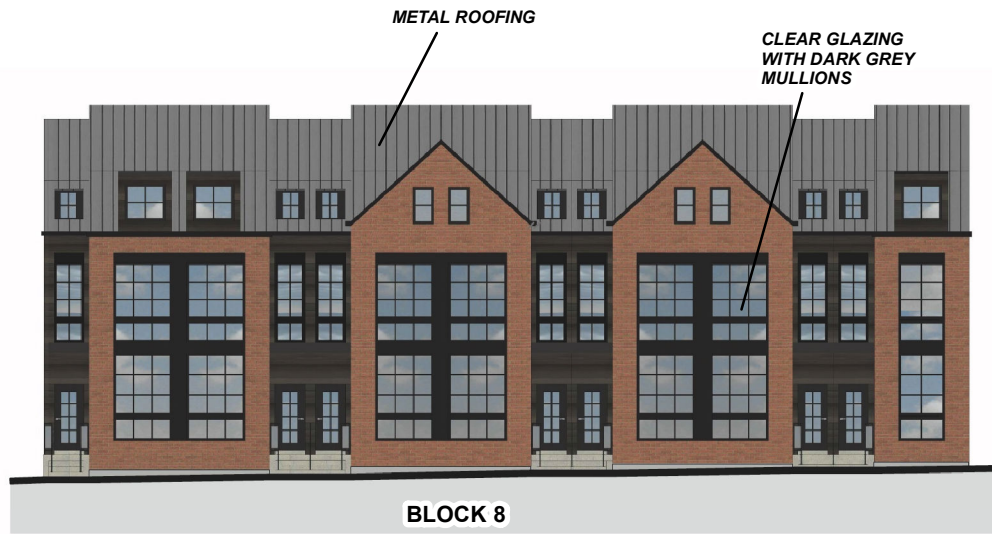
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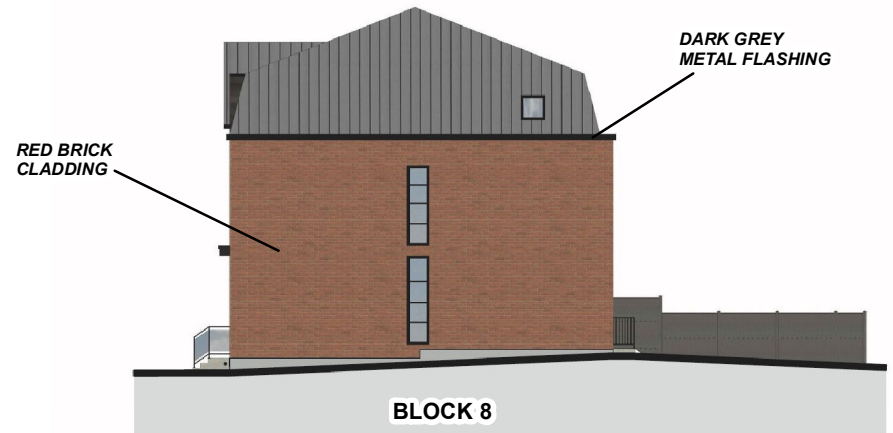
RELATED FILES:
DA.19.083

DATE: May 3, 2022

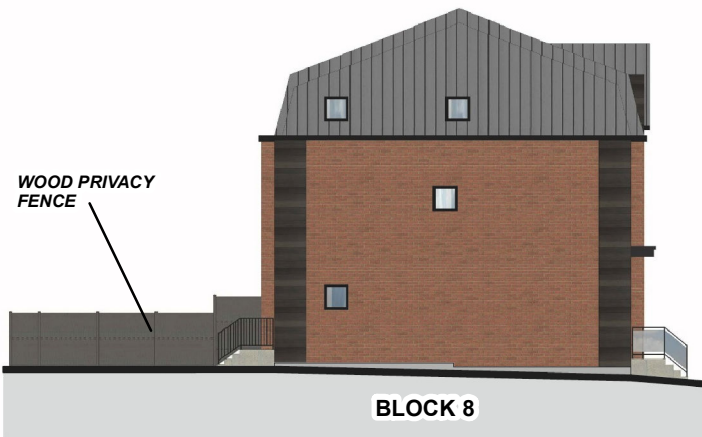
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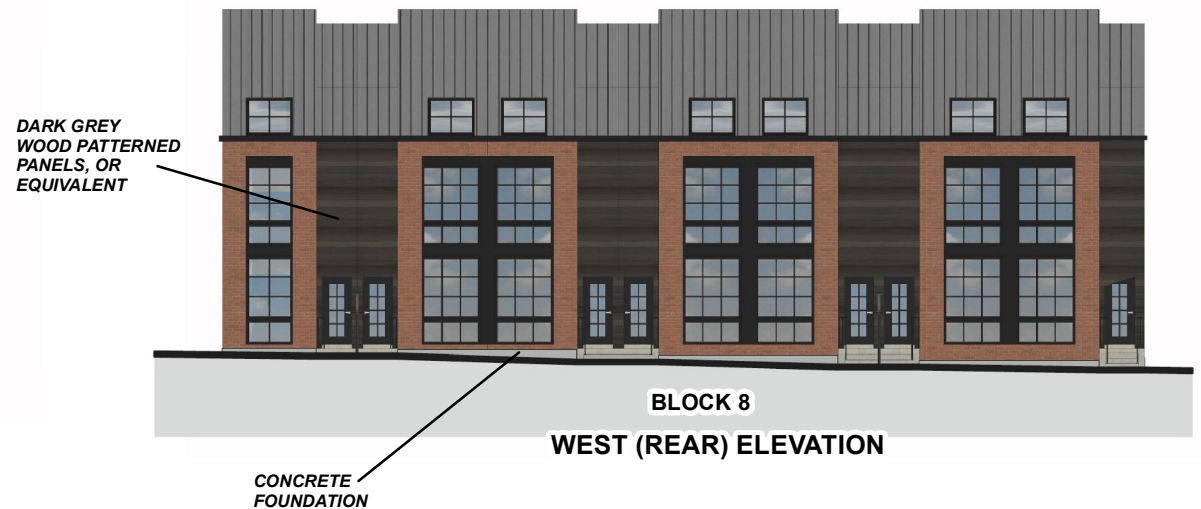
BLOCK 8
EAST ELEVATION - FACING STREET B



BLOCK 8
NORTH ELEVATION



BLOCK 8
SOUTH ELEVATION



BLOCK 8
WEST (REAR) ELEVATION

Building Elevations - Standard Townhouses (Blocks 7 to 9)

LOCATION: Part of Lot 31, Concession 1;
300 Atkinson Avenue

APPLICANT: 300 Atkinson Inc.



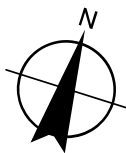
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FILES: Z.19.028 & DA.19.081

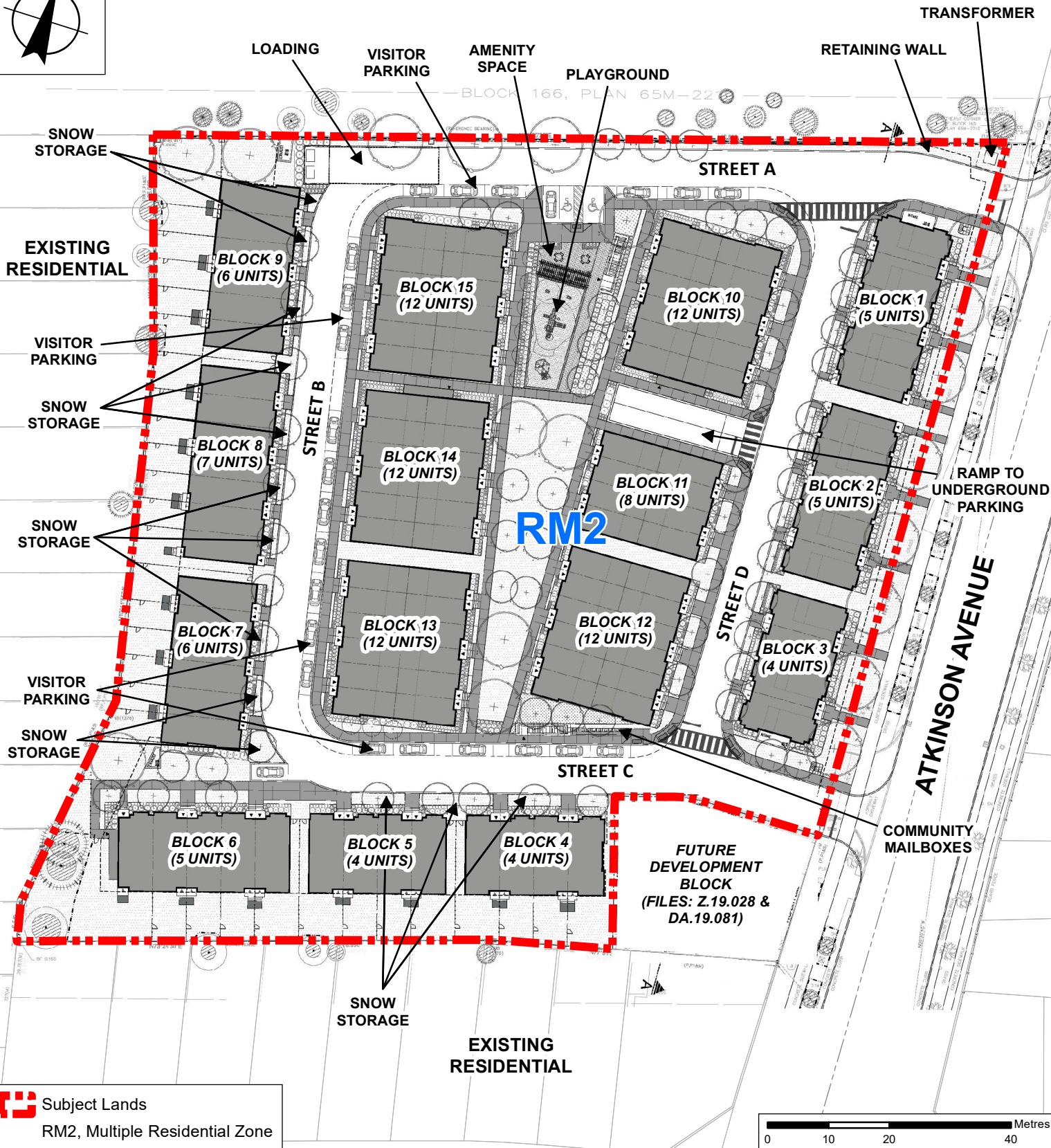
RELATED FILES:
DA.19.083


DATE: May 3, 2022

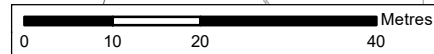
8



BLOCK 166, PLAN 65M-22



 Subject Lands
RM2, Multiple Residential Zone



ORIGINAL DEVELOPMENT PROPOSAL - OP.19.001, Z.19.002, DA.19.083

LOCATION: Part of Lot 31,
Concession 1; 300 Atkinson Avenue

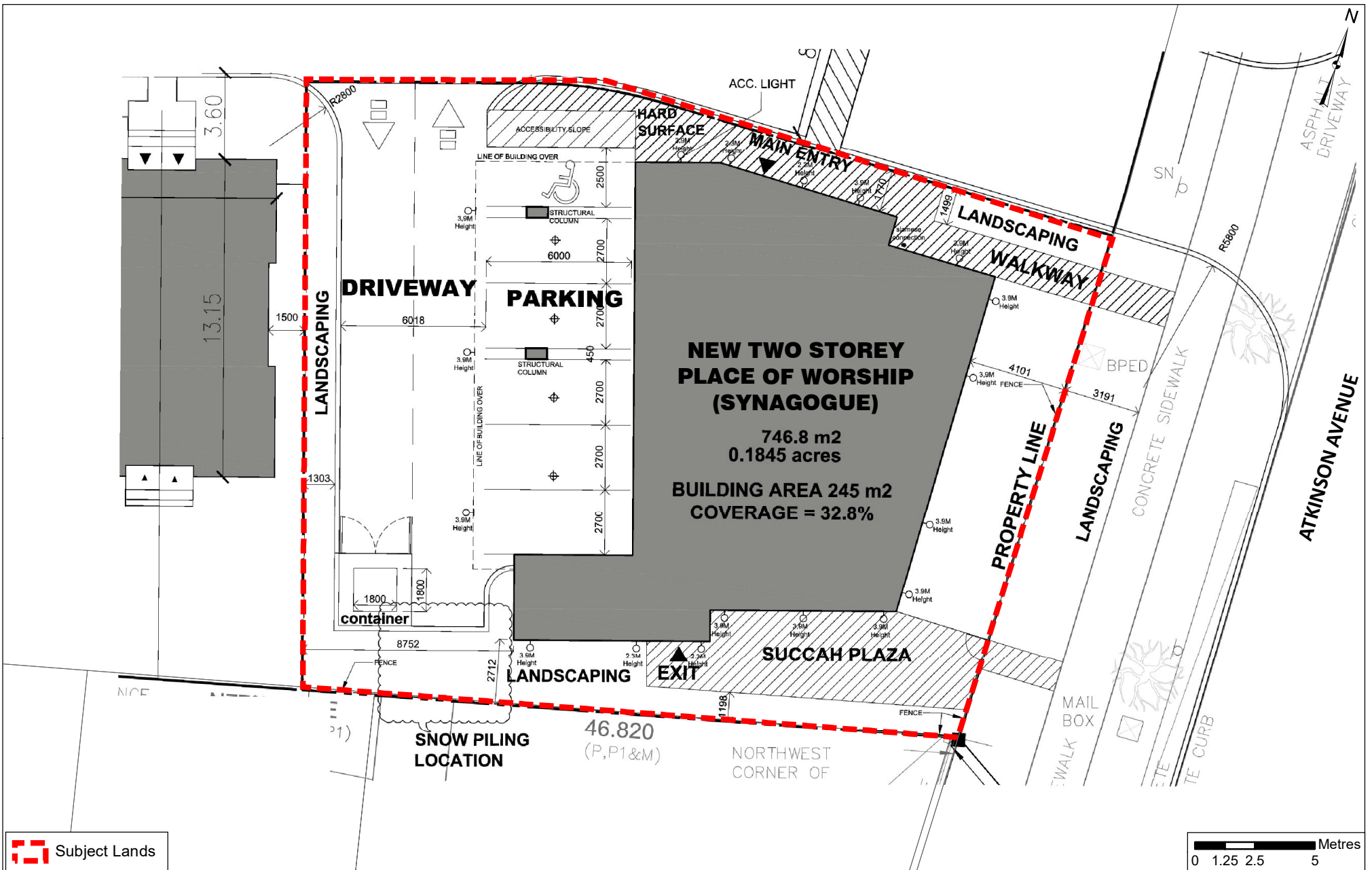
APPLICANT: 300 Atkinson Inc.



Attachment

FILES: Z.19.028 &
DA.19.081
RELATED FILES:
DA.19.083
DATE: May 3, 2022

9



Subject Lands

0 1.25 2.5 5 Metres

Original Development Proposal - Z.19.028

Attachment

LOCATION:
 Part of Lot 31, Concession 1

APPLICANT:
 300 Atkinson Inc.



FILE:
 Z.19.028 & DA.19.081
RELATED FILE:
 DA.19.083

10

DATE:
 May 3, 2022