

Committee of the Whole (Public Hearing) Report

DATE: Monday, September 17, 2018

WARD: 3

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.16.018
DRAFT PLAN OF SUBDIVISION FILE 19T-16V003
CELVIN ESTATES INC.
VICINITY OF WESTON ROAD AND MAJOR MACKENZIE DRIVE**

FROM:

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

ACTION: DECISION

Purpose

To receive comments from the public and Committee of the Whole on Zoning By-law Amendment File Z.16.018 and Draft Plan of Subdivision File 19T-16V003 for the Subject Lands shown on Attachments #1 and #2, to permit the development of 177 townhouse dwellings comprised of 59 street townhouse dwellings including blocks to develop with the adjacent lands (all freehold on a public road), 40 townhouse dwellings and 78 back-to-back townhouse dwellings (all freehold on a future private common element condominium road), in the manner shown on Attachments #3 to #5.

Report Highlights

- To receive comments from the public and Committee of the Whole on Zoning By-law Amendment and Draft Plan of Subdivision Applications for the Subject Lands shown on Attachments #1 and #2, to facilitate the development of 177 townhouse dwellings.
- 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 Zoning By-law Amendment File Z.16.018 and Draft Plan of Subdivision File 19T-16V003 (Celvin Estates 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”) are located on the west side of Weston Road, north of Major Mackenzie Drive, and are municipally known as 10130, 10144 and 10160 Weston Road, as shown on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

The Applications were revised following the September 7, 2016 Public Hearing

The Owner on April 26, 2016, submitted Zoning By-law Amendment and Draft Plan of Subdivision Files Z.16.018 and 19T-16V003 (Celvin Estates Inc.) for the southerly portion of the Subject Lands (10,130 and 10,144 Weston Road) shown on Attachments #1 and #2, to permit 121 dwelling units comprised of 17 street townhouse dwellings (freehold on a public road), 24 townhouse dwellings and 80 back-to-back townhouse dwellings (freehold on a future private common element condominium road), as shown on Attachment #7. The proposal was considered by the Committee of the Whole at the September 7, 2016, Public Hearing. The proposal did not conform to the approved Block 40 South Plan and did not align with the approved lotting and street pattern of the adjacent approved Draft Plan of Subdivision (Belmont Plan of Subdivision File 19T-06V07 and Maplequest (Vaughan) Developments Inc. Plan of Subdivision File 19T-12V002).

The Owner subsequently acquired the abutting lands to the north (10160 Weston Road), as shown on Attachment #2, and revised the development proposal as shown on Attachments #3 to #5.

Revised Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the Development

The Owner has submitted the following applications (the “Applications”) to permit 177 townhouse dwellings (the “Development”) comprised of 59 street townhouse dwellings including blocks to develop with the adjacent lands (all freehold on a public road), 40 townhouse dwellings and 78 back-to-back townhouse dwellings (all freehold on a future private common element condominium road), as shown on Attachments #3 and #4:

1. Zoning By-law Amendment File Z.16.018 to rezone the Subject Lands from “A Agricultural Zone” and “RR Rural Residential Zone” to “RT1 Residential Townhouse Zone” in the manner shown on Attachment #4, together with site-specific zoning exceptions identified in Table 1 of this report.

2. Draft Plan of Subdivision File 19T-16V003 to facilitate a residential Plan of Subdivision (the “Draft Plan”) for the Subject Lands shown on Attachment #4 consisting of the following:

Blocks	Land Use	Area (ha)	Number of Units
A-J	Street Townhouses	0.625	59
K	Townhouses (freehold on a future private common element condominium road)	1.906	40
	Back-to-Back Townhouse (freehold on a future private common element condominium road)		78
L	Road Widening (Weston Road)	0.023	
K	Road 20 m Wide Right-of-Way (Dundonnell Place)	0.20	
TOTAL		2.76	177

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

- a) Date the Notice of a Public Meeting was circulated: August 10, 2018

The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Signs was installed on the property in accordance with the City's Notice Sign Procedures and Protocols.

- b) Circulation Area: 150 m, Millwood Woodend Ratepayers Association and the Vellore Woods Ratepayers Association.

- c) Comments Received:

Any 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. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

The following deputations and written submissions were received by the Development Planning Department for the September 7, 2016, Committee of the Whole Public Hearing for the original development shown on Attachment #7:

Deputations

1. Mr. Robert Dragicevic, Walker, Nott, Dragicevic (WND), Eglinton Avenue East, Toronto;
2. Mr. Kurt Franklin, Weston Consulting Group, Millway Avenue, Vaughan;
3. Mr. Brian Greenberg, Madoc Place, Vaughan;
4. Mr. Nick Simos, dated August 18, 2016; and
5. Mr. Daniel Steinberg, Davies Howe Partners LLP, Spadina Avenue, Toronto, dated August 31, 2016.

The following is a summary of and responses to the comments provided in the deputations and the written submissions received by the Development Planning Department, submitted at the Public Hearing:

- i) The Development will result in increased traffic and lack of on-street parking in the community resulting in the removal of amenity space to accommodate parking

The Development Engineering (“DE”) Department is reviewing the Traffic Impact Study, which included a review of existing traffic patterns, the surrounding area and the planned road improvements to the road network (i.e., the road widening of Major Mackenzie Drive). The Traffic Impact Study has also provided a Parking Plan to identify the location for 9 on-street parking spaces and 30 visitor parking spaces on the private common element condominium road. Two parking spaces per unit are proposed for the street townhouse units (freehold on a public road) and townhouse units and back-to-back townhouse units on the private common element condominium road in accordance with the “RT1 Residential Townhouse Zone” requirements in Zoning By-law 1-88. The DE Department review will determine if the proposed on-street parking spaces and 30 visitor parking spaces on the private common element condominium road are to the satisfaction of the City which will be discussed in the technical report.

Council in June 2015 passed By-law 125-2015 to permit on-lot parking, specifically to create an additional parking space in the front or exterior side yard on a hard landscaped area on lots where the lot frontage is 6 m or greater for detached, semi-detached and street townhouse units. The City will enforce the required soft landscaping requirement (i.e., trees, shrubs, flowers and grass) for the front and exterior side yards in accordance with Zoning By-law 1-88 to deter the removal of soft landscaped area.

- ii) The Owner is required to join the Block 40 South Developer’s Group respecting the cost sharing of services and infrastructure provided in the Block 40 South Planning Area

The Development Planning Department includes as a standard condition of Draft Plan approval, should the Applications be approved, that the Owner shall be required to satisfy all obligations, financial and otherwise, to the satisfaction of the Block 40 Trustee and the City of Vaughan.

Previous Reports/Authority

[Committee of the Whole \(Public Hearing\) September 6, 2016 and Council Meeting September 20, 2016](#)

Analysis and Options

The Development conforms to the Vaughan Official Plan 2010

The Subject Lands have a dual Official Plan designation. The westerly half of the site is designated "Low-Rise Residential" by Vaughan Official Plan 2010 ("VOP 2010") and is located within a Community Area. The "Low-Rise" residential designation permits townhouses with a maximum building height of 3-storeys, and there is no maximum density provision. The easterly half of the site is designated "Low-Rise Mixed-Use" and permits a maximum building height of 4-storeys and a maximum Floor Space Index ("FSI") of 1.5 times the lot area. The Official Plan states that a townhouse may not exceed a maximum number of 6 units in a row. VOP 2010 however states that where the intent of the policy is maintained, minor variations from the standard may be permitted without an amendment to the Official Plan. A Planning Justification and/or Urban Design Brief is required to support this variation to the satisfaction of the City.

The Development includes 3-storey street townhouse units and back-to-back townhouse units with up to 7 units in a row. At the time of the preparation of this report, the Owner has not confirmed the overall FSI. The Development must conform to the density provisions in the Official Plan otherwise an additional Public Hearing will be required.

The Low-Rise Guidelines do not apply to the Subject Lands

The City initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines ("Guidelines") for Infill Development in Established Low-Rise Residential Neighbourhoods and the Community Area Policy Review for Low-Rise Residential Designations Study ("Study"). The Guidelines were approved by Council on October 19, 2016, and serve to help clarify and implement the existing Policy 9.1.2.3 of VOP 2010 related to compatibility. A portion of the Subject Lands are designated "Low-Rise Residential" but the entire Subject Lands are not located within an established neighbourhood and therefore, the Guidelines do not apply.

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

The Subject Lands are zoned "A Agricultural Zone" and "RR Rural Residential Zone" by Zoning By-law 1-88 subject to site-specific zoning Exceptions 9(680) and 9(1060). The Owner proposes to amend Zoning By-law 1-88 to rezone the Subject Lands to "RT1 Residential Townhouse Zone" together with the following site-specific zoning exceptions to the RT1 Zone standards:

Table 1

	Zoning By-law 1-88 Standards	“RT1 Residential Townhouse Zone” Requirements - Standard Lot (Proposed Street Townhouses)	Proposed Exceptions to the “RT1 Residential Townhouse Zone” Requirements - Standard Lot (Proposed Street Townhouses)
a.	Minimum Lot Frontage (Blocks A, B and C)	6 m/unit	5.5 m/unit
b.	Minimum Lot Area (Blocks A, B and C)	162 m ² /unit	126.5 m ² /unit
c.	Minimum Lot Depth (Blocks A, B and C)	27 m	23 m
d.	Maximum Building Height (Blocks A, B and C)	11 m	12 m (3-storeys)
	Note:	Blocks A, B and C are to develop with the adjacent Belmont lands which are zoned “RD3(H) Residential Detached Zone Three” with the addition of the Holding Symbol “(H)” by Zoning By-law 1-88 subject to site-specific Zoning Exception 9(1291). The Belmont lands will have to be rezoned to “RT1 Residential Townhouse Zone” and be subject to the zoning standards of Blocks A, B and C.	

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements Subject to Exception 9(1291) (Proposed Street Townhouses)	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements Subject to match Exception 9(1291) (Proposed Street Townhouses)
a.	Minimum Lot Frontage (Blocks D, E and F)	6 m/unit	5.5 m/unit
b.	Minimum Lot Area (Blocks D, E and F)	162 m ² /unit	145 m ² /unit
c.	Minimum Lot Depth (Blocks D, E and F)	27 m	26.5 m
d.	Maximum Building Height (Blocks D, E and F)	11 m	12 m (3-storeys)
	Note:	Blocks D, E and F are to develop with the adjacent Belmont lands which are zoned “RT1(H) Residential Townhouse Zone” with the addition of the Holding Symbol “(H)” by Zoning By-law 1-88 subject to Exception 9(1291). The Belmont lands will require an amendment to the “RT1 Residential Townhouse Zone” requirements respecting.	
	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements (Proposed Street Townhouses)	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements (Proposed Street Townhouses)
a.	Minimum Lot Frontage (Block G)	6 m/unit	5.5 m/unit

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements Subject to Exception 9(1291) (Proposed Street Townhouses)	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements Subject to match Exception 9(1291) (Proposed Street Townhouses)
b.	Minimum Lot Area (Block G)	162 m ² /unit	136 m ² /unit
c.	Minimum Lot Depth (Block G)	27 m	24.8 m
d.	Maximum Building Height (Block G)	11 m	12 m (3-storeys)
	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements – Standard Lot	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements Subject to match Exception 9(1399) (Proposed Street Townhouses)
a.	Minimum Lot Frontage (Blocks H, I and J)	6 m/unit	5.5 m/unit
b.	Minimum Lot Area (Blocks H, I and J)	162 m ² /unit	145 m ² /unit
c.	Minimum Lot Depth (Blocks H, I and J)	27 m	26.5 m
d.	Maximum Building Height (Blocks H, I and J)	11 m	12 m (3-storeys)

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements Subject to Exception 9(1291) (Proposed Street Townhouses)	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements Subject to match Exception 9(1291) (Proposed Street Townhouses)
e.	Maximum Width of Driveway (Blocks H, I and J)	Zoning By-law 1-88 does not provide a standard for a driveway on a lot having a frontage of 5.5 m.	A driveway on a lot with a frontage between 5.5 m and 5.99 m shall not exceed a width of 3.5 m. The front yard shall be comprised of a minimum of 33% landscaped front or exterior side yard and a minimum 60% of the minimum landscaped front or exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.
	Note:	Blocks H, I and J are to develop with the adjacent Maplequest lands which are zoned "RT1(H) Residential Townhouse Zone" with the addition of the Holding Symbol "(H)" by Zoning By-law 1-88 subject to site-specific Zoning Exception 9(1399).	
	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements (Proposed Street Townhouses)	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements (Proposed Townhouses on a Private Common Element Condominium Road)
a.	Definition - Dwelling, Townhouse on a Private Common Element Condominium Road (Block K)	Zoning By-law 1-88 does not include a definition for a Townhouse on a lot which abuts a Private	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which lot abuts a private common

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements (Proposed Street Townhouses)	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements (Proposed Townhouses on a Private Common Element Condominium Road)
		Common Element Condominium Road	element condominium road.
b.	Definition - Dwelling, Townhouse, with a Driveway and Attached Garage in the Rear Yard, on a Private Common Element Condominium Road (Block K)	Zoning By-law 1-88 does not provide a definition for a Townhouse, with a Driveway and Attached Garage in the Rear Yard, on a lot which abuts on a Private Common Element Condominium Road	Means a townhouse dwelling, with a driveway and attached garage in the rear yard, in which each dwelling unit is situated on its own lot, which lot abuts a private common element condominium road.
c.	Definition - Dwelling, Back-to-Back Townhouse (Block K)	Zoning By-law 1-88 does not provide a definition for a Back-to-Back Townhouse on a lot which abuts a Private Common Element Condominium Road	Means a building containing three (3) or more dwelling units, each of which shares three (3) above ground party walls with abutting dwelling units; except for the end unit which shares two (2) above ground party walls with abutting dwelling units on a lot which abuts a Private Common Element Condominium Road.
d.	Minimum Lot Frontage (Block K)	6 m/unit	5.5 m/unit

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements (Proposed Street Townhouses)	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements (Proposed Townhouses on a Private Common Element Condominium Road)
e.	Minimum Lot Area (Block K)	162 m ² /unit	<p>136 m²/unit (Townhouse Units)</p> <p>118 m²/unit (Townhouse units, with the Driveways and Attached Garages in the Rear Yard)</p> <p>74 m²/unit (Back-to-Back Townhouse Units)</p>
f.	Minimum Front Yard (Block K)	4.5 m	3.5 m (Back-to-Back Townhouse Units)
g.	Minimum Rear Yard (Block K)	7.5 m	0 m (Back-to-Back Townhouse Units)
h.	Minimum Lot Depth (Block K)	27 m	<p>24.8 m (Townhouse Units)</p> <p>21.5 m (Townhouse units, with the Driveways and Attached Garages in the Rear Yard)</p> <p>13.5 m (Back-to-Back Townhouse Units)</p>

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements (Proposed Street Townhouses)	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements (Proposed Townhouses on a Private Common Element Condominium Road)
i.	Maximum Building Height (Block K)	11 m	12 m (3-storeys)

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity with Provincial Policies, and Regional and City Official Plans	<ul style="list-style-type: none"> 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 (2017)</i> (the "Growth Plan") and the policies of the York Region ("YROP") and the City of Vaughan Official Plans.
b.	Block 40 South Plan	<ul style="list-style-type: none"> Vaughan Council, on April 24, 2006, approved the Block 40 South Plan, as revised, shown on Attachment #6, which provides the basis for the land uses, housing mixes and densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for the Block to provide for managed growth. The lotting layout and street pattern in the approved Block 40 South Plan identified medium

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>density (street townhouse dwellings) for the Subject Lands.</p> <ul style="list-style-type: none"> ▪ The Owner has submitted a proposal to amend the approved lotting layout and street pattern in the approved Block 40 South Plan. Specifically, the revised plan (Attachment #4) impacts the Belmont and Maplequest Draft Plan of Subdivision (Files 19T-06V07 and 19T-12V002), which are both zoned (as shown on Attachment #2). The proposed zoning for the Subject Lands and the development concept is not consistent with the abutting Belmont and Maplequest lands. The affected landowners will need to work together to discuss and confirm an appropriate lotting and road pattern that works comprehensively for this area, to the satisfaction of the City.
c.	Appropriateness of Proposed Uses	<ul style="list-style-type: none"> ▪ The appropriateness of amending Zoning By-law 1-88 to permit the back-to-back townhouse building form and the site-specific zoning exceptions identified in Table 1 to implement the Development for the Subject Lands will be reviewed in consideration of compatibility with the surrounding and planned land uses.
d.	Proposed Draft Plan of Subdivision	<ul style="list-style-type: none"> ▪ The location and design of the proposed streets, private roads/laneways and all of the residential part blocks must be coordinated with the adjacent Belmont lands to the north and Maplequest lands to the south and west.
e.	Urban Design and Architectural Guidelines	<ul style="list-style-type: none"> ▪ The Development is subject to the <i>Block 40 South Architectural Design Guidelines</i>. The Owner has submitted Supplemental Guidelines that must be approved to the satisfaction of the City.
f.	Source Water Protection Area	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Wellhead Protection Area Water Quantity

	MATTERS TO BE REVIEWED	COMMENT(S)
		(WHPA-Q) area. In order to maintain sustainable groundwater management, all land development activities within the WHPA-Q area are to maintain pre-development recharge levels to the satisfaction of the Toronto and Region Conservation Authority and the City ("TRCA").
g.	Servicing	<ul style="list-style-type: none"> Vaughan Council must identify and allocate water and sanitary sewage servicing capacity for the Development, if the Applications are approved. If servicing capacity is unavailable, the Holding Symbol "(H)" may be applied to the Subject Lands. Removal of the Holding Symbol "(H)" will be conditional on servicing being identified and allocated by Vaughan Council.
h.	Parkland Dedication	<ul style="list-style-type: none"> The provision of cash-in-lieu of the dedication of parkland 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.
i.	Supporting Reports	<ul style="list-style-type: none"> The following documents submitted in support of the Applications must be reviewed and approved to the satisfaction of the City and public commenting agencies: <ul style="list-style-type: none"> Planning Justification Report Archaeological Assessment Functional Servicing Report Geotechnical Investigation Report Tree Inventory and Preservation Report Phase 1 Environmental Site Assessment ("ESA") and Phase 2 ESA Traffic Study Noise Report The requirement for additional studies/information may be identified through the development application review process.

	MATTERS TO BE REVIEWED	COMMENT(S)
j.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including Crime Prevention Through Environmental Design (CEPTD), Leadership in Energy and Environmental Design (LEED), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement to address the "heat island" effect, etc, will be reviewed and implemented through the subdivision approval process, if the Applications are approved.
k.	Future Applications	<ul style="list-style-type: none"> ▪ A Site Development Application will be required and reviewed in consideration of, but not limited to, appropriate building and site design, barrier free accessibility, pedestrian connectivity, vehicular access, internal traffic circulation, parking, landscaping, environmental sustainability, waste management, stormwater management, and servicing and grading, if the Applications are approved. ▪ The conceptual site plan shown on Attachment #3 will be reviewed together with the Zoning By-law Amendment and Draft Plan of Subdivision applications, and any revisions to the lotting and internal road pattern will be reflected in the implementing zoning by-law, if the Applications are approved. ▪ A Draft Plan of Condominium (Common Element) Application will be required to create the condominium tenure for the common elements including the private road/laneway and visitor parking for the Development, if the Applications are approved. ▪ A Part Lot Control Application will be required to create the freehold lots (Parcels of Title Land – POTLs) for each individual townhouse units.

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. 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 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: Judy Jeffers, Planner, Development Planning Department, ext. 8645

Attachments

1. Context Location Map
2. Location Map
3. Revised Conceptual Site Plan
4. Revised Proposed Zoning and Draft Plan of Subdivision
5. Building Elevations
6. Council Approved Block 40 South Plan
7. Previous Site Plan (Public Hearing September 7, 2016)

Prepared by

Judy Jeffers, Planner, ext. 8645

Mary Caputo, Senior Planner, ext. 8635

Carmela Marrelli, Interim Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning, ext. 8407

/CM