

Item:



Committee of the Whole Report

DATE: Tuesday, March 05, 2019

WARD: 2

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.17.020
SUNFIELD HOMES (HWY 27) LTD.
VICINITY OF REGIONAL ROAD 27 AND MARTIN GROVE ROAD**

FROM:

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

ACTION: DECISION

Purpose

To seek endorsement from the Committee of the Whole of the Recommendations contained in this report for Zoning By-law Amendment File Z.17.020, which has been appealed to the Local Planning Appeal Tribunal ("LPAT"), to amend Zoning By-law 1-88 to permit the development of the Subject Lands shown on Attachments 1 and 2, with eight (8) single detached dwellings, as shown on Attachments 3 to 6.

Report Highlights

- The Owner is proposing to develop the Subject Lands with 8 single detached dwellings fronting onto Andy Crescent.
- The Owner has appealed Zoning By-law Amendment File Z.17.020 to the Local Planning Appeal Tribunal ("LPAT").
- The Development Planning Department supports the approval of the Zoning By-law Amendment Application by the LPAT as it is consistent with the Provincial Policies and conforms to the York Region Official Plan and the Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area.

Recommendations

1. THAT the Local Planning Appeal Tribunal ("LPAT") be advised that Vaughan Council ENDORSES that Zoning By-law Amendment File Z.17.020 (Sunfield Homes (Hwy 27) Ltd.) BE APPROVED, to amend Zoning By-law 1-88, related to the Subject Lands, shown on Attachments 1 and 2, to permit the site-specific exceptions to the R3 Residential Zone identified in Table 1 of this report, in the manner shown on Attachment 3.
2. THAT City of Vaughan staff and external counsel be directed to attend any Local Planning Appeal Tribunal Pre-hearing or Hearing as may be required, in support of the Recommendations contained in this report for Zoning By-law Amendment File Z.17.020.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

"IT IS HEREBY RESOLVED THAT Site Plan Development File DA.18.105 (Sunfield Homes (Hwy 27) Ltd.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 8 residential units (29 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe."
5. THAT Site Development File DA.18.105 be finalized to the satisfaction of the Development Planning Department, should the Zoning Amendment Application be approved.

Background

The Subject Lands (the 'Subject Lands') are located at the northeast corner of Regional Road 27 and Martin Grove Road and are municipally known as 8849 Regional Road 27. The Subject Lands and surrounding land uses are shown on Attachments 1 and 2.

The Subject Lands are comprised of four (4) residential blocks (Blocks 255 to 258 on Registered Plan 65M-2857) as shown on Attachment 2 that were created at the same time as the surrounding subdivision. The Subject Lands are 0.41 hectares in size and contain one existing dwelling known as the "Samuel McClure House" and a detached

garage, which are proposed to be demolished. Vehicular access to the existing dwelling is currently provided by a driveway from Martin Grove Road.

A Zoning By-law Amendment application has been submitted to permit the development

The Owner has submitted Zoning By-law Amendment Application File Z.17.020 (the 'Application') to amend Zoning By-law 1-88 to permit the site-specific exceptions to the "R3 Residential Zone" identified in Table 1 of this report, to facilitate a development consisting of eight (8) single detached dwellings fronting onto Andy Crescent (the 'Development').

The Owner has appealed the Application to the Local Planning Appeal Tribunal ("LPAT")

On March 29, 2018, the Owner filed an appeal (LPAT File No. PL180309) of Zoning By-law Amendment File Z.17.020, to the former Ontario Municipal Board ("OMB"), now LPAT, pursuant to Section 34 (11) of the *Planning Act* for Council's failure to make a decision on the Application within 120 days of the City deeming the Application complete.

An LPAT Pre-hearing Conference was scheduled for November 20, 2018; however, it was cancelled because the Owner's legal counsel did not send out the Notice of Pre-hearing Conference 30 days before the hearing date, as required by the LPAT. To date, the Pre-hearing Conference has not been rescheduled.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol for the Zoning By-law Amendment Application

On October 13, 2017, A Notice of Public Hearing was circulated to all property owners in the extended polling area beyond 150 m, as shown on Attachment 2, and to the West Woodbridge Homeowners' Association. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and Notice Signs were installed on both the Regional Road 27 and Martin Grove street frontages, in accordance with the City's Notice Signs Procedures and Protocols.

Deputations were received at the Public Hearing, and written submissions have been submitted to the Development Planning Department

A Committee of the Whole (Public Hearing) was held on November 7, 2017, to receive comments from the public and Committee of the Whole. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 7, 2017, and

to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 21, 2017.

The following individuals made a deputation at the Public Hearing on November 7, 2017, regarding the proposed development:

- a) Mr. Michael Vani, Weston Consulting Group, Millway Avenue, Vaughan, on behalf of the Owner;
- b) Mr. Richard Lorello, Treelawn Boulevard, Kleinburg.

Written correspondence regarding the proposed development was received following the Public Hearing, from Ms. Simone Barbieri, Rescue Rainbow Creek West Inc., dated November 11, 2017, Mr. Jay Branton, Andy Crescent, Woodbridge, dated January 19, 2018 and March 8, 2018, and Mr. John Horton, Andy Crescent, Woodbridge, dated January 22, 2018.

Summary of comments received regarding the Development

The following comments from the community were received by the Development Planning Department through written submissions and by deputations at the Public Hearing on November 7, 2017. The Development Planning Department offers the following responses to the comments below and in the relevant sections throughout the report.

- i) Semi-detached dwellings should not be introduced on a street with only detached dwellings

The original development concept, shown on Attachment 7 included 4 semi-detached dwellings which have been removed in the current proposal, and replaced with 2 detached dwellings, for a total of 8 single detached dwellings.

- ii) The proposed driveways do not appear to have the same parking capacity as the existing driveways on the street, and will result in vehicles being parked on the street, which can cause safety issues for vehicles (including emergency vehicles, school buses, garbage trucks, snow plows) and pedestrians

Each proposed lot has a driveway that accommodates 2 tandem parking spaces, with one additional parking space in the garage, for a total of 3 parking spaces, in accordance with the requirements of Zoning By-law 1-88. Furthermore, street parking is permitted on Andy Crescent, an existing public road, in accordance with the regulations of City of Vaughan Parking By-law 1-96. There is also an existing sidewalk on Andy Crescent, opposite the Subject Lands, for pedestrians to use.

- iii) There are too many driveways located too close to each other, which does not provide adequate snow storage for the proposed lots

Sufficient space is provided within the landscaped areas located on either side of the driveways to accommodate snow removal.

- iv) There are too many lots being proposed for the site, the subject lands are well suited to accommodate the four lots currently approved

The original proposal for 10 units has been reduced to 8 units to accommodate larger lots and increased building setbacks. The Owner has demonstrated that 8 units can be appropriately accommodated on the Subject Lands.

- v) The exterior design of the dwellings will not be compatible with the design of the existing dwellings on Andy Crescent

The exterior cladding of the proposed single detached dwellings will be brick and stone, with no stucco, consistent with the materials used on the existing dwellings in the surrounding area.

- vi) This property contains numerous mature trees that should be maintained to preserve the tree canopy in the area

The Owner has submitted an Arborist Report, including a Tree Inventory, and a Tree Preservation Plan with the Application. A total of 34 trees are proposed to be removed from the Subject Lands due to poor condition and/or their location within or in close proximity to the proposed building footprints or proposed driveways, and four (4) at the request of the Owner. Three (3) large trees situated within the rear yards of the proposed lots, have been identified for preservation and protection during construction with tree protection fencing.

A Master Landscaping Plan, as shown on Attachment 6, has been submitted with the related Site Development application, that includes the planting of a new deciduous tree and shrubs in the front yard of each lot. A deciduous municipal street tree is also proposed for each lot.

- vii) The subject lands are home to multiple monitoring wells, and reports also indicate that methane gas liners were installed in the proposed development area of the subject lands and within existing properties along Regional Road 27

The Owner submitted Phase I and II Environmental Site Assessment ('ESA') reports for the Application, which were reviewed by the City's Environmental Engineer. The reports did not indicate any environmental concerns, nor identify any monitoring wells or methane liners on the Subject Lands. Furthermore, the

Subject Lands have been used as a detached residential dwelling since its construction in 1888, and the surrounding areas were historically agricultural.

The recommendation of the Committee of the Whole to receive the Public Hearing report of November 7, 2017, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on November 21, 2017.

Following the Public Hearing, residents in the area expressed concerns with respect to not receiving statutory notice of the Public Hearing for the Application. As such, the West Woodbridge Homeowners' Association and residents requested a community meeting to review the proposal. Vaughan Council, on February 21, 2018, adopted a resolution that the appropriate staff be directed to attend a future evening meeting convened by the Local Councillor with the residents.

Notice of the subsequent community meeting was mailed to all property owners on Andy Crescent and Iona Crescent and to the West Woodbridge Homeowners' Association. This meeting was held on March 20, 2018, at the Father E. Bulfon Community Centre where the same comments raised at the Public Hearing and identified through correspondence were reiterated by residents who attended the community meeting.

On February 22, 2019, the Vaughan Development Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole Meeting to those individuals who submitted any written correspondence to the Development Planning Department, made deputation at the Public Hearing, or requested notification regarding the Application.

The Development Planning Department has required that a Site Development Application (File DA.18.105) be submitted to facilitate the development

Single detached residential development in a registered plan of subdivision outside of a heritage conservation district, is not subject to Site Development approval. Through the review of the Zoning By-law Amendment application, the Development Planning Department determined that the submission of a Site Development Application was appropriate to ensure that the proposed infill development, if approved, would integrate with the surrounding community (i.e. building materials) and in order to include conditions of approval related to landscaping, noise attenuation, servicing matters, and to collect securities towards required items such as the construction of the entry feature at the northeast corner of Regional Road 27 and Martin Grove Road. Site Development File DA.18.105 was submitted on December 3, 2018. Approval authority for the site plan remains with the Development Planning Department as it meets the criteria for delegated approval by City of Vaughan Site Plan Control By-law 123-2013.

This report includes information regarding the details of the proposed site plan.

Previous Reports/Authority

[Nov. 7, 2017, Committee of the Whole Public Hearing \(Item 3, Report No. 40, Recommendations 1 and 2\)](#)

Analysis and Options

The Development Planning Department has reviewed the Development in consideration of Provincial, Regional and Municipal land use policies and local planning context.

The Development is consistent with the Provincial Policy Statement, 2014 (the “PPS”)

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS. The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing 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 PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with the PPS, specifically:

- Section 1.1.1 - to accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses;
- Section 1.1.3 - settlement areas being the focus of development, based on densities and land uses which efficiently use land, existing infrastructure and public service facilities; and,
- Section 1.4.1 - to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents.

The Development shown on Attachments 3 to 6 includes single detached dwellings within a settlement area which efficiently utilizes the Subject Lands and the existing infrastructure (i.e. roads, water and sewage), and can be accommodated based on the existing available public service facilities (i.e. education, recreation, police and fire) available in the area. The proposed single detached dwellings are permitted and conform to the “Low-Rise Residential” land use designation in VOP 2010, and the

Development provides an appropriate transition from the Subject Lands to the existing surrounding community. On this basis, the Development is consistent with the PPS.

The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”)

The Growth Plan 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. Council’s planning decisions are required by the *Planning Act* to conform to the Growth Plan.

The proposed single detached dwellings are consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently (i.e. increasing the number of developable lots on the Subject Lands from 4 to 8), make more efficient use of existing infrastructure, and provide housing at a higher density that is supportive of the Growth Plan objectives, specifically:

- Section 2.2.1 - directing growth to settlement areas with municipal water and wastewater systems, public service facilities, and public transit to support the achievement of complete communities; and
- Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents.

The Development shown on Attachments 3 to 6 is located within a settlement area and a delineated built up area that is compatible with the prevailing housing type within the existing neighbourhood, in accordance with VOP 2010. Accordingly, the Development conforms to the Growth Plan.

The Development conforms to the York Region Official Plan, 2010 (“YROP”)

The YROP guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure” of the YROP. 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 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” It also states that “the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements.”

To create high-quality, sustainable communities, Section 5.2.8.e. of the YROP requires the “highest standard of urban design, which ensures compatibility with and transition to surrounding land uses.”

Section 7.2.53 of the York Region Official Plan restricts access from developments adjacent to Regional streets to maximize efficiency of the Regional street system by utilizing existing local street access. The YROP also encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. The Development conforms to the YROP.

The Development conforms to the Vaughan Official Plan 2010 (“VOP 2010”)

The Subject Lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (“VOP 2010”), which permits residential uses including detached dwellings, semi-detached dwellings, townhouse dwellings, and public and private institutional buildings, in a low-rise built form no greater than three storeys, subject to the compatibility criteria in Section 9.1.2.2 of VOP 2010. There is no maximum density provision associated with this designation.

Section 2.2.3.3. of VOP 2010 states, “That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context”. The proposal conforms to this policy.

Section 9.1.2.2. of VOP 2010 states that, “in Community Areas with established development, new development be designed to respect and reinforce the existing physical character and uses of the surrounding area”. The Development is considered compatible for the following reasons:

- The proposed 8 lots have frontage on Andy Crescent, an existing public road in an approved and built subdivision.
- The Development is consistent with the prevailing building type on Andy Crescent (i.e. single detached dwellings).
- The proposed lot areas meet the minimum lot area requirement for the R3 Residential Zone, which is consistent with the existing lots on Andy Crescent.
- The proposed lot depths meet or exceed the lot depths of the existing lots on Andy Crescent that flank the Subject Lands on either side.
- The proposed lot frontages are less than the existing lot frontages on Andy Crescent as the proposed 8 lots are situated on the inner bend of the road,

therefore creating “pie-shaped” lots which typically have reduced lot frontage widths.

- The proposed rear yard setbacks meet or exceed the required minimum rear yard setback for the existing lots on Andy Crescent.
- Only 1 (Lot H) of the 8 proposed dwellings exceed the permitted maximum lot coverage for the R3 Residential Zone. The remaining lots are less than the maximum lot coverage permitted in the R3 Residential Zone for the existing lots on Andy Crescent.
- The height of the proposed dwellings is consistent with the height of the existing dwellings on Andy Crescent.

The City of Vaughan Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (‘Guidelines’) applies to the Subject Lands

Council in October 2015, directed Staff to undertake a policy review of the Low-Rise Residential designation of VOP 2010 in recognition of the increased development pressure in stable residential neighbourhoods. The Policy Planning and Environmental Sustainability Department subsequently initiated the Community Area Policy Review for Low-Rise Residential Designations, which resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (‘Guidelines’) and the Community Area Policy Review for Low-Rise Residential Designations Study (‘Study’). The Guidelines were approved by Vaughan Council on October 19, 2016. The Study was approved by Vaughan Council on April 19, 2017. Official Plan Amendment Number 15, to implement the Study recommendations, was adopted by Vaughan Council on September 27, 2018, which has been forwarded to York Region for approval.

The Subject Lands are located within an established stable Community Area, where the Guidelines apply. Therefore, this Development is subject to the Guidelines as it is an infill development within an established low-rise neighbourhood in an identified stable Community Area.

Vaughan’s established low-rise neighbourhoods can be placed into one of three categories:

- Large-Lot Neighbourhoods
- Medium-Lot Neighbourhoods
- Small-Lot Neighbourhoods

The neighbourhood where the Subject Lands are located is considered a Medium-Lot Neighbourhood based on the following characteristics:

- Lot frontages of 10 to 20 metres (33 to 65 feet)
- Front setbacks of 6 to 15 metres (20 to 50 feet)
- Interior side yard setbacks of typically 1.5 metres (5 feet)
- Rear setbacks of 7.5 to 10 metres (25 to 33 feet)
- Wide driveways
- Front yard landscaped area generally less than 50% of the yard
- Generally, two-storey detached houses

These characteristics are to be respected and reinforced by infill development. The Development has regard for these characteristics in the following manner:

- The front, rear, and interior side yard setbacks (including the setbacks to the existing neighbouring properties) meet the minimum requirements of the R3 Residential Zone
- The minimum front yard landscaping meets the requirement of the R3 Residential Zone
- The Development consists of only two-storey single detached dwellings, the prevailing dwelling type in this Community Area
- The height of the proposed dwellings does not exceed 9.5 m, which is the maximum permitted building height for the existing R3 Residential Zone
- The maximum driveway width meets or exceeds the requirement of the R3 Residential Zone
- Each lot has a private backyard

In addition to the above characteristics, the Development is consistent with the following characteristics of the surrounding existing low-rise neighbourhood:

- All the proposed dwellings front onto Andy Crescent, an existing public road
- All the proposed dwellings provide a front façade on Andy Crescent
- The proposed dwelling building materials are consistent with those used for dwellings in the immediately surrounding area (i.e. brick and stone, no stucco)

The proposed site-specific zoning exceptions would permit a development that is compatible with the existing and planned built form in the area

The Subject Lands are zoned R3 Residential Zone, as shown on Attachment 2, by City of Vaughan Zoning By-law 1-88, which permits detached dwellings on a lot with a minimum frontage of 12 m, a minimum lot area of 360 m² and a maximum lot coverage of 40%.

A Zoning By-law Amendment is required to permit the following site-specific exceptions to the R3 Residential Zone, to facilitate the Development:

Table 1

	Zoning By-law 1-88 Standard	R3 Residential Zone Requirements	Proposed Exceptions to the R3 Residential Zone Requirements
a.	Minimum Lot Frontage	12 m	8.6 m (Lot A) 7.2 m (Lot B) 7.1 m (Lot C) 7.1 m (Lot D) 6.6 m (Lot E) 7.3 m (Lot F) 7.8 m (Lot G) 8.9 m (Lot H)
b.	Maximum Lot Coverage	40%	40.91% (Lot H)
c.	Maximum Driveway Width	3.75 m	4 m (Lots A and H)

The Development Planning Department has reviewed and supports the proposed site-specific zoning exceptions to the R3 Residential Zone, for the following reasons:

a) Minimum Lot Frontage

This Application seeks to complete Andy Crescent with 8 single detached dwellings on 4 existing blocks within an approved subdivision plan. The Development represents a more efficient use and limited intensification of the Subject Lands in accordance with Provincial Policies and the policies of VOP 2010, utilizing lot frontages that are less than the 12 m minimum lot frontage requirement of the R3 Residential Zone. The proposed 8 lots are 'pie-shaped' due to their configuration and interface on the inner bend of Andy Crescent, as shown on Attachments 2 and 3, which also contributes to the reduced lot frontage. However, each of the proposed 8 lots meets the minimum lot area requirement and the proposed dwellings will meet the minimum setback (i.e. front, side and rear) requirements of the R3 Residential Zone. In addition, Lots A and H, which are adjacent to the existing residential lots on Andy Crescent, are

proposed to have wider lot frontages to provide a transition to the existing adjacent properties.

b) Maximum Lot Coverage

The proposed maximum of coverage of 40.91%, limited to only one lot (Lot H), is considered to be minor as it is less than 1% over the maximum permitted lot coverage.

c) Maximum Driveway Width

Lots A and H have been designed with the largest frontage to provide a better transition into the existing area. Lots A and H meet the minimum front yard landscaping requirements, despite the wider driveway. The Development Planning Department is satisfied that the zoning exception for a wider driveway width (0.25 m) limited to two lots, is minor and therefore meets the intent of Zoning By-law 1-88.

In consideration of the above, the Development Planning Department is satisfied that the proposed zoning exceptions to Zoning By-law 1-88 will facilitate a residential development that maintains the intent of VOP 2010 and is compatible with, but not identical to, the existing built form in the surrounding area.

The Planning Act, permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), 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(s) to the Committee of Adjustment within two (2) 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 Minor Variance Applications within two (2) years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.17.020 the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

Site Development File DA.18.105 is being reviewed by various City departments

The Development Planning Department is reviewing related Site Development File DA.18.105 in consideration of Zoning By-law Amendment File Z.17.020 and the local

land use planning and architectural context, and provides the following comments:

Site Plan

The proposed site plan (Attachment 3) consists of 8, two-storey single detached dwellings on 8 pie-shaped lots, with frontage on Andy Crescent. Access to each lot is proposed from Andy Crescent to individual private driveways. Snow storage can be accommodated on either side of the driveways and in the front yards of each lot.

Building Elevations

The typical building elevations for the proposed dwellings abutting the existing dwellings on Andy Crescent are shown on Attachment 4 (Lots A and H) and the proposed internal dwellings (Lots B to G) are shown on Attachment 5. The detached dwellings will not exceed 9.5 m in height and are proposed to be constructed with brick and stone, with a variation of colours, and no stucco will be used, which is consistent with the other dwellings on Andy Crescent. Each dwelling has a single-car or 1 ½-car garage with a driveway that can accommodate up to 2 vehicles parked in tandem, given that there is no public sidewalk between the existing street and proposed lots. Private amenity space will be provided in the front and rear yards of each lot.

Landscape Plan and Entry Feature

A Master Landscape Plan was submitted, as shown on Attachment 6, illustrating the proposed landscaping of the lots and the public right-of-way, and the location and details of the entry feature at the intersection of Regional Road 27 and Martin Grove Road. The Development Planning Department requires that the proposed entry feature wall, fencing, and plant material be consistent with the existing entry feature wall at the southeast corner of Regional Road 27 and Martin Grove Road, which includes changing the proposed wording of the entry feature from 'Sunfield' to 'Woodbridge Meadows' to be consistent with the existing entry feature wall on the opposite corner of the intersection. The final wall design shall conform to the design intent and colours used for the existing feature wall to the south.

Each lot is proposed to be landscaped with sod in the front and rear yards, and a combination of deciduous trees and shrubs in the front yard. A deciduous municipal tree will also be planted in front of each lot within the public right-of-way, where it does not conflict with the installation of any required street light poles.

Tree Removals

The By-law and Compliance, Licensing and Permit Services Department had charged the Owner with the removal of one (1) tree over 20 cm in diameter on the Subject Lands, without an approved Tree Removal Permit. The case was heard before the court

on February 8, 2018, wherein the Owner pled guilty. The resulting fine was paid by the Owner and the case was closed.

Arborist Report and Tree Preservation Plan

An Arborist Report and a Tree Preservation Plan prepared by a certified arborist was submitted with the Application and related Site Development File DA.18.105, which identifies the number, species, condition, and size (diameter) of the existing private trees that will be preserved or removed from the Subject Lands, including an assessment of the tree that was previously removed by the Owner, and the existing municipal trees that will be preserved or removed from the lands immediately abutting the Subject Lands.

A total of 34 privately-owned trees are proposed to be removed from the Subject Lands, of which 29 will require a permit(s) from the City to remove. Six (6) trees have been identified for removal due to their poor condition and thirteen (13) trees have been identified for removal because they are located within or near the proposed building footprints and/or proposed driveways. Another eleven (11) trees are both in poor condition and located within or near the proposed building footprints and/or proposed driveways. Four (4) trees in fair condition are proposed to be removed at the Owner's request. However, three (3) large trees (2 coniferous trees in fair and good condition respectively and 1 deciduous tree in very good condition) located within the rear yards of the proposed lots are proposed to be preserved and protected with tree protection fencing during construction.

City permits will also be required for the three (3) deciduous municipal trees proposed to be removed within the Andy Crescent right-of-way as they are located within the proposed driveways.

The Owner will be required to enter into a Tree Protection Agreement with the City for this Development, which includes the privately-owned trees and the municipal trees that are proposed to be removed or preserved, and the proposed replacement trees.

The Development Planning Department, Urban Design and Cultural Heritage Division, and the Parks Operations and Forestry Department are reviewing the Arborist Report and Tree Preservation Plan through the Site Development application process to confirm appropriate tree protection zones and removals, and to confirm what the required tree replacement and/or the appropriate compensation ('cash-in-lieu') amount is, if required, in accordance with the City's Council adopted Tree Protection Protocol and Tree Protection By-law 052-2018. This review includes the private tree that was previously removed from the Subject Lands. Trees less than 20 cm in diameter do not require compensation or need to be replaced under the City's protocol.

In instances where it has been determined by the City that more replacement trees are required than can reasonably be accommodated on the Subject Lands, a 'cash-in-lieu' payment may be made to the Forestry Tree Reserve Fund to fund tree planting on City-owned properties in the same community. The 'cash-in-lieu' payments can only be made if all the required replacement trees cannot be planted on the Subject Lands, in accordance with an approved Master Landscape Plan.

Cultural Heritage

The "Samuel McClure House" is located on the Subject Lands and is identified as a Property of Interest to the City's Cultural Heritage Division in the City of Vaughan Heritage Inventory. However, it was not added to the 2005 Register of Property of Cultural Heritage Value, nor any update to the List since that time. As such, there are no restrictions under the *Ontario Heritage Act* regarding the demolition of this structure and detached garage. A stamped Heritage Clearance form was issued by the Development Planning Department, Urban Design and Cultural Heritage Division on July 14, 2016, to allow a demolition permit to be issued by the City. This Heritage Clearance is now void as the ownership of the Subject Lands has changed since it was issued in July of 2016. A new Heritage Clearance is required prior to the execution of the Site Plan Agreement, accompanied by three (3) copies of an existing survey showing the building footprint to be demolished.

The Owner has submitted a Stage 1 & 2 Archaeological Assessment, a scoped Cultural Heritage Impact Assessment, and a letter from the Ministry of Tourism, Culture, and Sport confirming that the Stage 1 & 2 Archaeological Assessment meets the standards and guidelines issued by the Minister. The Cultural Heritage Division of the Development Planning Department is satisfied with the submitted documents and have no objection to the proposal. The Subject Lands are considered clear of all archaeological concern. However, the Owner is advised that the following standard clauses apply and shall be included in the implementing Site Plan Agreement:

- i) "Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, the City of Vaughan's Policy Planning and Urban Design and Recreation and Culture Departments 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".

The Development Planning Department, Urban Design and Cultural Heritage Division, will continue to work with the Owner to finalize the final site plan, master landscape plan, landscape cost estimate, tree preservation plan, entry feature and fence details, tree protection agreement and building elevations prior to the execution of the Site Plan Agreement, should the Application be approved.

The Development Engineering (“DE”) Department has no objection to the Zoning By-law Amendment application, and have provided the following comments

Environmental

Based on the review of the Phase 1 and Phase 2 Environmental Site Assessment reports and the Reliance Letter submitted with the Application, the Environmental Engineering Division is satisfied with the submitted documents and have no further concerns.

Lot Grading/Erosion and Sediment Control

The DE Department has reviewed the grading and erosion sedimentation control plans submitted in support of the Application and requires the submission of the finished floor elevations for the detailed design submission to the DE Department to ensure compliance with the grading plan. A cross-section of the subdrain is also required which shows that the drain is located within the Lot H property limits.

An existing concrete retaining wall located along the rear lot lines of proposed Lots E and F appears to support the existing frame garage structure. As the existing garage is slated for demolition to facilitate the Development, the design shall account for the removal of the retaining wall and match existing grades along the Martin Grove Road right-of-way. The Owner shall also ensure that the proposed acoustic barrier along the property line accounts for the removal of the retaining wall.

Water Servicing

The Subject Lands are proposed to be serviced primarily by an existing 200mm diameter watermain on the southwest side of Andy Crescent that was installed as part of existing Registered Plan of Subdivision 65M-2857. The Subject Lands are located within Pressure District (‘PD’) 5. The DE Department is satisfied that the Development can be adequately supplied with water service.

Sanitary Servicing

The Subject Lands are proposed to be serviced by an existing 200mm diameter sanitary sewer traversing on Andy Crescent that discharges to the Islington Collector sanitary sewer network. As the Development will increase the population density as specified by

the Woodbridge Meadows design, the Owner has supplied a downstream sanitary analysis to the intersection of Andy Crescent and Martin Grove Road. The DE Department is satisfied that the proposed lands can be adequately accommodated with sanitary service.

Storm Servicing and Stormwater Management

The Subject Lands are proposed to generally follow the stormwater drainage pattern currently applied for Woodbridge Meadows by splitting overland flow towards Andy Crescent and Martin Grove Road/Regional Road 27. Rear yard drainage is proposed to be collected by one (1) rear-lot catch basin ('RLCB') at the northwest corner of Lot A. No quantity or quality control measures are proposed. The DE Department is satisfied that the proposed lands stormwater outflow can be adequately serviced and accommodated as identified.

Transportation Engineering

The Transportation Engineering Division of the DE Department has reviewed the Traffic Opinion Letter ("Letter") prepared by Crozier Consulting Engineers, dated April 27, 2018, that was submitted with the Application. The Transportation Engineering Division has advised that all their transportation-related concerns pertaining to vehicle (i.e. school bus, garbage trucks etc.) maneuverability, parking, traffic, and driveway connections to Andy Crescent, have been adequately addressed by the Owner.

Noise

The DE Department has reviewed the Noise Impact Study Report prepared by J.E. Coulter Associates Ltd., dated July 12, 2018, that was submitted with the Application, which addresses potential noise sources and their impacts on the Development. The Owner is advised that the noise attenuation requirements, including noise warning clauses in the Offers of Purchase and Sale or Lease, as recommended by the Noise Impact Study Report shall be included in the implementing Site Plan Agreement.

The DE Department has no objections to the Development and will continue to work with the Owner to finalize all plans and reports, prior to the execution of the Site Plan Agreement, if the Application is approved.

Servicing Capacity Allocation is available for the Development

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The Development, through the Zoning By-law Amendment File Z.17.020, was reserved servicing capacity in the same report.

Accordingly, servicing capacity to related Site Development File DA.18.105 is available and unrestricted. Therefore, staff recommend that Vaughan Council adopt the resolution to allocate water and sewage servicing capacity included in the Recommendations of this report.

The Office of the City Solicitor, Real Estate Department has no objection to the Development

The Real Estate Department has provided the following conditions that will be included in the Site Plan Agreement, if the Application is approved:

“The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of 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 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 Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

A condition to this effect will be included in the Site Plan Agreement, if the Application is approved.

The Financial Planning and Development Finance Department has no objection to the Development

The Financial Planning and Development Finance Department has advised that prior to the issuance of a Building Permit, the Owner shall pay to the City the applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board.

A condition to this effect will be included in the Site Plan Agreement, if the Application is approved.

The Parks Development Department has no objection to the approval of the Development, subject to conditions

The Parks Development Department have reviewed the Application and has no objection, subject to cash-in-lieu of parkland dedication being provided.

A Part-Lot Control Application is required to create the proposed lots

Should LPAT approve the Application, the Owner will be required to submit a Part-Lot Control Application to facilitate the creation of the proposed 8 lots within the existing registered plan of subdivision following the enactment of the implementing Zoning By-law.

The School Boards have no objection to the Development

The York Region District School Board and York District Catholic School Board have reviewed the Development and advised that they have no objection to or any conditions of approval.

Canada Post has no objection to the Development

Canada Post has no objection to the Development, as provisions are already in place with regard to mail delivery for the above noted project. Mail delivery will be from a new or existing Canada Post Community Mailbox in the immediate vicinity.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has reviewed the Application and has advised that it has no objection on the basis that it is considered to be a matter of local significance, which does not affect Regional policies. York Region is also reviewing the related Site Development File DA.18.105. The Owner shall satisfy all requirements, if any, identified by York Region.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment File Z.17.020 in consideration of the Provincial Policy Statement, the Growth Plan, policies of the York Region Official Plan and Vaughan Official Plan 2010, the requirements of Zoning By-law 1-88, comments from area residents, City Departments and external public agencies, and the area context.

The Owner seeks approval of 8 single detached dwellings on lots fronting onto an existing public road in a previously approved Plan of Subdivision. The Development is consistent with and conforms to the Provincial Policies, the York Region Official Plan and the Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area and represents good planning. On this basis, the Development Planning Department recommends that the Zoning By-law Amendment Application be approved, subject to the Recommendations in this report.

For more information, please contact Letizia D'Addario, Planner, Development Planning Department, at extension 8213.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Zoning and Site Plan
4. Building Elevations (Typical) for Dwelling Units Abutting Existing Residential (Lots A and H)
5. Building Elevations (Typical) for Interior Dwelling Units (Lots B to G)
6. Master Landscape Plan and Entry Feature
7. Original Development Concept Considered at November 7, 2017, Public Hearing

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