

Committee of the Whole (1) Report

DATE: Monday, October 07, 2019

WARD: 2

**TITLE: GABRIELE TATANGELO, GIUSEPPE FALLETTA AND
RAVINDER SINGH MINHAS
SITE DEVELOPMENT FILE DA.18.081
VICINITY OF PINE VALLEY DRIVE AND HAYHOE AVENUE**

FROM:

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

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.18.081 for the subject lands shown on Attachment 1, to permit the development of 12 semi-detached dwelling units served by a private common element condominium road having frontage and access onto Pine Valley Drive as shown on Attachments 2 to 5.

Report Highlights

- The Owner seeks approval for 12 semi-detached units served by a private common element condominium road.
- The Development Planning Department supports approval of the development, subject to the Recommendations of this report, as it conforms to the Official Plan, is consistent with a related Council approved Zoning By-law Amendment application and is compatible with the existing and planned uses in the surrounding area.

Recommendations

1. THAT Site Development File DA.18.081 (Gabriele Tatangelo, Giuseppe Falletta and Ravinder Singh Minhas) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department to permit the development of 12 semi-detached units served by a private common element condominium road in the manner shown on Attachments 2 to 5:
 - a) THAT prior to the execution of the Site Plan Agreement:
 - i) the implementing Zoning By-law to rezone the subject lands to R5 Residential Zone, with the site-specific exceptions to permit the development be enacted by Council and be in full force and effect;
 - ii) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate, and tree preservation plan;
 - iii) the Development Engineering Department shall approve the final site servicing, grading and existing drainage plans, functional servicing report, servicing plans, stormwater management report, and noise feasibility study;
 - iv) the Owner shall satisfy all the requirements of York Region;
 - v) the Owner shall obtain the appropriate servicing easement(s) to service the subject lands to the satisfaction of the City;
 - vi) the Owner shall pay \$9,360.00, the Engineering Review Fee in accordance with By-law 022-1028, to the satisfaction of the Development Engineering Department;
 - vii) the Owner shall satisfy all requirements of the Transportation Services, Parks and Forestry Operations Department;
 - viii) the Owner shall satisfy all requirements of Canada Post Corporation;
 - ix) the Owner shall satisfy all requirements of Alectra Corporation, Enbridge Distribution Inc. and Bell Canada; and

- x) the Owner, if required, must enter into a Tree Protection Agreement in accordance with Council enacted tree By-law 052-2018 and the City's Tree Protection Protocol, to the satisfaction of the Development Planning Department, Urban Design and Heritage Culture Division.
- b) the Site Plan Agreement shall include the following clauses:
 - i) "The Owner agrees to obtain into an encroachment permit with York Region for any portion of the driveway, parking, landscaping, signage, services, fencing and any other feature encroaching into York Region's right-of-way along Pine Valley Drive to the satisfaction of York Region."
 - ii) "The Owner/Condominium Corporation shall be responsible to maintain the portion of the driveway, access, landscaping and any other feature located within the York Region's right-of way along Pine Valley Drive, to the satisfaction of York Region."
 - iii) "Should archaeological resources be found on the subject lands during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Departments shall be notified immediately."

"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 and Crematoriums Regulation Unit of the Ontario Ministry of Consumer and Business Services, and the Development Planning Department, Urban Design and Cultural Heritage Division."
 - iv) "Prior to the issuance a Building Permit, the Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan to the satisfaction of the Financial Planning and Development Department."
 - v) "The Owner shall pay to Vaughan by way of certified cheque, Cash-in-Lieu of the dedication of parkland equivalent to 5% or 1ha. 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 to the satisfaction of the Infrastructure Development Department.”

- vi) That all Offers of Purchase and Sale or lease, and future Condominium Documents shall include wording that the Owner/Condominium Corporation shall be responsible to maintain all portions of the landscaping, roads, and access located within the Regional right-of-way along Pine Valley Drive to the satisfaction of the City and York Region.”
3. THAT Site Plan File DA.18.081 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 12 residential units (41 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 with a building construction program within a reasonable timeframe.

Background

The subject lands (the ‘Subject Lands’) are located on the west side of Pine Valley Drive, south of Langstaff Road, being the rear portion of lots 1, 2 and 3, on Registered Plan of Subdivision 65M-1776, known municipally as 61, 71 and 83 Hayhoe Avenue, City of Vaughan as shown on Attachments 1 and 2.

Council on June 27, 2017, approved Official Plan and Zoning By-law Amendment applications to permit the development

Vaughan Council on June 20, 2017, approved Official Plan and Zoning By-law Amendment Files OP.14.007 and Z.14.028 (Rocco Tatangelo, Joseph Falletta and Ravinder Singh Minhas) to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 for the Subject Lands to facilitate the development of 12 semi-detached dwelling units, served by a private common element condominium road as shown on Attachments 2 to 5.

Vaughan Council on September 26, 2017, approved site-specific Official Plan Amendment (OPA) 18 to permit the development, which is in full force and effect.

Vaughan Council approved Zoning By-law Amendment File Z.14.021 to rezone the Subject Lands to R5(H) Residential Zone with the addition of the Holding Symbol “(H)”, however to date, an implementing By-law has not been enacted as details related to the Site Development Application were being finalized. The conditions for removal of the Holding Symbol “(H)” from the Subject Lands was Vaughan Council’s reservation and

allocating of sewage capacity from the York Sewage Servicing/Water Supply System for the development and that a Site Development Application be approved.

A Site Development Application has been submitted to permit the development

The Owner has submitted a Site Development Application File DA.18.081 (the 'Application') to permit the development of 12 semi-detached residential units served by a private common element condominium road (the 'Development') with frontage and access from Pine Valley Drive as shown on Attachments 2 to 5.

Previous Reports/Authority

[June 27, 2017, Committee of the Whole \(item 12 Report No. 26 \)](#)

Analysis and Options

Land Use Policies and Planning Considerations

The Development is consistent with the Provincial Policy Statement 2014

The Provincial Policy Statement 2014, (the 'PPS') provides policy direction on matters of provincial interest related to land use planning and development. The PPS promotes healthy liveable communities that are sustained by efficient development and land use patterns and density that make efficient use of land and development patterns, promote healthy and safe communities and accommodate the appropriate mix of residential, employment, institutional and recreational uses to meet long term needs.

The Subject Lands are located on Pine Valley Drive, a major arterial road within the Woodbridge community, a settlement area as defined by the PPS. The PPS states that within settlement areas, sufficient land shall be made available through intensification and redevelopment.

The Development is consistent with the intent of the intensification and housing policies of the PPS by promoting the efficient use of land with frontage on an arterial road and adding to the range of housing types available in the community in an area having services to support the proposed level of intensification on the Subject lands.

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

The policies of A Place to Grow, the Growth Plan for the Greater Golden Horseshoe (the 'Growth Plan') are intended to guide the development of land in the Greater Golden Horseshoe that support complete communities by encouraging compact built form,

transit supportive communities and a range and mix of housing types directed to built-up areas, which offer municipal wastewater systems. The Growth Plan supports the focus for transit and infrastructure investment, which supports future growth by concentrating new development within the settlement delineated built-up area with existing transit. The Development introduces a compact and efficient form of ground related residential development (semi-detached units) within a built-up area with available municipal services. The Development conforms with the policies of the Growth Plan.

The Development conforms to the York Region Official Plan 2010

York Region Official Plan 2010 ('YROP 2010') designates the Subject Lands "Urban Area", and Pine Valley Drive is identified as part of the Regional Street network. Intensification within an Urban Area is anticipated to accommodate a significant portion of the planned growth in York Region. YROP 2010 encourages a mix of housing types, within efficient mixed-use compact communities at an overall transit supportive density. The Development introduces a semi-detached built form into the community, which makes use of existing services and infrastructure and therefore, conforms to the YROP 2010.

The Development conforms to Vaughan Official Plan 2010 as amended

The Subject Lands are designated "Low Rise Residential" by City of Vaughan Official Plan 2010 ('VOP 2010'), as amended by site-specific OPA 18, which was adopted by Vaughan Council on September 26, 2017, and is in full force and effect. OPA 18 permits semi-detached dwellings on the Subject Lands and provides policies to implement the Development.

Additional zoning exceptions are required to permit the Development.

As noted above, Vaughan Council on June 27, 2017, approved Zoning By-law Amendment File Z.14.028 to rezone the Subject Lands from "R1 Residential Zone" subject to site-specific Exception 9(192) to "R5(H) Residential Zone" with the Holding Symbol "(H)" and including the following site-specific zoning exceptions:

Table 1- Council Approved Zoning Exceptions (June 27, 2017)

	Zoning By-law 1-88 Standard	Zoning By-law 1-88 R5 Residential Zone Requirements	Proposed Exceptions to Zoning By-law 1-88 R5 Residential Zone Requirements
a.	Minimum Rear Yard	7.5 m	7 m (main building façade)
b.	Lot Frontage on a Public Street	Lots shall have frontage on a public street	Permit lots with the frontage on a private driveway
c.	Minimum Setback (to a garage)	6.4 m	6 m
d.	Maximum Encroachment for Stairs (71 Hayhoe Avenue) subject to Exception 9(192)	1.8 m	The existing stairs shall encroach more than 3 m into the required rear yard
e.	Minimum Lot Area	225 m ²	216 m ² (as per Council communication item)
f.	Minimum front yard encroachment	No encroachment permitted	0.5 m encroachment (as per Council communication item)

The site plan shown on Attachment 2 is consistent with the site-specific standards approved by Vaughan Council on June 27, 2017. However, during the review of the Site Development Application additional zoning exceptions have been identified as follows:

Table 2- Additional Zoning Exceptions required to implement the current Development

	Zoning By-law 1-88 Standard	Zoning By-law 1-88 R5 Residential Zone Requirements- Exception 9(192)	Proposed Exceptions to Zoning By-law 1-88 R5 Residential Zone Requirements
a.	Minimum Lot Coverage	50%	54.5% (all lots)
b.	Minimum Rear Yard Setback to a Building and to an Uncovered Deck and Stairs (71 Hayhoe Avenue)	15 m (building) 13.2 m (uncovered deck and stairs)	14.6 m (existing dwelling) 11.7 m (existing uncovered deck and stairs)
c.	Minimum Rear Yard Setback to a Projection Above the First Floor	7 m	6 m (Architectural Overhang Feature)
d.	Maximum Front Yard Encroachment for Stairs	1.8 m	2.4 m
e.	Location of a Private Driveway	A Private Driveway and aisles serving parking areas and layby parking shall be located entirely on the private land and have a minimum width of 6 m	Permit an 8 m wide common element road and aisles and layby parking within the Pine Valley Drive right-of-way

The site plan includes lots with a depth of 34.5m, which has been increased from 33.5m when the Zoning By-law Amendment Application was considered and approved by Council. The lot depth has been increased to permit larger dwelling units on the Subject Lands and a lot coverage of 54.5% for each semi-detached unit. The proposed lot coverage is 4.5% greater than permitted by Zoning By-law 1-88. The increased lot depth also results in reduced rear yard setbacks of 14.6 m and 11.7 m to the existing dwelling and stairs respectively, for 71 Hayhoe Avenue.

The 6 m setback for the second floor projection is measured to an architectural feature on the rear elevation of each unit and does not impact the 7 m rear yard setback to each dwelling previously approved by Council. The proposed 2.4 m front yard

encroachment for the stairs is minor and would not impact the adjacent existing dwellings.

The Development will be served by an 8 m wide common element condominium road comprised of private and public (Pine Valley Drive right-of-way) lands to facilitate efficient on-site vehicular movements and the potential for lay-by parking as shown on Attachment 2, which is supported by York Region.

The additional zoning exceptions identified through the review of the Site Development Application are supported by the Development Planning Department as these exceptions are minor in nature and implement a Development that conforms to the Official Plan and is consistent with the related Zoning By-law Amendment application approved by Vaughan Council. The zoning exceptions identified in Table 2 will be included in the implementing Zoning By-law.

Vaughan Council's conditions for the removal of the Holding Symbol "(H)" from the Subject Lands have been satisfied. The implementing Zoning By-law will rezone the Subject Lands to R5 Residential Zone with site-specific exceptions.

Vaughan Council on June 27, 2017, approved Zoning Amendment File Z.14.028 to rezone the Subject Lands to "R5(H) Residential Zone", with the addition of a Holding Symbol "(H)". The conditions for removing the Holding Symbol "(H)" included:

- Council approval of a Site Development Application
- Council allocating servicing for the Subject Lands

Should Council approve the Recommendations in this report, the conditions to remove the Holding Symbol "(H)" will be satisfied and the Subject Lands will be zoned "R5 Residential Zone" with site-specific exceptions to implement the Development.

The Development Planning Department supports the Development, subject to the Recommendations in this report

Site Plan

The Subject Lands consist of the rear 34.5 m of the properties municipally known as 61, 71 and 83 Hayhoe Avenue as shown on Attachment 2. The Subject Lands will be accessed from two driveways on Pine Valley Drive connecting to a private common element condominium road. A total of 12 semi-detached lots and dwellings are proposed with traditional front and rear yards. The Development will function as a common element condominium with the freehold lots sharing and maintaining the common elements.

Landscape Plan

The landscape plan shown on Attachment 3 includes a mix of deciduous trees and shrubs along Pine Valley Drive, including planting within the Pine Valley Drive right-of-way. A landscape treatment consisting of deciduous and perennial shrubs and decorative pavers is proposed in the front yard of each lot. The existing Regional Municipal trees within the Pine Valley right-of-way are being preserved. A 1.8 m high wood privacy fence and additional trees are proposed along the west property line. The rear yards and all interior side yards are proposed to be sodded.

The final landscape plan shall be approved by the Development Planning Department and all encroachment into the Pine Valley right-of-way will require the approval from York Region. Conditions to this effect are included in the Recommendations of this report.

Building Elevations

The building elevations shown on Attachments 4 and 5 utilize a modern design and include darker colour shades of brick, stone precast and aluminum building materials. The dwellings in the surrounding area are primarily two-storey units clad with a single colour brick scheme and with pitched rooflines. A similar contemporary built form was recently constructed on the west side of Pine Valley Drive, south of the Subject Lands. -The Development Planning Department Urban Design and Cultural Heritage Division support the proposed unit designs and building materials, however recommend minor adjustments to the roofline around the windows for some of the elevations (Attachment 4 - front elevation). Additional urban design comments are provided later in this report.

Parking/Access

The Development includes two driveways from Pine Valley Drive and a 6 m wide private common element condominium road as shown on Attachment 2. Additional paved areas adjacent to the private common element condominium road are provided to accommodate vehicle turning movement, including service vehicles (i.e. garbage truck) and the potential for parking spaces. The total width of the paved area is 8 m, which includes 3.40 m located in the Pine Valley right-of-way. The 3.40 m has been identified as surplus land to York Region's planned 36 m ultimate right-of way width for Pine Valley Drive.

A total of 24 parking spaces are provided for the Development, which complies with the parking required (i.e. two spaces per unit) of Zoning By-law 1-88.

The Owner is required to obtain an Encroachment Permit from York Region for the portion of the common element condominium road, entry features and driveways

located within the Regional right-of way. A condition to this effect is included in the Recommendations of this report.

Draft Plan of Condominium and a Part Lot Control Applications are required to facilitate the Development

A Draft Plan of Condominium (Common Element) application is required to establish the common elements of the condominium which represent an interest owned by each future land owner. Each owner would retain a freehold tenure of a semi-detached lot. The common elements will consist of a private element common condominium road with a width of 4.60 m, which will be implemented through the Draft Plan of Condominium Application.

All lands within the Pine Valley Drive right-of-way will not form part of the common elements but will be maintained by the Condominium Corporation. A condition to this effect shall be included in the Site Plan, Condominium Agreement and in the Condominium Declaration Document.

The Subject Lands consist of the 34.5 m rear of the lands legally described as Lots 1, 2 and 3 (61, 71 and 83 Hayhoe Avenue) on Registered Plan of Subdivision 65M-1776 created through a plan of subdivision. An application for exemption to lift the Part Lot Control provisions of the *Planning Act* from the Subject Lands is required to create 12 conveyable lots to facilitate the Development.

The Owner will also be required to obtain the necessary service easement(s) from the Owners of 61, 71 and 83 Hayhoe Avenue, to service the Development. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department, Urban Design and Cultural Heritage Division has no objection to the approval of the Development, subject to the conditions.

The Development Planning Department, Urban Design and Cultural Heritage Division ('Urban Design') has provided the following comments:

Architecture

Urban Design supports the contemporary architectural style and building materials, however recommend that a more traditional design approach for the roofline be used where it lies beneath the window lintel for some of the units (Attachment 4). The rear facades of Lots 5 and 6 are not consistent with the roof style and must be amended to the satisfaction of the Urban Design. The 2.4 m space between the dwellings does not

allow for windows and the proposed balconies must be larger in depth to provide acceptable function. The Owner is working with Urban Design to revise the building elevations.

Landscaping

Urban Design supports the landscape treatment and requires that the plans be revised to include the locations of the light standards and hydro transformer to ensure they do not impact tree planting and include proper screening.

The Owner is required to revise the Arborist Report and the landscape cost estimate to ensure all deciduous trees are minimum 60mm caliper in size, perennials/grasses are at minimum 3-gallon pots, and that the tree protection zones be extended to cover the drip line of the trees to the satisfaction of Urban Design.

Prior to the execution of the Site Plan Agreement the Owner must enter into a Tree Protection Agreement, which shall include among other matters, costs for tree removal and tree compensation to the satisfaction of the City. A condition to this effect is included in the Recommendations of this report.

Cultural Heritage Staff have indicated that the Subject Lands are located in an area identified as being of high archaeological potential in the City's database of archaeological resource, however have no objection to the Development subject to the warning clauses approval included in the Recommendations of this report being included in the Site Plan Agreement.

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

The Development Engineering ('DE') Department supports the Development and requires the Owner to address all outstanding engineering comments. A copy of the comments has been forwarded to the Owner. Prior to the execution of the Site Plan Agreement the final engineering plans, stormwater management report functional servicing report and noise report must be approved to the satisfaction of the DE Department. A condition to this effect is included in the Recommendations of this report.

Environmental Engineering

The Environmental Site Assessment ('ESA') was circulated to the Environmental Engineering Division of the Development Engineering Department and based on their review, no further site assessment is required at this time.

Sewer and Water Allocation

A resolution to allocate servicing capacity from the York Sewage Servicing/Water Supply System to the Development is recommended for Council's approval and is included in the Recommendations of this report.

The Financial Planning and Development Finance Department advise that development charges apply to the Development

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 York Catholic District School Boards. A condition to this effect is included in the Recommendations of this report.

The Development is eligible for municipal waste collection services

The Environmental Services Department, Solid Waste Management Division have no objection to the Development and have indicated that it is eligible for municipal waste collection, subject to the Owner revising the truck turning/movement plan to their satisfaction.

Cash-In-Lieu of dedication of the Parkland in accordance with the City's Policies and Procedures is required for the Development

The Parks Development and Infrastructure Development Departments advise that the Owner is required to pay cash-in-lieu of the dedication of parkland in accordance with the City's Policies and Procedures. A condition to this effect is included in the Recommendations of this report.

The City of Vaughan Fire and Rescue Services has no objection to the Development or any conditions of approval

The City of Vaughan Fire and Rescue Services has no objection to the Development or any conditions of approval

The Transportation Services, Parks and Forestry Operations has no objection to the Development, subject to conditions

The Transportation Services, Parks and Forestry Operations (the 'TSPFO') Department has no objection to the approval of the Development and requires that the Owner comply with the City of Vaughan By-law 052-2018 when installing all types of tree

protection fencing to the satisfaction of the City. In addition, the TSPFO Department notes that no construction activity, grade changes, surface treatment or excavation of any kind is permitted within the Tree Protection Zone (the 'TPZ').

Vaughan Forestry's objective is zero soil compaction within the TPZ, therefore best efforts must be made to achieve this objective using materials and best practices available that minimize the vertical loading and spread the loading horizontally. The Owner shall protect municipal and private trees during all phases of construction and any damaged trees will require monetary compensation in accordance with By-law 052-2018 and to the satisfaction of the TSPFO Department. The Owner shall notify the York Region for and regional trees that are damaged and shall contact the TSPFO Department when all the tree protection and fencing has been installed.

Prior to the execution of the Site Plan Agreement the Owner shall satisfy all requirements of the TSPFO Department. A condition to this effect is included in the Recommendations of this report.

Canada Post Corporation has no objections to the Development

Canada Post Corporation has no objections to the Development but has determined that the Development will be serviced by centralized mail delivery provided through a community mail box. Prior to the execution of the Site Plan Agreement the Owner is required to satisfy all requirements of Canada Post, as outlined in a letter dated June 21, 2019. A condition to this effect is included in the Recommendations of this Report

Enbridge Distribution Inc., Alectra Corporation and Bell Canada have no objection to the Development, subject to the Recommendations of this report

Enbridge Distribution Inc, Alectra Corporation and Bell Canada advise that they have no objection to the Development subject to their final clearance. A condition to this effect is included in the Recommendations of this report.

The York Catholic District School Board have no objection or comments to the Development

The York Catholic District School Board has no objections or conditions of approval to the Development. The York Region District School Board has not provided any comments for the Application.

Financial Impact

There is no requirement for new funding associated with this report.

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has no objection to the Development, however has provided comments and requirements to the Owner, which shall be addressed prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

Conclusion

The Development Planning Department has reviewed Site Development File DA.18.081 in consideration of the applicable Provincial policies, the York Region and VOP 2010 policies including site-specific Official Plan Amendment 18, the requirements of Zoning By-law 1-88 and comments from the City Departments and external public agencies.

The Development is permitted by the Official Plan and is consistent with the development concept approved by Vaughan Council on June 27, 2017. Additional site-specific zoning exceptions were identified through the review of the Site Development Application that are required to implement the Development. These zoning exceptions are considered to be minor in nature and the Development is consistent with the related zoning by-law Amendment Application approved by Vaughan Council. All of the required zoning exceptions for the Development will be included in the implementing zoning by-law. On this basis the Development Planning Department can support the approval of Site Development File DA.18.081. Should Council approve the Application, conditions of approval are included in the Recommendations of this report.

For more information, please contact: Eugene Fera Senior Planner, Development Planning Department, Extension 8003.

Attachments

1. Location Map
2. Site Plan and Zoning
3. Landscape Plan
4. Building Elevations
5. Building Elevations

Prepared by

Eugene Fera, Senior Planner, ext. 8003

Carmela Marrelli, Senior Manager of Development Planning ext. 8791

/MEO