

Committee of the Whole (2) Report

DATE: Tuesday, June 21, 2022

WARD(S): 3

TITLE: 9465 WESTON LIMITED

OFFICIAL PLAN AMENDMENT FILE OP.21.011 ZONING BY-LAW AMENDMENT FILE Z.21.018 DRAFT PLAN OF SUBDIVISION FILE 19T-21V004 - 9465 WESTON ROAD 2, 6, 10, 14, 18, 22 AND 26 COMDEL BOULEVARD 11, 12, 15 AND 19 LICHEN COURT - VICINITY OF WESTON

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for applications to amend Vaughan Official Plan 2010 and Zoning By-law 1-88, and for draft plan of subdivision approval on the subject lands shown on Attachment 2, to permit a residential development consisting of 155 townhouse units (84 street, 11 dual frontage and 60 back-to-back units) fronting onto condominium common element roads, and 15 single-detached units fronting onto Comdel Boulevard and Lichen Court, as shown on Attachments 3 to 9.

Report Highlights

- The Owner seeks approval to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 and for draft plan of subdivision approval to permit 155 townhouse units and 15 single-detached units.
- Official Plan and Zoning By-law Amendment, and Draft Plan of Subdivision Applications are required to permit the development.
- The Development Planning Department supports the approval of the applications as they are consistent with the Provincial Policy Statement, 2020, conform to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, the York Region Official Plan 2010, and are compatible with the existing and planned land uses in the surrounding area.

Recommendations

1. THAT Official Plan Amendment File OP.21.011 (9465 Weston Limited) BE APPROVED, to amend the City of Vaughan Official Plan 2010 to redesignate a portion of the subject lands from “Natural Areas” to “Low-Rise Residential”, as shown on Attachment 3, to permit a row of townhouses to contain at least 3, but no more than 7, attached residential units, to permit back-to-back and dual frontage townhouse built forms in the Low-Rise Residential designation, and to permit a minimum vegetation protection zone of 3 m;
2. THAT Zoning By-law Amendment File Z.21.018 (9465 Weston Limited) BE APPROVED, to amend Zoning By-law 1-88 to rezone a portion of the subject lands from the “A - Agricultural Zone” and “OS4 Open Space Woodlot Zone” to “RT1 Residential Townhouse Zone”, “OS4 Open Space Woodlot Zone” and “RV4(WS) Residential Urban Village Zone”, as shown on Attachment 4, together with the site-specific zoning exceptions identified in Tables 1 and 2 of this report;
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the City of Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the subject lands came into effect, to permit minor adjustments to the implementing Zoning By-law;
4. THAT Draft Plan of Subdivision File 19T-21V004 (9465 Weston Limited) BE DRAFT APPROVED, to permit a residential plan of subdivision consisting of one (1) block to facilitate 155 townhouse units fronting onto condominium common element roads and 15 lots for single-detached dwellings fronting onto Comdel Boulevard and Lichen Court, as shown on Attachment 5, subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 1;
5. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Draft Plan of Subdivision File 19T-21V004 (9465 Weston Limited) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 170 residential units (528 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 9465 Weston Road, 2, 6, 10, 14, 18, 22 and 26 Comdel Boulevard, 11, 12, 15 and 19 Lichen Court and Blocks 32 and 33 on Registered Plan 65M-3457. The Subject Lands are 3.37 ha in area and are currently vacant. The Subject Lands and surrounding land uses are shown on Attachment 2.

The unauthorized removal of approximately 1.54 ha of protected woodlot occurred on the Subject Lands

The Subject Lands previously contained approximately 1.54 ha of woodlot area (the 'Woodlot') which were identified as Woodlands by "Map 5 – Woodlands" of the York Region Official Plan, 2010 ('YROP') and a "Core Feature" (Significant Forest Natural Heritage Feature) by "Schedule 2 – Natural Heritage Network" of the Vaughan Official Plan 2010 ('VOP 2010') contiguous with the City owned woodlot located to the north and east of the Subject Lands. The Woodlot was removed without authorization between 2019 and 2020, and York Region levied a conviction and charges for the removal pursuant to the York Region Forest Conservation By-law.

Policy 3.2.3.9 of VOP 2010 requires:

"that the unauthorized removal or alteration of natural features or functions within areas identified as Core Features is prohibited, and will result in the features and functions being restored to their previous state at no expense to the City of Vaughan and other public agencies. In the case of a development application, the application will not proceed until restoration works have been undertaken to the satisfaction of the City and TRCA and/or York Region, as needed."

The Owner submitted a Woodland Compensation Strategy prepared by Beacon Environmental, dated December 22, 2021, which detailed locations for potential compensation plantings within Block 32 for the removal of the Woodlot. The Owner also acknowledged to the City that it does not support the unauthorized removal of trees on the Subject Lands.

The Development Planning and Policy Planning and Special Projects Departments reviewed the Woodland Compensation Strategy and advised that the proposed plantings did not represent an appropriate compensation for restoration of the ecological functions lost by the removal of the Woodlot. In lieu of having the Owner continue to develop and implement their Woodlot Compensation Strategy, the City will develop and implement an ecological restoration plan at the Owner's expense for no more than \$3.5 million to address the requirements of Policy 3.2.3.9 of VOP 2010. The City will report

details of the proposed allocation for the compensation funds to a future Committee of the Whole meeting.

York Region and The Toronto and Region Conservation Authority ('TRCA'), who do not regulate the Subject Lands but act as technical advisors on environmental matters to the City, have reviewed the proposed compensation and are satisfied.

Official Plan and Zoning By-law Amendment, and Draft Plan of Subdivision Applications have been submitted to permit a residential development

9465 Weston Limited (the 'Owner') has submitted the following applications (the 'Applications') to permit a residential development consisting of 155 townhouse units (84 street, 11 dual frontage and 60 back-to-back towns) fronting onto condominium common element roads and 15 single-detached units fronting onto Comdel Boulevard and Lichen Court, as shown on Attachments 3 to 9:

1. Official Plan Amendment File OP.21.011 to redesignate a portion of the subject lands from "Natural Areas" to "Low-Rise Residential", as shown on Attachment 3, to permit a row of townhouses to contain at least 3 but no more than 7 attached residential units, to permit a back-to-back townhouse built form in the Low-Rise Residential designation, and to permit a minimum vegetation protection zone of 3 m.
2. Zoning By-law Amendment File Z.21.018 to amend Zoning By-law 1-88 to rezone a portion of the subject lands from the "A - Agricultural Zone" ('A Zone') and "OS4 Open Space Woodlot Zone" ('OS4 Zone') to the "RT1 Residential Townhouse Zone" ('RT1 Zone'), OS4 Zone and the "RV4(WS) Residential Urban Village Zone" ('RV4(WS) Zone'), as shown on Attachment 4, together with the site-specific zoning exceptions identified in Tables 1 and 2 of this report.
3. Draft Plan of Subdivision File 19T-21V004 (the 'Draft Plan'), as shown on Attachment 5, to facilitate a residential plan of subdivision consisting of the following:

Lots/Blocks	Land Use	Area (ha)	Units
Lots 1-15	Detached Residential (Frontages 8.6 m-14.9 m)	0.493	15
Block 16	Residential Block (Townhouse dwellings)	2.985	155
Blocks 17-18	Daylight Triangle	0.003	
Blocks 19-20	0.3 m Reserve	0.002	
Block 21	Landscape Buffer	0.008	
Block 22	Woodlot Vegetative Protection Zone (3 m)	0.133	
Block 23	Open Space	0.004	
	Road (Lichen Court)	0.037	
Total		3.665 ha	170

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

On May 21, 2021, the City circulated a Notice of Public Hearing (the 'Notice') to all property owners within 150 m of the Subject Lands and to the Vellore Woods Ratepayers' Association and the Greater Woodbridge Ratepayer's Association. A copy of the Notice was also posted on the City's website at www.vaughan.ca and three notice signs were installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols along Weston Road, Comdel Boulevard and Lichen Court.

Vaugh Council on June 22, 2021, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of June 14, 2021, and to forward a comprehensive technical report to a future Committee of the Whole meeting. The following deputations and written submissions were received by the Development Planning Department and at the Public Meeting:

Deputations:

- Ryan Mino-Leahan, KLM Planning Partners Inc, Jardin Drive, representing the Owner
- Hussein El-Masri, Lichen Court
- Paul Marcovici, Lichen Court
- Elvira Caria, Vellore Woods Ratepayers Association, Bunting Drive

Written Submissions:

- Luciana Cellucci, Weston Road, email dated May 26, 2021
- Battista Monteleone, Comdel Boulevard, email dated June 9, 2021
- Elvira Caria, Vellore Woods Ratepayers Association, Bunting Drive, email dated June 15, 2021
- Bharat Patel, Weston Road, email dated June 19, 2021

The following is a summary of the comments provided in the deputations and written submissions to the Public Meeting of June 14, 2021, and written submissions received by the Development Planning Department:

Access, Traffic, Parking and Safety

- The Development should be limited to one access from Weston Road and not have access from Lichen Court
- The Development will add traffic congestion to the area
- Residents of the Development may park on the streets and driveways in adjacent areas instead of designated spaces for the Development

Density, Built Form and Building Design

- The proposed density is too high
- More single-detached units should be introduced
- The Development's design should be compatible with the Vellore Township Hall and Vellore School buildings located to the north of the existing woodlot at 9541 Weston Road

Woodlot Removal and Compensation

- The displacement of wildlife and habitat from the woodlot removal is of concern
- Compensation for the removal of the woodlot which previously existed on the Subject Lands should be put towards plantings, trail enhancements, woodlot buffer planting and pedestrian connections in the community

Limited Park Space

- There is not enough existing park space to accommodate the Development

The Development Planning Department on June 14, 2022 emailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the application.

Previous Reports/Authority

Previous reports relating to the Subject Lands and these Applications are available at the following link:

9465 Weston Limited Public Meeting Report:

[June 14, 2021 Committee of the Whole \(Public Meeting\) Report, Item 5, Report No. 36, ratified by Council on June 22, 2021](#)

Analysis and Options

The Applications are consistent with the Provincial Policy Statement, 2020

Section 3 of the *Planning Act* requires that all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement, 2020 (the ‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy, and a clean and healthy environment.

The Applications are consistent with the PPS, specifically Sections 1.1.3.1 to 1.1.3.4, 1.2.1 a), 1.4.3 c) to f), 1.5.1 b), 1.6.6.1 and 1.6.6.2 regarding: focusing development to Settlement Areas; efficient land use patterns; transit supportive development; promoting

intensification, redevelopment and compact form; coordination of infrastructure; providing an appropriate range and mix of housing options and densities where appropriate levels of infrastructure and public service facilities are available; providing accessible built and natural settings for recreation, including trails and linkages; and promoting the efficient use of both municipal and private sewage and water services.

The Subject Lands are located within a Settlement Area as defined by the PPS and are serviced by York Region Transit ('YRT') Route 165 bus stops located approximately 100 m from the Subject Lands at the intersection of Weston Road and Comdel Boulevard. The Development is consistent with the policies of the PPS as it makes efficient use of the Subject Lands by minimizing land consumption, utilizing existing services and providing a range and mix of housing options which transition in built form from Weston Road to the nearby lower-density housing types. A connection to the existing trail through the adjacent City owned woodlands joining Comdel Park to Vellore Hall Park will be provided along the east of the Subject Lands and be accessible to residents in the area.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 ('Growth Plan'), as amended, guides decision making on a wide range of issues, including economic development, land-use planning, urban form, and housing. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Applications conform to the policy framework of the Growth Plan, specifically Sections 1.2.1, 2.2.1(2)(a) and (d), and 2.2.2(2) regarding the achievement of complete communities; supporting a range and mix of housing options; and directing a majority of growth to settlement areas that have a delineated built boundary and can support the achievement of complete communities.

The Subject Lands are located within a Settlement Area and a Delineated Built-up area as identified by the Growth Plan. The Applications will support the development of complete communities and provide additional low-rise housing types in the area.

The Applications conform to the York Region Official Plan, 2010

The YROP guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1 – Regional Structure by the YROP, which permits a range of residential, industrial, commercial, and institutional uses. Map 5 – Woodlands of the YROP also identifies Woodlands on the Subject Lands. Section 5.0 of the YROP states that "intensification within the Urban

Area will accommodate a significant portion of the planned growth in the Region”. Section 5.3 of the YROP encourages intensification within built-up areas that maximizes efficiencies in infrastructure delivery and supports active and public transportation use.

The Subject Lands abut Weston Road which is identified as a “Regional Transit Priority Network” on Map 11 – Transit Network and are serviced by the YRT. The Development would offer additional housing types in the form of street, dual frontage and back-to-back townhouse units at a transit supportive density located on an existing public transit network supported by the YROP.

Section 2.2.7 of the YROP prohibits the removal of key natural heritage features, which includes Woodlands, by unauthorized development or site alteration, and that these areas continue to be subject to policies of the YROP as if the feature was still in place. The Owner submitted an Environmental Impact Study (‘EIS’) prepared by Beacon Environmental, dated May 2021 and revised April 2022, which addresses the existing conditions of the Subject Lands, post removal of the Woodlot, and demonstrates how the Development can proceed without negatively impacting the adjacent City owned woodlands and associated ecological functions. York Region deferred the evaluation of the EIS to the TRCA and City. In consultation with the TRCA, York Region advised that with the proposed cash contribution, as discussed in the Background section of this report, the Applications generally conform to the exemption criteria under Section 8.3.8 of YROP.

York Region, on March 25, 2022, deemed the Applications a matter of local significance as they generally conform with the YROP and do not adversely affect Regional planning policies or interests.

Amendments to VOP 2010 are required to permit the Development

The Subject Lands are located within a “Community Area” and “Natural Areas and Countryside” by Schedule 1 – Urban Structure, “Core Features” by Schedule 2 – Natural Heritage Network and designated “Low-Rise Residential” and “Natural Areas” on Schedule 13 – Land Use of VOP 2010. The “Low-Rise Residential” designation permits detached, semi-detached and townhouse units with a maximum building height of 3-storeys; however, this designation does not permit back-to-back townhouses or more than 6 townhouse units in a row. The “Natural Areas” designation is subject to the Core Features policies of the Natural Heritage Network under Policy 3.2 of VOP 2010, which restricts development or site alteration where Core Features are present. Policy 3.2.3.4 of VOP 2010 requires that a 10 m minimum vegetation protection zone is provided from the Woodlot’s dripline to provide a buffer from the Development and ensure the ecological protection of the Woodlot.

Amendments to VOP 2010 are required to redesignate a portion of the Subject Lands from “Natural Areas” to “Low-Rise Residential” in the manner shown on Attachment 3, and to permit a row of townhouses to contain at least 3 but no more than 7 attached residential units, to permit a back-to-back townhouse built form in the Low-Rise Residential designation, and to permit a minimum vegetation protection zone of 3 m from the remaining City owned portion of the woodlot to the north and east of the Subject Lands. The Development Planning Department can support the proposed amendments for the following reasons:

- The proposed “Low-Rise Residential” designation boundary coincides with the current extent of the City owned woodlot to the north and east of the Subject Lands, inclusive of a 3 m vegetation protection zone.
- The permissions to have a maximum of 7 attached residential units in a row of townhouses applies to Block 17, as shown on Attachment 4, containing 7 dual frontage townhouse units which efficiently use and frame the Subject Lands along Weston Road.
- The proposed back-to-back townhouse built form provides a more compact building typology than the street or dual frontage townhouse built forms while maintaining a low-rise built form compatible with the surrounding area. Policy 9.2.3.2.b. of VOP 2010 does not permit the back-to-back townhouse built form in areas designated Low-Rise Residential; however, the units are located in Blocks 10 to 15, as shown on Attachment 4, and situated centrally to the Development, allowing a transition of building typologies from street townhouse to single-detached units before reaching the existing single-detached units along Comdel Boulevard and Lichen Court and therefore respecting the character of the existing adjacent Low-Rise Residential area. Appropriate development standards shall be included in the implementing zoning by-law which are compatible with the surrounding area.
- The ecological function of the Woodlot on the Subject Lands was lost when the unauthorized removal of the Woodlot occurred; therefore, application of the 10 m buffer required by Policy 3.2.3.4 of VOP 2010 would not mitigate the impact of the Development on the Subject Lands. The City does, however, have an interest in protecting the remaining City owned woodlot to the north and east from the impacts of the Development. The EIS recommends a 3 m vegetation protection zone be dedicated into public ownership to protect the City owned woodlot and its ecological functions, and will also allow the City to access and maintain the woodlands edge. The TRCA has reviewed and agrees with the findings of the EIS that the 3 m buffer

provides an adequate setback from the Development given the current state of the Woodlot, along with the provision of edge plantings.

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 of Zoning By-law 001-2021 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 Zoning By-law 001-2021 was November 15, 2021. Zoning By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as Zoning By-law 001-2021 is in force, the Owner will be required to demonstrate conformity with both Zoning By-law 001-2021 and Zoning By-law 1-88, as amended, unless a transition provision under Zoning By-law 001-2021 applies.

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

The Subject Lands are zoned RV4(W.S) Zone and subject to site-specific Exception 9(1085), A Zone and OS4 Zone by Zoning By-law 1-88, as shown on Attachment 2. The RV4(W.S) Zone permits single and semi-detached dwelling types, the A Zone permits agricultural uses, single detached dwellings, home occupations and a range of institutional, recreational, and limited commercial uses, and the OS4 Zone permits only a woodlot.

11 and 15 Lichen Court are already zoned RV4(W.S) which permits the proposed single detached dwellings. 12 and 19 Lichen Court and 2 to 26 Comdel Boulevard are remnant part lots from the adjacent Registered Plan (65M-3457) that are also zoned RV4(W.S) Zone. These lots will be combined with the proposed part lots from the Draft Plan currently zoned A Zone, which are to be rezoned RV4(W.S) Zone with the site-specific exceptions identified in Table 1, to create full lots for single detached dwellings.

Block 16 of the Draft Plan as shown on Attachment 5 is currently zoned A Zone and OS4 Zone, and is proposed to be rezoned to the RT1 Zone with the site-specific exceptions identified in Table 2 to permit the street, dual frontage and back-to-back townhouse dwellings. Block 22, as shown on Attachment 5, will contain the 3 m vegetative protection zone to the City owned woodlot, and will remain zoned OS4 Zone and be dedicated into public ownership.

The following site-specific zoning exceptions are required to permit the Development:

Table 1:

	Zoning By-law 1-88 Standards	RV4(W.S) Zone Requirement	Proposed Exceptions to the RV4(W.S) Zone
a.	Minimum Lot Frontage	12 m	9 m (Lots 10-13 and 15) 7 m (Lot 14)
b.	Minimum Lot Area	282 m ²	225 m ²
c.	Minimum Exterior Side Yard	2.4 m	2 m (Lots 1, 10 and 11)
d.	Maximum Building Height	9.5 m	11 m
e.	Minimum Landscape Areas	Lot Frontages of 12 m or greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior Side Yard	Lot Frontages of 12 m or greater shall be comprised of a Minimum of 33% Landscaped Front or Exterior Side Yard

Table 2:

	Zoning By-law 1-88 Standards	RT1 Zone Requirement	Proposed Exceptions to the RT1 Zone
a.	Definition of a Street Townhouse Dwelling, Lot, Street, and Unenclosed Porch	<p><u>Street Townhouse Dwelling:</u> Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street</p> <p><u>Lot:</u> Means a parcel of land fronting on a street</p> <p><u>Street:</u> Means a street or highway being a Provincial Highway or under the jurisdiction of the Regional Municipality of York, the Municipality of Metropolitan</p>	<p><u>Street Townhouse Dwelling:</u> Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public or private street</p> <p><u>Lot:</u> Means a parcel of land fronting on a public or private street</p> <p><u>Street:</u> Means a street or a private common element condominium road</p>

	Zoning By-law 1-88 Standards	RT1 Zone Requirement	Proposed Exceptions to the RT1 Zone
		<p>Toronto, or assumed by the City or being constructed under an Agreement with the City</p> <p><u>Unenclosed Porch:</u> Means a platform with or without a foundation and with at least <u>two sides</u> open which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation</p>	<p><u>Unenclosed Porch:</u> Means a platform with or without a foundation and with at least <u>one side</u> open which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation</p>
	Addition of New Definitions	<p>There is no definition for a Back-to-Back Townhouse Dwelling or Dual Frontage Townhouse Dwelling</p>	<p><u>Back-to-Back Townhouse Dwelling:</u> Means a dwelling containing four or more dwelling units divided by vertical common walls and a common rear wall, and the individual dwelling units do not have rear yards. Each dwelling unit is accessed by an independent entrance</p> <p><u>Dual Frontage Townhouse Dwelling:</u> Means a townhouse dwelling composed of three (3) or more dwelling units, with at least one common interior side wall where each dwelling unit is located on its own lot with the garage in the rear yard and independent pedestrian access separate from the garage to two-streets and/or</p>

	Zoning By-law 1-88 Standards	RT1 Zone Requirement	Proposed Exceptions to the RT1 Zone
			street and a public or private road in both the front and rear yard
b.	Maximum Number of Townhouse Units in a Row	6	7 (Block 17 only)
c.	Minimum Lot Frontage	6 m	5.5 m
d.	Minimum Lot Area	162 m ²	<p>Street: 140 m² (Blocks 1 to 9, and 18 to 24)</p> <p>Dual Frontage: 140 m² (Blocks 16 and 17)</p> <p>Back-to-Back: 90 m² (Blocks 10 to 15)</p>
e.	Minimum Yard Setbacks	<p>Front Yard: 4.5 m</p> <p>Rear Yard: 7.5 m</p> <p>Exterior Side Yard: 4.5 m</p> <p>Interior Side Yard abutting a non-residential use including a walkway, greenway or buffer block: 3.5 m</p>	<p>Front Yard: 2.5 m (Block 1 only) 3 m (all other Blocks)</p> <p>Rear Yard: 5.8 m (Blocks 1 to 9) 3 m (Blocks 16 and 17) 0 m (Blocks 10 to 15) 6 m (Blocks 18 to 24)</p> <p>Exterior Side Yard: 1.2 m</p> <p>Interior Side Yard abutting a non-residential use including a walkway, greenway or buffer block: 1.2 m</p>
f.	Maximum Building Height	11 m	12 m
g.	Minimum Lot Depth	27 m	<p>Street: 24 m (Blocks 1 to 9, and 18 to 24)</p> <p>Dual Frontage: 23 m</p>

	Zoning By-law 1-88 Standards	RT1 Zone Requirement	Proposed Exceptions to the RT1 Zone
			(Blocks 16 and 17) Back-to-Back: 12 m (Blocks 10 to 15)
h.	Permitted Yard Encroachments (Exterior Stairways, Porches, and Balconies)	Front, Exterior Side or Rear Yard: 1.8 m	Front Yard: 2.5 m Rear Yard: 2.5 m Exterior Side Yard: 0.6 m
i.	Minimum Landscape Areas	A Minimum of 60% of the required landscaped front or exterior yard shall be soft landscaping Lot Frontages between 6 m and 11.99 m shall be comprised of a Minimum of 50% Landscaped Front or Exterior Side Yard	A Minimum of 50% of the required landscaped front or exterior yard shall be soft landscaping Lot Frontages between 5.5 m and 11.99 m shall be comprised of a Minimum of 50% Landscaped Front or Exterior Side Yard
j.	Maximum Driveway Width	7.5 m (Weston Road access) Where a lot has a minimum frontage of 6 m the maximum driveway width shall be 3.5 m	8.5 m (Weston Road access) Where a lot has a minimum frontage of 5.5 m the maximum driveway width shall be 3.5 m
k.	Minimum Setback to an Attached Garage from any Street or where it faces a Lot Line	6 m	5.7 m
l.	Minimum Parking Space Dimensions for All Townhouse Dwellings	2.7 m width x 6 m length	2.7 m width x 5.7 m length

	Zoning By-law 1-88 Standards	RT1 Zone Requirement	Proposed Exceptions to the RT1 Zone
m.	Minimum and Maximum Interior Garage Dimensions	<p>Minimum: 3 m width x 6 m length</p> <p>Maximum: 3.048 m width x 6 m length</p>	<p>Minimum: 3 m width x 5.7 m length</p> <p>Maximum: 3.5 m width x 6.3 m length</p>

Minor modifications may be made to the zoning exceptions identified in Tables 1 and 2 prior to the enactment of an implementing Zoning By-law, as required through the final review of the Applications, should they be approved.

The Development Planning Department can support the rezoning of a portion of the Subject Lands to the RV4(WS) Zone and RT1 Zone, and the site-specific exceptions in Tables 1 and 2 for the following reasons:

- a) Rezoning a portion of the Subject Lands from A and OS4 Zone to RT1 Zone
The portion of the Subject Lands zoned A Zone, as shown on Attachment 2, represents a remnant piece of undeveloped land within the Urban Boundary and no longer serves an agricultural purpose. Through the Block 32 West (Vellore Woods Community) Block Plan ('Block 32 Plan'), a portion of the Subject Lands were zoned OS4 Zone, as shown on Attachment 2, which previously contained Woodlands. As the Woodlot and their ecological function have been removed, the OS4 Zone for the portion of the lands where the Development is proposed is no longer required. The 3 m vegetative protection zone which buffers the Development from the remaining City owned woodlands will remain in the OS4 Zone for protection purposes. Given the portion of the Subject Lands which are proposed to be rezoned to RV4(WS) Zone and RT1 Zone no longer serve an agricultural or environmental protection purpose, the proposed rezoning is considered appropriate to facilitate the Development.
- b) Definition of Street, Back-to-Back and Dual Frontage Townhouse Dwellings
The Development includes freehold lots having access from a private common element condominium road. The exceptions to allow each townhouse dwelling type to have frontage on a public or private street, as well as to the definition of a street, will ensure zoning compliance for the future freehold lots. The Transportation Division of the Development Engineering ('DE') Department have no objection to the design of the private road.

The Development also incorporates a greater range of built forms through Back-to-Back and Dual Frontage Townhouse units which offer different housing

options for future residents that are not contemplated by Zoning By-law 1-88. The additional built forms are appropriate for the Development as the Subject Lands act as a transition from Weston Road, which is a major arterial road, to the lower density Single Detached units existing and proposed on Comdel Boulevard and Lichen Court.

c) Minimum Yard Setbacks, Encroachments and Building Height

The compact built form of the Development will provide a transition from Weston Road to the adjacent lower density areas. The proposed building setbacks, encroachments and heights for the various forms of townhouse units are considered appropriate for the building types proposed. The frontages of the townhouse units abutting Weston Road in Block 17 will address and animate the street, while the rear yard setbacks of the townhouse units in Blocks 18 to 21, which abut the existing and proposed single-detached dwellings provide an appropriate separation that transitions the built forms and different dwelling types, as shown on Attachment 4.

A more compact building typology in the form of back-to-back townhouse units are located central to the Development, will provide an additional type of housing for the area, and will not have a negative visual impact to surrounding areas. The proposed lots for single detached units will utilize similar development standards as the existing lots along Comdel Boulevard and Lichen Court to facilitate a compatible streetscape.

d) Minimum Parking Space and Interior Garage Dimensions

The proposed parking space and interior garage dimensions are considered minor reductions from the requirements of Zoning By-law 1-88 and appropriate for the compact townhouse built forms. The Transportation Division of the Development Engineering Department has no objection to the proposed dimensions.

In consideration of the above, the Development Planning Department is satisfied that the proposed rezoning and site-specific exceptions are appropriate to facilitate the Development, are compatible with the surrounding area, and comply with the “Low-Rise Residential” designation of VOP 2010.

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.21.018, the Development Planning Department has included a Recommendation 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.

Should the Applications be approved, the Owner is required to submit and receive approval of Site Development, Draft Plan of Condominium and Exemption from Part Lot Control Applications

Should the Applications be approved, the Owner will be required to submit Site Development, Draft Plan of Condominium and Exemption from Part Lot Control Applications, receive approval from Council to review and approve the technical details and establish the condominium tenure of the townhouse portion of the Development, and create the parcels of ties land for the townhouse lots.

The Development Planning Department has no objection to the Development, subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 1

The Development shown on Attachments 4 to 9 consists of 155 townhouse units (84 street, 11 dual frontage and 60 back-to-back towns) fronting onto condominium common element roads and 15 single-detached units fronting onto Comdel Boulevard and Lichen Court. A trail connection is proposed on the east side of the Subject Lands which will connect to Comdel Park to the south and to the existing trail within the City owned Woodlot that leads to Vellore Woods Boulevard and Vellore Hall Park. All of the proposed townhouse units (Block 16 of the Draft Plan) will gain vehicular access from the private common element roads which connect to Weston Road and Lichen Court. The proposed single-detached units will gain vehicular access from Comdel Boulevard and Lichen Court, which are public roads.

Parking

Each townhouse lot will accommodate two parking spaces, one on the driveway and one within the garage, for a total of 310 residential townhouse parking spaces. Thirty-one (31) visitor parking spaces will be provided on the Subject Lands that form part of the common elements, with 23 spaces located west of Block 16 (inclusive of two accessible spaces), 3 spaces west of Block 13 and 5 spaces east of Block 10, as shown on Attachment 4. The single-detached units fronting Comdel Boulevard and Lichen Court will each provide four parking spaces (two in the garage and two on the driveway).

Waste Storage/Pick-Up and Snow Storage

Waste collection will be privately administered to the Development, except for the single-detached units along Comdel Boulevard and Lichen Court which have frontage onto public roads and will receive municipal waste collection. Snow storage is located on the landscaped area west of Block 16 and the landscaped areas north and south of the visitor parking spaces east of Block 10, as shown on Attachment 4.

Landscape Plan

The proposed landscape plan is shown on Attachment 6. The Development Planning Department have reviewed the landscape plan and are generally satisfied subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 1. Landscape comments pertaining to the location and size of private sidewalks and amenity areas, edge plantings and management, fencing and screening have been provided to the Owner, to be addressed prior to registration of the Draft Plan. Final landscape details will be reviewed for the townhouse portion of the Development through the future Site Development Application.

Tree Inventory and Preservation Report

The Owner has submitted a Tree Inventory and Preservation Report prepared by Kuntz Forestry Consulting Inc., dated December 16, 2020 and revised April 29, 2021 and December 23, 2021, in support of the Development. The removal of 208 trees and preservation of 52 trees is required to accommodate the Development. The Owner shall enter into a Tree Protection Agreement in accordance with the City's Tree By-law 052-2018, which is included as a Condition of Draft Plan of Subdivision Approval in Attachment 1.

Building Elevations

Typical elevations for each townhouse built form are shown on Attachments 7 to 9. The Owner shall submit an Urban Design Brief which demonstrates how the proposed single-detached dwellings fronting Comdel Boulevard and Lichen Court satisfy the Block 32 West-Vellore Woods Community Architectural Design Guidelines as a Condition of Draft Plan of Subdivision Approval in Attachment 1. Final building elevation details will be reviewed for the townhouse portion of the Development through the future Site Development Application.

Sustainability Performance Metrics

The Draft Plan achieves an overall Sustainability Performance Metrics application score of 36 points (silver level) which exceeds the City's minimum threshold requirement.

The Development Planning Department has no archaeological concerns, subject to standard conditions

The following standard clauses shall be included in the Subdivision Agreement and future Site Development Agreement for the Subject Lands, as noted in Attachment 1 of this report:

- i) Should archaeological resources be found on the Subject Lands during construction activities, all work must cease, and both the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately;
- ii) 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 and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services; and
- iii) In the event of a future development application that involves further soil disturbance an archaeological assessment by a professional licensed archaeologist may be required, and conditions of approval may apply.

The DE Department supports the Applications, subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 1

The DE Department has reviewed the Applications and provides the following comments:

Road Network

The Subject Lands are bounded by Comdel Boulevard to the south, a two-way east-west minor collector road, Weston Road to the west, a two-way north-south arterial road, and Lichen Court, a two-way north-south local road which terminates just south of the Subject Lands. The Development will utilize internal private condominium roads (common elements) with access to the north terminus of Lichen Court and to Weston Road via a proposed right-in/right-out ('RIRO') driveway access.

The proposed access via Lichen Court requires modifications to the existing right-of-way, external to the proposed Draft Plan including but not limited to; design, construction and land conveyance of a Street Block to extend Lichen Court, removal of the existing hammerhead turn-around which currently terminates Lichen Court, and land

acquisition from the City to consolidate with Lots 13 and 14 of the Draft Plan. The Development must facilitate a turn-around and/or through movement for City of Vaughan waste collection and maintenance vehicles as a result of the existing hammerhead removal. Conditions to this effect are included within the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

Active Transportation

The Development will provide pedestrian connectivity via internal private common element sidewalks which connect to an existing 1.5 m sidewalk on the east side of Weston Road and a proposed trail connection east of the Development from Comdel Park.

As a result of existing constraints with the location of utility infrastructure along Lichen Court, north-south pedestrian connectivity is not feasible between the Subject Lands and Lichen Court. Alternatively, pedestrian connectivity will be provided by way of the proposed trail connection east of the Development from Comdel Park, which shall be to the satisfaction of the DE and Parks Infrastructure Planning and Development ('PIPD') Departments. A condition to this effect is included within the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

Sanitary Servicing

As per the Block 32 Master Environmental Servicing Plan ('MESP'), Block 32 was envisioned to outlet to the Maple Service Area of the York Durham Servicing Scheme. The southwest portion of Block 32 (including the Subject Lands) are tributary to existing downstream sanitary sewers located south of Rutherford Road and on the west side of Weston Road, within Block 38.

The Draft Plan requires external sanitary sewers to be constructed within Lichen Court to connect to an existing 200 mm sanitary stub complete with a proposed control maintenance hole at the future property line of the proposed private development and conveying flows through Moraine Drive towards Weston Road. A condition to this effect is included within the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

The DE Department confirms the downstream sanitary collector systems have sufficient capacity to convey additional flows generated by the Development and have no objections to the proposed sanitary servicing strategy, subject to the Owner paying for their proportional share for the benefitting downstream sanitary sewer infrastructure and subject to addressing any outstanding minor comments.

Water Supply

The Subject Lands are located within Pressure District 6 ('PD6') of the York Water Supply System. The proposed Draft Plan requires external watermain stubs to be constructed within Lichen Court connecting to an existing 200 mm watermain stub and within Weston Road connecting to the existing 400 mm watermain at the intersection of Weston Road and Comdel Boulevard, complete with two City Standard W-101 Valve Chambers at the property line. A condition to this effect is included within the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

Internally, the townhouse blocks are proposed to be serviced by private watermain stubs, service connections, fire hydrants & valves including two (2) City Standard W-106 meter and backflow chambers. The DE Department has no objections to the proposed water supply strategy, subject to review and approval from York Region and subject to addressing any outstanding minor comments.

Stormwater Management ('SWM')

A portion of the Subject Lands are intended to be tributary to the existing Humboldt SWM Pond south of Hawkview Boulevard (SWM Pond #4) as per the Block 32 MESP. Post development flows will be controlled to less than or equal to the major and minor flow allocated in the design of the existing downstream infrastructure. On-site quality controls are proposed via catchbasin shields prior to on-site infiltration and an Oil-Grit Separator ('OGS') prior to out letting to the existing sewer within Lichen Court.

Infiltration trenches and an infiltration tank are proposed within the Development to capture and infiltrate clean roof stormwater run-off from the private townhouse blocks in an effort to meet erosion control targets (5 mm retention). Water balance is proposed to be achieved for the Development through various Low Impact Development ('LID') practices including downspout disconnection, topsoil amendment, and infiltration.

The Draft Plan requires external storm sewers to be constructed within Lichen Court to connect to an existing 675 mm concrete storm sewer complete with a proposed control maintenance hole at the future property line of the condominium corporation. A condition to this effect is included within the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

Lot Grading

The existing grading of the Subject Lands generally slope towards the south-west corner of the property, towards the intersection of Weston Road and Comdel Boulevard. The grading design of the Development will be completed to direct minor and major storm drainage from the impervious areas into private storm sewer systems complete

with catch basins and storm maintenance holes, infiltration tanks and infiltration trenches.

The DE Department has reviewed the submitted grading plans and generally have no objections to the proposed grading, subject to addressing any outstanding minor comments. The Owner shall provide revised detailed grading plans confirming that the proposed grading of the Subject Lands and lot grading of the individual dwellings meet the current City's lot grading criteria.

Erosion and Sediment Control

The *Erosion & Sediment Control Guidelines for Urban Construction (December 2006)* guideline was created as a consolidated document that best suits jurisdictions within the Greater Golden Horseshoe Area Conservation Authorities for common usage in land development, construction, and water management. Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the subject site in accordance with the guidelines.

Environmental Site Assessment ('ESA')

The Owner has provided a Site Screening Questionnaire, Phase One and Phase Two ESA reports, letter of reliance and response letter from York Region – Response to Notice of Intent to Use Non-Potable Standards, which were reviewed by the DE Department. York Region's response letter indicated that there were no issues with using non-potable standards at the Subject Lands given a Record of Site Condition ('RSC') will not be required to be filed for this Development. The DE Department confirm there were no environmental engineering impacts identified for the Subject Lands.

Noise Attenuation

The Owner has submitted a Noise Feasibility Study ('NFS') prepared by HGC Engineering, dated April 6, 2022, which concludes that the sound levels in some areas of the Development closest to the existing surrounding road network will exceed Ministry of Environment, Conservation and Parks ('MECP') limits. Based on the predicted sound levels, implementation of acoustic barriers, indoor ventilation requirements, upgraded building façade constructions, and warning clauses will be required. Offers of purchase and sale or lease agreements for all dwelling units requiring noise control must include a warning clause indicating the existence of possible excess noise and the measures provided to deal with that excess. Condition(s) and warning clause(s) to this effect are included within the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

Sewage and Water Allocation is available for the Development

On December 10, 2021, Vaughan Council endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy.

Accordingly, servicing capacity to the Development is available and unrestricted. A condition to this effect is included in the Recommendation of this report.

Development Charges are Applicable to the Development

The Financial Planning and Development Finance Department requires the Owner to satisfy all conditions, financial or otherwise, regarding matters the City may consider necessary, including paying all applicable development charges in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws.

The Environmental Services Department, Solid Waste Management Division has no objection to the Development

Municipal waste collection will be provided to the proposed single-detached units fronting Comdel Boulevard and Lichen Court, which are public roads already receiving municipal waste collection. Waste collection will be privately administered to the proposed townhouse units.

Vaughan Fire and Rescue Services has no objection to the Development

Vaughan Fire and Rescue Services has no objection to the Development subject to the Owner satisfying all Building Code requirements and providing a minimum level of fire safety and protection at the building construction stage of Development.

The Parks Infrastructure Planning and Development ('PIPD') Department have no further comment on the Development, and provided the Conditions of Draft Plan of Subdivision Approval in Attachment 1

The Development will provide a trail connection on the east side of the Subject Lands which links Comdel Park and the sidewalk along Comdel Boulevard to the existing trail within the City owned Woodlot that leads to Vellore Woods Boulevard and Vellore Hall Park. The City has no further interest in Block 23, as shown on Attachment 5, as it was previously proposed to be conveyed to the City for a mid-block walkway connection that is no longer being pursued, in favour of the trail connection on the east. Cash-in-lieu of parkland dedication will be applicable as public parkland will not be provided within the Development.

The Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 32 to the satisfaction of the City. The agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of

parkland, roads, bridge structures and municipal services to support development within Block 32.

The PIPD Department has no further comments on the Applications, and provided the Conditions of Draft Plan of Subdivision Approval and required warning clauses in Attachment 1.

Cash-in-Lieu of the dedication of parkland is required

The Owner is required to pay to the City by way of certified cheque, cash-in-lieu of the dedication of the parkland equivalent to 5% or 1 ha per 300 units of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-Lieu 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 the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. Standard conditions to this effect are included in Attachment 2 of this report.

The TRCA has no objection to the Applications

The Subject Lands are located outside of the TRCA's Regulated Area and a TRCA permit is not required for the Development. The TRCA has a Memorandum of Understanding with York Region through which the TRCA advises its municipal partners on matters of natural heritage policies related to the YROP. As noted previously in this report, the unauthorized removal of the Woodlot occurred on the Subject Lands, to which the City has agreed to a cash contribution as compensation. While the re-establishment of the feature would typically be recommended, the Owner initially submitted a Woodland Compensation Strategy prepared by Beacon Environmental, dated December 22, 2021, which detailed locations for potential compensation plantings within Block 32 for the removal of the Woodlot; however, the TRCA agrees that the proposed cash contribution will provide more meaningful restoration and contributions to the broader Natural Heritage System, that will also provide greater opportunity for improved ecosystem structure and land base compensation. The TRCA has no objection to the Applications with the proposed cash contribution.

Canada Post has no objection to the Development, subject to satisfying their mail delivery requirements

The Development will be serviced by centralized mail delivery provided through Canada Post Community Mailboxes. Canada Post has no objection to the Applications, subject to their Conditions of Draft Plan of Subdivision Approval identified in Attachment 1.

The utility providers have no objection to the Development

Hydro One, Enbridge Gas, Alectra Utilities Corporation, Bell Canada and Rogers Communications Inc. have no objection to the Applications, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities prior to the commencement of any site works, and satisfying the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

The School Boards have no objection to the Applications

The York Region District School Board and York District Catholic School Board have advised that they have no objection to or any conditions of approval for the Applications. The Conseil Scolaire de District Catholique Centre-Sub have not provided comments on the Applications.

Financial Impact

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

Broader Regional Impacts/Considerations

The Subject Lands abut Weston Road to the west, which is under the jurisdiction of York Region. A widening across the Weston Road frontage of the Subject Lands is required to be conveyed to York Region to provide sufficient width to provide a 21.5 m ROW from the centreline of Weston Road, along with 5 m by 5 m daylight triangles at the proposed Weston Road access. On March 25, 2022, York Region indicated that the Applications are considered a matter of local significance and have no objection to their approval, subject to their Conditions of Draft Plan of Subdivision Approval included in Attachment 1.

Conclusion

The Development Planning Department has reviewed the Applications in consideration of the applicable Provincial policies, York Region and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments, external public agencies, the public, and the surrounding area context.

The Development Planning Department is of the opinion that the Applications are consistent with the PPS, conforms to the Growth Plan, and the YROP, and are compatible with the surrounding area context. On this basis, the Development Planning Department can support the approval of the Applications, subject to the recommendations in this report and the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

For more information, please contact: Chris Cosentino, Senior Planner at extension x8215

Attachments

1. Conditions of Draft Plan of Subdivision Approval
2. Context and Location Map
3. Proposed Official Plan Designation
4. Site Plan and Proposed Zoning
5. Draft Plan of Subdivision File 19T-21V004
6. Landscape Plan
7. Typical Elevation – Back to Back Townhouses
8. Typical Elevation – Dual Frontage Townhouses
9. Typical Elevation – Front Loaded Townhouses

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