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**C36.**  
**Communication**  
**CW(PM) – June 4, 2024**  
**Item No. 5**

**VIA EMAIL** to [clerks@vaughan.ca](mailto:clerks@vaughan.ca)

City of Vaughan  
Office of the City Clerk  
2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

Attention: Mayor & Members of Council  
City Clerk

June 3, 2024

Dear Mayor Del Duca and Members of City Council:

**Re: APPLICATIONS FOR OFFICIAL PLAN AMENDMENT (FILE OP.24.001) AND ZONING BY-LAW AMENDMENT (FILE Z.24.005) (“Applications”) 10340 Highway 27, Vaughan (“Subject Lands”) Bruco Hills Development (BT) Inc. (“Applicant”)**

We are counsel to Pat Forgone, Dennis Hayhoe, Frank Zamparo and Joseph Vescio, homeowners residing on Cedarvalley Crescent, a residential street immediately north of the Subject Lands. Our clients received notice that a public meeting relating to the above-noted Applications is scheduled for June 4, 2024. We are writing in advance of the meeting to express our clients’ opposition to the Applications.

The Subject Lands currently contain a one-storey sales office. There are estate residential lots immediately north and southwest of the Subject Lands, on both Cedarvalley Crescent and Valleyview Court. The Applicants seek approvals for a seven (7) storey, 143-unit residential retirement residence on the Subject Lands. Two (2) levels of underground parking are also proposed. The Official Plan Amendment would redesignate the Subject Lands from Low-Rise Residential to Mid-Rise Residential in the Vaughan Official Plan 2010. The Zoning By-law Amendment would rezone the lands from Estate Residential to Multiple Unit Residential Three in Zoning By-law 001-2021. Both Applications also include several site specific exceptions.

Our clients have retained LandPro Planning Solutions Inc. to undertake a preliminary review of the planning merits of the Applications. This review, dated June 3, 2024, is enclosed (“Planning Review”). The Planning Review raises a number of important planning issues. This is hardly surprising given that the proposed seven (7) storey building is surrounded by low-rise estate residential uses. The issues identified include but are not limited to: compatibility, particularly in terms of privacy, overlook and shadow impacts for adjacent residential uses; scale of development; and transition between the low-rise residential area and the proposed mid-rise building. The Planning Review also recommends the City-initiated peer review of the Urban Design Brief, Geotechnical Report and Hydrogeological Report submitted by the Applicant in support of the Applications.

Our clients recognize that providing housing options for seniors is desirable. What is proposed is a form of intensification. However, planning policy still requires that the proposal be compatible with the neighbourhood. It is not intensification at any cost. Intensification options are to be “optimized” – not “maximized”. The housing challenges faced throughout this part of the province do not justify the approval of every application regardless of its land use planning impacts. The City should not be stampeded into approving every housing application given the long term impacts such decisions will have on the community.

Also enclosed is a petition signed by 35 individuals who “adamantly oppose” the Applications. A few additional emails from individuals in opposition to the Applications are included.

We request that Council direct City staff to engage directly with our clients on a regular basis throughout the review of the Applications and that before issuing a recommendation report, staff discuss their conclusions with our clients. We also request notice of any deliberation or decision in respect of the Applications by the City.

We thank you for your receipt of this correspondence and would be grateful for your acknowledgment of receipt.

Yours very truly,



Scott Snider

cc. David Harding, Senior Planner, City of Vaughan  
Wendy Law, Deputy City Manager, Administrative Services and City Solicitor, City of Vaughan

Encl.



**LandPro Planning Solutions Inc.**  
110 James St., Suite 204  
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28 Colborne St. N.  
Simcoe, ON, N3Y 3T9

June 3, 2024

City of Vaughan - Office of the City Clerk  
Development Planning  
2141 Major Mackenzie Dr.  
Vaughan, ON L6A 1T1

**Email:** [clerks@vaughan.ca](mailto:clerks@vaughan.ca)

**Re: Planning Opinion – June 4<sup>th</sup> 2024 Public Meeting**

BRUCO HILLS DEVELOPMENTS (BT) INC.

OFFICIAL PLAN AMENDMENT FILE OP.24.001

ZONING BY-LAW AMENDMENT FILE Z.24.005

10340 HIGHWAY 27, BEING IN THE VICINITY OF NASHVILLE ROAD AND HIGHWAY 27, KLEINBURG

## 1 INTRODUCTION

LandPro Planning Solutions Inc. (LandPro) has been retained by Pat Forgone, Dennis Hayhoe, Frank Zamparo and Joseph Vescio, homeowners residing on Cedarvalley Crescent to provide a preliminary review of the planning merits of the proposed development at 10340 Highway 27, Kleinburg.

We have thoroughly reviewed the materials that have been filed in support of the application. However, we are of the view that further peer review would be appropriate for a number of technical items in order to confirm the conclusions of the applicant's consultants. Our conclusions on the planning merits are preliminary pending the completion of those peer reviews.

## 2 PROPOSED DEVELOPMENT

The applicant seeks to redesignate and rezone the subject lands to permit the development of a 7-storey retirement residence building with 143 units and a gross floor area of 16,847sqm on a 0.51ha (1.26ac) property. There will also be two (2) levels of underground parking with one (1) level partially below grade with 74 total parking spaces.



## 3 LAND USE PLANNING FRAMEWORK

Housing for seniors is clearly desirable. In that sense, the proposed development does address certain matters of provincial, regional and local policy. However, below we have noted a number of concerns with the proposal that require attention.

### 3.1 PLANNING ACT, R.S.O. 1990, c.P.13

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The *Planning Act* is (“Act”) provincial legislation and provides the basis for land use planning in Ontario as well as tools for managing how, where and when land use change occurs.

The purposes of the *Act* as outlined in Section 1.1 are:

- a) to promote sustainable economic development in a healthy natural environment;
- b) to provide for a land use planning system led by provincial policy;
- c) to integrate matters of provincial interest in provincial and municipal decisions;
- d) to provide for planning processes that are fair;
- e) to encourage co-operation and coordination among various interests; and
- f) to recognize the decision-making authority and accountability of municipal councils in planning.

Matters of Provincial Interest are outlined in Section 2 of the *Act*. This application does not have regard to (h) the orderly development of safe and healthy communities; and (p) the appropriate location of growth and development.

The proposed development does not have regard to the orderly development of safe and healthy communities as it proposes to introduce a 7-storey building with 143 new units with balconies on the sloping site, which is raised in elevation above many of the low-density adjacent properties. This leads to a concern regarding the privacy of and overlook onto the surrounding properties. There may also be further implications with respect to shadows for the surrounding properties. A healthy community is defined by the Canadian Institute of Planners (CIP) as “*a place where healthy built, social, economic, and natural environments give citizens the opportunity to live to their full potential*”. This does not appear to be considered by the proposed development.

Additionally, the subject property is a small 0.51ha (1.26ac) property intended for an Estate Residential home or other low-density land use. The proposed 7-storey 143-unit retirement residence would have a density of 280 units per hectare whereas the adjacent estate residential lots are around 0.5 to 1 uph.

For additional locational context, the existing 2-storey 160-unit/persons retirement residence on the 6.5ha (16ac) property across Highway 27 has a density of 25 units/persons per hectare. Should there be demand for another retirement residence in the area, this is not an appropriate location for this scale of growth and development.

## 3.2 PROVINCIAL POLICY STATEMENT, 2020

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The subject lands are in Kleinburg, a residential area in the City of Vaughan, defined as a Settlement Area by the PPS.

Section 1.1.1 provides that healthy, livable, and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
  
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
  
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

Section 1.1.3 provides that settlement areas shall be the focus of growth and development. Several policies in this section refer to intensification and redevelopment within built-up areas; however, they do not refer to neighbourhood or community specifics.

Section 1.4 provides policy direction on housing in the province. Municipalities must maintain the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment (1.4.1). Planning authorities must permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents and direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (1.4.3.b & c)

Section 2.1.1 states that natural features and areas shall be protected for the long term and 2.1.2 states that “the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved...”

The proposed 7-storey retirement residence does represent intensification in a compact form within the settlement area. The proposed development contributes to the housing stock by providing new retirement units.

The PPS places an emphasis on new compact development being transit-supportive and located where infrastructure and public services are or will be available. Given the low-density residential character of this part of Kleinburg, infrastructure is limited, and there are limited transit options and public service facilities

Proposed Retirement Residence - OPA OP.24.001 & ZBA Z.24.005

10340 Highway 27, Kleinburg

available. This neighbourhood, albeit within a settlement area, was not meant for the level of density proposed. As a result, the proposal gives rise to issues of compatibility.

The proposal is not consistent with the Provincial Policy Statement.

### **3.3 A PLACE TO GROW – GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019**

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The subject property is within the Built-Up Area boundary in the Growth Plan.

Section 1.2.1 provides guiding principles for the Growth Plan which include but are not limited to:

- Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability
- Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.

Section 2.2.1 provides that the vast majority of growth will be directed towards settlement areas that have a delineated built boundary, that have existing or planned municipal water and wastewater systems and that can support the achievement of complete communities.

Section 2.2.1.4 states that applying the policies of the Growth Plan will support the achievement of complete communities that: c) provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; and d.i) expand convenient access to a range of transportation options, including options for the safe, comfortable and convenient use of active transportation.

Section 2.2.6 provides policy on supporting housing choice through the achievement of minimum intensification and density targets by identifying a diverse range and mix of housing options and densities. 2.2.6.1.e describes that 2.2.6.1.a), b), c) and d) are to be implemented through official plan policies and designations, and zoning by-laws.

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The Growth Plan defines Complete Communities as:

*“Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.”*

The subject property is identified as being within the Built-Up Boundary but is not within an Urban Growth Centre. Urban Growth Centres are typically where mid-rise high-density buildings such as this one are proposed and permitted. Intensification and higher densities are to be directed towards strategic growth areas to make efficient use of land, infrastructure and support transit viability.

The proposed development is an example of compact intensification and may provide housing options for older households. However, it remains unclear how this development contributes to a complete community beyond providing housing for older households as it does not provide a mix of jobs, local stores, services, appropriate transportation options or public service facilities. Transit servicing does not service the property and other public services facilities are not readily available nearby. Active transportation is also not planned or currently an option at this site given Highway 27 is a Regional Road with gravel shoulders and does not provide safe, comfortable or convenient sidewalks or bike lanes. The proposed development would be isolated from the community and would have limited walkability.

The proposed development does not conform with the Growth Plan.

### **3.4 YORK REGION OFFICIAL PLAN, 2022**

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The subject property is designated Urban Area (Map 1) and Community Area (Map 1A) in the York Region Official Plan (“ROP”). The property is also within the Clean Water Act (CWA) Significant Groundwater Recharge Areas (SGRA) as shown in Map 12A.

Section 1.3 outlines the Regional Vision and Goals of the plan including but not limited to: 2. To enhance York Region’s urban structure through a comprehensive integrated growth management process that provides for healthy, sustainable, complete communities with a strong economic base; and 4. To enhance York Region’s urban system through city building, intensification, and compact and complete communities including employment areas.

Section 2.1.3 provides that land use designations within the ROP include Community Areas, where residential, population-related employment and community services are directed to accommodate concentrations of existing and future population and employment growth.

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Section 2.3 provides that complete communities are designed as accessible, dense and walkable, where most amenities are in close proximity, and meet people’s needs for daily living through their lifetime. They provide for a full range of uses including local community centres, schools, places of worship, greenspaces and other uses to increase greater human interaction and create a sense of community.

Section 2.3.16 provides that it is the policy of Council that communities be designed to prioritize active transportation through interconnected and accessible mobility systems. These systems shall prioritize movement of people through development of appropriate pedestrian and cycling facilities and access to transit; and that Section 2.3.17 provides that development shall be supported by a mobility plan, prioritizing active transportation and transit.

Section 2.3.19 allows for reduced minimum and maximum parking requirements that reflect the walking distance to transit and complementary uses, where appropriate;

Section 2.3.26 provides that it is the policy of Council to reduce vehicle emissions by ensuring that communities are designed to prioritize active transportation, transit-supportive development and intensification in appropriate locations.

Section 3.3.1 provides that it is the policy of Council to protect, restore and enhance the water resource system as shown on Maps 4, 7 and 12A and 12B.;Section 3.3.7 states that that in recharge management areas development and site alteration will maintain pre-development recharge rates to the fullest extent possible. Section 3.3.8 provides that in significant groundwater recharge areas (as shown on Maps 12A and 12B) best management practices are encouraged for all development proposals that involve: a. Manufacturing, handling, and/or storage of organic solvents and dense non-aqueous phase liquids; and b. Application, storage, and/or handling of road salt on private roadways, parking lots, and pedestrian walkways while recognizing that maintaining public safety is paramount.

Section 4.1.1 indicates that the primary location for growth and development within York Region is within the Urban System including the Community Area land use designations as shown in Map1A.

Section 4.1.3 provides that a) strategic growth areas will attract the majority of development; b) the built up area, outside of strategic growth areas, will attract small scale intensification and infill; c) the designated greenfield area, including New Community Areas, is the primary location for new greenfield development; d) a significant share of employment growth will be directed to Employment Areas; and e) limited growth will occur within Hamlets and the Rural Areas.

Section 4.4.7 requires that the majority of residential intensification shall be directed to locations which provide access to human, educational and social services, retail, employment, arts, culture, parks, recreational facilities and transit within a 15 minute walk and in a manner that is consistent with the policies in Section 2.3 of the Plan.



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Section 4.4.16 provides that it is the policy of Council to work with local municipalities to encourage integration of gentle density and a mix and range of housing options within the built boundary, where locally appropriate, through redevelopment of existing neighbourhoods.

The ROP places an emphasis on complete communities similar to the PPS and Growth Plan. The retirement residence neglects several elements of a complete community including but not limited to being designed to be accessible, dense and walkable, with most amenities nearby. Such amenities would include places like local community centres, schools, places of worship, greenspaces and other uses to increase greater human interaction and create a sense of community.

Community areas may accommodate limited growth and development within the Region; however, the Region intensification hierarchy does not identify community areas as an area that will attract the majority of development or small scale intensification and infill. The ROP also identifies an opportunity to reduce the minimum parking requirements that reflect walkability and transit availability. The site is located on a Regional Road without sidewalks and is not planned to be or currently serviced by transit.

The proposed development does not conform to the ROP.

### 3.5 CITY OF VAUGHAN OFFICIAL PLAN, 2010

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The subject property is designated Low Density Residential and Natural Area in Schedule 1A of the City of Vaughan Official Plan (“VOP”). Schedule 1B designates the subject property an Established Large-Lot Neighbourhood.

Section 2.1.3.2 that it is the policy of Council to address the City’s main land use planning challenges and to manage future growth by:

- b) directing a minimum of 29,300 residential units through intensification within the built boundary;
- c) identifying Intensification Areas, consistent with the intensification objectives of this Plan and the Regional Official Plan, as the primary locations for accommodating intensification;
- d) requiring that lands within the Urban Area but outside the built boundary be planned to achieve an average minimum density that is not less than 50 residents and jobs per hectare combined in the developable area;
- e) ensuring the character of established communities are maintained;
- j) providing for a diversity of housing opportunities in terms of tenure, affordability, size and form;

Section 2.2.1.1 provides that Schedule 1 illustrates the planned Urban Structure of the City, which achieves the following objectives b) maintain the stability of lands shown as Community Areas for a variety of Low-Rise Residential purposes, including related parks, community, institutional and retail uses; and d) establish a hierarchy of Intensification Areas that range in height and intensity of use.

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Section 2.2.3.1 identifies that Community Areas will provide most of the City’s low-rise housing stock, as well as local serving commercial uses and community facilities such as schools, parks, community centres, and libraries. They will function as complete communities and encourage walking, cycling and transit use.

Section 2.2.3.2 outlines that Community Areas are considered Stable Areas and therefore Community Areas with existing development are not intended to experience significant physical change that would alter the general character of established neighbourhoods. New development that respects and reinforces the existing scale, height, massing, lot pattern, building type, orientation, character, form and planned function of the immediate local area is permitted, as set out in the policies in Chapter 9 of this Plan. (OPA #15)

Section 2.2.3.3 indicates that proposed developments within Community Areas must be sensitive to and compatible with the character, form and planned function of the surrounding context.

Section 2.2.3.4 state that development immediately adjacent to Community Areas shall ensure appropriate transition in scale, intensity, and use, and shall mitigate adverse noise and traffic impacts, while fulfilling the intensification objectives for Intensification Areas, where applicable.

Section 3 of the City of Vaughan Official Plan refers to numerous policies applicable to the Environment and the Natural Heritage Network that exists on a small portion of the western edge of the property. An official plan amendment is required to permit the development within the minimum 10 metre vegetation protection zone (VPZ) for a Core Feature (woodlands).

Section 4.2.2 provides policy direction on supporting a comprehensive transit system and identifies Intensification Areas as areas that must be supported by efficient and effective transit to serve the expected population increases.

Section 4.2.3.1 provides that it is the policy of Council to support walking and cycling as viable modes of transportation for commuter, recreational and other travel. City-wide active transportation will be supported by:

- a) the provision of appropriate facilities and infrastructure, such as sidewalks, trails and bicycle lanes, which may be secured through the development approvals process, and to plan for universal accessibility for such facilities and infrastructure;
- b) maximizing connections to significant destinations, including Intensification Areas, employment clusters, schools and institutions, parks and open spaces, and other key public places;
- c) ensuring safe and convenient pedestrian and bicycle travel within the street network to facilitate movement and contribute to healthy communities;

Section 4.3.2.2 identifies ways to reduce parking requirements where feasible:

- b) establishing context-sensitive parking requirements that respond to diverse settings, including Intensification Areas, historic places and other settings;

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- c) reducing parking requirements in Intensification Areas where transit, walking and cycling alternatives exist;
- g) considering the availability of on-street parking on collector and local streets when determining parking requirements;

Section 9.1.2.1 reiterates that new development will respect and reinforce the existing and planned context within which it is situated. More specifically, the built form of new developments in Community Areas will be designed to respect and reinforce the physical character of the established neighbourhood within which it is located as set out in policies 9.1.2.2 - 9.1.2.4 which refers to specifically respecting and reinforcing the following elements:

- a) the local pattern of lots, streets and blocks;
- b) the size and configuration of lots;
- c) the building type of nearby residential properties;
- d) the orientation of buildings;
- e) the heights and scale of adjacent and immediately surrounding residential properties;
- f) the setback of buildings from the street;
- g) the pattern of rear and side-yard setbacks;
- h) the presence of mature trees and general landscape character of the streetscape;

Section 9.1.2.3 provides that within the Established Community Areas there are a number of established residential neighbourhoods that are characterized exclusively or predominantly by detached houses located on generally large lots with frontages exceeding 20 metres and/or by their historical, architectural or landscape value as identified in Schedule 1B. This policy shall also apply to other areas where the subdivision and redevelopment of a large lot or multiple large lots would not respect and reinforce the elements identified in Policy 9.1.2.2. In order to maintain the character of established, large-lot neighbourhoods the following policies shall apply to all developments within these areas:

- a) Lot frontage: In the case of lot creation, new lots should be equal to or exceed the frontages of the adjoining lots or the average of the frontage of the adjoining lots where they differ;
- b) Lot area: The area of new lots should be consistent with the size of adjoining lots;
- c) Lot configuration: New lots should respect the existing lotting fabric in the immediately surrounding area;
- d) Front yards and exterior side yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to retain a consistent streetscape;
- e) Rear yards: Buildings should maintain the established pattern of setbacks for the neighbourhood to minimize visual intrusion on the adjacent residential lots;
- f) Dwelling types: A new dwelling replacing an existing one shall be of the same type, as defined in Section 9.2.3 of this Plan, except on a lot fronting an Arterial Street, as identified in Schedule 9 (Future Transportation Network), where a Semidetached House or Townhouse replacing a

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detached dwelling may be permitted, subject to Policy 9.1.2.4 and the other urban design policies of this plan;

- g) Building heights and massing: Should respect the scale of adjacent residential buildings and any city urban design guidelines prepared for Community Areas;
- h) Lot coverage: In order to maintain the low-density character of these areas and ensure opportunities for generous amenity and landscaping areas, lot coverage consistent with development in the area and as provided for in the zoning by-law is required to regulate the area of the building footprint within the building envelope, as defined by the minimum yard requirements of the zoning by-law.

Section 9.2.2.1 outlines policies for the Low-Rise Residential designation which describe how Low-Rise Residential Areas are to be planned to consist of buildings in a low-rise form no greater than three storeys in the form of Detached House, Semi-Detached House, Townhouse, or Public and Private Institutional Buildings.

Section 9.2.2.3 outline policies for the Mid-Rise Residential designation which describe how Mid-Rise Residential areas are generally located in Intensification Areas and shall be planned to consist of primarily residential buildings.

Section 9.2.2.3.d state that within 70 metres of an area designated as Low-Rise Residential, that only Townhouses, Stacked Townhouses, and Low-Rise Buildings building types may be permitted in order to provide for an appropriate transition to the Low-Rise Residential area.

Section 9.2.2.14 provides that New Community Areas are intended to be developed as complete communities and are subject to a City-initiated Secondary Plan process that will achieve but not be limited to new development that is designed to help achieve the Regional minimum average density requirements of 20 residential units per hectare in the developable area and 70 residents and jobs per hectare in the developable area.

Section 9.2.3.5 provides that the following policies and development criteria apply to Mid-Rise Buildings:

- a) Mid-Rise Buildings are generally buildings over five storeys in height, up to a maximum of twelve storeys in height, depending on the height permitted through policy 9.2.1.4 and Schedule 13.
- b) Mid-Rise Buildings over six storeys in height shall be designed with a pedestrian scaled podium or other appropriate architectural articulation, designed to the satisfaction of the City, to enhance the building design and provide an active pedestrian streetscape. The podium shall generally be between three and six storeys in height...
- c) In order to provide appropriate privacy and daylight/sunlight conditions for any adjacent houseform buildings, Mid-Rise Buildings on a lot that abuts the rear yards of a lot with a Detached House, Semi-Detached House or Townhouse shall generally be setback a minimum of 7.5 metres from the

property line and shall be contained within a 45 degree angular plane measured from the property line abutting those houseform buildings.

Firstly, the subject property is not identified as an intensification area as shown in Schedule 1. The proposed development does not conform to several policies within the Official Plan which triggers the need for the Official Plan Amendment. This is also a good indication that the proposed development is not suitable for the property. Community areas are not intended to experience significant physical change that would alter the general character of established neighbourhoods. 9.1.2.3 provides specific policy relating to the dwellingtypes, building heights, and lot coverage that ensure the character of Established Neighbourhoods are maintained. Should development be permitted immediately adjacent to Community Areas, the proposal shall ensure appropriate transition in scale, intensity, and use.

Additionally, appropriate facilities and infrastructure, such as sidewalks, trails and bicycle lanes are to be available. Given the property’s location, there is no such infrastructure available nearby nor is it currently serviced by transit. It may be possible to reduce parking requirements in Intensification Areas where transit, walking and cycling alternatives exist however, as discussed, this property is not located in an area where alternatives exist. Currently, the parking rate for the proposed retirement residence will provide parking at a rate of 0.4 parking spaces per residential retirement unit (74 total spaces) and 0.05 parking spaces per visitor where 0.5 parking spaces per 100sqm of GFA (85 total spaces) are required.

Lastly, the proposed development also looks to permit a mid-rise building within 70 metres of a Low-Rise Residential area. The policy intends to ensure an appropriate transition to the Low-Rise Residential area by only permitting Townhouses, Stacked Townhouses, and Low-Rise Buildings within this area. By losing this transition zone between properties, the privacy and usability of the surrounding properties are impacted.

The proposed development does not conform with the general intent of the City of Vaughan Official Plan.

### 3.6 CITY OF VAUGHAN ZONING BY-LAW 001-2021

The subject property is zoned Estate Residential (Established Neighbourhood).

The proposed Zoning By-law Amendment would rezone the Subject Lands from RE(EN) Estate Residential (Established Neighbourhood) Zone subject to site-specific Exception 14(53), to RM3 Multiple Unit Residential Zone with the following site-specific zoning provisions:

Zoning By-law 001-2021 Provision	Required RE(EN)	Required RM3	Proposed Provisions to RM3
Minimum Lot Area	4000sqm	65.0sqm/unit	36.0sqm/unit
Minimum Front Yard	15m	7.5m	4.0m
Minimum Rear Yard	15m	7.5 m	27 m
Minimum Interior Side Yard	4.5m	7.5 m	6.0 m

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<b>Maximum Height</b>	9.5m	48.0 m	27.0 m
<b>Minimum Landscape</b>	-	10%	20%
<b>Minimum Landscape Strip abutting a Residential Zone Except an RT and RM Zone</b>	-	3.0 m	0.0 m
<b>Minimum Landscape Strip Abutting a Street Line</b>	-	3.0 m	0.0 m
<b>Minimum Parking Requirements</b>	1 space per dwelling unit	Combined 0.5 spaces/100 m <sup>2</sup> GFA x 16,847 m <sup>2</sup> = <b>85 spaces</b>	Residential 0.475 spaces/unit x 143 units = 68 spaces Visitor 0.04 spaces/unit x 143 units = 6 spaces Provide a total of <b>74 spaces</b>

Section 4.5 of the Zoning By-law provides Established Neighborhood “-EN” provisions.

- 1) The maximum building height shall be the least (more restrictive) of:
  - a) The requirement of the applicable zone; or
  - b) The existing building height plus 3.0 m, but in no case shall the maximum building height requirement be less than 8.5 m.
- 2) For any proposed or new replacement dwelling that exceeds the existing height, and is greater than 9.5 m in height, the minimum interior side yard shall be the greater (more restrictive) of:
  - a) The requirement of the applicable zone;
  - b) The existing interior side yard; or
  - c) 2.2 m.
- 3) The minimum front yard shall be the lesser (less restrictive) of:
  - a) The minimum front yard required in the applicable zone; or,
  - b) The existing front yard less 2.0 m, but in no case shall the required minimum front yard be less than 4.5 m.

The Zoning By-Law sets out performance standards that each property within the respective zone must meet and conform to. This ensures consistent development throughout the City. While some amendments can be made to alter the zoning, the requested amendments for this application are unreasonable and will significantly change the character of the Established Neighbourhood.

These applications do not conform with the general intent of the City of Vaughan Zoning By-Law.

## 4 TECHNICAL WORK

### 4.1 PLANNING JUSTIFICATION REPORT

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A Planning Justification Report prepared by Macaulay Shiomi Howson Ltd. (MSH Plan) dated February 2024 was submitted as part of this application.

The PJR provided an overview of the proposed development and the planning merits of these applications. The report failed to refer to several important policies as they relate to the identified Intensification Areas throughout the Region, the Significant Groundwater Recharge Areas (SGRA), Established Neighbourhoods, and aspects of a complete community such as mixed-uses or transit availability.

The PJR fails to establish consistency with Provincial Policy, conformity with the Regional and City Official Plans and that the application maintains the general intent and purpose of the Zoning By-Law.

### 4.2 URBAN DESIGN BRIEF

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An Urban Design Brief prepared by MBTW|WAI dated February 2024 was submitted as part of this application.

The Brief confirms several locational attributes including being located on a Major Arterial (Regional Road) with the nearest intersection being with another Major Arterial (Nashville Rd), no transit servicing, no sidewalks, no multi-use trails nearby, and the site being located on large hill sloping upwards from south to north.

The Brief identifies the following relevant priorities outlined in the City of Vaughan's City-Wide Urban Design Guidelines:

- Enhancing and protecting Vaughan's Natural Heritage Network;
- Responding appropriately to the site context;
- Creating a well scaled City that is liveable for residents;
- Promoting a well-connected active transportation network that is safe,
- Comfortable and accessible;
- Creating a balance between built form and open space;
- Promotion of high quality architecture;
- Framing an active public realm and pedestrian environment.

A peer review of the Brief should be undertaken, particularly to assess: 1) the location of balconies, loading spaces and garbage receptacles in relation to the properties in the adjacent neighbourhood; 2) scale of development, particularly in relation to the adjacent 1-2 storey estate homes; 3) the provision of safe active transportation; and 4) the provision of an active public realm and pedestrian environment .

### 4.3 GEOTECHNICAL REPORT & HYDROGEOLOGICAL REPORT

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A Geotechnical and Hydrogeological Report dated December 2023 was prepared by EXP Services Inc. and submitted as part of this application.

The Geotechnical Report identifies that 3 of the 5 boreholes were dry upon completion of auguring while free water was detected in the other two (2) boreholes approximately at depths of 1.8 to 9.1m. The Geotechnical Report indicates that there are trapped pockets in the fill and it should be possible to control the groundwater with conventional dewatering techniques such as pumping from sumps (Section 7.4).

The Hydrogeological Report identifies that the Site is inside WHPA Q1 and Q2 (Stress: Moderate) and inside Significant Groundwater Recharge Areas (SGRA) and that a site specific water balance assessment of the Site may be required in future.

The Report also mentions that the nearby water supply wells are reportedly drilled wells with depths varying between 18.0 and 69.8 meters below ground surface (mbgs). The reported water levels ranged from depths of 2.5 m to 66.1 mbgs (Section 2.1.3). The two (2) monitoring wells installed recorded groundwater depths of 1.83mbgs and 3.17mbgs for the intermediate well and 5.31mbgs and 5.11mbgs for the deep well. Additionally, the rate of dewatering during construction is estimated to be 200,000L/day and a continued 46,000L/day post-construction.

A peer review of the Report should be undertaken, particularly as it relates to the estimated rate of dewatering and the appropriateness thereof, as well as impacts to groundwater given that the proposed development consists of a two (2) level parking garage beneath the building.

## 5 PLANNING OPINION

Upon a comprehensive review of the applicable planning policy, our preliminary opinion is that the proposed development of the 143-unit 7-storey retirement residence at 10340 Highway 27, Kleinburg is incompatible for the subject property given the established low-density estate residential neighbourhood.

The subject property is 0.51ha (1.26ac) and intended for an Estate Residential home or other low-density land use. The proposed retirement residence would have a density of 280 units per hectare whereas the adjacent estate residential lots densities are around 0.5 to 1 unit per hectare. Should there be demand for another retirement residence in the area given the existing retirement residence across Highway 27, this is not an appropriate location for this scale of growth and development.

The PPS places an emphasis on new compact development being transit-supportive and located where infrastructure and public services are or will be available. Given the low-density residential character of this established neighbourhood in Kleinburg, where infrastructure is limited, and there are limited transit options and public service facilities available. This neighbourhood, albeit within a settlement area, was not



Proposed Retirement Residence - OPA OP.24.001 & ZBA Z.24.005

10340 Highway 27, Kleinburg

meant for the scale of development proposed. As a result, the proposal identifies numerous issues of compatibility.

The Growth Plan identifies this property to be within the built-up area. It remains unclear how this development contributes to a complete community beyond providing housing for older households as it does not provide a mix of jobs, local stores, services, appropriate transportation options or public service facilities. Transit does not service the property and other public services facilities are not readily available nearby. Active transportation is also not planned or currently an option at this site given Highway 27 is a Regional Road with gravel shoulders that does not provide safe, comfortable or convenient sidewalks, or bike lanes.

The York Region Official Plan places an emphasis on complete communities similar to the PPS and Growth Plan. The retirement residence neglects several elements of a complete community including but not limited to being designed to be accessible, dense and walkable where amenities are nearby. Community areas may accommodate limited growth and development within the Region as per the Region intensification hierarchy.

Additionally, the City of Vaughan Official Plan identifies Intensification Areas throughout the City. The subject property is not within an Intensification Area, which triggers the need for the Official Plan Amendment given the proposed development's density. Community areas are not intended to experience significant physical change that would alter the general character of established neighbourhoods. Should development be permitted immediately adjacent to Community Areas, the proposal must ensure an appropriate transition in scale, intensity, and use is provided to respect the policies provided for an Established Neighbourhood.

Further, the proposed development seeks to permit a mid-rise building within 70 metres of a Low-Rise Residential area. The policy ensures that an appropriate transition be provided to the Low-Rise Residential area by permitting only Townhouses, Stacked Townhouses, and Low-Rise Buildings building types within this area. By losing this transition zone between properties, the privacy and usability of the surrounding properties is impacted.

The Zoning By-Law provides specific provisions for the Established Neighbourhood “-EN” which include specific and more restrictive provisions on building height, front yard and interior side yard; all of which are requested to be amended as part of this application. This contributes to further neighbourhood compatibility issues as the property has not been designed in a way to consider the potential negative impacts to adjacent or surrounding properties.

Lastly, we are of the opinion that peer reviews should be undertaken with respect to a number of technical reports including the Urban Design Brief, the Geotechnical Report and Hydrogeological Report.

Overall, we are of the opinion that the proposed development does not represent good planning and should not be approved without considerable revisions or modifications.

## 6 RECOMMENDATIONS

It is our recommendation that the proposed development does not move forward without significant modifications. We recommend the following:

- Municipally-initiated peer reviews of several studies and reports including:
  - Urban Design Brief
  - Geotechnical Report
  - Hydrogeological Report
- Significantly reducing the height of the building and/or including a sufficient transition zone provided to the adjacent low-density residential land use to ensure better neighbourhood compatibility
- Re-examining the location of balconies facing the north and west to ensure privacy
- Relocation of garbage receptacles to be concealed from the adjacent properties

Please do not hesitate to contact the undersigned if you have any questions or concerns.




Sincerely,

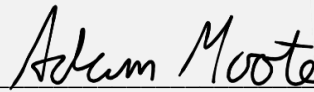
**LANDPRO PLANNING SOLUTIONS INC.**



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**Committee of the Whole (Public Meeting)**

**June 4, 2023**

**RE:**

**Item 5 BRUCO HILLS DEVELOPMENTS (BT) INC.  
OFFICIAL PLAN AMENDMENT FILE OP.24.001  
ZONING BY-LAW AMENDMENT FILE Z.24.005  
10340 HIGHWAY 27 VICINITY OF NASHVILLE ROAD & HIGHWAY 27**

The Office of the City Clerk has received a petition from Scott Snider, TMA Law Associates, Main Street West, Hamilton, on behalf of various individuals and concerned area residents.

The total number of signatures on the petition is: 35.

Included with the petition material are five additional emails from individuals in opposition to the applications.

Their concerns are outlined as follows:

***“We are hereby representing the following homeowners who are part of the group that adamantly opposes the proposed Official Plan Amendment File OP.24.001 and Zoning By-law Amendment File 2.24.005 Application by Bruco Hills Development for the property located at 10340 Highway 27, Kleinburg.”***

A copy of the entire petition document containing a total of 13 pages is on file in the Office of the City Clerk.