

## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, June 04, 2019

**WARD(S):** 5

**TITLE:** 300 ATKINSON INC.

**OFFICIAL PLAN AMENDMENT FILE OP.19.001**

**ZONING BY-LAW AMENDMENT FILE Z.19.002**

**VICINITY OF ATKINSON AVENUE AND CENTRE STREET**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on Official Plan and Zoning By-law Amendment Files OP.19.001 and Z.19.002 (300 Atkinson Inc.) for the Subject Lands shown on Attachment 1, to permit a residential townhouse development consisting of 51 townhouse units and 74 back-to-back townhouse units with 3.8 m frontages and 228 underground parking spaces, as shown on Attachments 2 to 5.

### **Report Highlights**

- To receive input from the public and Committee of the Whole regarding a residential townhouse development consisting of 51 townhouse units and 74 back-to-back townhouse units, with 3.8 m frontages, and 228 underground parking spaces.
- Official Plan and Zoning By-law Amendment applications are required to permit the proposed development.
- A technical report prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

## **Recommendations**

1. THAT the Public Hearing report for Official Plan and Zoning By-law Amendment Files OP.19.001 and Z.19.002 (300 Atkinson Inc.) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

The subject lands (the 'Subject Lands') shown on Attachment 1 are located on the west side of Atkinson Avenue, north of Centre Street and municipally known as 300 Atkinson Avenue. The surrounding land uses are shown on Attachment 1. The Subject Lands are currently occupied by a private school, the Kamin Education Centre.

The proposed residential townhouse development (the 'Development'), as shown on Attachments 2 to 5, consists of 51 townhouse units, 74 back-to-back townhouse units, with 3.8 m frontages, and 228 underground parking spaces.

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

The Owner has submitted the following applications (the 'Applications') to permit the Development:

1. Official Plan Amendment File OP.19.001 to amend the "Low Rise Residential" policies of Vaughan Official Plan 2010 ('VOP 2010') to permit back-to-back townhouses as a permitted built form; and,
2. Zoning By-law Amendment File Z.19.002 to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from "R3 Residential Zone" to "RM2 Multiple Residential Zone" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report.

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

- a) Date the Notice of Public Hearing was circulated: May 10, 2019.

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

- b) Circulation Area: Circulated to all property owners within an expanded polling area as shown on Attachment 1, and to the Brownridge Ratepayers Association.
- c) Comments received:

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

- M. Mukelova, Campbell Avenue, dated April 8, 2019
- K. Bayeshev, email address only, dated April 3, 2019
- K. Hecker, email address only, dated April 3, 2019
- J. Molson, email address only, dated April 3, 2019
- J. Bergin, Roseborough Crescent, dated April 2, 2019
- J. Hirsch, Steeles Ave. West, dated April 1, 2019
- R. McCluggage, email address only, April 1, 2019
- P. Maragoni, email address only, dated April 1, 2019
- J. Hacker, email address only, dated March 29, 2019
- T. Small/D. Small, email address only, dated March 29, 2019
- R. Mendonca, email address only, dated March 29, 2019
- D. Bergin, email address only, dated March 5, 2019

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

- i) The Development will change the character of the area as there are currently no townhouse units in the neighbourhood.
- ii) The proposed density is too high for the area. The neighbourhood consists of single detached dwellings.
- iii) The Development is overcrowded. There are too many units proposed.
- iv) The proposed parking is inadequate. Parking for the Development may overflow onto the neighbourhood streets.
- v) The architectural design of the proposed dwellings should fit the character of the area.
- vi) Additional information is required regarding the future proposed place of worship.

The concerns noted above and any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. Any written comments that are received will be reviewed by the

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

### **Previous Reports/Authority**

Not applicable.

### **Analysis and Options**

#### ***An amendment to the policies of the “Low Rise Residential” designation of VOP 2010 is required to permit the Development***

The Subject Lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (‘VOP2010’) and are located within a “Community Area” as identified on Schedule 1, “Urban Structure” of VOP 2010. The “Low Rise Residential” designation permits, detached, semi-detached, townhouse dwelling units with a maximum building height of 3-storeys, and no associated density provision.

VOP 2010 identifies compatibility criteria for new development in a “Community Area”. The compatibility criteria directs new development to be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. In addition, new development in a “Community Area” within established development areas shall pay attention to local lot patterns, size and configuration, and existing building types with similar setbacks.

Vaughan Council adopted Urban Design Guidelines (‘Guidelines’) for Infill Development in Established Low-Rise Residential Neighbourhoods on October 19, 2016 and the Community Area Policy Review for Low-Rise Residential Designations Study (‘Study’) on April 19, 2017. On September 27, 2018 Council adopted Official Plan Amendment (‘OPA’) Number 15 to implement the Study. OPA Number 15 has been forwarded to York Region for approval. The Guidelines and Council adopted OPA Number 15 will be considered in the review of the Development.

The Development proposes eight townhouse blocks, (51 units) and six blocks, (74 units) of back-to-back townhouse dwellings. The back-to-back townhouse dwellings are not a permitted built form in the “Low-Rise Residential” designation, therefore, an amendment to VOP 2010 is required.

VOP 2010 permits limited intensification in Community Areas provided it is sensitive to and compatible with the character, form and planned function of the surrounding area.

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

The Subject Lands are zoned “R3 – Residential Zone” by Zoning By-law 1-88, as shown on Attachment 1, which permits only detached dwellings on lots with a minimum frontage of 12 m. The Development is not permitted within this zone category and therefore, an amendment to Zoning By-law 1-88 is required to rezone the property to “RM2 Multiple Residential Zone”, together with the following site-specific zoning exceptions:

Table 1

|    | <b>Zoning By-law 1-88<br/>Standard</b> | <b>RM2 Multiple<br/>Residential Zone<br/>Requirements</b>                                                                                                                                                                                                                                                                                                                                                | <b>Proposed Exceptions<br/>to the RM2 Multiple<br/>Residential Zone<br/>Requirements</b>                                                                                                                                                                                                                                                           |
|----|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. | Definition - Lot                       | “Lot” means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the <i>Planning Act, R.S.O. 1983</i> would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot. | Amend the definition of a “Lot” to mean a parcel of land, being approximately 16,244 m <sup>2</sup> in size, that is deemed to be one lot regardless of the number of buildings and units, and the creation of any new lot by plan of subdivision, plan of condominium, part lot control, consent and any easement or restrictions that are given. |
| b. | Definition – Building Height           | “Building Height” means the vertical distance between the average elevation of the finished                                                                                                                                                                                                                                                                                                              | Amend the definition of “Building Height” to mean the vertical distance between the                                                                                                                                                                                                                                                                |

|    | <b>Zoning By-law 1-88<br/>Standard</b> | <b>RM2 Multiple<br/>Residential Zone<br/>Requirements</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Proposed Exceptions<br/>to the RM2 Multiple<br/>Residential Zone<br/>Requirements</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----|----------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                        | <p>grade at the front of the building (for the purpose of this definition, the front of the building shall be the wall containing the main entrance); and</p> <ul style="list-style-type: none"> <li>i) In the case of a flat roof, the highest point of the roof surface;</li> <li>ii) In the case of a mansard roof, the highest point on the roof surface;</li> <li>iii) In the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof;</li> </ul> <p>Exclusive of any accessory roof constructions such as chimney, tower, steeple, elevator, mechanical room, or television antenna.</p> | <p>average elevation of the finished grade at the front of the building and the midpoint between the eaves and highest point of a roof on a peaked or the highest point of a flat roof surface exclusive of any accessory roof construction such as a parapet, chimney, tower, steeple, elevator, mechanical room (including laundry facilities) or television antenna. For the purpose of this definition, the 'front of the building' shall be the wall containing the main entrance. Where a building has main entrances on two elevations, the 'front of the building' shall be determined to be the one with the lower average elevation.</p> |
| c. | Definition – Amenity Area              | “Amenity Area” means space outside o dwelling unit with or outside the building designed for the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Amend the definition of “Amenity Area” to mean a space outside a dwelling unit within or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

|    | <b>Zoning By-law 1-88<br/>Standard</b> | <b>RM2 Multiple<br/>Residential Zone<br/>Requirements</b>        | <b>Proposed Exceptions<br/>to the RM2 Multiple<br/>Residential Zone<br/>Requirements</b>                                                                                                                                                         |
|----|----------------------------------------|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                        | passive enjoyment of active recreational needs of the residents. | outside the building designed for the passive enjoyment of active recreational needs of the residents including patios, hard and soft landscaped areas on the site, balconies, roof terraces and other areas suitable for recreational purposes. |
| d. | Minimum Lot Frontage                   | 30 m                                                             | 16 m on a private road                                                                                                                                                                                                                           |
| e. | Minimum Front Yard Setback             | 4.5 m                                                            | 4.5 m to a public road (Atkinson Avenue)<br>1.7 m to a private road                                                                                                                                                                              |
| f. | Minimum Rear Yard Setback              | 4.5 m                                                            | 1.8 m to a private road                                                                                                                                                                                                                          |
| g. | Minimum Exterior Side Yard Setback     | 4.5 m                                                            | 1.7 m to a private road                                                                                                                                                                                                                          |
| h. | Minimum Interior Side Yard Setback     | 1.5 m                                                            | 0 m (Blocks 6 and 7)                                                                                                                                                                                                                             |
| i. | Maximum Building Height                | 11 m                                                             | 13.4 m                                                                                                                                                                                                                                           |

|    | <b>Zoning By-law 1-88<br/>Standard</b>                                   | <b>RM2 Multiple<br/>Residential Zone<br/>Requirements</b>                                                                                                                             | <b>Proposed Exceptions<br/>to the RM2 Multiple<br/>Residential Zone<br/>Requirements</b> |
|----|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| j. | Minimum Yard<br>Encroachment (Exterior<br>Stairways)                     | 1.8 m                                                                                                                                                                                 | 2.1 m                                                                                    |
| k. | Minimum Landscape<br>Strip Width Along a<br>Roadway (Atkinson<br>Avenue) | 6.0 m                                                                                                                                                                                 | 4.5 m                                                                                    |
| l. | Minimum Setback to<br>portions of Building<br>Below Grade                | <u>1.8 m</u>                                                                                                                                                                          | 0.7 m                                                                                    |
| m. | Minimum Amenity Area                                                     | 90 m <sup>2</sup> x 74 three bedroom<br>units = 6,660 m <sup>2</sup><br><br>110 m <sup>2</sup> x 51 four bedroom<br>units = 5,610 m <sup>2</sup><br><br>Total = 12,270 m <sup>2</sup> | 74.08 m <sup>2</sup> x 125 Units =<br>9,620.2 m <sup>2</sup>                             |
| n. | Minimum Visitor<br>Parking Requirement                                   | 0.25 spaces x 125 units =<br>32 spaces                                                                                                                                                | 0.2 spaces per unit = 25<br>spaces                                                       |

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

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

|    | <b>MATTERS TO BE REVIEWED</b>                                                            | <b>COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. | Consistency and Conformity with Provincial Policies, York Region and City Official Plans | The Applications will be reviewed in consideration of the statutory Provincial policies including the <i>Provincial Policy Statement, 2014</i> ('PPS') and the <i>Growth Plan for the Greater Golden Horseshoe (2019)</i> (the 'Growth Plan') and the policies of the York Region ('YROP') and the City of Vaughan ('VOP 2010') Official Plan.                                                                                                                                                                                                                                                                                                                                                                                                               |
| b. | Appropriateness of Proposed Uses and Site-Specific Official Plan and Zoning Exceptions   | <p>The appropriateness of the proposed amendments to the Official Plan and Zoning By-law will be reviewed in consideration of the existing and planned surrounding land uses, with consideration given to land use and built form compatibility, and appropriate development standards, including but not limited to:</p> <ul style="list-style-type: none"> <li>i) the scale and massing of the proposed buildings in relation to the surrounding lands</li> <li>ii) the proposed lot/block pattern, configuration, transition and built form compatibility in relation to the immediate surrounding area</li> <li>iii) the building height, lot frontage, lot coverage and setbacks</li> <li>iv) the urban design policies of the Official Plan</li> </ul> |
| c. | Zoning for Townhouses on a Private Common Element Road                                   | The Owner proposes to rezone the residential use on the Subject Lands to "RM2 Multiple Residential Zone". Consideration should be given to using the "RT1 Residential Townhouse                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

|    | MATTERS TO BE REVIEWED   | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                          | <p>Zone” as this zoning category is typically applied to a townhouse dwelling on a private common element road.</p> <p>In Zoning By-law 1-88, a “Street Townhouse” means “a townhouse dwelling in which each dwelling is situated on its own lot, which lot abuts a public street.” An exception to the Zoning By-law would be necessary to permit a townhouse dwelling to abut a private common element road, whereas the Zoning By-law requires a lot to abut a public street.</p>                                                                                                                                                                                                                                                              |
| d. | Cash-in-lieu of Parkland | The provision of cash-in-lieu of parkland dedication in accordance with the City’s Cash-in-lieu of Parkland Policy and the <i>Planning Act</i> is required if the Applications are approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| e. | Studies and Reports      | <p>The Owner has submitted the following studies and reports in support of the Applications, which must be approved to the satisfaction of the City and/or respective public approval authority:</p> <ul style="list-style-type: none"> <li>▪ Planning Justification Report</li> <li>▪ Arborist Report</li> <li>▪ Phase One Environmental Site Assessment</li> <li>▪ Transportation Impact Study</li> <li>▪ Geotechnical and Hydrogeological Investigations</li> <li>▪ Urban Design and Sustainability Brief</li> <li>▪ Community Services and Facilities Study</li> <li>▪ Functional Servicing Report</li> </ul> <p>The requirement for additional studies/information may be identified through the development application review process.</p> |

|    | MATTERS TO BE REVIEWED                    | COMMENTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| f. | Future Place of Worship Block             | <p>The Owner proposes to create a parcel through a future Part Lot Control application that will be sold for institutional purposes.</p> <p>A synagogue currently leases space in the existing private school which is intended to be demolished. The synagogue would like to remain in the area and proposes to develop this proposed parcel for institutional purposes through a separate development application.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| g. | Urban Design and Architectural Guidelines | The Development will be reviewed in consideration of the City's Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| h. | Site Development Application              | <p>A Site Development Application will be required and will be reviewed in consideration of, but not limited to, appropriate building and site design, barrier free accessibility, pedestrian connectivity, the location and size of amenity space, vehicular access, internal traffic circulation, parking, landscaping (hard and soft), the location of permeable pavers, landscape buffers, fencing, environmental sustainability, bird friendly design, waste management, outdoor lighting designed to eliminate light spillage to neighbouring properties, stormwater management, and servicing and grading.</p> <p>A Site Development Application can be processed concurrently with the Applications and be considered together in a comprehensive technical report to a future Committee of the Whole Meeting to ensure that the site-specific exceptions are identified in the implementing</p> |

|    | <b>MATTERS TO BE REVIEWED</b>                                                | <b>COMMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----|------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    |                                                                              | zoning by-law to facilitate the Development, if the Applications are approved.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| i. | Future Draft Plan of Condominium and Part Lot Control Exemption Applications | <p>Should the Applications be approved, a Draft Plan of Condominium (Common Element) Application will be required to establish the condominium tenure for the Development.</p> <p>A Part Lot Control Exemption Application is required to create the individual POTLS (parcels of tied land).</p>                                                                                                                                                                                                                                                                                                                                                                                                         |
| j. | Sustainable Development                                                      | <p>Opportunities for sustainable design, including CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the “heat island” effect, green roofs, etc., will be reviewed and implemented through the site plan approval process, if the Applications are approved.</p> <p>In accordance with the City of Vaughan Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Overall Application Score.</p> |
| k. | Water and Servicing Allocation                                               | The availability of water and sanitary sewage servicing capacity for the proposed residential units must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing capacity is unavailable, the Holding Symbol “(H)” may be applied to the                                                                                                                                                                                                                                                                                                                                                                                                                           |

|  | <b>MATTERS TO BE REVIEWED</b> | <b>COMMENTS</b>                                                                                                                  |
|--|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
|  |                               | Subject Lands. Removal of the Holding Symbol will be conditional on servicing being identified and allocated by Vaughan Council. |

### **Financial Impact**

Not Applicable.

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

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

### **Conclusion**

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

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

### **Attachments**

1. Location Map
2. Conceptual Site Plan and Proposed Zoning
3. Building Elevations – Block 1
4. Building Elevations – Block 8
5. Building Elevations – Block 10

### **Prepared by**

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